

Standard Operating Procedure for Management of Conflicts of Interest in the Office of the University Ombudsperson

Rationale and Purpose

The Office of the University Ombudsperson (OUO) is a resource for helping members of the Queen's community to understand policies and procedures and to facilitate procedural fairness at Queen's. OUO staff do not act as decision-makers, nor do they advocate for any party or possess the ability to overturn any decision or compel any university representative to take a particular action. Rather, the office generally refers individuals to relevant departments, policies, or processes within Queen's to assist with the inquiry.

Within this mandate, the OUO is committed to the highest standards of integrity and impartiality. Therefore, OUO staff will ensure that the potential for real or perceived conflicts of interest and conflicts of commitment is avoided or appropriately mitigated in the fulfillment of the office's obligations.

Application

This SOP outlines what constitutes conflict of interest for the OUO staff as well as the steps that must be taken to ensure conflicts are avoided or mitigated in the management of issues addressed by the office.

Definition of Conflict of interest

The OUO is governed by the [Queen's University Conflict of Interest and Commitment Policy and Procedure](#) for individuals holding general staff appointments.

The Policy defines conflicts of interest and conflicts of commitment as follows:

An actual or apparent conflict of interest arises when a staff member is placed in a situation where their personal interest, financial or other, or that of an immediate Family member or of a person with whom there exists, or has recently existed an intimate, personal relationship, conflicts, or appears to conflict, with their responsibility to the University or with the interests of the University. This includes situations which may arise where the staff member is in a position to influence directly or indirectly University business or other decisions in ways that would lead to a gain/benefit for the staff member or immediate Family member.

A conflict of commitment arises when a staff member's external activities or commitments, paid or unpaid, interfere with their ability to meet responsibilities to the University.

For the purposes of this Policy, "immediate Family member" means a spouse, partner, parent, child or sibling. Staff members are expected to avoid actual or potential conflicts of interest or commitment.

Procedures

Office Information

1. Written and electronic information about the OUO will contain information about the office's adherence to university standards regarding conflict of interest and commitment and refer university community members to this SOP regarding operational management of conflicts of interest and commitment.

Staff Declaration

2. OUO staff will declare- confidentially, in writing - to the Vice-Principal (Culture, Equity and Inclusion) any immediate familial, personal, financial, or intimate relationships with a member or member(s) of the Queen's community, as they exist or upon initiation.
3. The VP(CEI) will assess this information and determine whether the potential for real or perceived conflict of interest or commitment exists in respect of the Conflict of Interest and Commitment Policy and the OUO Terms of Reference. Should the VP(CEI) determine that such potential exists, the VP(CEI) will provide general information regarding the potentially conflictual relationship(s) with the OUO Intake Coordinator, Associate University Ombudsperson, and the University Ombudsperson; the precise nature of the relationship(s) will not be disclosed.

Case Intake

4. On receipt of an inquiry or request for assistance, the request will be reviewed and consideration will be given to a) the Policy obligation to avoid or mitigate real or perceived conflict of interest or commitment; b) information about real or potential conflicts within the office; and c) the OUO Terms of Reference, and an inquiry/request will be forwarded to either the University Ombudsperson or Associate University Ombudsperson in a manner consistent with 4a) above.
5. In the event of a real or potential conflict of interest or commitment arising during intake and the processing of an inquiry or request for assistance, the University Ombudsperson will determine assignment of the case.
6. Any OUO staff completing the intake process may consult with the VP(CEI) on matters where the conflict or potential conflict is unusual, substantial, or complex.

7. In the event that the University Ombudsperson is conflicted regarding a particular matter and the Associate University Ombudsperson is unavailable, or vice versa, the inquiry or request will be referred to the VP(CEI) for further assessment and determination of next steps.
8. In respect of Item 7, in the event that the inquiry or request concerns the Office of the VP(CEI) portfolio, the matter will be referred to the Office of the University Counsel for further assessment and determination of next steps.

In-progress Cases

9. In the event that the University Ombudsperson or the Associate University Ombudsperson discover information that gives rise to a potential for real or perceived conflict of interest or commitment while in the course of providing ombuds services regarding an inquiry or request for assistance, the matter shall be referred from University Ombudsperson to the Associate University Ombudsperson or vice versa.
10. In respect of Item 9, in the event that the matter cannot be referred within the Office of the University Ombudsperson, the matter will be referred to VP(CEI) for further assessment and determination of next steps.
11. In respect of Item 10, in the event that the matter concerns the Office of the VP(CEI) portfolio, the matter will be referred to the Office of the University Counsel for further assessment and determination of next steps.