Organizational Ombuds Data: Helping to Understand Ombuds Effectiveness

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Introduction

Why keep data? The answer may be different for every organizational ombuds professional (OO). Each OO will wish to review, and meet, the needs of their organization and leadership, and their own needs.

In 1973, my CEO and my COO said they "did not want to know who came to see me," but they were interested in *aggregated* data about those who came to see me. Non-identifiable demographics, geographics, and the various *roles* of my visitors did interest them. My bosses also asked these questions: **What were "good ideas" they had not heard? Were there any "new" issues? What were the issues that needed immediate attention? Where were the issues arising? …. and they asked for operationally useful ideas about how could leadership could help—and if necessary deal—with those perceived to be a problem.**

So… from the beginning, I collected non-identifiable, statistical data about my visitors and about persons perceived to be a problem. And I listened for "good ideas," and "new issues," as well as for complaints. Originally I gave only informal reports, in many frequent discussions with leadership at all levels, and with various units and affinity groups. In later years my colleagues and I also made a brief Annual Report.

I also learned many other reasons to collect data, from my work, and from OO colleagues.

Ombuds are sometimes thought "not to have any power," because they do not have management decision-making power. However, the statistical data collected by organizational ombuds (OOs) represent a major source of *informal* power for OOs to help constituents. Statistical data can help every OO to notice how they can be more effective. Data also *demonstrate* the OO's effectiveness—for many stakeholders (including their employer). The purpose of this article is to share several ideas about *how and why data matter*—for

OO practice and for demonstrating effectiveness. What are some current data collection practices? What more might a particular OO consider and why?

Most Organizational Ombuds keep some, non-identifiable, statistical data. By IOA Standards of Practice OOs do not keep identifiable case records for their employer or for any other purpose. Best Practice also suggests that Ombuds should shred their working notes on a regular basis according to a written office protocol. Beyond these brief points there is a wide range of practice about OO office data, among OOs in contemporary K-12, colleges and universities, corporations, faith-based and health care entities, and national and international government agencies and departments.

Most Ombuds keep some statistical data about their visitors and about the issues brought in. Some OOs use the IOA Database classifications; many OOs add to or reformat those classifications, and develop their own.

Some OOs have built a custom database system in order to keep a much wider range of data and to permit useful "clumping" and cross-tab analysis. As just one example of usefulness, having a wider range of data permits the OO to clump together all the issues based on social and cohort identities. In a large organization, these aggregate clumps can then be cross-tabulated with a) each major constituent group of initial visitors and b) each major constituent group of persons complained against. It is common to discover that *intra-group and peer* conflicts are as common as conflicts *across* groups or between supervisor and supervisee. Analysis of such patterns may be useful to colleagues planning DEI training

Most Ombuds report some (non-identifiable) data privately to senior officials, or to unit heads. Some OOs write public or private annual reports. Some report to relevant unit heads whenever there are (non-identifiable) data that will help the relevant department or unit. Some report to every senior officer about that officer's own area, on a regular basis. Ombuds who are regular observer-guests in committees may decide to discuss relevant, (non-identifiable) data in meetings.

Some ombuds collect data on specific topics. As discussed further below, examples include: the incidence of *bystanders* among OO visitors, and the characteristics of the OO's *most serious cases*. Some OO's collect data which permit analysis of *equity considerations in ombuds service*—for example, which groups are we reaching, and which groups do not use the office? How well are we doing in offering a "zero-barrier" office?

Additional Data Practices Reported by Some Ombuds

1) It is usually good practice for new OOs to request access to organizational data about what was happening before they started: Many ombuds begin their work at organizations that have many years of data about conflicts and conflict management. (These might include complaints about race and gender and ethnicity, safety problems, concerns about employee and managerial turnover, costs of recruitment and legal staff and settlements, increases in health care costs, intellectual property fights, etc.). Prior conflict management data can be important to the OO in several ways. For one thing, these earlier data will help the OO to learn about their organization. **Being able to compare to earlier benchmarks—if the OO office is able to help specific stakeholder groups, reduce injuries, improve morale, support good ideas and reduce costs—will help OOs to demonstrate their effectiveness.**

2) Some OOs explicitly look for "new" issues, insufficiently recognized issues, and good ideas: Just one or two data points may turn out to be very important to leadership.

Information about *trends* is useful for year to year comparisons. However, *odd patterns* and *new issues* are likely to be immediately useful to many of the stakeholders of an OO. As two examples, "cancel culture vs free speech" is a painful apparition appearing in many organizations. Concerns about vaccination, masks and returns to the workplace are causing great anxiety. An ombuds can help in assessing what is happening. (And sharply-divisive "new issues" are especially important to OOs, because divisiveness illuminates the importance, for every organization, of having independent, neutral, and confidential ombuds who practice informally—who can help with polarizing issues.)

An OO may even request that leadership specifically charge them to be on the lookout for information that surprises them, that is, to look for "new" issues. (Being asked to look out for new issues may make it easier for the ombuds to discuss new topics when they arise, especially if the new issues cause concern.)

The "new" topic might be a "good thing," as when a unit manager or employee comes up with an excellent new way of dealing with a vexing issue. The "new" issue also might be quite troubling. For example, an OO might learn from a

visitor in department X—and then from another visitor in department Y—about what could be a new type of hack on the organization's systems, say, a cyber-attack from abroad, on two unrelated printers.

Being alert to new and insufficiently recognized issues is one of the reasons for an OO to ask to be a guest at department meetings, cohort meetings, affinity groups, committees, etc. and to spend significant time out and about, just *listening* to constituents. **Finding ways to identify, assess and communicate about "new" and insufficiently recognized issues and ideas helps an OO to demonstrate effectiveness.**

3) Most OOs keep some non-identifiable, descriptive data about individuals and groups: An OO may keep non-identifiable data about each original case-visitor—and also about case-visitors who come in groups. These data may include *generic demographics, geographics, and other general descriptors*. (*Geographic* data usually refer to substantial areas of the organization—such as whole divisions or whole schools—in order to protect the identities of visitors—please see the Appendix.)

Some OOs track their service to many different stakeholder groups (see Appendix for a list). Information about the breadth of OO services is used for analyzing equitable and inclusive service, for planning outreach, for illuminating the independence and fairness and credibility of the OO office—and for demonstrating effectiveness. **Demonstrating a wide catchment for important information and wide service to multiple stakeholders helps to differentiate the OOs Office and to demonstrate unique service in the conflict management system.**

4) **Some OOs keep generic data about** *persons or groups who are complained against*—in those cases where there *is* a person or group of concern as distinguished from cases that basically center on issues.

Logging general descriptors, about people, if any, who are reported of concern, permits analysis of "which broad cohorts at the organization generate the most concerns." As an example, review of all concerns about abusive behavior might show that while people who identify as male are the largest group of supervisors perceived to harass, 1) this is by no means true of all harassers, and 2) supervisors who identify as female are just as likely to be seen as "bullies," and 3) male-on-male, and female-on-female harassment and bullying may need attention. DEIB managers may find such analyses useful.

In addition, being able to track *both* (or all) parties to complaints, in the aggregate, permits analysis of which cohorts are seen to need support, in their relationships with others. As an important example, most OOs discover that *intra-group* concerns are painful and ubiquitous throughout the organization, in addition to the many conflicts that occur between groups. **Peer to peer conflicts, especially among managers, are among the most costly conflicts in an organization; analyses of such concerns may help to illuminate the effectiveness of OOs to various stakeholders**.

Likewise, having general descriptors about constituents who are reported to be of concern permits the OO to track the schools, major bureaus or divisions in the organization where specific problems are perceived to arise. Using "heat maps" is within OO Standards of Practice if undertaken with great care to safeguard the identities and privacy of visitors and people of concern. As an example, intellectual property or conflict of interest or safety concerns may be common in just one school (or one bureau of an agency, or one division of a corporation)—and be, thus, an appropriate topic for the OO to take to just one relevant Dean or Director. **Locally focused reports to relevant leaders (that scrupulously protect the confidentiality and privacy of all constituents) may help to build trust and demonstrate effectiveness**.

There may be a serendipitous benefit from keeping generic data about people of concern. If the OO keeps non-identifiable data about people of concern (as well as data about initial visitors) they are likely to notice a significant number of ombuds cases where there is a concerned visitor, and issues to consider, but *no one is named as an offender*. Identifying and assessing the issues in these cases may be useful in reports back to leadership. **For example, the OO might identify serious morale issues that are not specific "conflicts," in a way that is useful to leadership for strategic planning.**

5) **Some OOs keep data about the *roles* of visitors and people of concern**: As an example, non-identifiable data about *anonymous* visitors, and about *unknown offenders who cannot be identified* may be important in analyzing trust issues and safety issues in organizational culture.

When the OO can demonstrate that they receive *self-described perpetrators* and *accused constituents,* as initial visitors, it helps to illuminate trust in the office, and the impartiality, of the OO office.

 Some OOs keep non-identifiable data about *groups as visitors*, and about *complaints against groups*. Some keep track of visitors who identify themselves as the *peers or bystanders* of someone in trouble or of

unacceptable behavior. Role tracking of this kind is likely to be of most interest to senior leaders with respect to cases that the OO has tagged as Most Serious Cases (see more below). **Demonstrating that the OO receives serious concerns from a very wide catchment, including anonymous callers, bystanders (and the bystanders of bystanders), groups, self-described perpetrators and accused constituents as well as complainants—and supervisors as well as workers—helps to demonstrate effectiveness.**

6) Most OOs track issues. **Some OOs also keep some data about which options they are *offering*, for which issues, and which options are *chosen* by which visitors for which issues.** Tracking options is most valuable when the OO keeps data about *all* the issues in a case, and all the options (that the OO knows about) that have been chosen by a visitor. Tracking the effectiveness of different options is especially important with respect to the Most Serious Cases (see more about such cases below).

Where the Ombuds tracks multiple issues for each case, cross-tab analysis may identify issues that appear to be "sentinel" indicators. **For example allegations of harassment or bullying may accompany concerns about other serious offenses. People may be more willing to come forward to management about other forms of unacceptable behavior when they feel harassed or bullied.**

Two informal options may be particularly effective when a visitor does not want anyone to learn of the visit to the OO. These include:

a) the option of a "**direct approach[1]**" when the visitor chooses to deal with the issue (after discussion and preparation with the OO); and

b) the option when a visitor chooses **identity-free generic action[2] by the OO in conversations with managers**. For example the OO might suggest a local training program about a topic like harassment, or plagiarism or conflicts of interest. The ombuds might suggest generic monitoring by HR of illegal behavior like uncompensated overtime ("wage theft"); or suggest generic

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[1] See "Ideas to Consider if You Have Been Harassed." Rowe, Mary, MIT Sloan Working Paper 5388-18. Cambridge, MA: MIT Sloan School of Management, January 2018 for an advisory about the possible use of the Direct Approach.

[2] "Consider Generic Options When Complainants and Bystanders Are Fearful." Rowe, Mary, MIT Sloan Working Paper 6259-21. Cambridge, MA: MIT Sloan School of Management, February 2021.

investigation or "spot checks" by Safety or Audit or other compliance officers, about relevant concerns.

Direct Approach and Generic options, when effective, are sometimes the most protective of people with concerns, may best support the rights of people alleged to be a problem—and sometimes best support the interests, values and mission of the organization—all at least cost. Generic options also may foster improvements in policies, procedures and structures. Data about the use of these options may help to demonstrate the effectiveness of the OO.

When direct approaches by visitors and generic options are found *not* to be effective, (with respect to a particular concern) it may be important for an OO to include this fact, without disclosing any identities, in reports to leadership. Senior officers need to know when people who are perceived to offend—and relevant managers—are not engaging appropriately with a specific issue, in order to plan appropriate policies and training.

It also is useful to track issues and relevant cohorts when visitors choose the option of making a formal complaint. One goal of an OO office is to support *all* the elements of their conflict management system—including providers of formal services as well as informal services. An OO may be able to help if they learn that a formal option does not seem to be working well. And OOs may wish to be able to demonstrate that they are, in fact, serving all the units in the conflict management system.

Analyses of "options" used for specific issues are helpful for OO self-evaluations and Ombuds planning. Communicating the extent to which OOs offer referrals to line management and to other offices may be valuable for reports to management, to other conflict managers in the CMS, to committees and to affinity groups who ask for a "report from the OO."

7) Tracking the Most Serious Cases (MSC). Some OOs have one or more ways to code "seriousness." For example, they track cases involving multiple complainants and groups. Or they track cases involving multiple issues, those of very long standing, those engendering high costs to stakeholders including the organization, or cases that involve multiple sets of rules and regulations. Or they track cases deemed important to the whole organization. Some OOs designate cases involving illegal or criminal allegations as MSC. Some estimate potential financial liability, or the time it takes to resolve the case, or cases where there finally is a change in an organizational policy or procedure

or structure, or cases where the reputation of the organization is at high risk, to determine which cases are "most serious."

Tracking the MSC can be useful in various ways. The OO might keep track of *how they first heard* about each MSC. **If an OO office is hearing about serious cases from a wide swath of the organization—from injured parties, from bystanders and the bystanders of bystanders, from compliance officers and supervisors, and other conflict management offices, and even occasionally by perpetrators—it illustrates the effectiveness of OO to many stakeholders and to the whole conflict management system.**

Analyzing the MSC data may help the OO to plan further discussions with managers. As an example, take the case where the OO has heard about a Most Serious Case from peers and bystanders. The OO might mention—for example, in relevant discussions with managers about issues like safety, or research integrity or harassment—about "the value added by bystanders." The OO might then take the opportunity of discussing the importance of managers being receptive to bystanders[3].

Leadership is sometimes concerned that an OO may "just sit on" vital information. Aggregated and non-identifiable data may indicate a range of effective options undertaken with Most Serious Cases. It may be useful for leadership to understand this range of options (consonant with IOA Standards of Practice) that the OO has found effective to get vital information to relevant line and staff managers.

It is also useful to the OO Office to track the most serious cases over time as part of OO self-evaluations. In addition, where these serious cases are known to administrators—which often happens with the most serious cases—then keeping relevant data may be added to other evidence that the OO office is in fact serving the organization well. **Aggregated data can help to illuminate the importance to the organization of having an OO who is effective both in protecting sources *and* protecting the mission of the employer[4].**

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[3] See: Rowe, 2020,"Supporting Bystanders: See Something—Say Something is Not

Enough" at https://mitsloan.mit.edu/shared/ods/documents/?PublicationDocumentID=6080.

[4]See: Rowe, Hedeen and Schneider 2020, "Thinking About the Most Serious Cases Reported by Organizational
Ombuds" https://mitsloan.mit.edu/shared/ods/documents/?PublicationDocumentID=7573

It is quite common for early identification (and assessment, and sometimes helping with the resolution) of one or two Most Serious Cases to "pay for" the yearly costs of an OO Office.

In sum, a good data base may support aggregate analyses that illuminate Ombuds service to many stakeholder groups as well as to the employer—Ombuds service that is in accord with the organization's mission and values, and service in accord with the IOA Standards of Practice.

Appendix: Who are all the Stakeholders?

For each OO:

Who are all your stakeholders? Plainly your employer is one. Who else do you consider a stakeholder? Which stakeholders below are most relevant in your organization?

How might you categorize all your constituents (as you think about collecting data about your services) ?

With whom might you build relationships and to whom might you offer feedback or reports about your work? Which offices do you consider to be part of your organization's conflict management system? How does your mission fit with your organization's Mission, Vision and Core Values?

Geographics of your constituents, as relevant to the "organizational chart"

Major units of the organization, Regions, Sectors

Demographics of individuals, as relevant to the organization

Ethnicities and Races
Genders
Other categories?

Roles in concerns

Alleged-offender visitors/inquirers, as individuals and groups
Anonymous visitors/inquirers as individuals and groups; unknown offenders

Bystanders and peers who come in with a concern or as witnesses, (includes bystanders-of-bystanders)
Initial visitors/inquirers, as individuals and groups
Responders (who help deal with a concern)

Visitors/inquirers each of whom complains symmetrically about the other, (counter complainers)

Cohorts (may overlap with each other**)**

Affinity Groups of all kinds
Alumni/ae
Compliance officers and Human Services Offices (see list below),
Contractors
Customers
Directors of the entity
Donors and funding agencies
Employee applicants
Employees of each kind
Faculty
Families of those in the organization
Former employees
Instructors
Line managers
Leadership
Neighbors of the organization
Partners of the organization
Post-docs
Retirees
Senior managers
Shareholders
Society at large
Staff
Staff supervisors and managers
Student applicants
Students: under graduate, graduate, part-time, full-time, returning
Student employees
The organizational ombudsperson themselves, the ombuds profession
Trainees
Unions
Vendors

Visitors to the organization
Whistleblowers

Some Compliance Offices and Human Services

Animal Care
Audit
Counsel
Disabilities
Diversity, Equity, Inclusion and Belonging
Employee Assistance
Environmental Hazards/Waste Hazards
Equal Opportunity (Human Rights, Discrimination, Harassment)
Ethics
Faculty Senate
Fitness for Duty
Human Resources/Industrial Relations
Human Subjects Committees
Inspection/Inspectors General
Intellectual Property/Patents/Copyrights
Medical Departments/Nursing Stations
Mortality/Morbidity
Patient Welfare
Quality Assurance
Risk Management
Safety
Security/Campus Police/Police
Staff Association
Unions and union officials

Elements of the Organizational Mission, Vision and Core Values Statements relevant to your reports

(List major elements of these Statements)