Promoting collaborative dispute resolution

Annual Report
AMS Ombuds Office
2013-2014
Introduction

2013-2014 has been a period of change and opportunity for the AMS. Although the beginning of the year was characterized by controversy, with all this came a much needed opportunity for dialogue and consciousness-raising on relevant topics like colonization and the need for a culture of consent.

Policies reflect the discourses in the community around us. One event that marked the AMS's commitment to equity and fairness this year was an update of our Harassment and Discrimination Policy, now the Respectful Environment Policy. The updated policy makes it explicit that bullying of any kind, whether or not it falls under the enumerated grounds set forth in human rights legislation, is not acceptable in a respectful environment.

On the interactional level, the AMS Ombuds Office has been mediating complaints ranging from interpersonal conflict within clubs, equity and access concerns about the U-Pass, and issues of dual relationships in a graduate school setting. Every case is unique just as every visitor to the office is unique; it has been a real privilege and honour to listen to each person’s story and to learn from them what they would need to feel supported.

Over this past year I owe many thanks to Shirley Nakata and Joy Coben from the UBC's Office of the Ombudsperson for Students for their invaluable guidance and support. I would also like to thank Gordon Yung from AMS Advocacy for collaborating with me for services promotion this year. The four offices, UBC Ombuds Office, AMS Ombuds Office, AMS Advocacy and GSS Advocacy work in tandem to provide complementary services that facilitate student well-being on campus. It is partly through this active collaboration that students are not stuck in silos of disparate resources while navigating our campus.

Next year will be yet another exciting year for the AMS with the unveiling of the new SUB. Lastly, this is the first public annual report the office has published in recent years. Looking toward the future, I am hopeful it will not be the last.

Respectfully submitted,

Sunnie Fang
AMS Ombudsperson (2013-2014)
Being and Doing

The main role of the AMS Ombuds Office is to receive, address, and investigate, if necessary, any complaints related to the Alma Mater Society. This may be related to any of the society’s clubs, resource groups, constituencies, services, businesses, staff, executive, and council. As with any role within the AMS, the Ombudsperson upholds the AMS values of Honesty, Effectiveness, Accountability, Respect, and Teamwork.

Another function of this office is to provide conflict management services. The Ombudsperson may be involved as a mediator, for example, between two parties who are in disagreement with one another. Shuttle diplomacy, or mediated communication, may also be used to relay messages from one party to another, especially in situations where direct communication between two parties is likely to break down.

Practice orientation and approach is just as important as the things we do at the AMS Ombuds Office. I say ‘we’ because the way the office operates today is a legacy of the hard work each and every Ombudsperson has put in before me. For my part the work of the Ombuds Office has been grounded on two key values: respect for the inherent worth and dignity of all people, and respect for people’s right to self-determination.

Respect for the inherent worth and dignity of people

The AMS Ombuds Office works from a strengths-based perspective and treats all visitors with positive regard. Much of the work the office does is necessarily reactive; people come to the office after a conflict has occurred, not before. In the case of interpersonal conflict, the office strives to hear the story from multiple perspectives whenever possible, and does not take sides. As an impartial mediator, the Ombudsperson believes that there is no fixed “truth” in a conflict; besides paying close attention to the narrative of all parties, conflict resolution focuses on aiding with the reconciliation and healing process. The Ombudsperson strives to understand each party’s feelings, thoughts, and behaviours without allowing personal values, beliefs, and biases to get in the way of this understanding. To respect the inherent worth and dignity of people is to believe that all parties are capable of change and growth. In cases where reconciliation is not possible, the Ombuds Office tries to bring as much closure as possible to each client and supports all individuals’ healing processes. Upholding confidentiality and maintaining impartiality are two ways the Ombudsperson demonstrates respect for the inherent worth and dignity of their clients.

Respect for people’s right to self-determination

Self-determination is defined as the right to autonomy and freedom of choice to make decisions. The Ombuds Office supports all visitors in their decision making process by explaining relevant information and making recommendations. The Ombudsperson’s expertise lies not in knowing what is best for the client but in being able to facilitate a process through which the client’s concerns are solved, feelings are acknowledged, or decisions are made. Respecting the client’s right to choose what actions they may take does not prevent the Ombuds Office from helping clients understand and appreciate the potential repercussions from their actions and behaviour.
Reflections and Observations

Reactivity vs. Proactivity

My tenure as Ombudsperson has not come without its challenges. One such challenge is the distinction between being reactive versus being proactive. By nature the work of the AMS Ombuds Office has been reactive; we receive complaints and address conflict when they have occurred, not prior. It is when these concerns are systemic in nature that the work of the office has been proactive to ensure that similar issues do not reoccur in the future. The following two sample case scenarios (loosely based on an amalgamation of previous cases due to confidentiality reasons) exemplify this:

Case 1: Club elections

A student running for an executive position in a club approaches the AMS Ombuds Office about an issue related to a past club election. A two-way tie had occurred between two students running for the same position; without notifying either candidate, the previous executives (some were no longer club members) were consulted and a coin toss was held without either candidate present.

The Ombuds Office provided emotional support for the student and provided information about SAC. With the student’s permission, the Ombuds Office also reached out to the new club executives about this issue. It was recommended that the club look into adding election tie-breaking guidelines to its constitution.

Case 2: Cultural appropriation

A student approaches the office about an event that happened at a previous club party. One of the attendees at the party was wearing a fringed scarf resembling a keffiyeh. The student approached the individual several times and politely requested that they take off the scarf after educating them on why it is not appropriate. The individual humoured the student by taking it off but would put it back on the instant they walked away. The student wants to know if there is a policy at UBC that prohibits fashion-based cultural appropriation from happening.

The Ombuds Office referred the student to UBC's Respectful Environment Policy and the AMS’s (then) Harassment and Discrimination Policy for further reading. It was explained to the student that the role of the office is not to discipline an individual and that it is difficult to know why the student had persisted in wearing the scarf if we are unable to hear their side of the story. In order to help facilitate a safe space for future club events, the office reached out to the club president about this issue and it was suggested that all future event organizers shall remind attendees of safe space guidelines prior to the event. The possibility of providing training for event chaperones on how to approach conversations about potential cultural appropriation was also brought up.
Nicholas Diehl, Deputy Ombudsman of the American Red Cross once said that there are 4 stages to becoming an effective Ombudsman; the final stage begins when one is comfortable with how much there is we have yet to learn. While I am still very far from reaching this stage, this year has helped me appreciate the various gaps in our knowledges when working with individuals of diverse cultural groups and identities. The plural “knowledges” is used in recognition of the various viewpoints that are out there, and does not privilege any one type of “knowledge” over another.

To be culturally competent is to decentralize the role of the Ombudsman as the “expert” and to take on the cultural lens of the client in order to understand from their perspective how the conflict is interpreted. I have made and learned from countless mistakes along the way to become more competent in working with people of different identities and cultural groups. Continual self-reflection and seeking out opportunities to educate myself were two ways I have tried to become a more effective Ombudsperson.

The following 2 sample case examples (loosely based on an amalgamation of previous cases for confidentiality reasons) illustrate two circumstances in which cultural differences may have played a role in the conflict:

**Case 1: Unfair treatment**

A student approaches the office with a complaint about the way their TA has treated them during class discussion. While the TA had spoken at length about a culturally-related issue, the student had put their hand up to offer an alternative view of the same problem. Before the student had finished speaking, the TA says, “My mother is of the same culture as you, I have heard this same argument before and it is not valid on this issue.”

Although this case was referred to the UBC Ombuds Office, the AMS Ombuds Office was able to provide emotional support for the student and to help them document the specifics of what has happened in case they would need it later on. It was discussed whether approaching the TA after class discussion one day about the incident would be an option the student is comfortable with; the pros and cons of this option were explored and a potential scenario was role-played.

**Case 2: Foreign espionage?**

A student approaches the office feeling uncertain and unsafe in a class. During a recent class, a guest lecturer has asked several “intrusive” questions about the student’s cultural background and their experience immigrating to Canada. After the lecture the student began feeling unsafe on campus and often felt as though they were under constant observation. They suspect that the guest lecturer was a foreign spy from their home country.

After more probing I was able to find out more about what these “intrusive” questions were. From a Western standpoint the questions were not as intrusive as they initially seemed from the client’s story, and this alternative perspective was explained to the student. The student’s feeling of being unsafe on campus was addressed through the making of a safety plan.
Statistical Information: July 2013-April 2014

**Figure 1:** Visitors whose cases span more than one month are recounted for subsequent months. Repeat visitors may or may not have the same issue as before. Total=88.

**Figure 2:** Each visitor is counted once per month. Visitors using more than one mode of contact are counted according to the following hierarchy: in person > phone > email.
Figure 3: Basic inquiries/requests for information include anything from information about AMS policies, information about AMS/UBC services, and directions. Referral-based complaints refer to those that are better addressed by a referral to another service.
Activities

- Imagine Day Booth, in collaboration with AMS Advocacy
- AMS Services Fair, in collaboration with AMS Advocacy
- USOA 2013 Conference
- Speakeasy January Training Resources Fair
- Positive Space Campaign Training
- Anti-Violence Ally Training

“What does Positive Communication look like to you?”

Quotes from the AMS Services Fair booth

“friendly disagreements where both people can understand each other’s view and have a bigger understanding because of it”

“When the individual’s ACTIONS reflect the content of the communication =)”

“EMPATHY =)”

“Be open to what they have to say”

“exchanging ideas without fear of judgement and with acknowledgement of a person’s opinions”

“people have sympathy with each other. No one is in the corner by himself.”

“Active listening.”

“open your mind as well as your ears...remember: hearing and listening are two different things”

“Sharing love, stories, and healing through the medium of MUSIC”

“Pay attention to non-verbal cues!”

“To Listen and Respond in an Open and Warm Manner”

“Don’t blame when discussing issues. Instead of saying what they did wrong, say how you felt regarding what you experienced.”

“Check to confirm comprehension.”

“Open Body Language; Friendly tone”

“Be Positive and Constructive”

“SMILE =)”

“Sandwich technique”

“don’t assume things.”