A. IDENTIFICATION

Position Title: Ombudsperson
Department: University Secretariat
Position Reports To (Title): University Secretary
Date: August 1, 2017

B. POSITION SUMMARY

The Ombudsperson works to ensure that undergraduate and graduate students are treated fairly in all aspects of University life by responding to student complaints and grievances and addressing concerns related to possible breaches of rules of natural justice. Acting independent of university administration and supervisory structures, the Ombudsperson conducts investigations through the impartial, prudent, and effective review and analysis of the facts as they pertain to administrative processes and the application of the rules of natural justice. The incumbent informs students regarding the avenues available to them to address and resolve their complaints; mediates or intervenes to assist in the resolution of conflicts; and provides advice and recommendations to decision-makers on the fair resolution of complaints. The Ombudsperson provides information to students to apprise them of their rights and responsibilities and interprets University regulations, policies, and procedures, including the processes of appeal. The incumbent recommends changes in University policies and procedures to ensure fair treatment of students. The Ombudsperson provides an Annual Report to the University community on activities, complaints and their resolution, and other issues of significance.

C. DUTIES AND RESPONSIBILITIES

Works to ensure that undergraduate and graduate students are treated fairly in all aspects of University life by responding to student complaints and grievances and addressing concerns related to possible breaches of rules of natural justice. Acting independent of University administration and supervisory structures, conducts investigations through impartial, prudent, and effective review and analysis of the facts as they pertain to administrative processes and the application of the rules of natural justice.

Conducts impartial complaint handling and investigations of complaints or grievances about any aspect of university life, at the request of undergraduate and graduate students, or upon the Ombudsperson's own initiative. Investigations may involve discussions with students, faculty, and staff.

Whenever possible, assists students to resolve problems through their own actions, avoiding escalation of complaints to more formal appeal procedures or resolution through more costly formal options such as litigation.

Meets with students individually regarding their concerns and, similarly, meets with decision-makers or other parties, as appropriate, to better comprehend the various perspectives of the various parties.

Provides impartial advice, information, guidance, mediation, intervention, and referral to students and the university community, as appropriate. Upon request, and if agreed upon by all parties, facilitates discussions or mediates disputes between students, faculty, and/or staff, with a view to achieving a resolution.

Builds and maintains relationships with key decision-makers, including senior administration, Deans, Chairs, faculty, staff and student societies in advance of any complaints or grievances, and advocates for administrative fairness and accountability in decision-making processes. Works closely with Student Services, Office of Graduate and Postdoctoral Studies, academic departments, and the Human Rights Office.
Investigates and researches relevant University policies and procedures; engages in fact-finding; and considers evidence. Confers with colleagues; gathering information about practices and protocols; interprets policies; and seeks legal clarification from Counsel as appropriate.

Researches and compares SFU’s policies and procedures to those at other institutions (e.g., policies pertaining to academic calendars, administrative policies and procedures, Residence and Housing, and specific policies within academic programs and units).

Maintains current knowledge of provincial statutes as well as the policies and procedures of external organizations including the Office of the BC Ombudsperson, British Columbia Human Rights Tribunal, Student Aid BC and other external organizations. Maintains current knowledge of the University Act, the Freedom of Information and Protection of Privacy Act and Human Rights Code. Regularly reviews current literature provided by various professional Ombudsperson organizations.

Reviews and monitors the University’s procedural and policy documents for administrative fairness and their impact on students and, when necessary or requested, provides feedback based on research and knowledge of best practices.

Develops recommendations and makes oral and written presentations to senior University administrators outlining problems and suggesting improvements. Participates on University wide policy committees or task forces as a non-voting member, providing that the impartiality of the role of the Ombudsperson is maintained and potential conflicts of interest are avoided. Makes submissions regarding relevant policy initiatives.

Provides ongoing advice, information and recommendations to the appropriate decision-making bodies and individuals in the University community on issues of significance having impact on students.

Serves as a consultant to all members of the University community with respect to University regulations, policies, and procedures pertaining to students.

Prepares an Annual Report to the SFU community that is submitted to the Ombuds Advisory Committee and distributed electronically to the university community. This Annual Report provides a brief overview of the major initiatives undertaken by the office, a statistical summary of the caseload, a summary account of recommendations made by the Ombudsperson and the responses to those recommendations, with due regard to the confidentiality rights of the parties.

Promotes the services of the Office and educates students about the role of the Ombudsperson. Markets services on the Web and in print media, with posters and brochures, in university publications such as the SFU Calendar, and in other ways, in order to reach the broader university community.

Participates in SFU community events such as student and faculty orientations, Teaching Assistant (TA)/ Tutor Marker (TM) Day, and attends various other student events on a regular basis to promote the services of the Office.

Creates and publishes educational materials and information on conflict resolution, problem solving, and other issues related to fairness and university issues, for the use of students, faculty, staff, and others.

Establishes and maintains the administrative systems necessary to achieve objectives. Identifies resource requirements and manages the operating budget for the Office of the Ombudsperson.

Provides ongoing education and communication about the role of the Ombudsperson. Designs and conducts training programs for the University community on topics such as dispute/conflict resolution, negotiation skills and theory, and civility.

Maintains contact with external bodies including the Office of the Ombudsperson of British Columbia, Canadian and American University and College Ombudspersons, as well as Ombudspersons in different sectors.

D. DECISION MAKING

i) Give some typical examples of the most important decisions the incumbent is expected to make in carrying out the duties and responsibilities of the position. To what extent can the incumbent rely on established policies or advice from others in making these decisions?
Makes decisions regarding:

- responses to student complaints and grievances;
- conduct of investigations;
- appropriate course of action on individual student complaints;
- interpretation of academic and administrative policies and procedures;
- identification of broader issues emerging from aggregated case data;
- handling of sensitive and confidential information;
- administration of operating budget expenses and office management;
- recruitment and hiring of temporary staff within the approved operating budget;
- recommendations to the University's administration for improvement of policies, procedures, and practices; and
- referral of issues requiring the attention of the senior administrator (or designate) responsible for the policy and/or to the Ombuds Advisory Committee.

ii) Give some examples of the types of decisions the incumbent would refer to his/her supervisor.

Refers decisions regarding the broad strategic direction of the Office of the Ombudsperson to senior administrators and/or to the Ombuds Advisory Committee and may direct concerns or information to the University President, Associate Vice-President Students, the Vice-President Academic, the Registrar, Deans, Chairs, or line managers in the area under review, as appropriate.

Respecting confidentiality, consults with the appropriate decision-making body and the Ombuds Advisory Committee on matters relating to: conflicts of interest; situations that are beyond existing University Senate policy; and those that, in the opinion of the incumbent, could have serious legal or operational implications for the University.

E. SUPERVISION EXERCISED

Number of continuing employees reporting directly to the position: 0
Total number of continuing employees for whom the position has direct responsibility: 0

Note: Supervises temporary staff as needed.

F. SUPERVISION RECEIVED

The incumbent exercises a considerable degree of latitude while working under the general supervision of the University Secretary. The incumbent is primarily self-directed, operates independently and exercises a high level of autonomy, discretion and judgement. Meets with the University Secretary on a bi-weekly basis.

G. UNUSUAL WORKING CONDITIONS

The incumbent must act independent of university administrative and supervisory structures. Persons seeking the services of the Ombudsperson may be stressed, emotional, angry, or have a very active sense of grievance. Problems and issues to be resolved are often multi-dimensional, complex, and challenging.

The incumbent interacts with a large number of individuals from diverse groups and representing all levels of the University from the President, to senior administration, to faculty, staff, and students.

The incumbent is required to exercise the utmost of professional discretion when handling highly confidential and sensitive matters. Due to the requirement to act impartially, the incumbent may sometimes be socially isolated.

H. ENTRANCE QUALIFICATIONS

Master's degree in Counseling or Law with eight years of related experience including experience in conflict resolution, human rights, negotiation, conduct of investigations, and reporting in a complex, multi-stakeholder environment, or an equivalent combination of education, training, and experience.

Excellent knowledge and adherence to the principles of fairness and natural justice.

Excellent knowledge of the services provided under the auspices of the Office of the BC Ombudsperson.
Excellent knowledge of professional codes of practice that apply to the Ombudsperson.
Good understanding of an academic setting, collegial governance, university governance and the principles of academic freedom.
Excellent interpersonal and communication skills (oral and written).
Excellent negotiation and conflict resolution skills.
Excellent research, analytical reasoning and problem-solving skills.
Excellent organizational and administrative skills.
Good public speaking skills.
Ability to deal effectively with clients in crisis and to diffuse emotional situations and conflicts.
Ability to exercise tact, sensitivity, and discretion.
Ability to investigate and negotiate problems that are complex and political in nature.
Ability to think critically and creatively.
Ability to diplomatically deliver unwelcome messages to students or decision-makers.
Ability to build relationships and credibility while resolving difficult issues.
Ability to act independently, maintain impartiality, a stance of neutrality and strict confidentiality.
Ability to conceive and write policy and procedural documents and reports.
Proficient in the use of word processing, database, spreadsheet, and desktop publishing applications.