



RHODES UNIVERSITY

Where leaders learn

OMBUD

TERMS OF REFERENCE- OMBUD

- 1.1 The office of an ombudsman (“the office”) has been created to assist persons or entities of the university (i.e. current and former students and their parents, academic, administrative and support staff, service providers and visitors) to resolve problems that remain unresolved, despite such problem having been through all the university’s prescribed processes.
- 1.2 The university shall provide contact details, including an address, to which complaints, problems or concerns shall be referred to, for the attention of the ombudsman.
- 1.3 The office has not been established to replace any of the university’s existing structures and any person or entity with a problem must first refer any such problem to the university’s existing structures before referring such a problem to the ombudsman.
- 1.4 Notwithstanding the above, in the event that there may be complaints to be made by way of whistleblowing, such complaints shall be reported by the whistle-blower directly to the office of the Ombudsman, which shall have exclusive powers to investigate such complaints and report the outcome of his or her investigation to the Audit and Risk Committee of the University Council.
- 1.5 The office is independent from the university’s structures and is not an agent for the university or any of its structures.
- 1.6 The office shall:
 - i. be accessible and informal; and
 - ii. treat complaints or problems promptly and confidentially, in a fair and dignified manner;
- 1.7 The type of issues that may be referred to the ombudsman shall include, but not be limited to the following:
 - i. an unresolved problem that has been through the university’s prescribed processes;
 - ii. a complaint that had been treated unfairly by one or more of the university’s structures; and;
 - iii. a sensitive matter that needs to be discussed in confidence with the assurance that confidentiality will be observed;
- 1.8 The office shall:
 - i. analyse and investigate the complaint;
 - ii. invite the implicated person or structure to respond to the complaint (without compromising confidentiality and without adjudicating the complaint);
 - iii. identify the issues;
 - iv. provide advice and guidance on the manner in which to solve problems arising from or related to the university’s rules, policies, practises and procedures;
 - v. mediate in search of a solution, and
 - vi. make written recommendations;
- 1.9 The office has the power to consider the university’s rules, policies, practices and procedures and express an opinion thereon, with a view to advise the university administrators;
- 1.10 The office must give written reasons to a complainant in the event of declining to assist the complainant;
- 1.11 The office shall not:
 - i. make decisions for or on behalf of the university;
 - ii. act as agent of the person or entity that referred the complaint to it;
 - iii. award compensation to a complainant;
 - iv. give advice on academic related complaints or problems;

- v. deal with a problem which should, first, have been referred to the university's grievance procedures;
- vi. give psychological counselling; and
- vii. give legal advice, other than to refer the person or entity to a legal practitioner.