The Ombud: a zebrotentaculus?

ICNFP 2022

Zebrotentaculus
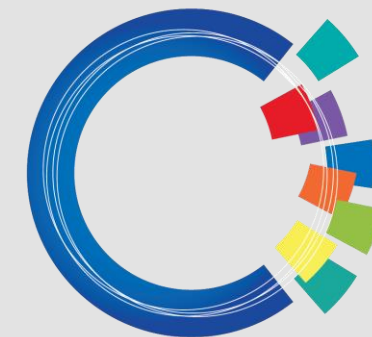
CERN ombud

What is an Ombud?

- The name "ombudsman" comes from Swedish and literally means "representative."

- The first known use of ombudsman was in 1831 (https://www.merriam-webster.com/dictionary/ombudsman)

- At the most fundamental level, an ombud is one who assists individuals and groups in **the resolution of conflicts or concerns**.

- Now a well organized profession with its code of Ethics and working standards , promoted by the International Ombuds Association

- Different types of ombuds (organizational, classical or advocate) – We are talking about the organizational ombud:
  - "a **designated neutral** *who is appointed or employed by an organization to facilitate the informal resolution of concerns of employees, managers, students and, sometimes, external clients of the organization.*"

- Ombuds work in all types of organizations, including government agencies, colleges and universities, corporations, hospitals and other healthcare organizations, and non-for-profit organizations, foundations, and associations.
  - International organizations and UN agencies such as ILO, WHO, WIPO, IOM, ITU, UNHCR, ICRC, IFRC all have an Ombud
  - So do EIROforum organizations EMBL, ESA, EUROfusion, ESO
  - But also scientific research infrastructures: DESY, FERMILAB
  - Common code of ethics and standards of practice but mandates may differ

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ombud@cern.ch

- Role created at CERN on 1/1/2011 following the introduction of the CERN Code of Conduct in July 2010

- See https://cds.cern.ch/record/1274045 , a video of the public meeting on 25/06/2010 introducing both.

- CERN Code of Conduct
  - "*CERN values are common sense written down and the CERN Code of Conduct is common sense that has to be seen as common sense*" Rolf Heuer, former CERN Director-General
  - It was developed bottom up and top down in 2019 and 2010.
  - As part of a global reflection on CERN Values and common standards of professional behaviours, came also the need for **enhanced supervisory skills and accountability,** as well as the need for **handling of conflictual situations**

- The mandate of the CERN Ombud is carefully crafted to ensure the role's **independence**, **impartiality** and **informality**. It also requires from the Ombud to guarantee the strictest level of **confidentiality**.

- It offers **a safe space** for **all members of the CERN Community**, whether staff, fellows, students, paid associates, users, staff of contractors to discuss concerns and understand their options without fear of retaliation or fear that formal action will be taken by simply raising concerns.

- The CERN Ombud is a member of the UNARIO Ombuds professional network, the European Ombuds Network and the International Ombuds Association.

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7 response channels

Inappropriate behaviour? Misconduct? Harassment?
CERN's Response Channels

Handling your concern in full confidentiality	Contact Information Building-floor-office location	Listening	Mediation	Advice &/or Guidance	Receipt of formal complaint; Investigation; Disciplinary action
Ombud's Office	ombuds@cern.ch 500-1-04	✓	✓	✓	
Social Affairs Service	social.affairs@cern.ch 33-1-38	✓		✓	
Medical Service	medical.service@cern.ch 57-1	✓		✓	
HR Adviser (Staff) or HR Coordinator (Fellows, Trainees, Students)	cern.ch/hr/hr-key-contacts 5-1 & 5-2	✓	✓	✓	
Staff Association	staff.association@cern.ch 64-R-010	✓		✓	
Your Department Head, or Head, Human Resources	(name)@cern.ch, or hr-dept.head@cern.ch	✓		✓	✓
Harassment Investigation Panel (HIP)	HIP Chairperson HIP.Chair@cern.ch			✓	✓

All members of personnel (incl. Users)
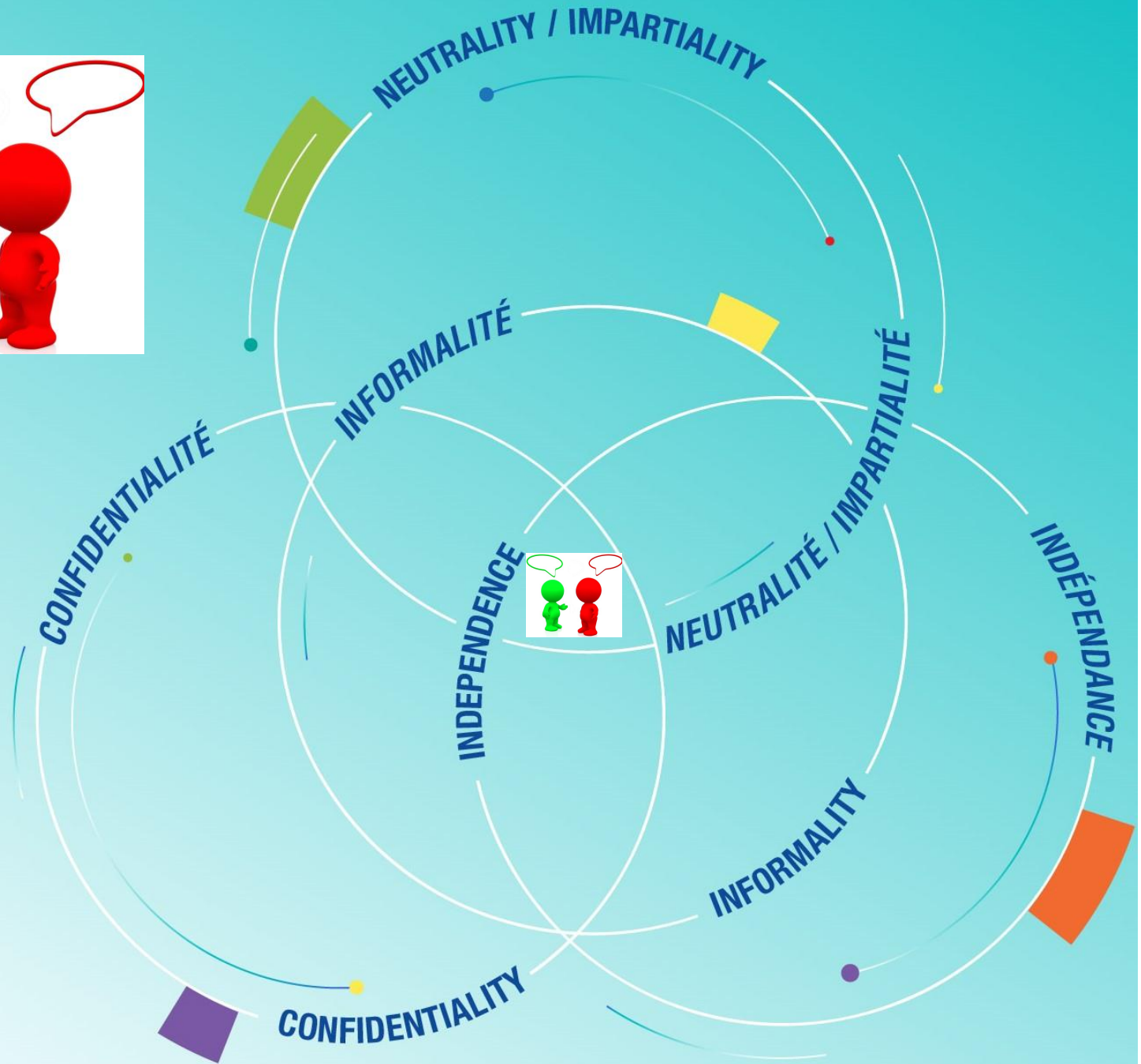
Staff, Fellows, Trainees, Students*

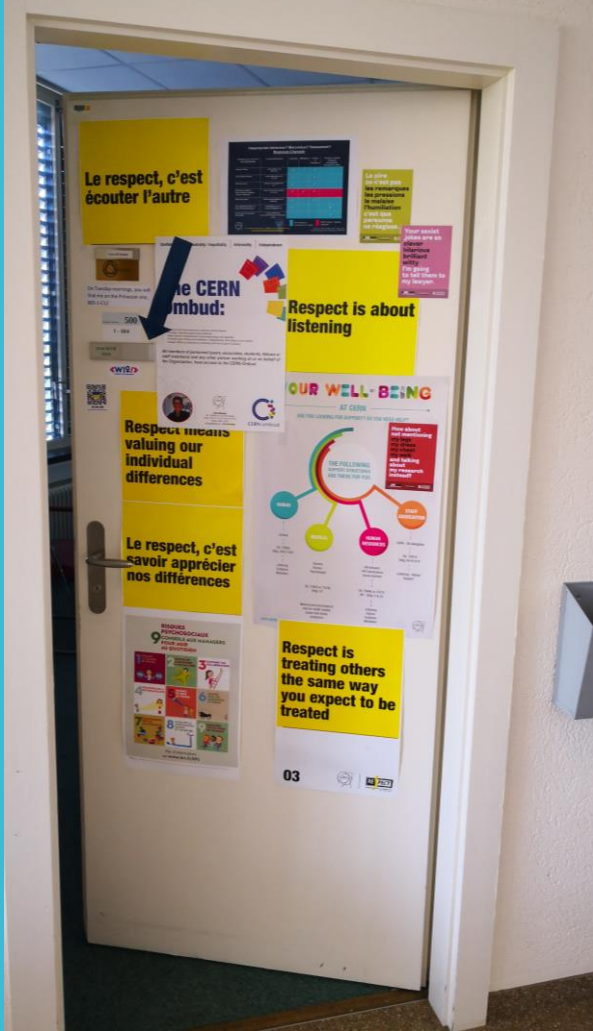*Students: TECH, ADMIN, DOCT, Short-Term Internship programmes coordinated by CERN HR

What makes the Ombud's response channel unique?

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Zero barrier office

- Active listening

- An external view on issues of concern and a sounding board

- Exploration of options

- Conflict resolution guidance

- Facilitated conversations

- Shuttle mediation

- Structured mediation

- Information about policies, rules, rights, procedures, "how things work here"

- Referrals to other response channels
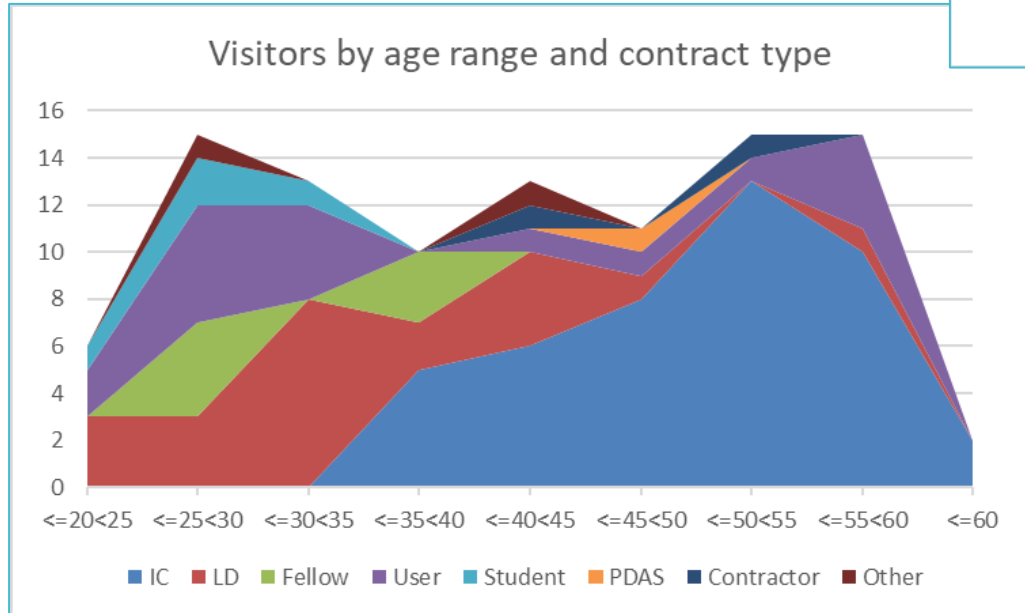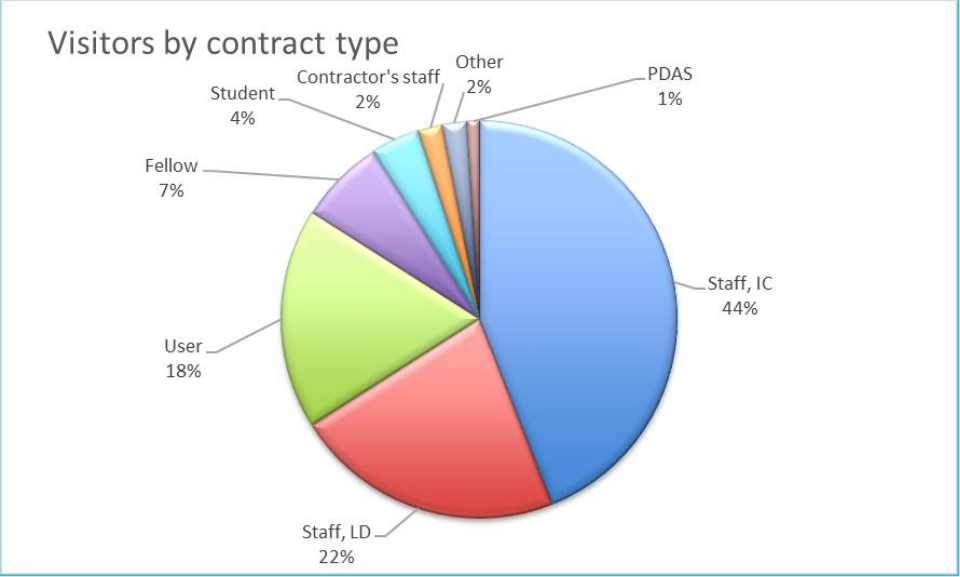
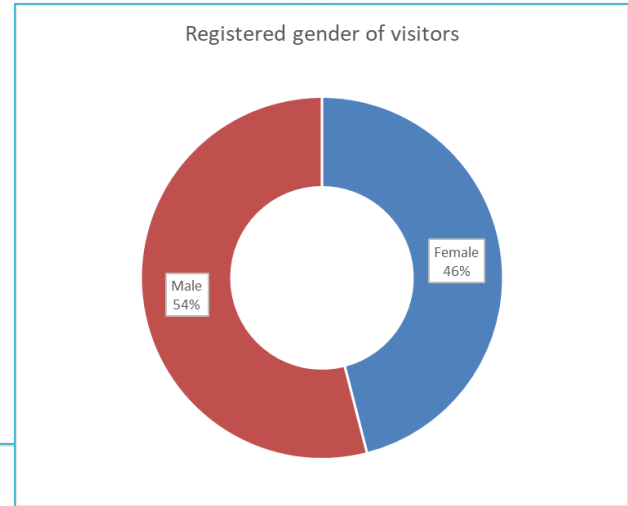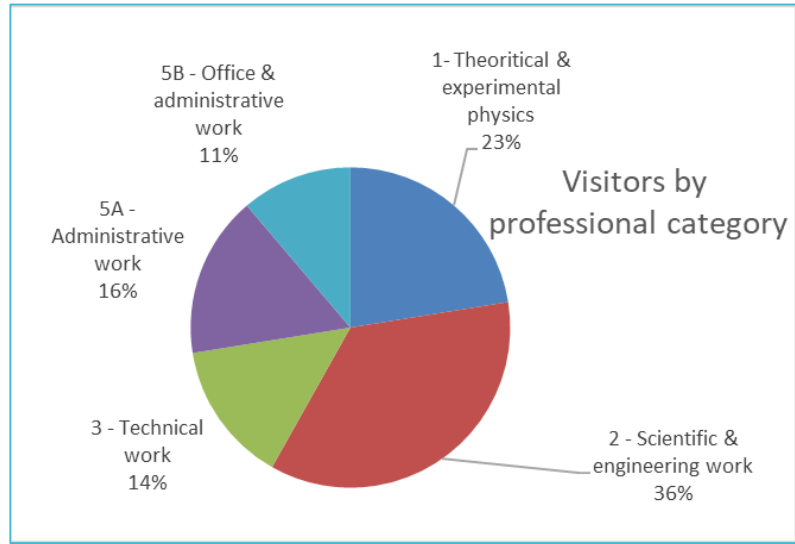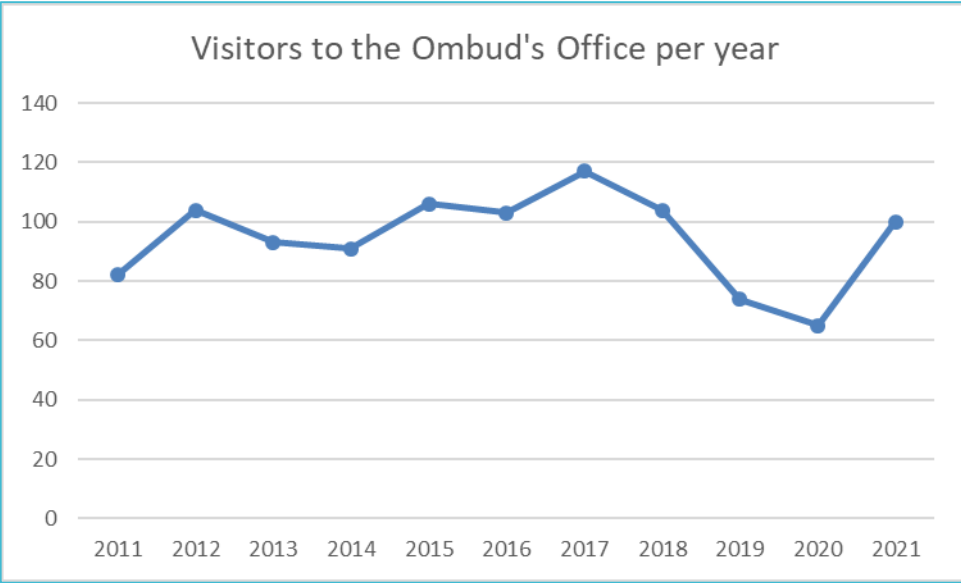- Awareness raising on specific topics
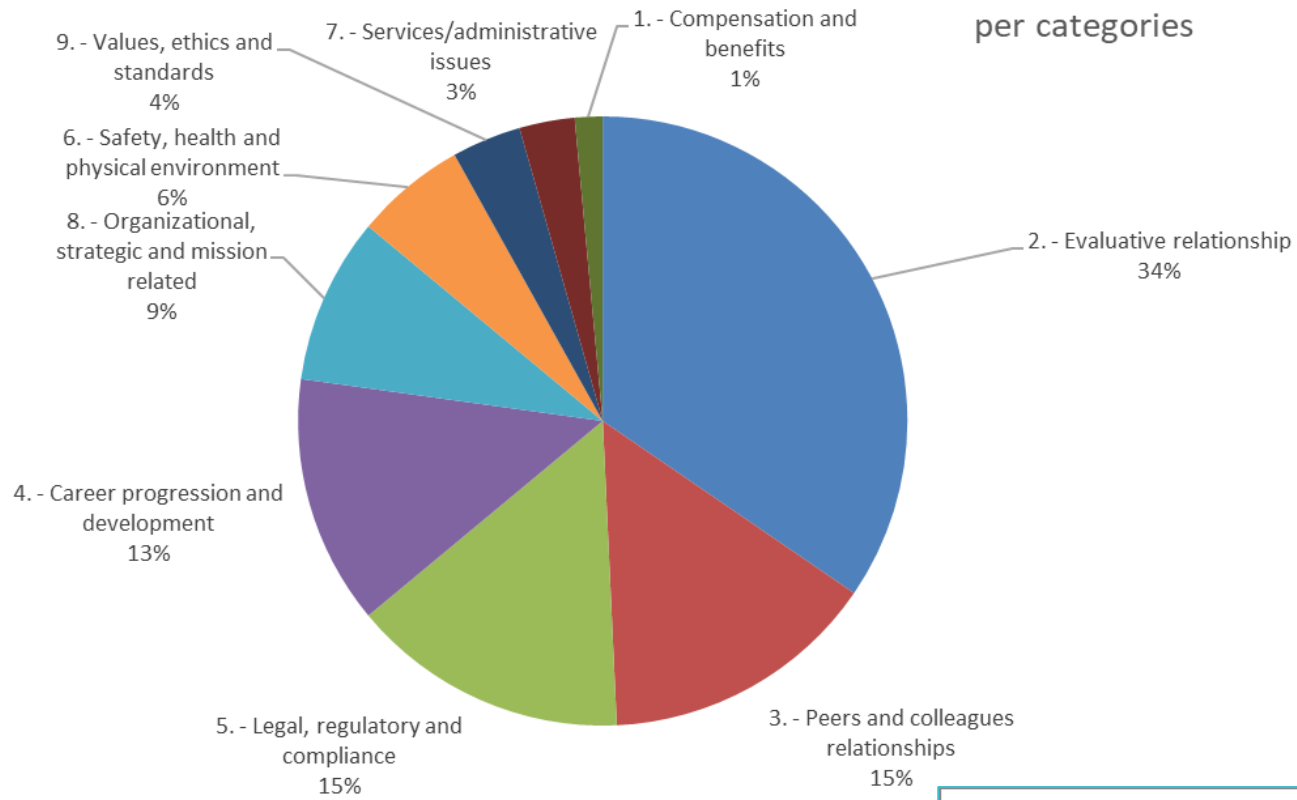
Why have an Ombud?

What is the ROI?

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- ✓ Helps identify undetected or unreported **unethical behavior**, **policy violation** or **ineffective leadership**

- ✓ Helps members of personnel become **empowered** and **take responsibility** for a better work place

- ✓ Facilitates the **informal resolution of disputes** which could otherwise escalate into time consuming and expensive formal complaints

- ✓ Provides the ability to address **subtle forms of insensitivity and unfairness** that do not rise to the level of a formal complaint but creates a disempowering work environment

- ✓ Provides an **early diagnosis system** that identifies and alerts institutions about new negative trends

- ✓ Helps workforce satisfaction, morale and retention by **humanizing the institution**

- ✓ Provides **conflict resolution skills** training

- ✓ Provides **upward feedback** to management on organizational trends

- ✓ Helps **avoid negative trends** by addressing issues at the lowest and most direct level possible.

- ✓ Serves as a **central information** and referral resources for policies, processes and resources within the Organization.
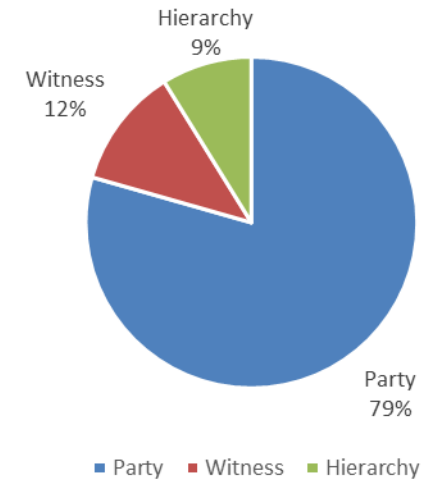
Visitors in 2021

Distribution of issues per categories

- 1. - Compensation and benefits 1%
- 2. - Evaluative relationship 34%
- 3. - Peers and colleagues relationships 15%
- 4. - Career progression and development 13%
- 5. - Legal, regulatory and compliance 15%
- 6. - Safety, health and physical environment 6%
- 7. - Services/administrative issues 3%
- 8. - Organizational, strategic and mission related 9%
- 9. - Values, ethics and standards 4%

Role of visitor in the issue raised

- Hierarchy 9%
- Witness 12%
- Party 79%

■ Party ■ Witness ■ Hierarchy

Context of the issues

- Collaborations 29%
- Departments 71%

Type of support

- Action 13%
- Discussion 25%
- Advice/Coaching 62%
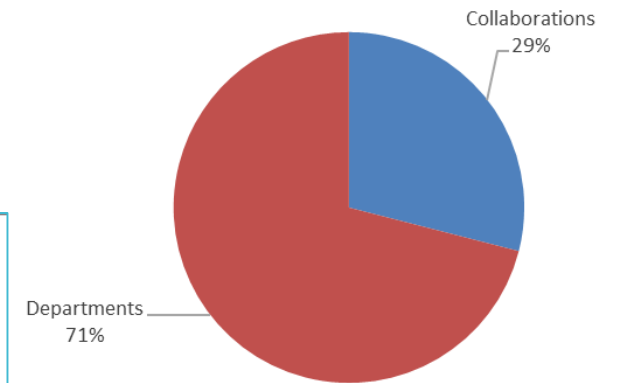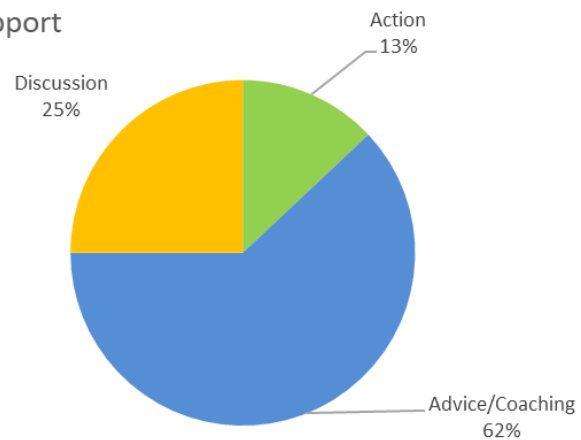
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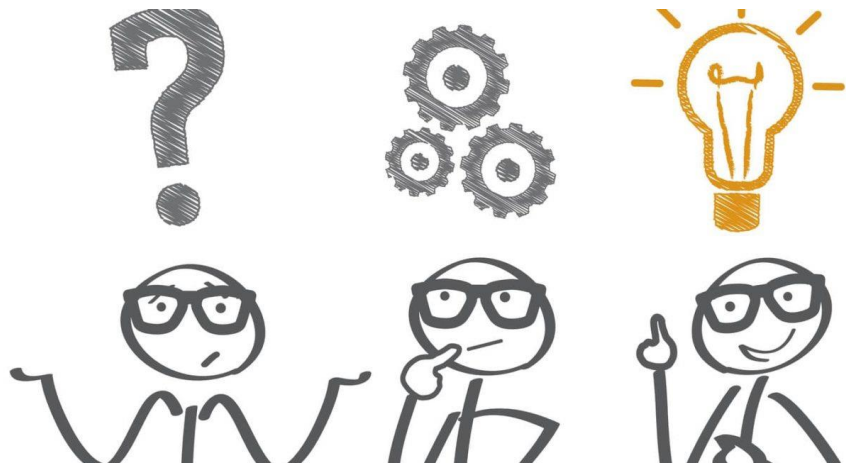
Sample insights from 2021

- Conflicts with hierarchy represents 34% of issues – The primary role of manages is to care for their team and leverage on the collective skills and competences.

- Conflict managements skills – a long way to go still.

- The impact of conflicts is underestimated – so are the induced costs
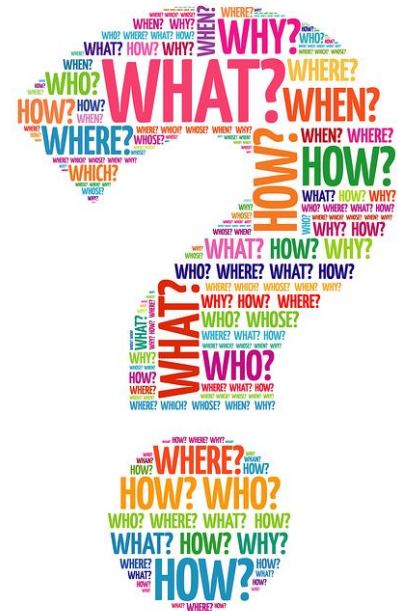
- Reluctance to speak up on issues, can the Lab improve psychological safety?

- Junior colleagues , including students, need close and caring supervision

- The expectations of younger colleagues have changed, the quality of the work environment is a key priority

- End of contracts need attention – People leaving make a reputation.

- To preserve trust, the Lab must keep up to its promises.

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Questions

Thank you very much for your attention!

Check the 2021 annual CERN Ombud report

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Spare slides

When more information is needed ...

Working with visitors

Clarify
Identify/Clarify
Issues & Goals

Engage
Explain Ombuds Role
Get the Story
Build Trust

Explore
Explore Visitor's Options

INTERNATIONAL
OMBUDSMAN
ASSOCIATION

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- Actively listen to understand the issue
- Examine a situation from your eyes with empathy
- Keep in mind that there is multiple other sides of the same story
- An external view on the issue of concern and a sounding board
- Exploration with you of possible ways forward
- Empower you to move out of a problematic situation

22 words from the Ombud to the CERN community

- Each and everyone of us matters
- Knowing how to set limits for ourselves and others
- Seven ways to protect your team from conflicts
- The "I need" behind the "I want"
- The power of mediation
- Listening as an effective management tool
- A purposeful return to work
- Don't sweep conflicts under the carpet
- Five ways to jump-start a new job
- Staying in the driver's seat: on the principle of informality
- Bread-and-butter issues

- The third chair in the Ombud's Office: Impartiality
- Respect and internal mobility
- Ten good reasons to opt for the ombud
- 2020 annual report by the Ombud – a role driving change
- My own visit to the ombud
- Sexism: let's face the facts
- Humor in the time of Corona
- The judgment of Solomon
- Should you tell your colleagues everything?
- Oh no, a new boss!
- Best wishes for 2021!

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Back

Costs of conflicts

- Loss of productivity
- Loss of focus
- Draining of emotional energy
- Stress
- Strained or terminated relationships
- Lower morale
- Damaged reputations
- Time & money

Courtesy of The TCM

Uniform reporting Categories

IOA

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Questions, concerns, issues or enquiries about ...

- 1- **Compensation and benefits**
  ... the equity, appropriateness and competitiveness of employee compensation, and other benefits

- 2 - **Evaluative relationships**
  ... arising between people in evaluative relationships (i.e. supervisor-employee, supervisor-student)

- 3 - **Peer and colleague relationships**
  ... involving peers who do not have a supervisory-employee or supervisory-student relationship

- 4 - **Career, progression and development**
  ... administrative processes and decisions regarding entering and leaving a job, what it entails (recruitment, assignment, job security and separation)

- 5 – **Legal, regulatory and compliance**
  ...that may create a legal risk for the organization and its members if not addressed (harassment, fraud, intellectual property, discrimination, privacy and security of information, abuse etc.)

- 6 – **Safety, health and physical environment**
  ... safety , health and infrastructure related issues

- 7 – **Service/administrative issues**
  ... about services or administrative offices including from external parties

- 8 - **Organizational, strategic and mission related**
  ... that relate to the whole of some part of the Organization

- 9 – **Values, ethics and standards**
  ... the fairness of organizational values, ethics and/or standards, the application of related policies and/or procedures, or the need for creation or revision of policies, and/or standards.