

Fairness Checklist¹

Proportionality

- The outcome is consistent with similar precedents.
- The outcome takes into consideration significant differences from other precedents.
- The outcome is not oppressive or unjust. (It is proportional to the severity of the issue)
- There is not a disproportionately adverse outcome for a particular group.
- The determination does not appear to contradict policy or law.
- The determination is made in a manner consistent with previous decisions on similar matters, by relying on existing policies, guidelines, procedures and rules.
- Similarly situated parties are treated similarly.

Accessibility

- The affected parties are given advance notice. This notice includes:
 - That a determination will be made,
 - Why the determination is necessary,
 - How the determination will impact them,
 - Who else will be aware of the process,
 - What information will be considered in the determination,
 - The process and criteria that will be used to make the determination,
 - The timeline of the process,
 - What actions the affected parties need to take or might want to take.
- Information about the process is made easily available and understandable to the affected parties.
- Parties have access to knowledgeable people who can help them navigate the process.
- If those impacted by the process have questions about the process, those administering the process do their best to explain and clarify the process. Questions about the process and objections to it have no bearing on the determination.
- The determination is provided to anyone personally affected.

Confidentiality

- Confidential information is not disclosed.

Voice

- The affected parties are given meaningful opportunity to participate in the process.
- The affected parties are provided with:
- The opportunity to present their point of view on the matter either in writing or preferably in person.
 - The opportunity to respond to the information which will be considered by those making the determination, including information presented by others.
 - Those making the determination make a genuine effort to listen openly to all parties before making the determination.
- There is no coercive pressure to dissuade affected parties from utilizing the process.
 - If appropriate to the process, the affected parties are given a role in the decision making or in the creation of the decision-making process.

Timeliness

- The timeframe provided for the determination is reasonable.
- The determination is made in accordance with the timeframe provided.
- Parties are given ample time and notice to review information and to respond.
- Responses are made to parties in a timely manner.
- Deadlines are provided and honored

If the determination is delayed:

¹ This checklist is based upon similar checklists developed by the Ryerson University Office of the Ombudsperson

- The reason for the delay and an updated timeframe is provided as soon as possible and before deadlines are passed.
- Efforts are made to mitigate any costs resulting from the delay.

Impartiality

- Decision-makers have no personal stake in the outcome.
- Decision-makers have no significant partisan or prejudicial disposition towards one of the affected parties.
- Decision-makers do not allow their personal feelings about the parties to factor into the decision, unless they are relevant.
- Those making the determination have been delegated authority to make the determination.

Rationality

- All important facts are obtained, documented and considered before the determination is made.
- The determination is reached objectively, with due respect for relevant facts.
- Care is taken to require and use only that information which is relevant to the determination.
- The identities of the parties do not influence the determination, unless they are relevant.
- If discretion is exercised, any inconsistency with previous determinations on similar matters is justified and explained.
- Adequate reasons are provided to explain how and why the determination was made (not just "It is policy").

Accountability

- If procedural errors are made, they are corrected or accounted for quickly.
- A proper record of the process used has been kept and will it be kept on file for a reasonable period of time.
- If the determination is subject to appeal or review, the determination outlines appeals options including:
 - The grounds for an appeal.
 - The procedures for filing an appeal.
 - A description and timeline for the appeal process.
 - Who would hear the appeal.
- If procedural errors or delays were made during the process, steps are taken to prevent them from recurring in the future.
- The affected parties have an opportunity to provide meaningful feedback on the process.
- An apology is offered if a mistake is made.
- Decisions are actively monitored for disproportionate outcomes to different demographics.

Flexibility

- Accommodation is made for new and/or changed circumstances during a period of delay or while the determination is being made.
- An exception to policy is considered if the application of the policy under the circumstances does not meet the purposes for which the policy is intended.
- Administrators make a genuine attempt to be open-minded and to listen with curiosity to understand participants.

Dignity

- Those administering the process strive to maintain the dignity of participants and treat them with courtesy regardless of who the participants are or how they behave.
- Administrators are honest and forthright.
- Administrators strive to be empathetic to participants and deliver difficult news in a sensitive manner.

