

The University of Tennessee, Knoxville

Office of Ombuds Services Charter

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THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

OFFICE OF OMBUDS SERVICES

Introduction

The University of Tennessee, Knoxville, Office of Ombuds Services was established on May 1, 2019. The office serves as an independent, impartial, confidential, and informal resource for the Knoxville campus and the University of Tennessee Institute of Agriculture employees, both faculty and staff, as well as graduate students. The office was established by the University of Tennessee, Knoxville, chancellor to provide the university community an informal channel of conflict resolution and to obtain access to impartial and honest resolution of problems within the organization. The office is staffed by an ombudsperson who practices in accordance with professional standards and will work with visitors as a trusted consultant.

Mission

The office will serve as a no-barrier first stop when seeking information and insight from a trusted consultant who is independent, impartial, confidential, and informal. The ombudsperson will help visitors make empowered decisions related to organizational disputes, conflicts, and barriers that stand in the way of reaching their full potential. Visitors, as well as stakeholders when appropriate, will engage in constructive problem solving with the ombudsperson that instills respect and civility. The ombudsperson will help visitors identify, examine, and reflect on their experiences relative to university policies and procedures, including as requested generating options for navigating the specific situation. When appropriate, the ombudsperson will provide training, educational activities, and coaching to individuals and organizational units that are facing challenges. The ombudsperson also serves as a catalyst for constructive organizational change by identifying and reporting emerging trends and issues and providing upward feedback to university officials.

Responsibilities

The Office of Ombuds Services is responsible for:

- Providing a confidential and safe space for visitors to share, discuss, and reflect on their experiences
- Providing consulting services to assist visitors engaging in proactive individual as well as organizational problem solving
- Serving as a source of information for visitors informing them of formal organizational resources that may include policies and procedures as well as employee and student support offices
- Facilitating informal conflict resolution at the request of visitors
- Engaging in informal discussions about policies, procedures, and specific visitor situations that can help facilitate informal conflict resolution
- Engaging in outreach and educational activities that assist visitors and specific units
- Preparing an annual activity report that summarizes trends among visitor experiences to identify systemic issues that inform future development of campus policies and practices

- Presenting the annual report to university leaders and Faculty Senate, as well as other employee and graduate student support units

Standards of Practice

The Office of Ombuds Services will operate consistently with the International Ombuds Association (IOA) Code of Ethics and Standards of Practice. The IOA is dedicated to excellence in the practice of ombuds work and their code of ethics provides a common set of professional ethical principles to which members adhere. The IOA Code of Ethics reflects a commitment to promoting ethical conduct in the performance of the ombudsperson role and to maintaining the integrity of the ombuds profession. An ombudsperson shall be truthful and act with integrity, shall foster respect for all members of the organization she or he serves, and shall promote procedural fairness in the content and administration of the organization's practices, processes, and policies.

Independent

The office is independent in structure, function, and appearance to the highest degree possible within the university and independent of internal and external forces. This is achieved through organizational recognition, reporting structure, and neutrality. The office reports to the chancellor, but the chancellor does not direct or control the day-to-day operations of the office. The office is not affiliated with any compliance function, and any guidance provided is not binding. The office budget and operations are managed by the ombudsperson.

Neutral and Impartial

The office does not take sides and instead works each situation in a manner that allows everyone involved to be treated professionally and in good faith. An ombudsperson will not act as an advocate in any conflict, dispute, or issue. The office does not engage in situations which could create or imply a conflict of interest, including serving as an advocate for any party.

Confidential

The office is a confidential and off-the-record resource for visitors except as may be required by law or university policy. An ombudsperson does not keep detailed visitor records, and any reporting required shall be done in a way that protects visitor confidentiality. Unless otherwise required by university policy or by law, the office does not participate in formal processes, whether internal or external to the university, even when given permission by the individual who consulted with an ombudsperson.

The only exceptions to confidential communications include when:

- Permission is granted by a visitor to disclose information
- There appears to be an imminent risk of serious harm
- Disclosure is otherwise required by university policy or by law

Informal

The office provides informal services to visitors and other parties who seek consultation voluntarily. A visit to the office does not trigger any formal processes at other university units. Office services are not part of any administrative or formal university procedures and are not a required step in any formal process available at the university. Additionally, the office does not participate in any formal adjudicative or administrative procedure related to concerns brought to the office, unless compelled to do so following university policies and by law.

Procedures and Operations

When visitors talk with an ombudsperson they will:

- Be treated respectfully
- Not be required to share their conversations with anyone else
- Not be required to engage in formal Faculty Senate, Graduate School, Human Resources, Office of Diversity and Equity, or any other grievance processes

The office operates as a safe space for faculty, staff, and graduate students to share their experiences, and it works to protect fairness and respect for all. Retaliation to visitors will not be tolerated by university leaders following university policy as well as state law.

Authority and Limits

The office supplements, but does not replace, existing formal processes available. Generally, the use of ombudsperson services does not delay the filing of any formal grievance or complaint procedure. In most cases, the ombudsperson may serve as an informal mediator if the visitor has not started an appeal through formal procedures. The office does not have the authority to change or overrule any university policy or administrative decision. The office has no authority to institute corrective measures on behalf of the university or to receive notice of any claims against the university.

Reporting

While the office is independent, it reports to the chancellor and prepares a report that is submitted every fiscal year. The report will include information related to (a) the number of faculty, staff, and graduate students served, (b) services provided to visitors, (c) any recommended change to university policies with rationale, and (d) any other matters that the office deems necessary or advisable to support employees, graduate students, and university governance. The annual report shall not disclose any information that the ombudsperson is required to keep confidential in accordance with the IOA Code of Ethics and Standards of Practice. The annual report will be shared with the Faculty Senate and various other university units that support faculty, staff, and graduate students.

Conflict of Interest

When a perceived or real conflict of interest exists, the ombudsperson will take appropriate actions to disclose and avoid the conflict. The ombudsperson may advocate for fairness of process but not for an individual's position or perspective.

Evaluation

The office and ombudsperson job performance is evaluated by the University of Tennessee, Knoxville, chancellor.

Amendment

Any amendments hereto will be proposed and discussed with the University of Tennessee, Knoxville, chancellor as well as other appropriate individuals.