



**Disability Resource
Centre**

**Complaints Procedure
for Users of the Centre**

The Disability Resource Centre has developed a Harassment Policy and Complaints Procedure to assist you if things go wrong when you use our centre.

These policies are for users of the centre. Staff and trainees are subject to a separate grievance procedure.

A. The Harassment Policy

i) Principles on which the Policy is based

These principles were agreed amongst the staff and users of the DRC as the basis of a Code of Practice.

All eligible people with physical and/or sensory disabilities are welcome at the centre. They have a right to feel safe and relaxed and to feel that they can approach staff and will be taken seriously.

Any Form of unfair discrimination or harassment is completely unacceptable, and procedures to combat such behaviour will be followed if it occurs.

ii) Rationale for the Code of Practice

It makes it clear to all users and staff that the Equal Opportunities Policy will be implemented.

It defines unacceptable behaviour to the users and makes them aware of the consequences of harassment.

The Management Committee is held responsible for preventing and stopping such incidents, and has a mandate to do so. The long term objective is to prevent harassment and create a culture which promotes dignity and mutual respect.

There are clear procedures to follow if an incident arises. This is a protection for both staff and users.

iii) Definition

Harassment is an unwelcome conduct towards people which makes them feel uncomfortable, embarrassed, angry and ineffective because of their race, secularity, gender, disabilities, age, class, culture or religious beliefs. It includes a range of behaviour from unwelcome physical attention, to verbal or non verbal conduct which is experienced as demeaning or offensive. It can range from ignoring or marginalising people, to joking about them, calling them names, or abusing them physically or mentally.

iv Law and Employers Responsibilities

The following points are relevant to implementing the policy.

The DRC is obliged to conform to the requirements of the Race Relations Act (1976) the Equal Treatment Directive (1976) and the Public Order Act (1986).

Harassment may be contrary to these as regards access to employment, training, promotion and working conditions. It can be:

- 1) a criminal offence and

2) may contravene other legal obligations, such as health and safety obligations.

The concept of Equal Opportunities is now embedded in the legislation of the European Community.

The harassment policy will become effective if linked to positive action, like staff and over education or Equality issues. This should include ways dealing with observed harassment as well as personal experience of harassment.

v) Rational for the Procedures

a. The procedures need to provide an informal forum designed to clear up confusion and misunderstanding, and to resolve

conflicts as diplomatically as possible. If this procedure fails, then it will be necessary to proceed to a more formal process, which is designed to provide support for the person who has been harassed.

b. All procedures are confidential.

c. The proper implementation of the procedures shall be the responsibility of suitable people, whose role is endorsed

and supported by the management.

vi) Procedures for dealing with Harassment

The procedures have been drawn up with an awareness that many people experience direct and indirect discrimination in their daily lives. People with disabilities often experience this, not only because of their disability but as black men and women, white women, gay men or lesbians, or because of their class, religion or even their age.

The harassment may be intentional or unintentional but when it is dealt with by management, it is the **EFFECT** on the harassed person that must be taken seriously. The intentions of the harasser will to an extent affect the way in which the panel deals with the incident.

So the procedures have been taken into account.

1) The seriousness of any accusations

2) The delicacy of any situations which may arise

Informal Procedure

1) Take the complaint to a recognised member of the named Complaints Panel for discussion.

2) Expect to receive proper emotional and other appropriate support about the experience.

3) Decide jointly, and with full agreement by the harassed person, what to do - to have a meeting with the other person, or write a letter etc. - to try and clear the air and receive an apology.

4) If the issue can't be satisfactorily resolved in this way, to take the complaint further. The harassed will be notified in writing of the action to be taken and be given a copy of the complaints procedure. This person may also be able to request support if they feel they have been wrongly accused.

Steps 1-3 are recorded in a personal note by the Panel member with the date and a basic description of the concern. 4 indicates the start of formal procedures, which are recorded using an independent notetaker, with all records kept locked.

Formal

The Complaints Panel will implement the DRC complaints procedure appropriately. This procedure is enclosed.

vii) Support

The DRC is committed to providing proper support to the person who has experienced the harassment. It recognises that this is often a painful process. There are several named people who will provide support within the centre, but anyone has a right to choose their own support person, including somebody outside the centre. Staff or trainees of the DRC cannot act as advocates under this procedure.

8. The Complaints Procedure

* Incident happens

INFORMAL DISCUSSION (between parties discussed)

- IF NO AGREEMENT, SHOULD GO TO NEXT STAGE WITHIN SEVEN WORKING DAYS.

Stage 1

Must be an independent person (Co-ordinator, Deputy Co-ordinator, Administration Officer or user) who sees them for the informal discussion. Both parties must decide on an independent person who is agreeable to both. It may be a Management Committee member, permanent staff member or user but, not an elected officer (Chair, Vice Chair or Treasurer). If complaint is not settled then it goes to Stage 2

COMPLAINTS PERSON INVOLVED

This will be any one person from the Panel of Three

- IF NO AGREEMENT, SHOULD GO TO NEXT STAGE WITHIN SEVEN WORKING DAYS.

Stage 2

Goes to Panel (this consists of member of the Management Committee, permanent staff member and user) who deliberate. If complainant is still not satisfied with outcome it goes to Stage 3.

PANEL OF 3 (Management Committee should also be informed) The Panel meets together to discuss the complaint.

- IF NO AGREEMENT, SHOULD GO TO NEXT STAGE WITHIN SEVEN WORKING DAYS.

Stage 3

Goes to Management Committee with all written records. All records must be put into an envelope and sealed with Chair Panel person's name on envelope.

The Chair of the Panel is the only person permitted to open the envelope in the presence of the other two panel members.

MANAGEMENT COMMITTEE STAGE

This is the final stage without right of appeal.

C. The Complaints Panel

The complaints Panel will be:

- a member of the Management Committee (not an elected office)
- the Co-ordinator
- a user who is not a committee member but who is appointed annually by the management committee following internal policy.

The complainant may ask one of the three to deal with their complaint initially. If any member of the panel might in any way be subject to a particular complaint, he or she should drop out from dealing with it.

Volunteers to act as advocates should be publicised at the same time each year as the user vacancy on the Complaints Panel.

D. Publicising the Harassment Policy and Complaints Procedure

The Management Committee have agreed that this will be done through:

- User's Open Meetings
- The Publicity and Information Sub-Group
- Raising it through other sub-groups/activity groups

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