Organizational Ombuds’ Sources of Power and Influence

A Teaching Note (Long Version)
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The idea of power in organizations is often thought synonymous with the concept of formal rank in a hierarchy. As a result, many people wonder how an organizational ombuds (OO) can be effective without management decision-making power. The answer of course lies in the fact that there are many sources of power.

I analyze this question using a list of ten Sources of Power in Negotiation that I developed when teaching negotiation and conflict management at the MIT Sloan School of Management.¹ This framework describes the sources of power that ombuds use—on behalf of their constituents, and in working to support systemic change. These are also the sources of power that OOs use on behalf of the Ombuds Office and profession, within their organization, and within their own profession.

Although ombuds do not have formal management decision-making power, they do have some positional influence. Ombuds do not have formal powers to reward and sanction but their work may sometimes have indirect influence on rewards or sanctions. All the other sources of power and influence listed below—one by one or used together—frequently characterize ombuds work.

Different cases frequently call for different sources of power at different times. In addition, ombuds may use many of the sources of power below synergistically—that is, using all or many of them together. In practice it might be impossible to know in a particular case exactly “what worked.”

1. **Positional Influence.** An OO does not have formal authority to make or change or set aside a management decision or rule—or to mandate redress. But most OOs have access to any person in their organization and to much of the information collected by the organization. OOs report to top leadership, which provides some status, notwithstanding the profession’s designation (and claim) of relative independence. Thus, while OOs do not have authority in the sense of making management decisions, they may have considerable positional influence. Most OOs, most of the time, receive a response to their phone calls.

2. **Rewards.** OOs do not have formal reward power. But they have some indirect and intangible reward power. In their professional conversations and reports, many OOs find ways to appreciate and affirm good work by members of the organization. The OO’s office is configured in a way which permits learning quickly and easily about good things happening in the organization. Many OOs are expected to look out for new ideas and share good ideas wherever they crop up in the organization, as well

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as looking out for new issues and sources of conflict. Most OOs pride themselves on responsiveness, in an era when swift responsiveness is rare. They can share good ideas promptly, if and when they have permission to do so. OOs often write “systemic reviews.” These reviews may describe what is going well, as well as descriptions of problems. OOs can give credit widely where credit is due—for example, when they discover a manager doing well with some vexing issue and have permission to speak of the accomplishment.

3. **Sanctions and Force.** An OO does not have formal authority to sanction or coerce, and OOs do not serve as witnesses or adjudicators in formal investigations. But OOs do have some indirect and intangible influence with respect to sanctions. Most OOs communicate to leadership about new issues and patterns of unacceptable behavior. And, as mentioned above with respect to informal reward power, many OOs write systemic reviews about specific issues. These functions sometimes lead to further management review, investigations, and/or sanctions.

Part of the work OOs do is to help their constituents understand all the formal conflict management options and channels in the organization, and they may do this often, as constituents review options in the OO office. OOs frequently support constituents who choose to undertake a formal action that might result in sanctions for an offender. And in professional conversations with visitors to the OO office, an OO may ask direct (but hopefully fair) questions of someone who may have behaved in an unacceptable way. (This situation is not uncommon. As neutral or impartial conflict management professionals, OOs regularly are sought out by persons who feel wrongly accused—and will support them in seeking a fair process for their concerns.)

There also are cases when the OO is the first to hear of someone who is on the path to violence or other criminal behavior. As senior professionals, most OOs have instant access to appropriate authorities in the rare cases when formal investigations and power-based actions are judged by the OO to be urgent—and where the ombuds either has permission to speak, or, after concluding that there is imminent risk of serious harm, decides to contact relevant authorities.

4. **Information.** The power of information is central to ombuds work.\(^2\) Organizational ombuds are almost unique in organizations in their breadth of outreach and therefore in their access to information. By design, the OO office is configured as a “zero barrier” office to be safe and accessible for constituents who wish to consult and seek options.\(^3\) Constituents can consult an OO anonymously and off the record, and often speak freely. This standard of near absolute confidentiality helps


constituents manage risk and helps the OO learn about what’s going on in the organization.

Many ombuds receive constituents of every rank from the bottom to the top of the organization, with every type of work-related concern. OOs receive calls from aggrieved constituents—and also from people who feel wrongly accused; from supervisors who are concerned about someone or some issue; and, very regularly, from bystanders and the bystanders of bystanders.\(^4\) Ombuds are a resource for many diverse affinity groups and learn steadily from them. Constituents regularly bring news of new issues, and good ideas that need traction, as well as complaints and concerns. Many OOs receive visitors and information from every cohort and every unit of their organization—occasionally around the clock. Ombuds often are the only professionals in their organization with so wide a purview.

The different functions of an ombuds provide OOs with steady streams of information from and about other offices. OOs make referrals and receive referrals from every office in their conflict management system and from line managers; ombuds work hard to know all the formal and informal resources for the concerns that come in. OOs do not do formal investigations but regularly "look into" situations informally. OOs are among the relatively few in an organization who try to "keep up" with a broad range of rules and regulations and policies relevant to work-related concerns. In addition, ombuds usually are authorized to talk with anyone in their organization and to ask for almost any kind of information relevant to their work.

These aspects of an ombuds' job mean that OOs usually have great breadth and depth of information to help individuals, and also the organization, in ways that depend on current data. Ombuds are expected to offer options and make timely, informal recommendations about policies and procedures. Much of their work involves good management of issues, in addition to assisting individuals in conflict.\(^5\) Ombuds are alert to patterns in what they hear—and also to anomalies in their caseloads. OOs thus have many opportunities to alert their leadership and other constituents to potentially disruptive new issues—where a new case is not just an anomaly but perhaps also a harbinger of serious new concerns for certain employees and/or the organization.\(^6\)

\(^4\) For more information about the importance of bystanders in the work of an ombuds, see [https://mitmgmtfaculty.mit.edu/mrowe/bystanders/](https://mitmgmtfaculty.mit.edu/mrowe/bystanders/).

\(^5\) Mary Rowe, “Consider Generic Options When Complainants and Bystanders Are Fearful.” *Journal of the International Ombudsman Association* 16, no. 3 (2023).

\(^6\) Mary Rowe, Timothy Hedeen, Jennifer Schneider, and Hector Escalante, “The Most Serious Cases Reported by Organizational Ombuds: Data from Surveys and Interviews.” International Ombuds Association blog, October 3, 2022.
5. **Expertise.** Professional expertise is another source of influence for ombuds, twinned with information. Ombuds are experienced in working with individuals, work groups and affinity groups, anonymous visitors and bystanders, leadership, and employees of all ranks. OOs develop skill in listening to people of different backgrounds; most OOs have a deep commitment to the core value of inclusion. Most have training and experience in the functions of an ombuds—and develop skills in working with all other professionals in the conflict management system of the organization.

Many ombuds are generalists. However, many also have particular gifts that are sources of power and influence. Some OOs listen and pick up people’s hidden interests exceptionally well. Some ombuds are especially skilled with teams. Some work seamlessly with many different affinity groups. Some are adept at bringing about needed organizational changes to address systemic issues raised by constituents.⁷ Some are adept at helping individuals deal directly with their concerns in a way that provides lifelong skills to the individual. Some have language skills or personal experience that help to build “swift trust.”⁸ And some are exceptionally skilled in working remotely. Some ombuds are very skilled at restorative justice practices, a gift especially in demand today.

For OOs, it is a core function to help develop options and a choice of options for their constituents—especially for people who have no hope. Each of the functions and each of the particular gifts of an OO may lead to a successful option for a visitor. And each such success helps to broaden the expertise of the OO.

6. **An Elegant Solution.** The ability to identify a solution to a problem that provides the most value and least harm to the most stakeholders—accomplished at the least cost—is a source of power that is often overlooked. An ombuds can sometimes piece together bits of information relevant to a particular issue, and listen in depth and over time to the interests of all who are stakeholders in a situation. Because they are familiar with so many aspects of an organization, an ombuds can sometimes uncover new options for an unexpected and sustainable solution.

Elegant solutions are rare in life, but ombuds work hard to find them, and where elegant solutions can be found, they offer the ombuds power to influence an outcome in a way where most stakeholders gain at least a little. Elegant solutions are built on a deep knowledge of the context of a concern, accurate information about the interests of each stakeholder in a concern, and conflict management expertise. One reason that elegant solutions are rare is that most managers do not have time to develop them and are highly focused in silos. Ombuds, however, can and do pay attention—"as long as it takes"—to understand a context, realistically available

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⁷ Rowe, “Consider Generic Options When Complainants and Bystanders Are Fearful.”

resources, and the interests of those in conflict. Ombuds also can work with anyone in the organization at any level who can help; they thus can sometimes help to create a team approach to an elegant solution.

7. **Moral Authority.** Ombuds often work to develop moral authority. One of the hardships of being a designated neutral arises when ombuds really wish they could lose their temper. However, a formidable commitment to self-discipline can help an OO earn a considerable measure of moral authority. The unusual nature of the OO office itself sometimes inspires a bit of awe and occasionally will help angry parties to settle down. Ombuds are usually attentive listeners and practiced mediators who are hard to provoke, slow to judgment, and committed to affirming the dignity of those in the office. When an ombuds affirms the feelings of an angry visitor but asks the visitor if they really wish to do something destructive or rash—or whether it would make sense to consider the pros and cons of various other options—moral authority and the ability to inspire are sometimes an important source of influence.

Moral authority is particularly needed in organizations to support procedural justice and fairness. Moral authority helps the OO to have a voice on behalf of issues that need to be addressed in the organization. Fact patterns and evidence of problems are important to support legal compliance and distributive and corrective justice. And an ombuds can help constituents and the organization find the information needed for these purposes—but the OO also needs a receptive audience in the organization. Moral authority and an explicit commitment to fair processes help the OO to be heard, when appropriate, about matters of justice.

8. **Relationship Power.** Many OOs interact with hundreds of constituents each year and are constantly interacting with other human services professionals, conflict managers, affinity groups, and leaders in their organization. Few other senior professionals have comparable opportunities to develop trust. Many an ombuds has helped leaders at all levels with their own dilemmas and their core emotional concerns, as part of helping employees of every rank. Here again, being a skilled listener, a mediator, hard to provoke, slow to judgment, and committed to affirming the dignity of each person can provide the ombuds with power and influence in times of need. Relationships with leaders and supervisors at all levels are essential for ombuds to be able to help constituents—and for ombuds when they deal with the organization on behalf of the Ombuds Office.

9. **Commitment Power.** Many ombuds never give up. One of the dilemmas of modern life is how fast it changes, how short memories are, and how little time managers have to concentrate on an issue. A brilliant report may be written about some issue by a manager or committee—and put on a shelf. An OO may keep that report and its recommendation on their desk for ...."as long it takes." Ombuds focus on issues, together with individuals, with affinity groups, and with leadership—day after day and sometimes year after year. Commitment power is sometimes a winning ingredient,

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and many an ombuds has seen major changes slowly emerge simply by using all the other sources of power and never giving up.

10. **BATNA (the Best Alternative to a Negotiated Agreement)**. In negotiation theory, a BATNA is a fallback position; having a BATNA means having an alternative, a “Plan B,” a “way out.” The presence or absence of good alternatives for action—for complainants and respondents, and also for the organization—may create a source of power for the ombuds. That is, an ombuds can often offer options that are perceived as better or less bad than the alternatives faced by those in conflict. An ombuds can sometimes support people to develop a new solution—and occasionally even an elegant solution—when all other possible outcomes seem worse. An ombuds can often help a constituent who is deeply frightened and feels trapped just by helping them develop a BATNA. For example, an ombuds may be able to help a constituent discover unrecognized interests that offer new options and potential BATNAs. Or an ombuds may help in resolving an issue by finding additional decision-makers in place of decision-makers who seem to be fighting tooth and nail.

The “lack of better alternatives” can also be a source of power for ombuds in discussion with their leadership about their own Terms of Reference or Charter. For example, an ombuds may receive strong support for near absolute confidentiality of the Ombuds Office by exploring with leadership what might happen if many concerned people did not come forward to the OO with their concerns. Thus, an ombuds asking for a budget increase might ask leadership to explore what might happen in the organization without a fair, accessible, “zero barrier” office to help people come forward about unacceptable behavior.

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10 For more on BATNAs, see Roger Fisher, William Ury, and Bruce Patton, *Getting to Yes: Negotiating Agreement Without Giving In*, 2nd ed. (Penguin Putnam, 2006).

11 For a specific discussion about the ombuds’ role in risk management, see Rowe, “An Organizational Ombuds Office in a System for Dealing with Conflict and Learning from Conflict.”