

# DEPARTMENT OF THE ENVIRONMENT EQUALITY SCHEME

## A GUIDE TO THE SECTION 75 COMPLAINTS PROCEDURE

### 1. Introduction

This leaflet explains how the Department's complaints procedure for Section 75 equality of opportunity and good relations issues works.

The Department is fully committed to meeting its statutory obligations on the promotion of equality and good relations. The Department's Equality Scheme, which can be accessed on the Department's Internet website at <http://www.doeni.gov.uk/doequalityscheme.pdf>, sets out the Department's plans for fulfilling those obligations. When a person believes that he/she has been directly affected by a failure of the Department to comply with the Equality Scheme he/she is free to make a complaint. The following paragraphs explain how to make a complaint and what you can expect from the Department in responding to your complaint.

### 2. What is a complaint?

For us a complaint is any representation made by any person who feels that that they have been directly affected by the failure of the Department to comply with the commitments set out in the Equality Scheme.

### 3. How to complain

All written complaints, (including faxes and E-mails) should in the first instance be brought to the attention of:

The Director of Corporate Services,  
Clarence Court,  
10 – 18 Adelaide Street,  
BELFAST, BT2 8GB.  
Telephone: 028 90 540820  
Fax no: 028 90 279430  
Email: equality@doeni.gov.uk

The Equality Commission has advised that it is important that a potential complainant should make contact with them before making a complaint to a public authority in order to receive general advice on the complaints procedure. The complaint must be clear about the alleged failure of the Department to comply with its Equality Scheme.

#### **4. Our Undertaking**

All complaints (received directly or indirectly via Agencies and Divisions) will be:

- acknowledged by the Equality Unit **within three working days** of receipt;
- investigated thoroughly and treated confidentially;
- responded to **within two months** in an accessible format, if requested.

In all cases, when we receive a complaint, we will try to be as helpful as possible and respond in a positive, prompt, efficient and effective way.

#### **5. Do I have to complain in writing?**

Many people are put off making a complaint because they have to make it in writing. Although we would prefer to have the complaint made in this way, we will also accept complaints by telephone, and E-mail. The option of a meeting with a member of staff from the Department's Equality Unit to discuss the issue will also be offered if appropriate.

#### **6. What if I am still not satisfied?**

If you are not satisfied with the Department's decision as a result of the investigation, you can pursue the complaint further with the Northern Ireland Equality Commission.

The Equality Commission for Northern Ireland is located at:

Equality House  
7 – 9 Shaftesbury Square  
BELFAST  
BT2 7DP.

Telephone: 028 90500600  
Fax no: 028 90331544  
Textphone: 028 90500589  
Email: [information@equalityni.org](mailto:information@equalityni.org)  
Website: [www.equalityni.org](http://www.equalityni.org)

Before taking a complaint to the Equality Commission, you must have:

- \* brought the complaint to the notice of the Department, and;
- \* allowed the Department a reasonable opportunity to respond.

The Equality Commission shall -

- \* investigate the complaint; or
- \* give reasons for not investigating.

A complaint to the Northern Ireland Equality Commission must be made in writing by the person claiming to have been directly affected by the failure of the Department to comply with its Equality Scheme.

A complaint must be sent to the Equality Commission during the period of 12 months starting with the day on which you first knew of the matters alleged.

In any investigation by the Equality Commission, the Department will co-operate fully, providing access to relevant information as the Commission may require.

***DOE EQUALITY UNIT***  
***January 2010***