

BACKGROUND

The Service Restriction Policy aims to provide a safe, inclusive, and welcoming environment at The 519 by defining standards of acceptable behaviour and ensuring that there is an effective process in place to support people in crisis. The 519 is dedicated to supporting Employees in dealing with individuals who engage in disruptive, harassing, or violent behaviour. The following policy outlines the service restriction categories and the appeal process.

POLICY STATEMENT

As a community centre, The 519 works with a range of community members including those who are marginalized and experiencing poverty, isolation, homelessness, systemic discrimination, mental health and substance use issues. The 519 is committed to creating an accessible welcoming space for all, while ensuring our Employees, program participants, community members, volunteers, and the public are provided a safe and welcoming as possible environment.

We do this through proactively engaging with community members in crisis through supportive, non-judgemental, trauma-informed harm-reduction approaches.

We recognize at times depending on an individual's behaviours, service restrictions may need to be instituted to protect Employees, program participants, volunteers, community members, and facility assets.

We recognize that service restrictions affect people, in particular those experiencing marginalization, and they should be implemented fairly, equitability and as rarely as possible. The 519 also ensures that people have a right to appeal service restrictions.

ROLE OF EMPLOYEES

The 519 creates space for change, contributing to the advancement of LGBTQ2S equality and inclusion in Toronto and beyond through service, space, and leadership. Employees are expected at all times to foster an atmosphere which is respectful, professional, and helpful to community to ensure the highest standards of public service.

The 519 is committed to creating and maintaining an environment that supports and fosters appropriate and positive interpersonal interactions in our day-to-day work. The 519 values honesty, confidentiality, ethical conduct, positive solution based decision-making, integrity and the fair, equitable, and respectful treatment of all people regardless of their circumstances and identities.

WORKPLACE VIOLENCE

In accordance with legislative obligations, The 519 will not tolerate acts of violence or harassment towards its employees and will take all reasonable and practical measures to prevent violence and harassment and protect employees.

COMMUNITY CENTRE SPACE USE EXPECTATIONS

The 519 is committed to creating and fostering a space that is safe and welcoming for all people. We will not tolerate or condone behaviours that violate our Anti-Harassment and Discrimination Policy or create an unsafe/unwelcoming environment including behaviours such as:

- harassment, discrimination, verbal or physical abuse, property damage
- violent, aggressive, threatening and/or intimidating behaviours

SERVICE RESTRICTION CATEGORIES

For the purpose of this policy, there are three service restriction categories at The 519. The applicability of the categories relates specifically to the circumstance(s), frequencies and severity of the behaviour/situation.

1. Service Agreements: In an effort to support people as much as possible to continue to access The 519, this is a negotiated agreement between the individual and The 519 that establishes conditions in which the individual can access programs, services, and/or the building based on the individual's behavior and considers the impact of restrictions.

2. Service Restriction – short-term

(a) Same Day: This is when the individual who has violated The 519's community standards and/or policies and is required to leave for the day. It may be appropriate for the individual to meet with a Manager/Lead Employee to discuss their behaviour before returning to the space.

(b) Time Limited: This is a temporary and time-limited restriction, where the individual is restricted from one of, or all of the following:

- attending programs and events
- accessing particular services or all services
- entering a portion or all of the building

After the time limit is over, the individual must meet with a Manager/Lead Employee to discuss return to The 519. The Manager/Lead Employee will meet as soon as possible with the individual.

(c) Pending/Returning: This is the period in which an individual who has violated The 519's community standards and/or policies and is waiting to meet with a Manager/Lead Employee to discuss the behaviour/incident to determine whether a service agreement or restriction will be implemented. During this period of time, the individual is not permitted to be on the property of The 519.

3. No Trespass Order: Means the individual cannot be on the premises at The 519 under any circumstances given the risk associated with their behaviour.

The decision to issue a "No Trespass Order" is determined through an evidence based risk assessment. Only the Executive Director (or designate) has the authority to approve a "No Trespass Order". This Order is instituted as a last resort based on severe behavioural risk. The "No Trespass Order" includes the contact information of the Executive Director to ensure the individual receiving the order is able to request an appeal of the decision.

REVIEW OF SERVICE RESTRICTION DECISIONS

All service restrictions are reviewed by The 519's internal Incident Review Committee to ensure the actions and decisions are aligned with organizational policy and practice. The 519 expects that this policy/process will support our goal to ensure that our services are inclusive, responsive, and accessible for participants and community while maintaining a safe and welcoming community centre and working environment.

APPEAL OF SERVICE RESTRICTION

In all cases an individual has the right to appeal a service restriction. The 519 only accepts appeals from the individual or community group affected by the service restriction. We recognize that individuals may need a support person to assist them through the appeal process. Appropriate authorities and permissions must be in place that protect confidentiality and meet our legal obligations.

APPEAL PROCESS

1. If an individual chooses to appeal a service restriction they will be assigned a management employee who will follow-up with the individual to review the request for appeal. The management lead will meet with (if safe to do so) or schedule a phone meeting to hear the individual's reason for appeal.

The lead will review all information including the incidence, frequency and severity and as required refer to the internal review committee for advice and direction. Once the review is completed the lead Manager will document the issue/appeal request and decision and provide a response to the individual. The lead Manager will also explain the next step in the appeal process if the individual is dissatisfied with the decision.

2. If a resolution is still not achieved at this stage, the Manager and/or Director will identify and explain the next step in the appeal process. This would include a meeting with a Director or Executive Director to review the circumstances and request for appeal information provided by the individual. At the conclusion of that process the Director/Executive Director will respond formally in writing to the individual outlining the issue, decision, proposed resolution and the process to complain is dissatisfied with the resolution.

The Executive Director is responsible to ensure that the appeal was managed fairly and appropriately. The Executive Director will review the material provided including when appropriate, meeting directly with the individual to review the matter.

The Executive Director will conclude the appeal review and may uphold, reverse, or amend decisions previously made. In any case, the Executive Director will provide a formal written response to the individual.

The 519 will not conduct additional appeals if the Executive Director (designate) has deemed that follow-up and investigations were deemed to have been effectively dealt with through this policy.

4. At this stage in the individual is still requesting to have their service restriction lifted they can submit a written request to The 519's Board Chair. In this circumstance the Board Chair will determine the next steps and seek a report from the Executive Director regarding the appeal steps and decisions and the Board Chair will also provide a written response to the individual at the conclusion of the process.

OTHER IMPORTANT INFO

During the Appeal process all service restrictions remain in place until they are approved to be lifted. Individuals are expected to abide by the terms of the service restriction at all times.

All complaints will be dealt with in a timely manner while considering the seriousness of the complaint, impact of the issue on community/individual, and organizational resources please see The 519 complaints policy.