

**THE ROLE OF THE OMBUDS MECHANISM IN STUDENT EMPOWERMENT:  
A COMPARATIVE CASE STUDY IN AUSTRIA AND SWEDEN**

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Submitted to  
Central European University  
Department of Public Policy

*In partial fulfillment for the degree of MASTER'S OF PUBLIC POLICY*

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Vienna, Austria

2024

## **Author's Declaration**

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A small, square, light-colored image showing a handwritten signature in blue ink. The signature appears to be 'GG' followed by a stylized flourish.

## **Abstract**

The ombuds is an evolving complaint-handling tool, significantly applied in higher education. Universities where student unions represent students' involvement in governance and advocate students' rights over the years, conduct this mechanism by providing informal complaint procedures. Hence, this thesis explores the role of the ombuds mechanism in empowering students by analyzing procedural justice principles and organizational ombuds standards of practice. The method used in this thesis is a comparative case study and interviews with student unions' representatives and experts from the Central European University and Vienna University of Economics and Business in Austria, and Lund University and Stockholm University in Sweden. The research reveals that the ombuds mechanism empowers students in some institutions proactively while employing an influence in others up to a certain scale. Students' perception of the mechanism's effectiveness regarding equity, diversity, and inclusion prompts almost on a similar scale. Finally, this study concludes with recommendations for elevating ombuds practices to enhance student empowerment and institutional fairness.

## Acknowledgments

First, I express my appreciation to my supervisor, Assoc. Dr. Kirsten Roberts Lyer and my co-supervisor, Dr. Puşa Năstase, for their insightful comments and for posing the right questions to help make this thesis actualized. I am also grateful for all the inputs provided by Prof. Christina Corduneanu-Huci, who continually directed my focus on the thesis during her class. I am also indebted to Josef Leidenfrost and Diğdem Soyaltın-Coella, who supported me toward this degree. I am also grateful to my family, who have supported me in every possible way through this challenging but exceptional experience. Lastly, I thank the members of my “ombuds family” at ENOHE for contributing to my professional development.

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## Abbreviations

ADR	Alternative Dispute Resolution
ASU	Austrian Student Ombudsman (known as Ombudsstelle für Studieren)
CEU	Central European University
EU	European Union
HE	Higher Education
HEI	Higher Education Institution
IOI	International Ombudsman Institute
IOA	International Ombuds Association
LUS	Lund Student Union Associations
OIA	Office of Independent Adjudicator
ÖH	Austrian Students' Union
SFS	Swedish National Union of Students
SU	Student Union
SUS	Stockholm Student Union
UK	United Kingdom
UN	United Nations
US	United States
WU	Vienna University of Economics and Business

## Introduction

In the shed of liberalism heralding diverse voices, universities have been considered where sovereignty and academic freedom are necessary for democracy (Shils 1989). Unsurprisingly, campuses have often been the stage for conflicts between the actors (Luescher-Mamashela 2012, 1447; Raaper 2024, 83), specifically for students and management. In the late 1960s in North America, political activism appeared through student protests demanding enhanced rights over the Vietnam War debates (Claussen 2014, 86; Janzen 1971, 11; McKee and Belson 1990, 198; Stieber 2000, 50). This was a conundrum for university administrations, and they found the solution by inventing an internal mechanism: a student ombudsman (also known as a campus ombudsman) (Rowland 1969, 239; Smith 2020, 2-5).

The ombudsman, commonly used as “ombuds” today, was initially a public entity; it has developed as an organizational mechanism (Reif 2004, 28) in different contexts, such as health, education, and media. In time, the role of ombuds has been regarded as a good governance practice that promotes transparency and accountability and strengthens the ethical climate in public administration (77). Furthermore, the ombuds mechanism is closely coupled with ensuring fairness and justice for individuals who experience misconduct or disadvantaged groups needing support (IOI n.d.; Ayeni 2014; Reif 2000). Since then, being almost loyal to their original position, it has changed and become prevalent in handling conflicts as impartial and independent actors (Behrens 2017). This historical context highlights the current complaint handling and dispute resolution in HE. Notably, the rise of the student movement in the Global North, driven by political development, reveals conflict resolution in HE is still up to date. This has been exemplified recently by the university administrations’ responses to students’ protests of Israel’s actions over Palestine (Kim 2024).

Today, tertiary education has been more “massified, globalized, and integrated” (Raaper 2024). In the Anglo-Saxon context, mainly in the United States (US) and the United Kingdom (UK), HEIs are considered models by applying policies on enhancing equity, diversity, and inclusion. Nevertheless, they are criticized for having a more consumerist approach to HE due to applying neoliberal policies, thus limiting a fair, diverse, and inclusive environment (Archer 2007; Gulland 2022, 257-8; Klemenčič 2024; Raaper, 137). On the other hand, the European context has projected an enhanced tertiary education with the “lifelong learning” policy through the Bologna Process since 1999, an example of policy diffusion on the supranational level (Riddell and Weedon 2014).

All advancements have brought unique challenges to modern society, questioning whether HE is accessible enough for individuals with various social backgrounds and identities and whether fairness in procedures and management applies to these ‘diverse’ bodies (Sabzalieva et al. 2022; Raaper 2024). Students have still been searching to uphold their voices in HE governance, and historically, they have been the actors triggering the HE to change.

These complications of HE directly prompt the need for the ombuds mechanism, elevating the importance of policies regarding fairness. Different scholars define the ombuds mechanism as “change agents” and “early alarming systems” (Janzen 2017, 69; Wagner 2000) for institutions to protect individuals and institutions' interests. As an internal but impartial mechanism gathering systematic information based on cases, the ombuds mechanism is essential in higher education because it ‘safeguards’ students’ rights, detects misconduct, and improves HE governance (Behrens 2017, 56). Even though most institutions have specialized units or ethical committees interrogating misconduct in academic integrity or harassment and discrimination, it prolongs



because of obtaining evidence while the complainant seeks a remedy. Consequently, there is still a need for clear and transparent procedures implemented in a systemic approach in HE. Without an ombuds at institutions, students encountering injustice and unfair treatment may be left with only external options, such as applying to administrative court. These alternatives often hinder students from seeking solutions due to their costs and the time requirement (Harris 2007, 582). In this regard, justice-seeking through the institution's internal mechanism also strengthens the governance of HE and contributes to building trust between the actors (Wahlgren, 2024). Some research shows student motivation decreases when they see solution-oriented body bias (Jackson et al. 2010).

Although universities have a lengthy background in student involvement in administration with student unions (SU) anchored by law in Europe, they still need a solid policy instrument. Even if the SU mechanism is supposedly strong and politics-driven, it is noteworthy to question what makes the ombuds mechanism a necessary policy tool and where it stands within the HE ecosystem. Policies implemented in the HE also influence student empowerment. Thus, various settings of the ombuds mechanism affect the management of HEIs, and outcomes differ in the perception and actualization of student empowerment. Hence, the main research question of this thesis is how the ombuds mechanism influences student empowerment in the light of complaint-handling procedures. The secondary question also explores how procedural justice on internal complaints works in different HE systems.

This thesis argues that the ombuds mechanism is necessary for applying procedural justice in HE (Harrison et al. 2013). The methodological approach encompasses the theory of justice, but mainly procedural justice is behind this thesis. The epistemological approach to conducting the research and analyzing empirical data is an interpretive analysis of the ombuds mechanism through

semi-structured interviews in comparative case studies with two countries' student ombuds mechanisms: Austria and Sweden. In this thesis, selected countries' HE actors in each country are referred to as a policy subsystem through shimmering the beliefs and values of the system (Sabatier 1998, Shakespeare 2008). Student interviews from SUs and expert interviews with the ombudspersons/practitioners represent how the ombud mechanism is perceived and applied within those systems through empirical data. The countries that are the subject of the cases under study are allocated based on their structural HE frameworks:

- HEIs have a national ombud mechanism and a mandated national student union body (Austria); and
- HEIs have an ombud mechanism established but are dominated by mandated student unions (Sweden).

The findings of this thesis aim to disclose a positive correlation between the presence of an ombuds mechanism in European HEIs and student-perceived empowerment. The thesis also aims to assess the effectiveness of policies regarding ombuds implementation and how each higher education system shapes them. To see the bigger picture, some questions will also help understand the essence of the student ombuds mechanism. Some of them are as follows:

- What are the key features and differences between the HEIs implementing policies on ombud work?
- What are the advantages and disadvantages of different settings of the ombud mechanism at the HEIs?
- To what extent does the ombud mechanism affect elevating equity, diversity, and inclusion in the HEIs?
- How do students perceive ombuds work for safeguarding their rights?

With this comparative analysis, I also aim to explore the commonalities and variations between the ombud mechanism and its best approaches in various countries and HE contexts. While Northern American literature has extensively investigated ombuds' work at the campus regarding justice and governance, the European context still has room for a comparative analysis, which is intended to be examined in this thesis. Hence, this thesis aims to highlight it within the context of ombud practices on justice in the European concept by providing evidence through empirical data. Doing so can encourage policymakers and higher education professionals to improve complaint-handling procedures and advance a better, just, and democratic academic environment. It may also affect the policy analysis cycle, particularly in implementing and evaluating HEI's ombuds concept in Europe and beyond.

The main parts of this thesis are composed of five chapters. The first chapter displays the methodology, analysis, and conceptual framework of the ombuds mechanism. The second chapter examines the literature on the student ombuds mechanism through procedural justice. The third and fourth chapters explain the case studies with each country's HE backgrounds and the capacity of the ombuds mechanism in selected HEIs. The fifth chapter discusses the research findings derived from the empirical data. Lastly, in conclusion, the research theory, recommendations for enhancing ombuds mechanism capacity, further research areas, and limitations are explained.

# 1 Methodology and Research Design

This chapter explains the conceptual framework of the student ombuds mechanism as a policy tool aligning with administrative justice. It also includes the methodological approach to research design, the rationale for case study selection, and the analysis of empirical findings. It also declares the author's impact on the topic and analysis. Finally, it addresses the ethical considerations of the research.

## 1.1 Conceptual Framework

The main argument of this thesis is the ombuds mechanism's pivotal role as a policy tool aligning with administrative justice that affects student empowerment in tertiary education. Given the fact that political movements on the campus resulted in the ombuds policy as an instant solution, the constructivist approach elucidates the conceptual framework attributing to the political aspect of this evolving mechanism (van Hulst and Yanow 2016, 93; Benford and Snow 2000, 616). Although this thesis does not comprehensively cover the politics of HE, it does suggest that the ombuds mechanism enhances good governance practices with robust decision-making procedures within institutions.

Administrative justice is essential to govern institutions with well-designed complaint-handling procedures for locating justice (Katz, Sosa and Kovack 2018, 13). In the HE concept, the ombuds mechanism actualizes it. On the student side, having causes and being heard helps them advocate for their rights, starting from campus life. This feature of the ombuds benefits all actors in HEIs to provide such services to sustain accountability and transparency (Erkkilä 2020, Leidenfrost 2013, 9). Contrariwise, without an internal robust mechanism, being dependent on only external tools or legislative bodies to seek justice for misconduct or unfair situations may cause lessening trust within the actors of HEI and even harm students' succession and completion

of the study. This directly impacts the institution's quality of education service and social mobility among individuals with less supportive backgrounds or disadvantages (Johns and Epperson 2022). Hence, the ombuds mechanism has a dual effect on the individual and institutional levels.

Many scholars support the existence of the ombuds in HE, attributing to a more equitable, diverse, and inclusive environment (Wagner 2000, 104-5) where academia adds and society benefit from this democratic enhancement. However, some argue that this mechanism is only a neo-liberal approach of a consumerist HE to keep students on the edge (Sørensen and Olsson 2020, 11). As Raaper (2024) furthers, HEIs provide internal mechanisms to avoid any possible harm to their “reputation” concerning the financing of the HEI (140).

The formal complaint procedures, focusing on evidence gathering and more prolonged processes, may adversely affect the applicants. Moreover, leaving the complaint within a student-related office or faculty may be perceived as biased by the complainant (Jackson et al. 2010), as some data also confirms the reverse in this thesis. In juxtaposition, the ombudsperson is crucial in providing a confidential, impartial, and informal setting that facilitates dialogue, negotiation, and finding a solution between the disputing parties. Sometimes, they only listen to one part of the issue in a safe space, keep it confidential, and help the student find a way to handle the situation through the institution’s procedures or provide an insight into the conflict (Harrison et. al 2013). Thus, this thesis illuminates whether and where ombuds work ethics and standards (impartiality, confidentiality, informality and independence, neutrality) apply in institutions and as stated in the in the literature review and discussion.

## **1.2 Methodology and Research Design**

This thesis conducts an interpretative approach to validate its exploratory nature on how different ombud settings change with outcomes in student empowerment in the European HE

ecosystem. It also allows the development of abductive reasoning with grounded theory focusing on underlying reasons for the ‘meaning’ of what the data clarifies (Haverland and Yanow 2011, 404) and enabling the researcher to discover one finding to another (Schwartz and Yanow 2012, 32) and realize key findings from the data. It also provides flexibility in re-examining the research question and hypothesis during the data analysis (18). However, it does not aim to reach a one-sided fact; it seeks to understand the context in a limited time or place, pointing out the need to seek “context-related” meaning (23). This also illuminates the limitations of the grounded theory (Andrade 2009, 54). Hence, the ombuds mechanism in HE is seen as an evolving field with differentiating versions that need further study in different countries or institutional contexts.

As the literature and empirical data point out, the ombuds mechanism varies by country and HEIs and has no uniform, generally accepted application (Griffin 1995; Smith 2020). However, it makes this research compelling to recognize the best applications of each case tackled in this thesis for further policy developments and research in HE. Building the theory on an explorative approach, this thesis applies a comparative case study where the internationalization policies in HE have led to more globalized and integrated systems. Hence, it enables the researcher to tackle the existing phenomena by conducting multifaceted research: first, comparing the HEI policy implementations within the country context individually; second, comparing two countries’ HE regarding ombuds mechanisms and student empowerment in the ‘real-world context’ (Yin 2018, 14). Therefore, it conceptualizes the student ombuds mechanism in HE by comparing four empirical data from interviews with HEIs in Austria and Sweden. To understand how HE systems are structured regarding ombuds settings, the selection of countries for this research is explained as follows.

- Both ombuds offices are not mandated by law,

- Both SUs are mandated by legislation, have a long history, and SUs presumably strongly influence student empowerment in tertiary education.

However, they differ in two aspects within the ombuds concepts:

- In Austria, HE mandates a national ombuds mechanism (Austrian Student Ombudsman) that serves all students throughout the country; assumingly, the HE actors have robust knowledge and implementation of the ombuds concept.
- In Sweden, SUs hire ombudspersons and assumingly have a strong relationship with ombuds offices per the case studies selected in this thesis, which is unique to Sweden.

These features will help to understand some key points of the ombuds mechanism in different settings and explore its advantages and disadvantages.

The author of this thesis has a background as a higher education practitioner in different positions for over ten years, particularly three years in ombuds work. I have also been affiliated with the European Network of Ombuds in Higher Education (ENOHE, which helped me build a more professional intuition by observing a growing network worldwide. Accepting that I was familiar with the concept, which led me to the known places during the research (Andrade 2009, 46; Walsham 1995, 77), I have chosen some of the universities where I was relatively unfamiliar with their ombuds concept to eliminate prejudice affecting the interpretation of the findings up to a scale.

Empirical data was obtained through seven online and one written interview. In some institutions, more than one interviewee responded to questions based on the need for their specific knowledge. The interviews allowed the researcher to comprehend the topic and for the

interviewees to consider their scope of work and improvements, possibly helping to analyze policy cycles at the university level. The semi-structured interviews with open-ended questions were designed to enhance the understanding of the patterns in policy implementation (Roulston 2010, 14). Based on the interviewees' responses, follow-up questions were elaborated on further information.

Expert interviews were conducted with participants who have backgrounds and are currently working as practitioners in the field. For one institution, a participant recommended by one participant only responded to three questions concerning their history in establishing an ombuds office. Student interviews were conducted with SU representatives, either in the general administration position or faculty level, to reflect a comprehensive perception of their responsibilities in student involvement and advocacy of their rights and nexus to the topic.

Applying interviews with two different actors within HEI helped the researcher recognize the patterns in their perception of policy implementation. In this regard, some findings complemented each other, strengthening this research's 'pluralistic' and 'inclusive' structure (Shames and Wise 2017, 812; Yin 2018). Some interviewees were selected based on the researcher's past professional encounters.

Lastly, thematic analysis derived from literature and interviews was used to determine whether one pattern of participant perception corresponds to another or to what extent the differences exist in ombuds applications (MacQueen 2011).

Ethical principles were carefully considered when conducting interviews and analyzing the data. First, information on the topic, research objectives, data utilization, method, and how to store the data were clearly explained before the interviews. Their consent, including most of this information, was collected online, and participants were allowed to decide to what extent their data



(such as their title, level of study, and affiliation with the institution being researched) was used. This information was given by emphasizing their voluntary participation and keeping their anonymity. Details of the interviews can be seen in Annex A and B.

Central European University (CEU), one of the institutions under the research, funded the study to reach out to the other institutions. To mitigate potential conflicts of interest, the research design includes necessary measures to ensure objectivity and impartiality. Data collection and analysis were conducted independently, and all findings will be reported transparently, regardless of the outcomes.

## 2 Literature Review

The literature review briefly examines the crucial role of the classical ombudsman mechanism and its organizational variant in HE. It explores the theoretical background of justice theory and procedural justice and its connection with the ombuds mechanism in HE. It also conceptualizes the effectiveness of the ombuds in fostering student empowerment through empirical data while identifying the existing gaps in the conceptual framework.

### 2.1 The Overview of Classical Ombudsman Mechanism

“One must dare the truth without considering any consequences.” as Foucault ([1983] 1999) argues, this is characteristic of *parrhesia*, a term originating in Ancient Greece. By the same token, an ombudsperson is a facilitator of *truth* (Güray 2021), a mechanism that deals with individual grievances and systematic issues, acts as a mediator, and provides feedback for institutions formally or informally (Behrens 2017; Rowe and Gadlin 2014; McKee and Belson 1990). The author of this thesis found a close relationship and frequently gave thought to the work ethics of ombuds relating to this concept while serving as a student ombudsperson in higher education (HE), thus later leading to writing this thesis.

The ombudsman concept dates to the early 18<sup>th</sup> century when political circumstances required the inspection of the judiciary and public officials in Sweden, which led the country to establish a permanent and ombudsman institution in 1809 (Reif 2004, 7; Ayeni 2014, 499). In time, the Swedish model, which ensures the rule of law in public administration and judiciary and prevents human rights violations (Ayeni 2014, 498), encouraged other countries, and this policy diffused to Nordic countries, first to Finland in 1919 and Denmark in 1955 (Maloney 1979, 381)

and afterward to Norway in 1962 (Batalli 2015, 234). Later, it transferred to the British Commonwealth, USA, and Europe (Erkkila 2020, 25).

On the supranational level, the United Nations (UN) in 2002 and the European Union (EU) in 1995 have established their own ombudsman offices to convey complaints institutionally (UN Ombudsman and Mediation Services n.d.; European Ombudsman n.d.). Over time, the classical ombudsman has evolved into an organizational type applied in both public and private sectors, including higher education, media, and consumer rights in general (Reif 2004, 28). The Parliamentary Ombudsman in Denmark served as a model for civilian ombudsman institutions worldwide by applying a soft mediator role, which influenced the development of student ombudsmen in tertiary education (Row 1969; Smith 2020).

## **2.2 Student Ombuds in Higher Education**

As stated earlier, the massification of HE has two sides: demand for education from society and, as some scholars state, globalization and privatization of education have been formalized with market-driven expectations (Croxford and Raffe 2013; Luescher-Mamashela 2013, 1444; Raaper 2024). Confirming that, internationalization is where countries and HEIs compete and try to increase the recruitment of more students, considering the finance of education. Contributing to that, David (2016) elaborates on this phenomenon, “the emergence of self-financing programs and institutions have slowed down and posed new challenges to the social justice agenda” (181).

Universities are where individuals come together for a particular purpose: to teach, to learn, to advance intellectually, and to gain systematic knowledge. Ultimately, the outcome is pure: contributing to the development of science, helping to improve society, and creating stability and sustainable welfare distribution for all. Conflict, as perceived today, is not necessarily harmful but usual (Katz, Sosa and Kovack 2018) in a competitive and hierarchical environment where

university administrations are more potent in perception than other actors (Leventhal 1980, 3). However, it grows among actors with different backgrounds and expectations from education and institutions (Archer 2007, 637-49; Fisher and Miller 2008).

As Singh (2011) states, ‘equity, inclusion, and fairness’ have been the topic of policy discussions in HE (484). Referring to that, inequalities and policies creating exclusion may not only hamper access to education but also develop burdens for individuals in education (Burke 2005, 558; Price 2023). Leaving HEIs' own agenda aside, students—when considered as ‘citizens’ reflecting society (Klemencic 2024, 15)—whether from disadvantaged backgrounds or not, have the right to be active in the governance of higher education (20).

In the Global North context, complaint handling is often legally required in public institutions, strengthening transparency and accountability in governance. On the other hand, the organizational ombuds system spread to HE by creating individual concepts unique to countries or institutions. The student ombuds mechanism was first seen in British Columbia in 1965 (Simon Fraser University) and spread to the USA (Michigan State University) in 1967 (Smith 2020, Stieber 1987, 2) as a policy tool developed over the years. The USA, one of the pioneer examples in ombuds on campus, where most universities have offices and acquire the *code of ethics* and *standards of practice* declared by the International Ombudsman Association (IOA n.d.) as “confidentiality, impartiality, neutrality, informality, and independence.” Similarly, Canadian Universities practicing ombuds in HEIs integrate principles of the Association of Canadian College and University Ombudspersons (ACCUO n.d.), which adds “accessibility” to IOA’s principles. One commonality among Anglo-Saxon context is to take measures against gender-based violation and discrimination in and out of campus with the support of the law that enforces HEIs accordingly (U.S. Code 1972, United Kingdom 2010). Ombuds offices only collaborate with

offices informing students on their rights and directing them to the office entitled to apply Title IX (legislation against discrimination and violence in education) because the nature of ombuds work requires confidentiality. Another is some HEIs in the USA require certification in mediation or alternative dispute resolution (ADR) for ombudspersons obtained from reputable organizations such as IOA.

In Europe, ombuds offices in HEIs have prevailed in several countries, including Austria, Portugal, Spain and Sweden. In the Netherlands, it's mandated to have an ombuds serving staff since 2021, while some institutions simultaneously provide it to students. In many European countries, such as Sweden and Austria, national and institutional SUs serve as strong student empowerment organizations where the ombuds mechanism has also been applied over the years. However, the mechanism has yet to be implemented in countries like Slovakia and Estonia, although it is in place in Georgia, Russia, Azerbaijan, Ukraine, and Turkey (ENOHE, n.d.a.). Apart from these examples, in some countries, a national-level complaint handling mechanism represents students' rights. In this regard, the Austrian Student Ombudsman (ASU) has been functioning since 1997, while the United Kingdom's Office of Independent Adjudicator (OIA) was established in 2004 and both is supported by the legislation (Behrens 2017; Harris 2007; 579; OIA, n.d.). Both represent the nationwide role of ombuds in HE systems. There is also a national student ombuds representative in Russia, affiliated with the Ministry of Education, differing from the examples above, being not an independent actor (Efimov 2023, 540). One significant organization contributing to the ombuds mechanism in Europe and beyond is the European Network of Ombuds in Higher Education, providing a platform for ombudspersons for professional development in conflict management and aiming to disseminate "ombuds idea" in mainly Europe and beyond (ENOHE n.d.b.).

The following part will examine the basis of justice theory focusing on procedural justice in ombuds practice in HE.

## **2.3 The Overview of Justice Theory**

Justice theory mainly focuses on fairness and equity between individuals and organizations, which has been discussed under different disciplines (Vermunt and Stensma 2016, 219). John Rawls ([1971] 1999) is known as the founder of the justice theory, who defines justice as fairness in the “distribution of resources” by stating “appropriate distribution of the benefits and burdens of social cooperation” (Rawls 1999, 3-47). He argues that due to inequalities resulting from having different social backgrounds or other reasons, the state should play a role in the fair distribution of necessary resources such as health and education (236).

Some contradicting thoughts and contributions also developed the theory. For instance, Robert Nozick, from a more neoliberal aspect, also addresses the issue of “distributive justice” and points to a “minimal state” on peoples’ rights (property) and advocates the distribution of resources “voluntarily transfer” (Nozick 1974, 163). On the other hand, Ronald Dworkin (1981) states that when individuals are treated with equality and respect, it leads to justice in terms of distribution (Dworkin, 309-10). Another contemporary theorist, Amartya Sen (1992), draws attention to inequalities in terms of reaching essential goods such as health and education by attributing to two dimensions of the topic: “capability” to achieve “freedom” as opportunities for individuals to actualize themselves by choice (Sen, 31-53). Moreover, Martha Nussbaum (2011) enhances Sen’s capability approach with attributing to the role of social justice on creating capabilities, while attributing to some angles of inequalities such being a woman in education, and having disability. She argues that justice should provide opportunities for individuals to develop abilities for having a prosperous life (Nussbaum 2011, 143-56). This perspective extends the discussion of justice by

focusing on the substantive conditions required for individuals to thrive. On the other hand, Iris M. Young's (1990) reflection on justice theory is more critical and tackles injustice as "oppression and domination" due to hierarchical organizations (33-76). He argues that when social justice abolishes these side effects, it contributes to democracy (91).

## **2.4 Procedural Justice and Student Ombuds in Higher Education**

Organizational justice theory reveals that fairness within an organization depends on how actors perceive it (Colquitt 2001). It is divided into three sub theory: distributive, procedural, and interactional justice (Hopeck et al. 2014, 563; Tyler 1990, 5). In this thesis, procedural justice will be the main discussion.

Procedural justice is a set of rules implemented in an organization regarding fairness and how actors perceive it in implementation as the outcome (Folger 1977, Leventhal 1980, 16), mainly discussed in the law discipline. Some scholars theorize procedural justice from the human interaction side, namely from the conflict perspective, by adding consistency, neutrality, voice, and transparency (Lind and Tyler 2013, 76; Leventhal, Thibaut and Walker 1978, 545; Tyler 1990). Some also argue that procedural fairness is contextual within culture (Lind et al.), and it is not a normative implementation. Although Tyler (1990) accepts the cultural differences in procedural justice, he points out that determining its general principles is essential (121-156).

One of the debates circling the theory is whether the outcomes of the procedures followed have broader significance in justice rather than the procedure itself. Rawls (1999) declares that "pure procedural justice obtains when there is no independent criterion for the right result; instead, there is a correct or fair procedure such that the outcome is likewise correct or fair, whatever it is, provided that the procedure has been properly followed" (75). Sen (2009) criticizes Rawls by arguing that "clear-cut rules" lead justice to a vague set of principles (89). By crediting results of

justice relocation, some argue that applying a fair procedure does not solely meet individuals' expectations, and it can still create an unfair outcome (Lind and Tyler 2013). Thibaut and Walker (1978) draw on the approach to the control of process and outcome, advocating that both are important to perceptions of fairness (546). Procedures applied in organizations reflecting its approach to ensuring justice is complaint handling. Often, the ombuds mechanism is one of the ways for institutions to control the complaint process and provide fair results for all stakeholders as possible.

Accessing HE is one issue corresponding to equity, diversity and inclusion in the distribution of sources, but encountering fair treatment to continue and succeed in education is another concern. What kind of policies take place in conflict handling when a dispute or grievance comes to reality in a university is the critical question. This is where the ombuds offices mediate between the university and students. While other mechanisms, such as ethics committees or bodies responsible for maintaining scientific standards, are also implemented, the ombudsperson's role is distinguished by its ascription to informality, confidentiality, impartiality, and independence. These principles are central to handling conflicts and conducting informal investigations and go beyond tackling a wide range of concerns, thus ensuring a fair and unbiased resolution process.

Considering there is no formulated application of student ombuds occurring in the real-world context, complaint-handling procedures vary from one to another, even in the same country context, as empirical data and literature emphasize (Lind and Tyler 2013, Smith 2023). Although some principles of the mechanism are perceived and applied differently in HEIs, determining best practices and their capacities on transferability under reviewed procedural justice theory is essential to contribute to its development, considering that these perceptions can change over time or cultures (Colquitt et al. 2001).



One of the advantages of adjusting an ombuds in HE is to build trust among actors. Harrison (2007) exemplifies in his research exploring how ombuds processes affect trust in HE. According to data, the conflict-handling process affect students' perception of fair procedures and trust in the institution (139-49). As Folger (1977) describes, "having a voice is an opportunity that affects the decision-making process." The ombuds disseminates the voice on behalf of students where they may not feel confident enough or advise them on how to tackle the conflict or problem in some cases. Being heard by a neutral side helps students overcome a problem, even if the results do not satisfy them entirely (Tyler 1990, 5), as some empirics also affirm in this thesis. The ombuds position also requires a commitment to progress and neutrality in action, which also affects gaining students' trust in the fair procedures of HEI. Conversely, another study targeting Australian HEIs shows that students (especially undergraduates) and staff may be hesitant and unfamiliar with complaint procedures (113-4). It concludes that internal mechanisms may not be perceived as impartial, resulting in the necessity of a national ombuds (116), which was later planned to be found in Australia (Australian Government Department of Education 2024).

Among these discussions, the student ombuds, an informal procedure tool in HE, also meets the conditions for interactional justice by giving a chance to express the complainant and counterparts—if involved, in terms of a conflict rather than reaching a firm resolution (Harrison 2013). However, when the "case" turns into an informal investigation, what makes procedures fair is whether impartiality and confidentiality apply during the process.

Complaint handling procedures affect the decision-making process, which may help to correct an unfair treatment or violation of rights, which lessens the conflict among actors and emphasizes more formal assessment (Lind and Tyler 2013, 226). Bearing that the ombuds

mechanism in HE is an informal source and can only address possible solutions, it may not be possible to argue that it directly affects or corrects an unjust in each case.

Ombuds mechanism requires following the same rules for each case and individual that points to the consistency principle that ensures fairness (Tyler 1990). In HE, it is possible to observe if any code of ethics and standard of practice applies to the ombuds' informal investigation.

Context-specific support for dispute resolution through ombuds services underscores the importance of seeking immediate justice. For instance, students who believe they were unfairly graded may approach the ombuds for clarification, often expecting the ombuds to enable a grade change. If no procedural obstacle exists, the ombuds can provide students with a clear explanation of the grading process after having feedback from the faculty. In cases where students persist in their appeal, the ombuds can mediate between the student and faculty, addressing communication issues and recommending effective resolution strategies. It also contributes to making procedures transparent in this sense.

Some cases related to discrimination or harassment may require serious action or transfers to other administrative bodies, such as equity offices, or appeals in external legislative bodies. If students trust in complaint procedures, the ombuds office can be the first place to approach being listened to with dignity in a safe and confidential place.

All these principles also help build trust among all parties within the institution. In higher education, safeguarding students' rights enhances their sense of belonging and fosters perceptions of fairness and being valued by the institution (Harris 2007, 564; Herring 1990, 577). It also informs the administration about systemic issues, such as faculty-specific concerns or safety in campus occurring on campus, which indirectly may help HEIs develop inclusive policies.

In conclusion, many of the abovementioned complaint-handling principles are key components of ombuds' work while encouraging students to defend their rights. Second, the ombuds itself is a facilitator of procedures for students who may have limited knowledge of arbitration and be hesitant to talk with faculty or staff about a concern explicitly. How ombuds offices provide accessibility and transparency is to make themselves seen and inform students through suitable channels with a common vocabulary, such as including rules of HEI and common issues occurring at campus websites (Jackson 2010, 111). Most offices also declare annual reports, mainly in the USA, open to the public with limited details, such as case numbers and some contents of complaints. In Europe, offices mostly submit their reports to the highest management in HEI or open to all actors in HEI depends on how the institution approaches confidentiality and impartiality. Reports also contribute to transparency and accountability, especially when it inform all actors.

In this regard, the ombuds mechanism arms students with information and support on dealing with complex policies and procedures by addressing their concerns, demands, or grievances by being an impartial and neutral body and accessible to all students.

From the literature review, the key elements of procedural justice are determined as consistency, correctability, impartiality, voice, and transparency. The conceptual framework of the ombuds mechanism intersects with them by adding informality, accessibility, independence, neutrality, and accountability in HE. Empirical data also confirms some of their existence in implementing Austrian and Swedish HE, while explaining differences in application and changes in student perception of advocacy in terms of student empowerment among the HEIs.

The research might not comprehensively investigate how effectively ombuds mechanisms affect on diverse student populations, including international students, students with disabilities, and students with socio-economic backgrounds, which requires a further study.

The following two chapters will examine the case studies regarding the example ombuds mechanism applied in Austria and Sweden.

### **3 Case Study I: Austria**

This section highlights the Austrian HE system, focusing on its key actors' roles: the Austrian Student Ombudsman (ASU) and the Austrian Student Union (ÖH). It addresses the key themes derived from interviews in two HEIs, Central European University (CEU) and the University of Economics and Business in Vienna (WU), with their ombuds settings and roles.

#### **3.1 Snapshot of Higher Education in Austria**

Austrian tertiary education encompasses public, private, and applied science universities and teacher education colleges, a total of 77 governed by the Federal Ministry of Education, Science, and Research, which regulates this system under the legislation (BMBWF n.d.a). Most students enrolled in tertiary education are in public universities (75%), and the total number exceeds 390,000 (Statistics Austria n.d.). The Federal Constitutional Law guarantees their autonomy and public funding to support academic and research quality. Still, private HEIs depend on their finances and are deemed to apply public research funds for research and are obliged to be re-accredited by the Ministry.

##### **3.1.1 Austrian Student Ombudsman**

ASU, founded in 1997 and became independent by legislation in 2012, addresses student complaints, offers mediation, and provides advisory services throughout the country (ASU, n.d.b; Behrens 2017, 14; BMBWF, n.d.b). It ensures that students' rights are upheld and monitors compliance with legal standards at all Austrian HEIs. Students can file complaints online or in person, covering issues such as admission procedures, study support, and student housing. In

reverse to the UK's external complaint mechanism, the OIA, ASU does not require students to exhaust internal mechanisms first but is open to direct application. The last annual report on complaints 2022-2023 reflects a total application of 777 received and a 21% increase in issues from the previous year. (ASU, n.d.c.). It also highlights policy recommendations, including improving admission processes for international students, ensuring anonymity in course evaluations, and enhancing transparency in scholarship information.

According to another report on ombuds offices and similar institutions in higher education, there are twenty-two higher education institutions (HEIs) in Austria with an ombuds office (ombudsstelle) serving students (ASU 2024a). Of these twenty-two offices, three are accessible to academic and non-academic staff, with only one office serving exclusively academic staff.

### **3.1.2 Federal Student Union**

Established SU in every institution is legally mandated, with a national representative body that has existed since 1946 and supports democracy in HE. The national SU is politically driven, advocating for different social causes and helps students through consultancy services and funding. This support with funds varies from student housing to societal projects, including those related to climate change and gender-based research (ÖH n.d.). By law and practice, it has the power and responsibility to advocate students' rights and involvement in governance. At the institutional level, SU mandates a two-year election term, typically involving multiple political party representatives. Executive Board composition is based on party vote percentages, and their roles are based on specific tasks.

## 3.2 Higher Education Institutions under Research

CEU is a private institution known for its international culture and research-driven approach, mainly in social science studies, with a thirty-two-year tertiary education background. It has over 1,400 students in three cycles of tertiary education, most in graduate programs. WU is a state university founded in 1898 and specializes in business and economics education and research, accommodating over 21,000 students. Both institutions maintain a diverse student body and policies targeting to increase equity and inclusion.

At CEU, SU has an internal mechanism including representatives of the Senate at different degree levels and a General Assembly, also has departmental representatives who handle student concerns related to academic issues and relationships at the faculty level, specific to CEU. At WU, the Student Union shows similar administration as anchored by law and has eleven representatives for each faculty; their responsibilities vary from fairness in educational policy to equality.

### 3.2.1 Ombuds Mechanism in CEU and WU

The Ombuds mechanism is called the Ombudspersons Network (ON) at CEU, founded in 2021. This network encompasses a diverse group (five elected ombuds), including academic and non-academic staff and a student appointed by the Senate after collecting nominations for three years and coordinated by the Office of Inclusion, Diversity, and Equity (IDE). It is open to both staff and students besides their primary responsibilities but is maintained voluntarily. At WU, it has an office setting with three staff with diverse backgrounds, such as psychology and law, who serve as ombuds only for students who have primary roles and are linked to the Vice-Rector's office, established in 2014.

Where they differentiate in the content of issues handled is that CEU mainly focuses on informal complaints for harassment issues, specifically sexual violence and discrimination. Besides that, the WU ombuds office also helps students on other topics, including academic concerns, communication problems with faculty and service staff, issues with credits, feedback on assignments, and grades. It is explicitly declared that students choose male or female ombuds, considering their comfort in discussing issues, as the website reveals (WU n.d.).

At CEU, students are directed from one to another if there is a conflict of interests relating to the ombudsperson's job and discuss issues among them, if necessary and the IDE office coordinates complaint handling, as learned by expert interview. At WU, ombudspersons evaluate cases and disseminate them to someone relating to their professional background, such as law (policy-associated issues) and psychology at the office, accordingly. However, they discuss the issues together, as stated in the expert interview.

“One person takes over and has the main lead, but we always discuss it with a second person in our team to ensure that we don't have to oversee something or miss a crucial point.” (Expert 1, WU)

“They have a mandate of three years with the opportunity of reappointment that I very much encourage, if possible because that allows for building on institutional expertise and experience since it's such a delegate role that requires lots of skills.” (Expert CEU)

One principle ensuring fairness in ombuds is **accessibility**, which points out having an office setting to provide students with a safe environment for listening to their grievances (Rowe and Gadlin 2014). As empirics derived from the interviews and policies, the ombuds mechanism is seen as accessible in both; even CEU has no regular office for ON but individual staff offices.

“They do a pretty good job of making themselves very **approachable**. Then, to that extent, I think by taking the extra step and making yourself appear, which I've noticed many of them do. It might at least partially address some of the hurdles that people feel as ‘this is a



**safe space'** for them to talk about specific things, people from **minority backgrounds**. (SU Representative 1, CEU).

In both HEIs, complainants can fill out a complaint form, e-mail, or contact the ombudsperson in person. Apart from that, student interview informs that the ombuds office at WU sends a regular newsletter to become visible, their rights to make awareness, and some topics related to difficulties in their studies affecting their mental health. At CEU, ON also sends a newsletter a few times a year on how to approach them.

Ombuds mechanism is an informal source for complaints that requires reporting to the same extent (IOA n.d.a.). As CEU's website clarifies, complaint-handling procedures are offered under three categories: anonymous, **informal**, and formal. It also explains the outcome of formal complaints (CEU n.d.a.). The informal procedure points out ON, allowing individuals to choose their contact person. It also directs them to a member-sign-in page for displaying internal and external mechanisms. The ombuds office at WU follows a "code of conduct" of the institution, which also binds the students. It is indicated on its website informality, but implicitly, and gives information for external complaints by pointing to ASU.

"I feel like we were very inclusive because there's also at the beginning of the **code of conduct** and I think like it's also from the ombuds mechanism. So, you start with those and send out newsletters to address specific topics, as a student you get confronted with those topics not in a bad way, but in a good way to give awareness. (SU Representative, WU)

The expert interview also states that policies regarding the ombuds mechanism are planned to be more accessible, seemingly targeting **transparency** and **accountability**.

"An online application that makes record-keeping mandatory to ensure **transparency** and **accountability**. It seemed forced, so it was also required before, but nobody was there to check whether this was done. But so, by policy, they have to submit anonymized numbers of cases with different types of information." (Expert, CEU)

“In my opinion, the ombuds mechanism has a twofold benefit: 1) It has helped to generate a mechanism that is easily **accessible, transparent** and **independent** of other administrative units, and 2) It helps WU to network with other ombuds facilities in Austria and thus benefit from knowledge from other universities.” (Expert 2, WU)

According to IOA’s standards, ombuds work requires being independent in informal decisions and reporting to the highest administration level not another entity (IOA n.d.). While the WU ombuds office reports to the Vice Rector’s office, ON at CEU reports to the IDE Office.

“If there is something the Vice Rector needs to know, such as if **students’ right at stake**. Then she would be informed, and we also work with the Equality Office together.” So, the structures within the view are connected, and we make sure that students rights are taken seriously.” (Expert 1, WU).

“This network is completely **independent**. Even if it is internal to CEU, it is independent of the university's **hierarchy**. But what it reports is its number of cases and so on. They do not report to anybody who is higher up in the hierarchy at CEU. In my view of what democratic values are about, this independence from or **relative independence** work makes a really good contribution to CEU overall.” (Expert, CEU)

Another aspect of reflecting the effectiveness of the complaint mechanism is **confidentiality** and **impartiality**. The interviews confirm that these principles are seen as the core of the ombuds. From a student and expert point of view, it is perceived as neutral, impartial actors even if they have side tasks. What differentiates at CEU is that ON has a chair in the disciplinary committee in cases requiring immediate measures for safety and initiating disciplinary proceedings.

“Even though these people are still, to some certain extent, I mean they're part or like members of the CEU **community**. I think students feel much safer going to the person network and also knowing they have that possibility.” (SU Representative 1, CEU).

“They have exceptionally, very strict rules regarding **confidentiality**, to be honest, we don't know what you don't know about the cases they handled.” (SU Representative 2, CEU)

“We have another section on **confidentiality**, which is a bigger is of great importance for this role, and they take it very seriously as I've seen in. In some cases, I had the privilege of seeing how serious they actually were.” (Expert, CEU)

“We handle everything **anonymously** and **confidentially**; we don't go out without the student's **consent**. We only try to **mediate** between two conflict parties or to get another person's view if the student gives us consent and says please do so, which is not always the case.” (Expert 1, WU).

Students who lack specific knowledge on issues or procedures of education or are reluctant to express their concerns for a particular reason choose ombuds offices. One significant aspect is students perceive the ombuds mechanism as upholding their **voice**, which also is indicated as developing trust (Harrison 2007, 131), as student interviews implicitly and explicitly confirm.

“I think just being there and having the opportunity by virtue. It sometimes allows people to address those issues when they arise. I feel like students who **lose trust** in the institution, you know, scared or afraid. It's a very **important mechanism** that we have.” (Student Representative 1, CEU)

“When a case is huge, and we don't have the **expertise**, or the professor, for example, doesn't listen to me, I'm calling the ombuds mechanism to help me or other students.” (SU Representative, WU)

One and last notable aspect of the cases, each SU perceives that many students lack information on ASU as data exposes one suggesting that student's preference on internal mechanism initially or not being aware of student-related issues.

“Maybe they think there's a language barrier, even though there isn't, and I think yeah, like as a small university, you just first go to the choices and the possibilities that are closest to you, and then you go on to the next step.” (SU Representative 1, CEU)

“I would know that, because I'm part of the SU and I'm interested in topics like this, But I think if you ask regular students, they don't know about this.” (SU Representative, WU)

## 4 Case Study II: Sweden

This section elucidates the Swedish HE system, focusing on its key actors, the Swedish Higher Education Authority (UKA) and the Swedish Council for Higher Education (UHR), and The Swedish National Union of Students (SFS). It addresses the key themes derived from interviews in two HEI, Lund University and Stockholm University, with their ombuds settings and roles.

### 4.1 Snapshot of Higher Education in Sweden

HE in Sweden lies on a decentralized system where HEIs have significant autonomy in education and governance and are funded mainly by the government. UKA provides guidance to the HEIs in terms of legislation and quality assurance activities and observes the competence of the system (UKA n.d.b). Complementing it, UHR supports the system by collecting applications to the HEIs within country and internationally through a centralized system and providing recognition of the education (UHR n.d.). There are 50 HEIs in total, of 3 are private but also funded by the public (UKA 2020a).

Sweden's “flexible” higher education system allows individuals to plan their studies according to their interests, with many students starting with separate courses some data from interviews confirms that SU at the institutional level also advocates this initiation. According to a report, some parts mirroring diversity in attending HE,

- “Approximately four out of ten new students in higher education graduate within six years of their entry, with this figure rising to nearly six out of ten when the period is extended,

- Over 40% of domestic students return to higher education after earning a qualification, and four out of ten take an extended break from their studies, with men more likely to discontinue than women.” (UKÄ 2020).

#### **4.1.1 The Swedish National Union of Students**

SFS, established in 1921, effectively promotes students’ rights and empowerment. Their advocacy covers a wide range of issues, including influence on the social dimension of the Bologna Process, increase in student grants, student participation in the reporting of higher education governance, building student accommodation issues and increasing attention on the national level, supporting for parental students, raise of awareness on diversity policies of HEI with the help of EU legislation (SFS n.d.).

## **4.2 Higher Education Institutions under Research**

The history of Lund University dates to 1666, having students over 44,000 and eight faculties varying from medicine, engineering, and law to social sciences and research driven. Stockholm University was founded in 1878 and currently has over 33,000 students in four faculties: law, humanities, social sciences, and natural sciences. In both institutions, a large body of SU represents students’ rights and advocacy.

In Lund, each faculty has its own body, generally called Lund University Student Union Associations (LUS n.d.), which differs from Stockholm in this regard, and each has student councils where specific topics are discussed, including quality education, students’ rights, etc. Stockholm’s Student Union (SUS) also has a political party system design (SUS n.d.) Most of the

ombud (hereafter called ombud when mentioned specifically about HEIs as used in Sweden) are recruited by SU, as the examples in this case study.

“I am **hired** by LUS, which is an umbrella / cooperative organization for all the student unions in Lund. They ‘own’ the official student representation by law.” (Expert, Lund)

“I’ve been in this position for almost four years, and this is a **paid** position, so I’m **employed** by SUS.” (Expert Stockholm).

#### 4.2.1 Ombuds Mechanism in Lund and Stockholm University

Lund has a twofold mechanism, "studentombud" and "doktorandombudsman." In this chapter, the data is derived from the first, which handles undergraduate and graduate students' issues and complaints. In contrast, Stockholm has a main ombud office staffed with four, and they represent all students except some departments but are accessible to all regardless of a member of SUS, as each expert interview informs accordingly.

“There are two ombuds for students at Lund University, one is called "studentombud" and the other one "doktorandombudsman", whereas the first mentioned has the area of responsibility regarding first and second cycle students and the latter third cycle students, meaning PhD students. (Expert, Lund)

“We have the right to represent students across the entire university, except for two departments, which have their own union. Besides those two, all students and PhD students at Stockholm University can reach us through our website... Other than that, you don't need to be a member; it's **open for all students**, and the students send in through the forms they send in, sent in an errand.” (Expert, Stockholm)

In each institution, information on how to reach ombuds and complain procedures and topics related to complaints is indicated on their websites (Lund n.d.; Stockholm n.d.). As interviews confirm, ombud offices seem **accessible** with online and in-person contact.

“At each institution, students can reach the ombud through email. To contact the ombudperson, you can send an email and let them know, but there is a system in place if something happens, that's more of an actual incident or accident. For now, it is filled out in paper form, but from September, it will also start being digital for the students.” (Student Representative, Lund)

“We have a form on our website where students can submit questions or issues they have had.” (Expert Stockholm)

“So, they offer help via the website and email, but also by **attending council meetings** and having close contact with the councils.” (Student Representative Stockholm)

The informal setting of ombuds mechanism strengthens its application. In each institution, the ombud tackles similar issues related to student responsibilities and concerns **informally**.

“We receive the errand, and then it is divided between the four Ombudspersons, who take on a certain number of errands per week, and then they contact the students. Usually, students need more information, such as emails sent from the departments or other information, and then the ombud typically informs the students about what **rights** they have. We received 114 errands, 27 of them were about grading, around 30 of them were disciplinary actions, and 15 were from PhD students, 8 of them were in cases of discrimination, harassment. We also have students who feel very strongly that they should have been given a better grade than they have received. And in those errands, it's up to the ombudsmen to inform the students that it is **up to the professor** to set a grade. This is what is stated in the rule documents.” (Expert Stockholm.)

“Student cases can be of several different characters, but the easiest it is to distinguish cases that pertain to **student rights** - something that has been decided upon since before in Swedish legislation, university policies and regulations, and guidance from Swedish higher education authority.” (Expert, Lund)

In general, ombuds offices deal with individual cases and write general or specific reports on cases on a timely basis, considering the confidentiality of complainants. When they interrogate cases informally, it influences different bodies in the institution to follow the rules in which all contribute to the **transparency** and **accountability** of the HEIs.

“I write an annual report, and I register the student issues I handle to the electronic case handling system.” Expert, Lund (reflecting on how ombud contributes to institution's accountability). (Expert, Lund)

“One part is the student writes the errands system and I would say that that helps a lot because that's when we hear what the departments do that, they are not very open or not supposed to do. So that's where we get feedback, like specific teachers who don't follow the **rules**. Then, we can contact the department, and when we contact the department, it's harder for them to work with the issue. So, when we reach out, they need to and first,

give us a response and that can't be hidden as wrong. But it makes them **accountable** for what they do and their decisions because it will come back to us.” (Expert, Stockholm)

Handling complaints in a confidential and safe environment increases the credibility of the ombuds mechanism. The reports that ombuds offices announce also consider confidentiality. Both institutions emphasize **confidentiality** by declaring the scope of their responsibilities on their website (Lund n.d.b.; Stockholm n.d.b.) and expert interviews confirm that.

Impartiality reflects how the institution approaches decision-making processes. Some expert interviews also state their views on **impartiality**.

“The studentombud has no **"opinions"** - that is the job of the student representatives. Studentombud will also not help students push for certain opinions on the university. However, the studentombud can inform the students on appropriate channels.” (Expert, Lund)

“I feel like there's Student ombud is more of a **neutral** party. They are kind of the middleman between the students and SUS.” (Student Representative, Stockholm)

As the literature review emphasized, the ombuds mechanism forwards **student voice** in individual matters and university governance. It is also underscored in students' interviews.

“It can help people who may feel a little bit put on the **spot**. Or maybe they are not in their element to feel like they can still get their **voice** heard without being more in the spotlight. So, they know that they can reach someone who can, you know, put their **voice forward** and represent them against the faculty. I think that can help quite a bit because sometimes it can be **scary** to be the one to represent yourself and say this is how I feel, and this is what I've experienced.” (Student Representative, Lund)

“They're able to center the voices, like all the strong voices that are spread out throughout the university. I think when you do that, this **voice**, the **student voice** becomes stronger but also and they are able to exchange knowledge and experience amongst each other and come up with even better solutions...I feel like the way that the studentombud mechanism **ensures** students feel **heard** and **supported** students from different backgrounds. (Student Representative, Stockholm)



It is also notable that both ombud offices actively involve students' rights advocacy proactively, as understood from the interviews. One expert interview also reveals that they see their scope of work divided into students' rights advocacy and student influence.

“I train student unions in questions of student rights as well as how to handle student issues.” (Expert, Lund)

“Educating the students about their rights and the potential shortcomings of the university, I think that's the best way. But the ombud **protects your rights** because knowledge is power, so the only way, I think, is for students to change the situation. You know, being **empowered** is through knowledge, through being informed. Also, they provide statistics, so if you're trying to write a motion presented to the Dean about a certain issue, you might need numbers to back up your claim.” (Student Representative, Stockholm)

“So, I would say that is half (*students' rights advocacy*); the other half is that ombudspersons work with **student influence**. (Expert, Stockholm)

In summary, the interview data reflects the main procedural justice principles and ombuds procedures and implementations that accompany student empowerment to some extent. In the following chapter, the main findings collected from each HEI's ombuds mechanism will be discussed in a comparative analysis.

## 5 Discussion

The research findings discuss to what extent the concept and literature overlaps. It also reveals commonalities and different implementations of the ombuds mechanism regarding the principles of procedural justice.

The literature review revealed that procedural justice principles are consistency, correctability, impartiality, voice, transparency, and accountability. On the other hand, the research and the empirical data inform that the normative principles of the ombuds mechanism, informality, accessibility, independence, impartiality, and neutrality are related to sustaining fairness and contribute to student empowerment to a certain extent which is discussed further.

### 5.1 Main Findings

#### 5.1.1 Consistency

Consistency is observed in all HEIs in different scales. At CEU, the ON procedures for handling complaints, which is longer than the ombuds work presence, particularly those related to harassment and discrimination, operate with a consistent approach by following a set of established rules. This implies that all complaints are treated similarly, bearing in mind that it is not possible to observe individual cases for each HEI. WU's ombuds office also indicates that they follow the university's code of conduct, which forms the procedures for addressing academic and non-academic concerns. However, the degree of consistency, considering the longer history of ombuds at WU is enhanced by the specialized backgrounds of its ombuds staff, who can apply their expertise to cases, implementing a nuanced approach as data reveals.

“And they have a mandate of three years with the opportunity of reappointment that I actually very much encourage, if possible, because that allows for building on institutional expertise and experience, since it's such a delegate role that requires lots of skills and and if we have people who already have experience in this, even more, so insights CEU and they're willing to get reappointed then all the better. (Expert, CEU)

In contrast, at Lund University, consistency is achieved through the long clear division of roles between the "studentombud" and "doktorandombudsman," ensuring that undergraduate, graduate, and PhD students receive appropriate and consistent support based on their academic level. The latter also requires this division because doctoral students' concerns are related to labor rights.

“Since they are (*ombuds*) there to represent all students and for anyone who feels like they may have been **mistreated, not included** or **discriminated**. They help bring that awareness to the right people and ensure that the faculty or the university is handling it. So, they are a great help there and in the **dialogue** with the faculty, they help with the **preventative** work to ensure that it doesn't happen as much as possible.” (Student Representative, Lund)

Stockholm University also displays consistency through its structured ombuds system, where established guidelines and procedures are followed to ensure homogeneity in handling complaints. As derived from expert interview, the ombuds office evaluates the general situation in terms of cases annually. Consistent reporting also ensures that all cases are documented and handled transparently, where they share the statistics with SU to keep them informed and advocate in their endeavors in governance. This is identical for Lund, where the ombudsperson identifies systemic problems while collaborating with the SU.

### 5.1.2 Correctability

Correctability is one of the most important elements of procedural justice which has also “trust building” effect between students and administration. At CEU, the ombuds mechanism emphasizes the importance of correctability by allowing students to complain on matters related to harassment and discrimination. Due to the limited scope of cases handled, it might not significantly contribute to ensuring justice. It requires further examining how other internal

mechanisms and student-related bodies tackle the appeals. It is also evident that SU collaboration is limited to referral system, and they mainly refer students to the departmental representatives.

“We only know of one student who came directly to us, and we referred them to the ombuds person network. But even though it's not discussed much in my circle, I still know students who are using this mechanism.” (Student Representative 1, CEU)

“For example, last year I was also a cohort representative, and so a lot of the kinds of like smaller issues where, for example, say that there's a minor dispute between a student and a professor. That's a function we're usually you refer to your cohort representative.” (Student Representative 2, CEU)

Similarly, WU's ombuds office helps to correct errors in grading or disputes with faculty by involving experts from relevant fields, such as law or psychology, to reassess the situation, without neglecting academic freedom as expert interview reveals.

In Stockholm, the correctability of ombuds decisions is supported by dividing cases among the four ombuds based on their weekly workload, ensuring that errors are minimized and corrected promptly. Lund's dual ombuds system also supports correctability by outlining responsibilities, allowing students to escalate their cases within the system if necessary. However, SUs at the faculty level also tackles the issues and act proactively as data confirms.

### **5.1.3 Informality**

The informality is the core of organizational ombuds mechanism. In HEIs' hierarchical structure, ombuds mechanism requires informality and makes students raise their concerns without hesitation, which is also related to confidentiality, ensuring a safe space. CEU's ON operates on an informal basis, mainly when dealing with harassment and discrimination, which encourages students to come forward without fear of formal outcomes. At WU, while the ombuds office is

relatively structured, it still allows for informal discussions and mediation, particularly in cases where students need guidance rather than formal intervention.

Stockholm University's ombuds office similarly operates informally, addressing issues in a less formalized setting. Lund's dual ombuds system also supports informality, aligning with students' engagement with the system that suits their needs.

“Studentombud will also not help students push for certain opinions on the university. However, the studentombud can inform the students on which appropriate channels exist.”  
(Expert, Lund)

#### 5.1.4 Impartiality and Independence

Impartiality requires an ombuds mechanism acting neutral and objective, locating fairness. At CEU, the ON maintains impartiality by ensuring that ombudspersons are elected and serve voluntarily. The network's independence from the university hierarchy further supports this approach. However, ombuds as a side “job” may hinder the sustainability of the ombuds mechanism, considering persuading staff or students to participate in the network, also discussed in the neutrality part. WU's ombuds office, while linked to the Vice-Rector's office, maintains impartiality by investigating cases in a neutral manner, which is confirmed in the data. However, in the same direction as CEU, staff have other responsibilities which makes independence dubious.

In Stockholm, even ombudspersons are hired by the SU, the ombuds office perceive impartiality is maintained through the ombuds' dedication to neutrality, as indicated by the interviews where student representatives and ombuds emphasized their role as neutral mediators rather than advocates for specific outcomes. However, in Lund, an expert interview reveals that impartiality would be stronger if the ombud is employed under HEI or deployed an external role.

“I think the ombud might be able to give more **input freely** if the ombud was instead hired by the university but ensured of its **independent role**. Or that there would be a better discussion between the student body, the university and the ombud to create clear boundaries and to understand that I am not in fact, representing the student body as a

whole. That still feels like it could impeach the ombuds impartiality and independence to have others decide over what the ombud is allowed to and not allowed to comment on. It is only up to the student body to decide whether the student ombud should have any input, which again, can risk the impartiality of the mechanism of the ombud.”

### **5.1.5 Neutrality**

Neutrality allows handling conflict without any prejudice. At CEU, neutrality is affiliated with the diverse composition of the ON, which includes both academic and non-academic staff as well as a student, ensuring that a wide range of perspectives is considered in the decision-making process. WU’s ombuds office similarly emphasizes neutrality by dividing cases based on the professional expertise of the staff, which ensures that decisions are made based on objective criteria rather than personal biases. However, ombuds work requires commitment and being away from other responsibilities. In Stockholm, same with the later example, the neutrality of the ombuds is supported by dividing cases among the staff based on their workload, which can be interpreted that it minimizes the risk of bias towards the cases. As discussed in impartiality and confirmed by an interview as well, ombuds hiring should be tackled differently to ensure pure neutrality.

### **5.1.6 Voice**

SUs in each country have already established and advocated students’ rights in a long history. However, in universities where managements holds the power inequitably, students are still needed to forward their voice through a medium. At CEU, students are given a platform to express their concerns through the ON, which is structured to listen and respond to issues raised by both students and staff, underlying an overarching approach to the complaints. The informality of the complaint process at CEU allows students to raise sensitive issues, which also contributes to equality, as the interview suggests.

“The ON, by being those who receive informal sexual harassment complaints and gender-based violence complaints, they are contributing to building a more **gender-equal community**.” (Expert, CEU)

At WU, the ombuds office also provides similar support, also enhances it by staying in connection with SU. This proactive approach ensures that students know how to make their voices heard. In this sense, SU and the ombuds office collaborate but ensure they tackle different issues, which also emphasizes the impartial position of the office.

“The intensified cooperation and **careful communication** with internal WU services (e.g. Student Counselling Program, Examination Organization) and other expert bodies (e.g. SU) have proven their worth. This made it possible to avoid duplication of effort and to develop more constructive solutions for those involved through cooperation between the various areas of expertise. However, only very few issues are reported to both our Ombuds Office and the SU. As it could have a negative impact to the case if services work on it the same time, we then coordinate our work, e.g. who will work on the issue or on which aspect of the issue.” (Expert 2, WU)

In Stockholm, the ombuds mechanism further amplifies student voice by engaging in regular dialogue with student councils, safeguarding student concerns are integrated into institutional decision-making processes. Student’s perception also is on the same direction in Lund as data shows.

“I feel like the way that the studentombud mechanism **ensures** students feel **heard** and **supported** students from different backgrounds. (Student Representative, Stockholm)

“So, they know that they can reach someone who can, you know, put their **voice forward** and represent them against the faculty.” (Student Representative, Lund)

### 5.1.7 Transparency

Transparency in the ombuds mechanism is essential for building trust between students and the institution. At CEU, transparency is achieved through clear communication of the complaint handling procedures on the university's website, detailing the steps involved in both formal and informal complaints. The ON's practice of sending newsletters also contributes to

transparency by informing the university community about the types of issues being addressed and the outcomes of these cases. WU's ombuds office similarly promotes transparency by adhering to a code of conduct that is publicly accessible and by reporting directly to the Vice-Rector's office, confirming that their feedback on cases informs the administration.

Stockholm University enhances transparency by allowing students to submit complaints through an online form, where the process and outcomes are clearly communicated. Lund University provides transparency with annual reports.

### **5.1.8 Accessibility**

An accessible ombuds office ensures the mechanism's effectiveness in student empowerment. At CEU, the ON is highly accessible to students and staff, with multiple contact points and the flexibility to choose a preferred ombudsperson. Despite not having a regular office, the ON's use of individual staff offices and communication through different channels ensures that students can easily reach out for support. WU's ombuds office, with its regular office space and newsletters, further enhances accessibility by making its services highly visible to the student body.

In Stockholm, accessibility is prioritized through the availability of an online complaint form and the covering of all students regardless of being a member of any SU. In Lund, clear information on ombuds work through online channels and SU reflects accessibility.

### **5.1.9 Accountability**

Accountability is essential for ensuring that the ombuds mechanism remains effective and trusted by students. At CEU, the ON contributes to institutional accountability by reporting its



activities to the EDI Office, which oversees the broader framework of equality, diversity, and inclusion at the university. This reporting structure ensures that the ON's work is aligned with the university's overall mission and values. WU's ombuds office similarly promotes accountability by reporting directly to the Vice-Rector's office, which ensures that any issues raised by students are addressed at the highest levels of the university administration. In Stockholm, accountability is reinforced by writing annual reports and registering student issues in an electronic case-handling system, which provides a transparent record of the ombuds' activities.

## 6 Conclusion

The aim of this thesis was to explore the effectiveness of the ombuds mechanism in HE on student empowerment. The methodology constructed to obtain empirical evidence was an interpretivist approach comparing case studies with different approaches and settings of the ombuds mechanism: CEU and WU from Austria and Lund and Stockholm universities from Sweden. Each institution's approach to the principles of procedural justice as consistency, correctability, impartiality, voice, transparency, informality, accessibility, independence, neutrality, and accountability, shaped the overall effectiveness of its ombuds mechanisms, where it displayed those elements complementing.

At CEU, the Ombudspersons Network (ON) demonstrates a different application than others by ensuring an informal structure that allows students to voice concerns, particularly in harassment and discrimination cases, which is supported by comprehensive policies against any kind of discrimination and supportive policies. This approach fosters a sense of empowerment by offering a flexible and approachable system, albeit with limitations in its formal institutional integration. The ON's voluntary and diverse composition enhances its neutrality, but its reliance on individual offices and the absence of a dedicated space may limit its accessibility. As a fact, ON works on a voluntary basis and requires dedication in work, which may risk the sustainability of the policy.

Conversely, WU's ombuds office, with its formalized structure linked to the Vice-Rector's office, following the same code of conduct with all actors provides a more consistent and accessible framework, particularly for addressing academic-related concerns. The professional expertise of its staff ensures that issues are handled with a high degree of correctability and

impartiality. However, this formal link to university administration may raise questions about the perceived independence of the office, potentially impacting its ability to foster student trust. Similarly, ombudspersons having side errands also may hamper devotion and make independence vulnerable. To mitigate these potential hazards, ombuds offices can be built in a regular setting with at least one devoted staff.

In Sweden, both Lund and Stockholm Universities emphasize the importance of accessibility and transparency through their well-established ombuds systems. They also focus on student advocacy by providing them necessary tools to make sure their presence is effective in governance. Stockholm University's use of electronic case-handling systems and regular reporting enhances accountability and transparency, making the process clear and reliable for students. Lund University's ombuds system, with separate roles between undergraduate and doctoral students, ensures that all students have a voice and that their concerns are addressed appropriately according to their academic level. However, in both implementations, SU's "dominance" of the ombuds mechanism may potentially affect neutrality, even if it does not actualize and ombuds offices seemingly follow robust procedures, but only in the perception of students.

Overall, the effectiveness of the ombuds mechanisms in empowering students varies across these institutions, influenced by how each balances the core principles of procedural justice with the specific needs and contexts of their student bodies. While some institutions, like CEU, prioritize flexibility and informality, others, like WU and Stockholm, emphasize structured processes and formal accountability. The Swedish universities' focus on transparency and accessibility highlights the importance of making the ombuds mechanism visible and approachable to all students. Students' perception of the effectiveness of the mechanism regarding equity,

diversity and inclusion has been interpreted almost on a similar scale. However, students in Swedish HEIs are more integrated in topics related to ombuds work. All students have evaluated ombuds work as a safeguard mechanism with different articulations.

These findings suggest that while there is no uniform approach to ombuds mechanisms in higher education, certain elements, such as informality, impartiality, neutrality, independence, and accessibility, are crucial in empowering students. Institutions that successfully integrate these principles into their ombuds frameworks are likelier to foster an environment where students feel supported and heard, contributing to a more equitable and just academic experience.

Future research could explore how these mechanisms evolve and their long-term impact on institutional trust and student outcomes, offering further insights into the role of ombuds in higher education. One potential research might be researching the ombuds mechanism in HE regarding the advocacy coalition framework, which requires examining at least ten years of implementation of a policy and may inform in an advanced way to evaluate the mechanism's effectiveness based on the actor's relationship. Another one might be searching on complaint handling and student support, how digital tools and platforms impact the accessibility, transparency, and effectiveness of ombuds mechanisms. Lastly, comparing two or more settings of ombuds regarding complaint procedures in HE in countries like as North America and Australia might also reflect a nuanced understanding.

Some of the conceptual gaps in this research were identified in the literature review. Other limitations of this research is the diversity of the data, such as gender and level of study (no student participant from the graduate studies) and students with different socio-economic backgrounds. Experts and students in a diverse concept would give a more robust analysis. Second, the ombuds

ethical concept is based on confidentiality, and most participants were receptive to sharing their perceptions of the topic. However, some information shared focusing on student cases with details has been extensive up to a scale. Applying only one method also limits the scope of data that the researcher gained. A mixed-method approach, for instance, interviews and focus groups, would help understand the phenomenon on a large scale for each HEI and country concept. Lastly, the researcher's familiarity and knowledge of the topic helped conduct in-depth questions, but background may have influenced the interpretation.

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## ANNEX A – Interviewees

No.	Title	Institution	Date of Interview	Type of Interview
1	SU Representative of Faculty	Lund University	April 23	Online
2	SU representative 1 and 2	CEU	May 8	Online
3	Expert	CEU	May 28	Online
4	Expert	Lund University	June 21	Written
5	Expert 1, Expert 2 (partly)	WU	June 24	Online/Written
6	Expert	Stockholm University	July 1	Online
7	SU Representative	Stockholm University	July 25	Online
8	SU Representative	WU	August 3	Online

## **Annex B – Interview Questions**

### **Student Questions:**

1. What is the SU's relationship with the ombuds mechanism at the university?
2. What are the main responsibilities and extent of work of the SU?
3. How are the SU and ombuds mechanisms structured to address students' concerns?
4. What are the procedures or guidelines for accessing the ombuds services?
5. In your opinion, how does the ombuds mechanism contribute to promoting equity, diversity, and inclusion within the institution?
6. What are some common issues or concerns that students bring to the ombuds office through SU?
7. How does the ombuds mechanism work to protect and uphold students' rights within the institution?
8. How does the ombuds mechanism influence governance and decision-making processes within the institution?
9. What role does the SU play in supporting the effectiveness of the ombuds mechanism?
10. How do you envision the future development of the ombuds mechanism to enhance governance practices within the institution further?
11. Can you provide an overview of the ombuds mechanism?

### **Expert Questions:**

1. How was the decision made to establish the ombuds mechanism, and what reflections were considered?
2. How does the ombuds mechanism align with the strategic goals and objectives of the university?
3. Are there any plans or initiatives to further strengthen the structure or effectiveness of the ombuds mechanism?
4. From an expert standpoint, how do you assess the impact of the ombuds mechanism on promoting equity, diversity, and inclusion within the university?
5. What measures or indicators are used to evaluate the ombuds mechanism's effectiveness in addressing equity and inclusion issues?
6. How does senior management support initiatives to enhance diversity and inclusivity within the institution?

7. In your opinion, how can the ombuds mechanism contribute to creating a more inclusive better campus environment in terms of students' rights promotion at the university?
8. How does your office protect and uphold students' rights?
9. What role does your office play in addressing systemic issues that may impact students' rights within the institution?
10. Can you provide examples of how the ombuds mechanism has influenced policy or decision-making processes related to students' rights?
11. How do you receive feedback regarding issues affecting students' rights, and how is this feedback incorporated into decision-making?
12. How does the presence of the ombuds mechanism contribute to promoting good governance practices within the university?
13. What measures are in place to ensure transparency and accountability in the ombuds mechanism?