

Ombuds System Preventing the Storm



Compliance is the Foundation of Each Persons Job

- Seek assistance from your manager, company legal counsel, or other resources when you have questions about application of the compliance policies.
- Promptly raise any concern that you or others may have about possible violations of compliance policies or about a possible request that you believe might violate a compliance policy.

Compliance is the Foundation of Each Persons Job

If an employee has knowledge that a policy has been violated but does not report it, can he/she be held responsible?

Yes. Knowingly withholding information regarding a compliance violation is in itself a violation. Additionally, an employee who has a *concern* (but not definite knowledge) that a company policy is being violated but does not report it also has violated company policy.

Protecting Myself is the Foundation of My Job



I am not going to my manager about this issue –she is a part of the problem.

All my co-workers will know I am the one complaining.

Even if I report, nothing will ever be done.

Have you ever talked to one of those lawyers in the legal department – they are scary.

If I complain, it's going to be my neck on the line next review time.

Ombuds System

2 : one that investigates reported complaints (as from students or consumers), reports findings, and helps to achieve equitable settlements

DEFINITION OF OMBUDS FROM MERRIAM WEBSTER DICTIONARY

A process for retribution-free reporting of integrity concerns and a resource for obtaining help with integrity questions and guidance on compliance matters.

Characteristics of an Ombuds Program

- Objectivity through 3rd Party
- Confidential
- Prompt Action and Investigation
- No Retaliation or Harassment
- Choice of Ombudspeople located in a variety of countries and speaking a variety of languages.

Selecting an Ombuds Team

- High personal integrity
- Approachable, respected, broadly known and accessible
- Fair, objective, discrete
- Effective listening skills
- Familiar with business
- Knowledge of Integrity policies



Why Call the Ombuds Help Line

Because . . .

- Processes get fixed
- The longer problems go unattended the worse they get
- Mistakes can be avoided if questions are asked
- Concerns kept by one become burdens

It is the right thing to do

Challenges in beginning a program

- Spreading the word of the existence of the program
- Helping employees understand the purpose
- Convincing employees that there is no retaliation for reporting
- Training Ombuds people



Helping employees understand the purpose.

Teach them what Ombuds is not.

- It is not a tool to resolve HR problems with manager unless compliance policy violation exists
- It is not a general gripe site
- Does not replace works council or other worker unions

Spreading the word

- Toll free Ombuds Help line
- Ombuds discussed during management meetings and other trainings
- Posters printed and sent to all Ombuds offices globally
- Ombuds cards printed with telephone contacts for each geographic region.
- Announcements when new Ombuds people are appointed
- Cookies to entice people to meet their Ombuds
- Internet postings

No Retaliation Policy is a Key Element

Confidentiality Cannot always be guaranteed . .

- May be difficult to maintain . . reporting employee may be readily identified due to nature of report.
- Threats to health, safety, or property must be acted upon promptly.
- Potential violations of law or policy require investigation / corrective action.
- Information may be pertinent to a potential or pending legal proceeding.
- May have to report to government authorities.

Prohibit any employee from retaliating or taking adverse action against anyone for raising or helping to resolve an integrity concern.

Training an Ombuds team

- The team should have a thorough understanding of your Compliance policy.
- New laws and trends should be brought to the attention of Ombuds if they impact a compliance issue.
- Teach Ombuds to identify situations requiring the help of experts.
- Ombuds compliant handling process from investigation to conclusion should be understood and followed.
- Provide training on Effective listening skills

Benefits of the Program



- Stop problems before they arise
- Discover problems before they become really bad
- Allow employee to vent
- Allow a third party to evaluate objectively
- Change processes that are broken
- Discover trends / issues