



مركز بحوث الرقابيين الأفارقة

**African Ombudsman Research Centre**

**Centre de Recherche des Ombudsman Africains**

**Centro de Investigação da Provedoria de Justiça Africana**

## CAPACITY BUILDING PROGRAMME

### 1. Introduction

The African Ombudsman and Mediators Association (AOMA) is a regional organisation for ombudsman and mediators in Africa. At present 38 African states are members of AOMA. The objectives of the AOMA are to encourage the establishment of African ombudsman institutions, to provide information, training and development of ombudsman offices and staff, to promote good governance, to promote the independence and autonomy of ombudsman offices and to foster affiliation and maintain liaison between ombudsman offices and other relevant institutions and organizations.

The African Ombudsman Research Centre (AORC) is an initiative of the AOMA whose Secretariat is the Public Protector of South Africa. The objective of the AORC is to serve as a focal point for ombudsman offices in Africa, by coordinating their activities and supporting them with the provision of information and training, and acting as a point of liaison with all participants involved in enhancing corporate governance in Africa.

One of the key objectives of AOMA is to encourage the establishment, development and promotion of African Ombudsman institutions through mutual support, co-operation and joint activities through information sharing, **training**, and development of Ombudsman and staff. The role of AORC is to provide to AOMA members and Ombudsman institutions service in the following areas: Information, Coordination, Training, Advocacy and Research.

The backdrop of this Capacity Building Programme is the AORC Strategic Plan, particularly STRATEGIC OUTCOME 2: IMPROVE THE CAPACITY OF AOMA, THE OMBUDSMAN AND OMBUDSMAN OFFICES. The relevant Strategic Objective is “the development and implementation of curricula”, which requires the development of “A full programme of annual training on key aspects of Ombudsman work”.

## 2. Background

The GIZ supported the information, coordination, training, advocacy and research needs assessment of AOMA that inform the functioning of the AORC. The needs assessment consisted of desktop-based research, from the analysis of which a questionnaire was developed and circulated to the African Ombudsman Offices of AOMA-members. The Needs Assessment Report was presented and discussed at a workshop of the AOMA-member states during the launch of the AORC. It highlighted the pressing need for training especially in practical aspects of operating an ombudsman office. Key aspects included investigation techniques and the writing of reports / recommendations.

It became evident that the AOMA members require assistance in the areas identified by the ICTAR Objectives (Information, Coordination, Training, Advocacy and Research) in varying degrees. The strongest demand appeared to be in the areas of information and training, primarily in practical aspects of operating an ombudsman type organization. There was also an interest shown in greater cooperation between the ombudsman organisations on a more frequent basis.

## 3. Proposed courses

Given that the most urgent challenge facing AOMA is related to capacity building and institution strengthening, the following courses are proposed to form part of AORC's Training Programme:

### 3.1

<b>Course title</b>	<b>Training of investigators in Ombudsman offices (English &amp; French)</b>
Course outline	a) Background to the ombudsman function. b) Understanding the mandate of an ombudsman. c) Interviewing skills. d) Taking statements. e) Investigation techniques. f) Evidence analysis. g) Report writing.
Target learners	Investigators in Ombudsman offices
Level	Entry and intermediate
Length of course	8 days
Qualification	University accredited course

### 3.2

<b>Course title</b>	<b>Train the Trainers - Training of investigators in Ombudsman offices</b> (English & French)
Course outline	a) How People Learn b) Setting the Scene c) Facilitation Skills d) Learning Environment e) Managing Yourself f) Practice Sessions
Target learners	Officials who have completed the <b>Training of investigators in Ombudsman offices</b>
Level	Advanced
Length of course	2 days
Qualification	Certificate

### 3.3

<b>Course title</b>	<b>Language Communication Training</b>
Course outline	Introduction to Basic English and French (spoken and written, mail correspondence)
Target learners	Ombudsman
Length of course	2 weeks
Level	Entry and intermediate
Qualification	Certificate e.g. through Alliance Francaise

### 3.4

<b>Course title</b>	<b>Ombudsman Introduction (English and French)</b>
Course outline	History, powers & principles.
Target learners	Ombudsman and associate ombudsman
Level	Entry and intermediate
Length of course	2 days
Qualification	Certificate of Attendance

### 3.5

<b>Course title</b>	<b>Leadership and Management Skills</b>
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Course outline	Learning to lead (challenges, transition, leadership excellence) HR and Financial Management
Target learners	Ombudsman, Heads of Department / CEO, Senior Managers
Level	Advanced
Length of course	5 days
Qualification	Certificate

### 3.6

<b>Course title</b>	<b>Good Governance Training</b>
Course outline	Administrative law, applied constitutional law, corporate governance and selected crucial legal topics.
Target learners	Ombudsman, Heads of Department / CEO, Senior Managers
Level	Advanced
Length of course	Ombudsman and officials
Qualification	Certificate

### 3.7

<b>Course title</b>	<b>Masters in Ombudsman Studies (English and French)</b>
Course outline	<p>Development and context of ombudsman organisations: national and international ombudsman standards and good governance principles, diversity, complaint handling principles, customer service expectations.</p> <p>Complaint assessment: clarifying and understanding the complaint; deciding whether it is within jurisdiction/remit; deciding whether to investigate, alternative dispute resolution or disposal.</p> <p>The role of the investigator: powers and limits of investigation; managing expectations; planning the investigation; objectivity/bias/assumptions; what can go wrong.</p> <p>Complaints analysis; close reading skills; analysis; critical thinking.</p> <p>Types of evidence; finding, evaluating, testing and analyzing evidence, standard of proof, expert evidence and advice.</p> <p>Verbal and non-verbal communication; barriers to communication.</p>

	<p>Obtaining oral evidence: planning for interviews – time and location; active listening and questioning skills; recording, transcribing and note taking; cultural awareness.</p> <p>Approaches to decision making; structured reasoning; finding flaws in an argument.</p> <p>Constructing recommendations, policy and guidance on redress; resolution; apology.</p> <p>Critical thinking when writing (identifying or signposting the direction of argument); conveying difficult messages.</p> <p>Report drafting; the main elements of an investigation report; anticipating responses to a report; responding to comment and feedback; effectiveness of written documents and reports.</p>
Target learners	Post graduates
Level	Advanced
Length of course	2 years
Qualification	Degree

In terms of its Strategic Plan, the AORC will also offer customised training to officials in new Ombudsman Offices, and those in transitional democracies.

#### 4. Training courses and programmes of other service providers for Ombudsman

- a) The African Training and Research Centre in Administration for Development (CAFRAD) is a Pan African intergovernmental organization, established in 1964 by African governments with the support of UNESCO. It is the first uniquely Pan-African training and research centre in the continent for the improvement of public administration and governance systems in Africa. Its headquarters are located in Tangier (Morocco). Membership is open to all African countries: at present, CAFRAD has a membership of 36 States.<sup>1</sup> CAFRAD offers technical assistance and training to African governments, and in May 2010 hosted a conference entitled "Promoting Good Governance" for Ombudsman and Anti-Corruption Offices in Public Institutions in Africa'.<sup>2</sup> The Centre has organized conferences that deal with Ombudsmen-related issues, including the question of why corruption in Africa is still high, regardless of the setting up of Ombudsman and Anti-corruption offices.<sup>3</sup>

<sup>1</sup> <http://www.cafrad.org/index.html> (accessed 5 October 2012).

<sup>2</sup> [http://www.cafrad.org/Workshops/Tanger10-12\\_05\\_10/main1.html](http://www.cafrad.org/Workshops/Tanger10-12_05_10/main1.html) (accessed 5 October 2012).

<sup>3</sup> (n 25 above).

- b) Training is also provided by the International Ombudsman Association, which has developed "a highly successful format of education, skill building, and theory that combine to provide both the new and experienced Organizational Ombudsman practitioner with a practical approach to addressing problems in his/her respective environments". The Organisation offers the **Ombudsman 101 Course, the Ombudsman 101 PLUS Course, the Intermediate Course, the Advanced Course and specialized courses annually.**<sup>4</sup> It should be noted however that Organizational ombudsmen<sup>5</sup> are quite different to classical ombudsmen as they deal with managers and employees, clients and other stakeholders of a corporation, university, non-governmental agency, or other entity and not governments.
- c) Members of the European Network of Ombudsmen exchange information about EU law and best practice via seminars and meetings, a regular newsletter, an electronic discussion forum and a daily electronic news service.<sup>6</sup>
- d) The International Ombudsman Institute offers training to classical Ombudsman,<sup>7</sup> in conjunction with the Governance and Management Services International (GMSI) in London. The following courses on Ombudsman work are offered by GMSI:<sup>8</sup>
- Changing Ombudsman Function - Conducting Investigations, Operational Management and Complaints Handling;
  - Building Capable Watchdogs-Enhancing Legislative Oversight of Government;
  - Making the Ombudsman Effective-Leading and Managing Complaints Handling Institutions;
  - Changing Ombudsman Function-Conducting Investigations, Operational Management and Complaints Handling"; and "Managing Human Rights Institutions".
- e) The Ontario Ombudsman's Office offers the course "Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs".<sup>9</sup>
- f) Public Administration International Ltd (London) offers a two weeks long course, "*When Citizens Complain: the role of the Ombudsman in improving public services*".<sup>10</sup> Courses are often run in partnership with the School of Arts, Social Sciences and Management at Queen Margaret University, Edinburgh.
- g) French speaking Ombudsmen are supported by the Association des Ombudsmans et Médiateurs de la Francophonie (AOMF) (Association of Ombudsmen and Mediators).<sup>11</sup> Since 1992, the Mediator of the French Republic has contributed towards the development and running

<sup>4</sup> <http://www.ombudsassociation.org/training/> (accessed 5 October 2012).

<sup>5</sup> [http://en.wikipedia.org/wiki/Organizational\\_ombudsman](http://en.wikipedia.org/wiki/Organizational_ombudsman) (accessed 5 October 2012).

<sup>6</sup> <http://www.ombudsman.europa.eu/activities/network.faces> (accessed 5 October 2012).

<sup>7</sup> <http://www.law.ualberta.ca/centres/ioi/Events/Conferences.php> (accessed 5 October 2012).

<sup>8</sup> <http://www.gmsiuk.com/training.html> (accessed 5 October 2010). See Appendix F for details of the courses available.

<sup>9</sup> [http://www.Ombudsmanforum.ca/training/basic/basic\\_training\\_for\\_Ombudsman\\_e.asp](http://www.Ombudsmanforum.ca/training/basic/basic_training_for_Ombudsman_e.asp) (accessed 5 October 2012).

<sup>10</sup> <http://www.public-admin.co.uk/study.htm> (accessed 5 October 2012).

<sup>11</sup> <http://www.médiateur-republique.fr/en-citoyen-07-01-01> (accessed 5 October 2012).

of national and international mediation institutions, through fostering or facilitated the creation of similar institutions in countries in Africa, providing training to overseas visitors and encouraging meetings for the purpose of exchange and cooperation.

h) The Institute for Professional Legal Training of the University of KwaZulu-Natal also offers training for Ombudsman.

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