



**United
Nations**

STANDARDS OF PRACTICE FOR UN SYSTEM OMBUDSMAN AND MEDIATORS

PREAMBLE

These Standards of Practice were developed by the Network of UN System Ombudsman and Mediators with the objective of harmonizing the operating standards of ombudsman and mediators in the United Nations workplace.

The provisions in these Standards of Practice¹ stem from the fundamental principles and core values of the organizational ombudsman and mediation function (hereinafter 'the Ombudsman'²) in the United Nations system. These principles are informality, confidentiality, independence, neutrality, and impartiality. They represent the foundation of any ombudsman function and guide the Ombudsman in fulfilling the mandate and responsibilities of their office.

¹ Sources: These Standards of Practice were developed from *The Standards of Practice of International Ombuds Association*; the Joint Inspection Unit's *Review of the Organizational Ombudsman Services across the United Nations System*, JIU/REP/2015/6, as well as Secretary-General's Bulletin, *Terms of reference for the Office of the United Nations Ombudsman and Mediation Services*, ST/SGB/2016/7 and the Terms of Reference of the organizational ombudsman offices of CEB member organizations, as available.

² The term "Ombudsman" refers to the Office of the Ombudsman, which includes all applicable official titles (e.g. Ombudsman, Ombudsperson, Ombuds) used in United Nations system organizations to define an organizational ombudsman and mediation function. It also includes individual(s) working for the Office of the Ombudsman in this capacity.

1. GENERAL PRACTICE STANDARDS

1.1 The Ombudsman is the only designated neutral resource that provides confidential, impartial, and independent services within their organizations to informally address workplace-related concerns.

1.2 The mandate of the Ombudsman is to assist Visitors³ through informal conflict resolution services to address workplace-related concerns. This includes but is not limited to: voluntary consultation; guidance and assistance in developing options; conflict coaching; capacity building; and mediation. Additionally, the Ombudsman identifies systemic issues, policy gaps, procedural irregularities and problematic behaviour patterns. The Ombudsman facilitates outcomes that build trust, enhance relationships, and improve communication within the organization, as well as between the organization and its workforce.

1.3 Each Ombudsman function should have terms of reference and/or any supplemental rules approved by the governing bodies or administrative head of the organization(s), which articulate the basis on which the Ombudsman operates.

1.4 By using the services of the Ombudsman, Visitors agree to abide by the principles under which the Ombudsman operates, as set out in these Standards of Practice, and that they will not call on the Ombudsman to testify or disclose any information in any formal or legal process.

1.5 The Ombudsman and Mediators of CEB member organizations are encouraged to participate in the Network to collaborate on issues of common interest, broaden the knowledge base of members, and enhance the professional capacity of the informal conflict resolution function within their organizations.

1.6 The Ombudsman should keep professionally current through relevant continuing education and through opportunities for professional development.

2. INDEPENDENCE

2.1 The Ombudsman is independent in appearance, purpose, and practice. The Ombudsman operates independently of line and staff reporting structures and without influence from other functions or entities within the organization.

2.2 The Ombudsman is accountable to the highest authority of the organization. In executing the Ombudsman's roles and responsibilities, the Ombudsman does not report to any function that affects or could be reasonably perceived as affecting the Ombudsman's independence.

2.3 It is best practice that the Ombudsman holds no other position while serving as an Ombudsman. In any event, the Ombudsman shall hold no other position that may compromise or could be reasonably perceived as compromising, the Ombudsman's independence. If the Ombudsman has non-Ombudsman duties, those duties must not interfere with their Ombudsman duties. The Ombudsman must clearly communicate when they are and are not acting as the Ombudsman.

³ The term "Visitor" refers to any applicable individual or entity that contacts the Ombuds Office for assistance.

2.4 The Ombudsman has the authority to select the individuals working for the Ombudsman and to manage the Ombudsman budget approved by the organization(s) without undue external influence.

2.5 The Ombudsman has sole discretion over whether or how to engage regarding individual, group, or systemic concerns.

2.6 The Ombudsman has access to all individuals and information within the organization as necessary to fulfil their informal role. Individuals or offices in the organization that may be able to provide advice, information, or expert opinions on a particular matter shall promptly respond to the requests of, and collaborate with, the Ombudsman in addressing workplace-related issues.

3. CONFIDENTIALITY

3.1 The Ombudsman shall maintain strict confidentiality concerning matters brought to its attention and take every reasonable step to safeguard that confidentiality. The organization(s) that established the Ombudsman function shall provide tools and resources to safeguard the security of confidential information.

3.2 The identity of Visitors, as well as communications and information specifically relating to them, is confidential information.

3.3 The Ombudsman takes specific action related to a Visitor's issue only with the Visitor's express permission and only to the extent permitted, and even then, at the sole discretion of the Ombudsman, unless such action can be taken in a way that safeguards the identity of the Visitor.

3.4 No recordings are permitted while using Ombudsman services.

3.5 The Ombudsman does not disclose confidential information except with the express permission of the concerned Visitor and insofar as it relates to that Visitor. Visitors shall also respect confidentiality while receiving Ombudsman services. The privilege of confidentiality belongs only to the

Ombudsman, and others cannot waive that privilege. The Ombudsman may disclose confidential information if the Ombudsman determines that the failure to do so could result in imminent risk of serious harm to the Visitor or a third party.

3.6 The Ombudsman cannot be compelled to testify or participate in any formal processes regarding matters raised by Visitors. All notes of the Ombudsman related to Visitors enjoy absolute privilege from any formal processes and cannot be requested by tribunals, investigation offices, and the like.

3.7 The Ombudsman may provide non-confidential information about the Ombudsman function and its work in any appropriate forum. The Ombudsman shares data, systemic observations, or reports in a manner that does not disclose confidential information.

3.8 When the UN Dispute or Appeals Tribunal, the ILO Administrative Tribunal, or the World Bank Administrative Tribunal is to determine the dates and extent of the involvement of the Ombudsman in a mediation case before it, upon the request of the tribunal, the Ombudsman may issue a certificate confirming the start and end dates of mediation, without disclosing any confidential information pertaining to the substantive discussions that took place during the process.

4. INFORMALITY

4.1 The Ombudsman is an informal and off-the-record resource. The Ombudsman facilitates communication, dialogue, and collaborative problem-solving and helps identify a range of options to surface or resolve workplace-related issues or concerns.

4.2 The Ombudsman does not make administrative or policy decisions but may provide input and contribute thereto. The Ombudsman does not adjudicate issues, participate in disciplinary processes, conduct formal investigations for the organization, or participate in any other formal or legal process.

4.3 Use of the services of the Ombudsman is voluntary. The Ombudsman will support their respective organizations in adopting policies and regulations to incentivize informal resolution including as a first step where feasible prior to filing a formal complaint.⁴

4.4 The Ombudsman is not an agent of the organization authorized to receive notice of claims, complaints, or grievances against the organization or individuals. The Ombudsman may refer individuals to appropriate places where formal notice of claims can be given.

4.5 The Ombudsman neither creates nor keeps any records for the organization or individuals containing confidential information. The Ombudsman has a consistent practice for the timely destruction of confidential information.

5. IMPARTIALITY AND NEUTRALITY

5.1 The Ombudsman is impartial and neutral.

5.2 The Ombudsman has no personal interest in, and incurs no gain or loss from, the outcome of a matter. The Ombudsman declines involvement when the Ombudsman determines that they may have an actual or perceived conflict of interest. A conflict of interest occurs when an Ombudsman's personal interests interfere with the performance of their official duties and responsibilities or with the integrity, independence, and impartiality required by the Ombudsman. Any conflict of interest must be disclosed to the Visitor.

5.3 The Ombudsman fairly and objectively considers issues brought to its attention and promotes equitably administered processes but does not advocate on behalf of any party.

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⁴ Resolution adopted by the General Assembly on 30 December 2022, A/RES/77/260, para. 18.