



Anti-Racism, Access & Equity Policy ("Equity Policy")

1) Introduction

The Rainbow Health Network (RHN) is a catalyst and a resource for activities promoting the health and wellness of people of diverse sexual orientations and gender identities, in Toronto and beyond. We are a volunteer-driven network committed to equity-based, community-based, anti-racism and anti-oppression values. We strive for representation of the full diversity of our communities and commit to building partnerships to achieve this goal.

RHN is committed to building the network's capacity to analyse and challenge the ways that discrimination works through health and wellness services / supports for LGBTQ people, using an intersectional approach to oppression.

RHN's Definition of Health:

Health is a state of complete physical, mental and social wellbeing and not merely the absence of disease and infirmity. It is the extent to which an individual or group is able, on the one hand, to realize aspirations and satisfy needs and, on the other hand to change or cope with the environment. (*World Health Organization*) The health and wellness of Lesbian, Gay, Bisexual Transsexual and Transgender (LGBTT) people holistically encompasses psychological, mental, emotional, social, spiritual, physical, environmental, economic, political and cultural states. (*Saskatoon Declaration of GLBT Health and Wellness, 2001; United Nations Platform for Action, Beijing, 1995*) The achievement of health and wellness for LGBTT people requires freedom from oppression and discrimination. Accessible, sensitive and equitable health and social service resources, both mainstream and specialized, are necessary for our communities to achieve health and wellbeing

RHN's Objectives:

- Networking and exchange of information through our listserv, website, meetings and events.
- Increasing equity, access and inclusiveness in healthcare, supports and social services
- Educating health and social service professionals, students and others
- Advocating with governments, agencies, and the public regarding health and wellness needs of LGBTQ people.

Rationale for Policy:

The purposes of the Anti-Racism, Access and Equity Policy ("Equity Policy") are:

- 1) to provide a framework and guiding principles in order to ground all aspects of our work in anti-racism and anti-oppression values.
- 2) to promote an environment free of discrimination and harassment in all our activities.
- 3) to provide a process for resolving complaints and conflicts.

In carrying out our objectives, RHN acknowledges that within our LGBTQ communities people experience multiple types of oppression and marginalization, such as racism, sexism, ableism and class exploitation. Whether we use the terms 'integrated anti-oppression', 'intersections of oppression', 'anti-racism / anti-oppression', or other terms, a key idea is that oppression is based in and fostered by social systems, not merely individual attitudes. Discriminatory social systems create barriers to accessing social services.

Often the very organizations which are trying to improve access to services have their own barriers to inclusion, such as racism, sexism, ableism, audism and classism. RHN focuses on certain types of activities, carried out mostly by service providers and community activists. However, it is important to establish an atmosphere that is welcoming and accessible to all and does not exclude participation.

In moving toward the goal of becoming an organization that truly embodies anti-racism / anti-oppression values, the following perspectives offer some guidelines.

From An Integrated Anti-Oppression Framework for Reviewing and Developing Policy, by Margaret Alexander, Springtide Resources

Integrated anti-oppression requires that people examine their own experiences and actions, and critically analyze social structures of power and privilege. It insists that the dominant group recognize the power of its own social location(s) and how that power results in unearned societal privilege and benefit to the exclusion of marginalized people.

This approach encourages us not to make assumptions about group identity. It emphasizes that people who share a group identity may or may not have similar characteristics and lived experiences. Integrated anti-oppression reminds us to unlearn what we thought we knew and to think of and work with people as individuals.

From Interventions/ Intersections: Anti-racism and Queer Organizing, by Nuzhat Abbas, Rainbow Health Network Anti-Racism Report

RHN (as well as other groups that claim to represent queer interests) need to understand how definitions and assumptions of gay, lesbian, bisexual, transgender, transsexual, intersex, 2 spirited and queer change across generations and across race, 'culture' and ethnicities.

Discussions on health and wellness ... have to become sensitive to the emergence of new queer formations and new identifications and how immigration flows, as well as the rapid speed of globalization have enabled transnational queer networks to emerge and new alliances to be formed.

It is important for RHN, at this moment, to take on the challenge of refusing normative constructions of race, gender, class and sexuality in all its work. By increasing consciousness around how assumptions around whiteness become invisibilized, the white members of RHN can become stronger allies to people of colour and Aboriginal people both within RHN and in the larger community.

Outreach and partnerships:

We agree that in decisions related to the formation of partnerships, RHN will be informed by community-based and anti-oppression values and the guiding principles set out here.

RHN's history and origin as a loosely structured network has led to a "*need to implement anti-racist practices in outreach as well as within decision-making structures*" (RHN Anti-Racism Report, page 6). RHN's outreach efforts must not be limited to inviting diverse groups and individuals to participate, but must also include establishing genuine connections with various community representatives and seeking mutually beneficial partnerships.

In order to ensure inclusivity and openness to participation by all members, "*RHN needs to pay attention to its internal structure and decision-making processes. By employing a feminist, integrated anti-racist framework throughout this process, RHN needs to re-imagine itself in a way that avoids replicating the 'whiteness' of its original framework. It is essential, at this stage, that RHN sets its priorities in consultation with community groups, in particular, Aboriginal and ethno-racial LGBTTI2Q groups.*" (Anti-Racism report, page 7)

As part of an anti-racism / anti-oppression strategy to work toward removing barriers, it is important to conduct outreach and partnership with a variety of organizations representing marginalized people, such as: people living with disabilities, Deaf communities, immigrants, those who are involved in the psychiatric system, homeless people, people living with HIV/AIDS, seniors, and youth.

2) Legal Framework for the Anti-Racism Access and Equity Policy:

Canadian Charter of Rights and Freedoms

Section 15 of the Charter gives people equal benefit and equal protection of the law without being discriminated against because of race, national or ethnic origin, colour, religion, sex, age, mental or physical disability. It also allows for protection on other grounds. As a result of years of activism and various court cases, protection is included on the grounds of sexual orientation and transsexuality.

Ontario Human Rights Code

The Code is a provincial law that protects equal rights and opportunities in specific areas such as jobs, housing and services. The Code's goal is to prevent discrimination and harassment. Sexual orientation is included in the list of prohibited grounds. Gender identity is "read in" but is not specifically included.

City of Toronto Declaration of Non-Discrimination

Adopted by unanimous vote at RHN meeting, November 21, 2007.

On behalf of and with the authority of the organization named below (Rainbow Health Network), I (Nick Mulé, Chairperson) hereby declare that this organization adopts and upholds the City of Toronto's policy statement which prohibits discrimination and harassment and protects the right to be free of hate activity, based on age, ancestry, citizenship, creed (religion), colour, disability, ethnic

origin, family status, gender identity, level of literacy, marital status, place of origin, membership in a union or staff association, political affiliation, race, receipt of public assistance, record of offences, sex, sexual orientation or any other personal characteristics by or within the organization.

3) Definitions

Ableism: Prejudice and discrimination against people living with physical, emotional, or mental disabilities or differences. People living with disabilities experience this discrimination, segregation and isolation because of people's prejudices and institutional barriers, not because of the disability or difference itself.

Access: The absence of physical, cultural or communication barriers to services or opportunities that are available to the public.

Anti-Racism: Anti-racism is an action-oriented strategy for institutional, systemic change to address racism and interlocking systems of social oppression. Anti-racism mobilizes the skills and knowledge of racialized people in order to work for a redistribution of power in organizations and society. It also equips White people with knowledge and skills to acknowledge their own privilege and to work for social change.

Audism: The belief that without being able to hear one's life must be horrible and isolating, and that hearing people are superior to Deaf people. Active discrimination against Deaf individuals or the Deaf community as a whole.

Complainant: In a human rights complaint, the person who makes a complaint that they have experienced discrimination.

Discrimination: Unequal treatment of people based on their membership in a group. In contrast to prejudice, discrimination is behaviour. To discriminate is to treat a person, not on the basis of their intrinsic individual qualities, but on the basis of a prejudgment about a group. The discriminatory treatment may be the doing of something or the not doing of something that should be done. The discriminatory treatment may be intentional, unintentional and/or systemic.

Equity: Treating people differently based on their different needs in order to ensure their equality of access. Equity requires the removal of systemic barriers and the accommodation of differences to foster an environment where individuals benefit equally.

Harassment: Persistent, ongoing behaviour conveying negative attitudes toward an individual or group that makes them feel intimidated and humiliated. Harassment is an exercise of power. It includes any action that a person knows, or should know, is not welcome. Harassment includes name-calling, jokes, slurs, graffiti, insults, threats, rudeness and crude gestures, verbal or physical abuse. Usually it is a pattern of behaviour over a period of time. However, a single incident can be serious enough to be considered harassment.

Heterosexism: The unquestioned assumption that heterosexuality is the only normal and natural sexuality. It is reinforced by social structures such as the family, religions, laws, etc.

Racialization: The process of social construction of 'race.' While biological notions of race have been discredited, the social construction of race remains a potent force in society. The *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System* defined "racialization" as the process by which societies construct races as real, different and unequal in ways that matter to economic, political and social life."

Racism: A system in which one group of people exercises abusive power over others on the basis of perceived biological traits such as skin colour; a set of implicit or explicit beliefs, false assumptions and actions based upon an ideology of inherent superiority of one racial or ethnic group over another. Systemic racism is embedded within organizational and institutional structures and programs as well as within individual thought or behaviour patterns.

Respondent: In a human rights complaint, a person against whom a complaint of discrimination is made.

Sexism: Systemic and individual practices that give men privilege, make women subordinate and that shame values identified with women.

4) Members' Rights and Responsibilities

- All RHN members have the right to participate in its activities without experiencing discrimination or harassment. These activities include all meetings of RHN and its committees, events organized by RHN, and the RHN listserve.
- At RHN events, meetings and committee meetings the Chair will state RHN's commitment to "creating an atmosphere that is welcoming and accessible to all", and will ask the participants to agree to Ground Rules for the event or meeting. The Chair will encourage participants to address any issues during the meeting by raising their hand, and will also identify a "go to" person who can step outside the meeting to discuss a problem.
- All members have the responsibility to contribute to developing a discrimination free environment. The Steering Committee and the committee chairs have a particular responsibility to provide leadership.
- Adherence to the RHN Netiquette Guidelines, governing communication on the listserv, is a condition of membership. Following the Members' Guidelines (under development) is also required.
- In planning and coordinating events and meetings, members must refer to RHN's Accessibility Policy.
- Anti-racism / anti-oppression training for members by qualified trainers will be provided, at minimum, on an annual basis.

5) Response to Incidents of Discrimination

RHN is committed to treat any complaint of discrimination or harassment very seriously, and to respond in a timely way, following the procedures outlined in 6) below. RHN Chair and Committee Chairs will be informed about any complaints within their committee.

Since RHN has a commitment to prevent discrimination and harassment through education and training and to providing support mechanisms, it is therefore expected that incidents can often be resolved successfully using informal approaches with an emphasis on education, training and mediated resolution.

In resolving complaints and conflicts, there is a difference between intent and impact. In human rights law, a person's intention is irrelevant in deciding whether or not an act amounts to discrimination. It is sufficient to objectively demonstrate a discriminatory impact. "It is important to distinguish between somebody's intent, which one can never be sure of, and somebody's impact, which can be seen." (*Dancing on Live Embers*, by Tina Lopes and Barb Thomas, p.33)

6) Complaints Procedure

The procedure set out here includes both informal and formal options to resolve complaints. Informal methods are encouraged, exploring various options.

Making a complaint of discrimination

- Complaint should be brought forward to RHN Chair.
- In order to create a safer space to make a complaint, contact may be by email, phone, or in person.
- If complainant is uncomfortable going to that person directly, they may ask another member(s) to support them in making the complaint.
- Complainant will be informed of the steps in the process and the timelines

Processing a complaint of discrimination

- Complaints will be handled by a subcommittee consisting of three Steering Committee members, including the Chair. One person is responsible for effective and timely communication with the complainant.
- As soon as the complaint is received, the Chair will call a confidential, closed meeting of the Steering Committee to select the subcommittee. Chair will state that there is a complaint, but will not discuss the details outside the meeting.
- Subcommittee should be in place within a week of receiving the complaint.
- Depending on the seriousness of the complaint, qualified outside assistance may be necessary.
- Anyone who is the subject of a complaint (the "respondent") must not be involved in investigating the complaint.

- Bias and conflict of interest must be declared.
- The entire process must proceed in a timely manner, with clear channels of communication, as set out here.
- Support and protection will be provided for the complainant.

Rights and responsibilities of complainant

- Right to confidentiality.
- Right to involve another person or persons for support.
- Right to be informed about the informal and formal ways to resolve the complaint
- Right to be informed that it is their decision whether to go forward with a complaint, and if so, their name and complaint will be known to the respondent.
- Right and responsibility to decide whether informal or formal procedure is used

Responsibility of Steering Committee

- To facilitate between the parties

Investigation and Resolution

If complainant decides against making a complaint:

- Steering Committee still has an obligation to investigate incidents of discrimination, without breaking confidentiality.
- If the member does not go through with a complaint or if there is insufficient evidence, informal remedies such as educational sessions or facilitated meetings may be used in situations of conflict.

Informal resolution:

- If informal resolution is acceptable to the complainant, a member of the subcommittee will explain the complaint to the respondent and the subcommittee will seek a resolution acceptable to the complainant, without bias.
- A face to face meeting between complainant and respondent is not necessary, and depends on the wishes of the complainant.

Formal resolution:

- If a formal complaint is desired, assistance can be provided in documenting the complaint
- Requires written documentation and a formal, impartial investigation
- Investigations are to be conducted responsibly and sensitively.
- May involve an outside mediator or other professional.
- Steering Committee will seek professional guidance with the process.

Confidentiality

- Both the complainant and the respondent have the right to confidentiality and to an unbiased investigation.
- The Chair will inform the Steering Committee of all complaints in a closed, confidential meeting. Complaints will not be discussed outside the meeting.

- Any written documentation of complaints and investigations will be kept in a confidential file by the Chair (or other Steering Committee member if the complaint is against the Chair).

7) Consequences for Violation of the Anti-Racism, Access and Equity Policy

- Will be handled according to the seriousness of the violation
- Will be investigated and resolved by the Steering Committee in accordance with the principles of the Complaints Procedure and this policy
- Suspension of membership in RHN (or participation in certain activities, such as the RHN listserv or a particular committee) may result

8) Ongoing Review of the Anti-Racism, Access and Equity Policy

- The policy will be reviewed and evaluated annually.
- A review committee will be created for this purpose, drawing on RHN members and community members
- *An Integrated Anti-Oppression Framework for Reviewing and Developing Policy*, Springtide Resources, will be consulted as a guide
- Proposed changes to the policy will be submitted to the membership for review and approved by the Steering Committee

9) Acknowledgements

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- Planned Parenthood of Toronto, *Discrimination, Harassment and Solicitation Policy and Procedures*
- Springtide Resources, *An Integrated Anti-Oppression Framework for Reviewing and Developing Policy*
- Access Alliance Multicultural Health and Community Services, *Position Statement On Racism And Xenophobia*
- Nuzhat Abbas, consultant, *Interventions/ Intersections: Anti-racism and Queer Organizing*
- Douglas Stewart, consultant

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October 8, 2009 - revised and submitted to RHN membership

November 4, 2009 - approved by Steering Committee