

Report of the Ombudsman¹

1. This information document is submitted to the Executive Board in line with the conclusions of the Board at its 141st session in May 2017² regarding the recommendation of the United Nations Joint Inspection Unit that all legislative bodies in the United Nations system “make it possible for the ombudsman to report to them on identified systemic issues on a regular basis”³.

ROLE OF THE OMBUDSMAN

2. The primary task of an ombudsman is to assist staff members in dealing with work-related concerns through informal means, and thereby to prevent conflict and exacerbating the problem. Although WHO has had an ombudsman in headquarters since 1974, it was only in 2016 that the role of the Ombudsman was enshrined in WHO’s Staff Rules as the primary pillar for the informal resolution of disputes. The new Staff Rules set out a standardized system of internal justice throughout WHO in which prevention, early response and informal justice are fundamental components.⁴

3. In line with international standards of practice developed by the International Ombudsman Association, the Ombudsman is an independent and neutral interlocutor who provides confidential assistance for the informal resolution of work-related difficulties. The Ombudsman listens impartially to those seeking assistance, develops options for the informal resolution of concerns, provides confidential, informal, independent and impartial advice to visitors, mediates disputes, and identifies systemic trends. The Ombudsman neither advocates on the behalf of any particular individual, issue or interest, nor represents any side in a dispute, conduct formal investigations or participate in formal processes.

4. The Ombudsman’s major functions are: (1) to mediate and facilitate conflict resolution; (2) to monitor trends in support of early detection of potentially significant issues and provide feedback to senior management; (3) to support preventive action; and (4) to foster a workplace culture that upholds WHO’s fundamental values, most notably a respectful workplace environment.

¹ This document has been prepared by the Office of the Ombudsman and Mediation Services in consultation with all WHO’s regional ombudsmen. It reflects therefore the views of all WHO ombudsmen, and thus any mention of the Ombudsman refers to the work of both the Office of the Ombudsman and Mediation Services and regional ombudsmen.

² See document EB141/2, noted by the Board at its 141st session, and document EB141/2017/REC/1, summary records of the Executive Board at its 141st session, first meeting, section 6.

³ Document JIU/REP/2015/6.

⁴ Staff Rules 1215.1–1215.7.

5. Ultimately, supporting the office of the Ombudsman represents a commitment by the Organization to promote the well-being of its employees and improve the policies, rules and practices that affect its working environment.

OMBUDSMAN SERVICES IN WHO

6. Ombudsman services in WHO are decentralized. In addition to the Ombudsman and Mediation Services unit in headquarters which is available to all WHO staff members regardless of type of contract and location, most regional offices have established their own ombudsman positions to promote informal resolution within their geographical areas.

7. The Ombudsman and Mediation Services unit in headquarters comprises a small team of two ombudsmen, who have professional experience and are fully dedicated to the function of the position, and one assistant. It provides informal resolution services to staff members of WHO as well as those of the Joint United Nations Programme on HIV/AIDS, the International Agency for Research on Cancer and the United Nations International Computing Centre.

8. The regional offices for Africa, the Americas and Europe have established positions for dedicated, professional ombudsmen. The regional offices for South-East Asia and the Eastern Mediterranean are currently considering options for establishing similar positions. The Regional Office for the Western Pacific has two part-time ombudsmen who carry out this function, with the assistance of an external consultant, in addition to their technical duties.

9. WHO aims to ensure an ombudsman practice across the Organization aligned with international professional standards. To that end, the Ombudsman and Mediation Services in headquarters provide coordination and support to all regional ombudsmen. Standardized terms of reference for all WHO's ombudsman positions are under development.

RECENT FIGURES AND TRENDS

10. There is currently no unified practice among all WHO's ombudsmen to gather and publish statistical data through annual reports. At present, only the ombudsmen in headquarters and at the Regional Office for the Americas publish and distribute to staff members an annual report with statistical information on the number and type of cases dealt with, systemic trends and recommendations. The information is compiled and presented in line with the uniform data reporting categories of the International Ombudsman Association. In the Regional Office for Europe the ombudsmen provide senior management with an annual report that is distributed to all staff in that region.

11. The number of cases dealt with by the Ombudsman and Mediation Services in headquarters has grown significantly in recent years (from 149 cases in 2014 to 333 in 2015 and 345 in 2016). This increase does not necessarily reflect growing levels of conflict within WHO but could be the result of greater access, trust and understanding about the role of the Ombudsman. In the Regional Office for the Americas, the number of registered cases rose from 107 in 2015 to 123 in 2016.

12. Most of the cases dealt with by the Ombudsman involved issues pertaining to evaluative relationships, namely problems between supervisors and supervisees, largely resulting from dysfunctional communication, which has often a negative impact on the annual performance assessment. Other relevant types of cases relate to issues of organization, leadership and management, namely problems concerning restructuring, reassignment or relocation and the conflicts resulting from a lack of consultation with those involved. The other significant category of cases pertains to job and career-related issues, namely problems involving recruitment, post classification or career development.

CHALLENGES AND THE WAY FORWARD

13. A major task for the Ombudsman is to monitor trends in order to enable the early detection of issues of potential significance for the Organization. The Ombudsman provides feedback to senior management and advises them on appropriate remedial and preventive action. The role of the Ombudsman as an “early warning” mechanism allows senior management to take action to prevent unexpected risks for the Organization.

14. On the basis of the work undertaken in the past year, the key systemic issues that the Ombudsman identified and brought to the attention of senior management included those described below.

Need for WHO to invest in its managers

15. Many of the cases received by the Ombudsman related to dysfunctional relations between managers and their staff, most often in the areas of communication and team climate and morale. These cases reveal that some supervisors are not at ease engaging with their staff on performance-related issues, and point to the need for the Organization to invest more in the development of managerial soft skills. This problem is most strongly felt in country offices, where weak managerial skills can have an immediate impact on the effectiveness of the functioning of the office. It is assumed that staff members appointed to supervisory roles who have mastery of their technical domain will succeed managerially. Yet, core functions for managers are to supervise, give constructive feedback and show leadership to their teams. To that end, managers must possess basic interpersonal skills to communicate effectively with their staff members and deal with conflicts whenever necessary. WHO managers would therefore benefit from being provided with the tools to succeed in managing difficult situations.

16. As a way forward, the Ombudsman has recommended that the Secretariat should invest more in its managers by providing them with the tools to succeed in managing work-related conflicts. Training for managers in areas related to supervisory tasks, with particular attention to interpersonal skills, including effective communication, conflict management and cultural competencies, ought to become mandatory before their appointment. Similarly, the Secretariat could consider establishing programmes that allow managers to receive confidential feedback from supervisees, colleagues and supervisors on their managerial style so that, if critical comments surface, adequate training initiatives and proper follow-up mechanisms are put in place.

WHO to live through its core values, most notably respect

17. Respect is part of WHO's fabric. Together with other core values of the Organization, it should ensure that our workplace encourages trust, responsibility, accountability, mutual respect and open communication, and embraces the dignity and diversity of individuals. As shown in recent surveys and evinced in interactions of the Ombudsman with visitors, there appears to be a widespread perception among staff members that the Secretariat tolerates disrespectful behaviour at different levels and is not doing enough to put an end to that situation. In this environment, many colleagues seem to believe that abusive behaviour that may constitute harassment is pervasive within the Organization. Although those perceptions are subjective and most often reflect dysfunctional relations between managers and their teams, they are worrisome and merit further reflection and indeed action.

18. As a way forward, the Ombudsman has recommended that the Secretariat reconsider how the Organization lives through its core values. Thus, greater support should be given to the Respectful Workplace initiative, a management-staff representatives' joint programme aimed at reinforcing the key role of respect within WHO. Senior management needs to take proper ownership of this challenge and address it head-on, in order to demonstrate that the Organization is making significant efforts at all levels to match words with actions and live through its core values.

19. The Organization's response to harassment is an indicator of its commitment towards a respectful working environment. New approaches are being considered not only to combat but, most importantly, to prevent harassment within the Organization, including a commendable initiative to revamp the existing policy on the prevention of harassment and the decision by the Regional Office for Africa to undertake mandatory training for all staff on the prevention of workplace harassment, sexual harassment and abuse of authority. Support from senior management across the Organization for a new policy agreed upon by all relevant stakeholders will be essential. In that context, all entities that, because of their responsibilities (including the Ombudsman), may receive information from staff members involving potential allegations of harassment should join efforts in both headquarters and the regional offices to assess the state of affairs and discuss potential options to resolve these situations. Within the scope of and with due respect for each office's individual mandate and standards of practice, particularly confidentiality, all responsible services should strengthen collaboration, with a view to preventing individual problems and/or correcting systemic issues concerning harassment. The Ombudsman is willing to take part in any such initiative and has encouraged other services to join in.

WHO's duty of care towards its staff

20. From different interactions with visitors, the Ombudsman finds that some WHO staff members, when confronted with difficult situations, expect more support from the Organization, particularly in situations involving inappropriate behaviour on the part of colleagues or supervisors, work pressures, disagreements on performance assessment and, most notably, about career development.

21. A recurrent concern the Ombudsman faces is that of staff members who have performed the same job at the same grade for years, resulting in career stagnation with no incentives to foster productivity. These colleagues feel unmotivated and trapped in a job that offers them no prospects. They often complain that the Organization is not helping them enough to pursue new opportunities. Although geographical mobility will certainly provide incentives for change, this policy may not prove sufficient given the dimension of the challenge.

22. As a way forward, the Ombudsman has recommended that the Secretariat consider broader means to foster career development, involving managers more directly in their staff members' professional career prospects. Moreover, it should be important for the Secretariat to reinforce the role of recognition as part of the Organization's culture and as a means to ensure that staff members are engaged to the fullest degree. In that endeavour, the Secretariat could take pride in WHO's public health achievements which show the unique value of the Organization and the commitment of its staff. Celebrating such events should mark and recognize the contribution of all those involved.

Equal access to informal resolution across WHO

23. The strengthening of a culture of informal resolution across the Organization is an important challenge, particularly at a time when the new policy for the geographical mobility of staff members across regions is due to come into effect in the near future. Access to informal resolution should not be a luxury feature for staff members at headquarters or in some regional offices, but rather be part of WHO's institutional culture from which all staff members should be able to benefit, regardless of geographical location, grade or level. In addition, managers in all WHO regions need to be aware that professional and dedicated regional ombudsmen are a resource for all staff members, including those with supervisory responsibilities. Dedicated and professional regional ombudsmen should be able to furnish feedback on relevant issues or trends that may help managers to prevent unforeseen risks.

24. As a way forward, the Ombudsman has recommended that the Secretariat ensure that similar opportunities for the informal resolution of work-related issues are available across the Organization. For staff members in WHO, regardless of location, to enjoy similar opportunities to deal effectively with work-related concerns (including support for the informal resolution of work-related issues), all regional offices should have regional ombudsmen exclusively dedicated to that function and operating with similar professional standards of practice, in line with those established by the International Ombudsman Association. Although some regional offices such as those for Africa, the Americas and Europe have already moved or are moving in this direction, it is advisable that similar standards of practice are applied across the Organization.

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