

CHAPTER: 500

Personnel/Human Resources

DEPARTMENT ORDER:

529 – Staff Ombudsman Office

OFFICE OF PRIMARY  
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DIR

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# Arizona Department of Corrections Rehabilitation and Reentry



Department Order Manual

A handwritten signature in black ink, appearing to be "David Shinn", written over a horizontal line.

David Shinn, Director

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## **STANDARDS**

International Ombudsman Association (IOA) Standards of Practice

### **PURPOSE**

The Arizona Department of Corrections, Rehabilitation and Reentry (Department) is committed to continuous improvement by providing ombudsman services to its employees to ensure their concerns are heard and processed with fairness and consistency. The Staff Ombudsman Office is established to proactively facilitate the resolution of issues, concerns and complaints brought forward by Department employees. This Department Order establishes the role, nature, and scope of the Staff Ombudsman Office and presents the standards of practice that govern its activities.

### **APPLICABILITY**

This Department Order is applicable to all Department employees.

The Staff Ombudsman Office does not conduct criminal or Equal Employment Opportunity (EEO) investigations, employee relations grievances or disciplinary actions. The Staff Ombudsman Office also does not resolve state mandated matters such as Personnel Rules, Worker's Compensation and salary/compensation, but may work closely with other Divisions or Agencies, when appropriate.

## **PROCEDURES**

### **1.0 ROLE OF THE STAFF OMBUDSMAN OFFICE**

- 1.1 The Staff Ombudsman Office shall be independent in structure and function. It is exempt of any vested interest in the outcome of an issue and advocates for fair processes and resolution to a problem. The Staff Ombudsman Office does not typically advocate for any specific position or individual. The Staff Ombudsman Office shall:
  - 1.1.1 Exercise sole discretion over whether or how to act upon concerns presented.
  - 1.1.2 Be a neutral resource who strives for fairness and objectivity in the treatment of employees and consideration of issues.
  - 1.1.3 Be an advocate for reasonable and equitably administered processes.
  - 1.1.4 Be an informal and off-the-record resource that pursues resolution of concerns and may look into procedural irregularities and/or broader systemic problems, as appropriate.
  - 1.1.5 Function on an informal basis by listening, giving and receiving information, identifying and reframing issues, and developing a range of responsible options.
  - 1.1.6 Use a flexible approach to facilitate communication and provide informal and voluntary mediation.
  - 1.1.7 Be given access to any information necessary to conduct the business of the office effectively and efficiently, as permitted by law.

1.2 The Staff Ombudsman Office shall not:

- 1.2.1 Operate in any other role that would compromise the integrity of the office.
- 1.2.2 Participate in formal investigations or formal resolution processes.
- 1.2.3 Give legal advice or testify in any formal judicial or administrative hearing.
- 1.2.4 Make binding decisions, mandate policy, adjudicate issues or serve as an agent of notice for the Department.
- 1.2.5 Have the authority to direct a specific action.

**2.0 COMMUNICATION** – Department employees are not required to obtain approval to contact the Staff Ombudsman Office. Communication with the Ombudsman is always voluntary.

2.1 Department employees may contact the Staff Ombudsman Office:

- 2.1.1 After they have attempted to resolve the problem through normal channels.
- 2.1.2 If they are unable to solve a workplace conflict.
- 2.1.3 If they have a question and do not know who to ask.

2.2 The Staff Ombudsman Office shall:

- 2.2.1 Receive inquiries, concerns, and complaints from any Department employee.
- 2.2.2 Treat all Department employees objectively, with respect and empathy.
- 2.2.3 Provide an informal and confidential platform for Department employees' voices to be heard.
- 2.2.4 Consider the legitimate concerns and interests of all parties affected by matters under consideration.
- 2.2.5 Make informal inquiries or investigate matters to obtain answers and/or find resolution to the question, concern or complaint received.
- 2.2.6 Make referrals to resources that can offer further information, assistance and/or resolution.
- 2.2.7 Identify issues, as applicable, that may warrant review, evaluation and/or changes to Department policy or procedures.
  - 2.2.7.1 The Ombudsman shall meet periodically with Executive staff to discuss identified trends and bring awareness of systemic problems or issues.
- 2.2.8 Review, update and maintain an informational database in a secure location.
- 2.2.9 Collect and prepare data for reporting purposes in a manner that protects the confidentiality of staff. Data reported shall include:
  - 2.2.9.1 Total number of complaints/contacts received

2.2.9.2 Type of complaints/contacts received by category

2.2.9.3 Rate of complaints/contacts by complex or bureau

2.2.10 Use data to:

2.2.10.1 Identify and resolve underlying and recurring problems as quickly and informally as possible

2.2.10.2 Report applicable data to the Department Executive Leadership and provide information to others, as appropriate.

2.2.10.3 Monitor areas of emerging concerns and provide recommendations for improvement through identifying data and trends analysis.

### **3.0 CONFIDENTIALITY**

3.1 The Staff Ombudsman shall hold all communications with anyone seeking assistance in strict confidence and will take all reasonable steps to safeguard confidentiality within the office.

3.2 The Staff Ombudsman Office shall not be required to reveal the identity of any person contacting the Staff Ombudsman Office without that person's written consent.

3.2.1 The only exception to this privilege of confidentiality is where the Ombudsman believes that there is an identified imminent threat of serious harm.

3.2.2 The Staff Ombudsman shall exercise discretion to report any activities that could adversely impact the Department, to include but not be limited to, criminal activity or gross misconduct by staff.

### **DEFINITIONS/GLOSSARY**

Refer to the Glossary of Terms

### **AUTHORITY**

A.R.S. § 41-1006, Employees providing agency assistance; Identification and publication

A.R.S. § 41-1959, Confidential information; Permissible disclosure; Rules; Violation; Classification

A.A.C. R1-1-212, Agency Ombudsman