

Ombudsperson

- The Alberta Athletic Therapists Association Ombudsperson is elected by the Membership at the Annual General Meeting (AGM) for a three (3) year term.
- The Ombudsperson reports directly to the President of the Association.
- The role of the Ombudsperson is to ensure that policies and procedures are consistently and fairly applied. The role is primarily one of investigation and reporting on findings. It is not a policy-making office, nor will he/she replace or become any of the existing bodies of the Association. It is not intended that the office of the Ombudsperson be an automatic appeal avenue for those involved in the certification exam procedure or an ethics case.

TERMS OF REFERENCE

1. The Ombudsperson is independent of existing Association administrative structures and has the following functions:
 - a) **Investigate:** at the request of any Member of the Association, or upon the Ombudsperson's own initiative, any issues and/or any grievances that may arise against the Association or against any of the Officers of the Association.
 - Upon receipt of a complaint, the Ombudsperson will notify the President of the Association of the complaint, appoint an independent researcher if necessary, and estimate timelines of the investigation. The investigation is carried out in strictest confidence. Every concern brought to the attention of the Ombudsperson must be investigated to his/her best ability, and a pursuant report must be presented to both the complainant and the Board of Directors.
 - The Ombudsperson may appoint an independent researcher to investigate inquiries and report back. The Ombudsperson then reviews the information and provides details of the complaint, copies of the investigation and its findings, together with recommendations to the Board of Directors. Reasonable requests for information pertinent to the functions and purposes of the Office are honoured.
 - b) **Provide referrals:** where there is uncertainty regarding the appropriate Committee or individual to whom the concern or complaint should be presented, the Ombudsperson will refer the Member to the appropriate place.
 - c) **Forward findings and recommendations:** once recommendations have been brought forward, the Ombudsperson is removed from the situation, and it is the responsibility of the Board of Directors to react and respond according to their best judgment. Although not bound by the recommendations of the Ombudsperson, the Board of Directors is wise to follow said recommendations.
2. The Ombudsperson conducts operations of the Office by:

- a) Maintaining files and records of any inquiries, complaints, findings, and recommendations which are accessible only to the Ombudsperson and the President of the Association.
 - b) Conducting business on a first come, first served basis. Exceptions may be made by the Ombudsperson for matters of major importance.
 - c) Reporting to the President every complaint brought to the Ombudsperson.
 - d) Preparing an annual report for presentation to the Membership at the AGM. The report includes the number of contacts made to the Ombudsperson during the year and outlines the types of issues brought forward.
 - e) Attending (except in extenuating circumstances) the AGM to answer questions by Members about the report provided the rules of the office are not compromised.
 - f) Upon request of the Board of Directors, attending meetings of the Board of Directors, especially where the creation or modification of major policy or procedure is anticipated because of an investigation by the Ombudsperson. The Ombudsperson is not routinely expected to attend meetings of the Board of Directors or committees.
3. The Ombudsperson takes special interest in the following:
- a) Decisions affecting Members of the Association are made with reasonable promptness.
 - b) Procedures used to reach decisions are adequate and that the criteria and rules on which the decision is based are appropriate.
 - c) Gaps and inadequacies discovered in Association policy and procedure, during the investigation of complaints or concerns are brought to the attention of the Board of Directors. It is not the function of the Office of the Ombudsperson to devise new rules or procedures, but rather to make recommendations for their formulation and/or improvements.
4. The Ombudsperson has unrestricted access to all Association authorities, Officers of the Board, Committee Chairpersons, Committee Members, official files, and other information required to fulfill the function of the Office. Requests by the Ombudsperson for information must receive priority from every Member of the Association.
5. Although authorized to function in the widest possible context and with a minimum of constraints, the Ombudsperson is not to:
- a) Exercise authority beyond the legal authority of the Association.

- b) Hold any other elected office of the Association. On the request of the Board of Directors, the Ombudsperson may serve in a non-voting capacity and represent the Association at various functions.
- c) Make or replace established policy or procedures. Notwithstanding, policies and procedures may be investigated or questioned and recommendations made for their improvement and efficient functioning.
- d) Release any information regarding personal records unless written permission has been received from the affected individuals.
- e) Refuse the request of individuals seeking help because they requested anonymity.

AUTHORITY

The President of the Association shall inform all Officers of the Board, Committee Chairpersons, Committee Members, and those individuals over whom the Board of Directors has authority, about the authority of the Ombudsperson to seek information from them. The President shall instruct the above individuals to treat requests from the Ombudsperson with the highest possible priority.

CONFLICT OF INTEREST

The Ombudsperson must maintain an arm's length relationship with all Committees of the Association.

The Ombudsperson must remain neutral and refrain from conflict of interest situations. If the Ombudsperson at any time feels unable to remain unbiased in an investigation, or feels unsure of being the appropriate individuals to investigate a claim, the Ombudsperson must notify the Board of Directors requesting release from the investigation. The Board of Directors then appoints a temporary Ombudsperson to investigate that case.