



## Ombudsperson for Students

### 1. **Terms of Reference**

1.1 The mandate of the Ombudsperson for Students (OFS) shall be to:

- (i) provide an independent, impartial and confidential process through which a student may seek the just, fair and equitable resolution of any university-related concern where normal non-adversarial administrative channels for addressing such matters are inappropriate in the circumstances or prove ineffective;
- (ii) where appropriate, review University policies, guidelines and procedures affecting students and make recommendations for change normally to the relevant University administrative officer;
- (iii) where appropriate, promote discussion o

## 4. Functions

### **General:**

#### 4.1.1 The OFS may:

- (i) discuss an issue with students who prefer to consult a neutral party;
- (ii) advise students on their rights and responsibilities within the University context;
- (iii) provide guidance to students on institutional policies and procedures;
- (iv) assist students in identifying the various informal and formal administrative channels available for addressing an issue that may become the object of a complaint;
- (v) assist students in accessing non-adversarial administrative channels available for addressing particular issues; or
- (vi) help resolve an issue for students who, having utilized established non-adversarial administrative channels, have reasonable grounds for believing that the procedures, rules or criteria used to reach a decision were inappropriate or inadequate.

#### 4.1.2 The University shall render all reasonable assistance to the OFS in the performance of the mandate of the position and in particular shall provide the OFS with timely and reasonable access:

- (i) to appropriate University authorities;
- (ii) subject to the laws governing the protection of private and confidential information, to the files, records and other documents needed to fulfill the functions of the mandate as herein described.

### **Concerning Individual Student Complaints:**

#### 4.2.1 The OFS shall only accept complaints from students who personally present their complaints (see <http://www.mcgill.ca/ombudsperson>).

##### 4.2.1.1 The OFS shall inform a third party seeking to initiate complaints on behalf of a student of this policy and request the third party to advise the student to contact the OFS personally.

#### 4.2.2 Subject to Section 5, the OFS is vested with the sole discretion to determine:

- (i) whether a student complaint warrants intervention by the OFS;
- (ii) the nature and scope of the intervention, keeping within the framework of this mandate; and
- (iii) when to discontinue the intervention.

##### 4.2.2.1 On the written request of a student, the OFS shall provide written reasons for not initiating or for discontinuing an intervention regarding the

#### 4.2.3 With the written consent of the student filing a complaint, the OFS shall have the discretion to attempt an informal resolution of the complaint through any one or more of the following methods:

- (i) meeting with the parties;
- (ii) facilitating communication and meetings between the parties;
- (iii) making informal inquiries into a matter including reviewing any relevant University record;
- (iv) requesting that a University official meet with a member of the University community; and
- (v) offering recommendations for a fair resolution.

##### 4.2.3.1 In determining the appropriate intervention, the OFS shall be guided by the goal of obtaining a resolution in a timely and efficient manner, at the lowest administrative level possible within the University.



- (v) shall not replace proper disciplinary, grievance, or other formal channels;
- (vi) shall not intervene in any matter covered by a collectiv

## 10. Reports

### ***Annual Report to Senate***

10.1 The OFS shall annually provide to Senate a report, including relevant statistics, concerning such matters as:

- (i) the number of inquiries for information, advice or assistance;
- (ii) the general subject matter of such inquiries;
- (iii) the number of complaints;
- (iv) the nature of the complaints;
- (v) the source of the complaints;
- (vi) the resolution or other disposition of the complaints; and
- (vii) other information deemed appropriate by the OFS

### ***Ad hoc Reports***

10.2 The OFS may from time to time submit *ad hoc* reports and recommendations to relevant University administrators and, if appropriate, to Senate or its committees concerning systemic issues prejudicial to students.

*Legislative History:*