

# Office of the University Ombudsperson | Seattle University

## Charter: Scope of Services and Principles of Practice

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The Office of the University Ombudsperson promotes a civil and inclusive campus community. The University Ombudsperson assists with individual concerns through service, education, and serves as a change agent to address group conflict and systemic concerns. It is the goal of the University Ombudsperson to foster a culture of healthy, safe and open dialogue, and facilitate cooperative problem resolution in its mission to promote a humane, inclusive, and equitable climate for Seattle University.

The University Ombudsperson practices within the International Ombuds Association (“IOA”) Standards of Practice and Code of Ethics. The Ombudsperson provides independent, confidential, impartial, and informal conflict management services to Seattle University employees (limitations to scope of services and confidentiality are highlighted under Authority and Limits). IOA’s standards and ethics are in alignment with Seattle University’s progressive and innovative Jesuit mission and values, dedicated to educating the whole person, to professional formation, and to empowering leaders for a just and humane world. The University Ombudsperson contributes directly to SU’s mission and embodies its values by providing a neutral space where the unique and diverse needs of employees can be heard, visitors are empowered with tools to address their concerns, and leaders are supported in their efforts to create a caring and just climate.

The University Ombudsperson embraces diversity and inclusion through respectful dialogue and collaborative problem solving, works in concert with DEI initiatives, provides a safe space to listen to the unique concerns of each visitor, and focuses on supporting the whole person when exploring options for problem solving and well-being. Ombuds services support the University’s mission to create an inclusive campus climate for all employees.

### **SCOPE OF SERVICES**

The Office of the University Ombudsperson is a place where staff and faculty members of the University community can seek guidance regarding conflicts, concerns, and systemic issues. The University Ombudsperson (Ombuds) will strengthen existing campus communication and administrative processes by acting as a designated neutral referral resource and conflict resolution practitioner. The Ombuds’ major function is to provide confidential and informal assistance to the University community by listening to concerns, valuing diverse perspectives and needs, clarifying issues, proposing options for resolution, providing information and referrals, and if all parties agree, facilitating informal, nonbinding mediation or group facilitation. Serving as a designated neutral, the Ombuds is not an advocate for any individual or for the University, but rather acts as an advocate for fairness and healthy campus conflict resolution. The Ombuds does not have the power to make any decisions regarding the outcome of employee conflicts nor does the Ombuds have the power to reverse any decision made or

actions taken by the University. The Ombuds does not provide legal advice or psychological counseling.

In collaboration with the Office of Diversity and Inclusion and campus partners devoted to creating an inclusive climate for all employees, the University Ombudsperson provides development opportunities to support a working climate that is welcoming for all. Through education and preventive outreach, the Ombuds promotes healthy conflict resolution, collaborative problem solving, and provides a safe space to facilitate group dialogue to build inclusive teams. This position supplements and complements, but does not replace, the University's existing resources for conflict resolution. The Ombuds may report anonymous trend data to leadership and the University community and provide a range of conflict management trainings to the SU community. The Ombuds will not accept legal notice on behalf of the University, and information provided to the Ombuds will not constitute notice to the University.

### **STANDARDS OF PRACTICE AND CODE OF ETHICS**

The Ombuds practices the International Ombuds Association ("IOA") Standards of Practice and Code of Ethics. These tenets require that the Ombuds function independently of decision-making structures, be confidential and neutral, and limit the scope of their services to informal means of dispute resolution, conflict management, and outreach. The Ombuds will be truthful and act with integrity, foster respect for all members of the University and will promote procedural fairness in the content and administration of the University's practices, processes and policies. The Ombuds is a member of the International Ombuds Association.

The Ombuds will publicize the confidential, independent, impartial, and informal nature of their services through a website and written materials, as well as communicate the standards to each visitor. The Ombuds will also communicate any limits to the confidentiality of the office.

#### ***Independence***

The Ombuds will be free from interference in the performance of their duties in individual cases. This independence is affected and supported primarily through organizational recognition, reporting structure, and role neutrality. The Ombuds reports to the Vice President for Diversity and Inclusion and operates independent of other staff reporting structures.

#### ***Confidentiality***

The Office of the Ombudsperson provides a safe, "off the record" space for all SU employees to share their concerns. The Ombuds maintains the confidentiality of communications with their visitors and does *not* maintain personally identifying records. Visitors should be aware that at times, in order to protect the safety of members of the University community, the Ombuds may not be able to maintain the confidentiality of certain disclosures, including but not limited to, disclosures regarding imminent threats to public safety, child abuse or neglect, vulnerable adults, and/or harm to self or others.

Ombuds services are both informal and confidential. They will not participate in any formal, documented process inside or outside the University. Speaking with an Ombuds does not constitute legal notice to the University of any problem, concern, or complaint. The Ombuds has no duty or responsibility to report incidents to any person or authority, other than as described above.

### ***Neutrality/Impartiality***

The Ombuds will be neutral in their approach and will not advocate for any individual perspective in a conflict, dispute or issue. Ombuds impartially consider the interests and concerns of all parties involved in a situation with the aim of facilitating communication and assisting all visitors in reaching mutually acceptable outcomes that are fair and equitable, and consistent with the mission of the University. The Ombuds will avoid involvement in matters where there may be a conflict of interest. (A conflict of interest occurs when the Ombuds' private interests, real or perceived, supersede or compete with their dedication to the neutral and independent role of the Ombuds.) When a conflict of interest exists, the Ombuds will take all steps necessary to disclose and/or refer the visitor to another resource.

### ***Informality***

The Ombuds is a resource for informal resolution and conflict management and does not participate in formal processes. When an employee visits the Office of the Ombudsperson, the Ombuds will help the visitor explore all options available to them, assist with informal options, and make appropriate referrals for formal avenues for resolution. Use of the Ombuds is always voluntary and not a required step in any grievance process, University policy or any other situation.

## **AUTHORITY AND LIMITS OF THE UNIVERSITY OMBUDSPERSON**

### **Authority of the Ombudsperson**

Ombuds may, at times, contact senior leaders or other members of the University community, to gather information in the course of looking into a problem, to mediate conflicts, to surface systemic concerns and issues of risk, and to informally assist with the resolution of administrative processes. Engaging with the Office of the University Ombudsperson is always voluntary.

#### ***1. Initiating Informal Inquiries***

The Ombuds can inquire informally about any issue concerning the University and affecting any member of the University community but will not divulge the identity of a visitor without the visitor's consent. The Ombuds may initiate informal inquiries into matters that come to their attention without having received a specific complaint from an affected member of the University community, to address systemic concerns.

#### ***2. Access to Information***

The Ombuds may request access to information related to visitors' concerns, from offices of the University, and shall respect the confidentiality of that information.

3. *Ending Involvement in Matters*

The Ombuds may withdraw from or decline to look into a matter if they believe involvement would be inappropriate for any reason.

4. *Discussions with Visitors and Others*

The Ombuds can discuss a range of options available to their visitors, including both informal and formal processes. The Ombuds may make any recommendations they deem appropriate with regard to resolving problems or improving policies, rules or procedures. However, the Ombuds has no authority to impose remedies or sanctions, require certain processes be utilized or enforce or change any policy, rule or procedure.

### **Limitations on the Authority of the Ombudsperson**

1. *Receiving Notice for the University*

Communication to the Ombuds does not constitute notice to the University. This includes allegations that may be perceived to be violations of laws, regulations or policies, including but not limited to sexual harassment, discrimination, issues covered by whistleblower policies or laws, or incidents subject to reporting under the Clery Act. Although the Ombuds may receive such allegations, they are not a “campus security authority” as defined in the Clery Act, nor are they required to report these allegations to the University. In addition, if the visitor discloses such allegations and expresses a desire to make a formal report, the Ombuds will refer the visitor to the appropriate University office(s) for investigation, response, remediation, support or administrative or formal grievance processes.

2. *Putting the University on Notice*

If a visitor would like to put the University on notice regarding a specific situation or wishes for information to be provided to the University, the Ombuds will provide the visitor with information so that the visitor may do so themselves. In certain situations, including but not limited to situations that involve public safety, harm to self or others, child abuse or neglect, or vulnerable adults, the Ombuds may have an ethical or legal obligation to put the University on notice in order to protect the safety of the public or members of the University community. In accordance with Washington State law, the University Ombudsperson is a mandatory reporter for suspected child abuse or neglect: <https://www.seattleu.edu/media/policies/Policy-Statement-on-Reporting-Suspected-Child-Abuse.pdf>

3. *Formal Processes and Investigations*

The Ombuds will not conduct formal investigations of any kind. The Ombuds will not participate in the substance of any formal dispute processes, outside agency complaints or lawsuits, either on behalf of a visitor to the Ombuds or on behalf of the University unless compelled to do so by court order or applicable law.

4. *Collective Bargaining Agreements*

The Ombuds will not address any issues governed by a collective bargaining agreement (“CBA”). The Ombuds will advise all represented staff who visit the Ombuds to consult their union representative to confirm an understanding of their rights and related procedures under the relevant CBA. The Ombuds may provide other services to represented staff on issues not governed by a CBA.

5. *Record Keeping*

The Ombuds does not keep records for the University and will not create or hold documents or personally identifying records for the University about individual matters.

6. *Advocacy for Visitors*

The Ombuds does not act as an advocate for any party in a dispute, nor does the Ombuds represent management or visitors to the office.

7. *Adjudication of Issues*

The Ombuds does not have authority to adjudicate, impose remedies or sanctions, or to enforce or change University policies or rules.

**PROTECTION FROM RETALIATION FOR USING THE OFFICE OF THE UNIVERSITY OMBUDSPERSON**

The University is committed to protecting faculty, staff, and students who visit the Ombuds from reprisal or retaliation by others in the University community. Concerns regarding retaliation for accessing Ombuds services should be brought to the attention of the University Ombudsperson, who will refer the visitor to the appropriate office for a formal review and response if requested.

**REFERENCES**

The International Ombuds Association’s Code of Ethics and Standards of Practice can be found at: <https://ioa.memberclicks.net/standards-of-practice-code-of-ethics>