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 unfair treatment or harassment must have 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 on this page;
- help you and the other side find a way to solve the problem.

The Board can’t:
- take sides;
- decide whether discrimination happened or not;
- give you legal advice.

Our service is free and confidential, and you don’t need a lawyer.
Is there a time limit?
The Anti-Discrimination Act says that if the discrimination or harassment happened more than 12 months ago, the Board can refuse to investigate your complaint. However this is not automatic. If your complaint is about events which happened more than 12 months ago, please explain why there was a delay in lodging your complaint.

How do I complain?
You have to make a complaint in writing. You can fill out this form, or you can write us a letter or an email giving all the information that we ask for in this form. The addresses to send your complaint to are on page 9.

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 can't make their own complaint (for example a child, a person with a disability or someone who is in prison). If this person can't 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 — known as the respondent(s) — until we have contacted you.

Please note that a copy of your complaint and any related documents will be provided to the respondent. This is so that they can reply to your complaint.

We must give the respondent your name, and we will send your contact details to the respondent unless you do not agree to this — see page 4. Please also refer to the privacy statement on page 9.

More information
The Anti-Discrimination Board can give you more information about:
- whether your situation is covered by NSW anti-discrimination law;
- how to fill in this form;
- the complaint process.

To get this information you can:
- contact our Enquiry Service (see page 9);
- 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 phone us through the Telephone Interpreter Service – the number is 131 450.
**ADB complaint form**

**About you**

Title eg. Mr/Ms

First name

Last name

Are you complaining on behalf of someone else?

If yes, what is their name?

What is your relationship to that person?
Your Name: ________________________________

Your contact details

Your address ____________________________________________________________

____________________________________________________

Suburb ___________________________ Postcode ______________

Telephone

home ____________________________________________________________

work ____________________________________________________________

mobile ____________________________________________________________

fax ____________________________________________________________

TTY ____________________________________________________________

Email address ____________________________________________________________

We will send your address, phone number and email contact details to the other party or parties unless you do not agree. If you do not want your contact details to be provided to the other party or parties, please tick this box. □
When did the discrimination or harassment happen?

It began on _____________________________________________

It finished on _____________________________________________

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

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 explain why there was a delay in lodging your complaint.

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

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.
What happened?

We need to know what happened to make you think that you have been discriminated against or harassed. Please tell us:

- what happened;
- what kind of discrimination you think it is (the types of discrimination and harassment covered by NSW anti-discrimination law are given on page 1);
- why you think it is discrimination;
- whether you have done anything else to sort out the problem. (For example, have you complained to someone at your workplace (if it is a problem at work), to a service provider, an industry association, another government department, your union, the Office of Industrial Relations, a lawyer or the police. If so, please tell us who you have complained to and what happened as a result.)

If more than one thing happened to make you think you have been discriminated against or harassed, please list the order the things happened in and tell us:

- what happened each time
- when it happened
- who was responsible for each thing that happened and what their relationship is to you
- what kind of discrimination you think it is
- why you think it is discrimination
- whether you have done anything else to sort out the problem.

If you need more space to explain fully what happened, please add your own extra pages.
Your Name: ________________________________
ADB complaint form

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
ADB complaint form

CHECKLIST
Please make sure you have:
- put your name on each page;
- given your contact details correctly;
- considered whether to tick the boxes on pages 4 and 9;
- answered all the relevant questions on the form;
- signed and dated the form on page 8;
- read and understood the privacy statement on this page.

Return this form to:
The President, Anti-Discrimination Board of NSW at one of the following addresses:

Parramatta
Level 7, 10 Valentine Avenue, Parramatta NSW 2150
PO Box W213, Parramatta Westfield NSW 2150
Phone (02) 9268 5555 Fax (02) 9268 5500

Wollongong
84 Crown Street, Wollongong NSW 2500
PO Box 67, Wollongong NSW 2520
Phone (02) 4267 6200 Fax (02) 4267 6261

Newcastle
Phone (02) 4903 5300 Fax (02) 4929 7952

Email
Email your completed form to:
complaintsadb@justice.nsw.gov.au

Enquiries
Phone: (02) 9268 5544 or toll free 1800 670 812
(if you are calling from outside Sydney)
Email enquiries: adbcontact@justice.nsw.gov.au
Telephone interpreter service: 13 14 50

Website
www.antidiscrimination.justice.nsw.gov.au

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 documents to be used for academic research, please tick this box. □