

QUICK TIPS

Fairness in Decision Making

Providing good reasons for decisions

Reasons should explain how and why a decision was made and include the following elements:

- ❑ **Issue:** The specific question or issue you considered.
- ❑ **Facts:** The facts and evidence the decision is based on. Explain any evidence or information that was rejected and why it was rejected.
- ❑ **Applicable rules:** Explain the law or policy that applied in the decision making process.
- ❑ **Analysis:** Clearly outline the steps you took to reach your decision, including how the rules applied to the facts.
- ❑ **Decision:** The decision itself should be clearly stated. Be sure to decide each case on its own merits.
- ❑ **Review or appeal rights:** Include information about any review or appeal options available, as well as any applicable time limits.

Benefits of Providing Good Reasons

Leads to better decisions

Greater acceptance of decisions

Better informed reviews and appeals

Efficient use of time and resources

Supports transparency

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Decision making steps

Step 1: Clarify the issue or question

- What issue needs to be decided? If applicable, have I explained to the person affected why I am not looking at other issues they believe are important?
- Do I have the power/legal authority to make this decision?
- Am I an impartial decision maker?

Step 2: Determine the applicable rules

- What rules apply to this decision? Legislation, regulations, bylaws, policy, procedures, guidelines?
- Do I understand the rules?
- Do the rules provide any discretion in the decision making process?

Step 3: Gather and consider the relevant information

- What information do I need to make a decision?
- Do I have all the information I need to make a fully informed decision? Is there other information I should gather and consider before making the decision?
- Have I followed a procedurally fair process and provided an opportunity for the person affected by my decision to be heard in the process?
- Is the information reliable and relevant to the issue or question being decided?

Step 4: Apply the relevant rules to reach a conclusion

- Have I considered only relevant information in the context of the rules that apply?
- Have I understood and interpreted the rules correctly? Is my decision clearly tied to the rules?
- Have I exercised discretion appropriately, and is my conclusion reasonable given the individual circumstances of the case?
- Have I reasonably applied the relevant rules to the facts of the case?

Step 5: Adequately document and communicate the decision

- Have I documented my decision clearly?
- Have I explained in my documentation how I weighed competing evidence to reach my conclusion, and if I rejected certain evidence, why I did so?
- Have I tied my conclusion to the evidence considered and rules that apply?
- Have I communicated the decision to the person impacted and informed them of any review or appeal options available?
- Have I provided clear and meaningful reasons for my decision?