

7.1.v Policy and Procedure**OMBUDSMAN REFERRALS**

Trust Council: December 7, 1996

PURPOSE

To standardize the process for dealing with administrative fairness complaint inquiry and investigation referrals from the Ombudsman's Office concerning local trust committees, Islands Trust Council and the Trust Fund Board by the Secretary of the Islands Trust.

RELATED POLICY

Handling of Administrative Fairness Complaints Policy and Procedure, Bylaw Investigation Policy, Freedom of Information and Protection of Privacy Policy and Procedures.

DETAILS

The implementation of this policy is assigned to the Deputy Secretary.

1.0 INITIAL CONTACT BY THE OMBUDSMAN'S OFFICE

- 1.1 Initial contacts by staff of the Office of the Ombudsman for assistance, information or documentation shall be referred to the Deputy Secretary.
- 1.2 Initial contacts regarding a specific file from the Office of the Ombudsman about the Islands Trust shall be logged within the Island Trust Complaint Referral Log by the Deputy Secretary.
- 1.3 The Deputy Secretary may contact staff or trustees in confidence, for the purposes of providing assistance to an inquiry from the Office of the Ombudsman.

2.0 INVESTIGATION PROCESS

- 2.1 The Deputy Secretary shall forward the investigation referral to the appropriate Islands Trust Manager and the Executive Director.
- 2.2 The Executive Director or Manager should forward the investigation referral to the relevant Islands Trust body or person with instruction for acknowledgment within timelines outlined in 2.4.2 of this Policy.
- 2.3 The Deputy Secretary may enter into a consultation process under section 14(3) of the *Ombudsman Act* with the designate from the Office of the Ombudsman.

- 2.4 The consultation process may involve:
 - 2.4.1 the Deputy Secretary coordinating direct access to designated staff and trustees by staff of the Office of the Ombudsman;
 - 2.4.2 a 30 day response time unless otherwise agreed to in writing by the Deputy Secretary or Secretary and staff of the Office of the Ombudsman; and
 - 2.4.3 documentation clarifying the role of the Office of the Ombudsman and the Islands Trust along with key steps of the Office of the Ombudsman investigation process.

3.0 REFERRAL TRACKING

- 3.1 The Deputy Secretary is responsible for tracking all steps of the process to its conclusion.
- 3.2 Trustees and staff are to provide records relevant to the investigation directly to the Deputy Secretary for safekeeping.

4.0 RESOLUTION OF DISAGREEMENTS

- 4.1 At any time throughout an investigation, a local trust committee, Islands Trust Council or the Trust Fund Board may, by resolution, request a meeting with the Ombudsman through the Deputy Secretary.