

ADNSW Annual Report

2020-21



Letter of submission

The Hon. Mark Speakman, SC MP

Attorney General
52 Martin Place
Sydney NSW 2000

Dear Attorney

In accordance with section 122 of the *Anti-Discrimination Act 1977* (NSW), Anti-Discrimination NSW presents its Annual Report covering the period 1 July 2020 to 30 June 2021.

Yours sincerely



The Hon. Dr Annabelle Bennett, AC SC FAA

President

Acknowledgement of Country

We acknowledge the traditional custodians of the land on which we work. We pay our respects to all Elders past and present, and to the children of today who are the Elders of our future.

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Message from the President

This year saw Anti-Discrimination NSW (ADNSW) rally to maintain business as usual and improve client services, while navigating the ongoing COVID-19 pandemic.

We spent the first few months of 2020-21 finessing changes implemented in early 2020, including digital processes and ways of engaging with clients and stakeholders via phone, video and email. The second half of the year was focused on realising our digital strategy – we redeveloped our website and progressed our new complaints management system.

Despite the challenges of the pandemic, we continued to provide seamless outreach and delivery of services to the people of NSW. We maintained our core functions of answering enquiries, resolving complaints, raising awareness about discrimination and its impacts, managing applications for exemptions from the Act, and advising the government about discrimination issues.

Our Enquiry Service continues to assist individuals who are dealing with discrimination issues, as well as employers and service providers seeking information about anti-discrimination law. In 2020-21 we answered 2,698 enquiries, a decrease from 3,294 in the last reporting period, as more people were able to access information via our website. Disability discrimination remains the most common type of discrimination enquiry, followed by race discrimination. This year we experienced a steady increase in COVID-19-related enquiries, mostly relating to the requirement to wear a mask.

Discrimination complaint numbers increased this year, with 1,109 complaints received, compared to 943 last year. Disability and race discrimination were the most frequent grounds of complaint, followed by victimisation. Resolution of complaints remains an important mechanism for achieving change on an individual level, but also serves to educate and to raise awareness, to prevent discrimination in the future.

The conciliation team achieved excellent results, with 920 complaints (91%) finalised within 12 months of receipt, exceeding the target of 85%. The average time taken to finalise a complaint was just under five months, quicker than last year at 5.4 months.

During 2020-21 we continued to receive complaints directly relating to COVID-19. Many of these were about the Public Health Order requirement to wear a mask and the effect of an exemption due to medical reasons. We resolved some of these complaints but there are still many complaints being investigated. An example of mask related complaints with which we are dealing relates to the circumstance where a person has experienced discrimination on the ground of disability. The law is complex and there are public health exceptions in the *Anti-Discrimination Act 1977* that may apply.

This year we identified priority areas for community engagement, including disability, multicultural, youth and LGBTQ+, and designed our community engagement plans for each targeted area. We engaged with the community at 283 events, including meetings, presentations and webinars. We also focused our community engagement work on understanding the impacts of the pandemic and responding to stakeholders with the information and resources they needed from us.

Our Aboriginal and Torres Strait Islander team continued its activities in 2020-21, which were also adjusted because of the pandemic. As well as ongoing networking within the community, the team worked with other agencies to provide joint information sessions for community workers and leaders, attended two face-to-face events, and reached more than 1,000 people across NSW using videoconferencing and teleconferencing engagement strategies.

This year we redeveloped our website to feature a new look and feel, easy navigation and improved accessibility. Our beta (test) website went live in June 2021, and we shared this site with our internal and external stakeholders so that they could provide feedback.

As part of the website redevelopment, we produced new, online resources including:

- four Easy Read guides for people with intellectual disability
- two explainer videos featuring Auslan interpreters
- information about discrimination and our services in 22 community languages
- our complaint form in 22 community languages
- a series of fact sheets.

Social media continues to be an integral part of our communications strategy in effectively achieving our communications objectives at a minimal cost. Our social media posts have enabled us to connect with communities, communicate important information during the COVID-19 pandemic, raise awareness about discrimination, the law, our services and resources, as well as to promote social cohesion and engage with individuals, community groups and organisations on topical issues. In 2020-21 we increased our social media followers by 27.6% and reached more than 161,000 users across our Facebook, Twitter and LinkedIn pages.

An exemption is an approval that is granted under section 126 of the *Anti-Discrimination Act 1977*, to help improve access to specific jobs, programs or services for certain groups of people. In 2020-21 we received 61 exemption applications. Most of the exemptions granted related to education, training and employment of women and Aboriginal and Torres Strait Islander people. Certification is an approval granted by the NSW Attorney General under section 126A of the Act, certifying special needs programs, activities or facilities that promote access for certain groups of people affected by unlawful discrimination. During the financial year, there were 11 applications for certification under section 126A.

This year I appeared before two NSW Parliamentary Committees: in August 2020, in relation to the *Anti-Discrimination Amendment (Complaint Handling) Bill 2020*; and in November 2020 regarding the *Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020*. Both Bills are under consideration by the NSW Government.

ADNSW provided advice to government and made submissions on a range of issues, including:

- the *Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020*
- the *Education Legislation Amendment (Parental Rights) Bill 2020*
- proposals for minimum accessibility standards in housing construction
- the reform of the Disability Standards for Accessible Public Transport
- proposed amendments to the Solicitors' Conduct Rules
- the Safeguard and Quality Issues Paper published by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

Throughout 2020-21, I have used my role and platform as President to take a strong public stance against injustices, speak up about social issues and raise awareness about discrimination and its impacts, as well as to promote the important work of ADNSW. I issued media statements calling for responsible and ethical reporting during COVID-19 (August 2020), reminding people that there is a difference between hate speech and comedy (August 2020), and condemning racial hatred letters sent to Sydney councillors (March 2021). With the help of my fellow Board members, I have also reached out to government agencies to promote the work of ADNSW, and to explain our processes to their staff, so that they are aware of our services and better understand the complaint handling process.

Without a doubt, the pandemic has thrown into sharp relief the important work that we do. There is still a lot of work to be done but, with the dedication of my team, I am positive about the future and the continuing progress that we can achieve.

I fully appreciate the interest, dedication and enthusiasm of my fellow Board members. Each of them has contributed to the strategy for ADNSW and has provided support for me and for the Executive Manager.

Finally, I want to thank Executive Manager Elizabeth Wing, whose outstanding leadership in these difficult times has enabled ADNSW to continue to function so well. This could not have been achieved without the managers and staff of ADNSW, to whom I also extend my thanks and appreciation. To each and every one of my colleagues, thank you for your dedication, professionalism and flexibility during these unprecedented times, and your unwavering commitment to eliminating discrimination.



The Hon. Dr Annabelle Bennett, AC SC FAA
President

Establishment of the Anti-Discrimination Board of NSW

The *Anti-Discrimination Act 1977* established a five-member statutory board, including the President, called the Anti-Discrimination Board of NSW. The Board members are appointed by the Governor of New South Wales.

The main functions of the Board are to:

- carry out investigations, research and inquiries relating to discrimination
- raise awareness about discrimination and the achievement of equal rights
- consult with stakeholders to improve service delivery to diverse communities
- review state legislation.

The Board is supported in carrying out its legislated functions by staff employed at Anti-Discrimination NSW, a business unit within the Department of Communities and Justice.

References to the Board within this report refer to the President and members of the statutory board. References to Anti-Discrimination NSW refer to the business unit.

Migrant Employment Legal Service workshop participants wear their ADNSW wristbands, with ADNSW presenter Claire (centre)



Members of the Board

President



The Hon. Dr Annabelle Bennett, AC SC FAA, a retired judge of the Federal Court of Australia, is the President of the Board. Dr Bennett is also the Chancellor of Bond University, has served as a Commissioner of the NSW Law Reform Commission and was a Royal Commissioner for the Royal Commission into National Natural Disaster Arrangements. Dr Bennett served on the judiciary for 13 years until 2016 and worked as a Senior Counsel specialising in administrative law, intellectual property, and professional misconduct.

Board members



Melissa Monteiro is the CEO of Community Migrant Resource Centre and has more than 27 years of experience in the community sector. Melissa is also Chair of Settlement Council of Australia, Executive Board Member of Police and Multicultural Advisory Council, and Multicultural Ambassador for the Salvation Army. Melissa was recognised by Pro Bono Australia for the National Collaborator Award in 2020.



Dr Patricia Azarias a former UN civil servant, was the Director of Internal Audit for the United Nations and the most senior Australian in the United Nations at the time. Previously she was the Director of the bipartisan Public Accounts Committee of the NSW Parliament. Dr Azarias has served on 14 boards and committees, including SBS Television and Radio.



Trevor Robertson is the Managing Director of Capital Knowledge. Trevor was a First Assistant Secretary of the Federal Attorney General's Department. Current directorships include RSL Lifecare and Wesley College Sydney University Council.



Joanna Davidson is a barrister at Sixth Floor Selborne Wentworth Chambers who specialises in public law. Previously she served as Counsel Assisting the NSW Solicitor General and Crown Advocate. She was a director and Co-Chair of the Inner City Legal Centre until November 2019.

Anti-Discrimination NSW

Anti-Discrimination NSW is the government business unit within the Department of Communities and Justice that administers the *Anti-Discrimination Act 1977 (the Act)* on behalf of the President and the Board.

We strive to eliminate discrimination in NSW by:

- answering enquiries
- investigating and resolving complaints
- raising awareness about discrimination and its impacts
- granting exemptions to the Act
- advising government about discrimination issues.

Impacts of COVID-19 to our services

Due to the COVID-19 pandemic, our staff worked from home for most of the year. In March 2021 we trialled a COVID-Safe return to the office, with teams working from the office one day or more per week. This continued until 23 June 2021 when, following a COVID-19 Delta variant outbreak and the introduction of NSW Government restrictions, staff again returned to working from home on a full-time basis.

The changes we implemented in 2019-20 continued throughout 2020-21, including digital processes and engaging with stakeholders, clients and enquirers via phone, video and email. Despite these challenges, we were able to maintain services with minimal disruption.

Accessible services

Clients who need an interpreter can call Anti-Discrimination NSW on 1800 670 812 and let us know their name, contact number and language they speak. We then use the Translating and Interpreting Service (TIS National) to provide a telephone interpreting call back service. TIS National is a free service for people who do not speak English, as Anti-Discrimination NSW accepts the charges for the service. In 2020-21, the service was used 18 times.

The Act specifies that complaints of discrimination must be in writing. As part of our commitment to provide accessible and inclusive services, our complaint form was translated into 22 community languages in 2020-21.

Complaints can be written in any language, including braille, and we organise translation at no cost to the complainant. Auslan users can make a video describing their complaint and we will organise translation and transcription.

Our office is wheelchair accessible, and we can also provide access to parking.

Number of times
the Translating and
Interpreting Service (TIS
National) was used

18

Number of people who
accessed free legal advice
through our arrangement
with Legal Aid NSW

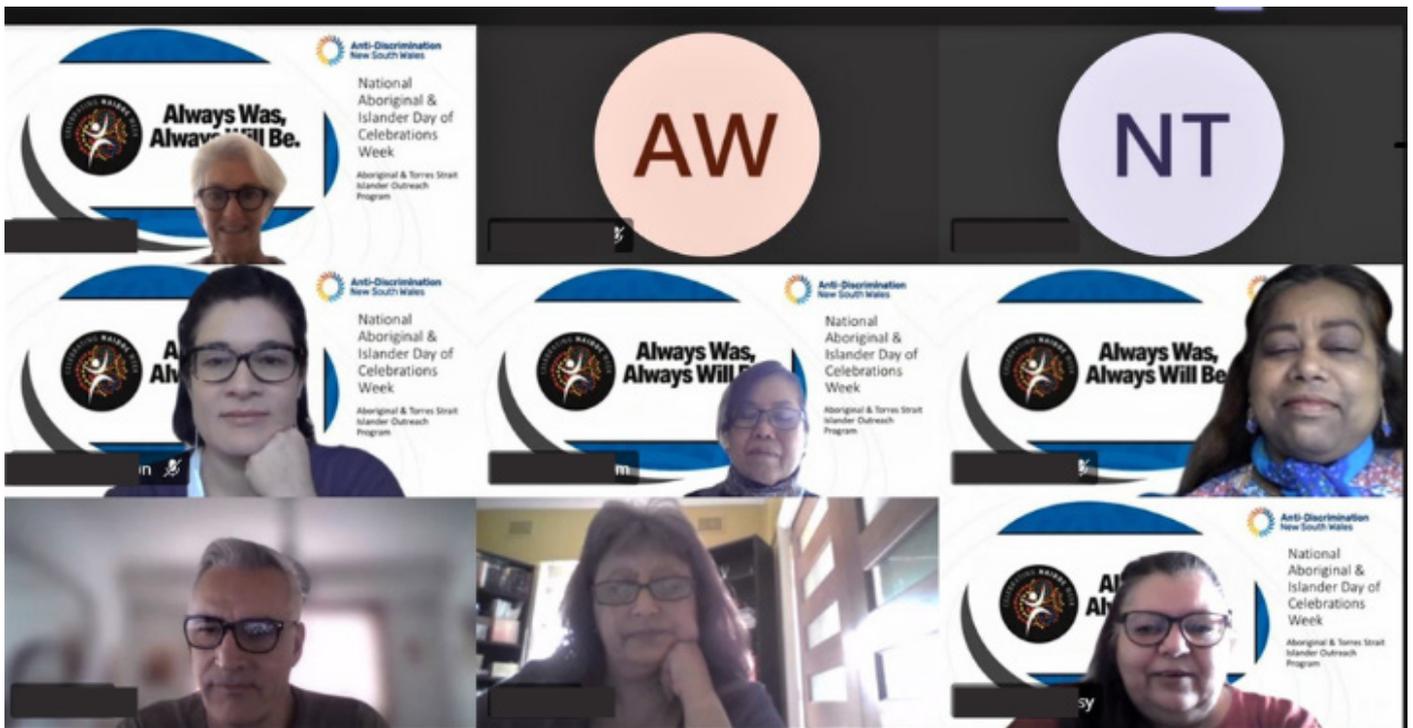
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Partnerships

Since 2008, we have had a partnership with Play by the Rules, a platform that provides information, resources, media campaigns and online learning about issues that impact on safe, fair and inclusive sport. Play by the Rules was developed as the result of collaboration and cooperation between the Australian Sports Commission, Australian Human Rights Commission and all state and territory agencies responsible for sport and recreation, equal opportunity and anti-discrimination.

Since 2016, we have had an arrangement with Legal Aid NSW to provide an independent, free monthly legal advice service for ADNSW clients. People were able to access this service by booking an appointment to consult with a Legal Aid solicitor. Due to COVID-19, this service continued to be operated by telephone only in 2020-21. This year, 39 people used this service.



Top: Assistant Community Engagement Officer Claire presents an ADNSW information session.
Bottom: ADNSW staff celebrate NAIDOC Week, November 2020

Our vision

New South Wales is
free of discrimination

Our purpose

ADNSW strives to eliminate discrimination by resolving enquiries and complaints, raising awareness about discrimination and its impacts, and taking action to influence change.

Our values

Service
Trust
Accountability
Integrity
Respect

Our voice

Understanding
Consistent
Inclusive
Clarity

Assistant Community
Engagement Officer
Ayebatonye



Organisational structure

Number of staff as at 30 June 2021

30

Percentage of staff employed in ongoing positions as at 30 June 2021

100%

Enquiries and Conciliation

Manages discrimination complaints and the enquiry service, as well as outreach services to Aboriginal and Torres Strait Islander communities.

Governance and Advice

Manages exemptions to the Act, conducts targeted research projects, reviews legislation and advises government about discrimination matters.

Community Engagement

Develops and delivers community engagement strategies, external communications and community information sessions.

Staff profile

As at 30 June 2021, there were 33 positions in 30 full time equivalent roles: 30 people were employed, and 3 positions were vacant. One hundred per cent of employees were in ongoing positions.

Service complaints

Client feedback is an essential source of information to enable us to improve our services. We received 12 service complaints which were handled in accordance with the policy and procedures of the Department of Communities and Justice. Seven complainants were dissatisfied about the level of service they received from staff. Five complainants were unhappy with a decision made regarding a complaint of discrimination.



ADNSW staff get behind R U OK? Day, September 2020



Client
feedback is
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Enquiry service

Number of enquiries responded to this year

2,698

Percentage of enquiries from individuals who wanted to discuss discrimination issues and obtain advice about how to lodge a complaint

69.4%

Table 1:
Length of phone enquiry

Time	No.	%
1 – 4 minutes	520	27.5
5 – 14 minutes	814	43
15 – 29 minutes	464	24.5
30 – 59 minutes	84	4.4
1 hour or more	9	0.5
Total	1,891	100

Our enquiry service provides information about the protections in the *Anti-Discrimination Act 1977*, as well as about ADNSW's complaints process and how to lodge a formal complaint. When appropriate, we also refer to other services. Our service is free.

Our face-to-face enquiry service remains closed due to COVID-19. We continue to provide an enquiries service predominantly through a telephone call-back service and written enquiries.

During this year, the enquiry service responded to 2,698 enquiries, down from 3,294 in the last reporting period. Enquiries sometimes cover more than one ground of discrimination, so the total number of discrimination matters raised in these enquiries was 2,961. We have experienced a steady increase in COVID-19-related enquiries, mostly relating to the requirement to wear a mask. These generally concern mask related matters where a person has experienced discrimination on the ground of their disability.

Approximately 69.4% of enquiries were from individuals who wanted to discuss discrimination issues and obtain advice about how to lodge a complaint. This includes advocates such as solicitors and advisory services. Just over 5.5% of enquiries came from employers or service providers.

Most enquiries, 70% (1,889), were made by phone. Most of these were resolved in less than 15 minutes. There were 807 (29.9%) written enquiries, mostly by email. This is a significant increase on the last reporting period (18%). There were only two face-to-face enquiries.

Most common enquiries

Disability discrimination remains the most common type of complaint of discrimination with 698 (23.6%) enquiries. This has been the most common ground raised by enquirers since 2007. Most of these enquiries related to a current physical, psychiatric or intellectual disability.

Disability discrimination was mentioned in 34.6% of goods and services enquiries, and 20.9% of employment-related enquiries. Race discrimination was the second most common type of discrimination, with 404 (13.6%) enquiries.

Sex discrimination was the third most common ground, with 226 (7.6%) enquiries. There were 138 enquiries (4.7%) relating to sexual harassment. Most of the sexual harassment enquiries (109) related to employment.

We received 145 enquiries from Aboriginal and Torres Strait Islander people, the majority by phone. This represents 5.4% of all enquiries received.

We received 953 (32.2%) enquiries which were outside of ADNSW's jurisdiction. Seven hundred and twelve (24%) involved grounds not covered and 240 (8.1%) involved areas not covered under the Act. Most of these related to conduct occurring in employment or the provision of goods and services but unrelated to a protected ground. Twenty enquiries related to religion, while 23 related to criminal record discrimination.

Enquiries relating to COVID-19

We continued to receive many enquiries relating to COVID-19 during the reporting period. Most of these occurred in the areas of employment and goods and services.

Common issues included:

- being refused a service due to not wearing a mask because of a disability or because of living in an identified hot spot
- allegations of age discrimination related to the availability of certain vaccines for certain age groups
- unfair treatment relating to requests to work from home
- changes to working conditions due to perceptions of vulnerability to COVID-19
- issues related to an inability to use QR codes, for example not being able to use a mobile phone.

Many COVID-19 enquiries raised allegations of breaches of human rights, which are not protected under the *Anti-Discrimination Act*. A focus of our response has therefore been to explain our role and the protections of the Act, and to make appropriate referrals.

Figure 1: Most common enquiries by type of discrimination 2020-21

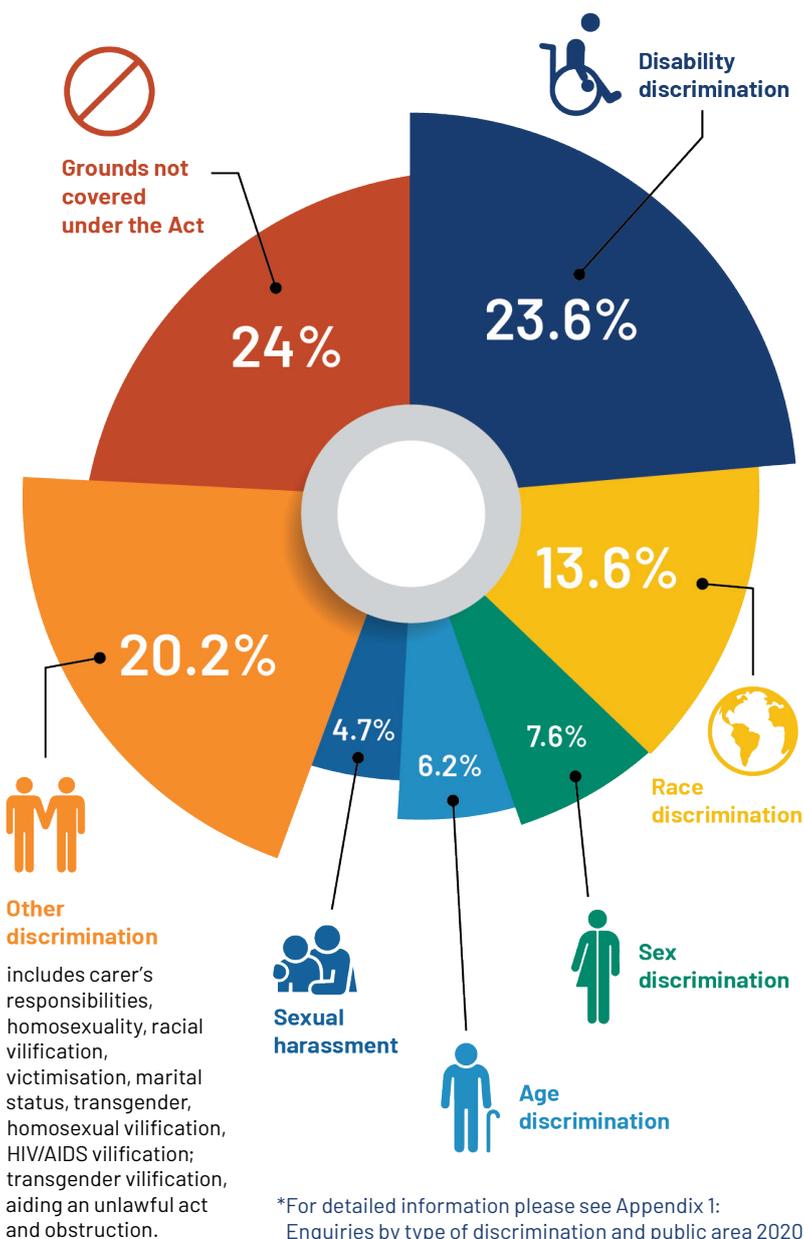
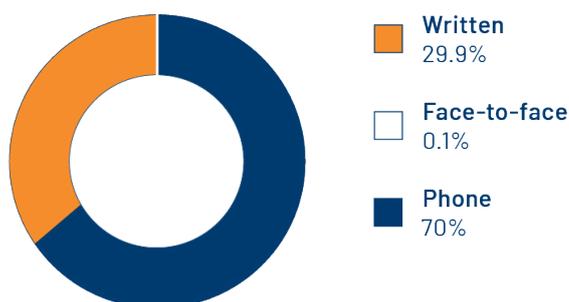


Figure 2: Enquiries by contact method



Aboriginal and Torres Strait Islander service

Enquiries from people who identified as Aboriginal or Torres Strait Islander as a percentage of all enquiries received this year

5.4%

Complaints from people who identified as Aboriginal or Torres Strait Islander as a percentage of all complaints received this year

5.2%

The Aboriginal and Torres Strait Islander outreach team raise awareness about the impacts of discrimination and educate people about their rights. We offer culturally competent information and support to Aboriginal and Torres Strait Islander clients who may be making initial enquiries or going through our conciliation process. We are committed to engaging communities all over NSW including metropolitan Sydney as well as regional areas of NSW where there is less access to services.

We received 145 enquiries from Aboriginal and Torres Strait Islander people, the majority by phone. This represents 5.4% of all enquiries received.

This year, we handled 80 complaints from people who identified as Aboriginal or Torres Strait Islander. This represents 5.2% of all complaints received. The most common type of discrimination raised was race discrimination (44 complaints – 55% of complaints by Aboriginal and Torres Strait Islander people). The most common public area of complaint raised was employment (31 complaints – 38.8% of complaints by Aboriginal and Torres Strait Islander people). The provision of goods and services was the second most common public area of complaint (23 complaints – 28.8% of complaints by Aboriginal and Torres Strait Islander people).



Aboriginal and Torres Strait Islander outreach team members Narelle and Felicity

Outreach activities

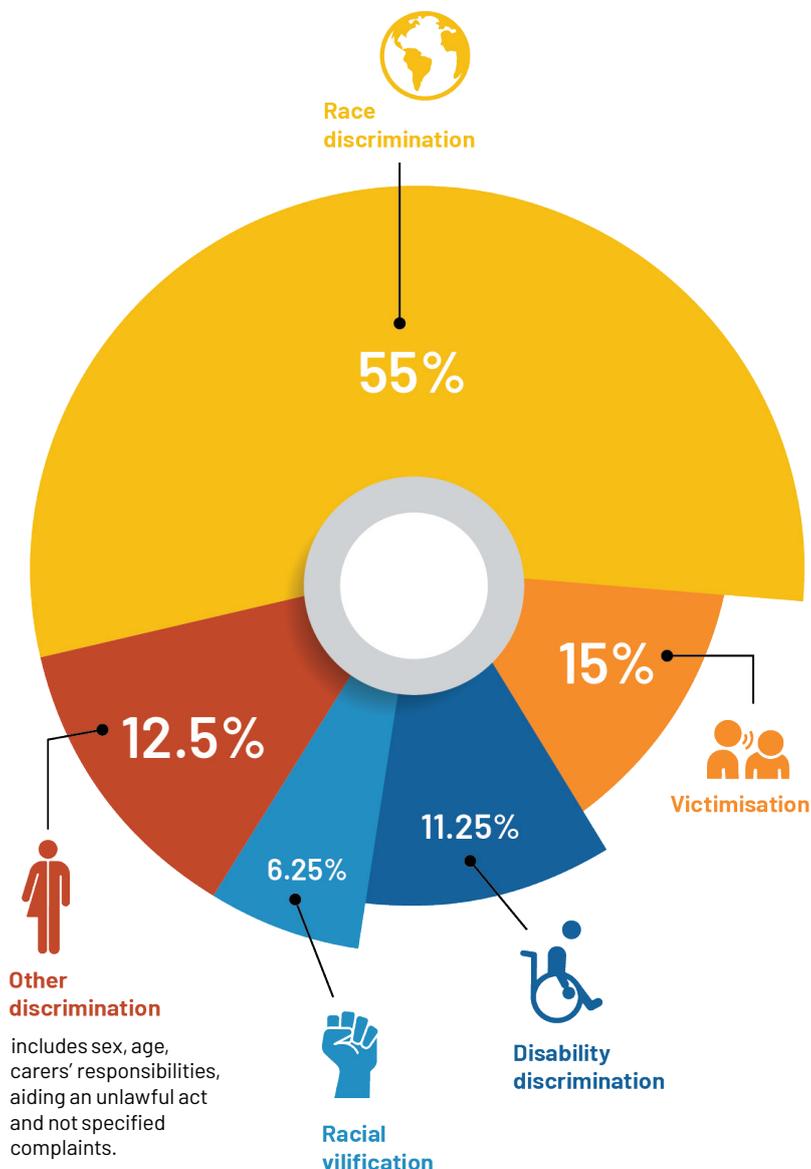
The Aboriginal and Torres Strait Islander Outreach team's activities had to rapidly change due to COVID-19. Our engagement this year was mainly via videoconferencing and teleconferencing with only two face-to-face events held. We reached 1,115 people from Sydney Metropolitan areas and regional areas including Walgett, Broken Hill, Cooma, Eden and Wallaga Lake.

Good Service Mob forums are held in partnership with other agencies. These forums aim to provide information and services to Aboriginal and Torres Strait Islander communities across NSW. There were two Good Service Mob forums held online this year.

Agencies that are involved in Good Service Mob include:

- Centrelink
- Financial Rights Legal Centre
- Law Access
- NSW Births Deaths and Marriages
- NSW Energy and Water Ombudsman
- NSW Fair Trading
- NSW Industrial Relations
- NSW Legal Aid
- NSW Ombudsman
- NSW Revenue
- Seniors Rights Service
- Wirringa Baiya Aboriginal Women's Legal Centre.

Figure 3:
Most common complaints by Aboriginal and Torres Strait Islander people by type of discrimination 2020-21



*For detailed information please see Appendix 2a: Complaints by Aboriginal and Torres Strait Islander people by type of discrimination and public area 2020-21

Conciliation

The *Anti-Discrimination Act 1977* provides the legislative basis for our complaint work and limits what complaints we can accept by the grounds and areas set out in the Act.

The Act clearly outlines the steps that ADNSW takes in managing a complaint. After a complaint is lodged, we assess a complaint to consider if it is covered by the Act and then accept or decline the complaint. In some instances, we contact the complainant for more information. Following acceptance, the complaint is allocated to a conciliation officer who investigates the complaint through contact with the complainant and the respondent (the person or organisation complained about). The conciliation officer is impartial and does not act as an advocate for either party. ADNSW's administrative investigation relies on the parties supplying information about the allegations. We do not have the power to examine witnesses or determine the authenticity of documents.

The conciliation officer may hold a conciliation conference between the parties to see if the complaint can be resolved. This relies on the parties negotiating an acceptable outcome, which may include an apology, a change of policy, financial compensation etc. For the past year, conciliation conferences have continued to be held by video or telephone due to the pandemic. If a complaint is not resolved, the complainant can ask for it to be referred to the NSW Civil and Administrative Tribunal (NCAT) for a decision.

ADNSW can decline a complaint at any stage of the process if the complainant has not provided sufficient evidence to support the allegations or the respondent provides a more plausible explanation to address the allegations. If a complaint is declined, the complainant can ask for it to be referred to NCAT.

A complaint can also be withdrawn by the complainant at any time, or deemed to be abandoned if the complainant does not respond to ADNSW within a legislative timeframe.

A conciliation conference is an informal meeting where the parties put forward what they want to do to settle the complaint

Most common complaints by type of discrimination

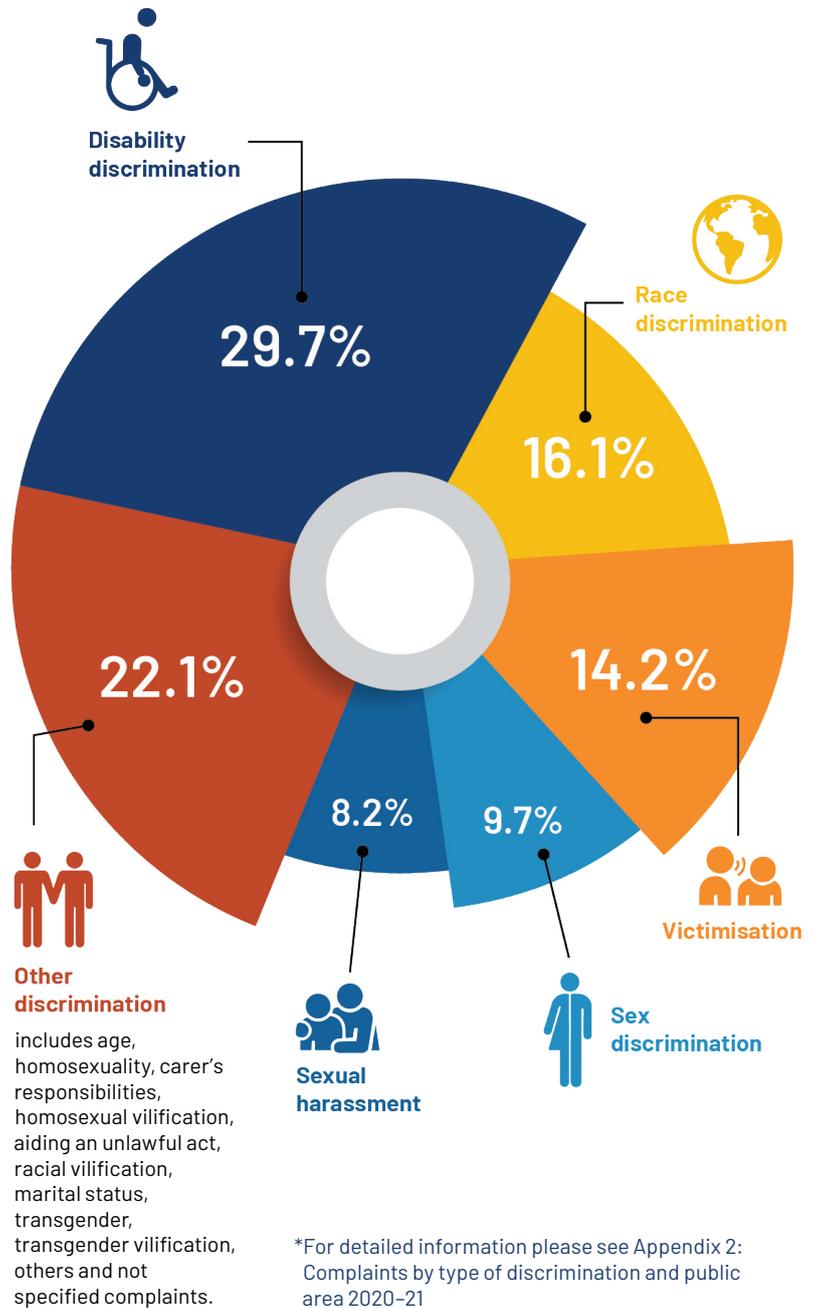
We received 1,109 complaints this year compared to 943 last year. As they have since 2011, disability discrimination complaints remain the highest percentage of the total number of complaints we received (329 complaints, 29.7%) an increase on last year (262 complaints 24.7%). Of these, 139 were in the provision of goods and services and 120 in employment.

Race discrimination was the second most common type of discrimination raised in complaints. We received 178 race discrimination complaints (16.1%).

Victimisation was the third most common type of discrimination raised in complaints, totalling 158 complaints (14.2%).

There were 91 complaints (8.2%) of sexual harassment. This is a slight decrease from last year's figure of 96 (9.3%). Most sexual harassment complaints related to the workplace.

Figure 4:
Most common complaints by type of discrimination 2020-21



Conciliation Officer
Sally in her home
office



Most common public areas of complaint

Employment continues to be the most common public area of complaint across all the types of discrimination covered by the Act (512 complaints, 46.2%, up from 418 last year). Most of the employment complaints related to work environment or harassment. Private enterprise accounted for 48.8% of respondent employers. The most common type of discrimination in employment was disability with 120 complaints (up from 93 last year), followed by victimisation discrimination with 87 complaints, and sexual harassment with 80 complaints.

The provision of goods and services was the second most common public area of complaint with 345 complaints. The most common type of discrimination in goods and services was disability discrimination with 139 complaints, followed by race discrimination with 69 complaints.

Complaints relating to COVID-19

During 2020-21 we continued to receive complaints directly relating to COVID-19. Many of these were about the Public Health Order requirement to wear a mask and the effect of an exemption due to medical reasons. Most of these were about people accessing goods and services such as attending health services or shopping and some related to employment situations such as in a medical centre. We resolved some of these complaints but there are still many complaints in the process of being investigated. None of these complaints have proceeded to NCAT at this stage, so there is little guidance as to how the Tribunal would consider competing demands, such as a customer's inability to wear a mask due to a disability (which is covered by the Act), the Public Health Orders, work health and safety laws and any other considerations such as the risk to customers and staff or prevalence of COVID-19 in the area.

Compared to the previous year, we received fewer reports of racial vilification and race discrimination against people of Asian appearance being refused service or tenancy. Community feedback suggests that this is still an issue of concern so we will continue to monitor the complaints arising from the COVID-19 pandemic.

Processing complaints

We aim to provide an effective and efficient complaint handling service. We finalised 920 complaints (91%) within 12 months of receipt, exceeding the target of 85%. We resolved 99% of complaints within 18 months of receipt. The average time taken to finalise a complaint was just under 5 months, faster than last year at 5.4 months.

A finalised complaint is a complaint that is resolved, referred to the NSW Civil and Administrative Tribunal, declined, withdrawn or abandoned.

Case study: Disability discrimination in employment



Margarette* has a significant hearing impairment and wears hearing aids. She felt that her employer had discriminated against her when it failed to provide equipment and training she had identified to help her better perform her role, and when negative comments were made at work about her hearing loss.

Margarette lodged a complaint with ADNSW.

The complaint was resolved following two conciliation conferences held via telephone. The agreed outcomes included a private written apology, purchase and installation of equipment to assist Margarette to perform her role, Margarette's return to her substantive role along with refresher training, and mandatory training for staff on disability inclusion.

*Name has been changed, and stock photo used, to protect the privacy of the individual.

Case study: Transgender discrimination in accommodation



Kim* is a transgender woman studying at university.

She applied to rent a room in a share house for female students. Her application was denied when the owner of the house found out she was transgender.

The owner said the property was leased to female students from diverse ethnic backgrounds who might object to sharing the accommodation with a transgender woman.

Kim lodged a complaint of transgender discrimination with ADNSW.

The complaint was resolved following a conciliation conference. Kim received a verbal apology from the owner and a monetary payment.

*Name has been changed, and stock photo used, to protect the privacy of the individual.



Assistant Community Engagement Officer Narelle staffs ADNSW stand at the Mount Druitt Reconciliation Walk and Gathering, May 2021

Table 2: Outcome of complaints finalised in 2020-21

Outcomes	No.	%
Settled at or after conciliation	132	11.9
Settled before conciliation	107	9.6
Referred to NCAT - conciliation unsuccessful	108	9.7
Referred to NCAT - cannot be resolved	10	0.9
Referred to NCAT - due to nature of complaint	8	0.7
Referred to NCAT - parties want matters referred	3	0.3
Declined before investigation - not a contravention	154	13.8
Declined before investigation - older than 12 months	38	3.4
Declined after investigation - s92	126	11.3
Declined after investigation and referred to NCAT	93	8.4
Withdrawn s92B	180	16.2
Abandoned s92C	154	13.8
Total	1,113	100.0

Community engagement

This year we identified priority areas for community engagement including disability, multicultural, youth and LGBTQ+. We also designed our community engagement plans for each targeted area.

The community engagement team attended meetings, community events and delivered presentations across NSW by video and by telephone. We engaged with the community at 283 events, including meetings, presentations and webinars. We also focused our community engagement work on understanding the impacts of the pandemic and responding to stakeholders with the information and resources they needed from us.

Disability engagement: We consulted with 24 disability sector organisations including peak bodies, community legal centres, local councils, government agencies and over 100 people with disability in NSW to discuss the issue of disability discrimination in employment. We commenced planning a pilot project to increase awareness of reasonable workplace adjustments for people with disability.

Multicultural engagement: We started drafting a multicultural consultation plan to better understand culturally and linguistically diverse communities' experiences of race discrimination including challenges and barriers to them accessing our services. We also participated in regular stakeholder meetings with the NSW Anti Racism Working Group, NSW Community Resilience and Response Plan Committee. Our Executive Manager delivered a presentation about our services at a Multicultural NSW Regional Advisory Council webinar.

Youth engagement: We consulted with young people, overseas students, councils, youth agencies and youth sector workers to promote young people's rights and responsibilities under the *Anti-Discrimination Act 1977* (the Act).

LGBTQ+ engagement: We engaged with community stakeholders and participated in interagency meetings to discuss the issues that LGBTQ+ communities are facing. We conducted initial research to inform our LGBTQ+ community engagement plan over the next two years.

COVID-19 related community engagement

During the pandemic, we received reports of discrimination and vilification from our stakeholders. The community engagement team worked together to ensure we were responsive to the needs of communities, individuals and organisations in line with our role and functions within the Act. We engaged with stakeholders to find out from them the emerging discrimination themes and issues being observed in communities.

Community Engagement officers continued to provide face-to-face community information sessions (when possible), online sessions, podcasts and webinars to agencies such as Legal Aid, Dress for Success, Carers NSW, MELS (Migrant Employment Legal Service) and disability sector organisations. We targeted communities continuing to be discriminated against due to COVID-19 in some of these sessions. We delivered over 28 information sessions to the community, three webinars and one podcast.

Due to increased enquiries about wearing face masks, we developed material that was published on our social channels and website to provide people with accurate and timely information about their rights under the Act during the COVID-19 pandemic.



Community
Engagement Officer
Shabnam

Communications

This year we continued to implement our communications strategy to leverage our digital and traditional channels to:

- improve how we connect and engage with diverse communities across NSW
- promote ADNSW services
- raise awareness of discrimination and its impacts
- promote social cohesion
- broaden our reach
- raise our profile on par with our interstate counterparts and federal agencies.

Over the last year, we improved our website presence and continued to develop materials using our new look and feel.

We developed online resources including:

- four Easy Read guides for people with intellectual disability
- two explainer videos featuring Auslan interpreters
- information about discrimination and our services in 22 community languages
- our complaint form in 22 community languages
- a series of fact sheets.

Website redevelopment project

This year, as part of our digital strategy, we redeveloped our website to feature a new look and feel, easy navigation and improved accessibility. Our beta (test) website went live in June 2021, and we shared this site with our internal and external stakeholders so they could provide feedback.

Our new website features a user-centred design making it simpler for people to make a complaint or navigate through pages to find information. This design approach is helping us to deliver an improved user experience for the people of NSW and will assist us in delivering enhanced service responsiveness to the communities we serve.

Website page views 2020-21

703,694

Website statistics

The ADNSW website is a key location for information about discrimination and the law for the people of NSW. It is essential in connecting and engaging with communities.

In 2020-21, the website attracted:

- 125,467 users
- 122,941 new users
- 703,694 page views.

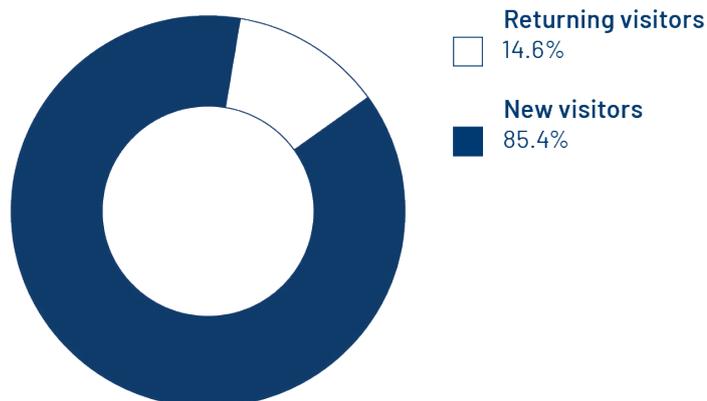
Key insights:

- Facebook was the top social media site directing users to the website with 69 per cent of the sessions.
- 86,166 users found us via organic search on Google.
- Top referrals to the website came from Google, Bing and Facebook.

Top five visited pages:

1. Homepage
2. Anti-discrimination law and employers
3. About discrimination
4. Making a complaint
5. Direct and indirect discrimination

Figure 5: ADNSW website visitors in 2020-21



This year, as part of our digital strategy, we redeveloped our website to feature a new look and feel, easy navigation and improved accessibility

Social media followers
as at 30 June 2021

3,873

Percentage increase in
followers on social media

27.6%

Total users reached
across Facebook,
Twitter and LinkedIn

161,428

Social media

Social media continues to be an integral part of our communications strategy in effectively achieving our communications objectives at a minimal cost.

Our ADNSW Facebook, Twitter and LinkedIn posts have enabled us to connect with communities, communicate important information during the COVID-19 pandemic, raise awareness about discrimination, the law, our services and resources, as well as promote social cohesion and engage individuals, community groups and organisations on topical issues.

During 2020-21 we achieved a 27.6% increase in followers across Facebook, Twitter and LinkedIn.

Facebook

- 2,556 followers as at 30 June 2021
- 21.6% increase in followers
- Posts earned a total of 3,528 engagements
- 37,128 users reached

Twitter

- 578 followers as of 30 June 2021
- 14.9% increase in followers
- 1,400 total engagements and 71,355 tweet impressions
- 86,800 users reached

LinkedIn

- 739 followers as of 30 June 2021
- 71.5% increase in followers
- 1,659 total page views
- 37,500 users reached

Communications materials

We continued to develop digital content to promote the important work of ADNSW and raise awareness about discrimination and its impacts including:

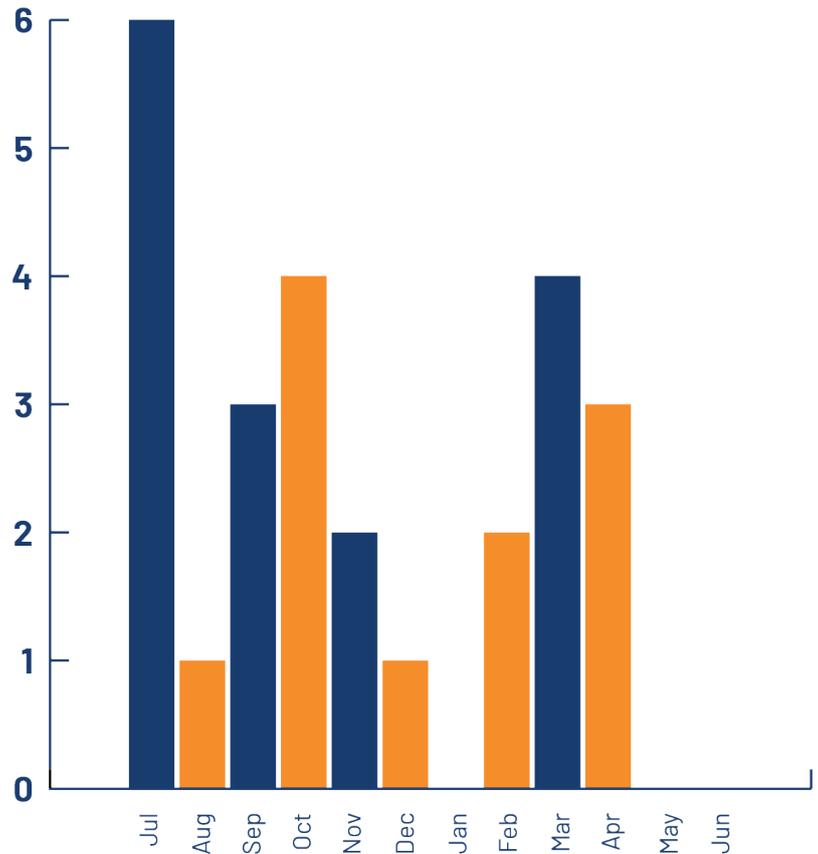
- monthly Equal Time newsletter
- media releases
- news stories
- website content
- Facebook, LinkedIn and Twitter posts
- social media toolkits for stakeholders
- case studies
- infographics about discrimination
- promotional material.

Media coverage

We were featured in news reports in top state and national media including:

- Herald Sun
- Daily Mail
- The Mercury
- Cairns Post
- Gold Coast Bulletin
- Townsville Bulletin
- The Advertiser
- Newcastle Herald
- Coast Community News
- NewsBlaze Australia
- SBS
- First Nations Telegraph
- MSN Australia
- NT News
- Sydney Morning Herald
- Australian Associated Press
- Australasian Muslim times
- The Daily Telegraph
- Junkee
- Medianet
- OutInPerth
- The Indian Sun
- The Middle East Times
- Hunter Headline
- The Australian – original and Chinese editions

Figure 6:
Media coverage 2020-21



We continued to develop digital content to promote the important work of ADNSW and raise awareness about discrimination and its impacts

Governance and advice

The Governance and Advice Team at Anti-Discrimination NSW (ADNSW) researches and advises on discrimination issues and policy. It also manages applications for exemptions from the *Anti-Discrimination Act 1977* and develops policies and information to help staff across ADNSW understand and comply with relevant legislation.

The team works closely with internal and external stakeholders to raise awareness about discrimination and its impacts, and to influence change.

During the year, the team supported the President to appear before two NSW Parliamentary Committees: in August 2020, in relation to the *Anti-Discrimination Amendment (Complaint Handling) Bill 2020*, and in November 2020 regarding the *Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020*. Both Bills are under consideration by the NSW Government.

ADNSW made submissions on a range of issues, including:

- the *Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020*
- the *Education Legislation Amendment (Parental Rights) Bill 2020*
- proposals for minimum accessibility standards in housing construction
- the reform of the Disability Standards for Accessible Public Transport
- proposed amendments to the Solicitors' Conduct Rules
- the Safeguard and Quality Issues Paper published by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

Governance and Advice team, Jackie, Hanna and Katherine





Exemptions and certifications

The *Anti-Discrimination Act 1977* makes certain types of discrimination in certain public places against the law. It also sets out the exceptions where discrimination is allowed.

Exemptions and certifications help to improve access to jobs, programs, services, or facilities for certain groups of people. Exemptions are generally granted when the proposed action will promote equal opportunity for groups that experience discrimination.

Exemptions – section 126

An exemption is an approval that is granted under section 126 of the Act, to help improve access to specific jobs, programs or services for certain groups of people.

Exemptions generally relate to employment and recruitment, for example, targeted jobs or recruitment programs for a particular group already protected by the Act.

This year we received 61 applications for exemptions under section 126 of the Act (one was an application to vary an existing exemption).

- 37 section 126 exemptions were granted (eight were from applications received in 2019-20; three were a variation of an existing exemption)
- six applications were either withdrawn or not proceeded with
- one application was refused.

Most exemptions granted related to education, training and employment of women and Aboriginal and Torres Strait Islander people. We received applications from the private sector, government departments, local councils, universities, and non-government organisations.

We also reviewed compliance reports relating to exemptions. These reports provide us with information about the implementation and progress of exemption strategies.



Certifications – section 126A

Certification is an approval granted by the NSW Attorney General under section 126A of the Act, certifying special needs programs, activities or facilities that promote access for certain groups of people affected by unlawful discrimination.

During the financial year 2020-21, there were 11 applications for certification under section 126A.

- The Attorney General granted seven certifications
- Two applications were not proceeded with or withdrawn (one of these was from 2019-20).

The full list of exemptions and certifications is provided in Appendix 3: Exemptions and certifications granted in 2020-21.

#ChooseToChallenge



Top: Enquiry and Liaison Officer Nora.
Bottom: ADNSW staff celebrate International Women's Day, March 2021

Financial report

This year our net costs of services show that we were overspent by \$519,655, representing 15% of our budget. The total overspend was mitigated by significant savings in our operating expenses.

Two key areas where we made savings was firstly through the digitalisation of several processes. This resulted in reductions in printing and postal expenses. The second area was the restriction of face-to-face services in our community engagement and conciliation activities due to the COVID-19 pandemic and therefore, a reduction of travel related expenses.

Our Board confirmed this year that we will no longer engage in any fee for services training or activities so no revenue raising activities were performed. The financial statement below includes the revenue target in this financial year, however, following the Department's decision to support the Board's position, the revenue target will not appear next year.

Table 3: Full year 2020-21

Anti Discrimination NSW	Actual \$	Budget \$	Variance \$	Variance %
Employee related	3,249,054	3,151,470	-97,584	-3%
Other operating	580,358	886,359	306,001	35%
Maintenance	-	-	-	-
Finance costs	-	-	-	-
Other expenses	-	-	-	-
Total expenses (before non-cash items)	3,829,412	4,037,829	208,417	5%
Total revenue	-293	-799,900	- 799,607	-100%
Net cost of services (before non-cash items)	3,829,119	3,237,929	-591,190	-18%
Crown liabilities	26,182	256,046	229,864	90%
Depreciation	176,549	18,220	-158,329	-869%
Gains and losses	-	-	-	-
TOTAL NET COST OF SERVICES	4,031,850	3,512,195	-519,655	-15%



Information technology statement

ADNSW is part of the Department of Communities and Justice. Several key support functions such as human resources, asset management and information technology are provided to ADNSW. The NSW Government Digital Information Security Policy provides standards for departments through which information is stored and recorded.

The Digital Information Security Annual Attestation and Evidence of Certification Statement for 2020-21 is held by the Department of Communities and Justice.

ADNSW had an Information Security Management System in place in 2020-21 that is consistent with the core requirements set out in the NSW Government Digital Information Security Policy.

The controls in place to mitigate identified risks to ADNSW's digital information and digital information systems are adequate.

The Department of Communities and Justice has maintained certified compliance with *ISO 27001 Information technology - Security techniques - Information security management systems - Requirements* by an accredited third party in 2020-21.



Top: ADNSW staff celebrate Wear it Purple Day, August 2020
 Bottom: National Unity Week webinar, November 2020

Appendices

Appendix 1: Enquiries by type of discrimination and public area 2020-21

☒ Not applicable

Type of discrimination	Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vil-	HIV/AIDS vil-	Transgender vil-	All areas	Area not covered	Total	%
Disability	224	242	84	66	17	1	☒	☒	☒	☒	23	41	698	23.6%
Sex – includes pregnancy and breastfeeding	135	49	5	9	7	0	☒	☒	☒	☒	8	13	226	7.6%
Sexual harassment	109	15	2	1	0	0	☒	☒	☒	☒	4	7	138	4.7%
Race	171	104	38	28	10	2	☒	☒	☒	☒	15	36	404	13.6%
Age	90	61	16	4	2	0	☒	☒	☒	☒	0	11	184	6.2%
Carer's responsibilities	61	☒	☒	☒	☒	0	☒	☒	☒	☒	☒	☒	61	2.1%
Homosexuality	13	6	2	1	0	0	☒	☒	☒	☒	1	4	27	0.9%
Transgender	1	22	4	4	0	0	☒	☒	☒	☒	1	1	33	1.1%
Victimisation	31	10	1	7	1	0	☒	☒	☒	☒	0	6	56	1.9%
Marital status	11	12	3	1	0	0	☒	☒	☒	☒	0	1	28	0.9%
Racial vilification	☒	☒	☒	☒	☒	☒	35	☒	☒	☒	☒	☒	35	1.2%
Homosexual vilification	☒	☒	☒	☒	☒	☒	☒	4	☒	☒	☒	☒	4	0.1%
HIV/AIDS vilification	☒	☒	☒	☒	☒	☒	☒	☒	2	☒	☒	☒	2	0.1%
Transgender vilification	☒	☒	☒	☒	☒	☒	☒	☒	☒	3	☒	☒	3	0.1%
Aiding an unlawful act	1	0	0	0	0	0	☒	☒	☒	☒	0	0	1	0.0%
Obstruction	0	1	0	0	0	0	☒	☒	☒	☒	1	1	3	0.1%
All grounds	59	27	4	3	1	0	☒	☒	☒	☒	132	119	345	11.7%
Ground not covered – workplace harassment only	31	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	31	1.0%
Ground not covered – other	135	151	33	18	12	2	☒	☒	☒	☒	26	305	682	23.0%
Total	1,072	700	192	142	50	5	35	4	2	3	211	545	2,961	100%
%	36.2%	23.6%	6.5%	4.8%	1.7%	0.2%	1.2%	0.1%	0.1%	0.1%	7.1%	18.4%	100%	

Appendix 2: Complaints by type of discrimination and public area 2020-21

☒ Not applicable

Type of discrimination	Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vil-	HIV/AIDS vil-	Transgender vil-	Other	Total	%
	Disability	120	139	29	24	8	1	☒	☒	☒	☒	8	329
Sex – includes pregnancy and breastfeeding	66	22	6	3	3	4	☒	☒	☒	☒	4	108	9.7%
Sexual harassment	80	7	1	0	0	0	☒	☒	☒	☒	3	91	8.2%
Race	62	69	14	16	5	1	☒	☒	☒	☒	11	178	16.1%
Age	40	25	4	3	1	0	☒	☒	☒	☒	2	75	6.8%
Carer's responsibilities	26	4	0	0	0	0	☒	☒	☒	☒	3	33	3.0%
Homosexuality	8	8	2	0	1	0	☒	☒	☒	☒	5	24	2.2%
Transgender	3	15	1	0	0	0	☒	☒	☒	☒	0	19	1.7%
Victimisation	87	38	5	16	3	4	☒	☒	☒	☒	5	158	14.2%
Marital status	8	11	1	3	0	0	☒	☒	☒	☒	2	25	2.3%
Racial vilification	0	0	☒	☒	☒	☒	24	☒	☒	☒	0	24	2.2%
Homosexual vilification	0	0	☒	☒	☒	☒	☒	4	☒	☒	0	4	0.4%
Transgender vilification	0	0	☒	☒	☒	☒	☒	☒	☒	2	0	2	0.2%
Aiding an unlawful act	5	3	2	2	0	2	0	☒	☒	☒	0	14	1.3%
Not specified	2	2	0	1	1	0	☒	☒	☒	☒	5	11	1.0%
Other	5	2	0	0	0	0	☒	☒	☒	☒	7	14	1.3%
Total	512	345	65	68	22	12	24	4	0	2	55	1109	100%
%	46.2%	31.1%	5.9%	6.1%	2.0%	1.1%	2.2%	0.4%	0.0%	0.2%	5.0%	100%	

Appendix 2A: Enquiries and complaints by Aboriginal and Torres Strait Islander people 2020-21

Enquiries by Aboriginal and Torres Strait Islander people 2020-21

Type of enquiry	All enquiries	Aboriginal and Torres Strait Islander enquiries	% of all enquiries
Phone	1,891	115	6.1%
Written	807	30	3.7%
Total	2,698	145	5.4%

Complaints by Aboriginal and Torres Strait Islander people by type of discrimination and public area 2020-21

Not applicable

Type of discrimination	Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Other	Total	%
	Disability	4	2	1	2	0	0	<input checked="" type="checkbox"/>	0	9
Sex – includes pregnancy and breastfeeding	1	0	0	0	1	0	<input checked="" type="checkbox"/>	0	2	2.5%
Race	14	17	2	4	4	0	<input checked="" type="checkbox"/>	3	44	55%
Age	2	0	0	0	0	0	<input checked="" type="checkbox"/>	0	2	2.5%
Carer's responsibilities	2	0	0	0	0	0	<input checked="" type="checkbox"/>	0	2	2.5%
Victimisation	7	1	0	2	2	0	<input checked="" type="checkbox"/>	0	12	15%
Racial vilification	<input checked="" type="checkbox"/>	5	0	5	6.25%					
Aiding an unlawful act	0	3	0	0	0	0	<input checked="" type="checkbox"/>	0	3	3.75%
Not specified	1	0	0	0	0	0	<input checked="" type="checkbox"/>	0	1	1.25%
Total	31	23	3	8	7	0	5	3	80	100%
%	38.8%	28.8%	3.8%	10%	8.8%	0.0%	6.3%	3.8%	100%	

Appendix 2B: Employment complaints 2020-21

Types of employment complaints 2020-21

Type of complaint	Total	%
Work environment and harassment	238	46.5%
Classification/benefits	109	21.3%
Dismissal	62	12.1%
Recruitment/selection	59	11.5%
Resignation	11	2.1%
Retrenchment/redundancy	21	4.1%
Transfer	7	1.4%
Promotion	2	0.4%
Retirement	2	0.4%
Award and enterprise agreement	1	0.2%
Total	512	100%

Types of employer 2020-21

Type of employer	Total	%
Private enterprise	250	48.8%
Individual male	33	6.4%
State government department	82	16%
State government stat. authority	12	2.3%
Local government	17	3.3%
Educational authority - public	1	0.2%
Hospital	44	8.6%
Non-profit association	10	2.0%
Individual female	11	2.1%
Trade union	6	1.2%
Educational authority - private	3	0.6%
Commonwealth department	2	0.4%
Other	7	1.4%
Not known	34	6.6%
Total	512	100%

Appendix 3 : Granted exemptions and certifications 2020-21

Granted exemptions

Organisation	Description	Sections	Granted
Allens	To advertise, recruit and employ up to 10 paid internships for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted Decision date 22/04/2021 Length 5 years Expiry 21/04/2026
Australian and New Zealand Banking Group Limited (and its wholly owned subsidiaries)	To administer its traineeship and vocational traineeship programs for Aboriginal and Torres Strait Islander persons. For full order see NSW Government Gazette of 11 December 2020.	8, 10 & 51	Granted Decision date 07/12/2020 Length 10 years Expiry 06/12/2030
Australia and New Zealand Banking Group Limited (and its wholly owned subsidiaries)	To advertise, recruit and employ for the position of Employee Journey Expert – Aboriginal and Torres Strait Islander Recruitment Programs for an Aboriginal or Torres Strait Islander person only.	8 & 51	Granted Decision date 24/06/2021 Length 5 years Expiry 23/06/2026
Australian Children's Education and Care Quality Authority (ACECQA)	To advertise, designate and recruit an internship position for an Aboriginal or Torres Strait Islander person only.	8 & 51	Granted Decision date 16/08/2021 Length 4 years Expiry 15/08/2025
Australian Indigenous Minority Supplier Office trading as 'Supply Nation'	To designate and recruit the positions of Manager, Indigenous Business Engagement, Manager, Certification and Audit, Manager, Programs, and Manager, Partnerships for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	Granted Decision date 23/03/2021 (variation of order on 29/04/2019) Length - Expiry 28/04/2029
Australian Red Cross	To advertise, designate and recruit the position of Strategic Communications Adviser for an Aboriginal and Torres Strait Islander person only.	8 & 51	Granted Decision date 03/05/2021 Length 5 years Expiry 02/05/2026

Organisation	Description	Sections	Granted	
Auto Sports Group	To advertise, designate and recruit for 11 frontline sales positions in the first year and 9 per year for the remaining 4 years for women only.	25 & 51	Granted	
			Decision date	20/04/2021
			Length	5 years
			Expiry	19/04/2026
Ballina Shire Council	To advertise, designate and recruit for 10 positions in its Civil Services Division for women only.	25 & 51	Granted	
			Decision date	16/02/2021
			Length	5 years
			Expiry	15/02/2026
Bluescope Steel	To advertise and designate each year for a period of 5 years: Up to 60 operator and trade roles for women only in the manufacturing business at the Port Kembla site; and up to 60 operator and trade roles for women only across other sites in NSW.	25 & 51	Granted	
			Decision date	18/05/2021
			Length	5 years
			Expiry	17/05/2026
Boston Consulting Group (BCG)	To advertise, designate and recruit up to 5 Aboriginal and Torres Strait Islander people within its Consulting and Business Services divisions.	8 & 51	Granted	
			Decision date	16/03/2021
			Length	9 years
			Expiry	15/03/2030
Canterbury Bankstown	To advertise, recruit and employ one Aboriginal and/or Torres Strait Islander person in the position of Landcare Coordinator.	8 & 51	Granted	
			Decision date	28/10/2020
			Length	5 years
			Expiry	27/10/2025
Canterbury Bankstown	To designate, advertise and recruit the position of Indigenous Community Development Officer for an Aboriginal or Torres Strait Islander person only.	8 & 51	Granted	
			Decision date	16/03/2021
			Length	2 years
			Expiry	15/03/2023
City of Newcastle	To advertise, recruit and employ up to 12 positions per year for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	10/06/2021
			Length	-
			Expiry	31/12/2022

Organisation	Description	Sections	Granted	
City of Sydney	To advertise, designate and recruit the positions of Senior Community Engagement Coordinator and Community Engagement Coordinator (Eora Journey) for Aboriginal or Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	13/07/2021
			Length	5 years
			Expiry	12/07/2026
Coast History & Heritage Pty Ltd	To designate, advertise and recruit 2 Graduate Historian positions for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	10/12/2020
			Length	2 years
			Expiry	09/12/2022
Financial Rights Legal Centre	To designate and recruit the position of Financial Counsellor for an Aboriginal or Torres Strait Islander person only.	8 & 51	Granted	
			Decision date	10/12/2020
			Length	10 years
			Expiry	09/12/2030
Gilbert and Tobin	To advertise, designate and recruit up to 8 targeted cadetship roles per year and 2 business administration traineeships per year for Aboriginal and Torres Strait Islander persons only and to run the associated Indigenous Legal Cadetship and Indigenous traineeship programs for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	20/08/2020
			Length	10 years
			Expiry	19/08/2030
Hunter Valley Training Company Pty Ltd	To designate and recruit: 1) 35 apprenticeship or traineeship positions for Aboriginal and/or Torres Strait Islander persons only; and 2) 35 apprenticeship or traineeship positions for women only in trade roles.	8, 25 & 51	Granted	
			Decision date	21/01/2021
			Length	2 years
			Expiry	20/01/2023
Information and Cultural Exchange	To advertise, designate and recruit for the position of First Nations Program Producer for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	20/07/2020
			Length	4 years
			Expiry	19/07/2024
Lake Macquarie City Council	To advertise, designate and recruit up to 5 women and up to 5 Aboriginal and/or Torres Strait Islander persons only for Trainee Works Assistant positions.	8, 25 & 51	Granted	
			Decision date	08/10/2020
			Length	2 years
			Expiry	07/10/2022

Organisation	Description	Sections	Granted	
Lane Cove Council	To advertise, designate and recruit for the commissioning of an artist to complete a public artwork, for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	22/10/2020
			Length	1 year
			Expiry	21/10/2021
Macquarie University	To offer, advertise and facilitate scholarships and fellowships to women in the fields of science, technology, engineering, mathematics and medicine.	25, 31A & 51	Granted	
			Decision date	10/06/2021
			Length	10 years
			Expiry	09/06/2031
Newcastle Coal Infrastructure Group Pty Ltd	To advertise, designate and recruit for up to 10 women only for technical and engineering roles and apprentice and graduate trade-based engineering roles.	25 & 51	Granted	
			Decision date	11/09/2020
			Length	5 years
			Expiry	10/09/2025
Nine	To advertise, designate and recruit for the position of Indigenous Affairs Journalist for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	28/01/2021
			Length	1 year
			Expiry	27/01/2022
Northern Rivers Social Development Council Ltd trading as Social Futures	To advertise, designate and recruit for 10 Local Area Coordinator positions for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	12/05/2021 (variation of order on 16/07/2018)
			Length	-
			Expiry	15/07/2025
NSW Crown Solicitors Office	To advertise, designate and recruit 2 graduate solicitor positions per year for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted variation	
			Decision date	01/07/2020
			Length	6 years
			Expiry	30/06/2026

Organisation	Description	Sections	Granted	
Penrith City Council	To advertise, designate and recruit for the positions of Aboriginal Community Resilience Officer - Graduate and Senior Policy Officer for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	24/06/2021
			Length	5 years
			Expiry	23/06/2026
Price Waterhouse Coopers Services Pty Ltd	To advertise and implement a Cultural Leave Policy for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	28/01/2021
			Length	10 years
			Expiry	27/01/2031
Public Interest Advocacy Centre	To advertise, designate and recruit for the position of Aboriginal and Torres Strait Islander Justice Solicitor/ Senior Solicitor for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	16/12/2020
			Length	10 years
			Expiry	15/12/2030
Public Interest Advocacy Centre	To advertise, designate and recruit 2 graduate positions per year as a part of its Shopfront & Public Interest Advocacy Centre Aboriginal Social Justice Graduate Program for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	23/04/2021 (variation of order on 23/02/2021)
			Length	-
			Expiry	22/02/2031
Sydney Water	To advertise, designate and recruit for the position of Indigenous Inclusion Specialist for an Aboriginal and/or Torres Strait Islander person only.	8 & 51	Granted	
			Decision date	20/08/2020
			Length	5 years
			Expiry	19/08/2025
The Australia Institute Ltd	To advertise and recruit up to 4 women aged 18-27 per year for a graduate style fellowship program.	25, 33 & 51	Granted	
			Decision date	31/03/2021
			Length	6 years
			Expiry	30/03/2027

Organisation	Description	Sections	Granted	
Thoughtworks	To advertise and recruit positions for Aboriginal and Torres Strait Islander persons only, in pursuance of its goal of a 50% workforce participation rate in its First Nations Delivery Centre program and a 3% overall workforce participation rate.	8 & 51	Granted	
			Decision date	10/06/2021
			Length	5 years
			Expiry	09/06/2026
Tweed Shire Council	To advertise, designate and recruit for the trainee position of Aboriginal Town Planner for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted	
			Decision date	10/06/2021
			Length	6 years
			Expiry	09/06/2027
University of New South Wales	To advertise, designate and recruit a project administrator who self identifies as having a lived experience of an intellectual disability.	49D & 51	Granted	
			Decision date	06/04/2021
			Length	3 years
			Expiry	05/04/2024
University of Sydney	To provide financial tuition scholarships to students from India, Pakistan, Bangladesh, Sri-Lanka, Nepal, Indonesia, Malaysia, Philippines, Singapore, Thailand, Vietnam, Myanmar, Indonesia, Africa, Central Asia (Uzbekistan, Kazakhstan, Turkmenistan, Tajikistan, Azerbaijan, Kyrgyzstan), China, Lebanon, Mexico, Central and South America and South Korea.	17 & 51	Granted	
			Decision date	15/03/2021
			Length	3 years 9 months
			Expiry	31/12/2024

Granted certifications

Organisation	Description	Granted	
Carrie's Place Domestic Violence and Homelessness Services Incorporated	To provide a crisis accommodation program and associated services for women and children only.	Granted date	05/03/2021
		Length	Indefinite
Legal Aid NSW	To enable it to amend its policies to provide that Aboriginal women are eligible for legal aid in certain Local Court criminal matters when an applicant in the same circumstances who is not an Aboriginal woman would not be eligible.	Granted date	08/06/2021
		Length	10 years
Linda Matlab	To provide and advertise massage therapy services for women only.	Granted date	30/04/2021
		Length	10 years
Stealth Health & Fitness	To run women-only fitness classes and personal training.	Granted date	05/03/2021
		Length	5 years
Supported Accommodation & Homelessness Services Shoalhaven Illawarra (SAHSSI)	To provide crisis and transition accommodation to women and their dependent children in the Illawarra and Shoalhaven districts.	Granted date	30/04/2021
		Length	Indefinite
Wollongong West Street Centre	To enable it to provide trauma counselling services for women and children only and to advertise for, and employ, women only for all staff positions, for a period of 10 years.	Granted date	08/06/2021
		Length	10 years
Xceptional Testing Pty Ltd	To run a recruitment company and associated services for people with autism only.	Granted date	20/08/2020
		Length	10 years

We strive to eliminate discrimination in New South Wales by resolving enquiries and complaints, raising awareness about discrimination and its impacts, and taking action to influence change.

We administer the *Anti-Discrimination Act 1977*.



Anti-Discrimination
New South Wales

Enquiries and complaints

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