

Southwest Florida Water Management District (District) Ombudsman Charter

Purpose

To formalize the organizational intent of the ombudsman position consistent with the 1995 Water Management Review Commission and Section 373.079(4), F.S. Pursuant to the Water Management Review Commission recommendations: the ombudsman will assist the public by responding to inquiries and complaints from, or among, permit applicants, interested parties, and citizens regarding the water management districts policies and practices. In addition, the ombudsman's role is to facilitate citizen-staff interactions to encourage the amicable resolution of disputes or differences of opinion.

General Practices

- The ombudsman will serve as an independent, impartial and neutral intermediary to the public when responding to complaints and concerns to facilitate and mediate consensus building and to resolve disputes. The ombudsman maintains confidentiality while investigating a complaint as defined under the code of ethics of the International Ombudsman Association (IOA) except where applicable Florida statute, rules or Southwest Florida Water Management District (District) policies/guidelines, direct otherwise.
- The ombudsman assists the public in obtaining access, information and responses to their inquiries/concerns from the District.
- The ombudsman operates independently and reports to the executive staff of the District to meet the intent of Section 373.079(4), F.S.
- The ombudsman will provide feedback to District executive staff on general trends and patterns of public inquiries to prevent a reoccurrence and/or escalation of similar complaints/concerns.
- The ombudsman is not a point of notice; does not participate in formal administrative processes, investigations, and/or adjudications conducted by the District. This includes any file/case under the oversight of the Office of General Counsel (i.e., "referred to Office of General Counsel for legal enforcement").
- The ombudsman will not serve as an arbitrator but will assist the public in resolving inquiries/complaints, and when appropriate, provide input to executive staff for its consideration in resolving a dispute pursuant to the IOA Standard of Practices.
- The ombudsman has the sole discretion on whether to pursue and/or conduct an informal fact finding analysis of an inquiry/complaint and what actions he/she will take regarding their concerns within the constraints of this charter.
- The ombudsman does not make binding decisions, mandate policies, or formally adjudicate issues for the organization.
- The ombudsman is not limited to the District resources when conducting an informal fact finding evaluation concerning a public inquiry/complaint.
- Document Services is responsible for taking the lead in responding to public records. The ombudsman will assist in obtaining information when requested by the public. However, the ombudsman is not a point of notice for the agency and will refer such requests to Document Services and/or to the appropriate District personnel/department.

Code of Ethics and Standards of Practice

- The ombudsman will abide by the Code of Ethics and Standards of Practices established by the IOA except where applicable Florida statutes, rules or District policies/guidelines, direct otherwise.
- Documents submitted to the ombudsman are subject to Chapter 119, F.S. and are not confidential.
- The ombudsman shall take the necessary precautions when producing reports, documents, notes, and/or maintaining a data base to ensure confidentiality and anonymity of the public when requested. For example, when receiving an inquiry from the public and anonymity is requested, the ombudsman will not record information that can identify the person making the inquiry. However, any information that is submitted to the ombudsman is subject to Chapter 119, F.S.

Minimum Qualifications

- The ombudsman shall be trained in mediation and conflict resolution, have at least five years of Water Management District experience, be knowledgeable of the District programs, policies, areas of responsibilities, possess a Bachelor's Degree, and be a member of good standing within the community.

Referenced Documents

- IOA Code of Ethics (<http://www.ombudsassociation.org/about-us/code-ethics>)
- IOA Standards of Practices (<http://www.ombudsassociation.org/about-us/mission-vision-and-values/ia-best-practices-standards-practice>)

This charter can be amended at the discretion of the executive director at any time.