Ombudspersons 2006

Bowling Green State University. Administrative Staff Council

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Proposal

The Role of Administrative Staff Ombuds at BGSU

POSITION SUMMARY

BGSU administrative staff ombudpersons are designated individuals who serve on-campus as impartial dispute resolution practitioners. Their major function is to provide confidential and informal assistance to BGSU administrative staff in resolution of workplace issues.

The ombudsperson role has a long and honorable historical tradition as a means of protecting individuals against abuse, bias and other improper treatment or unfairness. Serving as a designated neutral, the ombudsperson is neither an advocate for any individual nor the organization, but rather, an advocate for fairness. BGSU ad staff ombuds are a source of information related to the workplace. They aid in answering individual questions about employment policy and procedures and assist in the resolution of workplace concerns, including the resolution of critical employment situations. They make referrals to other BGSU offices as appropriate. At all times when considering any given situation or concern, ombuds remain fully cognizant of the rights of all parties that might be involved. Ombuds supplement, but do not replace, the university's other existing resources for conflict resolution.

REPORTING

The ombudsperson function is independent of existing administrative structures and reports directly to the executive vice president or another designated senior leader in the administration. Ombudspersons do not accept notice on behalf of the university.

While maintaining confidentiality of communications, ASC ombuds may be asked to prepare a periodic report of its workload. These requests may come from the Executive Vice President or the Administrative Staff Council Executive Committee. Based on anonymous aggregate data, this report can provide information in general terms on the types of concerns and grievances reported in a particular period of time, identify patterns or problems areas in BGSU employment policies and practices, may recommend policy or practice revisions and improvements, and may offer an assessment of the campus employment climate.

CRITICAL SKILLS AND CHARACTERISTICS

Communication and Problem-Solving Skills

An ombudsperson must have outstanding communication skills and be able to communicate effectively with individuals at all levels of the organization as well as with people of all cultures. It is imperative that the ombudsperson have excellent problem-solving skills and be able to gather information, analyze it and as necessary, help administrative staff employees understand and develop appropriate options and actions related to their reported problem.

Decision Making/Strategic Thinking Skills

An ombudsperson must be aware of how all decisions might impact the staff member, as well as other members of the campus community and the institution. An ombudsperson must know how
to proceed to address employment issues, and help the staff member access who should be involved and at what stage of discussion. An ombudsperson endeavors at all times "to do no harm."

**Conflict Resolution Skills**

An essential element of the ombudsperson’s role is that of facilitating the resolution of conflict between the parties. It is important that the ombudsperson have a thorough understanding of the nature of conflict, what leads to conflict, and methods for resolution. What ombuds can do for administrative staff employees include: listening to the employee’s story, sorting out the facts of the reported situation, helping ad staff decide what they can do for themselves about the matter, assisting with procedures once an employee has decided on a course of action; serving as a communication conduit between the parties (shuttle diplomacy), informally bringing the parties together for discussion with an aim to resolution; or more formally bringing the parties together voluntarily for an informal mediation process. The ombuds may also approach the conflict situation generically (especially when the inquirer is afraid of retaliation) by working with administrators, and even influencing systems change which could obviate the individual problem. The ombudsperson must have the ability to help administrative staff employees determine which conflict resolution method best suits their specific situation.

**Organizational Knowledge and Networking Skills**

An ombudsperson must be knowledgeable about BGSU – its structure, culture, policies, and practices. The ombudsperson must have excellent networking skills, understand the nature of and participate in collaboration with others, and be able to establish and maintain broad contacts throughout the organization.

**Sensitivity to Diversity Issues**

The university’s expectation is to create an environment that values human differences. The ombudsperson must be sensitive to dealing with individuals from a wide variety of backgrounds and cultures. The ombudsperson must be open, objective, and must seek to understand issues from different perspectives. The ombudsperson should be innovative in developing options that are responsive to differing needs, expectations and understandings.

**Composure and Presentation Skills**

An ombudsperson is expected to maintain a professional demeanor, have strong presentation skills, and be able to organize and communicate information to a range of groups of people.

**Integrity**

The administrative staff members who serve as ombudspersons are persons of integrity, fairness, effectiveness and efficiency in dealing with difficult issues. The ombudsperson is sensitive to cultural issues within the university.

Administrative staff engaged in the role of ombuds must be able to operate with an offer of near absolute confidentiality. Therefore, the ombudsperson must keep information confidential and must use good judgment about when and how complaint information may be shared. Further, ombuds should not be risk-averse and should understand that carrying out their duties may, on occasion, require that they challenge even the highest levels of the administration in an effort to
foster fair and just practices on campus. It is important that BGSU’s administration fully support this understanding.

In order for ombuds to serve the administrative staff employee group effectively, they must be prepared to act in the following capacities:

• Provide impartial and confidential consultation to members of administrative staff who are aggrieved or concerned about an employment issue

• Remain independent, neutral and impartial and exercise good judgment

• Assist inquirers in interpreting college/university workplace policies and procedures

• Facilitate the administrative staff member’s assessment of the pros and cons of possible options for addressing the concern expressed

• If direct action by the ombudsperson is an appropriate option, obtain the inquirer’s agreement and permission before proceeding

• If necessary, and while maintaining confidentiality, conduct appropriate informal fact-finding in order to better understand an issue from all perspectives

• Consult with other individuals who may be in a position to help develop cooperative strategies for complaint resolution

• With the inquirer’s permission, consult with all parties to clarify and analyze problems, focus discussions, and develop a mutually-satisfactory process for resolution.

• When appropriate, facilitate group meetings, use shuttle diplomacy, or negotiation skills to facilitate communication among the parties in conflict.

• Encourage flexible administrative practices to maximize the institution’s ability to equitably meet the needs of all members of the campus community

• Whenever possible and appropriate, provide referrals to other campus resources to assist in conflict resolution

Policy Analysis and Feedback

• Serve as a campus resource in the work of formulating or modifying employment policy and procedures, and raising issues that surface as a result of a gap between the stated goals of the institution and actual employment practice

• Review periodically the patterns of complaints and make appropriate recommendations for employment policies or practices that would reduce or eliminate recurring grievances

• Act as a liaison between administrative staff and the campus administrative structure, serving as a communicator or informal facilitator, as appropriate
• Function as a sensor within the administrative staff community to identify workplace problems or trends that affect the entire campus or significant parts of the community; if appropriate, recommend creative ways to address these concerns

• Provide early warning of new areas of organizational workplace concern, upward feedback, critical analysis of systemic need for improvement, and make systems change recommendations

11/08/2007
ASC backs creation of ombuds office

Administrative Staff Council has joined two other constituent groups in recommending creation of an independent ombuds office on campus.

Graduate Student Senate and Classified Staff Council previously endorsed establishment of the office. It would “handle student, staff and faculty concerns along with establishing additional training programs,” according to the resolution adopted by ASC at its June 4 meeting.

An ombuds office is one way of dealing with conflict situations, the resolution notes, additional training, “to assist all members of the University to recognize the importance of respecting one another’s personal well-being,” is another, it adds.

New ASC Chair Deborah Boyce, University advancement, said the resolution is similar to those adopted by Classified Staff Council and Graduate Student Senate, which first supported the idea of an ombuds office.

The ASC version goes further than others, Boyce said, in noting that the University currently offers no formal, centralized training program in conflict resolution. It continues that no central office exists to help those who experience conflict situations, about which there have been “growing concerns” on campus.

It also includes a clause on ASC’s commitment to working proactively for the welfare of University community members.

The council’s recommendation is “just a show of support,” Boyce said, pointing out that the resolution had been amended to reflect feedback on an earlier version. The clause about additional training, for instance, was an addition, she said.

Responding to a question, she said the idea had been put on hold until fall, and whether it becomes reality will depend on availability of funds. But the administration had come to the Constituent Groups Caucus to see if its members felt a need for such an office existed, she said.

After the meeting, outgoing ASC Chair Duane Whitmire said the University had once had a part-time ombudsman in Richard Hebeln, romance languages, but focus was mainly on the faculty and Hebeln has since become associate director for various areas of the University.

When the CSC session resumed after the trustees’ meeting, Olson said office supplies and vehicle maintenance are being outsourced, and vehicle leasing is in the process of being outsourced. Classified staff may be wondering “whose area is next and we hope it’s none,” she said.

As the University continues to investigate outsourcing, Olson called for more CSC involvement in the study and decisionmaking. “We need to be given the opportunity to try to be involved,” she said.

Steve Lashaway, facilities services, agreed. “This is something we need to really look out for because any of our jobs can be contracted out,” he said.

Chair Mary Cushman, continuing education, said outsourcing in various areas of the University.

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The ASC executive committee, including Jane Schimpf, auxiliary services, and three classified staff who served on the three implementation teams for outsourcing, vehicle maintenance, and vehicle leasing.

Olson said the meeting was positive and concerns from both sides were discussed in a congenial and informative manner. “Although a better understanding of what has occurred was gained on both sides, CSC has some major concerns about the process,” according to the minutes.

“The teams were not formed until after two classified positions were vacated and the RFPs (Requests for Proposal) were distributed. CSC proposes that as other areas may be looking toward versus outsourcing mechanical services.

“The remedy to this situation is to hire an in-house mechanic to do the routine and preventive maintenance on our fleet of 151 vehicles,” according to the memo. The figure for the estimated annual cost of major repairs will only decrease if the University is committed to properly maintaining its fleet. If we use the time figure for major repairs and plug it into the preventive maintenance function, the University pays approximately one-third of the estimated cost for labor plus parts compared to the best outsource estimate.

We cannot afford to trust our 151 vehicles to an outside vendor when we can afford to hire and keep employees to do a cost-effective job.”

The Office of Human Resources is undergoing renovations through Friday (June 26), and will be closed Wednesday through Friday. While the office is closed, voice mail messages will be checked Wednesday and Friday. The office will reopen next Monday, June 29.

Persons with questions should contact Rebecca Ferguson, assistant provost, human resources, at 2-2559 or ferguson@bgc.edu.
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11/08/2007
Employee advocacy - a base of people to draw from

Conflict isn't the advocate because the core responsibility
isn't their ability to contribute. They are advocates
in terms of fairness

Non-compulsory, non-advice, non-focus.
Sometimes for employee if they don't want their time shown.
No contracting for employee

Written procedures merely follow the general act and law ordered
between employee and employee

Complete document where to change, it will be incredibly
difficult to get on the agenda

Stay away from detail

No opportunity for mutual review

Does not solve conflict - how to magnify conflict

Invited litigation, great idea. It doesn't work.

Human resources required mediation, administered as part of
an appeal.

Facing employees non-compensation, non-consultation in addition to

contract

This summary:

Disciplinary to plan, given to teachers, so it has always been

The performance improvement plan - admin.

The performance improvement plan - HR.

Strike - raise friends, bring in HR.
Ann -
This is from

Barbara

Waddell
Proposal

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the summaries out, at tips i mention -
- not a mid level - summary
based is possible
add more positive for cet and other schools

Policy Analysis & Feedback
- write a comp rev format for officials in terminology
- or modifying policy & practices, review issues
- that may surface as a result of you & between mentioned

Recommendation that ombuds subject
known to us as well as other “officials”

Decision Making/Strategic Thinking: Skills
whose decisions?
clarify what statement a little
decisions in action
potential decisions past decisions
project consequences or any decision they
might make
broader from just a decision: things behind

look at het ombuds website for better content on this

OFFERS website - professional development for getting


In order to better serve administrative staff, the leadership of ASC and Human Resources have agreed to begin using an official position of ombudsperson. A group of individuals from both CSC and ASC have begun working together and have received conflict resolution training through Capital University, funded by the BGSU Department of Human Resources. The group has been officially named the "Conflict Resolution Working Group" and the individuals who make up the group are the ombudspersons. Their charge is to handle
employee and supervisor questions and concerns about the work environment.

Joe Luthman, Diane Regan, and Penny Nemitz have been appointed to serve administrative staff in this manner; they are serving a continuous term. Staff are highly encouraged to seek the services of these individuals as soon as possible if any workplace conflict exists, as their goal is to help both employees, supervisors, and the institution to succeed. All are known for their integrity, interpersonal skills, knowledge of the ASC Handbook and BGSU employment policies.

Joe Luthman - jluthma@bgsu.edu - 419.372.7750
Diane Regan - dregan@bgsu.edu - 419.372.8480
Penny Nemitz - pnemitz@bgsu.edu - 419.372.0614
OMBUDS ROLES - Available and currently practiced

1) Advocate for administrative staff employees for situations where an employee believes they would like to have an ombuds person assist in listening to, articulating or defending a position.

2) A second role is that of a rectifier of rules and procedures. While an ombudsperson is not an inspector general, he or she may identify many situations which arise from misapplication of rules, ill-suited procedures, or anomalies falling between administrative procedures and may -- as a result - suggest changes in rules or procedures.

OMBUDS ROLE - To be developed, after training

3) The third role is a mediator of disputes. Mediation, as practiced in labor - management negotiations, is the classic form of alternative dispute resolution in the United States.

OMBUDS ROLE - Accountability

While discretion is an integral part of good ombudsing, accountability is needed for any role on a University campus. One possible method of reporting is for the ombuds role to report to ASC Exec in the form of number of phone calls, meetings, handbook interpretations, etc. No names should be used, but a monthly report documenting the number of hours spent should be included.

Sources:


http://www.colorado.edu/ombuds/UCOA/history.html

http://www.ucoa.org/

Joe Luthman 10/29/2005
October 12, 2006

TO: PWC

FROM: University Ombuds
Diane Regan
Joe Luthman
Penny Nemitz

SUBJ: Ombuds JAQ (!)

The long-awaited document is herewith presented: the version of understandings and practices for ombuds that the ASC and two of the CSC ombuds agree could serve as our standard of operation. This document is taken from the formal charge for ombuds that the College/University Ombuds Association approved in March, 2004.

Since 2004, however, the College/University Ombuds Association merged with the National Association of Ombuds to form the singular International Association of Ombuds. Their current operational document is an amalgam of the two organization’s statements of ethical standards and practices. While the new one covers the same topics and takes the same positions, it is, in my view, not as clear as this version. Having a new combined statement only means that this version no longer exists on a website that I can send you to; hence, the paper document.

As a course of action, I suggest that PWC review this as well as the current statement of the new International Association of Ombuds, discuss them, consult with the ASC ombuds reps, decide what needs to be standard at BGSU, write it up and submit it to Council for approval. If approved, it should go to Dr. Dobb. At some point along the way, however, I would like to get the CSC ombuds on board with the document language so we are all operating similarly.

Please feel free to contact me if I can provide additional information or assistance.

Enc.
GENERIC COLLEGE/UNIVERSITY OMBUDSPERSON JOB
DESCRIPTION

POSITION SUMMARY

A college or university ombudsperson is a designated neutral or impartial dispute resolution practitioner whose major function is to provide confidential and informal assistance to constituents of the university or college community (this may include students, staff, faculty and/or administrators).

The ombudsperson role has a long and honorable tradition as a means of protecting against abuse, bias and other improper treatment or unfairness. Serving as a designated neutral, the ombudsperson is neither an advocate for any individual nor the organization, but rather, an advocate for fairness who acts as a source of information and referral, and assists in answering individuals' questions, and assists in the resolution of concerns and critical situations. In considering any given instance or concern, the rights of all parties that might be involved are taken into account. This office supplements, but does not replace, the university’s existing resources for conflict resolution.

REPORTING

The ombudsperson function is independent of existing administrative structures and reports directly to the president or other senior leader in the administration. The ombudsperson does not accept notice on behalf of the university.

While maintaining confidentiality of communications, the ombudsperson may prepare a periodic report to the university community. Based on anonymous aggregate data, this report discusses trends in the reporting of grievances and concerns, identifies patterns or problem areas in university/college policies and practices, may recommend revisions and improvements, and may assess the climate of the campus.

CRITICAL SKILLS AND CHARACTERISTICS

Communication and Problem-Solving Skills

An ombudsperson must have outstanding communication skills and be able to communicate effectively with individuals at all levels of the organization as well as with people of all cultures. It is imperative that the ombudsperson have excellent problem-solving skills and be able to gather information, analyze it and as necessary, help the inquirer develop appropriate options and actions.

Decision Making/Strategic Thinking Skills

An ombudsperson must be aware of how all decisions might impact the inquirer, as well as other stakeholders and the institution. An ombudsperson must know how to proceed with issues, and help the inquirer assess who should be involved and at what stage. An ombudsperson endeavors first of all to do no harm.

Conflict Resolution Skills
An essential element of the ombudsperson's role is that of facilitating the resolution of conflict between parties. It is important that the ombudsperson have a thorough understanding of what leads to conflict, the nature of conflict, and methods for resolution. The skills used to assist inquirers resolve their conflicts include: helping people learn how to deal with the matter directly if they wish to do this, serving as a communication conduit between the parties (shuttle diplomacy), informally bringing the parties together, bringing them together through an informal mediation process, approaching the conflict generically (especially when the inquirer is afraid of retaliation), and influencing systems change which could obviate the individual problem. The ombudsperson must also have the ability to help the inquirer determine which conflict resolution method would be appropriate for the specific situation.

Organizational Knowledge and Networking Skills

An ombudsperson must be knowledgeable about the college or university - its structure, culture, policies and practices. The ombudsperson must have excellent networking skills, understand and participate in collaboration with others and be able to establish and maintain broad contacts throughout the organization.

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Composure and Presentation Skills

An ombudsperson should maintain a professional demeanor, should have strong presentation skills, and should be able to organize and communicate information to a variety of groups of people.

Integrity

An ombudsperson should have a reputation for integrity and for dealing fairly, effectively and in a timely fashion with all constituents. The ombudsperson is sensitive to cultural issues within the university.

An ombuds office is based on the offer of near absolute confidentiality. Therefore, the ombudsperson must keep information confidential and must use good judgment about when and how such information can be shared, while being mindful of maintaining professional standards that are consistent with the Code of Ethics and Standards of Practice of The Ombudsman Association, and the Ethical Principles of the University and College Ombuds Association (see Addendum).

An ombudsperson should not be risk-averse and should understand that this position may, on occasion, challenge even the highest levels of the administration in an effort to foster fair and just practices.

ACCOUNTABILITIES

Dispute Resolution/Consultation and Referral

- Provide impartial and confidential consultation to members of the college/university community who are aggrieved or concerned about an issue
- Remain independent, neutral and impartial and exercise good judgment
• Assist inquirers in interpreting college/university policies and procedures

• Provide assistance to inquirers by clarifying issues and generating options for resolution

• Facilitate the inquirer's assessment of the pros and cons of possible options

• If direct action by the ombudsperson may be an appropriate option, obtain the inquirer's agreement and permission before proceeding

• If necessary, and while maintaining confidentiality, conduct appropriate informal fact-finding in order to better understand an issue from all perspectives

• Consult with managers/faculty to develop cooperative strategies for complaint resolution

• With the inquirer's permission, consult with all parties to clarify and analyze problems, focus discussions, and develop a mutually-satisfactory process for resolution

• When appropriate, facilitate group meetings, use shuttle diplomacy, or negotiation skills to facilitate communication among parties in conflict

• Encourage flexible administrative practices to maximize the institution's ability to meet the needs of all members of the campus community equitably

• Whenever possible and appropriate, provide referrals to other resources

Policy Analysis and Feedback:

• Serve as a campus resource for officials in formulating or modifying policy and procedures, raising issues that may surface as a result of a gap between the stated goals of the institution and actual practice

• Review periodically the patterns of grievances. Make appropriate recommendations for policies or practices that would reduce or eliminate recurring grievances

• Act as a liaison between individuals or groups and the campus administrative structure, serving as a communicator or informal facilitator, as appropriate

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• Provide early warning of new areas of organizational concern, upward feedback, critical analysis of systemic need for improvement, and make systems change recommendations

Community Outreach and Education
- The ombudsperson is responsible for on-going education and communication about the office's role to all potential inquirers as well as to university/college leadership.

- Design and conduct training programs for the campus community in dispute/conflict resolution, negotiation skills and theory, civility, and related topics.

Establish/Maintain Office of the Ombudsperson

- Supervise office staff, as necessary. Formulate, manage and monitor the overall goals, direction, programs, and budget of the office.

- Ensure that the integrity of the office is maintained by all ombuds office staff through independence, fair process, neutrality, impartiality, confidentiality and timely attention to the resolution of issues while treating people with dignity and respect.

EDUCATION/WORK EXPERIENCE

The ombudsperson should have a Bachelor's Degree. An advanced degree and/or relevant is desired. An understanding of diverse cultures and backgrounds is also desired. The incumbent must either be, or be willing to be, an active member of professional associations, in particular, The Ombudsman Association, the University and College Ombuds Association, the Association for Conflict Resolution, etc., in order to stay on the leading edge of critical ombuds issues such as confidentiality and privilege. Additionally, an ombudsman's skills should be continually enhanced through training courses offered by these professional associations.

NOTE: The information contained in this document represents the views of the collective experience of The Ombudsman Association. The contents are intended for general informational purposes only. A competent professional should be consulted for advice on any specific application of the information contained herein.

ADDENDUM

ETHICAL CODES/STANDARDS OF PRACTICE

An ombudsperson practices to the Code of Ethics and the Standards of Practice of The Ombudsman Association (TCA), the University and College Ombuds Association (UCOA) or to the similar precepts of another ombuds association. The codes and standards of TCA and UCOA are provided below.

The Ombudsman Association Code of Ethics

The ombudsman, as a designated neutral, has the responsibility of maintaining strict confidentiality concerning matters that are brought to his/her attention unless given permission to do otherwise. The only exceptions, at the sole discretion of the ombudsman, are where there appears to be imminent threat of serious harm.
The ombudsman must take all reasonable steps to protect any records and files pertaining to confidential discussions from inspection by all other persons, including management. The ombudsman should not testify in any formal judicial or administrative hearing about concerns brought to his/her attention.

When making recommendations, the ombudsman has the responsibility to suggest actions or policies that will be equitable to all parties.

**UCCA Ethical Principles**

This statement delineates the ethical principles that should guide the professional behavior of members of the University and College Ombuds Association (UCCA). Further suggestions for best practices are described in the Standards of Practice which are based upon and derived from these fundamental principles.

**Ethical Principle 1:**

The ombuds treats others with respect, dignity and goodwill.

**Ethical Principle 2:**

The ombuds is truthful in all communications.

**Ethical Principle 3:**

The ombuds holds all communications with those seeking assistance in strict confidence, except in the presence of an imminent threat of serious harm.

**Ethical Principle 4:**

The ombuds is independent to the highest degree possible within the structure of the organization, acting freely and in a manner that does not obligate others.

**Ethical Principle 5:**

The ombuds is neutral and impartial.

**Ethical Principle 6:**

The ombuds promotes fairness and justice in the policies, procedures, and practices of the organization within the aforementioned ethical principles.

Approved by the UCCA Board: March 5, 2004
October 12, 2006

TO: PWC

FROM: University Ombuds
      Diane Reagan
      Joe Luthman
      Penny Nemitz

SUBJ: Ombuds JAQ (!)

The long-awaited document is herewith presented: the version of understandings and practices for ombuds that the ASC and two of the CSC ombuds agree could serve as our standard of operation. This document is taken from the formal charge for ombuds that the College/University Ombuds Association approved in March, 2004.

Since 2004, however, the College/University Ombuds Association merged with the National Association of Ombuds to form the singular International Association of Ombuds. Their current operational document is an amalgam of the two organization's statements of ethical standards and practices. While the new one covers the same topics and takes the same positions, it is, in my view, not as clear as this version. Having a new combined statement only means that this version no longer exists on a website that I can send you to; hence, the paper document.

As a course of action, I suggest that PWC review this as well as the current statement of the new International Association of Ombuds, discuss them, consult with the ASC ombuds reps, decide what needs to be standard at BGSU, write it up and submit it to Council for approval. If approved, it should go to Dr. Dobb. At some point along the way, however, I would like to get the CSC ombuds on board with the document language so we are all operating similarly.

Please feel free to contact me if I can provide additional information or assistance.

Enc.
GENERIC COLLEGE/UNIVERSITY OMBUDSPERSON JOB DESCRIPTION

POSITION SUMMARY

A college or university ombudsperson is a designated neutral or impartial dispute resolution practitioner whose major function is to provide confidential and informal assistance to constituents of the university or college community (this may include students, staff, faculty and/or administrators).

The ombudsperson role has a long and honorable tradition as a means of protecting against abuse, bias and other improper treatment or unfairness. Serving as a designated neutral, the ombudsperson neither an advocate for any individual nor the organization, but rather, an advocate for fairness who acts as a source of information and referral, and aids in answering individual’s questions, and assists in the resolution of concerns and critical situations. In considering any given instance or concern, the rights of all parties that might be involved are taken into account. This office supplements, but does not replace, the university’s existing resources for conflict resolution.

REPORTING

The ombudsperson function is independent of existing administrative structures and reports directly to the president or other senior leader in the administration. The ombudsperson does not accept notice on behalf of the university.

While maintaining confidentiality of communications, the ombudsperson may prepare a periodic report to the university community. Based on anonymous aggregate data, this report discusses trends in the reporting of grievances and concerns; identifies patterns or problem areas in university/college policies and practices, may recommend revisions and improvements, and may assess the climate of the campus.

CRITICAL SKILLS AND CHARACTERISTICS

Communication and Problem-Solving Skills

An ombudsperson must have outstanding communication skills and be able to communicate effectively with individuals at all levels of the organization as well as with people of all cultures. It is imperative that the ombudsperson have excellent problem-solving skills and be able to gather information, analyze it and as necessary, help the inquirer develop appropriate options and actions.

Decision Making/Strategic Thinking Skills

An ombudsperson must be aware of how all decisions might impact the inquirer, as well as other stakeholders and the institution. An ombudsperson must know how to proceed with issues, and help the inquirer assess who should be involved and at what stage. An ombudsperson endeavors first of all to do no harm.

Conflict Resolution Skills
An essential element of the ombudsperson's role is that of facilitating the resolution of conflict between parties. It is important that the ombudsperson have a thorough understanding of what leads to conflict, the nature of conflict, and methods for resolution. The skills used to assist inquirers resolve their conflicts include: helping people learn how to deal with the matter directly if they wish to do this, serving as a communication conduit between the parties (shuttle diplomacy), informally bringing the parties together, bringing them together through an informal mediation process, approaching the conflict garnersically (especially when the inquirer is afraid of retaliation), and influencing systems change which could obviate the individual problem. The ombudsperson must also have the ability to help the inquirer determine which conflict resolution method would be appropriate for the specific situation.

Organizational Knowledge and Networking Skills

An ombudsperson must be knowledgeable about the college or university - its structure, culture, policies and practices. The ombudsperson must have excellent networking skills, understand and participate in collaboration with others and be able to establish and maintain broad contacts throughout the organization.

Sensitivity to Diversity Issues

The university's expectation is to create an environment that values human differences. The ombudsperson must be sensitive to dealing with individuals from a wide variety of backgrounds and cultures. The ombudsperson must be open, objective, and must seek to understand issues from different perspectives. The ombudsperson should be innovative in developing options that are responsive to differing needs.

Composure and Presentation Skills

An ombudsperson should maintain a professional demeanor, should have strong presentation skills, and should be able to organize and communicate information to a variety of groups of people.

Integrity

An ombudsperson should have a reputation for integrity and for dealing fairly, effectively and in a timely fashion with all constituents. The ombudsperson is sensitive to cultural issues within the university.

An ombud office is based on the offer of near absolute confidentiality. Therefore, the ombudsperson must keep information confidential and must use good judgment about when and how such information can be shared, while being mindful of maintaining professional standards that are consistent with the Code of Ethics and Standards of Practice of The Ombudsman Association, and the Ethical Principles of the University and College Ombuds Association (see Addendum).

An ombudsperson should not be risk-averse and should understand that this position may, on occasion, challenge even the highest levels of the administration in an effort to foster fair and just practices.

ACCOUNTABILITIES

Dispute Resolution/Consultation and Referral

- Provide impartial and confidential consultation to members of the college/university community who are aggrieved or concerned about an issue
- Remain independent, neutral and impartial and exercise good judgment
• Assist inquirers in interpreting college/university policies and procedures
• Provide assistance to inquirers by clarifying issues and generating options for resolution
• Facilitate the inquirer’s assessment of the pros and cons of possible options
• If direct action by the individual/person may be an appropriate option, obtain the inquirer’s agreement and permission before proceeding
• If necessary, and while maintaining confidentiality, conduct appropriate informal fact-finding in order to better understand an issue from all perspectives
• Consult with managers/faculty to develop cooperative strategies for complaint resolution
• With the inquirer’s permission, consult with all parties to clarify and analyze problems, focus discussions, and develop a mutually-satisfactory process for resolution
• When appropriate, facilitate group meetings, use shuttle diplomacy, or negotiation skills to facilitate communication among parties in conflict
• Encourage flexible administrative practices to maximize the institution’s ability to meet the needs of all members of the campus community equitably
• Whenever possible and appropriate, provide referrals to other resources

Policy Analysis and Feedback:

• Serve as a campus resource for officials in formulating or modifying policy and procedures, raising issues that may surface as a result of a gap between the stated goals of the institution and actual practice
• Review periodically the patterns of grievances. Make appropriate recommendations for policies or practices that would reduce or eliminate recurring grievances
• Act as a liaison between individuals or groups and the campus administrative structure, serving as a communicator or informal facilitator, as appropriate
• Function as a sensor within the campus community to identify problems or trends that affect the entire campus or significant parts of the community; if appropriate, recommend creative ways to address these concerns
• Provide early warning of new areas of organizational concern, upward feedback, critical analysis of systemic need for improvement, and make systems change recommendations

Community Outreach and Education
• The ombudsperson is responsible for on-going education and communication about the office's role to all potential inquirers as well as to university/college leadership.

• Design and conduct training programs for the campus community in dispute/conflict resolution, negotiation skills and theory, civility, and related topics.

Establish/Maintain Office of the Ombudsperson

• Supervise office staff, as necessary. Formulate, manage and monitor the overall goals, direction, programs, and budget of the office.

• Ensure that the integrity of the office is maintained by all ombuds office staff through independence, fair process, neutrality, impartiality, confidentiality and timely attention to the resolution of issues while treating people with dignity and respect.

EDUCATION/WORK EXPERIENCE

The ombudsperson should have a Bachelor's Degree. An advanced degree and/or relevant is desired. An understanding of diverse cultures and backgrounds is also desired. The incumbent must either be, or be willing to be, an active member of professional associations, in particular, The Ombudsman Association, the University and College Ombuds Association, the Association for Conflict Resolution, etc., in order to stay on the leading edge of critical ombud's issues such as confidentiality and privilege. Additionally, an ombudsman's skills should be continually enhanced through training courses offered by these professional associations.

NOTE: The information contained in this document represents the views of the collective experience of The Ombudsman Association. The contents are intended for general informational purposes only. A competent professional should be consulted for advice on any specific application of the information contained herein.

ADDENDUM

ETHICAL CODES/STANDARDS OF PRACTICE

An ombudsperson practices to the Code of Ethics and the Standards of Practice of The Ombudsman Association (TOA), the University and College Ombuds Association (UCOA) or to the similar precepts of another ombuds association. The codes and standards of TOA and UCOA are provided below.

The Ombudsman Association Code of Ethics

The ombudsman, as a designated neutral, has the responsibility of maintaining strict confidentiality concerning matters that are brought to his/her attention unless given permission to do otherwise. The only exceptions, at the sole discretion of the ombudsman, are where there appears to be imminent threat of serious harm.
The ombudsman must take all reasonable steps to protect any records and files pertaining to confidential discussions from inspection by all other persons, including management. The ombudsman should not testify in any formal judicial or administrative hearing about concerns brought to his/her attention.

When making recommendations, the ombudsman has the responsibility to suggest actions or policies that will be equitable to all parties.

UCOA Ethical Principles

This statement delineates the ethical principles that should guide the professional behavior of members of the University and College Ombuds Association (UCOA). Further suggestions for best practices are described in the Standards of Practice which are based upon and derived from these fundamental principles.

Ethical Principle 1:

The ombudsman treats others with respect, dignity and goodwill.

Ethical Principle 2:

The ombudsman is truthful in all communications.

Ethical Principle 3:

The ombudsman holds all communications with those seeking assistance in strict confidence, except in the presence of an imminent threat of serious harm.

Ethical Principle 4:

The ombudsman is independent to the highest degree possible within the structure of the organization, acting freely and in a manner that does not obligate others.

Ethical Principle 5:

The ombudsman is neutral and impartial.

Ethical Principle 6:

The ombudsman promotes fairness and justice in the policies, procedures, and practices of the organization within the aforementioned ethical principles.

Approved by the UCOA Board: March 5, 2004