



IOA STANDARDS OF PRACTICE

PREAMBLE

The IOA Standards of Practice are based upon the principles stated in the International Ombudsman Association Ethical Principles. These Standards have been developed to empower the unique and valuable role of the Organizational Ombudsman. The Standards serve as a guide for establishing policies and procedures for Organizational Ombudsman practice and are intended to be adaptable to different settings and jurisdictions, while also defining and incorporating the core elements and requirements necessary for operating a sound Organizational Ombudsman program. The work of the Ombudsman Program is grounded on the fundamental principles of fairness, equity, respect, and fair process, which guide the Program in fulfilling its mission to the sponsoring organization to assist people and to provide systemic and organizational feedback to senior leaders of the organization.

STANDARDS OF PRACTICE

1. GENERAL PRACTICE STANDARDS

- 1.1 The Ombudsman is an independent, impartial, informal and confidential resource for an organization.
- 1.2 The Ombudsman assists people on how they might resolve or surface their concerns through voluntary consultation and off the record assistance. When possible, the Ombudsman helps people develop new ways to solve problems themselves. In working with individuals and groups, the Ombudsman facilitates fair resolutions that build trust and fortify the relationship between the individual and the organization.
- 1.3 The Ombudsman assists the sponsoring organization by identifying procedural irregularities and broader systemic problems when appropriate. The Ombudsman identifies for senior management of the organization emerging systemic problems, policy issues, and patterns of problematic behavior in ways that do not disclose confidential communications or information. The Ombudsman may provide general recommendations to the organization for addressing these concerns.
- 1.4 The Ombudsman acts in accordance with the IOA Ethical Principles and Standards of Practice, and keeps professionally current by pursuing relevant continuing education, and provides opportunities for other Ombudsman staff to pursue professional training.
- 1.5 Each Ombudsman program shall have a charter, terms of reference or a detailed program description approved by senior management, that complies with the provisions of the IOA Ethical Principles and Standards of Practice and that articulates the basis on which the Ombudsman operates.
- 1.6 The Ombudsman endeavors to be worthy of the trust placed in the Ombudsman Office.

2. INDEPENDENT

- 2.1 The Ombudsman is established to operate independently in appearance, purpose, administration, and decision-making and with suitable measures to protect this independence in the organizational hierarchy and formal chain of command. The Ombudsman Office is established, located, and structured to ensure that the Ombudsman functions freely without influence from other functions or entities within the organization.
- 2.2 In executing the Ombudsman roles and responsibilities, the Ombudsman reports to the highest level possible within the organization and should not report programmatically to any business or compliance function or entity that could affect, or be perceived as affecting, the Ombudsman's independence.
- 2.3 The Ombudsman holds no other position that would compromise independence or could be reasonably perceived as compromising independence. If the Ombudsman has collateral duties, they must clearly define and communicate when they are acting as the Ombudsman. The Ombudsman has no formal policy or decision-making, enforcement or disciplinary role except internally within the Ombudsman program. Except as mandated by law, the Ombudsman shall not serve in a position or role that is designated by the organization as an officer or place to receive formal notice of complaints or grievances on behalf of the organization. However, the Ombudsman may refer individuals to the appropriate place where formal notice of claims can be made.

2.4 The Ombudsman exercises sole discretion over whether or how to engage regarding an individual's concern, an observed trend, or concerns of multiple individuals over time. The Ombudsman may also initiate action in response to their direct observation to bring a concern to the attention of appropriate individuals.

2.5 The Ombudsman has access to relevant individuals and information within the organization as permitted by law and as necessary to fulfill their informal role.

2.6 The Ombudsman has authority to select Ombudsman program staff and manage the Ombudsman program budget and operations without undue external influence or limitations.

3. IMPARTIAL

3.1 The Ombudsman strives for impartiality, neutrality, fairness, and objectivity in the treatment of people and the consideration of issues. The Ombudsman advocates for fairly and equitably administered processes but does not advocate on behalf of any individual within the organization.

3.2 The Ombudsman approaches the presenting concern objectively, without bias or partiality regarding the issues under review and strives to foster best practices, and fair and equitable outcomes.

3.3 The Ombudsman has no personal interest or stake in, and incurs no gain or loss from, the outcome of an issue. The Ombudsman declines involvement in a matter when they believe there may be a real or perceived conflict of interest, which is likely to affect impartiality or reasonably create an appearance of partiality or bias.

3.4 The Ombudsman has a responsibility to fairly and impartially consider the concerns and interests of all individuals affected by any matter under consideration.

3.5 The Ombudsman strives to facilitate quality communication, dialogue, and collaborative problem solving and helps individuals or groups develop a range of reasonable options to surface or resolve issues or concerns.

4. INFORMAL

4.1 The Ombudsman is an informal and off-the-record resource. Except when mandated by law, the Ombudsman is not a formal reporting channel for the organization. The Ombudsman is not authorized to act as an agent for and does not accept notice on behalf of the organization in connection with confidential communications or information. Confidential communications with the Ombudsman do not constitute notice of claims against the organization.

4.2 The Ombudsman does not make binding decisions, mandate policies or formally adjudicate issues. The Ombudsman supplements, but does not provide or replace, formal investigative, policy enforcement, or disciplinary functions. Use of the Ombudsman Office is voluntary and is not a required step in any formal disciplinary process or grievance policy. If a formal documentation or investigation of a matter is requested, the Ombudsman refers individuals to the appropriate designated person or office.

4.3 The Ombudsman keeps no long-term records containing confidential information and maintains information such as temporary notes, phone messages, and appointment calendars in a secure manner, protected from disclosure to others. The Ombudsman has a consistent practice for the destruction of all such temporary confidential information.

5. CONFIDENTIAL

5.1 To the maximum extent permitted by law, the Ombudsman holds the identity of visitors and all information and communications in connection with those seeking assistance as confidential information and takes reasonable measures to safeguard the privacy and confidentiality of those seeking Ombudsman services.

5.2 The Ombudsman may disclose confidential information on a limited basis, and only to the extent necessary, when, in the Ombudsman's sole discretion, failure to disclose information could result in imminent risk of serious harm. Confidential information may also be shared with the individual's express permission, and at the discretion of the Ombudsman, when appropriate to assist with informal resolution of a concern.

5.3 The Ombudsman does not disclose confidential information in any formal process inside the organization and, to the maximum extent permitted by law resists disclosing confidential information in any formal process outside of the organization, even if given permission or requested to do so. However, the Ombudsman may provide general, non-confidential information in any appropriate forum about the Ombudsman program.

5.4 The principles included in this section shall be reflected in the Ombuds charter, terms of reference, or detailed program description documents.

5.5 The Ombudsman shares any data or reports in a manner that protects confidential information.