

2009 JOINT OMBUDSMAN CONFERENCE

EVOLUTION OF THE OMBUDSMAN (1809-2009): A Rich History, A Promising Future

April 15-18, 2009 Wednesday-Saturday
Fairmont Hotel, The Queen Elizabeth, Montreal, Quebec, Canada

HOSTED BY
ACCUO - The Association of Canadian College and University Ombudspersons
FCO - The Forum of Canadian Ombudsman
IOA - International Ombudsman Association

Conference Agenda

***Presentations listed below are subject to change.*

TUESDAY, APRIL 14, 2009

3:00 pm – 6:00 pm Conference Registration Open

WEDNESDAY, APRIL 15, 2009 Pre-Conference Courses*

*Separate registration fee applies

- 8:00 am – 8:30 am Continental Breakfast for pre-conference participants taking the full day courses or the AM Course.
- 10:00 am – 10:30 am AM Coffee Break
- 12:00 pm – 1:00 pm Lunch for pre-conference participants taking the full day courses only.
- 3:00 pm – 3:30 pm PM Coffee Break

8:30 am – 5:00 pm **Full Day Course # 1 - “Understanding the Core Principles and Practices of an Ombudsman Through the Eyes of IOA, FCO, and ACCUO”**

This course will be presented in English and English to French Translation Services will be provided.

ACCUO Rep: **Marie-Josée Rivest**, Past Ombudsman, Montréal, QC

FCO: **Ghislaine Charlebois**, Assistant-Commissioner, Compliance Assurance Branch, Office of the Commissioner of Official Languages, Ottawa, Ontario

IOA Rep: **David Talbot**, JD, Ombudsman, Coca-Cola Enterprises, Inc., Atlanta, GA

IOA Rep: **Tim D. Griffin**, University Ombudsman, Northern Illinois University, De Kalb, IL

Ombuds strive to operate consistent with a core set of ethical principles, standards of practice, and best practices. This interactive course will discuss and practice these core concepts from the perspective of the three Ombudsman organizations represented at this year's conference - IOA, FCO, and ACCUO. This course is designed as both a review for practicing Ombuds and an introduction for those new to the profession.

Conference Agenda

WEDNESDAY, APRIL 15, 2009

Pre-Conference Courses*

*Separate registration fee applies

8:30 am – 5:00 pm Full Day Course # 2 - “Courageous Followers - Courageous Leaders: New Tools for Ombuds and Those They Serve”

Presenter: Ira Chaleff, Founder and President of Executive Coaching & Consulting Associates, Kensington, MD

This presentation will be modeled on workshops conducted by Ira Chaleff for thousands of private sector and government employees at all levels of organizations. Using a rich array of self-assessment, followership style models, exercises and training videos, you will be exposed to a powerful new model of leader-follower relationships that promotes candor and partnership. At the end of the workshop you will have a strong understanding of how to apply this model to numerous situations encountered by ombuds. You will be better equipped to help your clients transform their relationships with supervisors into partnerships and, in turn, to equip your clients to work through more of their issues directly with their supervisors.

8:30 am – 5:00 pm Full Day Course # 3 - “Ombudsman Master Class”

Presenters: Howard Gadlin, Ombudsman, National Institutes of Health/NIH, Bethesda, MD

John S. Barkat, Ombudsman, United Nations, New York, NY

Linda Wilcox, Ombudsperson, Harvard Medical School, Boston, MA

Marvin Neal, Ombudsman, Coca-Cola Enterprises, Atlanta, GA

Facilitators:

Nicholas Diehl, Associate Ombudsman, National Institute of Health/NIH, Bethesda, MD

Sara Thacker, Associate Ombudsperson, University of California, Berkeley, CA

The idea of an ombudsman master class is borrowed from the music world. Professional musicians commonly attend sessions led by a seasoned teacher. The goal of this full day course is to create an environment in which instructors can demonstrate their techniques and styles as they role play cases. For each case there will be time to discuss the ombudsman’s approach and to explore how instructors and participants analyze the individual and systemic elements at play.

8:30 am – 12:00 pm AM Half Day Course - “Top Connection; Improving Ombuds/Executive Relations”

Presenter: John W. Zinsser, Managing Partner, Pacifica Human Communications LLC., Charleston, SC

This pragmatic and experiential program provides participants with an elegantly simple process that increases their ability to:

- Form and maintain a connection;
- Generate enduring rapport; and
- Demonstrate and receive value with their organization’s top level leadership.

This highly interactive session involves role playing, immediate performance feedback, real time mentoring and communications planning. The goal is to ensure that ombuds of all types are prepared to skillfully build and maintain appropriate connections with the highest levels of leadership present in their institutions.

1:30 pm – 5:00 pm PM Half Day Course - “Generation Y is here! You better be ready!”

Presenter: Josée Garceau, Director of Recruitment, Université de Sherbrooke, Sherbrooke, Québec, Canada

They are not like us, don’t act like us, don’t live like us, no wonder we have problems understanding one another. They surprise us with their ideas, destabilize us with their actions, astound us with their attitude. Don’t worry it’s not as desperate as it may seem! In fact we have more in common than we think. In this session we will take a look at the 4 Generations that coexist in our workplace and draw a parallel between their characteristics, values and life objectives to better understand our differences and common ground. Knowing where Generation Y comes from and where they want to go will enable you to better understand and help them. Using examples from the education sector and the workplace you will get simple and concrete ways to improve your relationship and with Generation Y.



Conference Agenda

WEDNESDAY, APRIL 15, 2009

5:30 pm – 7:30 pm **Welcome Reception for All Conference Attendees**

Join us for light refreshments and networking. A place where colleagues know what you do for a living and understand, a place where they want to hear how you handled a situation, and a place where you can ask their opinion. This is a great atmosphere to catch up with old friends, meet new friends, share stories, and discuss with others the conference sessions you plan to attend. Light refreshments will be served as well as coffee, tea and soft drinks, and a cash bar will be available. Then venture out on the town for dinner with your new friends where you can continue the conversations.

This reception is graciously sponsored by the City of Montréal.

Conference Agenda

THURSDAY, APRIL 16, 2009

First Day of General Conference

Please note: * Simultaneous translation from English to French available for morning sessions only.
** Presentations listed below are subject to change.

8:00 am – 9:00 am Continental Breakfast for all conference attendees.

9:00 am – 12:30 pm General Session

9:00 am – 9:30 am **“Welcome and Opening Remarks From the President of Each Association”**

*ACCUO President, **Martine Conway**, Ombudsperson, University Of Victoria, Victoria, British Columbia
FCO President, **André Marin**, Ombudsman, The Office of the Ontario Ombudsman, Ontario
IOA President, **Kevin Jessar**, J.D., Ph.D. Deputy Ombudsman, National Institutes of Health (NIH),
Bethesda, MD*

9:30 am – 10:30 am **Keynote Speaker**

“Failure to Confront: Political Correctness as Organizational Toxin”

*Presenter: **Gilles Paquet**, Professor Emeritus, Telfer School of Management, University of Ottawa,
Ottawa, Ontario*

Failure to confront is the most important weakness of leaders in all sorts of organizations. It is reprehensible disengagement, unacceptable strategic silence in the face of situations calling for correctives, and tantamount to deception, to not telling the truth, to misinforming. This chronic unwillingness to confront has two major sources – some personal, some societal. First it may arise from fear of challenges, rejection or disapproval, from being ridiculed, or fear of an interaction one cannot control, or simply as a result of a lack of self-confidence and courage. Second, this phenomenon has been dramatically magnified by the wave of political correctness that has overwhelmed modern societies in recent times. Political correctness is now the most important threat not only to organizational performance but also to freedom of speech.

10:30 am – 11:00 am AM Coffee Break

11:00 am – 12:30 pm **General Session Presentation:**

“Watchdogs and Wise Ones in Winter Lands- The 2008 FCO Liz Hoffman Ombudsperson Research Award Paper Presentation” (E/F)

*Presenter: **Michelle LeBaron**, Professor of Law and Director of the Dispute Resolution Program, University of British Columbia, Vancouver, British Columbia*

Panel Chair:

***David McNabb** LL.M., C. Med, Deputy Ombudsman, RBC Ombudsman Office and Chair, FCO Research Committee*

Panel:

***Patrick Robardet**, LL.D., Ombudsman, Commission scolaire de Montréal, Montréal, Québec*

***Adrienne Clarke**, Ombudsperson, University of Western Ontario*

***Howard Gadlin**, Ombudsman, National Institutes of Health, Washington, DC*

Closing:

***André Marin**, President of FCO and Ombudsman of Ontario, will offer brief closing remarks and present the FCO Liz Hoffman Ombudsperson Research Award to the 2008 recipient Professor Michelle LeBaron.*

Join with your colleagues for a dialogue on current and future ombuds practice in Canada led by well known conflict resolution scholar and author Michelle LeBaron, the 2008 recipient of the FCO Liz Hoffman Ombudsperson Research Award. Professor LeBaron will present her paper Watchdogs and Wise Ones in Winter Lands, followed by responses from Canadian and US ombuds from various sectors and audience members.

12:30 pm – 2:00 pm Lunch for all conference attendees.

12:30 pm – 2:00 pm **Lunch for Young Ombuds.** Please join us at lunch to discuss our challenges and considerations as younger ombuds; its implications for how we practice; how it affects how we practice; the importance of perception and other related topics. Tables will be marked reserved. Questions? See Jen Graf or email jgraf@hawaii.edu

2:00 pm – 3:30 pm CONCURRENT SESSIONS

1 FCO's Annual Business Meeting

2 "The Courageous Follower: Transforming Hierarchical Relationships into Dynamic Partnerships"

Presenter: Ira Chaleff, Founder and President of Executive Coaching & Consulting Associates, Kensington, MD

In this breakout session, you will be exposed to the emerging field of "followership" and become familiar with the styles of followership identified in the "Courageous Follower" model developed by the presenter. You will form an understanding of the growth path for each style of followership and how this relates to equipping ombuds and those they serve to develop healthy relationships with their supervisors. You will leave with increased awareness of the resources available to develop a culture that supports candor and trust between those at different levels of the hierarchy.

3 "Externs in the Ombuds Office: Why They Should be Welcomed and How They Should be Managed"

*Presenters: Tom Kosakowski, Ombudsman, University of California, Los Angeles, CA
Indu Sen, Ombudsman, University of California Riverside, Riverside, CA*

Prospective ombuds are eager for volunteer opportunities, but established ombuds programs are often reluctant to take on externs. This program will discuss the pros and cons of working with externs. The presenters will offer specific advice on recruiting, training and managing externs so the experience is rewarding for all parties.

4 "Issues Concerning IOA Standards of Practice with Legal Implications"

Co-Sponsored by the IOA Professional Ethics, Standards and Best Practices Committee (SOP) and the IOA Legal & Legislative Affairs Committee (LLAC)

*Presenters: Marsha L. Wagner, University Ombuds Officer, Columbia University, New York, NY,
Nathanael Haddox, Ombudsman for Staff, Texas Tech University, Lubbock, TX,
Margo Wesley, Director & Ombudsperson, University of California, Berkeley, CA
Judy Bruner, Director & Campus Ombudsperson, University of California, San Diego, CA
Susan Kee-Young Park, Ombuds Officer, University of Hawaii At Manoa, Honolulu, HI
Lillian Santa Maria, University Ombudsman, University of Cincinnati, Cincinnati, OH*

Operating under the IOA Standards of Practice is not always a simple matter. Members of the IOA SOP and LLAC Committees will discuss issues that have arisen on the IOA listserve and in committee work, such as "Can publication of an annual report by the ombuds office put the ombuds' organization on notice of illegal activities?" to "Can an ombuds assert privilege in good faith?" The session will invite active audience participation.

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2:00 pm – 3:30 pm CONCURRENT SESSIONS continued from previous page

5 “Who Will Mind the Store? Continuity of Services for Small Offices”

Presenters: Kirsten W. Schwehm, PhD, University Ombudsperson, Louisiana State University, Baton Rouge, LA

Jim Wohl, DVM, MPA, University Ombudsperson, Auburn University, Auburn University, AL

Adrienne R. Andrews, Ph. D., Ombudsperson, Smith College, Northampton, MA

Small Ombuds offices face unique challenges, including insuring continuity and quality of services, free from conflict of interest issues. For offices staffed with a single person, there must be increased attention to peer consultation, visitor access to services, adherence to IOA Standards of Practice, as well as practical matters such as handling extended leave. A specific example of arranging coverage for a small Ombuds office will be reviewed, with attention to defining essential Ombuds skill sets, crafting interagency agreements, preserving organizational knowledge, and planning for office transitions. Such arrangements can lay the groundwork for continued networking between the collaborating entities and Ombuds offices. Examples of continued collaboration can include joint case handling, office sharing, and alternatives when competing interests test the core standards of impartiality and independence.

6 “Transforming an Executive Ombudsman into a Parliamentary Ombudsman: A milestone of Indonesian Ombudsmanship”

Presenters: RM Surachman, Research Professor (WALP), Ombudsman, Ombudsman of the Republic of Indonesia

Dr. Eriyantouw Wahid, Associate Professor, Director, Post-Graduate Programs of Trisakti University Magisterial of Law, Jakarta, Indonesia

Ombudsmanship began to develop in Indonesia when then-President **KH Abdurrahman Wahid** issued a Presidential Decree in 2000 creating the National Ombudsman Commission. The eight commissioners began to function under this Decree and to execute its mandates, one of which was to draft a bill on the Ombudsman of the Republic. Parliament enacted the bill last year. The “Commission” was transformed automatically into “The Ombudsman of the Republic”. It is an independent state organ adhering to almost all of the **Gottelher Principles**, or universal ombudsman principles, set out in the “Ombudsman Legislative Resource Document” published by the International Ombudsman Institute. Provided with new weapons and shields, all the Ombudsmen in transition are now preparing rules and procedures pursuant to the new law. Hopefully, in less than one year nine fresh ombudsmen selected by Parliament and endorsed by the President will be ready to replace the incumbents. Then the new institution, an independent supervising state organ, will have great influence and provide significant conceptual as well as factual contributions to public service administration in Indonesia.

3:30 pm – 4:00 pm PM Coffee Break

4:00 pm – 5:30 pm CONCURRENT SESSIONS

7 “Compassion Fatigue, Vicarious Trauma and the Ombudsman”

Presenter: Ian Darling, Ombudsperson, Tarion Warranty Corporation, Toronto, Ontario

This will be a lecture/discussion about compassion fatigue, vicarious trauma, Post Traumatic Stress Disorder and Ombudspersons. It will examine literature from other professions, and attempt to present some options for prevention. It will draw on the experiences of the participants.

8 “Failure To Confront: Political Correctness As Organizational Toxin, continued”

Presenter: Gilles Paquet, Professor Emeritus, Telfer School of Management, University of Ottawa, Ottawa, Ontario

In the workshop, Gilles Paquet will conduct a conversation with participants about the extent to which this dual phenomenon (failure to confront as a result of lack of courage, and as a result of political correctness) is on the rise, to what extent it condones and nurtures learned helplessness – a reaction of passivity in the face of unpleasant harmful or damaging situations where one senses that one has neither the bargaining power nor capacity to resolve the problem. The discussion will aim at identifying mechanisms aimed at resolving this sort of difficulty.

9 “Ombudsmans’ Compellability”

***Presentation will be in French and English**

Presenters: Julie Cuddihy, Partner, Fasken Martineau DuMoulin, Montréal, QC

David McDonald, Partner, Fasken Martineau DuMoulin, Vancouver, BC

Presenters will discuss the issue of ombudsmans’ compellability before Canadian courts of law. What is the best response when an ombudsman is subpoenaed before a Canadian court? Does an ombudsman’s intervention in a case or regarding an exchange of documents carry a confidentiality privilege? How do Canadian courts of law react to such situations?

10 “How Can an Ombudsman be a Tool for Enterprises to Increase Profitability?”

Presenter: Chantal Perreault, LL.M., Ombudsman/trainer, Ombudsman Solution, Montréal, QC

In this presentation, we will analyze all aspects of conflicts and how they can higher costs for an enterprise. We will then see how the enterprise can benefit from investing in Ombudsman services. A good comprehension of all those elements influencing the life of the workers from top to bottom will be a valuable tool for all ombudsmans, management either in legal, HR or marketing, directors, CEOs and all those concerned with today’s challenge of doing better with less to achieve financial success. Innovation, creativity and flexibility are today’s best assets to implement in the enterprise and using the Ombudsman as a tool to ease tensions and help resolve problems as they surface is certainly a new innovative way of thinking in terms of investment to create wealth instead of in terms of expenses. So you will have all you need to share the new secret: invest in happiness: it pays!

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4:00 pm – 5:30 pm CONCURRENT SESSIONS continued from previous page

11 “Ombudsman Armchair Discussion: Common Issues and Uncommon Solutions”

Presenters: Howard Sapers, Correctional Investigator, Office of the Correctional Investigator, Government of Canada, Ottawa, Ontario

Murray Knoll, Saskatchewan Worker's Comp. Board, Regina, Saskatchewan

Mary McFadyen, General Counsel, Office of the Ombudsman for the Department of National Defence and Canadian Forces, Ottawa, Ontario

Kevin Fenwick, Ombudsman, Province of Saskatchewan, SK

Jennifer Ann Graf, Ombuds, University of Hawaii

Dave McNabb, Deputy Ombudsman, RBC Financial, Toronto, ON

A facilitated “armchair” discussion involving Ombudsmen from different sectors sharing insights about common problems (eg. recruitment, relationship building, credibility, accountability, dealing with the media) and their successes in dealing with these.

12 “New Roles and New Thinking: Lessons from (International) Cross-Pollination”

Presenters: Martine Conway, Ombudsperson, University of Victoria, Victoria, British Columbia

Patrick Robardet, Montreal (French) School Board, Montréal, Québec

Michael Reddy, LL.B, LL.M, MBA, MCI, Accredited Mediator, Deputy Adjudicator and Chief Executive Officer, The Office of the Independent Adjudicator for Higher Education (OIA), Reading, UK

Virginia Santiago-Tosado, EdD(c), JDr, CPM, CA, Student Ombudsperson & Assistant Professor, University of Puerto Rico, San Juan, Puerto Rico

Can the ombudsman function build a common identity that transcends differences between various models and diversity of practice? The session will explore the diversity of roles and “different voices”, such as being “an independent voice for fairness”, a “facilitator of good practices”, or “change agent”, and discuss how a common identity a) can be built, and b) can contribute to better practices, help enhance skills and make offices more relevant in a changing environment. The session will identify the useful contribution of several existing regional ombuds conferences and groups, notably in North America and Europe, that provide space for sharing experiences and learning about practices and skills that can be adapted or borrowed. These groupings provide a sense of belonging and unity among ombuds, as well as practical support notably to small offices where individual ombuds may feel isolated, to ombuds facing difficult times, or to new ombuds. These groupings also evidence international cooperation between ombuds. The experience of other offices can help us learn and create an international network fostering new thinking that, in turn, reinforces the relevance of our work.

5:30 pm Conclusion of Day One

5:30 pm – 7:30 pm Cocktail reception for all attendees, graciously hosted by Fasken Martineau. Fasken Martineau is the Canadian law firm that presented session # 9

Conference Agenda

FRIDAY, APRIL 17, 2009

Second Day of General Conference

Please note: * Simultaneous translation from English to French available for morning sessions only.
** Presentations listed below are subject to change.

8:00 am – 9:30 am ACCUO's Annual Business Meeting

ACCUO members will pick up their breakfast from the **main room** and take it to the **meeting room**.

8:30 am – 9:30 am Continental Breakfast for all other attendees

9:30 am – 12:30 pm General Session

**9:30 am – 10:30 am Keynote Speaker
"The Wheat and the Chaff: Analysis, Judgment and Closure"**

Presenter: Richard W. Pound O.C., O.Q., Q.C., FCA, Partner of the law firm Stikeman Elliott, former president of the World Anti-Doping Agency (WADA) based in Montreal and former vice-president of the International Olympic Committee (IOC)

Today's Ombudsmen face unique challenges. Ombudsmen are not legislators, but creatures of statute with defined powers which fall short of those of the superior courts having residual jurisdiction, and they cannot invoke the machinery of government to determine and enforce rights and obligations. They must operate within the broad principles of administrative law to make an assessment of whether the "system" or the officials who administer it have foiled the legislative intent at the expense of those who are governed. This requires an ability to analyze, to identify the real issues, to recognize self-protection and justification, to judge character and credibility, to create confidence in the impartiality of the Ombudsman and to seek ways to create win/win scenarios. Where win/win scenarios are not possible, Ombudsmen must be willing to make decisions and to bring closure within a reasonable time.

10:30 am – 11:00 am AM Coffee Break

**11:00 am – 12:30 pm General Session Presentation
"Lessons from History: The Once and Future Ombudsman"**

*Presenters: C. McKenna Lang, Continuing Education, Antioch University Seattle, Seattle, WA
Suzanne Belson, Senior Investigator, Department of National Defence/Canadian Forces Ombudsman, Montréal, Québec
Fiona Crean, Ombudsman, City of Toronto, Ontario
Margo Wesley, Director & Ombudsperson, University of California, Berkeley, CA
Moderator:
Martine Conway, Ombudsperson, University of Victoria, Victoria, British Columbia*

A panel discussion about the origin and evolution of the ombudsman concept. What have we learned? Where are we going? The panel members will talk about their experiences, thoughts and research, discuss important milestones and events that have shaped the ombudsman function, and speculate on possible scenarios for the future.

12:30 pm – 2:00 pm IOA's Annual Business Meeting and Luncheon

This is a great opportunity to learn what International Ombudsman Association has done over the past year, hear about plans for the future, learn how IOA has impacted the profession and how you can contribute to the association and profession.

12:30 pm – 2:00 pm Lunch for all other conference attendees.

FRIDAY, APRIL 17, 2009

Second Day of General Conference

2:00 pm – 3:30 pm CONCURRENT SESSIONS

13 “Whistleblowers: Thank You and Good-bye”

*Presenters: Gareth Jones, Office of the Ombudsman of Ontario, Toronto
Sue Haslam, Manager of Investigations, Ontario Ombudsman, Toronto, Ontario*

Whistleblowers are a valuable but delicate resource. Ombudsmen of all types regularly hear from people who are afraid to come forward because they are concerned about retaliation. Those who do are often treated as pariahs by their supervisors and colleagues. It does not matter what field of Ombudsmanry you are in, it is an issue that impacts us all. Get it wrong and it may have far reaching consequences for all involved. This session will cover strategies on how to deal effectively with whistleblowers, including assessing credibility, ensuring confidentiality and dealing with reprisals.

14 “An Introduction to Results Based Management for Ombudsman Offices”

*** Presentation will be in French**

Presenters: Luc Martin, Ombudsman, Office of the Ombudsman, Parks Canada Agency, Gatineau, Quebec

Lisette Thibault, Canadian Heritage – Gatineau, Québec

Serge Jetté, Ombudsman Officer, Health Canada, Ottawa, Ontario, Canada

The purpose of this workshop is to familiarize participants with the key steps of results-based management (RBM) and show how RBM can be applied in an Ombudsman's office. RBM is a process by which an Ombudsman's office ensures, by monitoring a series of indicators and reports on performance data that its processes, products and services are aligned with and contribute to the attainment of its objectives. The workshop will be divided into three parts. The first part will introduce the six steps of RBM and show how these were applied by three organizational ombudsman offices working for the Government of Canada. Special emphasis will be placed on developing a logic model, risk management and performance measurement. The second part will get participants to think about and comment on the work done by the presenters. For this exercise, small working groups will be asked to discuss a given topic. Finally, participants can share the outcome of their discussion with the large group.

15 “The Ombuds: Free Electron Or Crippled Robot?”

Presenters: Patrick Robardet, Montreal (French) School Board, Montréal, Québec

Generally, the ombuds role serves three functions: giving information, providing advice, and handling complaints. The ombuds discusses options with the visitor/complainant. The ombuds then explains his role within the organisation: he is an office of last resort; the visitor/complainant must have exhausted available remedies before the ombuds can intervene. Who is the person best placed to answer the visitor's request? It can be the ombuds or some other person or office. The proposed session will address this issue from the point of view of two related concepts of governance: proximity and subsidiarity. Their combined application enunciates that it is best to deal with issues locally where a local authority is best placed to do so. The session will explore what this means, how the ombuds thus fits within the organization, how the concepts of proximity and subsidiarity influence practice, and how they allow for a stronger accounting of the ombuds' contribution to the functioning of the organization.

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2:00 pm – 3:30 pm CONCURRENT SESSIONS continued from previous page

16 “Conversations with the IOA Board”

The directors and associate member representatives of IOA are eager to have a conversation with you about the future of the Association. This open forum is an opportunity to raise issues, ask questions and engage the Board and other participants in discussion about the Association and its work. We look forward to a rich and varied discussion.

17 “Hospital Ombudsmen: Who Are We? What Do We Do? What Are The Challenges We Face?”

Presenters: *Sharon Rogers, Hospital Ombudsman, University Health Network, Toronto, Ontario*

At the end of the session, participants would understand:

- what hospital ombudsmen do?
- the processes that we use?
- the challenges of our practice?
- the challenges of our industry?

A sense of the similarities and differences that we have when compared to other industries/ sectors. Lecture with lots of encouragement for interactive questions/ answers.

18 “Can an Organizational Ombudsman Conduct Investigations and Still Meet the Ombudsman Concept of Informality?”

Presenters: *Laura Bradbury, Commissioner, Fair Practices Commission, Toronto, Ontario*
Tom Irvine, Fair Practices Specialist, Fair Practices Commission, Toronto, Ontario

While much of the work of Ombudsman offices is done informally, the Fair Practices Commission of the Ontario WSIB (workers' compensation) has found that not all issues can be resolved in that manner. The Commission's Charter includes the authority to conduct investigations, when necessary, to resolve identified fairness issues. The Commission recently used that authority to conduct an investigation into systemic process issues in the organization's treatment of occupational disease cases. The workshop will use the investigation as a case study to help answer the question of whether an organizational (or hybrid) ombudsman can conduct investigations and adhere to ombudsman principles. The presenters will examine the components that made the investigation a success for both the Commission and the organization.

3:30 pm – 4:00 pm PM Coffee Break

4:00 pm – 5:30 pm CONCURRENT SESSIONS continued from previous page

19 “Responding to Tragedy: An Ombudsperson’s Journal”

Presenters: **Tim D. Griffin**, University Ombudsman, Northern Illinois University, De Kalb, IL

How is the Ombuds Office impacted by campus tragedy? The Northern Illinois University ombudsperson will relate observations and trends noted on his campus and in his office in the hours, days, and months following a lecture hall shooting in which six were killed and 32 injured. Questions and ensuing discussion will be encouraged.

20 “Using the Voice of the Customer to Chart and Measure Success”

Presenters: **Nicole Goodfellow**, Ombudsman, Canada Post Corporation, Ottawa, Ontario
Janet Leblanc, Director, Customer Value Management, Canada Post Corporation, Ottawa, Ontario

Delivering a superior customer experience has always been central to the Office of the Ombudsman at Canada Post, regardless of the complaint outcome. Understanding the needs and expectations of customers and learning how to use this feedback to improve its complaint resolution process was the driving force behind the implementation of its new customer insight program called Customer Value Management. Leveraging an award-winning Customer Value Management program, the Office of the Ombudsman for Canada Post is able to:

- Understand and communicate customer expectations to executive stakeholders and front-line employees;
- Translate customer requirements into business improvement strategies
- Engage employees to deliver higher quality performance.

The presentation will be jointly delivered by the Ombudsman at Canada Post and Janet Leblanc, Director Customer Value Management. Janet's leadership in this area has led Canada Post to win 3 international awards. She has now partnered with the Office of the Ombudsman to develop a customer insight program tailored to the Ombudsman's operating environment.

21 “Ombudsman Operations and Evaluation”

Presenters: **Dr. Frank Fowlie**, ICANN Ombudsman, Marina Del Rey, CA and Richmond, British Columbia
John Zinsser, Managing Partner, Pacifica Human Communications LLC, Charleston, SC
Shellee Warnes, Straus Institute for Dispute Resolution, Pepperdine University School of Law, Malibu, CA

This session will examine the use of external parties in Ombudsman assessment efforts, including verification Ombudsman self analysis of structure, process, activity measures, organizational impact, and value return. Discussions will include tasking and focusing third parties for best results; the use of university externs; peer reviews; and the control and publishing of findings. The session will provide practitioners insight into reliable, credibility-enhancing, and cost effective methods to demonstrate the benefit and value created by an Ombudsman Office, which is so essential in the current economic environment.

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4:00 pm – 5:30 pm CONCURRENT SESSIONS continued from previous page

22 “The Role of Educational Outreach Programs in Ombuds Practice”

Presenters: Adrienne Clarke, University Ombudsperson, The University of Western Ontario, London, Ontario

This session will focus on how the development of educational outreach programs can raise the profile of the Ombuds office by creating new opportunities for the Ombudsperson to connect with academic leaders, students, and faculty in a grievance-free context. Drawing on the educational programming developed at Western, participants will discuss how these kinds of programs can add value to an institution by encouraging members of the university community to be more proactive when dealing with academic problems and concerns. In addition, creating an educational component for Ombuds practice has the potential to increase visitors to the office by reducing the apprehension that some members of the university community may have about seeking the advice of the Ombudsperson. Finally, workshop participants will explore different ways of identifying the kinds of educational programming that would be useful to their institution.

23 “The Ombudsman/ Person: Impartial and Independent. Aspirational, Achievable or Impossible?”

Presenters: Nora Farrell, Ombudsperson, Ryerson University, Toronto

It has been said that: “Even to say that impartiality and objectivity is a standard to which we should each aspire is to invoke a method of thinking and a view of reality that does not exist. There is no there when it comes to this assertion. To use this thinking is to assume that which is not. To believe that we should seek impartiality and objectivity is to assume that such concepts exist outside of each of us, and that we can seek to examine understand, and emulate these concepts. It just ain’t so.” (Jones & Hughes, in *Conflict Resolution Quarterly*, vol.20, no.4, Summer 2003, p. 492). In contrast, many Ombuds publicly declare the importance of and their commitment to impartiality and independence via their public presentations, annual reports and their promotional materials. This workshop will inspire spirited discussion about the viability of the concepts of impartiality and independence as they apply to the role of the Ombudsperson /man wherever he or she is situated.

24 “The Ombudsman and New Institutional Governance, Towards a Development of Participative Practices and Mediation”

*** Presentation will be in French**

*Presenters: Louise Lalonde, Aggregated Professor, LL.B., LL.M., the University of Sherbrooke, Longueuil, QC
Catherine Régis, LL.B., LL.M. S.J.D., the University of Sherbrooke, Longueuil, QC*

An Ombudsman is called to play a role growing in the assertion of the communicational bridge and participative between two democratic poles of our societies, the citizens and institutions or governments. The transformation of the state and institutional governance towards a bigger participation of the actors and more and more reflexive modes of regulation invites ombuds to play a key role in the coordination of collective action. What is this role? What types of intervention will allow to optimize the role of ombudsman in this governance news? It will be a presentation in the form of a conference which will be followed by debate in plenary or subgroup.

5:30 pm Conclusion of Day Two

Conference Agenda

FRIDAY, APRIL 17, 2009 CONTINUED

Second Day of General Conference

6:00 pm – 10:00 pm **Social Evening in Old-Montréal** (Friday, April 17, 2009, from 6:30 till...)

\$ 60 USD / \$75 CAD

Please join ombudsman conference attendees for an amazing taste of real Montréal cuisine. This is a unique opportunity to experience Québec dining and hospitality in the heart of Old-Montréal, less than a mile from the Queen Elizabeth Hotel. The cost of the evening includes the cocktail, meal, wine, entertainment and door prizes, but not transportation. You can get there by metro or on foot, or maybe share a short cab ride.

Conference Agenda

SATURDAY, APRIL 18, 2009

Third Day of General Conference and Conclusion

Please note: * Simultaneous translation from English to French available for morning sessions only.

** Presentations listed below are subject to change.

7:00 am – 9:00 am Continental Breakfast

7:30 am – 8:45 am **IOA's "Certification Planning" Discussion**

*Presenters: Wayne Blair, University Ombuds, University of North Carolina, Chapel Hill, NC
Carolyn Noorbakhsh, Ombuds, National Renewable Energy Laboratory, Golden, CO
Marsha Wagner, University Ombuds Officer, Columbia University, New York, NY
Jennifer Wolf, Associate Ombudsman, University of California, Irvine, CA*

This special breakfast session will provide information from the members of the Certification Taskforce and the IOA Board, who will describe the upcoming certification program for individual organizational ombudsman practitioners. The certification program, which we plan to call CO-OP (Certified Organizational Ombudsman Practitioner), will be described from historical, current and anticipated future perspectives. Panelists will explain how the examination content was defined by the organizational ombudsman job analysis process, as well as how to prepare and register for the examination, and the eligibility criteria for the certification credential. Members of the Certification Taskforce will also respond to questions from participants in this session, such as queries about the governance of the certification program, and requirements for retaining certification status and re-certification.

**Please note: Breakfast will be served at 7:00 am for those attending this session.*

9:00 am – 10:30 am General Session

9:00 am – 10:00 am **Keynote Speaker**

"The Role of the Ombudsman in Promoting Human Rights and Democracy"

Presenter: Rémy M. Beauregard, President of Rights & Democracy (International Centre for Human Rights and Democratic Development), Montreal, Quebec

Ombudsman offices and other national human rights institutions are essential for reducing the wide gap that sometimes exists between the formal adherence of states to international human rights agreements and the actual human rights practices of those states. In the pursuit of this goal, these institutions contribute to building links between the state and its citizens, and are central tools for strengthening the capacity of state and civil society organizations. The international donor community should place a premium on building strong Ombudsman's Offices and Human Rights Commissions as a means to promote and protect human rights and democracy.

10:00 am – 10:30 am Wrap Up by the Presidents

10:30 am – 11:00 am AM Coffee Break and Time for Hotel Check Out

SATURDAY, APRIL 18, 2009 CONTINUED Third Day of General Conference and Conclusion

11:00 am – 12:30 am CONCURRENT SESSIONS

25 “Conflict Coaching for the Ombuds: Dealing With Difficult Situations”

*Presenters: Ed Modell, Maryland Judiciary Employee Ombuds, Annapolis, MD
Cinnie Noble, CINERGY® Coaching, Toronto, Ontario*

Conflict coaching is a fundamental skill necessary for effective ombuds work. It blends the two burgeoning fields of coaching and alternative or appropriate dispute resolution (ADR). Conflict coaching helps individuals and groups to develop creative, effective and constructive ways to address conflictual situations that adversely impact on them, their work and the workplace. Opportunity for growth and learning exist in any conflictual situation is one of the major premises of conflict coaching. This presentation will focus on particularly difficult workplace situations, to enhance the skills of attendees to deal with these types of situations.

26 “How Can Fairness Principles be Embedded in the Organizations We Work With?”

*Presenters: Kevin Fenwick, Ombudsman Saskatchewan, Saskatchewan
Laura Bradbury, Fair Practices Commissioner for the Workplace Safety and Insurance Board, Ontario*

A classical and an organizational ombudsman will outline the “Fairness Awareness” educational programs they provide for the ministries and organizations they review. The goal of their programs is to change the culture within the organizations at a basic level so that fairness best practices become part of the everyday decision-making process. Fairness checklists are part of the programs; their aim is to help prevent future unfairness. The audience will participate in identifying some best practices based on their own ombudsman experience.

27 “Recent Developments in Ombudsman Law in Canada”

Presenter: Gregory J. Levine, PH.D., LL.B, Law Office of GJ Levine, London, Ontario

This presentation will review and analyze change in the Canadian law of Ombudsman in the last five years. It will consider both legislation and cases. With respect to legislation, it will focus on the extension of authority of provincial ombudsmen and the legislative encouragement of the development of ombudsmen in spheres such as local government. With respect to case law there will be three foci – the development of protections of confidentiality in the ombuds and mediator spheres, the use of ombudsman information in cases and the recognition of ombudsman powers and jurisdiction in current case law (with an appreciation of the current law in relation to key precedents in the law of Ombudsman).

continued on next page

Conference Agenda

SATURDAY, APRIL 18, 2009 CONTINUED **Third Day of General Conference and Conclusion**

11:00 am – 12:30 am **CONCURRENT SESSIONS** continued from previous page

28 “White Privilege and Ombudstry: How does the ‘Invisible Knapsack’ Affect Our Practice?”

*Presenter: Donna Douglass Williams, Ombudsperson, Georgia State University, Atlanta, GA
Dolores Gomez-Moran, University Ombudsman, George Mason University, Fairfax, VA
Valerie Fennell, Faculty Ombudsperson, Georgia State University, Atlanta, GA*

Interactive discussion will include how whiteness and white privilege is perceived by white persons and persons of color and how the concept of “whiteness” may be viewed around the world. Also discussed will be how open and safe discussions around the issue of white privilege may strengthen ombuds’ work as advocates for fairness and equity in our organizations. Questions to be explored will include: 1) What does it mean to be white? 2) What are the daily effects and/or benefits of white privilege? 3) Does raising the issue of white privilege help or hurt bridges towards healing racial and cultural divides? 4) What is the role of the Ombuds (if any) toward raising awareness of the impact of white privilege in our organizations? The workshop will include discussion of the research and writings of Peggy McIntosh, Derald Wing Sue, Robert Jensen, Mary McRae, Beverly Daniel Tatum.

29 “Decision Makers In Higher Education, “Governors”, Ombudsmen, Students: Do They Live on the Same Planet?”

Presenter: Dr. Josef Leidenfrost, Ministry of Education, Vienna, Austria

The presentation will focus on the different layers of decision making within higher education and the sometimes rather long and winding roads from identifying deficiencies through individual cases to changes of rules at the end. Examples from daily experiences of the Austrian student ombudsman will be given, plus an insight into models from other European countries.

30 “The African Ombudsman: A Particular Context, a Particular Mission: New Institutional Mechanisms”

*** Presentation will be in French**

Presenter: Oswald Vital Padonou, Lawyer-Expert in Mediation and Governance, Porto Novo, Benin

Content will center on the socio-political context of institutional mediation in Africa, value of mechanisms of action on institutional mediators/ombudsman in Africa, the users of the National Ombudsman or Médiateur de la République, and development of new action mechanisms for the ombudsman. The second part will be dedicated to audience reactions, observations, and comments. Finally, we will attempt to summarize our responses to the questions that have been raised.

12:30 pm Conference Adjourns