Geacht College van Bestuur, Beste Geert, Karen & Jan,

During the plenary meeting on the 8th of February 2021 the Centrale Studentenraad (hierna: CSR) has not consented to your request for consent on the function profile for the ombudsperson (uw referentie: 2020cu0974).

Firstly, we want to thank you for sending us “The Profile of the Ombudsperson”. Having analyzed the profile, some comments on the document are made and hereby sent. While analyzing the document, the Central Student Council specifically took into consideration the External Investigation report on social safety, “Sociale veiligheid heeft aanmoedig nodig” which was published in October 2020, and the previous talks we have had with the rest of the medezeggenschap, as well as the meetings with the Executive Board (CvB). The following are our comments and suggestions organized in different points parallel to the document received.

(1) “... Legal expertise is important”
In this section, there was a prominent focus on “legal expertise” as an important competence. The CSR is asking for a further definition of the term “legal expertise” in order to comprehend what fall under this term as we believe that it is important that the person acquiring the position is familiar with the legal procedures in our institution in order to properly guide individuals. However, we do not find it essential that the ombudsperson has a legal background.

(2) “... The ombudsperson may be reappointed for one additional 5 year term. Prior to reappointment, the size of the position will be evaluated...”
In order to ensure the independence of the position and the involvement of the GV, we would like the profile to specify in this section that the GV should be consulted prior to the
reappointment. The Central Student Council wants to ensure that the first term of 5 years is evaluated and taken into consideration before the potential reappointment of the ombudsperson. This recommendation is in line with the report de Gaay Fortman to ensure the independence of the ombudsperson.

Along the lines of creating this independence, the CSR believes that support should be provided for the ombudsperson to function correctly. This can be done by offering support FTE.

(3) “... Feels connected to the UvA ...”
The Central Student Council acknowledges that “feeling connected to the UvA” has added value. However, we do not want to include this part in the profile of the ombudsperson as we feel that requirements such as this will limit the scope of the search. We do not want to limit the initial scope too much as we want to ensure that the most competent person is chosen, not merely by the connection to the UvA, but by the merits that fit the function profile.

(4) “... Levensloopbaan ...”
The Dutch version of the profile contains information that is not included in the English translation. In the Dutch version, there was a comment made by the medezeggenschap regarding the importance of a “levensloopbaan”. If this has been added in the Dutch version with the intention to include it in the final profile, the CSR advises against this addition. We feel that this should not be added to the profile of the ombudsperson, as age does not necessarily reflect wisdom or a more competent person to fit the description of the function profile.

(5) Independence of ombudsperson
“The ombudsperson is positioned within the formal structure of the university and reports directly to the Executive Board.”
The Central Student Council reflects that it is essential for the ombudsperson’s proper functioning to have adequate independence from the Executive Board and the other bodies within the university. We consider that the ombudsperson’s report should be shared with the bodies of the medezeggenschap, namely the CSR and the COR.

(6) Proactive
The CSR believe that a virtuous ombudsperson takes the initiative and actively engages with students and staff who seek guidance, rather than only reacting after the help seeker has initiated the contact. Along this line, the ombudsperson should proactively and continuously work to a secure and safe environment. At this stage, the ombudsperson’s ‘proactive’ role is not mentioned in the profile; however, the CSR would like it to be included.

Lastly, the CSR would like to continue the discussion on the functioning of the ombudsperson, and the regulations related to this functioning. As the CSR believes that the current positioning of the ombudsperson cannot possibly guarantee an independent working environment, which is endorsed by the report de Gaay Fortman, that states that there are several impediments, currently making it impossible to guarantee the independence of the ombudsperson.
Met vriendelijke groet,

Nina Hol
Voorzitter CSR 20|21