

IOA Standards of Practice

Preamble

The IOA Standards of Practice are based upon and derived from the ethical principles stated in the IOA Code of Ethics.

Each Ombuds office should have an organizational Charter or Terms of Reference, approved by senior management, articulating the principles of the Ombuds function in that organization and their consistency with the IOA Standards of Practice.

Standards of Practice

Independence

1.1 The Ombuds Office and the Ombuds are independent from other organizational entities.

1.2 The Ombuds holds no other position within the organization which might compromise independence.

1.3 The Ombuds exercises sole discretion over whether or how to act regarding an individual's concern, a trend or concerns of multiple individuals over time. The Ombuds may also initiate action on a concern identified through the Ombuds' direct observation.

1.4 The Ombuds has access to all information and all individuals in the organization, as permitted by law.

1.5 The Ombuds has authority to select Ombuds Office staff and manage Ombuds Office budget and operations.

Neutrality and Impartiality

2.1 The Ombuds is neutral, impartial, and unaligned.

2.2 The Ombuds strives for impartiality, fairness and objectivity in the treatment of people and the consideration of issues. The Ombuds advocates for fair and equitably administered processes and does not advocate on behalf of any individual within the organization.

2.3 The Ombuds is a designated neutral reporting to the highest possible level of the organization and operating independent of ordinary line and staff structures. The Ombuds should not report to nor be structurally affiliated with any compliance function of the organization.

2.4 The Ombuds serves in no additional role within the organization which would compromise the Ombuds' neutrality. The Ombuds should not be aligned with any formal or informal associations within the organization in a way that might create actual or perceived conflicts of interest for the Ombuds. The Ombuds should have no personal interest or stake in, and incur no gain or loss from, the outcome of an issue.

2.5 The Ombuds has a responsibility to consider the legitimate concerns and interests of all individuals affected by the matter under consideration.

2.6 The Ombuds helps develop a range of responsible options to resolve problems and facilitate discussion to identify the best options.

Confidentiality

3.1 The Ombuds holds all communications with those seeking assistance in strict confidence and takes all reasonable steps to safeguard confidentiality, including the following: The Ombuds does not disclose confidential communications unless given permission to do so in the course of informal discussions with the Ombuds, and even then at the sole discretion of the Ombuds; the Ombuds does not reveal, and must not be required to reveal, the identity of any individual contacting the Ombuds Office, nor does the Ombuds reveal information provided in confidence that could lead to the identification of any individual contacting the Ombuds Office, without that individual's express permission; the Ombuds takes specific action related to an individual's issue only with the individual's express permission and only to the extent permitted, unless such action can be taken in a way that safeguards the identity of the individual contacting the Ombuds Office. The only exception to this privilege of confidentiality is where there appears to be imminent risk of serious harm, and where there is no other reasonable option. Whether this risk exists is a determination to be made by the Ombuds.

3.2 Communications between the Ombuds and others (made while the Ombuds is serving in that capacity) are considered privileged. The privilege belongs to the Ombuds and the Ombuds Office, rather than to any party to an issue. Others cannot waive this privilege.

3.3 The Ombuds does not testify in any formal process inside the organization and resists testifying in any formal process outside of the organization, even if given permission or requested to do so.

3.4 If the Ombuds pursues an issue systemically (e.g., provides feedback on trends, issues, policies and practices) the Ombuds does so in a way that safeguards the identity of individuals.

3.5 The Ombuds keeps no records containing identifying information on behalf of the organization.

3.6 The Ombuds maintains information (e.g., notes, phone messages, appointment calendars) in a secure location and manner, protected from inspection by others (including

management), and has a consistent and standard practice for the destruction of such information.

3.7 The Ombuds prepares any data and/or reports in a manner that protects confidentiality.

3.8 Communications made to the Ombuds are not notice to the organization. The Ombuds neither acts as agent for, nor accepts notice on behalf of, the organization. However, the Ombuds may refer individuals to the appropriate place where formal notice can be made.

Informality and Other Standards

4.1 The Ombuds functions on an informal basis by such means as: listening, providing and receiving information, identifying and reframing issues, developing a range of responsible options, and – with permission and at Ombuds discretion – engaging in informal third-party intervention. When possible, the Ombuds helps people develop new ways to solve problems themselves.

4.2 The Ombuds as an informal and off-the-record resource pursues resolution of concerns and looks into procedural irregularities and/or broader systemic problems when appropriate.

4.3 The Ombuds does not make binding decisions, mandate policies, or formally adjudicate issues for the organization.

4.4 The Ombuds supplements, but does not replace, any formal channels. Use of the Ombuds Office is voluntary, and is not a required step in any grievance process or organizational policy.

4.5 The Ombuds does not participate in any formal investigative or adjudicative procedures. Formal investigations should be conducted by others. When a formal investigation is requested, the Ombuds refers individuals to the appropriate offices or individual.

4.6 The Ombuds identifies trends, issues and concerns about policies and procedures, including potential future issues and concerns, without breaching confidentiality or anonymity, and provides recommendations for responsibly addressing them.

4.7 The Ombuds acts in accordance with the IOA Code of Ethics and Standards of Practice, keeps professionally current by pursuing continuing education, and provides opportunities for staff to pursue professional training.

4.8 The Ombuds endeavors to be worthy of the trust placed in the Ombuds Office.