



The Establishment of an Ombuds Office

Online Conflict Resolution

Online Dispute Resolution

Technology makes online mediation and professional dispute resolution more accessible. The Volunteer ICP Ombudsperson “one stop” point of contact is through emails or the International Cities of Peace (ICP) website contact information, with regards to reporting concerns. The Ombuds “Culture of Care” approach, ensures that all issues are handled with a high sense of professionalism.

Grievance Procedures

ICP Human Resources policies and procedures help spell out specific mechanisms for disciplinary action, due process mechanisms for dealing with alleged misconduct, use of grievance procedures is used when there is a significant escalation of conflicts. Grievances and complaints may present a conflict of interests and the Ombudsperson will handle such cases fairly and effectively. An Ombuds Office adds great value to ICP Volunteers by serving in the following capacities:

- **Informational Clearinghouse:** Provides information and guidance on how to resolve problems, including information on the types of concerns that are raised by volunteers and what to do about them.
- **Consultation:** Provides a safe space to discuss ideas, experiences, concerns, and advice without making a formal complaint.



- **Referrals:** Offers assistance with clarifying and identifying the appropriate issues.
- **Mediation Services:** Offers information and assistance to help mediate a concern or dispute among willing participants, or providing guidance on conflict reduction and resolution methodologies for volunteers to diffuse complaints and concerns before they turn into problems, especially those which would be outside the purview of HR.

The Ombudsperson's Office sees opportunities to significantly improve structures and processes for addressing complaints and potential conflicts within the many organization affiliated to ICP.

Characteristics:

1. Confidential
2. Impartial and neutral
3. Independent
4. Informal and voluntary

The Ombuds function is fulfilled by the ICP Ombudsperson and in accordance with the principles of Ombuds Offices established by the International Ombudsman Association (IOA; <https://www.ombudsassociation.org/>). The Ombuds Offices is not considered mandated reporters and do not report individual cases, unless mandated by law. They do, however, provide general reports to higher administration regarding trends. In this case the general reports would be provided to the Executive Facilitator and/or the Board Chair of Cities of Peace, Inc. The Ombudsperson needs to have ready access to information needed to do the job. That includes being able to look at files and being able to discuss matters with people.



How the Office will Function

The structure of the proposed Office is as follows:

1. The Office will be confidential, informal, impartial, and independent.
2. The Office will serve all volunteers working in the central organization of the association.
3. The issues the Office is prepared to assist with include power dynamics, harassment and discrimination, workplace disagreements, and conflict mediation. They can also direct visitors to formal resources if desired and help them understand what formal grievance processes entail.
4. The primary roles of the Office are to resolve complaints informally and to observe trends in all the ICP chapters. The Ombuds will also be part of ICP training programs.
5. The Office will promptly communicate serious concerns with senior leadership, without breaking confidentiality.
6. The Office will not keep notes. They may only have notes for active cases and high-level notes observing trends of all the ICP chapters.
7. The Ombudsperson will report directly to the Executive Facilitator and/or Board Chair of Cities of Peace, Inc. on urgent matters.
8. The Office will release de-identified public reports containing the number of visitors and types of issues dealt with by the Office.
9. The Office will be located virtually.
11. The Office will be reviewed by an outside-entity every five years to see how well it is serving the ICP volunteer community. For the Ombuds Office to succeed, everyone in the ICP volunteer community must understand and respect the principles of the Ombuds Office. Those who use the Office must understand the role and limitations of an informal service.



The individuals would be protected and their experiences knowing that this plays a crucial role.

An Ombuds Office encourages volunteers to voice concerns early (potentially before a formal grievance process even can be initiated) and allow for more rapid resolution of these concerns.

An Ombudsperson would promote the image of ICP that values fairness, satisfaction, and safety of its community.

The explicit purpose of an Ombuds Office would be to improve fairness and also provide significant value to ICP administration. Whether through increased retention of volunteers, reduced litigation, improved public image, or simply looking at the financial implications, having an Ombudsperson available to every person in the ICP community will contribute to a community where everyone can feel safe, fulfilled and supported. An Ombuds Office that is made widely available to the entire ICP community and supported by the administration is not only highly valuable to the ICP volunteer community members but also to ICP as an organization.

Ombuds Office Limitations

In an effort to maintain the integrity of a truly neutral resource, an Ombuds Office must clearly outline the actions and processes it will NOT participate in.

- 1) The Office will not participate in the creation or modification of institutional policies.
- 2) The Ombuds Office can ONLY make recommendations and can ONLY provide feedback, if asked.
- 3) The Office will not recommend a solution that violates current policies.
- 4) The Office will not advocate for an individual's personal position when mediating conflict.



- 5) The Office cannot breach a confidentiality agreement and will not take any action without the direct consent of the involved party, unless it is mandated by federal law.
- 6) The Office will not act as a witness in or for the filing of a formal grievance.
- 7) The Office will not keep identifying information in their records after a case is considered closed.
- 8) The Office will not replace any currently existing grievance processes.
- 9) Speaking to the Office does not constitute notifying or reporting an issue to Cities of Peace Inc. as an institution.

Core Principles of the Ombuds Office

The establishment of an Ombuds Office clearly demonstrates that ICP cares about its volunteer community members and recognizes the importance of informal conflict resolution. Because the Ombuds Office cannot create policy or make official decisions on behalf of any party, the Office empowers the individual to choose the best course of action for their concern. Therefore, the core principles of the Office are critically important to ensure the success of this mission:

- a. Confidentiality:** The Ombudsperson will maintain the privacy of the visitor's identity and content of the case. Only with the visitor's permission can the Ombuds Office contact individuals within the institution that may be necessary to resolve the concern. The only exception to this confidentiality is where there is an apparent risk of harm to self or others and where there is no other reasonable option other than disclosure. These decisions will be made by the Ombudsperson. The Ombudsperson will be a confidential resource, meaning they are not required to share a disclosure of sexual misconduct with the Coordinator.
- b. Informality:** The Ombuds Office will have no authority to make decisions on behalf of the organisation.
- c. Impartiality:** The Ombuds Office has no personal interest or stake and does not incur any personal gain from the outcome of any case. The Ombudsperson will avoid any



situation that may cause a conflict of interest. The Ombuds Office seeks to provide a fair and equitable resolution process, and therefore, does not advocate for individuals based on affiliation.

d. Independence: The Ombuds Office will operate independently and outside of ICP structures and current Office. The Ombudsperson will exercise discretion regarding their responsibilities and cases currently being worked on. They will not take any part in administrative or formal complaint processes.

Who the Office Will Serve

The Ombuds Office will serve volunteers of ICP central, globally.

While the Ombuds Office will serve this group, the Ombudsperson is not an advocate for members of this group, but rather a promoter of fair and equitable processes.

Ombuds Function and Responsibilities

The primary roles of an Ombudsperson are to assist with the resolution of complaints and serve as an organizational change agent. To fulfill this role, the Ombuds will need to serve the following functions:

- i. Clarify the role of the Ombuds Office to visitors and values of the Office;
- ii. Explicitly state that visiting the Ombuds Office does not formally notify or provide information to the organisation regarding a concern- the Office is confidential, and the visitor's information will not be shared with anyone in the ICP administration;
- iii. Provide a safe and empathetic space for listening to individuals/groups;
- iv. Ask strategic questions to help the Ombudsperson have an accurate understanding of the visitor's story;
- v. Provide information and options to the visitors. This can include information about policies, procedures, rules and formal/administrative options for addressing concerns;



- vi. Assist visitors with determining which option or avenue would most likely achieve their goals;
- vii. Coach visitors to express their concerns effectively to others;
- viii. Review written correspondence by the visitor before it is sent to others (if asked by the visitor);
- ix. Refer the visitor to other ICP volunteer(s) to assist with the resolution of the concern if necessary;
- x. Clarify what will happen next and who will be responsible for those next steps before the visitor leaves the Office;
- xi. Communicate with a specific individual or parties to gather information relevant to the concern or to invite others to participate in the conflict resolution process. This will only be done with permission from the visitor;
- xii. Provide mediation and facilitation to help identify mutually acceptable solutions between disputing parties;
- xiii. Keep records for data collection and analysis while maintaining the confidentiality of the visitors to the Office to help identify potentially harmful patterns within the organisation.

The Ombudsperson is responsible for volunteer outreach and making sure the ICP volunteer community knows about what the Office can offer. This includes:

- i. Meeting key people virtually (coordinators and supervisors or others involved with decision making) and explaining the role of the Ombudsperson while learning about the priorities of these individuals;
- ii. Participating in volunteer orientation to introduce the Office and its function to incoming volunteers;
- iii. Providing information at Human Resource trainings to introduce the Office and its function to new volunteers;



- iv. Utilizing existing ICP publications such as newsletters, and brochures or social media to communicate the work of the Office;
- v. Communicating with ICP volunteers.
- vi. The Ombudsperson will run training programs on conflict resolution, negotiation skills, and other relevant topics.
- vii. The Ombudsperson is expected to stay up-to-date with developments and training from the International Ombudsman Association (IOA).
- viii. Records: The Ombudsperson will only store notes for active cases. These notes will be brief and serve only to refresh the Ombudsperson's memory between visits. Once a case is resolved, they will shred all notes related to said case.
- ix. Other case records that could identify individuals (e.g. emails, copies of letters, documents submitted to the Ombuds Office) will not be maintained.
- x. The Ombudsperson will encourage communication from individuals via phone call, or in-person visits to the Office if possible instead of email because these are not confidential means of communication.
- xi. The Ombuds Office will not establish or keep records of complaints. The Ombudsperson can provide guidance to the visitor if they wish to file a complaint that will be on record with another organisation resource.
- xii. The only notes the Ombudsperson will retain are high-level observations regarding trends and rate of incidences for the yearly report.

Reporting Structure

The Ombudsperson will report directly to the Executive Facilitator and/or Board Chair of Cities of Peace, Inc. This communication will be limited to urgent matters. It is important for the Ombudsperson to report to the highest-level administrator of the institution to ensure the Ombudsperson's neutrality and independence are not at risk. This also enables the Ombudsperson to deal effectively with the complexities of the chapters of ICP.



If it has come to the attention of the Ombudsperson that confidentiality has been breached, this will be reported to the Executive Facilitator and/or Board Chair of Cities of Peace, Inc. directly.

Once a year, the Ombudsperson will release public, anonymized reports to the community. The first report will be delayed by a period of time determined by the Ombudsperson to help ensure no one can link the reports to a specific person. Reports will include the number of cases handled and resolved, problem categories, and broad themes that the Ombudsperson has observed. These annual reports will alert the ICP community to problems and trends while also justifying the contribution of the Ombuds Office to ICP.

Optional: It is recommended that the Ombuds Office have a volunteer administrative assistant. This is crucial both to schedule appointments with visitors and to set up training events, perform outreach, and data collection.



Summary

ICP Ombuds Standards of Practice:

- International Ombudsman Association (2009)
- Independence
- Neutrality and Impartiality
- Confidentiality
- Informality

Organizational Ombuds:

- Listen
- Gather information
- Referrals
- Contact second party
- Coaching
- Negotiation
- Shuttle Diplomacy
- Mediation
- Group Facilitation
- Generic Options
- Upward Feedback – Trending
- Transfer or leave
- Legal Options

Working with Organizational Ombuds:

An Organizational Ombuds can help general counsel by:

- Providing an anonymous channel to give feedback to volunteers in more powerful positions than the visitor within an organization
- Coaching alleged wrongdoers in appropriate behavior
- Coaching visitors in the skills needed to resolve conflict informally
- Providing a means to raise issues so that they can be addressed early on, before they reach potential litigation
- Providing volunteers options other than suing their chapter organization.

Unique Role of Ombuds: Confidential Help for Inquirers

- Information Source – a place to get answers to sensitive or embarrassing questions
- Knowledgeable guidance on options –
- No need to first “categorize” problem as HR, Compliance, etc.
- Particularly helpful where uncertainty about what to do or if perception is correct
- Can help surface issue even if inquirer is not disclosed
- Guidance on what may be involved in the reporting process
- Available for follow-up consultations if more help is needed.



Unique Role of Ombuds:

Upward Feedback. Ombuds are agents of systemic change:

- Communicate with key stakeholders, leadership and/or the board of directors regarding organizational risks and trends.
- Make recommendations for changes to policies, practices and procedures.
- Provide feedback and considerations, such as those hiring critical volunteer positions, address issues of ethics & risk, compliance, equity & inclusion, chapter organizational climate, and work-life.
- Make recommendations for trainings & prevention programs

Benefits of Ombuds over other alternatives

Voluntary Confidential Early Resolution before other party is aware there is a conflict or before relationships affected Addresses emotional, relational, ethical- not just legal Can protect anonymity Can initiate systemic change

Economic Benefits

Expanded productivity Increased retention Preserved management time Enhanced operational efficiency Advanced individual and team development Reduced disputing costs Improved reputation/brand protection

Organizational Benefits

Supplemented formal functions (Compliance, HR, Legal, Safety) Navigated Systems Heightened transparency Enhanced accountability Protected and maximized personal responsibility Increased ethical and compliant behavior Advanced pre/pro-ventative conflict posture



Humanistic Benefits

Increased engagement Strengthened organizational trust Expanded fairness Enhanced creativity and risk taking Augmented individualized volunteer career development Heightened respect Improved and preserved working relationships Reduced incivility (bullying, sabotage, harassment, theft)

Written by Vice Chair of the Board and HR Facilitator, Ayo Ayoola-Amale, and submitted to the Board by Chair J. Fred Arment for approval, September, 2021.

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