



Anti-Discrimination  
New South Wales

# Anti-Discrimination NSW Annual Report

2021–22





# 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 2021 to 30 June 2022.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'H McKenzie', is placed over a light blue rectangular background.

**Helen McKenzie**  
President

## Acknowledgement of Country

We acknowledge Aboriginal people as the First Nations Peoples of NSW and pay our respects to Elders past, present and future. We acknowledge the ongoing connection Aboriginal people have to this land and recognise Aboriginal people as the original custodians of this land.

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# Message from the President

This was a year of change for Anti-Discrimination NSW (ADNSW). During the first few months of 2021-22 we completed implementation of our digital strategy – our new website and complaints management system went live in July 2021, and in November 2021 we launched webform integration for enquiries and complaints.

The second half of the year brought leadership change and a move to new premises. I was appointed President of the Board in February 2022, succeeding Dr Annabelle Bennett, who stepped down in November 2021. Mia Zahra was appointed Executive Manager in May 2022 following the resignation of Elizabeth Wing in February 2022. In June 2022, ADNSW vacated its separate premises in Parramatta and moved to shared office space at 6 Parramatta Square.

Throughout the year, notwithstanding ongoing COVID-19 related challenges, ADNSW continued to deliver high-quality services in our core functions of answering enquiries, resolving complaints, including through conciliation, raising awareness about the impacts of discrimination, and determining applications for exemptions from the *Anti-Discrimination Act 1977* (the Act).

I would like to formally acknowledge the significant contributions to ADNSW made by my predecessor Dr Annabelle Bennett, who served as President for more than four years; Elizabeth Wing who held various positions during her nearly 20 years of service, including, most recently, Executive Manager; and Dr Patricia Azarias, who stepped down from the Board in February 2022 after serving as a Board member for four and a half years.

In May, the Board and I were delighted to welcome Mia Zahra as our new Executive Manager. Mia has quickly settled into the role and is providing strong support to the Board and effective leadership of the staff and management of daily operations.

The positive experiences of staff working from home during the pandemic and the successful implementation of online services, including virtual conciliations and meetings, created an opportunity to review our premises requirements which resulted in the decision to relocate and share office space with the Department of Communities and Justice. Under Mia's leadership, the relocation was achieved with minimal disruption to operations. Staff now enjoy a hybrid model of working, with a blend of in-office and remote working. Protocols and procedures have been put in place to satisfy client confidentiality and secrecy obligations.

This year, we entered into an information sharing and complaint referral agreement with the NSW Ombudsman which helps to ensure that there is no 'wrong door' for clients, and that complaints can be investigated or otherwise resolved in the most effective manner.

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 2021-22 we answered 2,862 enquiries, up from 2,698 in the last reporting period. Disability discrimination remains the most common type of discrimination enquiry, followed by race discrimination. This year we experienced a marked increase in COVID-19-related enquiries. We responded to 867 enquiries relating to COVID-19, which represents 30.3% of all enquiries.

Discrimination complaints increased this year, with 1,626 complaints received, compared to 1,109 last year. Disability and race discrimination were the most frequent grounds of complaint, followed by sex discrimination. Employment continues to be the most common public area of complaint across all the types of discrimination covered by the Act.

During 2021-22 we received 609 COVID-19-related complaints (37.5% of all complaints received); 142 about mask wearing, 312 about vaccination requirements and 155 about other COVID-19-related issues. Some mask complaints were resolved by ADNSW however many vaccination complaints were declined. Vaccination status is not covered under the Act and many complainants were not able to support their claims of presumed disability discrimination.

We aim to provide an effective and efficient complaint handling service. We finalised 1,572 complaints (96%) within 12 months of receipt, exceeding the target of 85%. The average

time taken to finalise a complaint was just over four months, faster than last year at just under five months.

This year, we continued our work in identified priority areas for community engagement including disability, multicultural, youth and LGBTQ+. The community engagement team attended meetings, community events and delivered presentations through face-to-face engagement and via video. We engaged with the community at 192 events, including meetings, presentations and webinars.

Our Aboriginal and Torres Strait Islander team continued its activities in 2021-22, mainly delivered via video conferencing and teleconferencing. During the COVID-19 lockdown, we participated in the Koori COVID-19 Support Group, where we shared information and support with our stakeholders. We also participated in two Good Service Mob forums held online this year.

Social media continues to be an integral part of our communications strategy. In 2021-22 we reached more than 113,000 people and achieved a 14.3% increase in followers across Facebook, Twitter and LinkedIn. Our social media posts have enabled us to connect with communities on topical issues, communicate important information during the COVID-19 pandemic, and raise awareness about discrimination, the law and our services.

This year, we launched our new website along with a new URL – [antidiscrimination.nsw.gov.au](https://antidiscrimination.nsw.gov.au). The new website, featuring a fresh look and feel, easy navigation and improved accessibility, went live in July 2021. The launch of the new website attracted interest from culturally and linguistically diverse media outlets and received coverage across Arabic, Chinese, Vietnamese and Indian publications, as well as coverage in Aboriginal and Torres Strait Islander media.

Also launched in July 2021 was our new Resolve complaints management system. The new system has allowed us to streamline our enquiry and complaint services and better serve our clients. In November 2021 we launched Stage 2 of this project – webforms to allow online enquiries and complaints to be integrated into our complaints management system. The availability of online enquiry and complaint forms has reduced the volume of data entry work for ADNSW staff.

In March 2022 we implemented OneTRIM, a new digital records management system for ADNSW. The OneTRIM project was a significant program of works which delivered a streamlined and consolidated electronic document and records management system.

This year we received 75 applications for exemptions under section 126 of the Act. The exemptions sought were generally related to employment and recruitment, for example, targeted jobs or recruitment programs for a particular group already protected by the Act. Each exemption must be individually assessed against the statutory requirements which is a time-consuming and inefficient process. Moving forward, we will consider available options to streamline the exemption review process to improve efficiency.

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 2021-22, there were two applications for certification under section 126A.

During the year, ADNSW considered the impact of proposed laws, and made submissions and provided input on various issues, including the:

- NSW Parliamentary Inquiry into improving crisis communications to culturally and linguistically diverse communities
- Federal Religious Discrimination Bill 2021
- NSW Crimes Amendment (Display of Nazi Symbols) Bill 2021
- National Anti-Racism Framework
- Women's Economic Opportunity Review Panel
- Respect@Work Report by the federal Sex Discrimination Commissioner
- Disability inclusion guidelines
- Online Guide to Hate Crime and Hate Incidents
- Multicultural data project.

ADNSW is a member of the Australian Council of Human Rights Agencies (ACHRA) and actively participates in the work undertaken by ACHRA. This year, this has included providing feedback on various state and federal policy initiatives, such as the Respect@Work Report. Planning is also underway for our participation in the Sydney WorldPride Human Rights Conference that will be held in Sydney in March 2023.

Looking ahead, there are exciting things on the horizon for ADNSW. We will examine how we can support current policy priorities and legislative changes, including the Respect@Work Report; we will work with the Disability Royal Commission in providing protections to people with disability; and we will review and refresh our 2021-24 Strategic Plan.

I would like to thank the Attorney General for his support and encouragement, my Board members for their enthusiasm, dedication and support, and all of the staff of ADNSW for their hard work and ongoing commitment to the elimination of discrimination. My thanks also go to Executive Manager Mia Zahra for her enthusiastic and positive leadership and her unfailing support.



**Helen McKenzie**  
President



# The Anti-Discrimination Board of NSW

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

The President exercises the functions prescribed in the Act in relation to complaints.

The Board's functions under the Act include, for the purpose of eliminating discrimination and promoting equality, 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 President and the Board are supported in their functions by the staff of ADNSW, who are employed by the NSW Public Service within the Department of Communities and Justice.

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President and Board members join ADNSW staff for morning tea, June 2022



# Members of the Board

## President

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**Helen McKenzie**, a respected employment lawyer and business leader, was appointed President of the Board with effect from 21 February 2022. Ms McKenzie brings a wealth of experience to the role, having practised as an employment lawyer for over 30 years including as a partner of major law firm Ashurst (and Australian predecessors) from 1991 to 2016.



**The Honourable Dr Annabelle Bennett, AC SC FAA**, a retired judge of the Federal Court of Australia, was President of the Board until 30 November 2021.

## Members

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**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.



**Melissa Monteiro** is the CEO of Community Migrant Resource Centre and has more than 28 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.



**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 Wesley College Sydney University Council.



**Dr Patricia Azarias**, a former UN civil servant, stepped down as Board member in February 2022. As at 30 June 2022, this position was vacant.

# Anti-Discrimination NSW

## ADNSW strives 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 on our services

Due to the COVID-19 pandemic and associated lockdown, staff worked remotely between July and October 2021. The digital processes we put in place in 2020 ensured that the provision of services was not disrupted during this time. Enquirers were assisted via phone and email, and conciliation conferences took place using telephone and video conferencing.

Since November 2021, staff have returned to a hybrid model of working, with a blend of in-office and remote working.

## Accessible services

Clients who need an interpreter are able to call the Translating and Interpreting Service (TIS National) on 131 450 and be put through to ADNSW. TIS National is a free service for people who do not speak English, as ADNSW accepts the charges for the service.

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 is available in 22 community languages.

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

As part of our commitment  
to provide accessible and  
inclusive services, our  
complaint form is available in  
22 community languages



## Agreements and 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 for it to provide an independent, free monthly legal advice service for ADNSW clients. People are 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 2021-22.

Since January 2022, we have had an information sharing and complaint referral agreement in place with the NSW Ombudsman. This agreement helps ensure that there is no 'wrong door' for clients, and that complaints are investigated or otherwise resolved in the most effective manner.



Top: Community  
Engagement Officer  
Morlai presents  
a webinar for  
the Multicultural  
Disability Advocacy  
Association, April 2022.  
Bottom: ADNSW staff  
celebrate NAIDOC  
Week, July 2021

# Our vision

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New South Wales is free of discrimination.

# Our purpose

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We are committed to eliminating discrimination and promoting equality and equal treatment for everyone in NSW, including by resolving enquiries and complaints, raising awareness about discrimination and its impacts, and taking action to influence change.

# Our values

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Service  
Trust  
Accountability  
Integrity  
Respect

# Our voice

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Understanding  
Consistent  
Inclusive  
Clear





# Organisational structure

ADNSW staff  
celebrate Harmony  
Week, March 2022



## Enquiries and Conciliation

Manages discrimination complaints and the enquiry service.

## Governance and Advice

Manages exemption applications, conducts targeted research projects, reviews legislation and provides advice about discrimination matters.

## Community Engagement

Develops and delivers community engagement strategies, outreach services to Aboriginal and Torres Strait Islander communities, community information sessions and external communications.

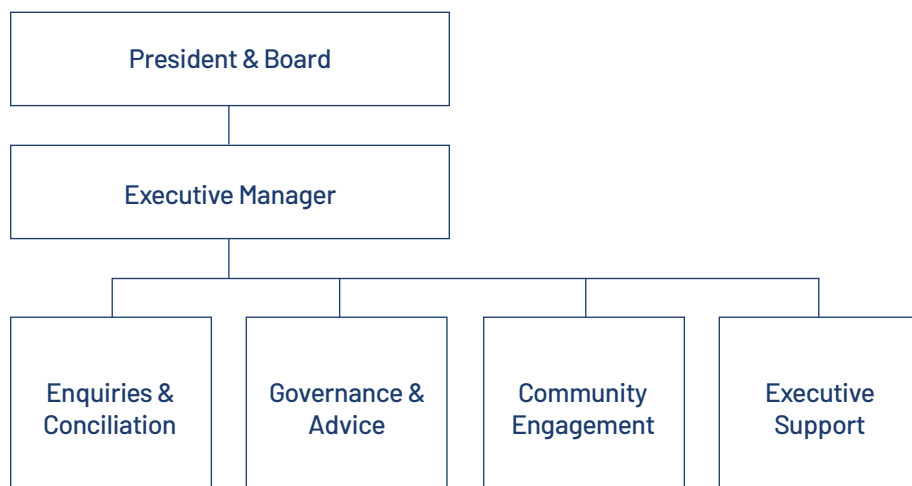
## Executive Support

Provides corporate business services as well as executive support to the President, Board and Executive Manager.

## Staff profile

As at 30 June 2022, there were 29 full time equivalent roles with 34 people employed in a range of full time and part time positions.

## ADNSW structure as at 30 June 2022





# Enquiry service

Our enquiry service provides information about the protections in the Act, as well as about the complaints process. When appropriate, we also refer to other services. Our service is free.

Our face-to-face enquiry service was suspended due to COVID-19. We provided an enquiries service predominantly through a telephone call-back service and written enquiries.

During the year, the enquiry service responded to 2,862 enquiries, up from 2,698 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 2,894.

COVID-19-related enquiries increased markedly compared to last year. We responded to 867 enquiries relating to COVID-19 during 2021-22, which represents 30.3% of all enquiries.

Seventy-seven per cent of enquiries (2,205) were made by phone. There was a total of 654 written enquiries, received mostly by email (542), and by webform (101), which was introduced in late November 2021. There were three face-to-face enquiries.

We received 99 enquiries from Aboriginal and Torres Strait Islander people, the majority by phone. This represents 3.4% of all enquiries received.

Number of enquiries responded to this year

2,862

Percentage of enquiries which were related to COVID-19

30.3%

Figure 1:  
Enquiries by contact method





## Most common enquiries

Disability discrimination remains the most common type of complaint of discrimination, with 828 (28.6%) 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.

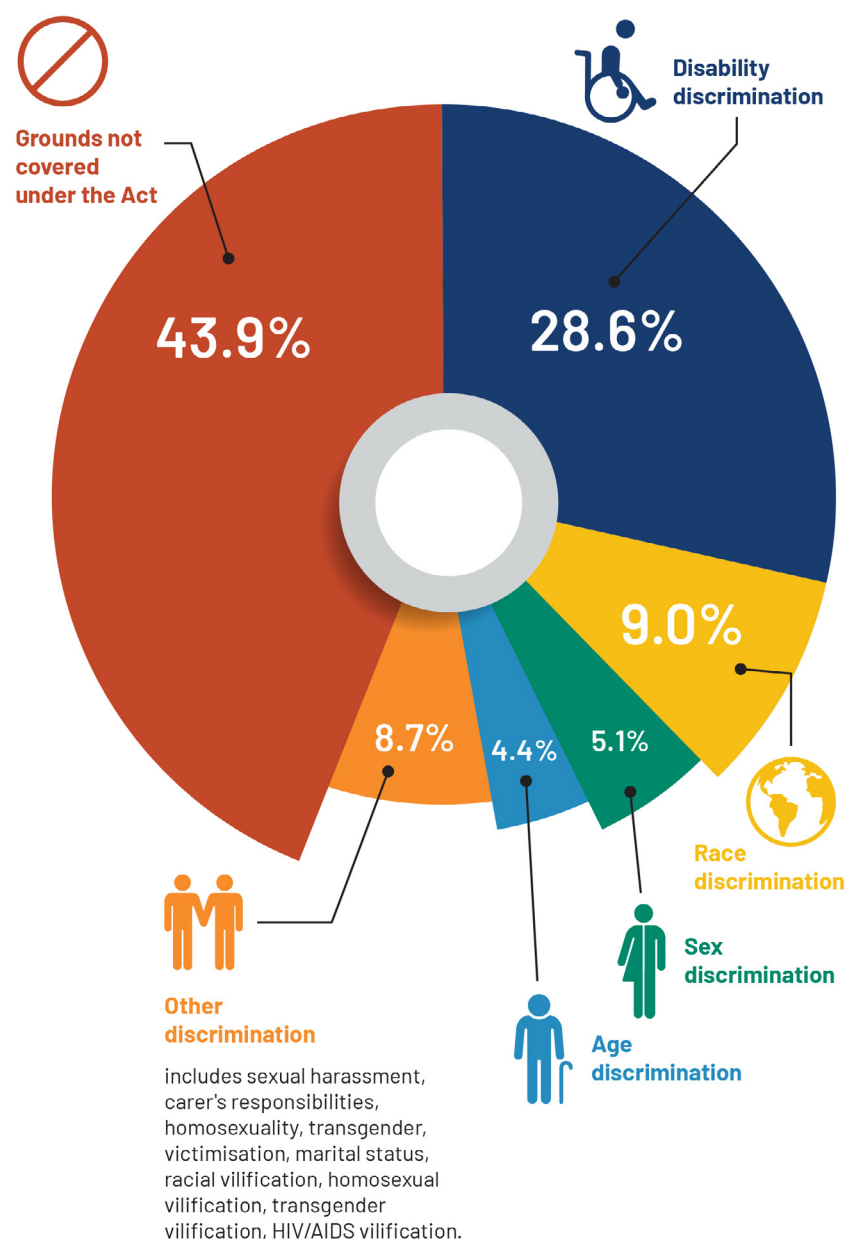
Disability discrimination was mentioned in 400 goods and services enquiries. Of those, 128 related to refusal of service due to inability to wear a face mask. There were 255 enquiries related to disability in employment.

Race discrimination was the second most common type of discrimination, with 261 (9.0%) enquiries. Of those, 123 related to race discrimination in employment.

Sex discrimination was the third most common ground, with 149 (5.1%) enquiries. There were 68 enquiries (2.3%) relating to sexual harassment. Almost all of these enquiries (106 and 57 respectively) related to employment.

We received 1,271 (43.9%) enquiries relating to conduct not covered by the Act. Most of these enquiries related to conduct occurring in employment or the provision of goods and services but unrelated to a protected ground. The increase in enquiries outside of ADNSW's jurisdiction was mainly attributable to COVID-19.

Figure 2: Most common enquiries by type of discrimination 2021-22



\*For detailed information, see Appendix 1:  
Enquiries by type of discrimination and public area 2021-22

Please note: Percentages on charts may not add up to 100% due to rounding.

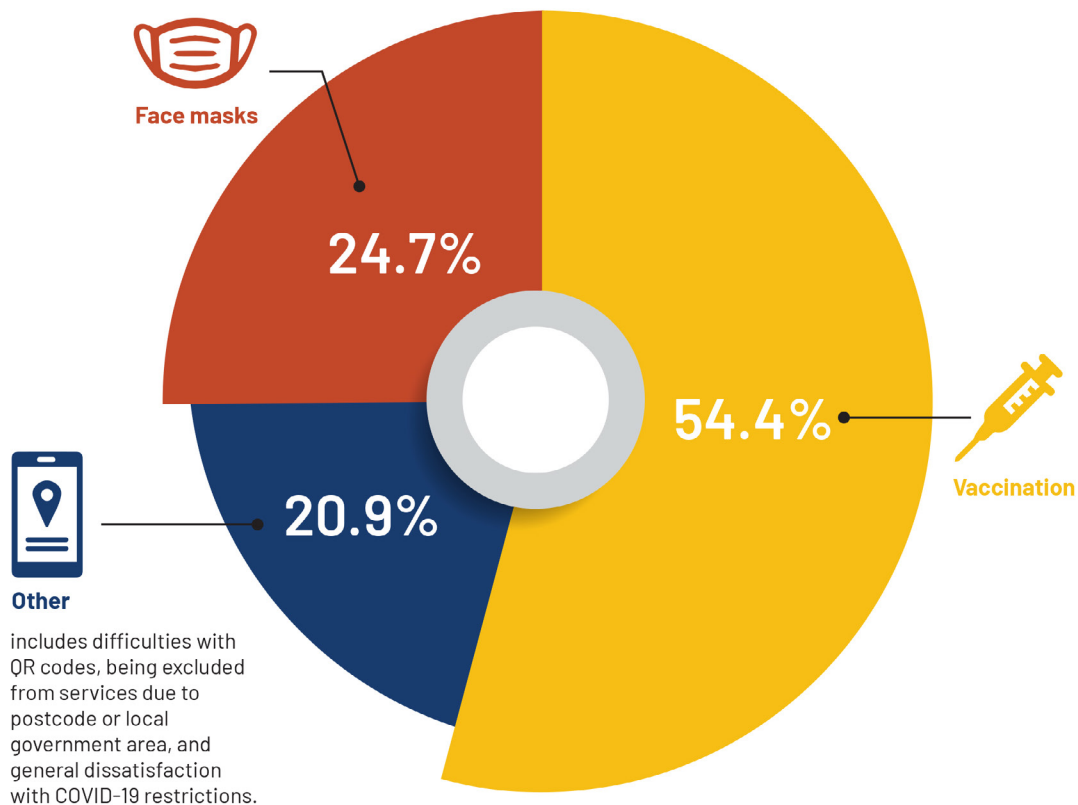
## Enquiries relating to COVID-19

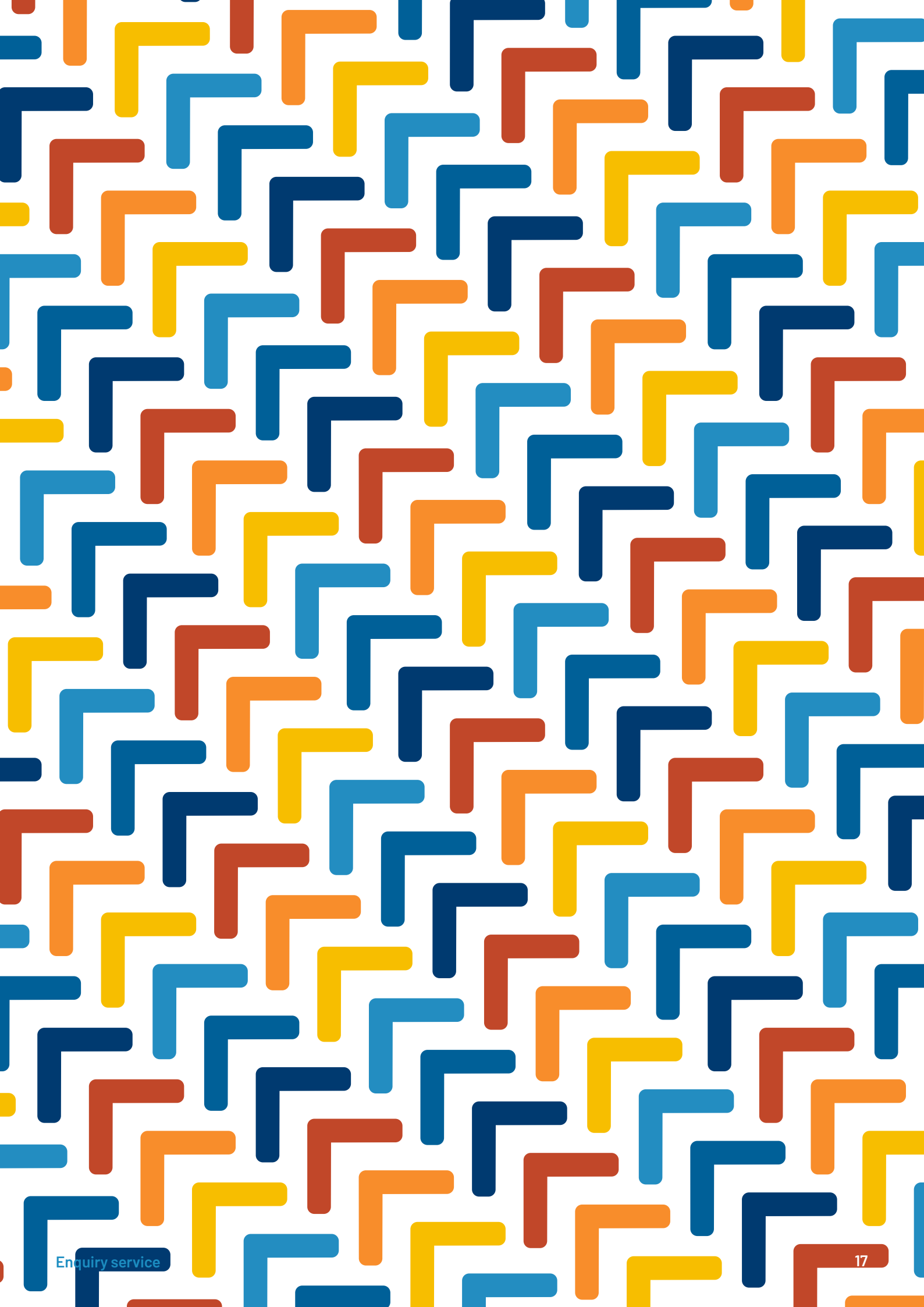
We continued to receive enquiries relating to COVID-19 during the reporting period. The most common COVID-19-related enquiry during 2021-22 was vaccine related.

From a total of 867 COVID-19-related enquiries, 472 related to vaccination and 214 related to face masks. Most of these occurred in the areas of employment and goods and services.

Other issues (181 enquiries) included difficulties with QR codes, enquirers being excluded from services due to postcode or local government area, and general dissatisfaction with restrictions due to COVID-19.

Figure 3: COVID-19-related enquiries 2021-22







# Conciliation

**The Act provides the legislative basis for our complaint work and defines the matters that can be the subject of a valid complaint.**

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, if appropriate, 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 or financial compensation. Conciliation conferences continue to be held using video conferencing. 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.

A complaint can be declined at any stage of the process for any of the reasons set out in the Act.

## **Most common complaints by type of discrimination**

We received 1,626 complaints this year compared to 1,109 last year. Since 2011, disability discrimination complaints remain the highest percentage of the total number of complaints we received (664 complaints, 40.8%) an increase on last year (329 complaints, 29.7%). Of these, 336 were in the provision of goods and services and 241 in employment.

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

Race discrimination was the second most common ground of discrimination raised in complaints. We received 219 race discrimination complaints (13.5%).

Sex discrimination was the third most common ground of discrimination raised in complaints, totalling 107 complaints (6.6%).

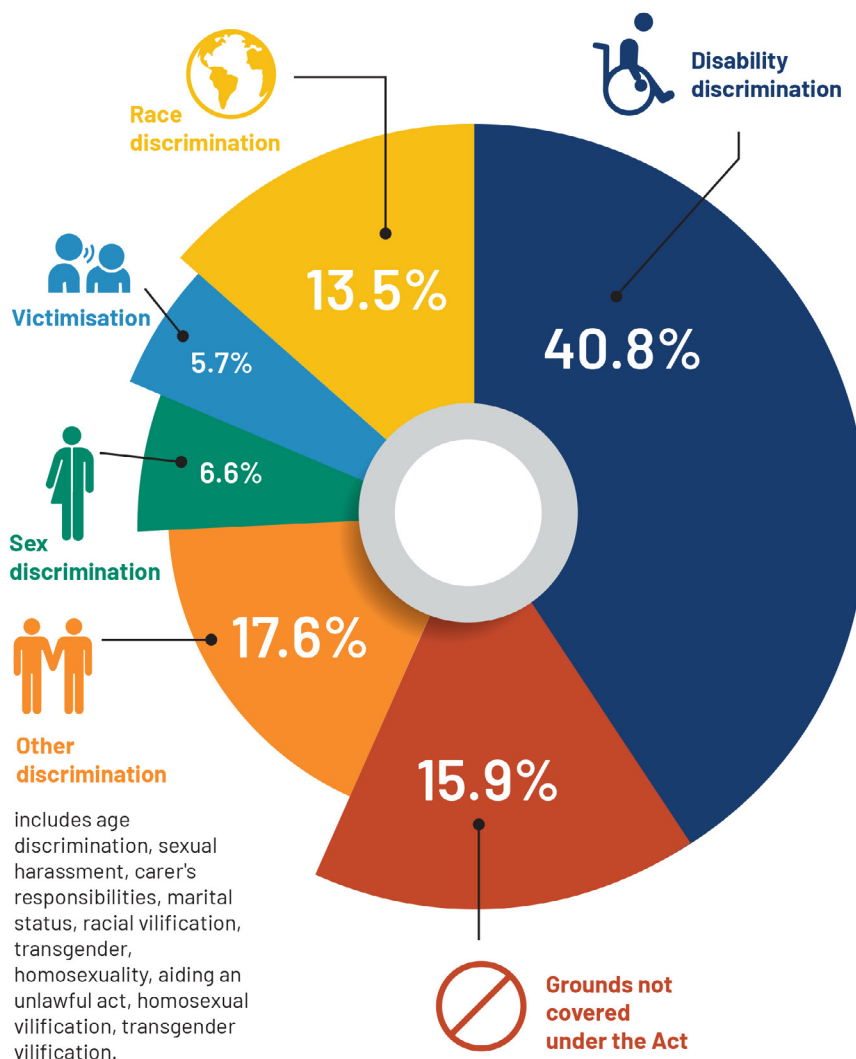
There were 58 complaints (3.6%) of sexual harassment. This is a decrease from last year's figure of 91 (8.2%). Most sexual harassment complaints related to the workplace.

### 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 (725 complaints, 44.6%, up from 512 complaints last year). Most of the employment complaints related to work environment or harassment. Private enterprise accounted for 31.4% of respondent employers. The most common type of discrimination in employment was disability with 241 complaints (up from 120 last year), followed by non-statutory matters with 153 complaints, and race discrimination with 74 complaints.

The provision of goods and services was the second most common public area of complaint with 633 complaints. The most common type of discrimination in goods and services was disability discrimination with 336 complaints, followed by race discrimination with 100 complaints.

Figure 4: Most common complaints by type of discrimination 2021-22



\*For detailed information, see Appendix 2:  
Complaints by type of discrimination and public area 2021-22

Please note: Percentages on charts may not add up to 100% due to rounding.

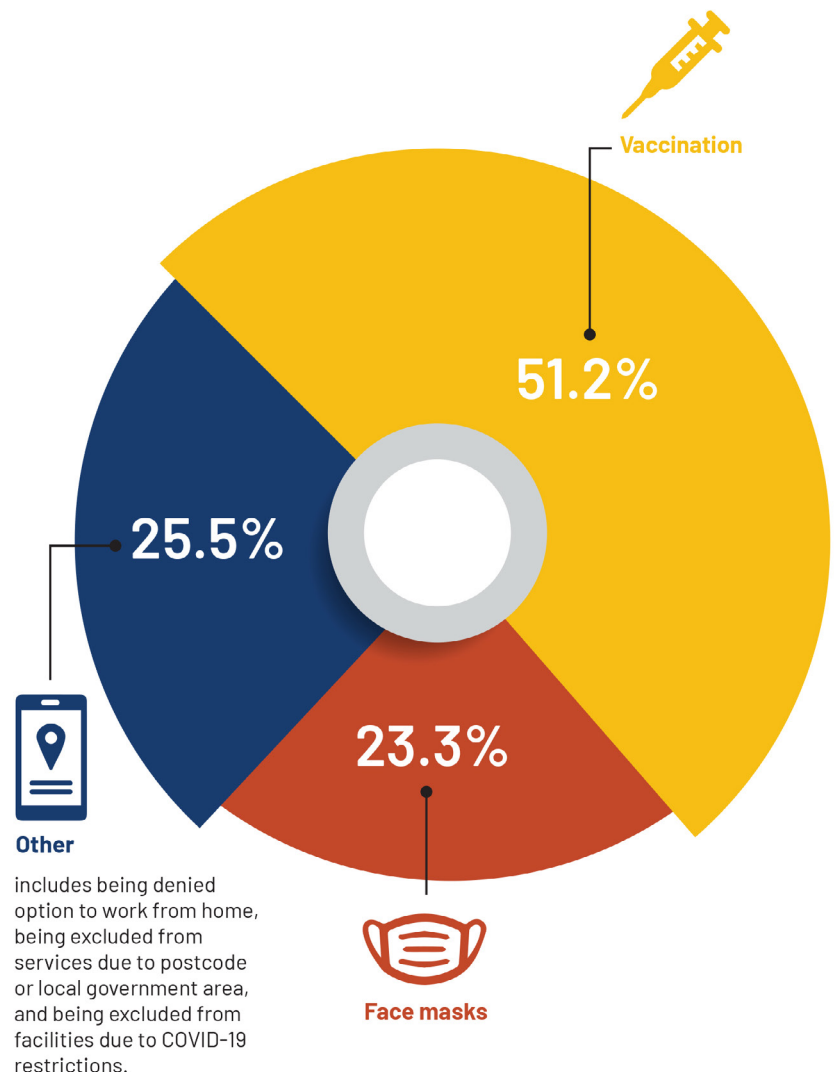
## Complaints relating to COVID-19

During 2021-22 we received 609 COVID-19-related complaints (37.5% of all complaints received) – 142 about mask wearing, 312 about vaccination requirements and 155 about other COVID-19-related issues.

Mask wearing complaints were about the requirement to wear a mask in settings such as health services and while accessing goods and services. Some mask complaints were resolved at ADNSW. One complaint that was not resolved was decided by the NSW Civil and Administrative Tribunal (NCAT) in June 2022 (*Wombey v Apple Pty Ltd [2022] NSWCATAD 179*). This provided guidance for our decision-making regarding mask complaints about goods and services moving forward. The NCAT decision discussed aspects such as whether the customer's inability to wear a mask is based on their disability (which is covered by the Act), whether an alternative service had been offered and whether the store's requirement for a customer to wear a mask was reasonable. We received fewer mask complaints once the indoor mask mandate was relaxed in February 2022.

The vaccination complaints we received were mostly employment related, where an employer mandated that staff needed to be fully vaccinated to continue in their employment. ADNSW declined many of these complaints because vaccination status is not covered under the Act, and others because complainants were not able to support their claims of presumed disability discrimination. In addition, the exceptions in sections 49P and 54 of the Act allow for discrimination necessary to protect public health, and allow acts done under statutory authority. NCAT upheld these factors in a decision (*Petek v TAFE NSW [2022] NSWCATAD 105*).

Figure 5: COVID-19-related complaints 2021-22



\*For detailed information, see Appendix 2A: COVID-19-related enquiries and complaints 2021-22

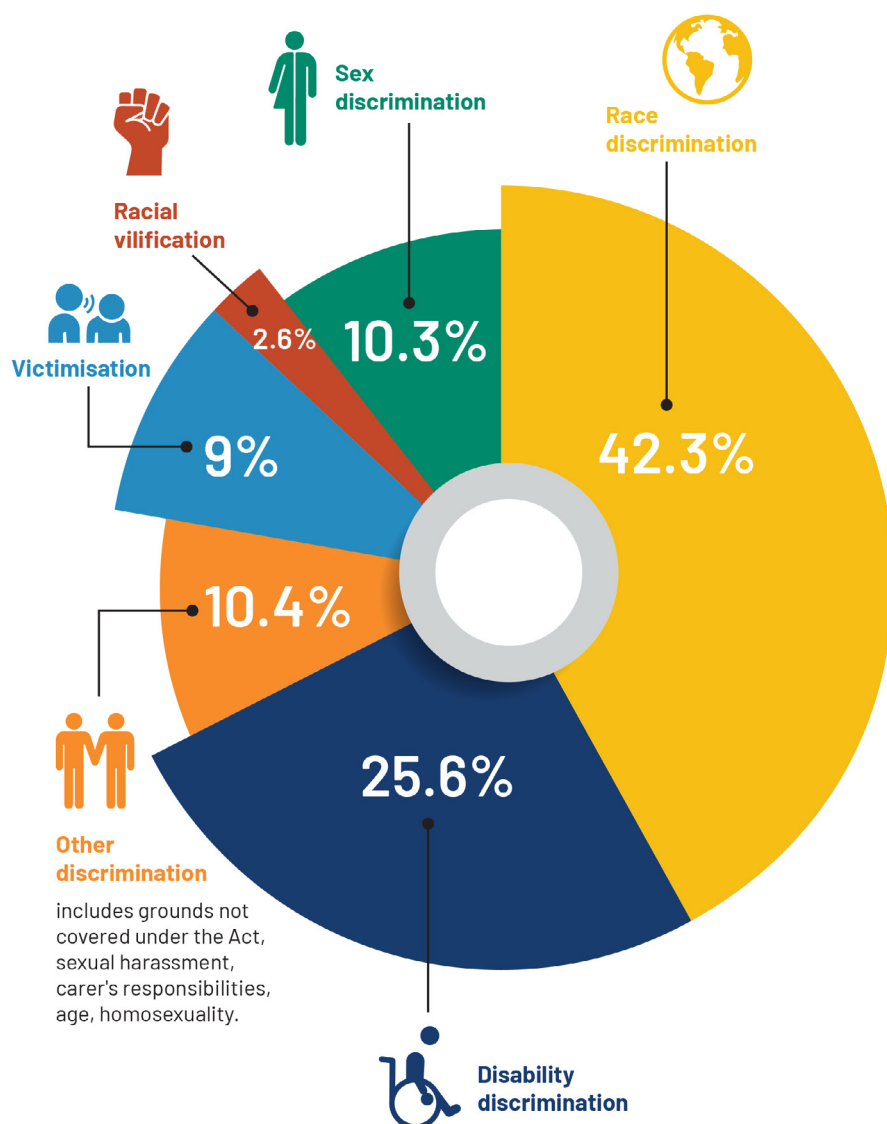


## Complaints by Aboriginal and Torres Strait Islander people

This year, we handled 78 complaints from people who identified as Aboriginal or Torres Strait Islander. This represents 4.8% of all complaints received.

The most common type of discrimination raised was race discrimination (33 complaints – 42.3% of complaints by Aboriginal and Torres Strait Islander people). The most common areas of complaint were employment and the provision of goods and services (both areas comprised 32 complaints, 41.0%, of complaints by Aboriginal and Torres Strait Islander people).

Figure 6: Most common complaints by Aboriginal and Torres Strait Islander people by type of discrimination 2021-22



\*For detailed information, see Appendix 2B:  
Enquiries and complaints by Aboriginal and Torres Strait Islander people  
2021-22

Please note: Percentages on charts may not add up to 100% due to rounding.

### Case study: Disability discrimination in goods and services

Wendy\* has multiple disabilities and can't wear a face mask. She has a medical exemption for her disabilities which include asthma and sinus problems. Wendy carries her medical exemption with her when she leaves her home.

Wendy was refused service at her local petrol station because she was not wearing a mask. She offered to show to the staff member her medical exemption, however she was asked to leave the petrol station.

Wendy made a complaint of disability discrimination with ADNSW.

When ADNSW notified the manager, he contacted Wendy and apologised to her for her experience. The manager informed Wendy that he would educate the staff member. He welcomed Wendy back to the petrol station which Wendy accepted and resolved the complaint.

\*Name has been changed to protect the privacy of the individual.



### Case study: Sexual harassment in employment

Gina\* was a sales and design employee for a tile retailer.

In the workplace, Gina's colleagues engaged in sexual banter when she was nearby, which made her feel uncomfortable. She also felt afraid to speak freely in the workplace in case her colleagues put a sexual spin on her conversation.

Gina complained to her manager that she felt unsafe and disrespected but resigned from her position when she felt her manager had not taken her concerns seriously.

Gina lodged a complaint of sex discrimination and sexual harassment with ADNSW.

At conciliation, while the employer did not accept that it had acted unlawfully, Gina's complaint was resolved by the payment of compensation and the removal of any restriction on Gina's ability to seek employment with a competitor.

\*Name has been changed to protect the privacy of the individual.



Assistant Community Engagement Officer Narelle (on left) at the Baabayn Aboriginal Corporation Event, May 2022

## Processing complaints

We aim to provide an effective and efficient complaint handling service. We finalised 1,572 complaints (96%) within 12 months of receipt, exceeding the target of 85%. We resolved 98% of complaints within 18 months of receipt. The average time taken to finalise a complaint was just over four months, faster than last year at just under five months.

A finalised complaint is a complaint that is resolved, referred to NCAT, declined, withdrawn or abandoned.

Table 1: Outcome of complaints finalised in 2021-22

Outcomes	No.	%
Settled at or after conciliation	111	6.8%
Settled before conciliation	76	4.6%
Referred to NCAT - conciliation unsuccessful	104	6.3%
Referred to NCAT - cannot be resolved	31	1.9%
Referred to NCAT - due to nature of complaint	3	0.2%
Referred to NCAT - parties want matters referred	1	0.1%
Declined before investigation - not a contravention	591*	35.9%
Declined before investigation - older than 12 months	30	1.8%
Declined before investigation - specific penalty imposed	1	0.1%
Declined after investigation - s92	187	11.4%
Declined after investigation and referred to NCAT	46	2.8%
Withdrawn s92B	220	13.4%
Abandoned s92C	243	14.8%
<b>Total</b>	<b>1,644</b>	<b>100%</b>

\*Many of these were COVID-19-related complaints.

Please note: Percentages in tables may not add up to 100% due to rounding.

## Service complaints

Client feedback is an essential source of information to enable us to improve our services and we are looking at ways to obtain feedback from our clients other than through a service complaint. We received nine service complaints, one more than last year. These were handled in accordance with the policy and procedures of the Department of Communities and Justice. Five complainants were dissatisfied about the level of service they received from staff. Four complainants were unhappy with a decision made regarding a complaint of discrimination. In each case, actions were taken to address the concerns raised.

# Community engagement

This year, we continued our work in identified priority areas for community engagement including disability, multicultural, youth and LGBTQ+. We also continued our Aboriginal and Torres Strait Islander outreach.

The community engagement team attended meetings, community events and delivered presentations across NSW by video and by telephone. We also returned to some face-to-face engagement. We engaged with the community at 192 events, including meetings, presentations and webinars.

**Disability engagement:** We continued to engage with stakeholders about disability discrimination in employment, which led to the development of a pilot project about workplace adjustments. The project involves the development of two videos and two podcasts with the aim to raise awareness about workplace adjustments among managers, employers, human resources, and diversity inclusion teams. These videos and podcasts feature managers and employees from the NSW public service sharing their personal stories.

**Multicultural engagement:** We conducted seven focus groups with more than 60 participants from five major multicultural language groups of NSW (Chinese, Arabic speaking, Indian, Vietnamese, and Korean) to identify their experiences of race discrimination, whether they use our services, and test our assumptions around why race discrimination may not be reported. We are developing an African engagement plan to better understand the discrimination affecting these communities, working to empower communities to access our services and address the discrimination they face. We continue to participate in stakeholder meetings with the NSW Anti-Racism Working Group and NSW Community Resilience and Response Plan (COMPLAN) Committee.



Assistant Community Engagement Officer Claire (on right) presents at Carers NSW Conference, October 2021



**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 Act which has increased our understanding of young peoples' experiences of discrimination and the resources that they need from us.

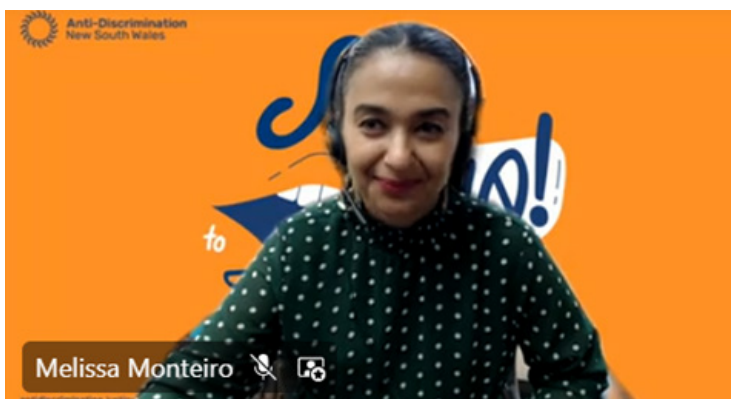
**LGBTQ+ engagement:** We consulted with agencies and community stakeholders at events and interagency meetings to discuss the issues that LGBTQ+ communities are facing. We have developed our LGBTQ+ community engagement plan for the next two years.

### Aboriginal and Torres Strait Islander outreach

Our Aboriginal and Torres Strait Islander outreach team raises awareness about the impacts of discrimination and supports Aboriginal and Torres Strait Islander clients who make enquiries or discrimination complaints.

This year, the Aboriginal and Torres Strait Islander outreach team's activities were delivered mainly via video conferencing and teleconferencing. During the COVID-19 lockdown in 2021, we participated in the Koori COVID-19 Support Group, where we shared information and support with our stakeholders. We continue to participate in stakeholder meetings with the NSW Anti-Racism Working Group, NSW Energy and Water Ombudsman, Western Sydney Koori Interagency and the Australian Council of Human Rights Agencies (ACHRA) network of Aboriginal and Torres Strait Islander workers.

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.



Top to bottom: 1) ADNSW engages with Korean community members to hear their experiences of race discrimination, November 2021  
2) Community Engagement team attend the Advocate for Children and Young People's 'Voices of Change' breakfast, January 2022  
3) Board member Melissa Monteiro joins panel for the TAFE NSW 'Racism Not Welcome' campaign launch, March 2022  
4) Recording the Workplace Adjustments videos and podcasts at SBS Studios, May 2022



Table 2: Calendar of key meetings and events 2021-22

July	August	September
<ul style="list-style-type: none"> <li>Fairfield Multicultural Interagency</li> <li>South West Sydney Leaders Forum</li> <li>Blacktown LGA Disability Interagency</li> </ul>	<ul style="list-style-type: none"> <li>Dress for Success information session</li> <li>Workshop with DEN leads on reasonable adjustments</li> <li>Carers NSW webinar</li> </ul>	<ul style="list-style-type: none"> <li>JOIN meeting</li> <li>Youth Action information session</li> <li>Wollongong Legal and Civil Agencies Meeting</li> </ul>
October	November	December
<ul style="list-style-type: none"> <li>Webinar: How to lodge discrimination complaints in NSW as an advocate</li> <li>Focus groups with Chinese and Korean communities: race discrimination and barriers to reporting</li> <li>Presented at Carers NSW Conference</li> </ul>	<ul style="list-style-type: none"> <li>Workplace Adjustments Pilot Project Workshop</li> <li>Dress for Success information session</li> <li>Focus group with Indian community: race discrimination and barriers to reporting</li> </ul>	<ul style="list-style-type: none"> <li>Meeting with Office of the Advocate for Children and Young People</li> <li>JOIN meeting</li> <li>Focus group with Vietnamese community: race discrimination and barriers to reporting</li> </ul>
January	February	March
<ul style="list-style-type: none"> <li>Blacktown Multicultural Interagency</li> <li>Dress for Success meeting</li> </ul>	<ul style="list-style-type: none"> <li>Webinar: ACYP Youth Advisory Council</li> <li>Webinar: Vision Australia</li> <li>Focus group with Arabic community: race discrimination and barriers to reporting</li> </ul>	<ul style="list-style-type: none"> <li>Meetings with participants for Workplace Adjustments videos and podcasts</li> <li>Meeting with Twenty10</li> <li>Meeting with Youth Off The Streets</li> </ul>
April	May	June
<ul style="list-style-type: none"> <li>Dress for Success workshop</li> <li>Meeting with the Association of Independent Schools</li> <li>Meeting with SAGE (mature workers) Network</li> </ul>	<ul style="list-style-type: none"> <li>Rainbow Families Pride Picnic</li> <li>Parramatta Queer Forum</li> <li>Good Service Mob</li> </ul>	<ul style="list-style-type: none"> <li>Workshop: Greater Cities Youth Panel</li> <li>Gymea Community Aid &amp; Information Service community information session</li> </ul>



# Communications

## Website page views 2021-22

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478,628

**This year, we continued to implement our communications strategy to use 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.

### **New website launched**

In July 2021, our new website went live. The new website has a fresh new look and feel, easy navigation, improved accessibility and information in 22 community languages.

The new website also hosts new resources, including explainer videos with Auslan interpreters, four easy read resources for people with intellectual disability, 18 fact sheets and complaint forms in 22 community languages.

The launch of the new website attracted interest from culturally and linguistically diverse (CALD) media outlets and received coverage across Arabic, Chinese, Vietnamese and Indian publications, as well as coverage in Aboriginal and Torres Strait Islander media. We used the media coverage of the new website to raise awareness about ADNSW and our services in CALD communities and Aboriginal and Torres Strait Islander communities.

### **New online enquiry and complaint forms**

Since November 2021, clients have been able to make an enquiry or lodge a complaint using newly available webforms. Both forms can be accessed via the ADNSW website.

The forms are accessible and mobile responsive; they can be used by people who use screen readers and by those who access the internet using a mobile phone or tablet.

For people who prefer hardcopies, the complaint form is still available in Word and in 22 community languages.

The availability of online forms has reduced the volume of data entry work for staff.

## 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 2021-22, the website attracted:

- 152,098 users
- 478,628 page views.

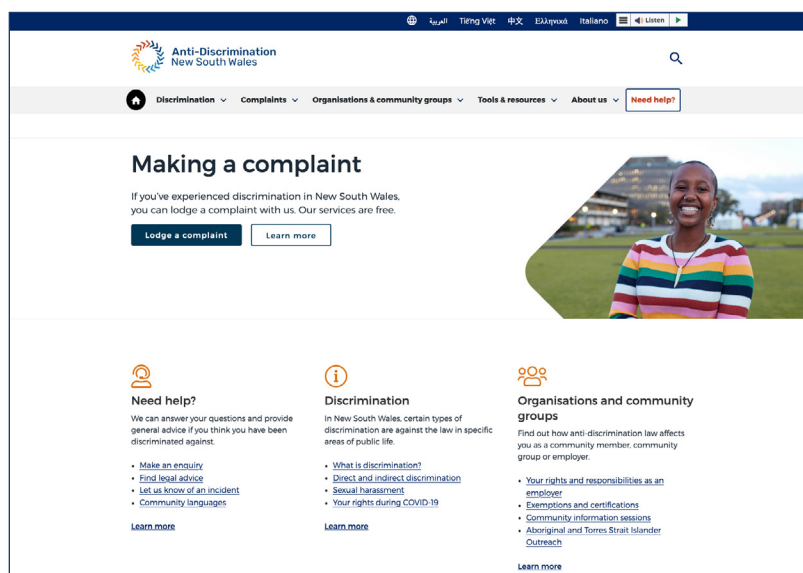
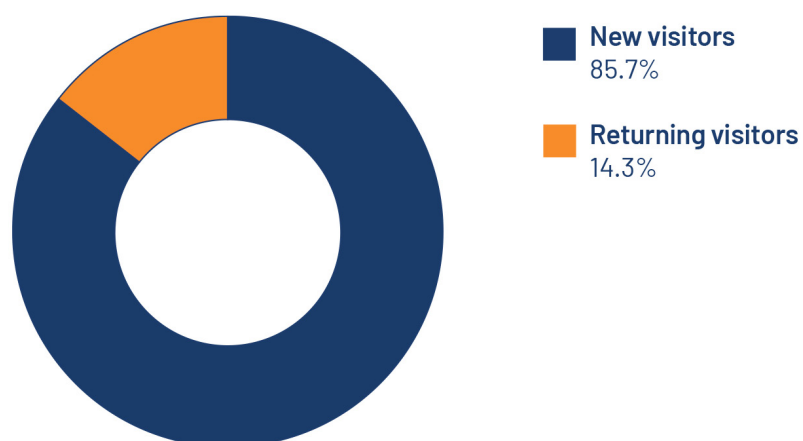
Key insights:

- Facebook was the top social media site directing users to the website with 92% of the sessions.
- 45,524 users found us via organic search on Google.
- Top referrals to the website came from Facebook, the Australian Human Rights Commission and Twitter.

Top five visited pages:

1. Homepage
2. Infectious diseases discrimination
3. Your rights during COVID-19
4. How to make a complaint
5. Types of discrimination

Figure 7: ADNSW website visitors in 2021-22



The new ADNSW website was launched in July 2021

This year, as part of our digital strategy, we launched our new website along with new online enquiry and complaint forms

## 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 Facebook, Twitter and LinkedIn posts have enabled us to connect with communities, communicate important information, 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 2021-22, we achieved a 14.3% increase in followers across Facebook, Twitter and LinkedIn.

### Facebook

- 2,697 followers as of 30 June 2022
- 5.5% increase in followers
- Posts earned a total of 1,614 engagements
- 13,759 users reached

### Twitter

- 663 followers as of 30 June 2022
- 14.7% increase in followers
- 1,184 total engagements and 61,911 tweet impressions
- 61,915 users reached

### LinkedIn

- 1,067 followers as of 30 June 2022
- 44.4% increase in followers
- 1,588 total page views
- 38,183 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 and in multicultural media, including:

- The Daily Telegraph
- MSN Australia
- The Australian
- Gold Coast Bulletin
- The Courier-Mail
- The Times
- The Mercury
- Cairns Post

Social media followers as at  
30 June 2022

4,427

Percentage increase in  
followers on social media

14.3%

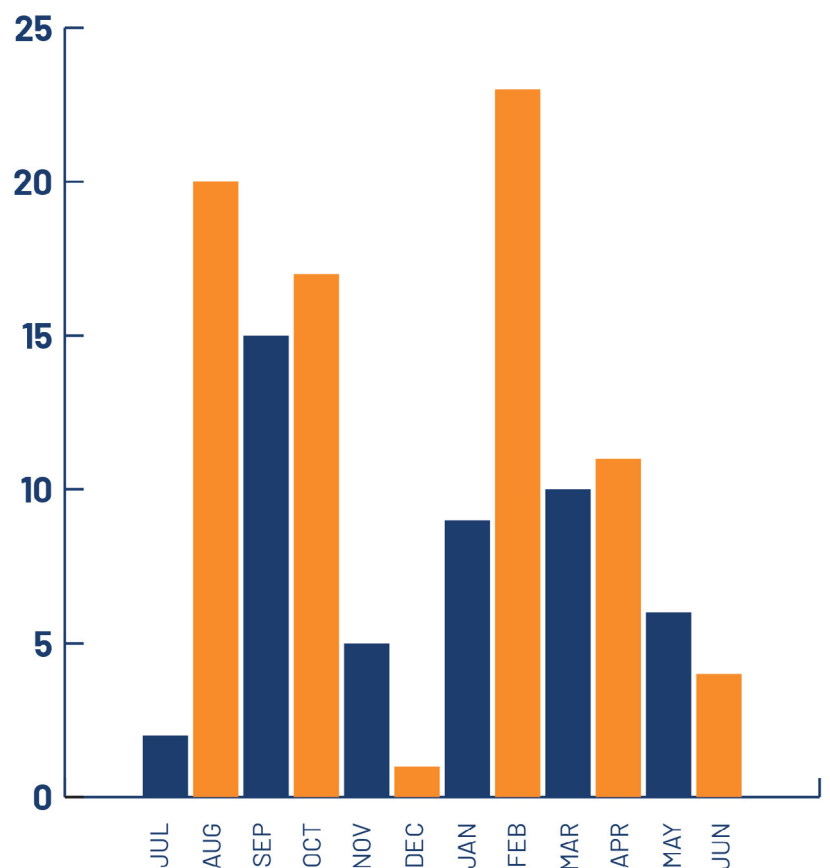
Total users reached across  
Facebook, Twitter and  
LinkedIn

113,857



- Herald Sun
- The Advertiser
- SBS
- The Chronicle
- Mirage News
- The National Tribune
- Koreatown
- Australasian Muslim Times
- Melbourne Today
- NT News
- ABC News
- Coast Community News
- The Guardian
- The Conversation
- The Daily Advertiser
- The Indian Sun
- The Middle East Times
- An Nahar
- Al Wasat
- 2MORO
- Australian Chinese Daily
- Australian Chinese Times
- Chinese Times
- 2CR
- Sydney Today
- We Sydney
- Sydney News Daily
- The Australian (Chinese Edition)
- Chieu Duong
- Dan Viet
- The Indian Weekly
- Koori Mail

Figure 8: Media coverage 2021-22



The launch of our new website received media coverage in the Koori Mail as well as in numerous in-language publications for culturally and linguistically diverse (CALD) communities

# Governance and advice

The Governance and Advice team undertakes research and provides advice to the President, Board and government on discrimination issues and policy. It also assesses and processes applications for exemptions from the Act.

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 considered the impact of proposed laws, and made submissions and provided input on various issues, including the:

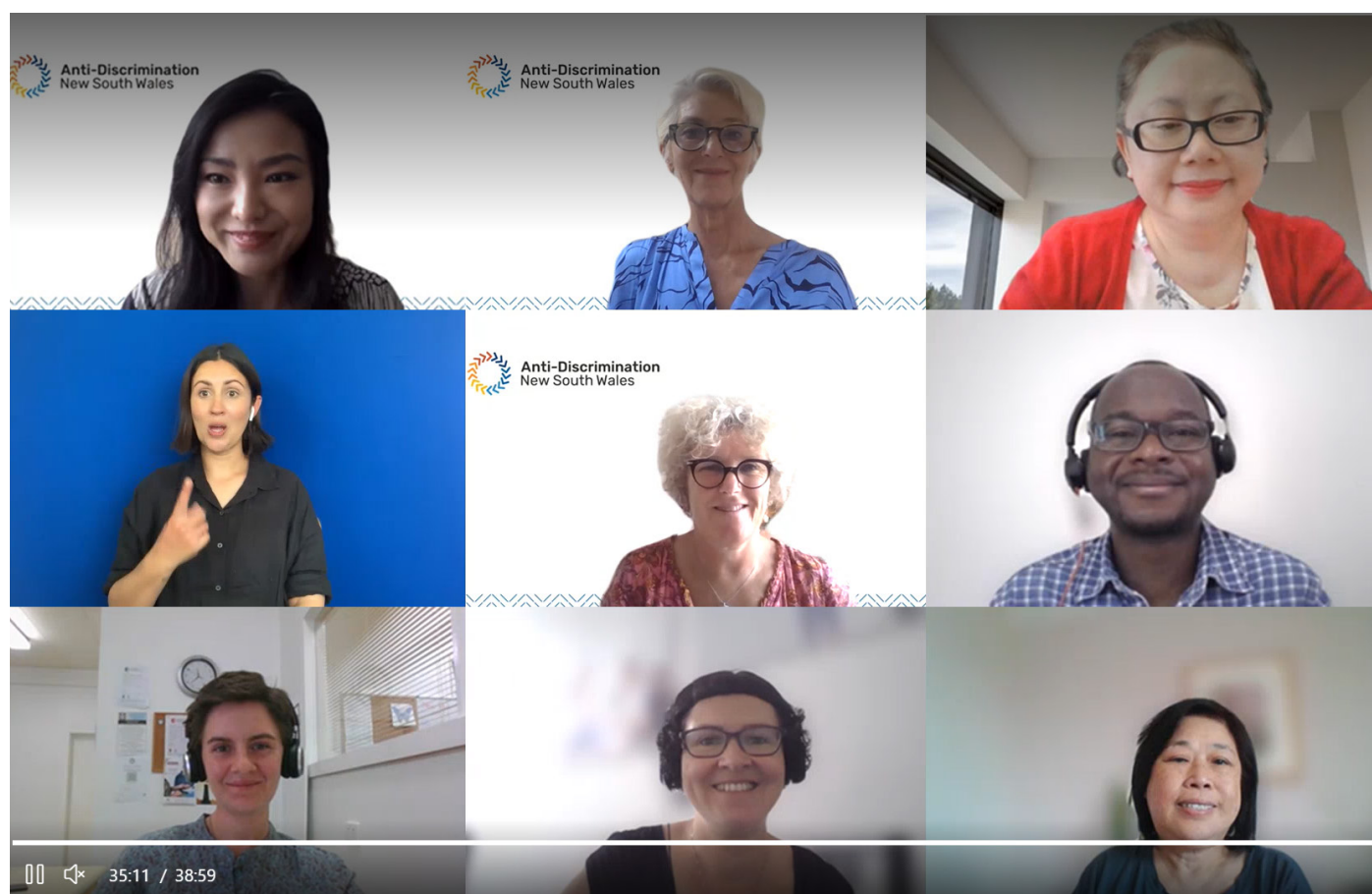
- NSW Parliamentary Inquiry into improving crisis communications to culturally and linguistically diverse communities
- Federal Religious Discrimination Bill 2021. ADNSW made submissions to the Parliamentary Joint Committee on Human Rights, and to the Senate Legal and Constitutional Affairs Legislation Committee. Both Committees reported on 4 February 2022
- NSW Crimes Amendment (Display of Nazi Symbols) Bill 2021
- National Anti-Racism Framework
- Women's Economic Opportunity Review Panel
- Respect@Work Report by the federal Sex Discrimination Commissioner
- Disability inclusion guidelines
- Online Guide to Hate Crime and Hate Incidents
- Multicultural data project.

The Governance and Advice team led a significant internal compliance and records management reform, including a project to update ADNSW's record management systems, with the organisation transitioning to an updated electronic document and records management system. The team also coordinated a significant digitisation project to ensure historic paper records were preserved as ADNSW transitioned to a paperless office environment.

The Governance and Advice team works with colleagues across ADNSW on internal policies and projects to improve service delivery, reduce errors, and ensure consistent information and resources are available to staff.

The team regularly liaises with the Department of Communities and Justice and other government departments, ranging from working groups targeting improvement in government inclusion and equality, to providing feedback in response to Ministerial questions and correspondence, and responding to applications under the *Government Information (Public Access) Act 2009*. This liaison includes membership of the NSW Community Resilience and Response Plan (COMPLAN) Committee, which is chaired by Multicultural NSW.

The team also manages any litigation involving ADNSW.



Conciliation officers Tory (top centre) and Sally (middle centre) host disability discrimination webinar, October 2021

# Exemptions and certifications

## Exemptions and certifications

The Act 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 75\* applications for exemptions under section 126 of the Act (one was an application to vary an existing exemption).

- 64 section 126 exemptions were granted; three were a variation of an existing exemption
- eight applications were either withdrawn or not proceeded with
- three applications were refused.

Most exemptions granted related to education, training and employment of women (17%) and Aboriginal and Torres Strait Islander people (75%). We received applications from the private sector, government departments, local councils, universities, and non-government organisations. ADNSW has seen significant growth in the volume of exemption applications received in the past decade, which appears to be the result of organisations' increased focus on diversity and inclusion in the workplace.

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

\*Please note: The number of exemption applications received in a reporting period might not match the number granted/withdrawn/refused as some applications will still be in progress at the end of the financial year.

## 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 2021-22, there were two applications for certification under section 126A. The Attorney General granted both certifications.

The full list of exemptions and certifications is provided in Appendix 3: Granted exemptions and certifications 2021-22.

## #BreakTheBias



ADNSW staff mark  
International  
Women's Day,  
March 2022



# Financial report

This year, our net cost of services show that we were underspent by \$366,352, representing 8% of our budget. The underspend was in employee related costs, arising from some vacant positions during the year.

Our other operating expenses budget was fully utilised to resume activities that were placed on hold due to the COVID-19 pandemic. The Resolve Project (case management software) required advance payment for licenses, and this resulted in a 2% overspend on our operating expenses.

As confirmed by our Board last year, the revenue target will no longer appear on our Financial Statement from this year onwards.

Table 3: Full year financials 2021-22

Anti-Discrimination NSW	Actual \$	Budget \$	Variance \$	Variance %
Employee related	3,077,659	3,389,918	312,259	9%
Other operating	906,318	886,193	-20,125	-2%
<b>Total expenses (before non-cash items)</b>	<b>3,983,977</b>	<b>4,276,111</b>	<b>292,135</b>	<b>7%</b>
Total revenue	-184	-	184	-
<b>Net cost of services (before non-cash items)</b>	<b>3,983,792</b>	<b>4,276,111</b>	<b>292,319</b>	<b>7%</b>
Crown liabilities	30,821	104,476	73,656	70%
Depreciation	122,843	123,220	377	0%
Gains and losses	-	-	-	-
<b>TOTAL NET COST OF SERVICES</b>	<b>4,137,456</b>	<b>4,503,808</b>	<b>366,352</b>	<b>8%</b>



# Cyber security policy attestation

ADNSW operates under the umbrella of the Department of Communities and Justice and several key support functions such as human resources, asset management and information technology are provided to ADNSW by the Department.

The NSW Cyber Security Policy outlines the mandatory requirements to which all NSW Government departments must adhere to ensure cyber security risks to their information and systems are appropriately managed.

The Cyber Security Annual Attestation Statement for the 2021-22 Financial Year is held by the Department of Communities and Justice (DCJ).

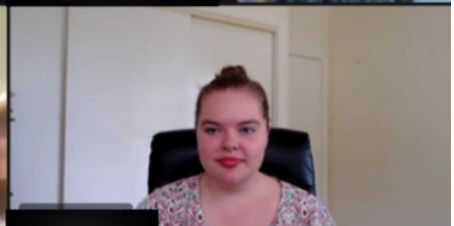
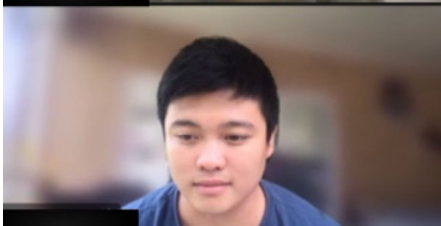
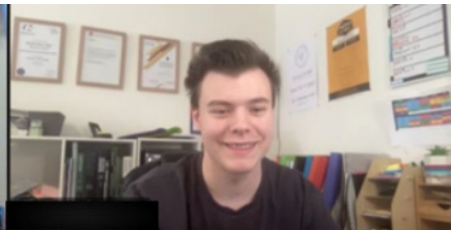
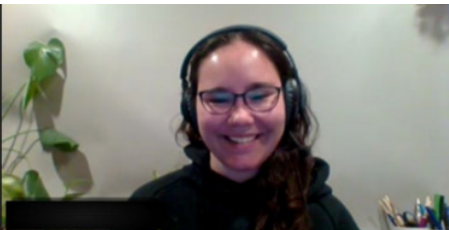
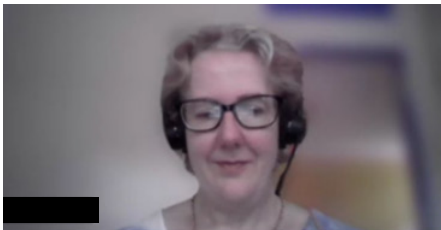
DCJ manages cyber security risks for ADNSW in a manner consistent with the mandatory requirements set out in the NSW Government Cyber Security Policy and in alignment with DCJ's enterprise risk management framework.

## IDAHOBIT - 17 May



f @antidiscriminationNSW  
 t @ad\_nsw

Anti-Discrimination  
 New South Wales



Top: ADNSW staff wear rainbow on International Day Against Homophobia, Biphobia, Intersexism and Transphobia, May 2022  
 Bottom: Assistant Community Engagement Officer Claire (top left) facilitates a discrimination workshop with the Youth Advisory Council (Advocate for Children and Young People), February 2022





# Appendices

## Appendix 1: Enquiries by type of discrimination and public area 2021-22

☒ Not applicable

		Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vilification	HIV/AIDS vilification	Transgender vilification	Area not covered	Total	%
Type of discrimination	Disability	255	400	54	41	22	2	☒	☒	☒	☒	54	828	28.6%
	Sex – includes pregnancy and breastfeeding	106	27	1	5	2	0	☒	☒	☒	☒	8	149	5.1%
	Sexual harassment	57	2	3	2	0	0	☒	☒	☒	☒	4	68	2.3%
	Race	123	73	18	15	2	1	☒	☒	☒	☒	29	261	9.0%
	Age	47	46	10	5	2	2	☒	☒	☒	☒	15	127	4.4%
	Carer's responsibilities	61	☒	☒	☒	☒	0	☒	☒	☒	☒	3	64	2.2%
	Homosexuality	14	6	2	3	0	0	☒	☒	☒	☒	5	30	1.0%
	Transgender	10	13	0	1	1	0	☒	☒	☒	☒	4	29	1.0%
	Victimisation	17	6	0	2	1	0	☒	☒	☒	☒	2	28	1.0%
	Marital status	3	4	4	0	0	0	☒	☒	☒	☒	2	13	0.4%
	Racial vilification	☒	☒	☒	☒	☒	☒	13	☒	☒	☒	13	13	0.4%
	Homosexual vilification	☒	☒	☒	☒	☒	☒	☒	8	☒	☒	8	8	0.3%
	HIV/AIDS vilification	☒	☒	☒	☒	☒	☒	☒	☒	1	☒	1	1	0.0%
	Transgender vilification	☒	☒	☒	☒	☒	☒	☒	☒	☒	4	4	4	0.1%
	Ground not covered	345	295	39	18	12	2	☒	☒	☒	☒	560	1,271	43.9%
	<b>Total</b>	<b>1,038</b>	<b>872</b>	<b>131</b>	<b>92</b>	<b>42</b>	<b>7</b>	<b>13</b>	<b>8</b>	<b>1</b>	<b>4</b>	<b>686</b>	<b>2,894</b>	<b>100%</b>
	%	35.9%	30.1%	4.5%	3.2%	1.5%	0.2%	0.4%	0.3%	0.0%	0.1%	23.7%	100%	

## Appendix 2: Complaints by type of discrimination and public area 2021-22

☒ Not applicable

		Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vilification	HIV/AIDS vilification	Transgender vilification	Area not covered	Total	%
Type of discrimination	Disability	241	336	20	33	11	4	☒	☒	☒	☒	19	664	40.8%
	Sex – includes pregnancy and breastfeeding	68	26	4	2	5	1	☒	☒	☒	☒	1	107	6.6%
	Sexual harassment	53	3	1	1	0	0	☒	☒	☒	☒	0	58	3.6%
	Race	74	100	13	14	6	0	☒	☒	☒	☒	12	219	13.5%
	Age	28	39	8	3	0	0	☒	☒	☒	☒	10	88	5.4%
	Carer's responsibilities	38	3	☒	☒	☒	0	☒	☒	☒	☒	5	45	2.8%
	Homosexuality	5	6	2	1	0	0	☒	☒	☒	☒	0	14	0.9%
	Transgender	3	13	2	0	0	0	☒	☒	☒	☒	0	18	1.1%
	Victimisation	49	27	5	2	5	0	☒	☒	☒	☒	4	92	5.7%
	Marital status	7	7	6	0	1	0	☒	☒	☒	☒	2	23	1.4%
	Racial vilification	1	8	☒	☒	1	☒	10	☒	☒	☒	1	21	1.3%
	Homosexual vilification	1	2	☒	☒	1	☒	☒	1	☒	☒	☒	5	0.3%
	Transgender vilification	☒	☒	☒	☒	☒	☒	☒	☒	☒	4	☒	4	0.2%
	Aiding an unlawful act	4	3	2	0	0	0	☒	☒	☒	☒	0	9	0.6%
	Ground not covered	153	61	1	3	5	0	☒	☒	☒	☒	36	259	15.9%
<b>Total</b>		<b>725</b>	<b>633</b>	<b>64</b>	<b>59</b>	<b>35</b>	<b>5</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>90</b>	<b>1,626</b>	<b>100%</b>
<b>%</b>		<b>44.6%</b>	<b>38.9%</b>	<b>3.9%</b>	<b>3.6%</b>	<b>2.2%</b>	<b>0.3%</b>	<b>0.6%</b>	<b>0.1%</b>	<b>0.0%</b>	<b>0.2%</b>	<b>5.5%</b>	<b>100%</b>	

## Appendix 2A: COVID-19-related enquiries and complaints 2021-22

### COVID-19-related enquiries 2021-22

Type of enquiry	Total	%
Face masks	214	24.7%
Vaccination	472	54.4%
COVID-19 other	181	20.9%
<b>Total COVID-19-related enquiries</b>	<b>867</b>	<b>100%</b>

### COVID-19-related complaints by type of discrimination and public area 2021-22

☒ Not applicable

Type of discrimination		Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vilification	HIV/AIDS vilification	Transgender vilification	Area not covered	Total	%
Type of discrimination	Disability	147	193	0	6	5	0	☒	☒	☒	☒	6	<b>357</b>	58.6%
	Sex – includes pregnancy and breastfeeding	4	0	0	0	0	0	☒	☒	☒	☒	0	<b>4</b>	0.7%
	Race	0	3	0	0	0	0	☒	☒	☒	☒	0	<b>3</b>	0.5%
	Age	1	6	0	0	0	0	☒	☒	☒	☒	4	<b>11</b>	1.8%
	Carer's responsibilities	6	☒	☒	☒	☒	☒	☒	☒	☒	☒	0	<b>6</b>	1.0%
	Victimisation	2	2	0	0	1	0	☒	☒	☒	☒	0	<b>5</b>	0.8%
	Ground not covered	139	47	0	1	5	0	☒	☒	☒	☒	31	<b>223</b>	36.6%
<b>Total</b>		<b>299</b>	<b>251</b>	<b>0</b>	<b>7</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>41</b>	<b>609</b>	100%
<b>%</b>		49.1%	41.2%	0.0%	1.1%	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%	6.7%	100%	

## Appendix 2B: Enquiries and complaints by Aboriginal and Torres Strait Islander people 2021-22

### Enquiries by Aboriginal and Torres Strait Islander people 2021-22

Type of enquiry	All enquiries	Aboriginal and Torres Strait Islander enquiries	%
Phone	2,231	91	4.1%
Written	660	8	1.2%
Face to face	3	0	0.0%
<b>Total</b>	<b>2,894</b>	<b>99</b>	<b>3.4%</b>

### Complaints by Aboriginal and Torres Strait Islander people by type of discrimination and public area 2021-22

☒ Not applicable

		Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Area not covered	Total	%
Type of discrimination	Disability	6	11	0	0	0	1	☒	2	20	25.6%
	Sex – includes pregnancy and breastfeeding	5	3	0	0	0	0	☒	0	8	10.3%
	Sexual harassment	2	0	0	0	0	0	☒	0	2	2.6%
	Race	12	14	3	3	0	0	☒	1	33	42.3%
	Age	0	1	0	0	0	0	☒	0	1	1.3%
	Carer's responsibilities	1	☒	☒	☒	☒	0	☒	1	2	2.6%
	Homosexuality	1	0	0	0	0	0	☒	0	1	1.3%
	Victimisation	4	2	0	0	1	0	☒	0	7	9.0%
	Racial vilification	☒	☒	☒	☒	☒	☒	2	☒	2	2.6%
	Ground not covered	1	1	0	0	0	0	☒	0	2	2.6%
<b>Total</b>		<b>32</b>	<b>32</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>78</b>	100%
<b>%</b>		41.0%	41.0%	3.8%	3.8%	1.3%	1.3%	2.6%	5.1%	100%	



## Appendix 2C: Employment complaints 2021-22

### Types of employment complaints 2021-22

Type of complaint	Total	%
Work environment and harassment	470	64.8%
Dismissal	119	16.4%
Recruitment/selection	65	9.0%
Classification/benefits	41	5.7%
Transfer	19	2.6%
Retrenchment/redundancy	8	1.1%
Promotion	2	0.3%
Demotion	1	0.1%
<b>Total</b>	<b>725</b>	<b>100%</b>

### Types of employer 2021-22

Type of employer	Total	%
State government department	284	39.2%
Private enterprise	228	31.4%
Individual	49	6.8%
Educational authority - private	39	5.4%
Educational authority - public	28	3.9%
Hospital	26	3.6%
Non-profit association	23	3.2%
State government statutory authority	20	2.8%
Local government	11	1.5%
Other	10	1.4%
Not known	4	0.6%
Registered club	1	0.1%
Commonwealth department	1	0.1%
Government business enterprise	1	0.1%
<b>Total</b>	<b>725</b>	<b>100%</b>

## Appendix 3: Granted exemptions and certifications 2021-22

### Granted exemptions

Organisation	Description	Sections	Granted
<b>Anglicare</b>	To advertise, designate and recruit for 21 positions for Aboriginal and Torres Strait Islander persons only in pursuance of its goal of a 7% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 07/09/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 06/09/2031
<b>A T Kearney Australia Ltd</b>	To advertise and designate scholarship positions for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 14/06/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 13/06/2032
<b>Albury City Council</b>	To advertise, designate and recruit up to 11 positions for Aboriginal or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 31/05/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 30/05/2032
<b>Aristocrat Technologies Australia Pty Ltd</b>	To advertise, designate and recruit up to 10 positions per year in its Field Services division for women only.	25 & 51	<b>Granted</b>
			<b>Decision date</b> 19/05/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 18/05/2027
<b>Australia and New Zealand Banking Group Ltd and its wholly owned subsidiaries</b>	To run women's leadership programs and initiatives for women only.	25, 26, 27 & 51	<b>Granted</b>
			<b>Decision date</b> 17/03/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 16/03/2027
<b>Australian Children's Education and Care Quality Authority</b>	To advertise, designate and recruit an internship position for an Aboriginal or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 13/08/2021
			<b>Length</b> 4 years
			<b>Expiry</b> 12/08/2025

Organisation	Description	Sections	Granted
<b>Australian College of Nursing</b>	To advertise and designate up to five scholarships per year for Aboriginal and Torres Strait Islander persons only and two positions per year for Aboriginal and Torres Strait Islander persons only, including the role of First Nations Officer.	8, 17 & 51	<b>Granted</b>
			<b>Decision date</b> 09/06/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 08/06/2032
<b>Australian Indigenous Minority Supplier Office trading as 'Supply Nation'</b>	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	<b>Granted</b>
			<b>Decision date</b> 16/03/2022 (variation of order on 29/04/2019)
			<b>Length</b> 10 years
			<b>Expiry</b> 28/04/2029
<b>Australian Publishers Association Ltd</b>	To advertise and designate one position in its Australian Publishing Internship Program for an Aboriginal or Torres Strait Islander person only.	13, 19 & 51	<b>Granted</b>
			<b>Decision date</b> 07/09/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 06/09/2026
<b>Australian Wildlife Conservancy</b>	To advertise, designate and recruit for one intern per year for its Australian Wildlife Conservancy Ecology & Conservation Internship Program for an Aboriginal and/or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 12/11/2021
			<b>Length</b> 4 years
			<b>Expiry</b> 11/11/2025
<b>Blue Mountains City Council</b>	To designate and recruit one traineeship position per year for an Aboriginal or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 13/01/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 12/01/2032
<b>Booroongen Djugun Ltd</b>	To advertise, designate and recruit positions for Aboriginal and Torres Strait Islander persons only including: the chief executive officer, training and college manager and the sector support & development officer; up to 50% of community care home support and community care support roles; up to 50% of administrative support and clerical roles; and up to 70% of aged care and clinical roles (including registered nurses, enrolled nurse, nursing assistant team leader, nursing assistant, trainee nursing assistant, cook, kitchen catering assistant and recreation activity officer).	8 & 51	<b>Granted</b>
			<b>Decision date</b> 04/03/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 03/03/2032
<b>Bridge Housing Ltd</b>	To advertise, designate and recruit roles for Aboriginal and Torres Strait Islander persons only in pursuit of a 5% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 10/05/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 09/05/2027

Organisation	Description	Sections	Granted
<b>Bupa HI Holdings Pty Ltd</b>	To advertise, designate and recruit roles for Aboriginal and Torres Strait Islander persons only in pursuit of a 3% Aboriginal and Torres Strait Islander workforce participation rate and to implement its First Nations Cultural Leave Policy for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 07/03/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 06/03/2032
<b>Capgemini Australia Pty Ltd</b>	To advertise, designate and recruit positions for women only in pursuit of a 40% workforce participation rate, including up to 40% of roles at management level. To offer positions only to women, and women over 40 years of age, in its Restart Program. To advertise, designate and recruit positions for Aboriginal and Torres Strait Islander persons only in pursuit of a 3% workforce participation rate, including up to 3% of roles at management level. To offer positions to Aboriginal and Torres Strait Islander persons only in its digital literacy program.	8, 19, 25, 33, 49ZB & 49ZYN	<b>Granted</b>
			<b>Decision date</b> 01/11/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 31/10/2026
<b>Caritas Australia</b>	To advertise, designate and recruit the position of First Australians Design, Monitoring, Evaluation and Learning Lead for an Aboriginal and Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 17/05/2022
			<b>Length</b> 3 years
			<b>Expiry</b> 16/05/2025
<b>City of Parramatta Council</b>	To advertise, designate and recruit the position of Keeping Place Officer for an Aboriginal or Torres Strait Islander person only; and provide access to sacred materials held at Keeping Place to Aboriginal and Torres Strait Islanders only.	8, 19 & 51	<b>Granted</b>
			<b>Decision date</b> 04/04/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 03/04/2032
<b>City of Sydney Council</b>	To advertise, designate and recruit the positions of Community Development Officer and Apprentice Gardener for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 16/11/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 15/11/2026
<b>City of Sydney Council</b>	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	<b>Granted</b>
			<b>Decision date</b> 13/07/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 12/07/2026
<b>City of Sydney Council</b>	To advertise, designate and recruit the positions of Workforce Advisor for Aboriginal or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 09/06/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 08/06/2027

Organisation	Description	Sections	Granted
<b>City of Sydney Council</b>	To conduct targeted recruitment programs, including using advertising and specialist recruitment agencies, to Aboriginal and Torres Strait Islanders only; and Fast track Aboriginal and Torres Strait Islander applicants only to interview, provided they satisfy the essential role requirements. As a condition of this exemption, the City of Sydney Council is required to make public on its careers website its policy of fast tracking Aboriginal and Torres Strait Islander applicants only to interview, provided they satisfy the essential role requirements.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 19/05/2022
			<b>Length</b> 4 years
			<b>Expiry</b> 18/05/2026
<b>Coffs Harbour City Council</b>	To advertise, designate and recruit Trainee Environmental Health Officer positions for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 14/12/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 13/12/2031
<b>Colin Biggers and Paisley Pty Ltd</b>	To advertise, designate and recruit five cadets per year for its Indigenous Cadetship program for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 01/09/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 31/08/2026
<b>Community Service Central Coast</b>	To advertise, designate and recruit three traineeship positions for Aboriginal or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 01/09/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 31/08/2026
<b>Department of Communities and Justice, Office of the Senior Practitioner</b>	To advertise, designate and recruit the position of Director, Aboriginal Culture in Practice to an Aboriginal or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 18/02/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 17/02/2032
<b>Essential Energy</b>	To advertise, designate and recruit up to 10 positions per year for Aboriginal and Torres Strait Islanders only in pursuit of a 6% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 19/05/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 18/05/2032
<b>Finder Crew Pty Ltd</b>	To advertise, designate and recruit up to 15 technology graduate positions per year for women only.	25 & 51	<b>Granted</b>
			<b>Decision date</b> 04/04/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 03/04/2027



Organisation	Description	Sections	Granted
Foxtel Group	To advertise, designate and recruit up to six positions per year for women only in its sports media and technology graduate program.	25 & 51	Granted
			Decision date 18/02/2022
			Length 10 years
			Expiry 17/02/2032
GHD Pty Ltd	To implement its Cultural Leave Policy for Aboriginal and Torres Strait Islander persons only.	8	Granted
			Decision date 19/07/2021
			Length 10 years
			Expiry 18/07/2031
Google Australia Pty Ltd	To advertise, designate and recruit up to 20 traineeship positions per year for Aboriginal and Torres Strait Islander persons only; five permanent positions per year for Aboriginal and Torres Strait Islander persons only and 10 internship positions per year for Aboriginal and Torres Strait Islander persons only.	8 & 51	Granted
			Decision date 18/02/2022
			Length 10 years
			Expiry 17/02/2032
Habitat for Humanity	To advertise, designate and recruit women only for its Social Enterprise and to use women only tradespersons to provide services to accommodation service providers for women.	25, 33 & 51	Granted
			Decision date 21/07/2021
			Length 7 years
			Expiry 20/07/2028
Hanson Construction Materials Pty Ltd	To advertise, designate and recruit up to 20 truck driver positions per year for women only.	25 & 51	Granted
			Decision date 03/12/2021
			Length 2 years
			Expiry 02/12/2023
Holroyd/ Parramatta Mobile Minders	To advertise, designate and recruit the positions of casual Early Childhood Educator for Aboriginal or Torres Strait Islander persons only.	8 & 51	Granted
			Decision date 09/06/2022
			Length 2 years
			Expiry 08/06/2024
Hunter Water	To advertise, designate and recruit roles for Aboriginal and Torres Strait Islander persons only in pursuit of a 3.8% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	Granted
			Decision date 09/06/2022
			Length -
			Expiry 31/12/2026

Organisation	Description	Sections	Granted
<b>Insurance Australia Group Ltd</b>	To deliver its Women in Risk Awards program for women only.	25 & 51	<b>Granted</b>
			<b>Decision date</b> 31/05/2022
			<b>Length</b> 3 years
			<b>Expiry</b> 30/05/2025
<b>Joblink Plus Limited</b>	To advertise and designate up to 25 positions in its Indigenous Traineeship Program for Aboriginal and Torres Strait Islanders only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 07/09/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 06/09/2026
<b>Lake Macquarie City Council</b>	To advertise, designate and recruit for the position of Trainee Environment Health Officer for an Aboriginal and/or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 21/09/2021
			<b>Length</b> 8 years
			<b>Expiry</b> 20/09/2029
<b>Macquarie University</b>	To advertise, facilitate, and offer placements to people who identify as Aboriginal and Torres Strait Islander; African or Middle Eastern; or from a non-English speaking background only in the Macquarie Diversity in Media Project (MDMP).	17 & 51	<b>Granted</b>
			<b>Decision date</b> 09/06/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 08/06/2027
<b>Maitland City Council</b>	To advertise, designate and recruit a traineeship position for an Aboriginal or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 18/03/2022
			<b>Length</b> 2 years
			<b>Expiry</b> 17/03/2024
<b>Maitland City Council</b>	To advertise, designate and recruit one Environmental Health Officer cadet for an Aboriginal and Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 10/09/2021
			<b>Length</b> 6 years
			<b>Expiry</b> 09/09/2027
<b>Momentum Collective</b>	To advertise, designate and recruit five domestic violence case worker roles per year for women only and three Specialist Homelessness Services Case Workers per year for Aboriginal and Torres Strait Islander people only.	8, 25 & 51	<b>Granted</b>
			<b>Decision date</b> 17/03/2022
			<b>Length</b> 2 years 3 months
			<b>Expiry</b> 30/06/2024

Organisation	Description	Sections	Granted
<b>Moray and Agnew</b>	To advertise, designate and recruit one lawyer for an Aboriginal and Torres Strait Islander person only to work under secondment at the Public Interest Advocacy Centre.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 01/11/2021
			<b>Length</b> 8 years
			<b>Expiry</b> 31/10/2029
<b>Narnia Early Learning Young</b>	To advertise, designate and recruit one Aboriginal Liaison Officer for an Aboriginal or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 21/01/2022
			<b>Length</b> 3 years
			<b>Expiry</b> 20/01/2025
<b>Narrabri Shire Council</b>	To advertise, designate and recruit Aboriginal or Torres Strait Islander Health Environmental Traineeship positions for Aboriginal or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 07/03/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 06/03/2032
<b>Northern Rivers Social Development Council Ltd trading as 'Social Futures'</b>	To advertise, designate and recruit an Aboriginal Program Worker for an Aboriginal or Torres Strait person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 28/04/2022
			<b>Length</b> 3 years
			<b>Expiry</b> 30/06/2025
<b>NSW Aboriginal Land Council</b>	To advertise, designate and recruit roles for Aboriginal and Torres Strait Islander people only in pursuance of its goal of a 75% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 04/04/2022
			<b>Length</b> -
			<b>Expiry</b> 03/04/2027
<b>NSW Council for Intellectual Disability</b>	To advertise, designate and recruit project worker and project assistant roles for people who self-identify as having an intellectual disability.	49D & 51	<b>Granted</b>
			<b>Decision date</b> 16/03/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 15/03/2032
<b>Parramatta City Council</b>	To advertise, recruit and employ the position of Host and Guide for an Aboriginal and/or Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 11/10/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 10/10/2031

Organisation	Description	Sections	Granted
<b>Public Interest Advocacy Centre</b>	To designate and recruit the positions of Project Officer and Senior Project Officer, Towards Truth, for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 09/12/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 08/12/2031
<b>Qantas Group and subsidiaries</b>	To advertise, designate and recruit roles for Aboriginal and Torres Strait Islander persons only in pursuance of a 3% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 20/01/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 07/01/2032
<b>ReachOut Australia</b>	To advertise, designate and recruit positions for Aboriginal and Torres Strait Islander persons only to achieve a 7% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 28/04/2022
			<b>Length</b> 10 years
			<b>Expiry</b> 27/04/2032
<b>Redfern Legal Centre</b>	To advertise, designate and recruit one paralegal position for an Aboriginal and Torres Strait Islander person only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 13/07/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 12/07/2026
<b>Rohde and Schwarz (Australia) Pty Ltd</b>	For full details of the terms of the exemption see NSW Government Gazette of 22/10/2021.	8, 10 & 51	<b>Granted</b>
			<b>Decision date</b> 18/10/2021
			<b>Length</b> 6 months
			<b>Expiry</b> 17/04/2022
<b>Seek Limited</b>	To advertise and offer one scholarship per year in the Strategy team for women only.	25, 33 & 51	<b>Granted</b>
			<b>Decision date</b> 01/11/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 31/10/2031
<b>Sydney Water Corporation</b>	To advertise, designate and recruit for up to 10 positions per year for women only.	25 & 51	<b>Granted</b>
			<b>Decision date</b> 17/12/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 16/12/2026

Organisation	Description	Sections	Granted
Sydney Water Corporation	To advertise, designate and recruit four undergraduates, five graduate positions, five trainee positions and five experienced hires per year for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 03/08/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 02/08/2026
Tamworth Regional Council	To designate and recruit a Trainee Environmental Health Officer position for Aboriginal and Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 13/07/2021 (variation of the order on 19/12/2017)
			<b>Length</b> 6 years
			<b>Expiry</b> 12/07/2027
TPG Telecom Limited (formerly)	To introduce initiatives to improve the representation of women at senior leadership level.	25 & 51	<b>Granted</b>
			<b>Decision date</b> 21/01/2022 (variation of order on 23/03/2018)
			<b>Length</b> 5 years
			<b>Expiry</b> 22/03/2023
Transport for NSW Cluster – comprising of Transport for NSW, the State Transit Authority, Sydney Trains, NSW Trains, Sydney Metro Authority and Point to Point Commission	To implement diversity and inclusion programs for designated target groups including women, Aboriginal and Torres Strait Islanders, people with a specific disability and people under the age of 25. For full details, see NSW Government Gazette 14/04/2022.	8, 10, 25, 27, 49D, 49F, 49ZYB, 49ZYD & 51	<b>Granted</b>
			<b>Decision date</b> 14/04/2022
			<b>Length</b> 5 years
			<b>Expiry</b> 13/04/2027
University of New South Wales and UNSW Global Pty Limited	To provide financial tuition scholarships to students from specified countries (for full details see NSW Government Gazette of 19/11/2021).	17 & 51	<b>Granted</b>
			<b>Decision date</b> 12/11/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 11/11/2026
University of Sydney	To conduct targeted recruitment programs for Aboriginal and Torres Strait Islander persons and for women.	8, 25 & 51	<b>Granted</b>
			<b>Decision date</b> 11/10/2021
			<b>Length</b> 5 years
			<b>Expiry</b> 10/10/2026



Organisation	Description	Sections	Granted
University of Sydney	To offer, advertise and facilitate programs for women only across disciplines where there is a gender imbalance.	25, 31A & 51	<b>Granted</b>
			<b>Decision date</b> 07/09/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 06/09/2031
We Care NSW	To advertise, designate and recruit roles for Aboriginal and Torres Strait Islander persons only in pursuit of a 50% Aboriginal and Torres Strait Islander workforce participation rate and disability support worker roles for persons of a particular sex to meet the needs of participants.	8, 10, 25, 27 & 51	<b>Granted</b>
			<b>Decision date</b> 26/10/2021
			<b>Length</b> 10 years
			<b>Expiry</b> 25/10/2031

## Granted certifications

Organisation	Description	Granted
Chill (SYD) Pty Ltd	To offer and advertise driver training programs for Light Rigid, Medium Rigid and Heavy Rigid vehicle licences for women only.	<b>Granted</b>
		<b>Decision date</b> 28/10/2021
		<b>Length</b> 5 years
Pop In	To run a domestic violence drop-in and case management service for women and children only.	<b>Granted</b>
		<b>Decision date</b> 24/07/2021
		<b>Length</b> 10 years





We are committed to eliminating discrimination and promoting equality and equal treatment for everyone in New South Wales, including by resolving enquiries and complaints, raising awareness about discrimination and its impacts, and taking action to influence change.

We support the President and the Board in the performance of their functions under the *Anti-Discrimination Act 1977*.



**Anti-Discrimination**  
New South Wales

**Enquiries and complaints**

Phone (02) 9268 5544

Toll free number 1800 670 812

[complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@justice.nsw.gov.au)

**Telephone interpreter service**

131 450

**Website**

[antidiscrimination.nsw.gov.au](http://antidiscrimination.nsw.gov.au)

**Social media**

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 Anti-Discrimination NSW

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