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 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 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.

**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 ombuds office is based on the offer of near absolute confidentiality. Therefore, the ombudsperson must keep information confidential and must use good judgement 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 ombudsman 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 judgement
- 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

• 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 Society of Professionals in Dispute 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

An ombudsperson is guided by the following principles: objectivity, independence, accessibility, confidentiality and justice; justice is preeminent.

An ombudsperson hears and investigates complaints objectively. Objectivity includes impartial attention to all available perspectives on an issue and may or may not entail support of any particular perspective.

An ombudsperson acts as independently as possible of all other offices and avoids conflict of interest, external control and either the reality or appearance of being compromised.

An ombudsperson is readily accessible to all members of the constituent community, promotes timely solutions to problems and avoids either the reality or appearance of bias toward any individual or group.
An ombudsperson treats with confidentiality all matters brought to him or her. No action is taken on a complaint without the complainant's permission. Information retained by the ombudsperson is kept secure. However, with the verbal or written permission of the complainant, such information may be carried forward by the ombudsperson.

If a complainant reports a serious problem but is unwilling to be part of any steps taken to address it, an ombudsperson tries to find a way to address the problem that is acceptable to the complainant, or that does not compromise the identity of the complainant.

However, if an individual speaks about intending serious harm to himself or herself or others, or if the complainant confesses to serious misconduct or a crime, an ombudsperson must use personal discretion in determining whether or not this information is carried forward. Discretion is likewise required in regard to matters governed by state and federal law.

An Ombudsperson considers that confidentiality may preclude complying with requests for information in the context of formal proceedings on or off campus or required by law.

An ombudsperson is guided by a concern for and commitment to justice. Justice requires that individual interests be carefully balanced with the consideration of the good of the larger academic community. An ombudsperson's commitment to justice includes the understanding of power, identification of the use and misuse of power and authority, and recognition of the need for access to power by the members of the institution.

Other concerns also govern an ombudsperson's conduct. While it is the parties who are responsible for choosing a particular resolution, the ombudsperson attempts to guide them toward options that are fair, conform with institutional policy, and give clear indication of being in their best interest. An ombudsperson remembers, and at all times protects, the right to privacy of all parties, including the alleged offenders. An ombudsperson generally does not act on third-party complaints.

An ombudsperson has a responsibility to maintain and improve professional skills, to assist in the development of new practitioners, and to promote impartial dispute resolution in the institution.

**The Ombudsman Association Standards of Practice**

We adhere to The Ombudsman Association Code of Ethics. We base our practice on confidentiality. We assert that there is a privilege with respect to communications with the ombudsman and we resist testifying in any formal process inside or outside the organization.

We exercise discretion whether to act upon a concern of an individual contacting the office. An ombudsman may initiate action on a problem he or she perceives directly. We are designated neutrals and remain independent of ordinary line and staff structures. We serve no additional role.
(within an organization where we serve as ombudsman) which would compromise this neutrality.

We remain an informal and off-the-record resource. Formal investigations - for the purpose of adjudication - should be done by others. In the event that an ombudsman accepts a request to conduct a formal investigation, a memo should be written to file noting this action as an exception to the ombudsman's role. Such investigations should be considered privileged.

We foster communication about the philosophy and function of the ombudsman's office with people we serve. We provide feedback on trends, issues, policies and practices without breaching confidentiality or anonymity. We identify new problems and we provide support for responsible systems change.

We keep professionally current and competent by pursuing continuing education and training relevant to the ombudsman profession. We will endeavor to be worthy of the trust placed in us.