

Terms of Reference

Office of the Ombudsperson

Dalhousie University

The University is committed to the just and fair treatment of each and every member of the University community. In keeping with this commitment, Dalhousie University and the Dalhousie Student Union join together to support the establishment of a fulltime Ombudsperson for students.

The Ombudspersons Office recognizes that within Dalhousie there are different levels of power and privilege between us that influence how we work with one another. The Ombudsperson is committed to educating our office and the community, and will endeavor to find ways to work together that recognize and challenge inequities.

Mandate

The Ombudsperson provides an independent, impartial and confidential process through which students of the University may find assistance and advice in the just, fair and equitable resolution of University-related concerns. The Ombudsperson also makes recommendations when trends, patterns, policies or procedures of the University generate concerns or conflicts, and promotes discussion on institution-wide concerns. The Ombudsperson shall carry out the responsibilities of the office independently of all student, staff, faculty, and administrative bodies within the University.

Statement of Principles

- 1) Services provided by the Ombudsperson are founded on a number of general principles including independence, impartiality, confidentiality, informality, and accessibility. Fairness in decisions shall be the special concern of the Ombudsperson. Among other things, that means decisions:
 - a. with reasonable promptness;
 - b. in accordance with applicable policies and procedures;
 - c. taking into account all relevant information
- 2) The Ombudsperson shall devote full time attention to the Office and not hold or maintain any other offices or engage in any other occupation that would interfere with the performance of the duties of the Office.
- 3) The Ombudsperson shall comply with the University's Policy on Conflict of Interest.
- 4) All dealings with the Ombudsperson are deemed to be confidential, and may only be revealed on a "need to know" basis with the written consent of the complainant. Notwithstanding this, the Ombudsperson is not required to maintain confidentiality when necessary to ensure the safety and well-being of members of the University community or when necessary to ensure the student's own physical or emotional safety and well-being, to the extent required by law.

- 5) Informality shall be the prevailing atmosphere of dealings with the Office of the Ombudsperson, until such time as formal steps become a necessity. The Ombudsperson shall support students to seek resolution at the appropriate level within the organization.

Jurisdiction

- 6) The Office of the Ombudsperson is not meant to replace established channels of assistance but may be used if an individual needs assistance in identifying where to go, would prefer to discuss a problem with a neutral party, or has already gone through established channels without satisfaction.
- 7) The Ombudsperson's Office is not an office of record: advising the Ombudsperson of a situation is not a substitute for advising the appropriate authority.
- 8) The Ombudsperson shall have no actual authority to impose remedies or sanctions, or to enforce any policy, rule or procedure. They may, however, make recommendations for resolving concerns or improving policies, rules or procedures.
- 9) The Office of the Ombudsperson shall not deal with concerns from any individuals who do not present that concern personally. Third parties attempting to initiate action on behalf of another individual shall be informed of this policy and instructed to persuade the injured party to contact the Office of the Ombudsperson.
- 10) The Ombudsperson acts solely in an advisory or intermediary role and does not make or alter University policy.
- 11) The Ombudsperson shall act in accordance with the Forum of Canadian Ombudsman Statement of Ethical Principles http://www.ombudsmanforum.ca/en/?page_id=157/

Access to Information

- 12) University officials will assist with all reasonable requests for information pertinent to the mandate of the office as stated herein.
- 13) The Ombudsperson will be entitled to copies of student records when accompanied by appropriate written authorization of the student(s) concerned.
- 14) The Ombudsperson shall respect the confidentiality of any confidential information or materials to which they have access. Students may request copies of records through existing University procedures for accessing records.

15) The Ombudsperson must establish records management protocols to ensure that the collection, use, disclosure and destruction of information by the office is consistent with privacy obligations.

Functions of the Office

16) Summary of Key Responsibilities

- Provide an independent, impartial and confidential office to assist students in resolving their concerns within university processes or rules
- Facilitate discussions between a student and the appropriate University administrators to address the student's concerns
- Advise students of their rights and responsibilities, and of the procedures to follow to resolve concerns
- Make referrals to appropriate bodies within the University
- Make informal and formal recommendations, where appropriate, for changes in University policies and procedures
- Write a semester report – To the Ombuds Advisory Committee at the end of the following periods: September 1 to December 31 and January 1 to April 30 with a summary of file statistics, current activities and trends analysis.
- Write an annual report – To the President of the University, the President of the Dalhousie Student Union and to the Ombuds Advisory Committee by August 30th of each year, outlining cases handled, general trends, systemic issues, recommendations and forward strategic and operational planning. The Annual report will also be presented to Senate through the Senate Learning and Teaching Committee and be made publicly available.

17) The Ombudsperson will work in collaboration with the Dalhousie Student Advocacy Services, the Student Dispute Resolution Office, Human Rights and Equity Services, and other relevant offices.

18) The Ombudsperson is responsible for the development, recommendation and the implementation of appropriate procedures to protect an individual's use of the services of the Office.

Any student has the right to seek the assistance of the Ombuds Office without reprisal or threat of reprisal from any other University member or Office.

Structure and Reporting

- 19) The Ombudsperson is an employee of Dalhousie University and will report to the Provost (reporting structure under review). Any decisions of the Provost regarding the Office of the Ombudsperson will be taken in consultation with the Ombuds Advisory Committee.
- 20) The Ombuds Advisory Committee will be composed of 3 appointees by the Provost and 3 appointees from the Dalhousie Student Union and will operate via consensus decision-making. Both parties will endeavor to stagger their appointments to ensure continuity over time. The Ombuds Advisory Committee will meet at least 6 times per year with additional meetings as agreed. The Advisory Committee may appoint ad hoc committees as needed to address time-limited specific issues or projects within the jurisdiction of the Advisory Committee.
- 21) The Ombuds Advisory Committee has the following functions:
 - a. To assist with the hiring of the Ombudsperson by participating in the University search process;
 - b. To approve the Ombudsperson's annual priorities and deliverables, and to provide direction where required;
 - c. To review, with the Ombudsperson, the semester and annual reports to discuss statistics, trends, and themes, and to make any appropriate recommendations arising out of such reports;
 - d. To support the Ombudsperson with strategic planning for the office
 - e. To find sustainable funding and set the budget for the operation of the Office of the Ombudsperson in consultation with the Ombudsperson.
 - f. To make arrangements for office space.
 - g. To advise the Provost regarding the operations of the Office of the Ombudsperson.
 - h. To review and report to the Provost on the operations and effectiveness of the office after the second Annual report.
 - i. Provide information about unfamiliar areas of the university and its community
- 22) The Ombudsperson will file the following reports:
 - a. Monthly Summaries – To the Ombuds Advisory Committee each Month with a summary of visitor statistics, current activities, trends analysis and financial statements related to any budgetary expenditures.
 - b. Annually – To the President of the University, the President of the Dalhousie Student Union and to the Ombuds Advisory Committee by August 30th of each year, outlining cases handled, general trends, systemic issues, recommendations and forward strategic and operational planning. The Annual Report will also be presented to Senate through the Senate Learning and Teaching Committee and will be made publicly available.

Terms of Employment

23) The Ombudsperson shall be selected in accordance with the standard University search process and members of the Advisory Committee will be invited to be on the selection committee.

The Ombudsperson will be an employee of the University. The Ombudsperson shall be subject to all the usual wages, benefits, rights and responsibilities of a University employee in a Professional Management position. Reporting structure under review.

24) The appointment shall be made for an initial term of two years