

Northeastern University Ombuds Offices Terms of Reference

Introduction

The Office of the University Ombuds for Faculty and Staff and the Office of the University Ombuds for Graduate Students (collectively “the Ombuds Offices”) serve as supportive resources for members of the Northeastern University community (“the university”) across all campuses seeking to discuss concerns or conflicts with an impartial party.

The University Ombuds for Faculty and Staff provides services to employees of the university. The University Ombuds for Graduate Students provides services to university graduate students including those enrolled in: Ph.D., professional doctorate, Master’s, certificate, and online programs. (In these Terms of Reference, the University Ombuds for Faculty and Staff and the University Ombuds for Graduate Students are referred to collectively as “the Ombuds.”)

The Ombuds Offices provide their respective constituency groups with a confidential space to explore options off the record in an informal and safe environment without fear of retaliation or reprisal. The Ombuds practice in accordance with accepted professional standards.

Mission

The Ombuds Offices help further the university’s strategic objectives within a culture that is ethical and civil and in which differences can be resolved and mutual understanding created through respectful dialogue and fair processes. The Ombuds Offices strive to promote fairness, equity, and inclusion in workplace, academic, and research pursuits.

Members of the university may reach out to the appropriate Ombuds Office to explore how they may address problems confidentially in a constructive manner. The Ombuds serve to support and empower visitors to sort through their concerns, identify helpful options, gain understanding of relevant policies and procedures, develop effective conflict resolution skills, and prepare for productive dialogue. The Ombuds work with individual visitors and may also provide coaching, look into concerns informally on a visitor’s behalf, make referrals, conduct informal mediations, facilitate discussions, and/or deliver trainings for groups of various sizes.

In addition to supporting visitors, the Ombuds Offices are in a unique position to identify and surface potential trends impacting specific or general areas of the university. They can provide this feedback in anonymized form to appropriate university administrators at their discretion, which may be helpful to those responsible for shaping policies and procedures. The Ombuds Offices are committed to empowering individuals and groups to develop competency in conflict resolution to support members of the university community in fostering a healthy environment to learn and work.

Guiding Principles

The Ombuds Offices are structured and operate pursuant to the Standards of Practice (“Standards”) and Code of Ethics (“Code”) promulgated by the International Ombuds Association (“IOA”), which are incorporated herein by reference. As set forth more fully in the IOA Standards and Code, the Ombuds Offices operate according to the following four core principles:

Independence

- The Ombuds Offices operate independently outside of existing administrative structures and processes.
- Although the Ombuds are employees of the university, they are not aligned with any college, department, or unit and operate free from undue influence from the university.
- The Ombuds cannot compel other offices or administrators to take specific actions.

Impartiality

- As third-party neutrals, the Ombuds are advocates for equity and fair process. The Ombuds serve as impartial third parties in all matters and are unaligned with any individuals or units within the university.
- The Ombuds will not act as an advocate for any party in a dispute nor represent a specific side or agenda.
- The Ombuds take into consideration the rights of all parties as well as the welfare of the university and university community.
- The Ombuds take all steps to avoid conflicts of interest, whether actual or perceived.

Informality

- Contacting the Ombuds Offices is always entirely voluntary for visitors.
- Consistent with the IOA Standards and Code, conversations with an Ombuds are off the record and do not constitute formal or actual notice to the university of any administrative or legal claims a visitor may have. Such conversations do not suspend or affect any time limits by which notice of claims must be provided to the university or asserted in an administrative or legal proceeding.
- The Ombuds shall not keep records for the university and shall not create or hold documents or personally identifying records for the university about individual matters.
- For those wishing to go on the record, file a formal complaint, or pursue formal processes, the Ombuds make referrals to appropriate formal channels so that individuals may make informed choices about which process is best for them.
- The Ombuds may request data from and explore a concern with university officials. However, the Ombuds do not conduct formal investigations or participate in formal actions.

- The following are also outside the purview of the Ombuds Offices: adjudicating cases; providing legal advice or psychological counseling services; acting as an agent or witness; possessing or exercising the authority to institute corrective measures on behalf of the university; keeping case records for the university; assessing wrongdoing or innocence; determining sanctions; and making, changing, or setting aside any rule, policy, or administrative decision of the university.

Confidentiality

- Strict confidentiality is essential to the Ombuds function and helps create a safe place for Ombuds Office visitors to voice concerns, evaluate issues, and identify options. The Ombuds does not disclose the identity of visitors or the content of communications unless the visitor has given explicit permission to do so or where the Ombuds is required to provide information pursuant to law.
- Communications with the Ombuds Office are considered confidential and privileged.
- Formal records are not created by the Ombuds Offices, nor are personally identifiable documents preserved. Informal notes may be temporarily created only insofar as they are necessary for case management and are not retained.
- While general data related to Ombuds Office utilization rates and broad trends may be collected, this information is maintained and reported in a manner that does not identify individual visitors.
- The Ombuds confidentiality privilege belongs to the Ombuds Offices and cannot be waived by visitors to the office. Thus, even with the permission of the complainant, the Ombuds will not disclose documents or testify, attend, or participate in formal proceedings.
- The university will make every effort to protect the confidentiality of the Ombuds Offices. The university will not ask the Ombuds to testify on the university's behalf in internal or external proceedings and will take appropriate steps to protect the Ombuds from subpoena by others.
- The only exception to confidentiality is the presence of imminent risk or a credible threat of serious harm.