



THE OSGOODE/FCO CERTIFICATE – ESSENTIALS FOR OMBUDS

The authoritative course for today's Ombuds and similar investigating and dispute resolution roles.

You will get practical tips and strategies on key areas including:

- How to properly conduct an inquiry or investigation
- How to assess the evidence
- Early and ongoing resolution techniques

“The whole program was very well organized and super pertinent to the issues, challenges (and opportunities) all ombuds offices face in one form or another. Excellent choice of speakers!”

Elisabeth Wilson
Chief of Staff, Canadian Ombudsperson for Responsible Enterprise

PROGRAM DIRECTORS

Jay Chalke
Ombudsperson of British Columbia

Sophie Petrillo
Ombudsman
Hydro One

REGISTRATION DETAILS

September 25 - 29, 2023
In-Person

Register today at:

osgoodepd.ca/ombuds

The Osgoode/FCO Certificate – Essentials for Ombuds

The **Essentials for Ombuds** is a five-day intensive training collaboration between the *Forum of Canadian Ombudsmen* and *Osgoode Professional Development* of Osgoode Hall Law School, York University.

Now in its 12th iteration, this unique program, both comprehensive and in-depth, is intended to meet the needs of recent appointees to the Ombuds role or Office, as well as provide those with more experience an opportunity to become more conversant with both the theory and practice of the Ombuds role, wherever it is located. You will develop a deeper understanding of the requirements and expectations for Ombuds by exploring and examining the myriad of evolving issues and challenges facing those who practice in the Ombuds field today, and by reviewing best practices of Ombuds across the country.

Taught by a highly distinguished faculty of practicing Ombuds, lawyers and academics from across Canada, all of whom are leaders in their field, this certificate program will give you the theory, knowledge and practical skills to competently and confidently handle day-to-day challenges as well as more complex issues.

You will learn through a mixture of lectures, group discussion and hands-on practical exercises, providing a rich, interactive learning format.

Register today at:

[osgoodepd.ca/
ombuds](https://osgoodepd.ca/ombuds)





What You'll Learn:

- Scope of today's Ombudsman role: inquisitorial versus adversarial process
- Choice of path – assessing the issues and possible paths
- Developing recommendations and appropriate remedies
- Trend analysis and own motion investigations
- Effective writing for professionals
- “Speaking Truth to Power”: a roundtable panel discussion
- What's next for Ombuds? Exploring future challenges and opportunities
- Dealing with human rights complaints against the Ombudsman and/or Ombudsman staff
- Coping with difficult people: handling respect anger or rage

Who Should Attend

- Ombuds (working in legislated roles or in public and private sector organizations or associations established by policy, Charter, Order-in-Council, etc.)
- Assistant/Deputy Ombuds, and Directors in Ombuds offices
- Early Resolution Staff
- Conflict Resolution Staff working in an Ombuds context
- Dispute Resolution Officers
- Fairness Commissioners / Fairness Practitioners
- Integrity Commissioners
- Citizens' Representatives
- Investigators/Senior Investigators in an Ombuds context
- Complaint-handling staff in both private and public sector organizations
- Public Editors (at newspapers and other media outlets)
- Legal or other specialized counsel to Ombuds Offices

“I was very pleased and grateful for the materials that have been handed out. They will be a great resource that I can use going forward. I thoroughly enjoyed the entire program. The speakers and topics covered were excellent and made for a well rounded program.”

Shelley McKeen-Weaver, Client Liaison Consultant, Children's Services, City of Toronto

Register today at: osgoodepd.ca/ombuds

Drawing on the expertise of practicing Ombuds, lawyers and academics from across Canada including:

Program Directors

Jay Chalke

Ombudsperson
Province of British Columbia

Sophie Petrillo

Ombudsman
Hydro One

Program Faculty

Kwame Addo

Ombudsman, City of Toronto

Chad Bouman

Manager of Investigations, Alberta
Ombudsman

Jay Chalke

Ombudsperson, Province of British
Columbia

Fiona Crean

Crean Consulting

Ian Darling

Chair, Condominium Tribunal
for Ontario, Former Ombudsperson for
Taron Warrant Corporation and
Former Ombudsperson for Fanshawe
College

Patricia DeGuire

Chief Commissioner, Ontario Human
Rights Commission

Nora Farrell

Ombuds Practitioner, Ph.D., LL.M.
(Osgoode)

Barbara Finlay

Deputy Ombudsman, Province of
Ontario

Jane Griesdorf

The Writing Consultants

Dr. Katy Kamkar

Clinical Psychologist, Mental Health
Program / Work, Stress and Health
Program, Centre for Addiction and
Mental Health (CAMH)

Lynn Lavallée

Strategic Lead, Indigenous Resurgence
Faculty of Community Services and
Professor, School of Social Work,
Toronto Metropolitan University

Shirley R. Nakata

Ombudsperson, Students University of
British Columbia

David Paradiso

Deputy Ombudsperson, Office of the
British Columbia Ombudsperson

Sophie Petrillo

Ombudsman, Hydro One

Dr. Nancy Poole

Director, Centre of Excellence for
Women's Health, Sessional Instructor,
Justice Institute of British Columbia

Michelle Rossi

Executive Director, Patient Ombudsman

Craig Thompson

Patient Ombudsman (Ontario)

Rachel Warren

Executive Director, Intake and
Investigation, Office of the British
Columbia Ombudsperson

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ombuds](https://osgoodepd.ca/ombuds)

Agenda

DAY 1

Monday, September 25, 2023
9:00 a.m. – 4:30 p.m. ET

Establishing the Framework for Effective Ombuds Practice

- The importance of the Ombudsman role
- History of the Ombuds role and diversity of roles
- Guiding principles and mandatory attributes
 - Independence
 - Impartiality
 - Accountability
 - Confidentiality
- Administrative law framework (the foundation of Ombuds work)
- Practical application of Ombuds theory (this session will include case studies and small group work)

Faculty

Nora Farrell, Ombuds Practitioner, Ph.D., LL.M. (Osgoode)

Shirley R. Nakata, Ombudsperson for Students, University of British Columbia

DAY 2

Tuesday, September 26, 2023
9:00 a.m. – 4:30 p.m. ET

Scope of the Ombuds Role

- Fundamental values: respect and fairness
 - What is fairness?
- The Fairness Triangle: substantive, procedural, interpersonal
- Preventative Ombudsing: training, commenting on policy and bills (as appropriate)

- Collaborative Ombudsing and relationship building strategies
- Preparation of the case summary
 - Importance of rigorous and scrupulous review and presentation of the facts determined and conclusions reached
 - Framework of the summary (relevant issues, explanation of the investigation process, relevant evidence and credibility, standard to apply and assess fairness)
 - Length of summary and level of detail required
- Intake
 - Written and oral concerns
 - Capturing the narrative and the essence of the issue(s)
 - Determining the basic information needed
 - Resolving concerns at intake
 - Confidentiality
 - Dealing with difficult complainants (e.g. unreasonable demands on time and resources, high level of entitlement, individuals with frightening behaviour)
- Early and ongoing resolution techniques
 - Provision and/or clarification of information or explanation
 - Negotiation
 - Mediation
 - Shuttle diplomacy
 - Conflict coaching
 - Preliminary fact finding
 - Dealing with difficult complainants
- Trauma-informed communication and complaint-handling
 - Putting mental health matters in perspective

Faculty

Fiona Crean, Crean Consulting

Dr. Nancy Poole, Director, Centre of Excellence for Women's Health, Sessional Instructor, Justice Institute of British Columbia

Michelle Rossi, Executive Director, Patient Ombudsman

Rachel Warren, Executive Director, Intake and Investigation, Office of the British Columbia Ombudsperson

DAY 3

Wednesday, September 27, 2023
9:00 a.m. 4:30 p.m. ET

Inquiries and Investigations (Individual and Systemic)

- Information gathering and assessment
- Analyzing the concerns submitted
 - Identifying the real issue(s)
 - Identifying those with an interest, and those who may be affected by the issue
- Preparing the information gathering process:
 - Refining the issues
 - Preparing an investigation plan
 - Identifying the questions that must be addressed
 - Identifying those who may have relevant information
 - Identifying other sources of information (e.g. documents, statistics, policies and procedures and the media)
 - Preparing a potential interviewee list and determining the order of interviews
 - Deciding if and how to visit locations, premises, taking photographs, etc.
- Concluding an Informational Interview
 - Prior review of all available information

- Preparing questions
- Explaining the role and encouraging cooperation
- Asking appropriate questions
- Note taking and/or recording interviews; pros and cons, addressing confidentiality issues
- Testing the veracity of the information
- Dealing with inconsistent and incoherent information
- Dealing with unwillingness to be interviewed (e.g. strategies for those without subpoena power; cost benefit analysis on the use of subpoena for those who have that authority)
- Assessment of evidence
 - Direct and circumstantial information
 - Dealing with conflicting information
 - Determining the appropriate standard and burden of proof
 - Relevance, credibility and weight of evidence
 - Determining if additional evidence is needed for assessing fairness or to confirm possible solutions
 - Cooperative resolution techniques
 - Open discussion and diplomacy
 - Mediation
 - Negotiation
- Recommendations
 - Shaping credible and convincing recommendations
- Determining appropriate remedies
- The purpose of the remedy – specific solution to individual contentions and/or viable long term solution to a systemic problem(s)
- Exercise: drafting and critiquing case summaries for use as reporting letters and for inclusion in reports

Faculty

Chad Bouman, Manager of Investigations, Alberta Ombudsman

Jay Chalke, Ombudsperson, Province of British Columbia

Barbara Finlay, Deputy Ombudsman, Province of Ontario

DAY 4

Thursday, September 28, 2023
9:00 a.m. – 4:30 p.m. ET

Trend Analysis/Challenges and Opportunities for Ombuds

- The “Capture” concept and how it applies to the Ombuds role
- Trend Analysis
 - Discussion of the importance of having systems in place as it relates to the following:
 - i) collecting statistics for the purpose of trend analysis
 - ii) using statistics correctly
 - iii) identifying potential systemic and system-wide issues
 - iv) process used by each Office for making decisions about how best to address
- Exercise: doing a trend analysis
- **Keynote: “Speaking Truth to Power” from the indigenous point of view**
 - Indigenous approaches to complaints and ombuds work

Roundtable Panel Discussion:

“Speaking Truth to Power”

The day concludes with a roundtable discussion with ombuds who have had extensive experience with issuing reports in controversial and/or difficult circumstances. There will be ample opportunity for questions and discussion.

Faculty

Kwame Addo, Ombudsman, City of Toronto

Ian Darling, Chair, Condominium Tribunal for Ontario, Former Ombudsperson for Taron Warrant Corporation and Former Ombudsperson for Fanshawe College

Patricia DeGuire, Chief Commissioner, Ontario Human Rights Commission

Lynn Lavallée, Strategic Lead, Indigenous Resurgence, Faculty of Community Services and Professor, School of Social Work, Toronto Metropolitan University

Sophie Petrillo, Ombudsman, Hydro One

Craig Thompson, Patient Ombudsman (Ontario)

DAY 5

Friday, September 29, 2023
9:00 a.m. – 12:30 p.m. ET

- Effective writing for professionals
- Workplace mental health and building resilience

A take home assignment will be distributed at the end of Day 5. Participants must attend all 5 days and successfully complete the assignment to receive the **Osgoode/FCO Certificate**.

Faculty

Jane Griesdorf, The Writing Consultants

Dr. Katy Kamkar, Clinical Psychologist, Mental Health Program / Work, Stress and Health Program, Centre for Addiction and Mental Health (CAMH)

Registration Details

Fee per Delegate

\$3,695 plus tax

Fees include attendance, electronic materials and technical support. Please inquire about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days' notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information, Please Contact:

Stéphane McRoberts, Program Lawyer at 647-999-5723
or email smcroberts@osgoode.yorku.ca

Certificate of Program Completion

A take home assignment will be distributed at the end of Day 5. Participants must attend all 5 program days and successfully complete the assignment to receive the Osgoode/FCO Certificate.

4 Convenient Ways to Register



Mail



Online



Fax



Call

Register today at:

osgoodepd.ca/ombuds



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.



Eligible CPD Hours – LSO (ON): 28h CPD (24h Substantive; 3h Professionalism; 1h EDI)

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

"I have never taken away so much from a week of training! I am grateful for the time, planning, speakers and interaction with my colleagues on the course!"

Mary Kirby

Director, Strategic Planning and Research, Office of the Ombudsman for the Department of National Defence and Canadian Forces

"Great balance of information for different types of Ombuds."

Lakai Fill

Investigations Officer, Office of the Ombudsman for Bermuda

"The program was wonderful – excellent speakers and the content was outstanding. I learned so much valuable information that I continue to bring forward to my organization on a daily basis!"

Nina Jetha

Associate Ombudsman, Integrity and Resolution Office, Health Canada

"I learned a lot both personally and professionally. I am grateful that I was able to attend such an incredible course. Thank you!"

Kari H.

Mediator, Civil Mediation Resolution Services