



Anti-Discrimination Board of NSW

Discrimination **complaint form**

Can the Anti-Discrimination Board investigate your complaint?

The NSW Anti-Discrimination Board can only investigate your complaint if it is covered by the NSW Anti-Discrimination law. This means if you've been treated unfairly or harassed because of your:

- sex (including pregnancy and breastfeeding);
- race (including ethno-religious background);
- age;
- marital or domestic status;
- actual or presumed homosexuality;
- actual or presumed disability;
- actual or presumed transgender status;
- actual or presumed carers' responsibilities (in employment only).

The Board can also handle complaints if you have been treated unfairly or harassed because of the sex, pregnancy, breastfeeding, race, age, marital or domestic status, homosexuality, disability or transgender status of one of your relatives, friends or work colleagues.

The NSW anti-discrimination law only covers certain areas of public life. This means the unfavourable treatment or harassment occurred in one of the following areas:

- employment;
- state education;
- provision of goods and services;
- rental accommodation;
- registered clubs.

Sexual harassment

The Board can also handle a complaint if you have been sexually harassed in any of these areas of public life, and in some other specific circumstances. Sexual harassment is sexually related behaviour that you do

not want, and a reasonable person would expect you to be offended, humiliated or intimidated by it.

Vilification

You can complain if you, or people like you, have been vilified in public because of your:

- race;
- ethno-religious background;
- homosexuality;
- transgender status;
- HIV status.

Vilification means something which happened publicly and is serious enough to incite hatred, severe contempt or ridicule of you, or people like you, because of one or more of the things listed above.

Victimisation

You can complain if you have been treated unfairly because you have made a complaint about these types of discrimination, harassment or vilification. This also applies if someone thinks you might make a complaint, or you helped someone else with a complaint.

What can the Anti-Discrimination Board do?

The Board **can**:

- investigate complaints about the things listed above;
- help you and the other side find a way of solving the problem.

The Board **can't**:

- take sides;
- decide whether discrimination happened or not;
- give you legal advice.

Our service is free, and you don't need a lawyer.

Is there a time limit?

Yes. The Board can investigate your complaint if the discrimination or harassment occurred in the past 12 months.

If you make a complaint about something that happened more than 12 months ago, we may refuse to investigate your complaint. If you want us to investigate something that happened more than 12 months ago, please tell us why you did not lodge the complaint within the 12 month period.

How do I complain?

You have to make a complaint in writing. You can either fill out this form, or you can write us a letter giving all the information that we ask for in this form. Send the form or letter to the address on page 8.

You can make a complaint in any language, or in Braille. We will have the complaint translated free of charge. If you need help writing a complaint, you can ask a friend or relative or someone at your local community centre to write it for you. You can also telephone us if you still need help.

Some other people can make a complaint on your behalf, including a carer, a trade union or an organisation that represents people in your situation (for example an ethnic community group, a pensioners group or a disability association). Making a complaint on your behalf is different from helping you to write your own complaint. If someone else complains on your behalf, you must be named in the complaint and you must sign and date it.

You can also make a complaint on behalf of a person who is unable to make their own complaint (for example a child, a person with a disability or someone

who is in prison). If this person cannot sign the complaint, please contact our Enquiry Service for more information.

What will the Anti-Discrimination Board do with my complaint?

We will contact you by phone or letter within two weeks of getting your complaint. We will also contact you to get any other information we need, explain what we can and can't do, and discuss how we will handle your complaint. We will not talk to the person or organisation you are complaining about until we have contacted you.

Please note that, as part of the Board's investigation, a copy of your complaint and any related documents will be provided to the respondent(s). **Please refer to the privacy statement on page 8 of this form.**

More information

The Anti-Discrimination Board can give you more information about:

- how to fill in this form;
- the complaint process.

To get this information you can:

- phone our Enquiry Service on (02) 9268 5544 or 1800 670 812 if you are calling from outside Sydney;
- visit our website at: www.lawlink.nsw.gov.au/adb
- ask for our more detailed factsheets on the types of discrimination, harassment and vilification listed on page 1, and on making a complaint.

If you find it hard to speak in English, you can also phone us through the Telephone Interpreter Service – the number is 131 450.

Please make sure you:

- answer all the relevant questions on the complaint form;
- give your contact details correctly;
- sign and date the form on page 7;
- read and understand the privacy statement on page 8.

About you

Title eg. Ms/Mr _____

First name _____

Last name _____

Your address _____

_____ Postcode _____

Telephone home _____

work _____

mobile _____

fax _____

TTY _____

Emailaddress _____

Are you complaining on behalf of someone else? _____

If yes, what is their name? _____

What is your relationship to that person? _____

If you do not want your contact details to be provided to the respondent(s) please tick this box

Your Name: _____

When did the discrimination or harassment happen?

It began on _____

It finished on _____

Is it still going on? (please circle) YES/NO

Please note that if the discrimination or harassment happened more than 12 months ago, the Anti-Discrimination Board may refuse to investigate your complaint. If your complaint is about matters which happened more than 12 months ago, please provide an explanation for the delay in lodging your complaint with the Anti-Discrimination Board.

Who do you think has discriminated against you?

Person's name _____

What is this person's relationship to you? _____
(for example your boss, real estate agent, shopkeeper etc)

Their address _____

Their phone number _____

The organisation they work for _____

The organisation's address _____

The organisation's phone number _____

The head of the organisation (if you know) _____

This person's position _____

(for example Managing Director, Chief Executive Officer etc)

Please note that if you want to complain about an individual person's behaviour, we will also need details about the organisation that employs that person.

Your Name: _____

Details of anyone helping you

Is there anyone else helping you with this complaint that you would like us to talk to? (For example, your union, a lawyer or a community worker)

What is their name? _____

Who are they? _____

Their phone number _____

What would you like to happen to sort out this complaint?

Sign and date your complaint

Your signature* _____

If you are complaining on behalf of someone else, their signature* _____

Today's date _____

***The form must be signed**

Please return this form to:**The President
Anti-Discrimination Board of NSW**

at one of the following addresses:

Sydney

Level 4, 175 Castlereagh Street, Sydney NSW 2000
PO Box A2122, Sydney South NSW 1235
Phone (02) 9268 5555 ■ Fax (02) 9268 5500
TTY (02) 9268 5522

Wollongong

84 Crown Street, Wollongong NSW 2500
PO Box 67, Wollongong NSW 2520
Phone (02) 4224 9960 ■ Fax (02) 4224 9961
TTY (02) 4224 9967

Newcastle

Level 3, 97 Scott Street, Newcastle NSW 2300
PO Box 1077, Newcastle NSW 2300
Phone (02) 4926 4300 ■ Fax (02) 4926 1376
TTY (02) 4929 1489

Email

You can email the completed form to:
complaintsadb@agd.nsw.gov.au

Enquiries (02) 9268 5544

Tollfree enquiries 1800 670 812
(if you are calling from rural or regional NSW)

Telephone Interpreter Service 13 14 50

Website www.lawlink.nsw.gov.au/adb

Privacy statement

Personal information provided to the Anti-Discrimination Board is protected under privacy legislation, including the *Privacy and Personal Information Protection Act 1998 (NSW)* and the *Health Records and Information Privacy Act 2002 (NSW)*.

The Board uses the personal information you provide in this form and in other communications with the Board to assist it to perform its statutory function of investigating complaints of unlawful discrimination. This means that a copy of the complaint and other relevant information will be provided to the respondent(s). By lodging your complaint with the ADB, you are consenting to the Board using all of the relevant information you have provided to fulfil its statutory functions of investigation and conciliation.

For details of the Board's collection and use of your personal information and your rights in regard to information held about you by the Board, please visit our website or phone us and ask for a copy of our Privacy Management Document.

The Board may be asked to help with academic research. We do not allow researchers to publish or disclose personal information which could identify a person, but we may sometimes allow them to look at documents that have identifiable personal information on them.

If you do not want your files to be used for academic research, please tick the box.