

# University College Cork

## Independent Staff Ombudsman [ISO]

### 1. Role of Ombudsman?

The Independent Staff Ombudsman is a designated neutral person who provides confidential and informal assistance in resolving university-related concerns, complaints or conflicts.

### 2. Appointment of the Independent Staff Ombudsman

The post of Independent Staff Ombudsman is a part-time one, tenable for a period of two years and renewable once only. The holder will ordinarily be a senior member of University staff, or recently retired member of staff, who is familiar with the workings of the University and who will report directly to the President. The holder of the post shall be jointly agreed between management and unions.

The Independent Staff Ombudsman does not have the authority to take disciplinary action, overturn decisions or over-ride regulations.

The Independent Staff Ombudsman has a specific role under the University's Duty of Respect and Right to Dignity Policy.

### 3. In What ways can the Independent Staff Ombudsman help?

In relation to staff issues brought to the attention of the ISO and which are not the subject of a formal grievance under the University's Grievance Procedure, the ISO may offer assistance with the informal resolution of such issues.

The ISO provides a safe and confidential environment to discuss concerns or complaints outside formal channels.

The ISO is available to all members of the University staff. A Student Advisor and Ombudsman is available to students.

The ISO is independent of the University's formal administrative structure and all other departments on campus. This independence ensures that University-related concerns can be discussed in an impartial and strictly confidential environment.

The ISO cannot impose solutions, but can identify options and strategies for resolution.

The ISO may:

- listen to, and help to analyze the problem or complaint;
- identify and explain relevant University policies and procedures;

- help to define and evaluate options;
- assist with the resolution of staff conflict issues as informally and locally as possible
- help to resolve the problem informally and expeditiously;
- initiate discussions with other involved parties (with permission);
- make referrals to other campus and University resources;
- recommend changes in University policies or procedures that may be outdated, ineffectual or arbitrary and;
- offer, source/provide mediation services if agreed with both parties to a dispute.

## **(2) Confidentiality**

All inquiries to the ISO will remain confidential except in cases of serious threat to life or property. The ISO does not report the names of those who use the service to anyone without their permission.

- the ISO works in confidence to resolve problems.
- the ISO will not disclose any information provided in confidence, except where there is a serious threat to life or property.
- the ISO will protect the identity of individuals and their concerns. The ISO will not disclose having met or talked with a party or parties, without permission of the party or parties.
- the ISO will take specific action related to an individual's concerns only with the individual's express permission and only to the extent permitted.
- if the ISO pursues an issue systemically, the ISO will do so without revealing the identity of the complainant or the situation that could be associated with a particular individual(s).
- the ISO will not violate institutional standards of privacy or confidentiality in the pursuit or provision of information.
- the ISO carefully prepares data and/or reports on an anonymous basis to preserve confidentiality.

## **(3) When should a Staff Member contact the ISO?**

- when a staff member has a conflict with another party and needs help in facilitating resolution
- to discuss a sensitive issue in confidence.
- when a staff member is unsure which policies, procedures, or regulations apply;
- when a staff member feels a policy, procedure, or regulation has been unfairly applied to him/her;
- when a staff member has a complaint about an office or service of the University;
- when a staff member doesn't know who to talk to, where to turn or what options are available.

#### **(4) What a Independent Staff Ombudsman does not do.**

- the ISO does not act as an advocate in a dispute. The ISO is neutral and impartial.
- the ISO does not represent individuals in appeals either on campus or off campus.
- The ISO does not provide legal representation or give legal advice.
- the ISO does not get involved in non-University related problems or complaints.
- the ISO does not overturn binding decisions, but can examine procedural fairness.
- **the ISO's Office is not an office of record. Speaking with the ISO is not "notice to the University" of problems or policy violations. Often persons will seek advice from the ISO privately, before deciding what actions to take in response to a problem. If you want the University to "be on notice," that is, formally to know about a particular problem and formally respond, the ISO can help you identify what office you would need to contact.**
- the ISO does not keep formal written records. The Ombudsman can help a staff member to determine how to keep his/her own records, if the staff member so wishes.