

Principle 5: Conflict Resolution

AUSTRIAN APPROACH

Agenda

- Austrian Student Ombuds Office at the Federal Ministry of Education, Science and Research
- The Austrian Network of Ombuds-type institutions
- Minimum requirements for Ombuds-type institutions
- Case study
- Competences in Austria: Equality issues
- Benefits
- Mapping Project
- ENOHE

Austrian Student Ombuds Office

- Established by the **Higher Education Quality Assurance Act 2011**
- **At the Federal Ministry** of Education, Science and Research
- **Not bound by any instructions**
- Responsible for **potential and enrolled students** within the Austrian higher education area (public universities, universities of applied sciences, private universities and university colleges of teacher education, student grant, student accommodation etc.)
- HEIs are **obliged to give the information** needed and asked to the Austrian Student Ombuds Office
- Austrian Student Ombuds Office has to **cooperate with the Student Union**
- **Annual Reporting** to the federal minister responsible and the parliament
- **Recommendations** to legislator and authorities at the HEI

Facts and Figures

academic year 2022/23

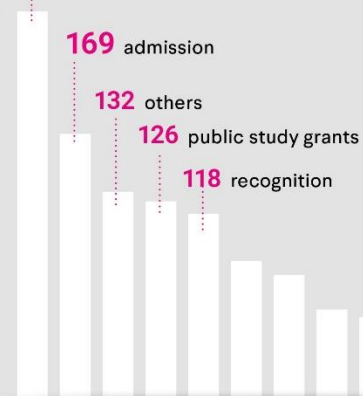
405.271 enrolled students

77
Higher Education Institutions

777 issues

14 SUBJECT FIELDS

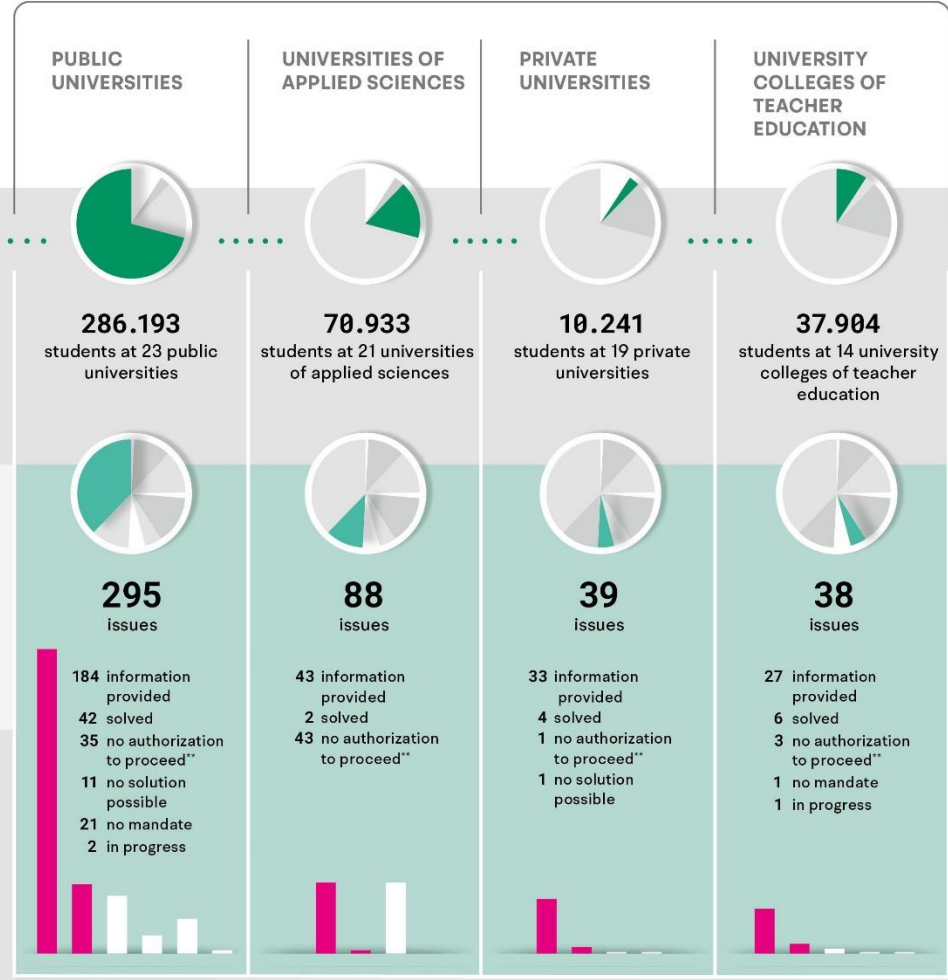
247 study conditions



- 88 financial issues
- 79 academic degrees
- 57 termination
- 52 tuition fee
- 41 disability/illness
- 36 academic integrity
- 22 bullying/discrimination
- 11 dormitory accommodation
- 9 mobility scheme

1187
assignments to subject fields

- AUSTRIAN STUDY GRANT AUTHORITY
114 issues
- STUDENT DORMITORIES
11 issues
- OTHER INSTITUTIONS*
107 issues
- UNKNOWN INSTITUTIONS
85 issues



* other public authorities, international higher education institutions, private institutions, etc.

** Due to a missing consent form, the request could not be processed.

The Austrian Network

At Austrian HEIs **23 student ombuds institutions** are established.

Aims of the Austrian network

- Discussion of concerns and challenges in a confidential environment
- Support in establishing and professionalizing Ombuds-type institutions
- Initiation, support and promotion of cross-institutional developments in line with the areas of activity

The Austrian Student Ombuds Office

- provides an information leaflet with all ombuds-type institutions that are installed at the Higher Education Institutions in Austria
- organizes a virtual exchange on current issues every two months
- offers training activity programmes for Ombuds-type institutions at higher education institutions once per semester

Minimum Requirements for Ombuds

Organisation

- not bound by instructions
- omni-partiality
- confidentiality

Powers

- right to information/access
- reporting to decision making authorities
- right to make recommendations (could be in conflict with confidentiality)

Case Study: Co-Operative Approach

- Students contacted the Austrian Student Ombuds Office to report inappropriate behaviour by a supervisor, who is also a superior.
- They didn't want the Austrian Student Ombuds Office to contact any institution at the public university.
- Some months later they decided to involve the ombuds for good scientific practice at the public university.
- After terminating their PhD Studies, the students asked the ombuds to forward their complaint to the rectorate.
- The Austrian Student Ombuds and the ombuds for good scientific practice contacted the rectorate together with the individual issue and a systemic analysis how these issues could be provided.

Principle 5: Conflict resolution

Public authorities should have policies that enable higher education institutions to ensure effective counselling and guidance for potential and enrolled students in order to widen their access to participation in and completion of higher education studies. These service should be coherent across the entire education system, with special regard to transition between different educational levels, educational institutions and into the labour market.

Guideline 3

Public authorities should also consider **setting up ombudsperson-type institutions** that will have the **capacity and knowledge to mediate** any conflicts, particularly related to **equity issues** that may arise during **accessing or participating** in higher education or **conflicts that hinder the completion of studies**.

Areas of Competences in Austria?

Public Universities: Working group on equal opportunities (AKG)

The senate of each university shall establish a working group on equal opportunities responsible for combating gender discrimination as well as discrimination on the basis of ethnicity, religion or conviction, age, or sexual orientation by university governing bodies and for advising and supporting the university's members and governing bodies in connection with these issues.

Universities of applied sciences and Private universities: Ombud for Equal Treatment

- *Equal treatment and equality between women and men in employment and occupation*
- *Equal treatment irrespective of ethnicity or race, religion or belief, age or sexual orientation in employment and occupation*
- *Equal treatment irrespective of sex, ethnicity or race in other areas*

All sectors: Austrian Student Ombuds Office

- *Providing information*
- *Giving advice*

Benefits: An Ombuds Institution

- offers **easy access** to information and advice
- **provides information** as an institution that is outside the authorities`hierarchy
- can **avoid** highly escalated conflicts
- highlights and helps **to solve systemic problems**
- **coaches and empowers** students to solve conflicts on their own
- **mediates** between conflicting parties
- makes **recommendations** based on the issues

Ombuds at HEI in EHEA Countries

Mapping Project 2023

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Mapping the Existence and Ways of Implementing the (Student) Ombudspersons' Office in EHEA Countries

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Introduction

Despite the fact the students' ombudsperson offices (SOO) exist for more than 20 years in some EHEA countries they are not formed/ founded systematically across EHEA. Additionally, EHEA recommend their existence to safeguard students' rights and ESU to provide independent and impartial advice to students.^{1,2}

Aim

To identify the existence and the ways of implementation of the SOO in EHEA countries.

Methodology

To achieve this aim, we are analysing the HE laws among the EHEA countries. We are also interviewing students' ombudspersons when the information available is not enough and/or when translation to English is not available, as well as when we want to understand further the way of implementing of SOO in a certain country.

So far, we only found one source that address the ways of implementing the SOO in different countries around the world.³

Results

We have identified, so far, 28 out of 48 countries within EHEA which have SOO or Ombudsperson Offices who also take care of students' matters.

At least 8 among those 28 countries have SOO ensured by HE Law (e.g. Austria, Portugal).

We identified different ways of implementation (Figure 1) the SOO among EHEA countries, being the SOO in HEI predominant.

Conclusion

These are not yet final conclusions from this ongoing research.

An extra data that we are analysing is the heterogeneity^{4,5} of students' unions in different levels at EHEA countries and the potential of cooperation between SOO and SU in enhancing students' rights within HE.

Furthermore, an analysis of the current reality regarding of SOO within European Universities Alliances would be conducted.

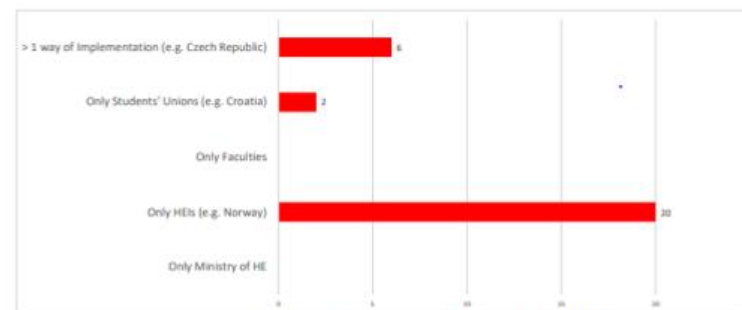


Figure 1 – Different ways of Implementation the SOO in 28 countries

References

- ¹ Rome Ministerial Communiqué - Bologna Process (2020) European Higher Education Area. Available at: https://www.ehea.info/Upload/Rome_Ministerial_Communique.pdf
- ² BMED: Student rights charter (2021) European Students' Union. Available at: <https://esu-online.org/policies/student-rights-charter/>
- ³ Behrens, R. (2017) *Being an Ombudsman in Higher Education: A Comparative Study*. Available at: <https://www.enohe.net/wp-content/uploads/2017/06/Being-an-ombudsman.pdf>
- ⁴ Hanna (2023) European Students' Union. Available at: <https://esu-online.org/>
- ⁵ Manja Klemenčič (forthcoming). The Rise of the Student Estate. In Handbook on Higher Education Management and Governance. Edited by Alberto Amaral and António Magalhães. Edgar Elgar Publishing. Submission version available at: https://scholar.harvard.edu/files/manja.klemencic/files/20220_klemencic_the_rise_of_student_estate_cha_27_-_handbook_on_governance_and_management_final_final.pdf

ENOHE – European Network of Ombuds in Higher Education

ENOHE is the European Network of Ombuds in Higher Education. It consists of ombuds of higher education institutions all over the world.

ENOHE is an association and an informal network for ombuds in higher education **to learn from each other, to help implement good governance at higher education institutions and create a more solid base** for the ombud function in higher education.

ENOHE aims to:

- Share approaches to common problems in higher education
- Expand knowledge and compare working methods
- Enhance skills and develop competences
- Learn from each other

ENOHE – European Network of Ombuds in Higher Education

President: Jean Grier, Scotland
Vice-President: Ursula Meiser,
Germany

- about **80** members
- from about **30 countries** (also non-European countries)
- **annual conferences**
 - 12-14 June, 2024 in Covilhã, Portugal
 - 14–16 June, 2023 in Prague, Czech Republic
- **webinars** to current topics
- **publications** (occasional papers, etc.)
- **working groups**
 - publications (occ. papers, annual year book, etc.)
 - training programme
 - ...
- **TAP** – Training Activity Programme

ENOHE MAP

Higher Education Ombudspersons in Europe

as of December 2021

- ombudsman offices at institutional level
- central ombudsman offices



ENOHE
European Network of Ombuds in Higher Education

Thank you for your Attention!

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www.hochschulombudsstelle.at

[Startseite – Gleichbehandlungsanwaltschaft](#)

Kuscko-Stadlmayer (ed.), 2008, European Ombusman-Institutions: A comparative legal analysis regarding the multifaceted realisation of an idea, Springer-Verlag/Wien

Poster: Jorge Peireira et. al. EAIR Conference 2023

References