



# THE OSGOODE/FCO CERTIFICATE – ESSENTIALS FOR OMBUDS

The authoritative course for today's  
Ombuds and similar investigating and  
dispute resolution roles.

You will get practical tips and strategies on key areas  
including:

- How to properly conduct an inquiry or investigation
- How to assess the evidence
- Early and ongoing resolution techniques

*“The whole program was very well organized and super  
pertinent to the issues, challenges (and opportunities)  
all ombuds offices face in one form or another.  
Excellent choice of speakers!”*

Elisabeth Wilson  
Chief of Staff, Canadian Ombudsperson for Responsible Enterprise

## PROGRAM DIRECTORS

Jay Chalke  
Ombudsperson  
Province of British Columbia

Sophie Petrillo  
Ombudsman  
Hydro One

## REGISTRATION DETAILS

September 23 - 27, 2024  
In-Person

Register today at:  
[osgoodepd.ca/  
ombuds](https://osgoodepd.ca/ombuds)

# The Osgoode/FCO Certificate – Essentials for Ombuds

The **Essentials for Ombuds** is a five-day intensive training collaboration between the *Forum of Canadian Ombudsman* and *Osgoode Professional Development* of Osgoode Hall Law School, York University.

Now in its 13th iteration, this unique program, both comprehensive and in-depth, is intended to meet the needs of recent appointees to the Ombuds role or Office, as well as provide those with more experience an opportunity to become more conversant with both the theory and practice of the Ombuds role, wherever it is located. You will develop a deeper understanding of the requirements and expectations for Ombuds by exploring and examining the myriad of evolving issues and challenges facing those who practice in the Ombuds field today, and by reviewing best practices of Ombuds across the country.

Taught by a highly distinguished faculty of practicing Ombuds, lawyers and academics from across Canada, all of whom are leaders in their field, this certificate program will give you the theory, knowledge and practical skills to competently and confidently handle day-to-day challenges as well as more complex issues.

*You will learn through a mixture of lectures, group discussion and hands-on practical exercises, providing a rich, interactive learning format.*

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## What You'll Learn:

- Scope of today's Ombudsman role: inquisitorial versus adversarial process
- Choice of path – assessing the issues and possible paths
- Developing recommendations and appropriate remedies
- Trend analysis and own motion investigations
- Effective writing for professionals
- "Speaking Truth to Power": a roundtable panel discussion
- What's next for Ombuds? Exploring future challenges and opportunities
- Dealing with human rights complaints against the Ombudsman and/or Ombudsman staff

## Who Should Attend

- Ombuds (working in legislated roles or in public and private sector organizations or associations established by policy, Charter, Order-in-Council, etc.)
- Assistant/Deputy Ombuds, and Directors in Ombuds offices
- Early Resolution Staff
- Conflict Resolution Staff working in an Ombuds context
- Dispute Resolution Officers
- Fairness Commissioners / Fairness Practitioners
- Integrity Commissioners
- Citizens' Representatives
- Investigators/Senior Investigators in an Ombuds context
- Complaint-handling staff in both private and public sector organizations
- Public Editors (at newspapers and other media outlets)
- Legal or other specialized counsel to Ombuds Offices

***"I was very pleased and grateful for the materials that have been handed out. They will be a great resource that I can use going forward. I thoroughly enjoyed the entire program. The speakers and topics covered were excellent and made for a well rounded program."***

Shelley McKeen-Weaver, Client Liaison Consultant, Children's Services, City of Toronto

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# Drawing on the expertise of practicing Ombuds, lawyers and academics from across Canada including:

## Program Directors

### Jay Chalke

Ombudsperson  
Province of British Columbia

### Sophie Petrillo

Ombudsman  
Hydro One

## Program Faculty

Kwame Addo  
Ombudsman, City of Toronto

Joanna Bull  
Senior Counsel, Ombudsman Ontario

Jay Chalke  
Ombudsperson, Province of British  
Columbia

Ian Darling  
Chair, Condominium Authority  
Tribunal, Condominium Authority  
of Ontario; former Ombudsperson,  
Tarion Warranty Corporation; former  
Ombudsperson, Fanshawe College

Paul Dubé  
Ombudsman, Ombudsman Ontario

Nora Farrell  
Ombuds Practitioner, Ph.D., LL.M.  
(Osgoode)

Barbara Finlay  
Deputy Ombudsman, Province of  
Ontario

Beth George  
Manager, Investigations, Alberta  
Ombudsman

Jane Griesdorf  
The Writing Consultants

Ghizaal Haress  
Visiting Scholar, Massey College and  
Faculty of Law, University of Toronto;  
former Ombudsperson, Islamic  
Republic of Afghanistan

Charles Murray  
Integrity Commissioner, Province of  
New Brunswick

Shirley R. Nakata  
Ombudsperson, Students University  
of British Columbia

David Paradiso  
Deputy Ombudsperson, Office of the  
British Columbia Ombudsperson

Sophie Petrillo  
Ombudsman, Hydro One

Laura Pettigrew  
General Counsel, Ombudsman Ontario

Jennifer Moore Rattray  
Chief Operating Officer, Southern  
Chief's Organization; Ministerial  
Special Representative, Call for Justice  
1.7 Government of Canada (2023);  
former Executive Director, National  
Inquiry into Missing and Murdered  
Indigenous Women and Girls

Michelle Rossi  
Executive Director, Patient  
Ombudsman

Craig Thompson  
Patient Ombudsman (Ontario)

Rachel Warren  
Executive Director, Intake and  
Investigation, Office of the British  
Columbia Ombudsperson

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# Agenda

## DAY 1

Monday, September 23, 2024  
9:00 a.m. – 4:30 p.m. ET

### Establishing the Framework for Effective Ombuds Practice

- The importance of the Ombudsman role
- History of the Ombuds role and diversity of roles
- Guiding principles and mandatory attributes
  - Independence
  - Impartiality
  - Accountability
  - Confidentiality
- Administrative law framework (the foundation of Ombuds work)
- Practical application of Ombuds theory (this session will include case studies and small group work)

## Faculty

Nora Farrell, Ombuds Practitioner, Ph.D., LL.M. (Osgoode)

Shirley R. Nakata, Ombudsperson for Students, University of British Columbia

## DAY 2

Tuesday, September 24, 2024  
9:00 a.m. – 4:30 p.m. ET

### Scope of the Ombuds Role

- Fundamental values: respect and fairness
  - What is fairness?
- The Fairness Triangle: substantive, procedural, interpersonal
- Preventative Ombudsing: training, commenting on policy and bills (as appropriate)

- Collaborative Ombudsmanship and Relationship Building
- Preparation of the case summary
  - Importance of rigorous and scrupulous review and presentation of the facts determined and conclusions reached
  - Framework of the summary (relevant issues, explanation of the investigation process, relevant evidence and credibility, standard to apply and assess fairness)
  - Length of summary and level of detail required
- Intake
  - Written and oral concerns
  - Capturing the narrative and the essence of the issue(s)
  - Determining the basic information needed
  - Resolving concerns at intake
  - Confidentiality
  - Dealing with challenging situations (e.g. time and resource-intensive complaints, unrealistic expectations, persistent or difficult behaviour and threats of violence)
- Early and ongoing resolution techniques
  - Provision and/or clarification of information or explanation
  - Negotiation
  - Mediation
  - Shuttle diplomacy
  - Conflict coaching
  - Preliminary fact finding
  - Dealing with challenging behaviour from the public
- Trauma-informed Ombuds practice
  - Putting mental health matters in perspective

## Faculty

Paul Dubé, Ombudsman, Ombudsman Ontario

Charles Murray, Integrity Commissioner, Province of New Brunswick

David Paradiso, Deputy Ombudsperson, Office of the British Columbia Ombudsperson

Michelle Rossi, Executive Director, Patient Ombudsman

Rachel Warren, Executive Director, Intake and Investigation, Office of the British Columbia Ombudsperson

## DAY 3

Wednesday, September 25, 2024  
9:00 a.m. 4:30 p.m. ET

### Inquiries and Investigations (Individual and Systemic)

- Information gathering and assessment
- Analyzing the concerns submitted
  - Identifying the real issue(s)
  - Identifying those with an interest, and those who may be affected by the issue
- Preparing the information gathering process:
  - Refining the issues
  - Preparing an investigation plan
  - Identifying the questions that must be addressed
  - Identifying those who may have relevant information
  - Identifying other sources of information (e.g. documents, statistics, policies and procedures and the media)
  - Preparing a potential interviewee list and determining the order of interviews

- Deciding if and how to visit locations, premises, taking photographs, etc.
- Concluding an Informational Interview
  - Prior review of all available information
  - Preparing questions
  - Explaining the role and encouraging cooperation
  - Asking appropriate questions
  - Note taking and/or recording interviews; pros and cons, addressing confidentiality issues
  - Testing the veracity of the information
  - Dealing with inconsistent and incoherent information
  - Dealing with unwillingness to be interviewed (e.g. strategies for those without subpoena power; cost benefit analysis on the use of subpoena for those who have that authority)
- Assessment of evidence
  - Direct and circumstantial information
  - Dealing with conflicting information
  - Determining the appropriate standard and burden of proof
  - Relevance, credibility and weight of evidence
  - Determining if additional evidence is needed for assessing fairness or to confirm possible solutions
  - Cooperative resolution techniques
  - Open discussion and diplomacy
  - Mediation
  - Negotiation
- Recommendations
  - Shaping credible and convincing recommendations
- Determining appropriate remedies
- The purpose of the remedy – specific solution to individual contentions and/or viable long term solution to a

systemic problem(s)

- Exercise: drafting and critiquing case summaries for use as reporting letters and for inclusion in reports

## Faculty

Jay Chalke, Ombudsperson, Province of British Columbia

Barbara Finlay, Deputy Ombudsman, Province of Ontario

Beth George, Manager, Investigations, Alberta Ombudsman

### DAY 4

Thursday, September 26, 2024  
9:00 a.m. – 4:30 p.m. ET

#### Trend Analysis/Challenges and Opportunities for Ombuds

- The “Capture” concept and how it applies to the Ombuds role
- Trend Analysis
  - Discussion of the importance of having systems in place as it relates to the following:
    - i) collecting statistics for the purpose of trend analysis
    - ii) using statistics correctly
    - iii) identifying potential systemic and system-wide issues
    - iv) process used by each Office for making decisions about how best to address
- Exercise: doing a trend analysis
- Keynote: “Speaking Truth to Power” from the indigenous point of view
  - Indigenous approaches to complaints and ombuds work

#### Roundtable Panel Discussion:

#### “Speaking Truth to Power”

The day concludes with a roundtable discussion with ombuds who have had

extensive experience with issuing reports in controversial and/or difficult circumstances. There will be ample opportunity for questions and discussion.

## Faculty

Kwame Addo, Ombudsman, City of Toronto

Jay Chalke, Ombudsperson, Province of British Columbia

Ian Darling, Chair, Condominium Tribunal for Ontario, Former Ombudsperson for Taron Warranty Corporation and Former Ombudsperson for Fanshawe College

Ghizaal Haress, Visiting Scholar, Massey College and Faculty of Law, University of Toronto; former Ombudsperson, Islamic Republic of Afghanistan

Sophie Petrillo, Ombudsman, Hydro One

Jennifer Moore Rattray, Chief Operating Officer, Southern Chief’s Organization; Ministerial Special Representative, Call for Justice 1.7 Government of Canada (2023); former Executive Director, National Inquiry into Missing and Murdered Indigenous Women and Girls

Craig Thompson, Patient Ombudsman (Ontario)

### DAY 5

Friday, September 27, 2024  
9:00 a.m. – 12:30 p.m. ET

#### Report Writing

- Effective writing for professionals

A take-home assignment will be distributed at the end of Day 5. Participants must attend all 5 days and successfully complete the assignment to receive the Osgoode/FCO Certificate.

## Faculty

Joanna Bull, Senior Counsel, Ombudsman Ontario

Jane Griesdorf, The Writing Consultants

Laura Pettigrew, General Counsel, Ombudsman Ontario

# Registration Details

Fee per Delegate

**\$3,695 plus tax**

Fees include attendance, electronic materials and technical support. Please inquire about financial assistance.

## Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

## Cancellations and Substitutions

Substitution of registrants is permitted prior to the start date of the program. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the start of the program. If a cancellation request is made with less than 21 days notice, a \$250 administrative fee will apply per person. Within 7 days of the program start date, no refund is available. Payment is required to receive access to the program.

For Further Program-Related Information, Please Contact:

Stéphane McRoberts, Program Lawyer at 647-999-5723  
or email [smcroberts@osgoode.yorku.ca](mailto:smcroberts@osgoode.yorku.ca)

# Certificate of Program Completion

A take home assignment will be distributed at the end of Day 5. Participants must attend all 5 program days and successfully complete the assignment to receive the Osgoode/FCO Certificate.

# 4 Convenient Ways to Register



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Online



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Register today at:

**[osgoodepd.ca/ombuds](https://osgoodepd.ca/ombuds)**



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.



Eligible CPD Hours – LSO (ON): 28h CPD (24h Substantive; 3h Professionalism; 1h EDI).

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact [cpd@osgoode.yorku.ca](mailto:cpd@osgoode.yorku.ca).

*"I have never taken away so much from a week of training! I am grateful for the time, planning, speakers and interaction with my colleagues on the course!"*

Mary Kirby

Director, Strategic Planning and Research, Office of the Ombudsman for the Department of National Defence and Canadian Forces

*"Great balance of information for different types of Ombuds."*

Lakai Fill

Investigations Officer, Office of the Ombudsman for Bermuda

*"The program was wonderful – excellent speakers and the content was outstanding. I learned so much valuable information that I continue to bring forward to my organization on a daily basis!"*

Nina Jetha

Associate Ombudsman, Integrity and Resolution Office, Health Canada

*"I learned a lot both personally and professionally. I am grateful that I was able to attend such an incredible course. Thank you!"*

Kari H.

Mediator, Civil Mediation Resolution Services