**How to make a formal complaint**

Contact the organisation, business, company or other premises where you have been refused access. Find out who would be the best person to receive your complaint. Some organisations will take your feedback over the phone or forward your call to the correct person. Many organisations have a link on their website to a complaints or feedback page. This is usually a web form or email contact you must fill out and submit online. Keep details of the date you phoned or submitted a web based complaint, and the details you included on the form or in your phone conversation.

When making a formal complaint it is useful to specify details such as where, time, the person involved and any other details of the access refusal. Also explain how this has impacted on you as a guide dog handler. Explain what changes could be made to give you equitable access.

**Other key information to include in your complaint**

Information that you may consider, including in your communications to an organisation:

* Subject-in your email, letter or online form identify in the subject line that it is about an access refusal of a guide dog.
* Include a short explanation of how your guide dog allows you to safely access the place or service you wished to use.
* Explain why you wished to use the particular premises, public transport or goods and services offered. Tell them how the access refusal impacted you, such as being unable to purchase a meal, stay in the hotel or travel to an appointment. Describe how accessibility for guide dogs and their handlers can enhance customer relationships and prevent future access refusals for guide dogs. If you have been a loyal customer they should support you and your guide dog.
* Request action by asking when the barrier to bringing your guide dog will be removed and include a time frame for their response. A sample letter is provided at the end of this document you can use as a guide.

If you have approached an organisation or public transport provider and receive a poor or no response you may consider making a more formal complaint through a relevant government body, industry association, local council, Ombudsman or Human Rights Commission.

There is no requirement to exhaust an organisation’s internal complaints procedures before approaching the Human Rights Commission or other commissions or boards. These complaints handling services are free, and a person does not need a lawyer to make a complaint. A complaint can be in English or another language. A translator/ interpreter can be provided if required.

**Using social media**

If you are unable to have your accessibility barriers addressed via direct engagement with the organisation, and you don’t want to lodge a complaint with an external body like the Human Rights Commission, social media can be an effective tool for enabling change, as many organisations want to protect their reputation and will respond quickly to negative publicity posted on public forums like Facebook and Twitter.

If you decide to use social media, your post should be worded in a similar way as you would write a complaint. Be sure to outline the barrier to access that you experienced when travelling with your Guide Dog, where or how you were making this attempt, how it has impacted you and what could be changed to afford you equitable access. Even though social media is used to connect socially, when you use it as a tool for self-advocacy, it is best to adopt a reasonable tone and be succinct. As social media is a very public forum, it is best to avoid including any personal information, such as contact details or particular details about your vision impairment.

Business social media accounts may not be monitored by the person who will be able to address your issue, so your post may be referred to another person within the organisation. It’s also important to remember that while social media is used all hours socially, business accounts are generally only monitored during business hours, so your response time may be limited to those hours.

If you do receive a response to your complaint indicating that the organisation, government department or business will address the issue do not take responsibility for providing the solution. Direct them to Guide Dog Services and the Blind Foundation.

Continued access refusals for guide dogs are rare. Only take the above steps if presenting the guide dog handler ID, contact with guide dog services, your guide dog instructor or the suggestion you will call the police proves unsuccessful.

**Other common scenarios**

Companies often engage the services of another organisation to provide access to their premises, transport, or goods and services. However, responsibility still lies with that organisation, not only the outside organisation.  Examples of third party organisations may include security guards, lifeguards, or web designers.

The Human Rights Act applies to discrimination which occurs in New Zealand. However, if a company or organisation is based overseas but explicitly provides premises, transport, or goods and services in New Zealand (for instance, an international airline licenced to operate services into New Zealand) it may be argued

that the Human Rights Act applies and that the company’s goods, services and facilities should be accessible.

**Willingness to address the accessibility barrier**

If you receive a response indicating that the organisation is keen to address the issue, it is important to remember that you don’t have to take responsibility for solving the problem, or being solely responsible for testing or signing off on the solution. In fact, in many instances it is not advisable to attempt to offer a solution, as what you might propose may be unwittingly detrimental to other people with disabilities accessing the goods, services or facilities in different ways. At the same time however, it is important that the solution addresses the particular barriers you have experienced.

**Sample email and letter**

Below is an example of an email and a letter to an organisation responsible for a situation where there has been a barrier to access for a person travelling with their Guide Dog.

Email: Insert email address

Subject: Refused access to your motel when I was accompanied by my Guide Dog

Dear Sir/Madam

I am writing about the accessibility of your motel for people who are blind or have low vision and are accompanied by their Guide Dog. I am blind and am always accompanied by my dog when I travel.

I was recently travelling between Whangarei and Taupo, and on the evening of 29th June my wife and I stopped at your motel, intending to spend two nights there. On entering the reception area, we were advised that no animals are permitted in the building. I then explained that my dog is a Guide Dog, and by law is entitled to accompany me into accommodation premises such as the motel. I also produced my handler’s card.

I was again told that no animals are allowed in your motel. When I asked to speak to the owner or manager, I was told that I was speaking to the manager, and that the owner was unavailable.

We were left with no choice other than to go back out into the cold and drive around town looking for alternative accommodation.

It is very disappointing that when trying to secure accommodation at your motel, I do not have the same opportunity to access the same accommodation as the rest of the community simply because I am accompanied by my Guide Dog.

There are laws that protect the rights of people with a disability.

Would you please consider the matters I have raised above, with a view to changing your policy in relation to Guide Dogs? Could you also let me know when I can expect your motel to be accepting bookings from people who are accompanied by their Guide Dog, so that they will experience the same offers of accommodation as the rest of the community?

If you have any questions, please let me know.

I would appreciate a response from you by 18th July, so I may consider any next steps.

Yours sincerely

<insert name>

<insert your contact information