



2023-24 Report of the Committee to Review the Office of the University Ombudsperson

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RECOMMENDATIONS

The Committee to Review the Office of the University Ombudsperson (the “Committee”) recommends the following actions to make further progress on recommendations found in the *2020-21 Report of the Committee to Review the Office of the University Ombudsperson* and to address input received during the Committee’s consultation process.

- 1. Development and Execution of Strategic Communication Plan.** The Office of the University Ombudsperson should renew its commitment to developing and executing a strategic communication plan to improve awareness within the university community of the Office’s role and services. This should be undertaken in partnership with the Office of the Vice-President, Communications and should include broad stakeholder consultation across the University community.
- 2. Focus on the Office’s Mandate When Identifying Issues in the University’s Policies and Procedures.** The Office of the University Ombudsperson’s role includes bringing possible deficiencies to the attention of the Administration and recommending a review, with the ability to recommend specific improvements when the Ombudsperson so wishes. The Committee heard a desire from the Administration for promoting collaboration, respect for mandates, and a shift towards data-driven, aspirational recommendations from the Office.
- 3. Equity, Diversity and Inclusion.** The Office of the University Ombudsperson should ensure equity, diversity, and inclusion (EDI) principles are applied to the Office and its work.
- 4. Feedback Loop to Enable Continuous Improvement.** The Committee considers it desirable to collect and share feedback on the Office of the University Ombudsperson and its services when possible and recommends continued exploration of alternative and inclusive approaches. At a minimum, feedback received (through any channel) regarding the Office should be reported to the Chair of the Governing Council on an *ad hoc* basis.

The Committee suggests that the Office of the University Ombudsperson create an implementation plan for the above-noted recommendations. This plan should include timelines and key performance indicators and be regularly monitored and evaluated by the Ombudsperson.

The Committee recommends a one-year renewal of the University Ombudsperson to commence implementation of the proposed recommendations.

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BACKGROUND AND CONTEXT

2.1 Ombudsperson – a definition

The Association of Canadian College and University Ombudsperson's (ACCOU) Standard of Practice¹ describe the ombudsperson in Canadian institutions:

“With a focus on fairness, equity and respect, the ombudsperson builds capacity to help the institution be accountable to its own value and mission statement. In working with individuals, the ombudspersons facilitate fair resolutions that build trust and fortify the relationship between individual and institution.”

As per the terms of reference for the Office of the University Ombudsperson:

“The Office of the University Ombudsperson provides an impartial and confidential service to assist members of the University who have been unable to resolve their concerns about their treatment by university authorities. The work of the Office is devoted to ensuring procedural fairness and just and reasonable outcomes. While the Ombudsperson does not have the authority to over-rule decisions, she/he can consider complaints, make informal enquiries, carry out formal reviews, draw conclusions and recommend changes to decisions and to university policies and procedures.”

2.2 Term / Review / Appointment of University Ombudsperson

Its terms of reference further state:

“...The Ombudsperson is appointed by the Governing Council on the recommendation of the President; is accountable to the Governing Council and has unrestricted access to all University authorities. The Office of the University Ombudsperson is independent of all existing administrative structures of the University.”

2.2.1 Term

The normal term of the Ombudsperson should be for three to five years, with the possibility of reappointment.

2.2.2 Review

The Office of the University Ombudsperson shall be reviewed on a regular basis. At least eight months before the end of the term of the Ombudsperson, the Executive Committee of the Governing Council will commission a review, state its terms of reference and appoint its membership. The report of the review will be presented to the Governing Council through the Executive Committee, and the recommendations

¹ Association of Canadian College and University Ombudspersons. (2012, June). Standards of Practice. Retrieved February 29, 2024, from <https://accuo.ca/wp-content/uploads/2019/06/SoP.pdf>

will be considered for approval by the Governing Council, upon their endorsement by the Executive Committee.

2.2.3 Search and Appointment

The search for Ombudsperson shall be conducted in the light of the recommendations of the review of the Office, subject to their approval by the Governing Council and in the light of other guidance as provided by the review. The search committee, appointed by the Executive Committee of the Governing Council, shall be representative of the University community and shall include, among others, students and members of the teaching and administrative staff.

2.2.4 Mid-Term Review

The Executive Committee of the Governing Council shall consider the appropriateness of a limited review of the operations of the Office of the University Ombudsperson in the middle of the incumbent's term. If the Executive Committee determines that a review is appropriate, it will specify the manner in which the review is to be carried out. The Committee may also determine, in the light of the regular reports to the Committee, that a review is unnecessary.

The full terms of reference of the Office of the University Ombudsperson, as amended, can be reviewed here: <https://governingcouncil.utoronto.ca/secretariat/policies/ombudsperson-terms-reference-office-january-21-2010>.

2.3 Approval to Strike a Committee to Review the Office of the University Ombudsperson

On October 17, 2023, the Executive Committee, pursuant to section 5.16 of its terms of reference, approved the following motion:

THAT a Committee be established:

(a) to review the status and progress of the Office of the University Ombudsperson in the light of the recommendations contained in the Report of the Committee to Review the Office of the University Ombudsperson, 2020-21, approved by the Governing Council on May 13, 2021.

(b) to make recommendations concerning the appointment of an Ombudsperson.
THAT the membership of the Committee to review the Office of the University Ombudsperson be:

Sarosh Jamal (Administrative staff governor)
Indi Gopinathan (Alumni governor)
Seyedreza Fattahi Massoum (Student governor)
Sandra Hanington (Lieutenant-Governor-in-Council governor), Chair
K. Sonu Gaiind (Teaching Staff governor)
Kelly Hannah-Moffat (Administrative Advisor)
Anwar Kazimi (Secretary)²

² Timothy Harlick, Assistant Secretary, took over as Secretary of the Committee following the departure of Anwar Kazimi from the Office of the Governing Council.

2.4 Meetings of the Committee to Review the Office of the University Ombudsperson

The Committee, operating under the authority granted by the Executive Committee, convened on three occasions to gather information, consider both oral and written feedback, and determine recommendations. These meetings were held on November 30, 2023, January 16, 2024, and February 29, 2024.

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CONSULTATION AND FEEDBACK

Following the establishment of the Committee, a call for feedback was distributed broadly through the University. Submissions were received between November 10, 2023, and November 27, 2023.

The Committee sought specific feedback on:

- the awareness of the Office by members of the University community, across the three campuses;
- the understanding by the community of the services that the Office can provide;
- the communication of its services; and
- the future directions and priorities appropriate for the Office.

The Committee further sought direct feedback from the following University groups either through in-person discussions or written submissions.

- The five student governments;
 - University of Toronto Students' Union (UTSU);
 - University of Toronto Graduate Students' Union (UTGSU)*;
 - University of Toronto Mississauga Students' Union (UTMSU);
 - Scarborough Campus Students' Union (SCSU)*; and
 - Association of Part-Time Undergraduate Students (APUS).
- USW Local 1998 (administrative staff);
- University of Toronto Faculty Association(UTFA)**; and
- Vice-President and Principal of the University of Toronto Mississauga (UTM)
- Vice-President and Principal of the University of Toronto Scarborough (UTSC).

**Responses were not received from SCSU and UTGSU.*

***UTFA declined the invitation to meet with the Committee and did not provide a written submission.*

The Committee met separately with the following individuals:

- Professor Emeritus Buce Kidd, University Ombudsperson, on two occasions;
- Professor Sandy Welsh, Vice-Provost Students;
- Professor Randy Boyagoda, Acting Vice-Provost, Faculty and Academic Life;
- Ms Christine Szustaczek, Vice-President, Communications; and
- Ms Sheree Drummond, Secretary of the Governing Council

The Chair of the Committee also met directly with the Ombudsperson on two occasions to request further clarification on questions raised by the Committee and to provide an update on the progress of the review.

Finally, the Committee reviewed both the Annual Reports of the Office of the University Ombudsperson and the Administrative Responses for the previous three years, and the *Report of the Committee to Review the Office of the University Ombudsperson, 2020-2021*.

3.1 Consideration of Feedback Received

The Committee noted that the Office considered and assisted with 266 individual cases within its jurisdiction³ and there were no concerns expressed through feedback with its work in this capacity. However, feedback that was received did identify the following key themes:

Lack of Awareness and Clarity of the Office and its Scope of Services

A consistent issue, repeated from the previous review, was a lack of general awareness of the Office's existence and/or role in the University community.

Need for Increased Outreach and Communication

There was a strong consensus that targeted outreach and creative communication initiatives are needed to address the lack of awareness, particularly for those who could benefit from its services and if and when they were needed. Suggestions included workshops, digital and social media presence, collaboration with student groups, and revising the annual report for broader accessibility.

Misunderstanding of the Office's Impartiality and Mandate

Some feedback expressed concerns that the Office was or could be perceived as an advocate for stakeholders rather than as an impartial adjudicator of process.

Continued Presence at all Three Campuses

There was support for continuing the current model which provides support at all three campuses.

Potential for Enhanced Relationship Building

Feedback indicated potential for the Office to strengthen relationships with key stakeholders. Student groups expressed an interest in playing a role increasing awareness among their constituents. Feedback received from the Administration also indicated a need for a more collaborative approach during investigations or discussions of individual cases or policy/procedure matters by the Office.

Commitment to Equity and Inclusive Excellence

Feedback suggested that it would be desirable for the work of the Office to demonstrably align with the University's EDI principles.

³ Office of the University Ombudsperson. (2023). 2022-23 Annual Report. p. 20.

3.2 Progress Towards Implementing Recommendations from the 2020-21 Report

Recommendation #1 - The Office of the University Ombudsperson (the Office) actively pursue engagement with multiple stakeholders within the university community, including student government leaders and academic leaders, to create a greater awareness of the mandate of and services available from the Office.

Recommendation #2 - The Office seek additional resources from the Office of the Vice-President, Communications, in the development and delivery of a communications plan to help raise the awareness of the Office among the university community.

Recommendation #3 - Divisional leaders and registrars be invited to consider including a reference to the services provided by the Office in the appropriate sections of their Faculty/divisional calendars, student handbooks, and websites, for the benefit of administrative staff, teaching staff, and students.

The Committee considered the first three recommendations of the previous review committee as a single theme requiring further action. There was consensus that limited progress had been made by the Office and that a strategic communication plan is needed to address the lack of general awareness and understanding of the Office.

Feedback also raised concerns about the Office being perceived as an advocate for clients or the university rather than as an independent adjudicator. Simultaneously, other feedback demonstrated a positive perception of the Office's impartiality. This information indicates a need for further work in clarifying the Office's messaging.

Recommendation #4 – The Office continue to maintain a presence at all three campuses.

The Committee was satisfied that a tri-campus presence had been established in the Office's operating model and that its continuation remained important.

Recommendation #5 - On an annual basis, the administration report back progress against each recommendation made in the annual report of the Ombudsperson in a prior year that was adopted by the administration until such a time as implementation of the recommendation has been completed and reported as such.

The Committee recognized the value of a mechanism for the Administration to report on the progress of implementing accepted recommendations. However, since it would be the responsibility of the Administration to execute, this matter is beyond the scope of this review and so it has been included as a suggestion for the Administration's consideration and not as a formal recommendation for the Office of the Ombudsperson.

Recommendation #6 - The Office consider appropriate ways in which clients can provide feedback on the level of satisfaction of the service received from the Office.

Execution of this recommendation as worded proved difficult for the Office given the practical challenges inherent in obtaining feedback on service satisfaction levels in the course of their work. However, the

Committee considers it desirable to collect and share feedback on the Office and its services when possible and emphasized the value in continued exploration of alternative and inclusive approaches.

Recommendation #7 - The Office give careful consideration to modes of service delivery with virtual interfaces, while ensuring and maximizing equity of access of services, and reassess its physical space needs.

The Committee noted that this recommendation appeared to have been successfully addressed and no specific concerns were received.

Recommendation #8 - The Office undertake a review of the ways in which technology could enhance operations and service delivery.

The Committee noted that while new technology-based solutions had not yet been introduced to the Office no feedback or concerns were received regarding management of individual cases from the perspective of the complainant. The Committee received no other feedback regarding the Office's use of technology and so did not find sufficient support for bringing forward a recommendation related to technology.

3.3 2023-24 Committee Recommendations

Recommendation #1 - Development and Execution of a Strategic Communication Plan

The Office of the University Ombudsperson should renew its commitment to developing and executing a strategic communication plan to improve awareness within the university community of the Office's role and services. This should be undertaken in partnership with the Office of the Vice-President, Communications and should include broad stakeholder consultation across the University community.

To ensure a communication plan's maximum effectiveness, the following suggestions should be considered:

- **Define Success Metrics:** Identify clear metrics to set targets and track increased awareness in targeted groups, such as website traffic, workshop attendance, or inquiries received by the Office of the University Ombudsperson.
- **Prioritize Accessibility:** Ensure that the communication channels chosen are accessible to all members of the University community.
- **Develop Clear and Targeted Messages:** As the challenge includes both awareness and understanding of the Office's role and services, clear messages that are tailored to the various audiences will be essential.
- **Emphasize Confidentiality and Neutrality:** Given the sensitive nature of the Ombudsperson's role, any messaging should strongly reinforce the principles of confidentiality and neutrality. Emphasis should also be placed on the fact that the Office of the University Ombudsperson is not an advocate on behalf of a student or employee, but instead a neutral assessor of process.

Recommendation #2 - Focus on the Office's Mandate When Identifying Issues in the University's Policies and Procedures

The Office is entrusted with the responsibility of identifying potential concerns within the University's policies and procedures and raising these concerns to the Administration's attention. It is within the Office's mandate to advocate for a review of these issues and, when deemed appropriate by the Ombudsperson, to propose specific enhancements.

The Committee acknowledges the Administration's request for enhanced collaboration, respect for mandates, and a shift towards data-driven, forward-thinking recommendations from the Office. This approach should not necessarily be aimed at achieving consensus with the Administration, but rather at offering recommendations that are both objective and actionable.

An evidence-based approach enhances the credibility and, importantly, makes it easier for the Administration to understand the overarching rationale behind recommendations to take appropriate action. The goal should be to facilitate effective decision-making that can lead to meaningful improvements in the University's policies and procedures.

Recommendation #3 - Equity, Diversity, and Inclusion

The Office of the University Ombudsperson should ensure equity, diversity, and inclusion (EDI) principles are applied to the Office and its work.

The Committee considered how the Office of the University Ombudsperson's mandate and focus on fairness, procedural equity, and identifying systemic issues intersects with EDI. By aligning its own practices with the University's EDI principles, the Office of the University Ombudsperson could further demonstrate a deep commitment to these values and be a model for inclusivity for the broader University community.

Recommendation #4 - Feedback Loop to Enable Continuous Improvement.

The Committee considers it desirable to collect and share feedback on the Office and its services when possible and recommends continued exploration of alternative and inclusive approaches. At a minimum, feedback received (through any channel) regarding the Office should be reported to the Chair of the Governing Council on an *ad hoc* basis.

This could be considered by the Chair of the Governing Council to both recognize successes and support positive improvements within the Office. Any such process must rely on the Chair's discretion to ensure that feedback will be thoughtfully considered and, where appropriate, presented in a way that maintains confidentiality while providing actionable insights.

For more information, please contact:

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