

Report of the Office of the Ombudsman

2014-2015 Academic Year

Introduction

The Ombudsman of the Universitat Oberta de Catalunya draws up a report each year on his or her activities, which is presented to the Fundació per a la Universitat Oberta de Catalunya Board of Trustees.

This report details the activity of the Universitat Oberta de Catalunya's Office of the Ombudsman during the academic year 2014-2015. This is the first report issued by the undersigned, who was appointed Ombudsman in October 2015, replacing Dr Pere Fabra in the post. I would therefore like to express my appreciation of the work of my predecessor in the academic year 2014-2015, as described in the following pages.

The report summarizes the actions carried out by the Office of the Ombudsman, principally dealing with and resolving complaints received, together with figures on the number and type of complaints received. Specific details of each case are not provided, but the report does contain general thoughts on the cases seen and discusses the recommendations passed on to the University's governing bodies following the resolution of certain cases.

I would like to conclude the introduction to this, my first, report by expressing my recognition of and gratitude for the work of Dr Pere Fabra, who in his role as UOC Ombudsman consolidated the position of the Ombudsman in the University, improved procedures for dealing with complaints and strengthened the links between the Office of the Ombudsman and other ombudsmen in the Vives Network and the Conferència Estatal de Defensores Universitaris. I would also like to express my gratitude for the cooperation and support I have received from the University's academic and administrative staff, and the support I have been given by its governing bodies, who have provided all the information, opinions and advice I have requested to carry out my duties. In particular I want to thank Teresa Girona for her hard work and support as Manager of the Office of the Ombudsman.

Dr Agustí Cerrillo Martínez
Ombudsman

The UOC's Ombudsman

The Ombudsman of the Universitat Oberta de Catalunya is responsible for defending the rights and freedoms of all members of the UOC community in the face of any action or situation which is discriminatory, arbitrary or against which they have no defence, ensuring compliance with all the provisions of the University's statutes and the regulations implementing them and making every effort to maintain standards in all areas.

The UOC's Ombudsman acts independently, objectively and impartially.

As stipulated in Article 44 of the UOC Organizational and Operational Regulations, the Ombudsman is appointed by the Foundation's Board of Trustees on the recommendation of the president.

Since the post was created, it has been held by Josep Coll (2008-2013), Pere Fabra (2013-2015) and Agustí Cerrillo, who was appointed in October 2015.

The activities of the UOC's Ombudsman are governed by the provisions of the UOC Organizational and Operational Regulations and the Regulations for the functions and responsibilities of the Ombudsman, approved on 1 September 2008.

Actions

The UOC's Office of the Ombudsman received 103 written complaints or consultations from students in the 2014-2015 academic year, of which 75 were accepted for scrutiny. The complaints which were not accepted did not meet the conditions and requirements stated in the Regulations or Protocol of the Office of the Ombudsman. For a complaint to be accepted the following are required:

- > The complainant must be identified.
- > The complainant must be a member of the University's academic community (student, teacher or member of staff).
- > The matter must not be the subject of any legal claim or proceedings.
- > The claimant must have already made use of the University's channels for submitting complaints.

TABLE 1. Actions

> Accepted for scrutiny	75	73%
> Rejected	28	27%
> Total	103	100%

Decisions

Of the 75 complaints accepted for scrutiny, 53 were examined directly by the Ombudsman, who ruled on the case, issuing recommendations to the University in some cases. The remaining 18 were resolved directly by University services on the request of the Ombudsman.

The Ombudsman ruled fully or partially in favour of the complainant in 37 of the 75 cases.

In the 2014-2015 academic year, the Office of the Ombudsman ruled in favour of the complainant in 49% of cases.

TABLE 2. Complaints settled and dismissed

> Settled in favour of the complainant	37	49%
> Complaints dismissed	38	51%
> Total	75	100%

Profile of Complainants and Type of Complaints

As there were 49,672 students enrolled in the UOC in the 2014-2015 academic year, the ratio of complaints was 2.0 per thousand students.

Although the UOC's Ombudsman is responsible for defending the rights and freedoms of the whole academic community, in the academic year 2014-2015, all the complaints came from students.

The majority of the complaints received (81.55%) were made by bachelor's degree students. The largest number of complaints came from students of Psychology and Education Sciences (26.88%), followed by similar numbers of complaints from students of Economics and Business and Law and Political Science (20.43% from each of the two groups).

2.0 complaints were received per thousand students at the UOC.

TABLE 3. Complaints by subject area

Subject	Students (official programmes only)	Complaints resolved	Percentage (complaints / students)	Percentage (complaints / total complaints)
> Economics and Business	10,221	19	0.18%	20.43%
> Information and Communication Sciences	2,710	7	0.25%	7.52%
> Law and Political Science	6,326	19	0.30%	20.43%
> Arts and Humanities	2,588	9	0.34%	9.67%
> Psychology and Education Sciences	10,219	25	0.24%	26.88%
> Computer Science, Multimedia and Telecommunications	6,536	14	0.21%	15.05%
> Health Sciences	581	0	0.00%	0%
> Total	39,181	93	0.24%	100%

TABLE 4. Complaints by type of course

Type of course	Students	Complaints	Percentage (complaints / total students)	Percentage (complaints / total complaints)
> EHEA degree, pre-EHEA degree or diploma	33,485	84	0.25%	81.55%
> Master's degree and postgraduate courses	8,612	15	0.17%	14.56%
> Doctoral degrees	197	2	1%	1.94%
> Others (School of Languages, UOC-certified, etc.)	7,378	2	0.02%	1.94%
> Total	49,672	103	0.20%	100.00%

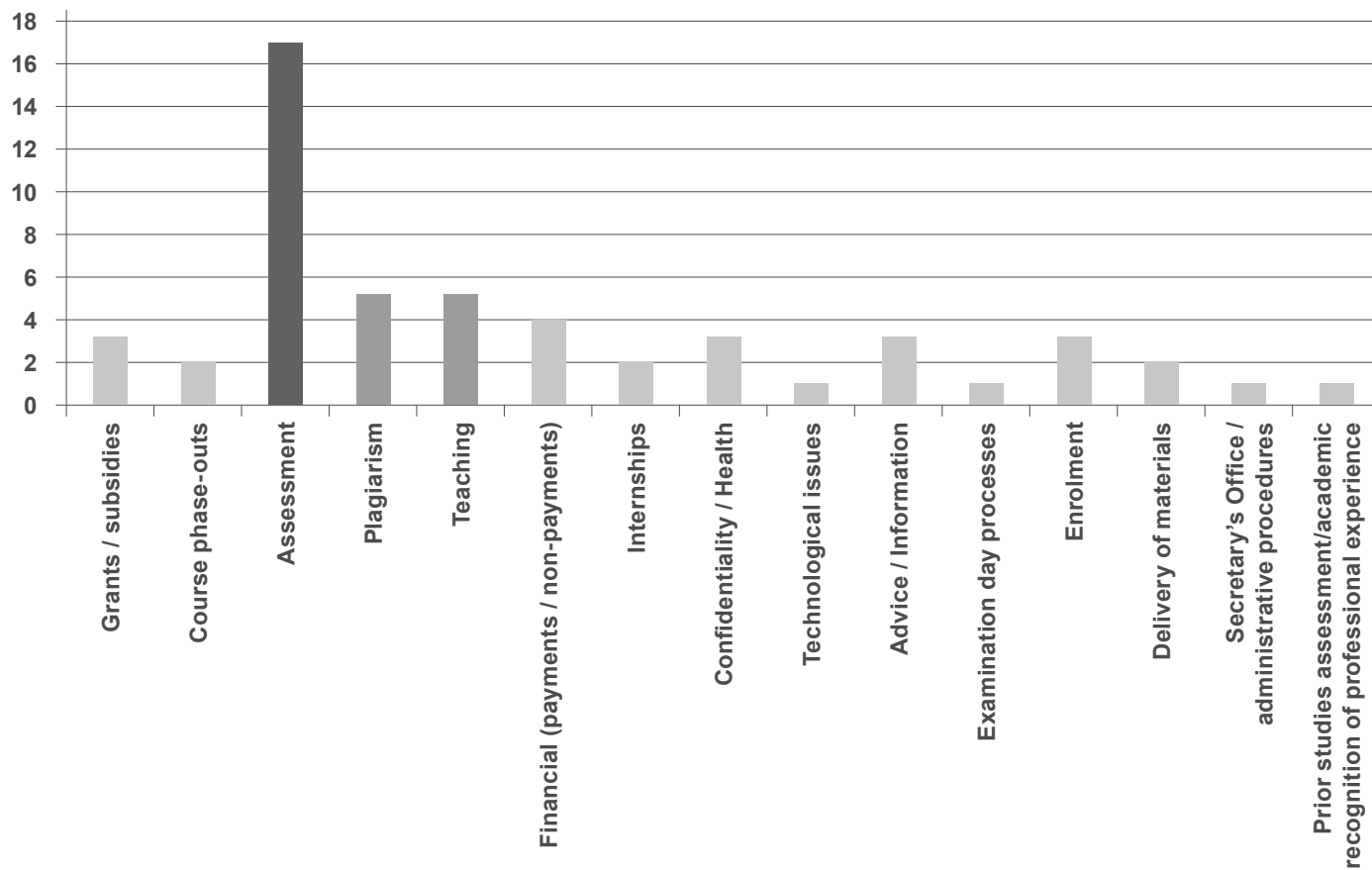
TABLE 5. Complaints by sex

Sex	Complaints	%
> Men	58	56.30%
> Women	45	43.70%
> Total	103	100%

Teachers' assessment, both for continuous assessment and final assessment, was the area giving rise to most complaints during the year, with a total of 17 recorded.

The greatest number of complaints received in the year related to teachers' assessments, a total of 17 cases (32.08%).

TABLE 6. Type of complaint



With respect to complaints received concerning teachers' assessments, the Office of the Ombudsman dismissed the majority, as it does not have powers to revise the content of specific tests, only to monitor to ensure that assessments are performed in line with the procedures and guarantees set out in the academic regulations. In certain cases the Ombudsman did recommend that the University give the students a more detailed explanation of the marks awarded. The Ombudsman also stressed the need to standardize criteria on the recognition of previously awarded qualifications and professional experience.

Number of complaints

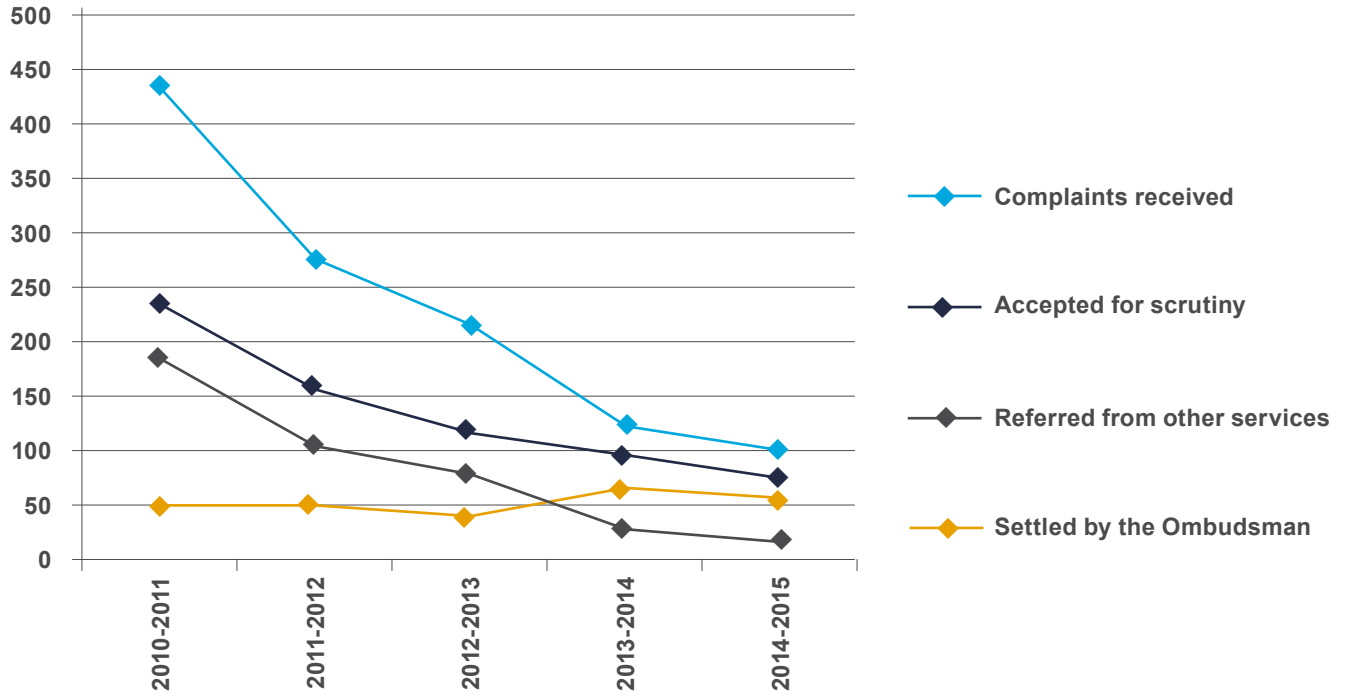
The number of complaints referred to the Office of the Ombudsman has fallen progressively in recent years. This is partly due to a better understanding by students of the role of the Office of the Ombudsman and the University's internal mechanisms for dealing with complaints, and partly due to better handling of complaints by the University's student services..

TABLE 7. Number of complaints

Type	2014-2015	2013-2014	2012-2013	2011-2012	2010-2011
> Complaints received	103	122	218	274	433
> Admitted	75	96	119	155	233
> Percentage of those received	72.81%	78.70%	54%	56.50%	51.50%
> Referred to other services	18	30	78	107	186
> Percentage of those admitted	17.47%	24.60%	65.50%	-69%	79.80%
> Resolved by the Ombudsman	57	66	41	48	47
> Percentage of those admitted	76%	75.40%	34.50%	31%	20.20%

The number of cases resolved directly by the Office of the Ombudsman, both in total and as a percentage of those submitted, has increased significantly. This is because, although fewer complaints were submitted, they are the most complex cases, for which a solution could not be found via the University's normal channels.

GRAPHIC 1. Evolution of complaints



Recommendations

The Ombudsman can issue warnings, recommendations and suggestions to the University's staff or authorities when making decisions and passing resolutions.

In the academic year 2014-2015, the Ombudsman formulated 12 recommendations. This means recommendations were issued in 21% of the cases for which resolutions were formulated.

Most of the recommendations (6) stated that the University's academic and financial regulations should be analysed and, if necessary, revised, to provide a satisfactory response to various matters identified in the complaints dealt with. These included continuous assessment, cancellation of registration, penalties for non-payment and the Credit Compensation Board.

Other recommendations (3) dealt with improving the information provided by the University in different areas (the protection of personal data concerning associate teaching staff, and procedures for recognizing and accrediting professional experience for academic purposes).

Lastly, there were other recommendations proposing the introduction of changes in various processes to improve the quality of academic work at the University.

The recommendations were addressed to the appropriate responsible body in the University, which has informed the Office of the Ombudsman of action taken so that progress can be monitored.

Institutional activities

The UOC's Office of the Ombudsman participates in a number of Catalan, Spanish and international networks and associations of university ombudsmen:

- > Ombudsmen's Group of the Vives Network of Universities: <http://www.vives.org/en/about-us/>
- > Conferencia Estatal de Defensores Universitarios (CEDU): <http://www.eweb.unex.es/eweb/cedu/>
- > European Network of Ombudsmen in Higher Education (ENOHE): <http://www.enohe.net/>
- > Red de Defensores de los Derechos Universitarios: <http://www.reddu.org.mx/>

As a member of these networks, the Ombudsman attended the following events during the 2014-2015 academic year:

- > 17th Conference of University Ombudsmen, organized by the CEDU (4-5 November 2014, Universidad Europea, Madrid).
- > 8th Meeting of University Ombudsmen and Mediators of the Vives Network of Universities (2-3 July 2015, Universitat Politècnica de València).

The Ombudsman held meetings with representatives of the UOC's Student Council to explain the mission and functions of the Office of the Ombudsman and to listen to students' concerns. He also met representatives of the Works Council,

representing teaching and administration staff. Article 46 of the UOC's Code of Ethics specifically states that the Ombudsman must meet annually with designated members of the Works Council to review the provisions of the Code.

Following the Code of Ethics

The UOC's Code of Ethics sets out the values, principles and commitments that guide the conduct of all the members of the academic community.

The UOC's Code of Ethics, approved by the Governing Council in July 2009, sets out the values, principles and commitments that guide the conduct of all the members of the academic community. It not only provides guidelines for the conduct of the individuals and groups that form that community, it also governs the relations of the University and its staff with the external entities and companies that provide services to or work with the University. The Office of the Ombudsman pays particular attention to this document, as well as to the aforementioned principles of legality, fairness, equity and proportionality when considering the disputes referred to it.

In addition, articles 43ff of the Code of Ethics state that the University's Ombudsman is responsible for monitoring and assessing compliance with the Code. Any person who refers to the Code of Ethics in any appeal procedure must inform the Ombudsman, who will incorporate a note on said procedure in the annual report.

In the academic year 2014-2015, no action was taken by the Ombudsman to enforce the University's Code of Ethics.



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