A Framework for Communicating
How Organizational Ombuds Help to Manage Risk

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"I am just a custodian. I sleep during the day. At night there is no supervisor here I dare talk with. Would I be able to meet with you at night when I am on break? I cannot let anyone know." Calls like this to the ombuds office could be about anything. Hazardous trash. A supervisor selling fentanyl. An alarm system that gets turned off, late at night in a lab. A stranger taking photos of the pipes or the conduits that serve the building. Alternatively, the call could be about a good idea that the custodian has about saving costs by adopting improved methods of recycling.

Many people ask how organizational ombuds, who are senior conflict management professionals, add value to their organizations—and how to assess that value[1]. Risk management and cost control are two vitally important values for organizations and for all of their constituents. OOs play an important role: conflict management is a major component of risk management just as risk management is a major element of conflict management. Organizational ombuds (OOs) are senior professionals in both of these overlapping domains, and they add value in both. OOs need to help their organizations and constituents to document that value.

Numerous studies document the ubiquitous financial costs of conflicts, mistakes and mistreatment in the workplace, and emphasize the importance of informal conflict management options in dealing with these issues[2]. However, as every organization is unique, every organizational ombuds office exists within a unique context and must be evaluated on its own merits[3]. To build a framework to identify and communicate the value of *each particular OO office*, this article illustrates a variety of ways in which OOs help with risk and cost control. The data come from 2016 and 2018 IOA Practice Surveys,[4] and from focused conversations with more than a dozen senior ombuds professionals.

Each point enumerated in this article can be examined to see how a specific OO— and its organization—can gather data to illuminate the value added by an OO office to the whole organization and all its constituents.

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[1] Dozens of authors have written about many kinds of *value* added by an ombuds. In the context of writing about the importance of communicating about value with constituents, a very useful definition of value was contributed by John Zinsser and Andrea Schenck: "Value addition is what the *organization recognizes and appreciates* as occurring, due to a program's presence and activities….the key is the organization's recognition" in Journal of the International Ombudsman Association, volume 7, number 1, 2014, p31. Figure 2 in that article, on p33 suggests many of the kinds of values that can be contributed,

[2] As just one example of an extensive literature, see Richard Williams, Wallace Higgins. and Harvey Greenberg, The Impact of Leader Behavior on Employee Health: Lessons for Leadership Development online, Northeast Human Resources Association, February 11, 2011.

[3] See, for example, the fact that one often can see the value added by a particular ombuds office simply by reviewing the characteristics of the ten most serious cases handled by that office each year. See Mary Rowe, "Identifying and Communicating the Usefulness of Organizational Ombuds, With Ideas about OO Effectiveness and Cost-Effectiveness" (PDF) in the Journal of the International Ombudsman Association, Winter 2010, 3(1). Examples include the OO who helped resolve hundreds of class action suits in a year. Another OO reduced a high number of FOIA requests and EEO complaints by over 95% in a year. Another helped one university, over a ten-year period, to the lowest employment-related legal costs among twenty universities of comparable type. Another reported helping a profoundly shy, "maverick" IT person to be heard by upper management about major ways to make their IT system safer from external hacking. Many OOs have helped to save lives in their organizations.

[4] Survey responses came from ~100 or more ombuds, in each year, depending on the question.

Ombuds help to *identify, assess and manage* risk for all of their constituents. "Helping with risk" is used here in the general sense *of offering options to the organization and to all the other constituents of the ombuds office: to identify and evaluate options to deal with uncertainty; to support opportunities to mitigate (or even preclude) negative consequences of actions; and to foster opportunities for achieving goals of all constituents and supporting the mission of an organization*. Ombuds are unusual in that they can help risk management systems with every type of risk. In addition, the function of listening to new ideas, helping good managers to deal with mistakes and failures, and supporting responsible opportunities for achieving goals is an important element of organizational learning and excellent performance[5].

In the first section we discuss how a "zero barrier" office, (defined as an office which can be approached without risk to constituents) adds value to an organization and all its constituents. The second section discusses how the common functions of an OO serve in managing risk. Section three presents a panorama of ombuds accomplishments reported in the 2018 IOA survey. Each specific accomplishment adds value in its own right—and also is important in a systems approach to risk management, conflict management and cost control.

1. The "Standards of Practice" Help Ombuds to Manage Risk

We first discuss some ways that the IOA Standards of Practice[6] (SoP) help in risk management for all their constituents. OO constituents include the organization itself— and its people in all their different roles—supervisors and senior managers, employees and students, people in conflict, and bystanders.

The IOA Standards of Practice are the design principles for a "*zero barrier*" office, as one element of a risk management system in an organization. Simply establishing such an office can help an organization to reduce risk by communicating that it is safe to seek assistance, especially when confronted with possible wrong-doing. In a happy coincidence, the SoP also make it easier for people to report exemplary practices, and to try out new ideas, off the record, to accomplish the mission of the organization.

a) The four Standards: The Standards of Practice define ombuds as *independent, neutral, confidential and "informal"* professionals (*informality meaning that ombuds do not have ordinary management decision-making authority*.) Ombuds practice as closely as possible to these Standards.

It is probable that the Standard that matters most to constituents is that of confidentiality[7]. OOs do not share, without permission, the identity of anyone who has come to them. (The only exception could occur in cases where the OO perceives an

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[5] See for example, Laurence G. Weinzimmer and Candace A. Esken, Learning From Mistakes: How Mistake Tolerance Positively Affects Organizational Learning and Performance" in the Journal of Applied Behavioral Science Volume: 53 issue: 3, page(s): 322-348 (2017), on learning from mistakes.

[6] IOA Standards and Code of Ethics are found at https://www.ombudsassociation.org/standards-of-practice-code-of-ethics-3 By their Standards of Practice, OOs practice very strict confidentiality with respect to their constituents. There are eight elements of the IOA Standards of Practice that refer to confidentiality, and there is just one exception to the near-absolute confidentiality in Standard 3.1. That exception occurs when the OO judges that there is an imminent risk of serious harm.

[7] This idea, like many others in this article, is one which can be tested in organizational focus groups or surveys.

imminent risk of serious harm.) And OOs keep no formal case records for their employers. However, OOs would not be able to maintain strict confidentiality without the other three Standards. Thus, it is essential that ombuds do not formally "represent" their employers, and that they do not take sides with any party to a conflict. It is essential to the profession that OOs do not have authority to make management decisions with respect to concerns.

b) Why the Standards of Practice are needed: Many people with a concern (including those who feel injured, and bystanders[8]) are reluctant to act when they think something unacceptable is happening. Some do not want to admit serious problems even to themselves. When criminal behavior, safety issues, sexual and racial abuse have occurred, numerous anonymous surveys in many sectors—and many newspaper stories—affirm the fact that some targets, bystanders and managers may a) have noticed some early indications of the serious behavior that is being discussed, and b) have not reported it[9]. Surveys regularly demonstrate both a lack of communications and lack of "timeliness," on the part of many observers of serious concerns. Managers and employees who have good ideas about achieving their mission also may not speak up.

Receptivity. We know that many people do go talk with trusted line and staff managers, and family and friends—but too many do not. Constituents need support from risk and conflict management systems if they are to consider acting in a timely and responsible way. It is important for constituents who are afraid or confused to be able to find a "first receiver" in the system who is *safe, accessible and credible*. And this indeed is a professional specialty of an OO. An OO office helps an organization to manage risk by being safe and accessible and credible, and if it is perceived to be "receptive," when constituents have concerns[10].

OOs are constantly approached by targets and bystanders who wish to discuss a concern or grievance. They also are approached by—and regularly deal with—self-described offenders concerned about their own behavior. And they often deal with alleged offenders, [11] thus illustrating the wide variety of the roles of those who call upon the office.

Reducing costs. Discussions with an OO frequently prevent both tangible and intangible costs. As just one example of reducing the costs of conflict, the OO can often help to see that concerns are handled at the lowest possible level. Sometimes this can

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[8] Recent research notes the importance of third parties and bystanders in helping to manage risk, and the barriers that bystanders report in thinking about taking action. See for example, "Fostering Constructive Action by Peers and Bystanders in Organizations and Communities." Rowe, Mary. Negotiation Journal Vol. 34, No. 2 (2018): 137-163. In the 2018 survey OOs almost universally said they will listen to bystanders, reported that they had received more bystanders than in the previous year, and that peers and bystanders were a significant source of information about their most serious cases.

[9] Safety issues, serious security violations, fraud, theft, hate crimes, sexual harassment, domestic violence, child abuse, drug abuse, bullying, and research misconduct are only some of the topics where surveys produce these results

[10] Some organizations ask constituents, in anonymous surveys: "If you have used an ombuds office, what would you have done had you *not* gone to the OO?" The common replies are: "I would gone outside, for example to a regulatory office, or done nothing and let a problem continue, or quit, or found a lawyer, or asked for a transfer."

[11] In recent years ombuds have been approached more often by alleged offenders complaining that they have not received a fair process in an organizational grievance procedure; several OOs reported a major increase of such cases in 2018. Helping to prevent and resolve such complaints has become a better-understood risk-management service by ombuds.

occur simply by one or more contacts with a single constituent, who learns thereby how to deal effectively on his or her own.

Does management get the information it needs? The organization itself after all is a major "constituent" of an OO. Boards of Directors and senior officers sometimes wonder, "If OOs keep the confidence of their constituents, might the OO sometimes fail to inform line managers and compliance offices about high risk issues?"

Could having an OO office actually increase risk for the organization? This is a fundamental issue for those who design risk management and conflict management systems. Increasing risk is, as well, a fundamental issue for OOs. OOs are not "neutral" with respect to laws, regulations and the core values relevant to their organization. As one senior OO said, "*OOs are neutral but they are not 'neutered.' OOs must practice and be seen to practice with due regard to the core principles of their constituents.*" How *do* OOs practice as a "confidential resource," and still help to deal with risk? We now turn to a discussion of when and how OOs help to get information where it needs to go, in order to illuminate how a particular OO and its organization could review this question.

OOs do deal regularly with high-risk cases. In the 2016 and 2018 IOA surveys nearly all OOs reported that they are alert to dealing with emergencies. In addition, one of the distinctive characteristics of OOs is that they are expected to be on the lookout for "new" issues that might be disruptive to the organization and its people. (Looking for *patterns* is of course important—but "*early warning*" is an essential role in risk management systems.)

Early warning. In the two Surveys, most OOs reported that they work to find ways to provide "early warning of new issues" to their employers. Most reported that some of these new issues were "significant." Almost all of the survey responders reported dealing with "ethics and core values" cases. More than 80% reported "safety" cases and a similar number reported "legal issue" cases. Three-quarters reported dealing with strategic and mission-related issues. Nearly half of ombuds reported a "high probability of having saved a life" at least once in the previous year.

"Multi-multi" cases. Ombuds are reporting (year over year) that their caseloads are becoming more complex; with multiple parties; more groups; more cross-organizational and multi-unit cases; more cases with multiple issues; and multiple or conflicting sets or rules, codes, contracts or regulations[12]. Each year OOs report increasing numbers of cases with "multiple factors influencing the concerns" brought forth, and more cases with no clear solution. They report more cases where the OO has contacted a compliance office or legal counsel. They also report more cases that became the impetus for a systemic response by a department, or division or the whole organization.

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[12] These facts by themselves are important because it is often easier for an OO—to deal with a case that includes many different issues, and also refer them to other resources—than it is for one line or staff manager to do so. An OO can keep track of referrals. For example, in a single case with many issues, an OO might keep (statistical) referral tick-marks that includes a line manager, the medical department, the EEO office, Legal, and Benefits—or Security or Safety or Audit, etc. The point is important for managing a "multi-multi" case where one issue involves alleged criminal behavior—but also several other important issues that ought not be ignored. In addition, data can be collected on a statistical basis that shows the OO's support to the whole CMS or risk management system.

The most serious and most common issues: Only one ombuds in eight reported "no" whistleblowing issues in 2016 and 2018. Insider threats, national security issues, sexual harassment, waste, fraud and/or abuse, potential suicidal and homicidal behavior, research misconduct, retaliation and a wide variety of other integrity concerns are some of the specific issues handled by OOs known to the present authors.

Of these, the most common "serious issues" reported over the years concern allegations of sexual and racist assault, bullying/abuse, and retaliation. These issues regularly vie with concerns about supervisor and managerial skills as the most *frequent* sources of risk.

Insider threat, national security, gross negligence and high-risk financial and safety cases are much less common. However, the savings in costs and organizational reputation in *any* high-risk case—if it is handled timely and effectively—may more than pay for all the costs of an ombuds office. (This benefit-to-cost ratio is sometimes readily apparent after an ombuds office has been added to a risk or conflict management system[13].)

We analyzed survey responses relevant to cases that appeared to pose the highest risk of harm. Data from the surveys indicate that many survey responders faced one or more situations in 2016 and 2018 where they considered whether they faced an "*imminent risk of serious harm*."

c) How OOs reported getting high-risk information to management. The most serious cases illustrate how OOs are able to practice within their risk management systems *and* within the IOA Standards of Practice. With respect to cases where the OO faced the most serious issues—ombuds reported the use of many different options in 2018, in one or more cases, to get information where it needed to go.[14]

About four fifths reported that they had received permission to use information from a constituent, *identifying the source*. (This might mean that the OO went to an appropriate manager, identifying—with permission—how the information came in. Sometimes, after discussions, a constituent will give permission to be quoted—for example to a senior manager.)

About four fifths reported that they helped their constituent to act directly—to find and use an acceptable way to get the information where it needed to go. (This might mean helping the constituent to assemble all the needed information, talk with a line manager or compliance officer, use a hot line, mail a detailed letter from afar, or perhaps join with other constituents in a responsible letter.)

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[13] Ombuds typically keep statistics, rather than case records with names, and, in many countries, this is the only legal way of keeping useful records for a confidential office, because of privacy laws. However, the most serious cases are often ones where top-level managers were brought into the situation by the ombuds, either with permission, or with the ombuds shielding the identities of a source. In this case it will be obvious that the OO office has helped. However, it can be useful for an ombuds office to keep separate, identity-free notes *about high-risk cases where its help has been crucial—and is already known to management*—to use in self-assessment and OO performance evaluations.
[14] Responses totaled well over 100% because ombuds were checking "all options that were used in the prior year" for their most serious cases. The responses in 2016 were similar.

About two thirds reported having received permission from a constituent to use or transmit information, without identifying the source. (This might mean that the ombuds found a way to get information where it needed to go while shielding the source, and also avoiding having the ombuds become a party to the case. For example, a constituent might write a detailed anonymous letter addressed to a top manager, double-sealed, and slip it under the ombuds door. The ombuds could then take such a letter to the designee, noting that the letter had not been opened or read by the ombuds.)

Roughly half reported that they had found a specific way for critical information to get where it needed to go that had not been identified on the survey. (As an example from an interview, the constituent might contact a trusted, former manager who could talk off the record with an old friend in senior management who could look into the situation, protecting the source.)

About a quarter reported that they found an effective way for a compliance office to find the information for itself. (This might mean that the OO was able to use a "generic approach," to alert a compliance office, with sufficient, anonymous information that compliance officers might unobtrusively—and effectively—look for certain kinds of information—for example, in an apparently routine safety inspection, security review, or financial audit.)

About 15% reported that they had breached confidentiality, presumably having found no other reasonable option in one or more very serious cases. In most of these cases, the OO had perceived an imminent risk. (This might mean an OO reported on his or her own, to line or staff managers, in a way where the source may have been identified or identifiable. This can happen where the issue is judged to be an emergency, for example, in a potential suicide or homicide.)

From analysis of the responses in the 2016 and 2018 surveys, and from numerous conversations with senior OOs, we learn that ombuds are in fact willing to breach confidentiality, in the rare cases where the OO judges that a situation warrants this action. As we see, OOs did report an occasional use of this important element of the OO Standards of Practice.

However, the survey data also indicate that most ombuds—in most cases—are adept in finding ways to get information where it needs to go, without compromising the confidentiality of their constituents.

2. The Common Functions of Organizational Ombuds Help to Manage Risk

In the 2016 and 2018 IOA surveys we asked in detail about common ombuds functions[15]. These functions are described in four broad categories:

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[15] The functions of organizational ombuds are further discussed in our companion Working Paper: **What do Organizational Ombuds Do? And Don't do?**

a) Working to be seen as safe, credible and accessible. Almost all ombuds reported that they "work to provide an opportunity for constituents to be heard." They begin by working to "deliver respect" to constituents—*in a way in which those constituents would perceive respect*—with careful attention to the feelings both of initial visitors and also of responders. They may do this face to face and also on-line. Ombuds work to be—and to be seen—as "receptive."

"Receptivity" for all may be the most effective contribution of an organizational ombuds in modern times, where managers and employees may feel that "nobody has time to listen." In 2016 and 2018, almost all ombuds reported that they:

   • are alert to urgent issues and the possibility of an emergency, with due regard for the other resources in the organization;
   • listen to vital information, one-on-one—as from concerned bystanders and whistleblowers;
   • provide and explain information, one-on-one, for example about how rules and regulations and responsible options actually work;
   • help in reframing issues and helping constituents develop an increased awareness of the perspectives of others;
   • help to develop and evaluate responsible and effective options, typically all the formal and informal options that seem reasonable. (Often to the surprise of a constituent, there usually are several responsible options)[16].

Most ombuds also reported that they monitor their own response times, accessibility to diverse constituents and timeliness of case management. These points are important since *immediate responsiveness* appears to contribute to ombuds being sought out—by very diverse constituents—for high-risk issues.

An ombuds office is usually the only office in an organization that deals with all cohorts, about all workplace issues, from all parts of an organization. The function of "receiving information one-on-one" from many different people may permit an ombuds to piece together little bits of data about new or escalating sources of risk. The ability to recognize a potential risk—or to see patterns before the patterns are easily observed by others—is especially useful in dealing with disruptive issues that are new to an individual or to the organization. The fifty-year history of organizational ombuds offices demonstrates dozens of issues—including sexual harassment—that appear to have been raised within an organization (early or first) by ombuds.[17]

b) Helping People Help Themselves. Almost all ombuds reported that they work hard to help their constituents to be able to take appropriate action on their own, effectively and safely, if the constituents choose this option. "Teaching people *how* to fish," in the words of

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[16] See Bloch, Brian, David Miller and Mary Rowe, Systems for Dealing with Conflict and Learning from Conflict—Options for Complaint Handling: an Illustrative Case, Dec. 2008, HNLR on-line, at http://lawlib.wlu.edu/CLJC/index.aspx?mainid=500&issuedate=2009-09-09: for a potentially serious case where there appear to be 18 or more options. The functions like those on this list can be used in organizational surveys about all the organization's human services—including the ombuds office.

[17] Please see http://www.ombudsassociation.org/IOA_Main/media/SiteFiles/JIOAVolume3No2October2010Final.pdf#p60, for an example of a list of "new" issues brought by OOs to their organizations each year. Each OO can keep tabs for its own office about topics brought to attention or discussed with managers and other constituents.

the proverb, can be more helpful to all stakeholders than just "giving a fish." It can be surprising even to an ombuds how frequently it happens that "listening and discussing and coaching a bit" helps constituents to be willing to report or deal effectively with serious issues on their own. This capability means that ombuds often can help a constituent deal with a problem directly, and, indeed, at "the lowest possible level." Almost all ombuds report that they:

     • help their constituents to collect, organize and understand their own information; (this often means teaching the skill of answering the questions: *who, what, when, where, why and how*);

     • offer the option of referrals to other resources including subject matter experts; (ombuds constantly learn that their constituents, including managers, do not know all the resources available to them);

     • help constituents who choose to do so to learn, (perhaps after keeping a diary, and with coaching and role-playing) how to act effectively on their own[18];

     • teach special skills as relevant to the situation (for example how to prepare for a performance evaluation, or how to maintain self-discipline in dealing with very aggressive people.)

Life-time learning. Constituents who learn how to deal directly with concerns, and with the resources of their conflict management system, may help in the future to prevent serious problems, and to help resolve issues at lowest cost. Some become adept and responsible active bystanders.

Some constituents learn how to identify and assess risky behavior effectively. They then may work to modify their *own* behavior as needed—as well as thinking about the actions of others. Some learn several ways they can report situations of potential risk to authorities, at no cost to themselves. Constituents *may learn for the first time how to report timely, and effectively*. (All these points are true for managers and professionals as well as for supervisees. It is common for ombuds to hear disproportionately more often from managers and professionals, in part because supervisors need help in dealing with their supervisees, and also on their own behalf. This function of teaching supervisors how to listen well and report serious issues is essential in risk management.)

     c) Intervening informally. Almost organizational ombuds reported that they offer to constituents options that include informal action by the ombuds:

Exploring issues. Almost all ombuds offer to "look into" or explore a problem informally. And almost all reported offering shuttle diplomacy. These options, when chosen, can serve to let others know about issues of concern in a way that may mitigate risk.

In 2016 and 2018, many ombuds reported that they help to explore a problem, and function as a go-between, with large or small groups, as well as with individuals. Sometimes groups or teams are at odds with each other or with a group or team leader. Sometimes a group is chafing about written or unwritten rules and customs.

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[18] See: Ideas to Consider if You Have Been Harassed, at http://iwer.mit.edu/2018/03/21/ideas-to-consider-if-you-have-been-harassed/

Intra-group conflicts can be expensive in terms of wasting work time and losing high value team members, professionals and managers. These conflicts may also pose reputational risks and engender legal costs, and may lead to loss of intellectual property, petty or real sabotage, and safety risks.

An ombuds may be invited to listen to groups or sub-groups, facilitating discussions and searching for root causes, seeking good ideas and over-lapping interests among the parties. Many ombuds reported that they help group members to communicate with each other or to the organization with recommendations—or that the ombuds may report back to a relevant group about the concerns and ideas the ombuds has heard from individuals.

Facilitating a generic approach—reportedly offered by virtually every ombuds—is one of the commonest, least costly, and most effective ways of getting risky behavior to the attention of authorities, without revealing the identity of the source of information. For example, an ombuds can quietly encourage line or staff managers to monitor a certain area or process, or to conduct an apparently routine audit or inspection, or introduce a relevant training program, in a way that prevents, uncovers or stops unacceptable behavior. Some ombuds are able to do this relatively frequently with common cases as well as with their "most serious" cases, without compromising anyone's identity. An OO of course can keep statistics about the use of a generic approach—which may help to communicate OO office support to risk management.

Working with leaders so that they may be perceived as approachable and fair (that is, "receptive to information") is reported as another, almost universal ombuds function. Helping leaders to learn "receptivity" can be cost-effective, both in managing risk and also in encouraging constituents to offer new ideas to leadership to support the mission. Since high-level conflicts are among the most-costly for an organization, OOs relationships with leadership can help to manage risk both for these managers and for the organization. Regular contacts with leaders also help ombuds to build trust in their capabilities, their reliability and their integrity—and for their work to become better known[19].

Mediating. Offering or providing referrals for various forms of mediation—which is reported as a common function—can be useful in identifying and managing risk. New information often is shared in such discussions. And sometimes misinformation and misunderstandings get resolved in a way that sharply reduces costs. In addition, it is often the case that an individual mediation can illuminate a systems problem and sometimes also lead to systems improvements that reduce risk.

Systemic Reviews. Reviewing data files, studies or other relevant information to offer options and make informal recommendations about an issue sometimes serves to prevent managers from high-risk mistakes, by offering more or different information. It is frequently the case that a new or overburdened manager overlooks, or fails to integrate, available data or earlier, relevant studies sitting on a shelf. The commonly reported function of data review

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[19] A number of OOs participate as non-voting members in regular meetings or councils with leadership. See for example: "'Portia' is not a Crisis Committee, but …" in the Journal of the California Caucus of College and University Ombuds, vol. 10, issue 1, 2013, pp. 22-27.

may serve to revive or further illuminate good ideas to support the mission of the organization. In a similar way, assisting, informally, with process issues that are discovered in an appeals process may avert mistakes that could damage reputations as well as raising costs.

d) Working within the organization. In consonance with the functions reported above, almost all ombuds reported keeping (identity-free) statistics, to garner information useful to the organization and its constituents. Almost all ombuds analyze these data in order to provide early warning of issues new to the organization, and in order to communicate about patterns of issues and their root causes. Almost all reported working informally to help improve specific policies and procedures. Most ombuds reported working for mission-related organizational initiatives—and providing training for constituents and groups about policies and procedures.

"Sensing" activities. Many OOs proactively get out of the office throughout the organization ("ombudsing by walking around")**.** They listen one on one with employees, using all the skills and framework of an OO, capturing some of the key concerns in an organization that leadership may not be aware of, helping also to identify exemplary behavior and spread good ideas that pop up in the organization, to provide identity-free, non-directive information and options to managers and other constituents. (Proactive sensing, and identifying exemplary practices, were discussed with us by a number of senior OOs—and may be included in future surveys).

Following-up. Almost all ombuds reported following up on specific recommendations for improvements—a major task in modern risk management. "Following up," in today's world, is essential for systems improvements actually to take place, as managers move throughout an organization, and investigative reports are sometimes forgotten. Ombuds are often the *only professionals for whom supporting effective conflict management is their full-time profession and job description*—their skills can help to see that risk mitigation does not fall through cracks.

Helping informally to coordinate the CMS. In further support to managing risk, most ombuds reported helping informally to "coordinate organizational resources or offices related to conflict." This (often invisible) ombuds function is important for efficiency and synergy within a conflict management system. It occurs informally and effortlessly as an ombuds office refers—daily or weekly—to virtually every other conflict management resource within a system, including line managers. Ombuds offices are sometimes inaccurately thought of as "ADR," that is, *alternative* dispute resolution" offices within a conflict management system. Ombuds are more properly viewed as "*appropriate*" dispute resolution structures with a system, since they regularly work with, and support all the formal and informal options with a system—and thereby often serve to help the system to cohere. As with "following up," this kind of relationship building often helps to see that issues do not fall into cracks.

Supporting strategic planning. Most ombuds reported helping managers with technological change, and professional development. Most reported that they serve as non-voting resource people to policy committees. Most reported that they serve senior leaders

as facilitators discussing problems, policies and procedures. About half said they run focus groups or meet confidentially with groups to prepare oral recommendations to unit leaders and their teams, and some said they occasionally help to bring together task forces to address an emerging or ongoing issue. These functions are also essential for the OO in his or her own continuous professional development and understanding of the mission of the organization.

3. How Specific Accomplishments of Ombuds Help to Manage Risk

"Helping to manage risk" is supported by many ombuds functions, as noted above. This section presents more details of "ombuds accomplishments" as reported in 2018. These day-to-day services provided by ombuds not only add value directly, but also contribute to building trust so that constituents, including senior managers, may seek help in times of serious need.

Reported "systems accomplishments" are presented here in ascending order of their reported occurrence. (It will be obvious that some achievements of great significance are relatively rare though important.) Many of these accomplishments may have benefited just individuals or groups; in other cases, many or all constituents, including the organization, may have benefitted.

a) Identifying and assessing important issues. Some of the most important communications by ombuds are timely, actionable alerts to managers and others who are overburdened—when the OO can transmit information with permission, or in a way that protects the identity of a constituent. This so-called "upward feedback" often supports systems improvements.

Equally as important, constantly touching base with supervisors also serves—week in and week out—to build informal relationships in virtually every department of an organization. In conversations we learned of several OOs who check in with every department head routinely. Stopping by, "just to listen about where the department is going," helps the OO to be well-informed, helps the OO to learn and discuss exemplary managerial practice and "good ideas in support of the mission," builds relationships that help in times of crisis—and also helps with evaluations of the OO office.

Ombuds have a particular vantage point for gathering data to help an organization in strategic and tactical planning, especially if their purview includes all cohorts, all work-related issues and all geographic areas in the organization. In the 2018 survey, ombuds reported the following actions having occurred at least once in the preceding year[20]:

   • ~80% reported they had identified a "new issue" for the organization;
   • ~85% reported that a timely response was induced for an urgent issue;
   • ~90% reported they had identified significant patterns of concerns that were not well-known or were being ignored.

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[20] Percentages are rounded to the nearest 5%. Each entry refers to "one or more cases of this type" in the preceding year.

b) Supporting improvements in policies, procedures and structures. Ombuds do not take management action but they support managers to do so:

- ~ 35% reported fostering a change in organizational structure;
- ~ 60% reported fostering a change in a policy;
- ~ 80% reported fostering a specific change in a procedure;
- ~ 80% reported fostering a change in how a policy works.

c) Working to prevent serious problems: Ombuds provide focused training and one-on-one coaching:

- ~ 55% reported fostering demonstrable improvement in excellence, integrity and rigor in the thinking and practice of one or more constituents;
- ~ 75% provided training and briefings to help prevent specific problems for constituents.

d) Supporting cost savings: Ombuds reported many specific cost savings. In many cases this work is known to managers, and there is little difficulty in collecting data about the OO's effectiveness.

- ~ 35% reported cost savings from reduction in FOIA/EEO complaints or suits.
- ~ 45% reported a high probability of helping to save a life;
- ~ 60% reported significant cost savings from effective handling of an "early warning" or whistleblowing;
- ~ 65% reported significant cost savings from settling a serious dispute;
- ~ 85% reported supporting significant improvement in morale in a work unit.
- ~ 90% reported fostering an important "bridge" between colleagues, units or agencies.

We learned from interviews of an "achievement" that was not on the survey, namely the success of various OOs in helping their organization to retain very valuable professionals and managers and reduce turnover costs. In addition, we learned from several interviews of OOs who were able to identify and communicate about exemplary management responses to serious issues that had not been widely known or understood.

These facts present more details of specific accomplishments of OOs, in corporate, government, academic and international sectors. OO accomplishments are seen to have helped a wide variety of individuals—complainers, responders, bystanders, supervisors, and senior managers—and groups. The receptivity and responsiveness of ombuds help to support risk management—in fostering improvements, and in preventing or limiting costs for the organization and its people. In many cases OOs and the organization itself can collect statistical data to track specific OO functions and achievements, building on the framework described above.

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The Standards of Practice of organizational ombuds, taken together, are very unusual. They define a nearly unique profession of senior conflict-and-risk managers who can help as one element in a systems approach to risk management—as independent, impartial, and confidential experts. OOs do not make management decisions. Their own functions are informal, but they refer constituents to all formal and informal resources within their organizations. Their full-time focus is to support their organization and all its constituents with a wide variety of specialized skills. Ombuds help to *identify, assess and manage* risk for all of their constituents. OO functions and accomplishments illuminate the concepts of *fail-safe, of checks and balances, of back-up*—and of helping to foster the coherence and success of the risk management and conflict management systems of their organization.

Appendix

From Whom did OOs learn First about Their Most Serious Cases? —From a Wide Span of Constituents
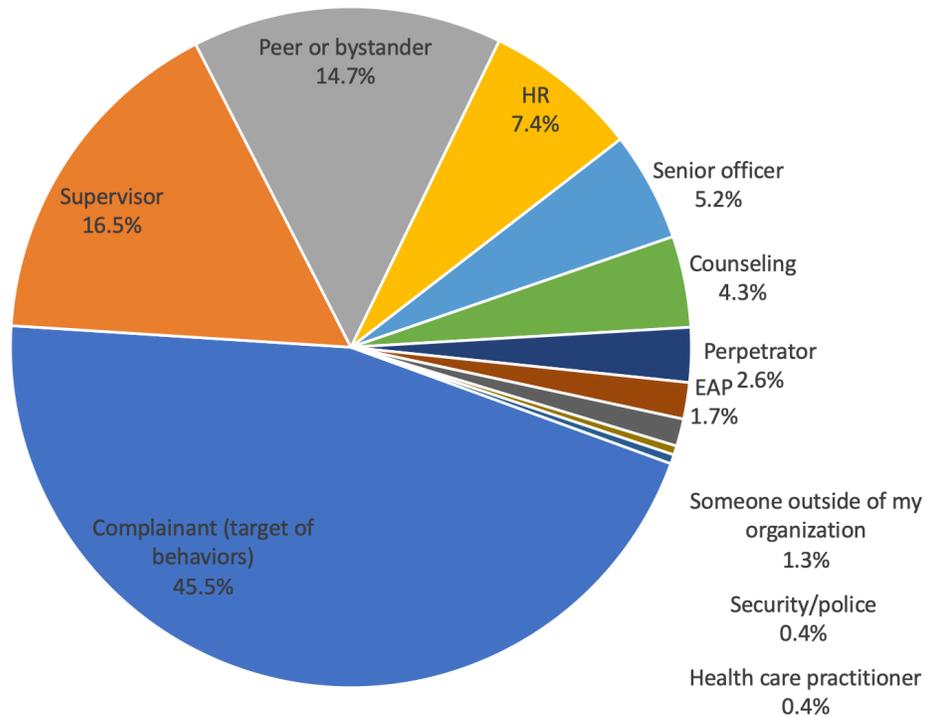
In their most serious cases, how did ombuds get information where it needed to go?
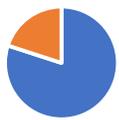
 4 in 5 received permission to convey the information without identifying the source

 3 in 4 helped the visitor find some way to get the information where it needed to go

 2 in 3 received permission to convey the information identifying the source

 1 in 4 found a way for manager or compliance office to find the information itself

 1 in 11 breached confidentiality (due to imminent risk or required report)

… and 4 in 9 found an additional way for the information to get where it needed to go

In those five (or fewer) most serious cases, if you believed information needed to reach appropriate offices/authorities, what actions did you take? *(check up to five)* [N=106]

Received permission to convey the information (without identifying the source)	84	79.2%
Helped the visitor find some other way to get the information where it needed to go	82	77.4%
Received permission to convey the information (identifying the source)	72	67.9%
Found another way for the information to get where it needed to go	46	43.4%
Found an effective way for manager or compliance office to find the information itself	26	24.5%
Breached confidentiality (because you perceived an imminent risk)	8	7.5%
Breached confidentiality (because your organization requires the ombuds to report this issue)	2	1.9%