IOFISI YEOMBUD YEYUNIVESITI YASEKAPA

UGUNYAZISO

1. Intshayelelo noXanduva

IOfisi yeOmbud yeYunivesiti yaseKapa yaye yasekwa ngo-2011 ngenjongo yokubonakalisa ukuzinikela kwayo ekuphathweni kwabo bonke abantu beyunivesiti le ngobulungisa, ngobulali nangokulinganayo.

Uxanduva lwayo kukubonelela bonke abantu beyunivesiti le (bonke abasebenzi; abafundi abasekhoyo nabo sebemkayo; abatyeleli beyunivesiti nabaneekhontrakthi nayo) ngenkonzo yosombulo lweembambano ngendlela ekhululekileyo nje, engabophelelekanga kwimiqathango yemithetho ewisiweyo okanye kwimigaqo-nkqubo emiselweyo, inkonzo leyo esekelwe phezu kweenqobo zobulali. IOfisi yeOmbud ingaphandle kwizigqeba zeyunivesiti zemfundo nolawulo. Isisigqeba esingenacala, esizimeleyo, esisebenza ngokukhululekileyo nje nesingayidiziyo imicimbi yabatyeleli, esiququzelela usombululo olunobulali kwiinkxalabo neengxaki ezithe zaveliswa nguye nawuphi na umntu walapha eyunivesiti.

2. IiNjongo neMida yeeNkonzo

Eyona nxaxheba iphambili yale Ofisi kukuba ifumaneke njengesigqeba esingenacala sokuvandlakanya zonke izigqibo nezinto ezenziweyo phakathi kwemida yamagunya eyunivesiti le.

IOmbud ijolisa ekuboneleleni ngemeko apho kungakhethwa cala, engayidiziyo imicimbi ezisiweyo, nezimeleyo, apho kunokuthi kuziswe khona izikhalazo, iinkxalabo ngezinto ekuthiwa zenziwe okanye azenziwa kunye nazo naziphi na iingxaki abathe badibana nazo abantu beyunivesiti le.

IOfisi yeOmbud yenza imisebenzi ngemisebenzi eyahlukeneyo. Le misebenzi ke ibandakanya ukumamela abantu nokubabonelela ngendawo ekhuselekileyo abanokuya kuphalaza kuyo iingxaki zabo ngokukhululekileyo, ibancede ekucaciseni iinkxalabo abanazo ibacebise nangeendlela abanokukhetha kuzo ekukhawulelaneni nezo nkxalabo, ibacacisele nemigaqo-nkqubo yeyunivesiti neenkqubo zayo, ibazise nangezinye iiofisi abanokuya kuzo, ibancedise abatyeleli nasekufundeni iindlela zokuzinceda, iqwalasele imiba ngokuthi iqokelele iinkcukacha igaye nezimvo zabanye abantu isebenzise nothethwano namacala lawo anembambano. Kananjalo, iOfisi yeOmbud ikwasebenza njengovimba wokudimbaza iinkcukacha ibonelele iyunivesiti le nangobungcali bokusombulula iimbambano. Ikwanguye nomthundezi wokuziswa kwenguqu apha eyunivesiti.

IOfisi yeOmbud ilelinye kumalinge angalandelwa ukuncedisa kusombululo lweengxaki apha eYunivesiti kodwa ayenzi ukuba amanye amilinge asesikweni angathathelwa ngqalelo. Ukusetyenziswa kwale ofisi kungokuzithandela. Ofisi yeOmbud inika ingxelo ngeendlela zokuhamba kwezinto ngokubanzi nje, ize ke yenze nezindululo malunga nokutshintshwa kweenkqubo xa kukho imfuneko yoko ngaphandle kokudiza iinkcukacha ezingafanelanga kudizwa.

3. Ukwenziwa kweNgxelo

IOmbud yenza ingxelo kwiKhansile yeYunivesiti ngosihlalo weKhansile. Ingxelo ebhaliweyo ingeniswa qho ngonyaka kwiKhansile ngoSihlalo ngaloo mhla kuthe kwavunyelwana ngawo yiKhansile. IOfisi yeOmbud isebenza ngokuzimeleyo ngokuphathelele kuqwalaselo lomcimbi nakulawulo lwemiba, kodwa ke ngokuphathelele kwinkalo yolawulo nakuhlahlo-mali ingxelo iyenza kwiNqununu yeYunivesiti. Ekufezekiseni imisebenzi yayo iOfisi yeOmbud iya kuba nohlahlo-mali elwabelweyo, indawo yokusebenzela eyaneleyo nekusebenzekayo kuyo kwakunye nezilungiselelo ezikwaneleyo ukuba ikwazi ukukhawulelana neemfuno zayo zokusebenza isebenzele uphuhliso lobungcali. IOmbud iya kuthi gqolo ukunika iNqununu yeYunivesiti namanye amalungu eqela leenkokeli ingxelo, ngelixa ibulondolozayo ubuhlebo, ngeenjongo zokuwazisa ngeentlobo zemiba nangeendlela zokuhamba kwezinto, ezithi zifikelele ezindlebeni zeOmbud, ze ke icacise nokuba ezo nkcukacha zinafuthe lini na ibe ke seyivakalisa neziphakamisozayo ngazo.

4. IMigangatho neNtsulungeko aseMsebenzini

IOfisi yeOmbud iya kuthi inamathele kwiMigaqo yeNtsulungeko yaseMsebenzini neMigangatho yokuSebenza (Code of Ethics and Standards of Practice) yoMbutho oyi*International Ombudsman Association* (IOA). Lo mgaqo ubeka ukuba iOmbud iya kusebenza ngokungaxhomekekanga kwiziko layo, ayisayi kuyidiza imiba kwaye ayisayi kukhetha cala, futhi nemihlaba yayo yokusebenza kweenkonzo zayo iya kuyigcina kwimeko yokukhululeka okungalawulwa yimigaqo-nkqubo esesikweni ekusonjululweni kweembambano. IMigangatho, uMgaqo neeNdlela zokuSebenza eziCikizekileyo ze-IOA ziyabubeka ubuncinane bemigangatho, kwaye iOfisi yeOmbud iya kuthi ngalo lonke ixesha isoloko izamela ukuba isebenze “ngezona ndlela zokusebenza zicikizekileyo ” nokuziqwalasela ngenzondelelo iimfuno zabo bonke abachaphazelekayo. IOmbud iya kuthi imisele iinkqubo ezingajika-jikiyo iinkqubo ezo eziya kuthi zifumaneke xa umntu ethe wazicela. IOmbud iya kuthi iyibhengeze indlela ehamba ngayo inkonzo yayo engadiziyo, ezimeleyo nengakhethi cala ngokusebenzisa izinto zobhengezo,

iwebhusayithi neembalo ezixhonywe ezindongeni, ize kananjalo inike umtyeleli ngamnye ikopi yeMigangatho.

A. Ukuzimela

Ukuzimela kuyimfuneko ekusebenzeni ngempumelelo kweOfisi yeOmbud. IOfisi yeOmbud iya kukhululeka, kwaye iya kubonwa njengekhululekileyo kungenelelo oluphazamisayo ekwenzeni kwayo imisebenzi yayo. Oku kuzimela kufezekiswa kakhulu ngendlela emiswe ngayo inkqubo yokwenziwa kwengxelo, ngokungabi nacala, nangokwamkelwa liziko nangokuhlonitshwa kwenxaxheba yayo ezimeleyo. Ngenjongo yokuqinisekisa ukuqwalaselwa kwezinto ngobunjalo bazo, iOfisi yeOmbud iya kusebenza ngokungaxhomekekanga kwiziphathamandla zolawulo. Oku ke kubandakanya nokungadizwa kweenkcukacha zemiba eye yaxoxwa kwiOfisi yeOmbud naye nabani kwiziko eli, kubandakanya nalowo mntu yenziwa kuye ingxelo yiOfisi yeOmbud.

B. Ubuhlebo

IOfisi yeOmbud iba noqhagamshelwano nabo bafuna uncedo olungazi kudizwa, kwaye ke ithatha onke amanyathelo enokuwathatha okugcina obu buhlebo. IOmbud ayibadizi, kwaye akufuneki nokuba icelwe ukuba idize amagama abo bantu bathe baqhagamshelana nayo. Uqhagamshelwano phakathi kweOmbud nabanye (uqhagamshelwano olo oluthe lwenzeka ngexesha isenza umsebenzi wesi sikhundla) luthathwa ngokuba ngumba ongafanelanga kudizwa. Ngumba ofanele ukuba phakathi kweOmbud neOfisi yakhe, ingenguye nawuphi na omnye ochaphazelekayo kuwo. Abanye abantu abakwazi ukuba bangakhe benze unyenyiso kulo mmiselo. Apho kunokwenziwa uphambuko kule mbophelelo yobuhlebo kukwimeko apho iOmbud ibona ukuba kungabakho umngcipheko wengozi kubomi bomntu. IOmbud ayinakho ukuba ingacelwa ukuba inike ubungqina kwisigqeba esichophela amatyala seYunivesiti kuwo nawuphi na umba ethe yaba nolwazi ngawo ngenxa yomsebenzi wayo. IYunivesiti iya kuzamela ukuba iyikhusele iOmbud ekubeni ikhutshelwe isamani yokunika ubungqina ngabanye abantu, apha ngaphakathi naphaya ngaphandle kweyunivesiti.

C. Ukungakhethi cala

IOfisi yeOmbud ayisayi kuthatha cala kulo naluphi na ungquzulwano, imbambano okanye umba, koko iya kuthi iOfisi yeOmbud iyiqwalasele imicimbi neenkxalabo zabo bonke abo bachaphazelekayo ngomoya wokungakhethi cala ngenjongo yokuququzelela uqhagamshelwano neyokunceda loo maqela ekubeni afikelele kwizivumelwano ezanelisa macala nezinobulali nolingano nezihambelanayo nemigaqo-nkqubo yeYunivesiti.

D. Ukungabopheleleki kwimigaqo-nkqubo

IOmbud isebenza ngokungabophelelekanga kwimigaqo-nkqubo nemithetho neenkqubo ezimiselweyo nangendlela engafakwayo kumarekhodi, kwaye iya kuba sisisele ekuxhanyulwa kuso iinkonzo zosombululo lweembambano olungabophelelekanga kwimigaqo-nkqubo, kwimithetho nakwiinkqubo ezimiselweyo. IOfisi yeOmbud ayisayi kuphanda, ayisayi kulamla, ayisayi kugweba, okanye ayisayi kuthi, ngayo nayiphi na indlela, ithathe inxaxheba kuyo nayiphi na inkqubo esesikweni okanye inyathelo elithathwayo apha ngaphakathi okanye phaya ngaphandle. Nanini apho kunokwenzeka iOfisi yeOmbud iya kuthi izamele ukufumana indlela yokusombulula ingxaki phaya kwelona nqanaba lisezantsi apha kwiziko eli. IOfisi yeOmbud ayiyigcineli amarekhodi imicimbi ethe yayiqwalasela iYunivesiti le. Ukusetyenziswa kweOfisi yeOmbud kuya kusoloko kungokuzithandela, kungesosinyanzelo kuyo nayiphi na imbambano okanye umgaqo-nkqubo weYunivesiti le.

5. IMihlaba engangeniyo kuyo, iGunya noNyino lweIOfisi yeOmbud

A. Igunya leOfisi yeOmbud

1. Ukuqalisa uPhando Olungenabuceducedu baMigaqo

IOmbud iya kuba negunya lokwenza uphando ngendlela ekhululekileyo kubuceducedu bemigaqo nemithetho ngawo nawuphi na umba ochaphazela abantu beYunivesiti le. Ngoko ke iOmbud isenokuthi isungule uphando olungabophelelekanga kubuceducedu bemigaqo-nkqubo ngayo nayiphi na imiba eziswa kuyo.

2. Ufikeleleko lweenkcukacha

IOmbud isenokuthi icele ukuba ikwazi ukufikelela kwiinkcukacha ezichaphazela iinkxalabo zabatyeleli ezikwiifayili nakwiiofisi zeYunivesiti, kwaye iya kubuthathela ingqalelo ubuhlebo bezo nkcukacha. Izicelo zeOmbud zokufikelela kwiinkcukacha kufuneka ziqwalaselwe ngokukhawuleza kangangoko ngamasebe eyunivesiti.

3. Ukurhoxiswa kwenxaxheba kwimicimbi

IOfisi yeOmbud isenokuthi yale ukwenza uphando ngawo nawuphi na umba okanye isenokuthi irhoxe kumba othile xa iOmbud inenkolo yokuba ayifanelekanga ukuba ithathe inxaxheba kuwo, ngaso nasiphi na isizathu.

4. Uphefumlelwano nabatyeleli

IOfisi yeOmbud inegunya lokuphefumlelana nomtyeleli malunga neendlela anokukhetha kuzo, ezibandakanya nazo zombini iinkqubo: engenabuceducedu bamigaqo-nkqubo naleyo ihamba ngokusesikweni lemithetho nemigaqo-nkqubo. Kambe ke, iOfisi yeOmbud ayisayi kuba nalo igunya elipheleleyo lokuwisa isigwebo okanye lokunyanzelisa okanye lokutshintsha umgaqo-nkqubo, umthetho okanye inkqubo.

5. Ufikelelo kwiiNgcali zoMthetho

IOfisi yeOmbud isenokuthi ngamanye amaxesha ifune ingcebiso yomthetho okanye yobunye ubungcali, khona ukuze ikwazi ukuyifezekisa imisebenzi yayo. IOfisi yeOmbud isenokuthi inikwe ingcebiso yomthetho yegqwetha elizimeleyo nelingadibananga neYunivesiti le xa ithe yayicela, iimpepha, okanye ubungqina obuphathelele kuwo nawuphi na umcimbi othathelwe amanyathelo omthetho okanye nayiphi na inkqubo esesikweni, okanye kwimeko apho kuvela ungquzulwano lweenjongo phakathi kweOfisi yeOmbud neziphathamandla zeYunivesiti.

B. Unyino kuMagunya eOfisi yeOmbud

1. Ukufumana iSaziso seYunivesiti

Uqhagamshelwano neOfisi yeOmbud alusayi kuba sisaziso esiya kwiYunivesiti. IOfisi yeOmbud iyayibhengeza into yokuba ayinayo inxaxheba yokwamkela izaziso zeYunivesiti. Ukuba umntu osebenzisa iOfisi yeOmbud ufuna ukunika iYunivesiti isaziso malunga nemeko ethile, okanye uneenkcukacha anqwenela ukuba zinikwe iYunivesiti, iOmbud iya kuthi imenzele ingcaciso loo mntu, khona ukuze ke loo mntu akwenze oko ngokwakhe. Kwiimeko ezinqabe kakhulu iOfisi yeOmbud, kunokwenzeka ukuba inyanzeleke ukuba iyazise iYunivesiti. Oku ke kuya kwenzeka kuphela xa ngaba ayikho enye indlela efanelekileyo ekunokwenziwa ngayo.

2. Izivumelwano neMibutho yaBasebenzi (Collective Bargaining Agreements)

IOfisi yeOmbud ayisayi kuqwalasela nayiphi na imicimbi esukela kwisivumelwano nemibutho yabasebenzi (“CBA”), ngaphandle kokuba oko kuyavunyelwa linqaku elikhoyo elibhaliweyo kwi-CBA leyo. Le nto ke ithetha ukuthi, nakubeni iOfisi yeOmbud inokuwanika inkonzo amalungu ombutho wabasebenzi, ezo nkonzo azinakho ukuba zingabandakanya nemiba esele inyathelwe kwi-CBA. IOfisi yeOmbud ingasebenza namalungu ombutho wabasebenzi malunga nayo yonke eminye imiba engabandakanywanga kwiikhontrakthi, imiba efana noqhagamshelwano nabanye abasebenzi.

3. Inkqubo Ezisesikweni noPhando

IOfisi yeOmbud ayinakuqhuba nalo naluphi na uphando olusesikweni. Abasebenzi beOfisi yeOmbud abasayi kuthatha nxaxheba kwiinkqubo zoqwalaselo lweembambano okanye kwizikhalazo okanye amatyala eziigqeba ngaphandle egameni leOfisi yeOmbud okanye leYunivesiti. IOfisi yeOmbud ibonelela ngenye indlela yosombululo lweembambano.

4. Ukugcinwa kwaMarekhodi

IOfisi yeOmbud ayigcini marekhodi. Amanqakwana aye abhalwa ngethuba bekuqwalaselwa umcimbi, ukuba akhona, aye atshatyalaliswe ngamaxesha athile emva kokuba usongiwe umcimbi lowo. Zonke izinto eziqulathe iinkcukacha eziphathelele kumcimbi othile kufuneka zigcinwe ngokhuseleko kwindawo enokhuseleko, zize ke zitshatyalaliswe usakuba usongiwe umcimbi lowo. I Ombud isenokuthi izigcine iinkcukacha zamanani-nckukacha ezingelohlebo ezinokuthi ziyincede ekwenzeni ingxelo ngendlela yokuhamba kwezinto nasekunikeni indlela.

5. Ubuthetheleli neeNgxaki zaseMoyeni

IOfisi yeOmbud ayisayi kuba ngumthetheleli walo naliphi na icala kwimbambano, futhi ayisayi kumela iziphathamandla okanye abatyeleli beofisi yayo. Kananjalo iOfisi yeOmbud ayiboneleli ngoncedo lwezomthetho okanye lweengxaki zasemoyeni.

6. Izigwebo zeMicimbi (Adjudication of Issues)

IOfisi yeOmbud ayisayi kuba nelungelo lokuba ngumgwebi okanye lokunyanzelisa ngeendlela zokulungisa, lokunyanzelisa imigaqo-nkqubo okanye lokkwenza utshintsho lwemigaqo-nkqubo okanye lwemithetho.

7. Ungquzulwano lweeNjongo

IOmbud iya kukucezela ukubandakanyeka kwimeko apho kukho ungquzulwano lweenjongo. Ungquzulwano lweenjongo luye lwenzeke xa uchaphazeleko, olukhoyo okanye olucingelwayo, lweOmbud lungenanto yakwenza nomsebenzi wayo, lunokuba ngaphezulu okanye lunokukhuphisana nokuzinikezela kwayo ekungakhethini cala okanye nemeko yokuzimela kweOmbud. Kwimeko yongquzulwano lweenjongo, olukhoyo okanye olucingelwayo, iOmbud kufuneka ithathe onke amanyathelo ayimfuneko okuludiza okanye okulucezela.

C Ukuziphindezela kwiOmbud okanye kuBasebenzisi beeNkonzo

1. Onke amalungu amaqela anikwa inkonzo yiOfisi yeOmbud aya kuba nelungelo lokuba eze kuthethana neOfisi yeOmbud engenaloyiko lwempindezelo.

2. IOfisi yeOmbud kufuneka ikhuselwe kwimpindezelo (efana nokuvalwa kweOfisi okanye ukukhutshwa kweOmbud, okanye ukucuthwa kohlahlo-mali lweOmbud okanye kwezinye izilungiselelo) nguye nawuphi na umntu ekunokuthi kanti kukhalazwa ngaye okanye kwenziwa uphando ngaye.

Iimbalo Ezisetyenzisiweyo:

1. IOA Standards of Practice

2. IOA Code of Ethics

3. IOA Best Practices: A Supplement to IOA's Standards of Practice