

## **Administrative Response to the *2017-18 Annual Report of the Office of the Ombudsperson***

**October 2018**

### **Overview**

The Terms of Reference for the Office of the University Ombudsperson state that the Ombudsperson shall “make a written annual report to the Governing Council, and through it to the University community.” In addition, the Governing Council requests an administrative response to each annual report from the Ombudsperson. The *2017-18 Annual Report of the Office of the Ombudsperson* is Professor Ellen D. Hodnett’s third annual report as University Ombudsperson.

### **Response**

The Administration wishes to express its thanks to Professor Hodnett for her continued service to the University and its community. The Administration has corresponded and met with the Ombudsperson several times over the last year to discuss issues of mutual interest. It continues to value Professor Hodnett’s expertise and sensitivity in handling situations that are often complex and delicate. Her knowledge of and respect for the role of University Ombudsperson are exemplary.

The *2017-18 Annual Report* explains that the Office of the Ombudsperson handled 374 cases over the course of the previous year, continuing a trend of modest annual increases in new cases. Of the 351 new cases in 2017-18, 246 (69%) met the criteria for constituencies under the responsibility of the Governing Council. The Administration notes the 25% increase in the number of graduate students who made use of the Ombudsperson’s services, as well as continued low engagement at the Mississauga and Scarborough campuses. The persistence of this statistic emphasizes the importance of offering Ombudsperson services locally on each campus, as was recommended in the Report of the Committee to Review the Office of the Ombudsperson. The Administration strongly supports the Ombudsperson’s plans to expand services at UTM and UTSC within the coming year.

In addition to providing detailed summary data of the Office’s work, the *2017-18 Annual Report* makes formal recommendations in three categories. Responses to each are listed in turn below.

#### *1. Investigating Serious Allegations Within an Academic Unit*

The University treats very seriously any allegations of bullying, harassment and other kinds of misconduct involving members of its community. The case referenced in this portion of the Report is complex and multi-dimensional, and is the subject of an ongoing and thorough investigation. While the Administration cannot discuss the specifics of the matters being investigated, it shares and endorses the Ombudsperson’s perspective that such investigations should move as expeditiously as possible, while preserving a fair process for all involved. As indicated by the Ombudsperson, the Administration has met and communicated with the Ombudsperson on several occasions to provide updates on the process as it unfolds.

As the Ombudsperson notes, the University has a number of policies, procedures and resolution frameworks in place to address incidents of abuse, bullying, harassment and other forms of misconduct, as demonstrated in Table 1 below. This policy environment allows for a nuanced response to situations that may arise. In some cases, the policy environment and/or the University’s general academic and administrative powers and practices allow for accommodations to be made (such as changing faculty supervisors or courses) and interim measures to be set (such as separating the parties), if necessary. The Administration commits to undertaking further education activities through the appropriate channels to create greater awareness of these existing policies among staff and faculty.

**Table 1: University of Toronto Policies, Procedures and Frameworks to Address Misconduct**

Category of Misconduct	Policy, Procedure or Framework
Workplace violence	Policy with Respect to Workplace Violence
	Workplace violence program
Workplace harassment and uncivility	Policy with Respect to Workplace Harassment
	Human Resources Guideline on Civil Conduct
Discriminatory harassment	Statement on Prohibited Discrimination and Discriminatory Harassment
	Guideline for Employees on Concerns and Complaints Regarding Prohibited Discrimination and Discriminatory Harassment
Sexual violence and sexual harassment	Policy on Sexual Violence and Sexual Harassment
	Guideline on Conflict of Interest and Close Personal Relations
Other behavioural issues or conflict resolution matters	Memorandum of Agreement with the U of T Faculty Association
	Collective agreements with unionized staff members
	Graduate Supervision Guidelines (Student Edition)
	Graduate Supervision Guidelines (Faculty Edition)

In addition to the resources in Table 1, the School of Graduate Studies (SGS) is preparing draft guidelines about the process for complaints involving graduate students and faculty members, which will be shared with students and faculty in graduate units when finalized. These guidelines will define the steps that students should take if they are concerned about their interactions with a faculty member, particularly when those interactions are affecting their academic progress. The guidelines will also describe best practices for graduate units in addressing such complaints, including mediation between the student and faculty member, and accommodations to consider during the conflict resolution process. Also included will be the steps that SGS can take to address complaints that are escalated from graduate units to the School. Interim measures taken by SGS, faculties or departments, such as separation of the parties or changes to graduate supervision, will always depend on the facts of a given situation. The Administration accepts the Ombudsperson’s recommendation that in some cases such interim measures will be necessary. The School of Graduate Studies commits to undertaking further education activities to create greater awareness of the availability of such measures where appropriate and the *Graduate Supervision Guidelines* more generally.

The Administration also agrees, as has been its regular practice, to continue using existing channels to provide the Ombudsperson with updates on the progress made in addressing individual cases at her request.

## *2. Responsiveness of Campus Police*

The Ombudsperson recommends that Campus Police be instructed that they have a duty to respond to inquiries from the Office of the Ombudsperson. Campus Police on the St. George campus strives to respond to all requests in a timely manner. Inquiries from the Office of the Ombudsperson regarding policing matters often require additional consultation with administrative units and individuals before Campus Police is in a position to respond fully and reliably to a request for information, and/or to release any requested documentation.

Going forward, Campus Police on the St. George campus will acknowledge initial receipt of requests from the Office of the Ombudsperson and will advise the Ombudsperson of an expected time for a response, consistent with the obligation in the Terms of Reference, and will provide “prompt and full responses.”

Campus Police looks forward to a cooperative and collaborative relationship with the Office of the Ombudsperson and continues to welcome direct feedback should concerns arise.

## *3. Internal Policies of Graduate Departments*

The Ombudsperson recommends that graduate departments review their internal policies to ensure a solid and transparent rationale for policies that are more restrictive than those covered by the policies of SGS.

It is the Administration’s expectation that graduate departments will continue to review internal policies regularly and comply with any relevant SGS policies that might apply to a particular matter or area. Policies issued by SGS come in different forms. For example, some policies might prescribe certain requirements or restrict certain actions, while others might establish minimum standards. The latter category can leave considerable leeway for graduate departments to set more rigorous parameters that best fit their environment, including the standards of academic excellence in their discipline. Both SGS policies and procedures and the regulations specific to graduate units, including admission standards, program requirements and academic path to completion, are published annually in the SGS Calendar.

Recognizing the importance of transparency to members of the University community, SGS recently launched a data transparency project, through which department-level data in key areas are collected, evaluated and communicated to the public via the SGS website. The ‘Explore Our Data’ portal was created using Tableau software and collects institutional data in three areas:

- Graduate funding, including an automated funding letter template for use by academic divisions and data on per-student funding by department;
- Time to completion for doctoral students by department; and

- Labour market outcomes of doctoral graduates (the 10,000 PhDs project).

SGS will continue promotion of its transparency initiatives and will encourage graduate units to communicate more clearly the rationale for standards that may be higher than SGS minimum standards. SGS has been encouraging graduate units to publish comprehensive student handbooks, which should lay out the policies, milestones and best practices that are applicable to the unit. SGS will continue to promote among graduate units the need for transparency as part of its regular workshops for graduate administrators, and will specifically work towards greater awareness among students regarding the relationships between policies, guidelines and requirements at SGS and in their graduate units. SGS would welcome the opportunity to discuss specific areas of concern with the Ombudsperson in order to explore appropriate follow-up.

### **Concluding Observations**

The Administration is pleased to note that many of the Ombudsperson's plans for 2018-19 reflect recommendations of the Report of the Committee to Review the Office of the Ombudsperson. In particular, the Administration welcomes the Ombudsperson's intention to offer additional services locally at the University of Toronto Mississauga and the University of Toronto Scarborough, and trusts that her office will quickly become as indispensable there as it has been on the St. George campus. Similarly, plans to increase outreach activities and implement a communications strategy for the Office are important and logical extensions of the physical expansion of the Office's services.

The Administration notes the Ombudsperson's request for a different space on the St. George campus. The space currently occupied by the Office of the Ombudsperson was selected and refurbished based on the requests of previous Ombudspersons, who specifically requested an accessible, low-traffic part of campus to protect the privacy and confidentiality of users. If the needs of the Office have evolved, the Administration encourages the Ombudsperson to raise any issues with the Secretary of the Governing Council, who can assist in formulating a space needs request that can be assessed in the normal manner.

In closing, the Administration is pleased to see that members of the University community continue to avail themselves of the services of the Office of the Ombudsperson. The Ombudsperson is an important resource in our community and the Administration commends the Ombudsperson's outreach to and engagement with students, faculty and staff on all three campuses.

The Administration extends its sincere appreciation to Professor Hodnett and her team for their dedication to the University of Toronto and for their continued service to our community.