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Ombud's Office

ANNUAL REPORT 2008-2009

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A Retrospective View: Honouring the Past 2 Centuries

Understanding our past helps us define our future. Upon reflection, the 2009 calendar year marked the 200th anniversary of the first Ombudsman established in Sweden in 1809. Founded on a division of power, the Ombudsman office ensures accountability and legislative compliance, provides access to government decision makers and reduces bureaucratic challenges faced by individuals. The fundamental goal of the original Ombudsman's role involved a particular adherence to neutrality and autonomy in order to safeguard the rights of citizens and preserve integrity.

George McClellan was Canada's first officially recognized Ombudsman. A former Royal Canadian Mounted Police officer, George McClellan received his appointment on April 6, 1967. His predominate role was to protect Albertans from the bureaucracy of government.

His career largely focused upon the investigation of complaints of injustice or discrimination by the Alberta Provincial government. Based on similar needs, Ontario established an Ombudsman's office in 1975. Fanshawe College and Fanshawe Student Union (FSU) established the Ombuds office in October 1993. Many consider this Ombuds office Ontario's first College institutional Ombuds office.

For the most part, the core functions of an Ombuds office have largely remained intact since 1809. Entrusted with special powers of inquiry and/or investigation; confidentiality, neutrality and independence are vital characteristics of an arms-length, third party Ombuds office. A paradigm shift has occurred over the past two centuries. The Ombuds activities have dramatically changed from being punitive to an advisory, collaborative and consultative focus. In our era, a typical Ombuds adheres to principles of integrity, fairness and continuous quality improvement opportunities in practices, processes and procedures achieved through making recommendations for change.

Active listening, asking relevant questions and analysing concerns or complaints are critical skills utilized by the Ombuds to foster an impartial environment and to perpetuate fairness. The Ombuds role positively embraces the synergy between an individual and an organization by providing collective problem solving assistance and by providing sound advice to remedy a concern or complaint.

Individuals may be unable to resolve their concerns or complaints within governments, organizations or institutions on their own. When invited by individuals and deemed necessary by an Ombuds, difficulties or disputes may be overcome with alternative dispute resolution approaches and techniques that include coaching, facilitating, conversations and mediation. A profound respect for individuals who have the fortitude to reveal concerns or complaints is paramount to an Ombuds and to the organization/institution in which the Ombuds serves. These individuals are guaranteed freedom from reprisal for acting in good faith when initiating a concern or complaint to the Ombuds office.

What if concerns and complaints remain silent? What if there is no problem-solving mechanism available to deal with these issues? In the absence of a process to effectively address and resolve the issues, change opportunities are limited and progressive quality improvement is hindered. The centralized function of the Ombuds office serves to heighten awareness of observable fairness trends and provides the opportunity for continuous organizational/institutional improvement.

Ombuds offices are often described as the “office of last resort.” Although this thought holds true in many jurisdictions or institutions, it also suggests there is a need to heighten the awareness and understanding of the general mandate of the Ombuds office. The Ombuds office welcomes all proactive opportunities to assist individuals with a potential dispute or emerging conflict situation on an informal basis. The preponderance goal in this collaborative process is to achieve mutual early resolution, promote fairness, and maintain the integrity and respect for all individuals who voluntarily elected to engage in this process.

The purpose of the Ombuds office is to provide early intervention and identify alternative options to resolve the dispute and mitigate the potential risk of ongoing conflict. In complex situations that have escalated beyond an individual’s ability to objectively, manage the issue, the Ombuds office may elect to facilitate a formal forum to resolve the dispute through mediation.

The primary challenge faced by the Ombuds office is the perception that the services available will advocate or champion an individual cause. This perception is entirely false and is, in all likelihood, based upon a general gap in knowledge and understanding of the Ombuds role. Past Ombuds have identified this fallacy and adopted the following phrases to quell this misconception:

“An Ombuds acts as an advocate for fairness” and “Fairness can land anywhere between an appellant’s and a respondent’s interests”.

The Ombuds office receives ongoing support through the collaborative efforts between the FSU and the College in a cost-sharing arrangement. The Ombuds has a dual reporting relationship with the FSU President and the College President. The Ombuds Advisory Committee is responsible for overseeing the activities of the Ombuds office. Please take the opportunity to review the Terms of Reference and the Ombuds office Mandate through the Fanshawe College website under the Ombuds office Home Page located at www.fanshawec.ca/ombuds.



Fanshawe College Academic Year In Review: 2008-2009

The review period of previous Ombuds annual reports focused on a twelve-month reporting cycle from July 1 to June 30. To align the Fanshawe Ombuds annual reporting obligation to Fanshawe College’s academic year, this particular report (on an exception basis) encompasses the period from July 1, 2008 to August 31, 2009. Thus, statistical data references in this report reflect a fourteen-month period rather than the traditional twelve-month period. All future Ombuds Annual Reports commencing the 2009-2010 academic year will reflect a twelve-month period academic year from September 1 to August 31.

This report includes tables that provide a sense of the volume of individual cases brought forward to the office and the types of cases within the review period. The empirical data is provided with a caveat to avoid formulating significant conclusions or opinions without a solid understanding and assessment of the events that contributed to the individuals’ circumstances and the methodology used in the collection and distribution of the data. In addition, the data may reflect a different understanding of different categorizes noting the staff transitioning of Ombuds during this review period.

In the absence of any significant quantitative and qualitative analysis, this report does not represent a decrease in the number of issues raised in the College community. The Ombuds office appears to have experienced a slight decline in the number of issues, likely due to a reduction in service hours during staff transitioning. Thus, student accessibility and awareness of the Ombuds office were the primary contributing factors to the decline in referrals.

Table 1: Action Taken Category

Action Taken:	2008-9*		2007-8		2006-7		2005-6		2004-5	
	#	%	#	%	#	%	#	%	#	%
Advice	189	63	286	73	257	77	253	74	242	72
Information	61	20	56	14	47	14	52	15	42	13
Intervention	51	17	49	13	30	9	37	11	51	15
Total:	301	100	391	100	334	100	342	100	335	100

*14 month reporting period

Table 1 provides a breakdown of the action taken following the receipt of a case. The definition of advice, information and intervention categories are:

- **Advice:** provides a recommendation or opinion as guidance to an action or conduct.
- **Information:** provides for information purposes only, meaning the transfer of information is done with the sole intent to educate and the non-specific general information is found in print or web material.
- **Intervention:** attempt to alter a course of action with the intent of protecting parties’ rights or interests, thereby improving the situation.

Table 2: Issues By Category

Issue:	2008-9		2007-8		2006-7		2005-6		2004-5	
	#	%	#	%	#	%	#	%	#	%
Academic	174	58	244	62	193	58	194	57	178	53
Admission	10	3	8	2	4	1	13	4	19	6
Conduct	9	3	19	5	31	9	27	7	21	6
Harass. & Discrim.	4	1	8	2	8	3	5	2	11	3
Employee Case	5	2	15	4	10	2	12	4	11	3
Financial Aid	17	5	7	2	17	5	10	3	11	3
Fees	29	10	13	3	13	4	10	3	8	2
Other	1	0	5	1	2	1	4	1	6	2
Other Student	0	0	1	0	0	0	1	0	2	1
Outside Mandate	5	2	8	2	11	3	4	1	9	3
Inter. Relationship	9	3	0	0	0	0	2	1	6	2
College Policy	6	2	23	7	12	4	20	6	16	5
College Services	8	3	21	5	13	4	11	3	9	3
Regist. & Withdraw.	10	3	4	1	5	1	14	4	14	4
Residence	2	1	2	1	7	2	5	2	3	1
Disability	8	3	8	2	6	2	9	3	7	2
FSU	4	1	5	1	2	1	1	0	4	1
Total:	301	100	391	100	334	100	342	100	335	100

*14 month reporting period

Table 2 provides a breakdown categorization of the primary high-level issues following the assessment of a complaint situation.

Table 3: Appellants By Category

Student	Number	%
Full-Time	213	71
Part-Time	2	1
Continuing Education	8	3
Other	18	6
Total:	241	80

Employee	Number	%
Faculty	14	5
Administration	10	3
Support	3	1
Total:	27	9

Other	Number	%
FSU	4	2
Alumni	10	3
Other	19	6
Total:	33	11

Total Appellants:	301	100
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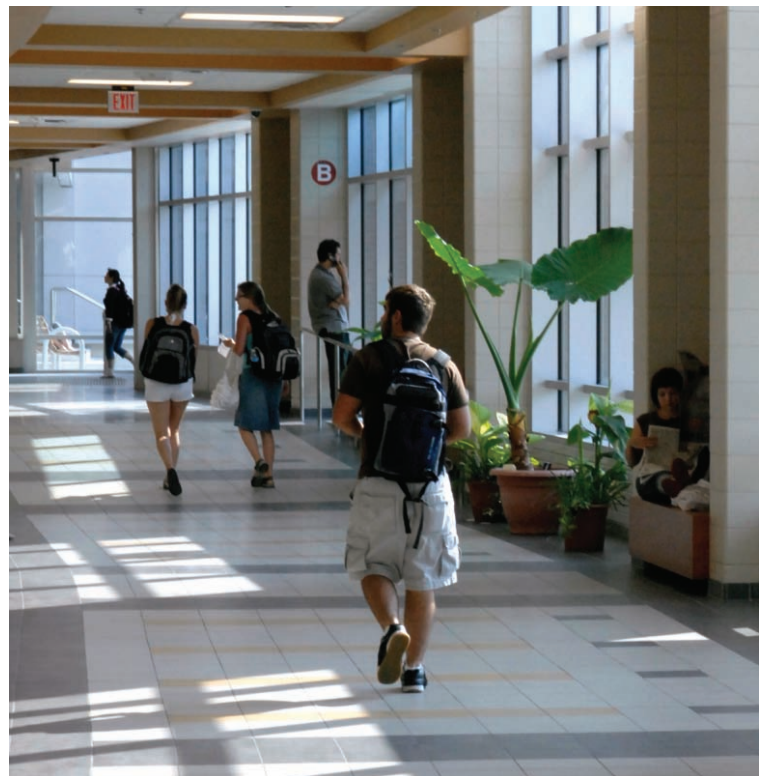


Table 3 provides a breakdown of the appellants by category.

Table 4: Respondent Category

	2008-9*		2007-8		2006-7		2005-6		2004-5	
	#	%	#	%	#	%	#	%	#	%
Academic:										
Academic Services	0	0	0	0	0	0	1	0	2	1
Art & Design	8	3	19	5	12	4	8	2	13	4
Building Technology	4	1	7	2	12	4	1	0	3	1
Business & Mgmt	2	1	17	4	11	3	15	4	21	6
Contemporary Media	13	4	15	4	11	3	8	2	8	3
Co-op Education	16	5	6	2	N/A	N/A	N/A	N/A	N/A	N/A
Lang. & Liberal Arts	3	1	25	6	15	5	24	7	20	6
Health Sciences	9	3	15	4	8	2	15	4	17	5
Human Services	13	4	47	12	34	10	25	7	29	9
Information Technology	3	1	6	2	12	4	9	3	11	3
J. N. Allan Campus	7	2	4	1	4	1	1	0	2	1
Applied Science and Technology	15	5	33	8	24	7	27	8	20	6
Motive Power Technology	0	0	3	1	1	0	5	2	1	0
Nursing	4	1	18	5	14	4	9	3	15	5
Oxford County Campus	0	0	4	1	8	2	10	3	2	1
Continuing Education	12	4	14	4	16	5	23	7	18	5
St Thomas/Elgin Campus	0	0	0	0	1	0	3	1	1	1
Tourism & Hospitality	2	1	4	1	3	1	2	1	5	2
Academic Total: (a)	111	38	237	61	186	56	186	52	188	59
Service Areas:										
Athletics	0	0	1	0	1	0	0	0	1	0
Awards & Scholarships	0	0	1	0	0	0	1	0	1	0
Career Services	0	0	0	0	0	0	0	0	0	0
Centre for Std Success	0	0	1	0	N/A	N/A	N/A	N/A	N/A	N/A
Counselling & Student Life	5	2	2	1	3	1	3	1	2	1
E H&S Services	0	0	1	0	0	0	0	0	0	0
Facilities Maintenance	0	0	3	1	1	0	0	0	0	0
Facilities Mgmt	0	0	0	0	0	0	0	0	2	0
Facilities Support	1	0	1	0	3	1	4	1	3	1
Finance & Corporate	1	0	0	0	1	0	3	1	0	0
Financial Aid	9	3	7	2	17	5	10	4	11	3
Fitness Centre	0	0	0	0	0	0	0	0	0	0
Human Resources	0	0	2	1	1	0	3	1	1	0
IT/Help Desk	1	0	1	0	1	0	0	0	1	0
Learning Support	1	0	1	0	0	0	0	0	0	0
Library & Media	0	0	2	1	0	0	4	1	1	0
Office of the President	0	0	0	0	1	0	1	0	0	0
Ombuds office	0	0	0	0	0	0	0	0	0	0
Partnerships	0	0	2	1	0	0	0	0	1	0
Institutional Rsch & Plan.	1	0	0	0	1	0	0	0	0	0
Registrar's office	31	10	29	7	23	7	29	9	34	10
Retail Services	0	0	4	1	0	0	1	1	2	1
Residence	1	0	2	1	9	3	5	2	4	1
Security	1	0	7	2	15	5	2	1	1	0
Student and Staff	0	0	0	0	0	0	1	0	0	0
Service Area Total: (b)	52	17	67	19	77	22	67	21	65	17
Other Areas:										
FSU	4	1	7	2	2	1	1	0	4	1
Respond. without Division	13	4	8	2	2	1	5	2	0	0
Other Area Total: (c)	17	5	15	4	4	2	6	2	4	1
Total Cases without Respondent: (d)	121	40	72	16	67	20	84	25	78	23
Total Cases: (a+b+c+d)	301	100	391	100	334	100	342	100	335	100

*14 month reporting period

Table 4 provides a breakdown of the respondents by College and FSU business area category.

Table 5: Cases By Outcome Category

Issue:	2008-9*		2007-8		2006-7		2005-6		2004-5	
	#	%	#	%	#	%	#	%	#	%
Appeal	64	21	47	12	51	15	50	15	44	13
Complaint Filed	4	1	22	6	13	4	19	6	19	6
Communication	2	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Coaching	39	13	56	14	N/A	N/A	N/A	N/A	N/A	N/A
Compromise	14	5	45	12	N/A	N/A	49	14	52	16
Complaint Wthdn	5	2	32	8	36	11	28	8	54	16
Favour Appellant	16	5	12	3	33	10	6	2	7	2
Favour Respondent	13	4	23	6	13	4	20	6	28	8
No Resolution	16	5	0	0	20	6	1	0	0	0
Ombuds Wthdn	2	1	4	1	0	0	11	3	13	4
Provide Information	74	25	102	26	9	3	119	35	81	24
Referral	46	15	48	12	112	34	39	11	37	11
Unknown	6	2	0	0	47	14	0	0	0	0
Total:	301	100	391	100	334	100	342	100	335	100

*14 month reporting period





A Roadmap for the Future: Strategic Alignment of the Ombuds Office

The efforts of the past Ombuds to help students resolve their difficulties and disputes for the past 16 years must be acknowledged and commended. Due to their dedication and efforts, the Ombuds office enjoys a solid reputation for being the students' "go to" place to assist with problem solving and to seek alternative dispute resolution techniques, while maintaining their self-determination.

The Ombuds office is committed to the Missions of both the College and the FSU. To align its core activities modeled after both Mission statements, the office will pursue service excellence and student success by working very closely with decision makers and students to foster a spirit of understanding within the Fanshawe College community. More importantly, the Ombuds office promotes the best interests of students, College and FSU and ensures understanding in the context of fairness, consistency and justness.

Fanshawe College's Mission Statement states:

"Fanshawe College is committed to personal, social and economic success through quality education and learning for employment. We enrich the lives of individuals and meet the changing needs of our diverse communities. We are innovative and responsive. We promote opportunity. We are Fanshawe College".

Fanshawe Student Union's Mission Statement states:

"The Fanshawe Student Union is an organization committed to the diverse needs of its student members to foster and embrace success".

In keeping with the Ombuds office's current mandate, the Ombuds annual report provides an opportunity to identify challenges facing the College and/or FSU and make recommendations to address systemic issues. The 2008-2009 school calendar year represented a transitional year for the Ombuds office due to staffing changes within the office itself. For this reason, it is timely to undertake a program review of the Ombuds office to ensure it is meeting the needs of its key stakeholders, the FSU and the College. Furthermore, with the introduction of a business planning cycle, the Ombuds office will ensure it continues to align its activities in support of the two key stakeholder's mission statements and in turn with the College's Strategic Directions and Academic Plan.

Consider the Missions of the College and FSU and strategic directions. The Ombuds will utilize a proactive and collaborative approach to resolving disputes, thereby enhancing consistency in College practices and fairness in the pursuit of the College's objectives found in the Strategic Directions and Academic Plan. To achieve this, the Ombuds office recommends the creation and implementation of an internal business plan that aligns with the College's strategic directions and the FSU's goals, and ultimately the Academic Plan. The newly created Ombuds office internal business plan will serve as a blueprint fostering collaboration, conciliation and partnership.

The internal business plan will include, but is not limited to, the development and implementation of short, medium and long-range business plans comprised of an initial plan will be, implementation of the plan, and monitoring and follow-up:

Short Range Plan (Six Months to One Year)

Plan of Action:

- Create an Ombuds business plan or road map that will serve as a blueprint to foster collaboration, conciliation and partnership while ensuring office effectiveness and efficiency
- Determine computer system requirements and best electronic solutions
- Update Ombuds office mandate document and ensure the website reflects current understanding
- Set up virtual office capabilities to service regional campuses
- Determine the best practices in receiving, investigating and resolving complaints
- Engage the Ombuds community and participate in partnership opportunities where possible

Medium Range Plan (One Year to Two Years)

Create/Implement:

- An Ombuds charter (Including: vision and mission statements) that aligns with the College and FSU strategic directions
- Ombuds guiding principles and office protocols
- An operational framework and process mapping
- Electronic forms (e.g. intake, follow-up, agreements)
- Establish service level standards and measurements
- An electronic data capture and reporting system for trend analysis
- An electronic file management system
- Communications model, including glossary of terms, electronic and print material

Long Range Plan (Two Years to Five Years)

Develop/Provide/Monitor/Follow-up:

- Establish a continuous improvement model
- Guidelines and educational material (including: FAQs, helpful hints guides, dispute resolution tools, on-line resources, Ombuds e-courses such as Fairness)
- Potential new consultative services: meeting facilitation, process design
- Establish a compliance model

The Fanshawe College community is proactive and progressive in its educational programming, community partnership and business planning. With its leading edge thinking, Fanshawe College strives to create a learning environment conducive to students where success is paramount. When student concerns arise, the Ombuds office remains available to assist with resolving difficulties or disputes in an independent and impartial manner.

It is both an honour and a privilege to serve the Fanshawe College community in the capacity of the Ombuds. The position holds significant responsibilities. These responsibilities are taken very seriously, given the sensitivities surrounding the nature of the issues brought forward to the office. In particular, the Ombuds must serve the College community in an open and transparent manner, while maintaining the confidentiality and privacy of individuals.



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