



Anti-Discrimination  
New South Wales

# ADNSW annual report

2019-20

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**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.

# ADNSW annual report

2019-20





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**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), the Anti-Discrimination Board of NSW presents its Annual Report covering the period 1 July 2019 to 30 June 2020.

Yours sincerely



**The Honourable Dr Annabelle Bennett, AC SC**  
President





# Message from the President

This was a year of unprecedented changes for Anti-Discrimination NSW (ADNSW). We spent the first six months of 2019-20 applying the finishing touches to the organisational restructure which had dominated most of 2018-19. The second half of the year was focused on overcoming the operational hurdles caused by the uncertainty of the COVID-19 pandemic and the public health measures to contain it. Through the day to day leadership of the Executive Manager, Elizabeth Wing and the management team, with the strategic advice and support of the Board, those challenges became opportunities for productive and innovative change across our service delivery.

The restructure was a key milestone for ADNSW, as it established a more collaborative, proactive and strategic approach to service delivery and community engagement while leveraging our existing strengths and partnerships. I strongly believe that our achievements in the last six months were enabled by the success of the organisational restructure, which better positioned ADNSW to adapt to the changing environment of the pandemic while still providing a high standard of services to the diverse communities of NSW.

Following the creation of the new Governance and Advice team, the Regional Services team and Community Engagement team, recruitment became one of our key priorities during the first half of 2019-20. The Board and I were excited to welcome our new recruits, each bringing a broad range of skills, diverse lived and professional experiences and unique perspectives to complement our existing cohort of passionate, highly skilled and professional staff.

The Board and I were also delighted to welcome a new board member, Joanna Davidson, a distinguished barrister specialising in public law. In the latter half of 2019-20, I was also pleased to announce the reappointment of our sitting board members Melissa Monteiro, Dr Patricia Azarias and Trevor Robertson for another term. Each has demonstrated passion for, and commitment to, the work of ADNSW. I look forward to continuing our work together and I take this opportunity to express my personal gratitude to my board colleagues for their ongoing guidance and support.

In March, our office doors closed and our face to face services were either modified or postponed in response to the COVID-19 restrictions. While we were operating at reduced service levels, facing IT challenges of working remotely and adapting to the new normal, our enquiries and complaint handling services remained in high demand. At all times, our enquiries officers worked tirelessly to ensure that each person who contacted us for information

was well informed about anti-discrimination law and their rights. Despite our face to face conciliation conferences being put on hold at the beginning of the pandemic, our experienced conciliators continued to assess and investigate complaints and conducted shuttle negotiations before telephone conferencing was re-introduced.

The continued support of the Department of Communities and Justice, for which we are very much grateful, has been invaluable in providing ADNSW with the resources to help us achieve our organisational goals and deliver our important work to the people of NSW during unprecedented times.

ADNSW was fortunate to be one of the first to receive the Department's Windows 10 rollout. The new laptops, accompanied by reliable IT support, training and consistent video conferencing capabilities enabled our staff to improve our service delivery, trial video conciliation conferences and to engage with the community. The opportunity for video conferencing, along with telephone conferencing, has allowed more people to participate in the complaint handling process in a variety of ways without the need to travel — one of the many silver linings of the pandemic.

The pandemic has also ushered in a new era of unprecedented stakeholder engagement via video conferencing. Our community engagement team were quick to take advantage of these strategic opportunities to engage with existing partners and stakeholders as well as to grow our network. In addition, our community engagement officers continued to deliver online anti-discrimination information sessions, took part in panels and collaborated with state government and local councils to run several online events.

During the organisational restructure, we also pivoted towards a more proactive and strategic communications and marketing approach in order to broaden our reach, build our reputation and raise our profile on par with our interstate counterparts and federal agencies. In 2019-20, I 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.

In February this year, an Inquiry into the Anti-Discrimination Amendment (Complaint Handling) Bill 2020 was established to consider the Bill's proposed changes to the Anti-Discrimination Act 1977. With the support of our Governance and Advice team, I addressed the Parliamentary Committee as part of the inquiry's public hearings to express my views and my concerns about the proposed changes to the Act. ADNSW also made a further submission to the inquiry into the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020, which aims to make discrimination based on a person's religious beliefs or activities unlawful.

Looking ahead, there are exciting things on the horizon for ADNSW. We will continue work on our website redevelopment project, which will enable our digital transformation towards a more accessible and user-friendly

website. We are also pursuing a partnership in an academic research project, the details of which will be announced later in the year.

As we continue to work remotely for the foreseeable future, the Department is co-ordinating COVID-Safe workplace safety plans across the entire cluster with some measures already in place. Elizabeth, with the assistance of the Business Support team and the managers, is continuing to implement the necessary safety measures for our eventual return to the office.

It is without a doubt that the pandemic has thrown into sharp relief the important work 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. Finally, I want to thank Elizabeth, the managers and staff — to each and every one of my co-workers for their hard work, resilience and flexibility during unprecedented times and their unwavering commitment to eliminating discrimination — thank you!



**The Honourable Dr Annabelle Bennett, AC SC**  
President

# Establishment of the Anti-Discrimination Board of NSW

The Act 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.

Board Member Melissa Montiero, with guest speakers Aunty Laura Sabatino, Maha Krayem Abdo OAM, and Aunty Rhonda Randall at our International Women's Day event.





# Members of the Board

## President

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**The Honourable Dr Annabelle Bennett, AC SC**, a retired judge of the Federal Court of Australia, is the President of the Board. Dr Bennett is also the Chancellor of Bond University, a Commissioner of the NSW Law Reform Commission and 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 member

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**Melissa Monteiro** is the CEO of Community Migrant Resource Centre and has more than 25 years of experience in the community sector. Melissa is also the Chairperson of Settlement Council of Australia, and member of the National Settlement Services Advisory Council.



**Joanna Davidson** is a barrister at Sixth Floor Selborne Wentworth Chambers. 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.



**Dr Patricia Azarias** is a Senior Public Finance Advisor to the United Nations in Papua New Guinea. Dr Azarias was the Deputy Chair of the NSW Community Relations Commission.



**Trevor Robertson** is the Managing Director of Capital Knowledge. Trevor was a First Assistant Secretary of the Federal Attorney General's Department.















## Our Values

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Service  
Trust  
Accountability  
Integrity  
Respect

## Our Voice

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Understanding  
Consistent  
Inclusive  
Clarity

# New South Wales is free of discrimination

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

# 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 conciliating 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 commenced working from home on 23 March 2020. We also implemented several changes to our services on this date. We converted from paper-based documentation to digital records. We ceased face to face services across the business, and instead engaged with stakeholders, clients and enquirers either by phone, video or email. Our altered service delivery model due to COVID-19 was still in place at the end of the 2019-20 financial year.

## Accessible services

The Act specifies that complaints of discrimination must be in writing. We refer clients to relevant services if they require assistance and encourage them to seek independent advice when needed as we must maintain our impartiality.

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 offices are wheelchair accessible and we can also provide access to parking.

## Regional services

ADNSW provides state-wide services and prior to the pandemic, we had been able to deliver face-to-face services to clients in regional and remote areas whenever this was possible and practicable. Our conciliation officers held conciliations and visited regional and rural areas in Griffith, Moree and Tamworth.

We have staff located in Newcastle, Wollongong and Parramatta to deliver services to clients across NSW. We aim to be as flexible as possible with service delivery, in order to meet the needs of our clients. When our staff have been unable to travel to meet with our clients, we have been able to communicate via the available technology, sometimes for the purpose of conducting conciliation conferences. We understand however that in some remote areas of NSW, access to the internet may be limited and

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

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6.9 %

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

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41



different to that available in major city centres. This access relates both to bandwidth and technological hardware and infrastructure. The telephone is still an option.

### Aboriginal and Torres Strait Islander service

Our Aboriginal and Torres Strait Islander team engages with Aboriginal and Torres Strait Islander communities to raise awareness about their rights in relation to discrimination and to educate about the impacts of discrimination. We are committed to engaging communities not just in metropolitan Sydney, but also regional areas of NSW where there is less access to services.

We attended community events in Sydney and state-wide including Walgett, Lightning Ridge, Coonamble, Moree, Kempsey, Tamworth and Port Macquarie. Altogether, our activities reached 2,907 people. Due to COVID-19, when our staff began working from home, we ceased face to face meetings and continued to engage with stakeholders and communities by video conference and teleconference.

We run the Good Service Mob forums in partnership with other agencies. This year is the 15-year anniversary of the Good Service Mob. These forums aim to provide information and services to Aboriginal and Torres Strait Islander communities across NSW. 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.



Good Service Mob forums were held in Bega, Moruya, Batemans Bay, Grafton, Coffs Harbour & Bathurst. Due to COVID-19, face to face Good Service Mob forums have been on hold but we are exploring alternative ways to run these forums, such as social media. This year we collaborated with NSW Industrial Relations and Safe Work NSW to develop employment workshops to educate employees and employers about their rights and responsibilities relating to discrimination, industrial relations and work health and safety. The first workshop was held in Emerton in November 2019, and we are exploring social media as a possible platform to run future workshops. The team ensures that we are providing culturally competent and responsive services to Aboriginal and Torres Strait Islander communities by offering information and general advice to clients who may be making initial enquiries or going through our conciliation process. In doing so, we engage in a culturally appropriate way with individuals and communities and offer support when it may be required and is consented to.

Complaints from people who identified as Aboriginal or Torres Strait Islander represent 6.9% of all

complaints received this year. The most common type of discrimination raised was race discrimination (58.5% of complaints by Aboriginal and Torres Strait Islander people). The provision of goods and services was the most common public area of complaint (63.1% of complaints by Aboriginal and Torres Strait Islander people). Employment was the second most common public area of complaint (13.8% of complaints by Aboriginal and Torres Strait Islander people).

For detailed information, see Appendix 2a: Enquiries and complaints by Aboriginal and Torres Strait Islander people in 2019-20.

## Partnerships

Since 2016, we have had a partnership with Legal Aid NSW for Legal Aid to provide an independent, free monthly legal advice service. People were able to access this service by booking an appointment to see Legal Aid NSW at our Parramatta office. Clients were able to attend the service in person at our Parramatta office or be contacted by telephone. Due to COVID-19, from March 2020 this service operated by telephone only. This year, 41 people were engaged through the service.

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Guest speakers  
Pauline David and  
Emmanuel Asante  
from the Our Voice  
program, part of  
Settlement Services  
International.









# Organisational structure

Number of staff as at 30 June 2020

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32

% of staff employed in full time equivalent roles as at 30 June 2020

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94

## Governance and Advice

Responsible for granting exemptions to the Act, targeted research projects, review of the legislation and advising government about discrimination matters.

## Community Engagement

Develops and delivers community engagement strategy, external communications and training. All staff are required to participate in community engagement.

## Enquiries and Conciliation

Manages discrimination complaints and the enquiry service.

## Regional Services

Delivers community engagement and conciliation functions in regional New South Wales. The Aboriginal and Torres Strait Islander service is also within this team.

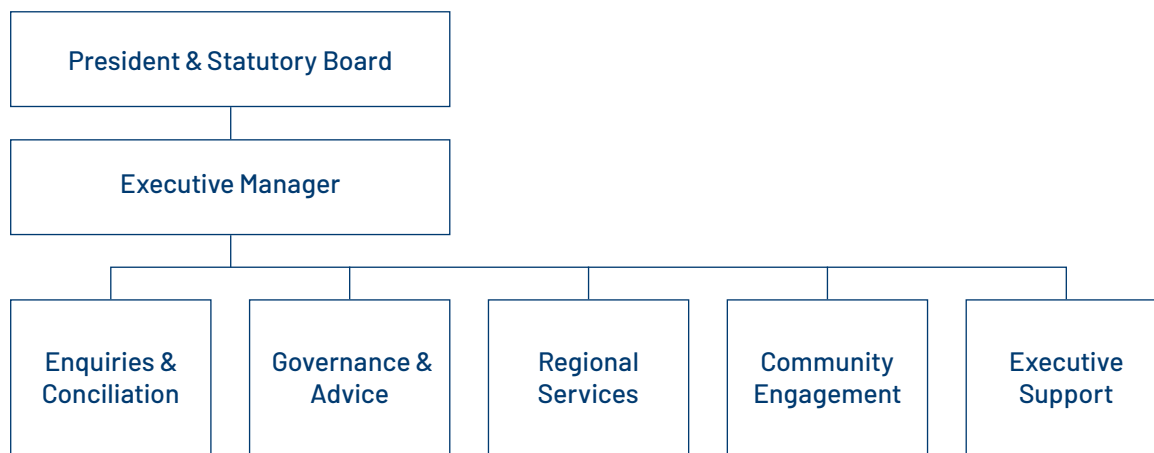
## Staff profile

As at 30 June 2020, there were 33 positions in 30 full time equivalent roles: 32 people were employed, and 1 position was vacant. 94% of employees were in permanent positions and 6% were in temporary positions.

## Service complaints

Client feedback is an essential source of information to enable us to improve our services. We received 16 service complaints. We handled these complaints according to the policy and procedures of the Department of Communities and Justice. There were 9 complainants who were dissatisfied about the level of service they received from staff. The remaining 7 complainants were unhappy with a decision made regarding a complaint of discrimination.





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Client  
feedback is  
an essential  
source of  
information to  
enable us to  
improve our  
services





# Enquiry service

Number of enquiries  
responded to this year

3,294

% of enquiries from  
individuals who wanted to  
discuss discrimination issues

90 %

Approximately 90% of enquiries were from individuals who wanted to discuss discrimination issues. This includes advocates such as solicitors and advisory services. Just over 8% of enquiries came from employers or service providers.

Most enquiries, 81%, were made by telephone. Most of the phone enquiries were resolved in less than 15 minutes. Written enquiries, including by email, social media and post, totalled 18%. The remainder were made face to face at one of our offices.

Phone enquiry numbers were significantly reduced from mid-March to June, due to COVID 19 making it necessary to change the way we provided our phone service. However, the level of written enquiries increased markedly over this period as people engaged with us via email and social media; and we had an overall increase in written enquiries of approximately 25% over the previous year.

## Most common enquiries

Disability discrimination accounted for 20.2% of enquiries and has been the most common type of discrimination raised by enquirers since 2007. Most of these enquiries related to a current physical disability or a current psychiatric disability.

We provide a free enquiry service about discrimination in NSW. People can contact the enquiry service by phone, letter or email. People can also visit our office to make an enquiry. Our enquiry service provides information about discrimination, sexual harassment, vilification and victimisation. We also provide options or strategies for individuals to address possible situations of discrimination themselves, information about ADNSW’s complaints process and how to lodge a formal complaint. When appropriate, we also refer to other services.

In March 2020 due to COVID-19, we ceased face to face enquiries and continued to provide our enquiry service by phone, letter and email. The telephone enquiry service was altered and became a call back service. Enquirers could leave a voicemail and one of our enquiry officers returned their call.

During this year, the enquiry service responded to 3,294 enquiries. There were 3,480 discrimination matters raised in these enquiries because enquiries sometimes involve more than one type of discrimination.

## Number of enquiries responded to over the last 3 years

2019-20	No.
Enquiries	3,294
Discrimination matters	3,480
2018-19	No.
Enquiries	3,597
Discrimination matters	3,863
2017-18	No.
Enquiries	3,540
Discrimination matters	3,719

Disability discrimination was mentioned in 41.7% of goods and services enquiries, and 17.5% of employment-related enquiries.

Race discrimination was the second most common type of discrimination raised in enquiries (11.9%).

Sex discrimination was the third most common type of discrimination raised in enquiries (7.4%). There were 131 enquiries (3.8%) relating to sexual harassment. Most of the sexual harassment enquiries related to employment.

Approximately 37% of all enquiries were not covered by the Act. This includes enquiries about types of discrimination and public areas not protected by the Act. 271 of these enquiries (21.3%) related to employment, of which 52 (19.2%) of these employment enquiries were about workplace harassment. Issues raised in enquiries that were not covered by the Act included religion, criminal record and other workplace grievances not related to unlawful discrimination or harassment. Most discrimination occurs in either employment or the provision of goods and services.

## Enquiries relating to COVID-19

In the first half of 2020, we received a number of enquiries relating to COVID-19. Most of the enquiries received related to the public areas of employment and goods and services. One third of the enquiries related to race discrimination. Issues raised in the enquiries included:

- racist language or abuse from customers, real estate agents or fellow students
- unfair treatment relating to requests to work from home (because of pregnancy, disability or responsibilities as a carer)
- potential exposure to COVID-19 during employment duties and being required to self-isolate without pay
- being refused service at shops, hotels and clubs.

For detailed information, see Appendix 1: Enquiries in 2018-19 by type of discrimination and public area

Figure 1:  
Enquiries by contact method

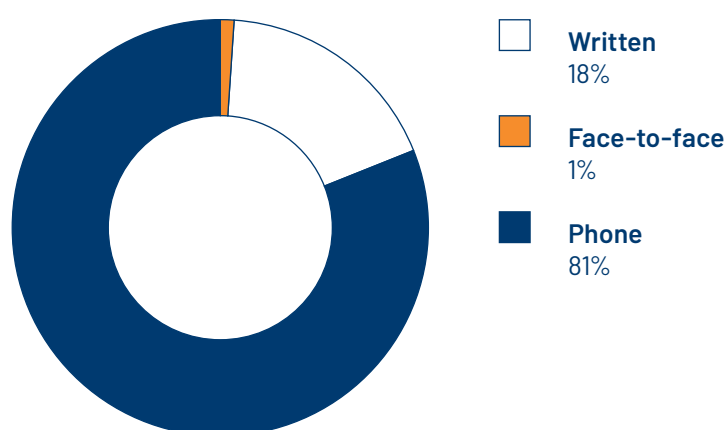


Table 1:  
Length of phone enquiry

Time	No.	%
1 – 4 minutes	721	26.8
5 – 14 minutes	1,426	53.0
15 – 29 minutes	470	17.5
30 – 59 minutes	69	2.6
1 hour or more	6	0.2
<b>Total</b>	<b>2,692</b>	<b>100</b>



Attendee displaying wristbands at the GroovAbility Festival in December 2019 in Burwood.

# Conciliation

The Act provides the legislative basis for our complaint work. We receive complaints and enquiries about a wide range of issues, but we are limited in what complaints we can accept by the grounds and areas set out in the Act. Complaints must be made in writing.

## Disability discrimination complaints

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27.8 %

When a complaint is lodged, it is assessed by a manager to see if it is about events or behaviour that is covered by the Act. At the assessment stage it can be accepted or declined, or we might contact the complainant for more information if needed. If it is accepted, the complaint is allocated to a conciliation officer who investigates the complaint by talking to the person who made the complaint and the respondent (the person or the organisation the complaint is about). The conciliation officer asks the respondent to address the allegations in the complaint, usually in writing. The complainant then has an opportunity to respond to the respondent's response. At this stage we can decide to decline the complaint for a range of reasons under the Act. For example, we can decline the complaint if the complainant has not provided sufficient evidence to support the allegations. If the complaint is declined during investigation, the complainant can ask for the complaint to be referred to the NSW Civil and Administrative Tribunal (NCAT) if they want to continue the complaint.

If the complaint is not declined at this stage, we will attempt to conciliate the complaint between the complainant and the respondent. This can be done face to face, by telephone, video conferencing or through shuttle negotiation by the conciliation officer going between the complainant and the respondent (the parties). A conciliation is an informal meeting between the parties where the parties put forward what they want to do to settle the complaint. This could be an apology, financial compensation or restoration of a job. If the complaint cannot be resolved by conciliation, it can be referred to NCAT.

A complaint can be declined, withdrawn or abandoned at any time.

Due to COVID-19, conciliation has not been able to proceed face to face since March 2020, but has been conducted by shuttle negotiation, phone and video conferencing where possible and appropriate. Despite the challenges of moving from a paper-based organisation to operating digitally, service standards have largely been maintained.

## Race discrimination complaints

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15.6 %

## Victimisation discrimination complaints

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11 %

## Sexual harassment complaints

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8.6 %



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

## Case study: sexual harassment in employment

Kim\* worked in the retail industry and said that her manager, who was also the part owner of the business, sexually harassed her when he embraced and kissed her. Her manager and the business denied that the conduct was of a sexual nature.

Kim lodged a complaint with ADNSW. During the investigation of the matter, Kim's manager died. ADNSW conducted shuttle conciliation negotiations between Kim, the business and the estate of the deceased manager. As a result of these negotiations, the complaint was settled with a mutual agreement to end Kim's employment with a termination payment provided.

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









## Most common complaints by type of discrimination

We received 943 complaints this year. Since 2011, disability discrimination has been the most common type of discrimination raised in complaints. There were 262 complaints (27.8%) of disability discrimination, which is approximately the same proportion as last year (last year was 24.7%). 116 of disability discrimination complaints were in the provision of goods and services, which is 35.3% of the total goods and services complaints.

Race discrimination was the second most common type of discrimination raised in complaints. We received 147 race discrimination complaints (15.6%). Victimisation was the third most common type of discrimination raised in complaints, totalling 104 complaints (11%). There were 81 complaints (8.6%) of sexual harassment. This is a slight decrease from last year's figure of 96 (9.3%). Most of the sexual harassment complaints related to the workplace.

For detailed information, see Appendix 2: Complaints in 2019-20 by type of discrimination and public area.

## 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, with 418 complaints (44.3%). Most of the employment complaints related to work environment or harassment. Private enterprise accounted for 51.4% of respondent employers. The most common type of discrimination in employment was disability with 93 complaints, followed by victimisation with 69 complaints, and sexual harassment with 60 complaints.

For detailed information, see Appendix 2b: Employment complaints 2019-20.

The provision of goods and services was the second most common public area of complaint with 329 complaints (34.9%). The most common type of discrimination in goods and services was disability discrimination with 116 complaints, followed by race discrimination with 75 complaints.

## Complaints relating to COVID-19

In the first half of 2020, following the declaration of the pandemic, we received a number of complaints directly relating to COVID-19. For example, due to downturn in sales, businesses may have retrenched workers. We received complaints of sex discrimination as businesses may have targeted pregnant staff or staff with a disability. We have also received complaints of race discrimination where people of Asian appearance have been refused service or refused tenancy. There have been reports in the media and to our enquiries line of racial vilification where people of Asian background have been spat at, assaulted, had their property damaged or covered in racist language referring to the pandemic. Some of the complaints we have accepted have also been reported to the Police by the complainants.



We have monitored the COVID-19 related enquiries and complaints we have received.

## Processing complaints

We aim to provide an effective and efficient complaint handling service. The complaint handling team met the targets for finalising complaints within specified timeframes (Table 2). A finalised complaint is a complaint that is resolved, referred to NCAT, declined, withdrawn or abandoned.

We finalised 1,005 complaints (91%) within 12 months of receipt, exceeding the target of 85%. The average time that was taken to finalise a complaint was 6.4 months, which is a slight increase from last year (5.4 months).

### Case study: homosexuality discrimination and victimisation

Robert\* worked in sales for a Melbourne-based company from Sydney. He was happy in his role and had a good working relationship with his colleagues and manager. One day he had a conversation with a colleague after which the colleague presumed that Robert was homosexual. This was allegedly reported to management and Robert began to experience unfavourable treatment in the workplace. For example, he was asked to relocate to Melbourne and some of his accounts were reallocated to other colleagues.

Robert made a written complaint to senior management that he felt he was being treated differently because of his presumed homosexuality and subsequently Robert's employment was terminated. Robert lodged a complaint of homosexual discrimination and victimisation with ADNSW. At a conciliation conference Robert's employer denied discriminating against and victimising him, maintaining that he was terminated because of issues with his performance. However, the employer agreed to pay an undisclosed amount to resolve the complaint.

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



Table 2: Timeframe targets for finalising complaint 2018-19

Timeframe	Target %	Actual %
less than 2 months	20	20
less than 3 months	30	42
less than 6 months	60	67
less than 12 months	85	91
less than 18 months	100	98
greater than 18 months	—	2

Table 3: Outcome of complaints finalised 2019-20

Outcomes	No.	%
Settled at or after conciliation conference	112	11.1
Settled before conciliation	83	8.3
Referred to NCAT – conciliation unsuccessful or not suitable	184	18.3
Declined before investigation – not a contravention	91	9.1
Declined before investigation – older than 12 months	27	2.7
Declined before investigation – not on behalf of complainant	17	1.7
Declined after investigation	70	7.0
Declined after investigation and referred to NCAT	79	7.9
Withdrawn	207	20.6
Discrimination matters Abandoned	135	13.4
<b>Total</b>	<b>1,005</b>	<b>100.0</b>

# Community engagement

**This year we recruited five staff to the community engagement team. At the beginning of 2020 we commenced planning and research for our community engagement priorities for the coming 2 years.**

We attended meetings, community events and delivered presentations across NSW face to face, by video and by telephone. We engaged with communities at 195 events, including meetings, information stalls, presentations and webinars.

Our conciliation officers also engaged with communities both in metropolitan Sydney and in regional areas when traveling to conduct face to face conciliations prior to the COVID-19 restrictions. This year our conciliation officers engaged local communities and provided information about our services in Tamworth.

In March 2020, when we began working from home due to COVID-19, we ceased face to face engagement and continued our community engagement work via telephone and video conferences. We also focused our community engagement work on understanding the impacts of the pandemic and finding out from stakeholders the information and resources they needed from us.

## **COVID-19 related community engagement**

We observed reports of discrimination and vilification during the pandemic and developed a COVID-19 community engagement plan in response to this emerging situation. The community engagement team worked together to ensure we were responsive to the needs of communities in line with our role and functions within the Anti-Discrimination Act 1977. We engaged with stakeholders to find out from them the emerging discrimination themes and issues being observed in communities.

More than 50 stakeholders were engaged during this time and we took part in more than 20 presentations, webinars and panel discussions to raise awareness of ADNSW services and provide information about discrimination and peoples' rights during the pandemic.

Stakeholders identified the need for more information and resources about peoples' rights during the pandemic and about the services available for communities. Consequently, we developed digital resources and shared these with our networks, on our website and on social media to raise awareness in communities. There were challenges meeting the need for information in community languages due to limited budget and resources.





# Training

Our training service is on hold and we will be conducting a review to consider whether the training program is an effective way to deliver our services and to scope a sustainable training model for the future





# Communications

% Increased followers  
on social media

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97%

Social media followers  
as at 30 June 2020

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3,036

This year we developed and implemented our first communications strategy to leverage digital and traditional channels to:

- improve how we connect and engage with 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.

Effective communications can help us achieve our organisational goals. The communications strategy identified and set objectives, tactics to achieve the objectives and an evaluation process to measure outcomes.

## Social media

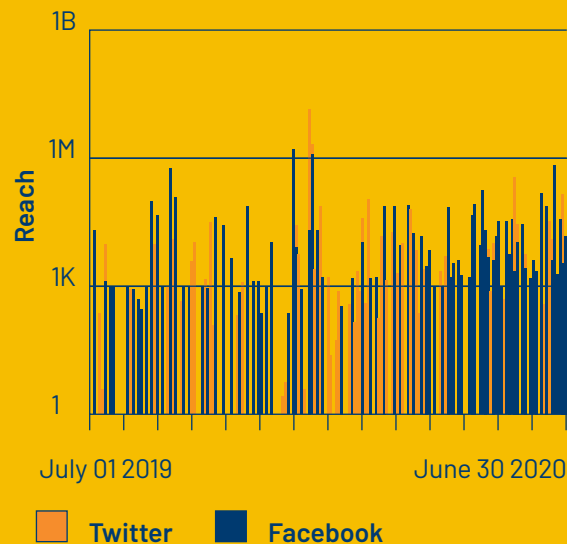
Social media is now an integral part of our communications strategy and is one of the best and most cost-effective ways of achieving our communications objectives.

Through our Facebook, Twitter and LinkedIn accounts, we have been able to connect to communities, communicate important business changes during the pandemic, raise awareness about discrimination, the law, our services and resources, as well as promote social cohesion and engage with topical issues.

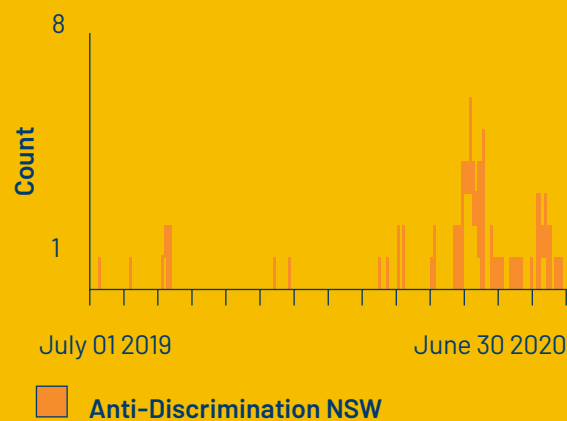
During 2019-20 we achieved:

97% increase in followers across Facebook, Twitter and LinkedIn.

## Overall Social Reach



## Media Exposure



### Facebook

- 2,102 followers at 30 June 2020
- 101% increase in followers
- Posts earned a total of 11,631 organic engagements

### Twitter

- 503 followers at 30 June 2020
- 58% increase in followers
- Tweets earned 154,471 organic engagements

### LinkedIn

- 431 followers at 30 June 2020
- 142% increase in followers

### Media coverage

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

- The Guardian
- 7 News
- National Indigenous Times
- The Courier Mail
- The New Daily
- The Australian
- Triple J
- Financial Review
- Sydney Morning Herald
- SBS
- ABC News
- The Daily Telegraph
- 10 Daily
- Daily Mail Online

### Communications materials

We developed a broad range of communications materials and digital content to promote the important work of ADNSW and raise awareness about discrimination and its impacts including:

- media releases
- website content
- LinkedIn articles
- social media toolkit for stakeholders
- monthly Equal Time e-newsletter
- factsheets and infographics about discrimination
- monthly digital marketing reports
- promotional material.

Effective  
communications can  
help us achieve our  
organisational goals



# DCJ Pride

## Get there with care.

We provide community transport in Sydney's vibrant inner West.

Helping you get where you need to go.



Community Transport is a door-to-door non-emergency service.

We provide door-to-door transport for people with a disability, illness or age-related condition.

Our services include door-to-door transport for people with a disability, illness or age-related condition. We also provide door-to-door transport for people with a disability, illness or age-related condition.

We offer a service that is inclusive and welcoming. We welcome the diversity of the inner West in all its forms including cultural diversity, religious diversity, sexual orientation and gender identity.

For more information please call our friendly staff on 9556 6800.

Or visit our website at [connectinnerwest.org.au](http://connectinnerwest.org.au)

STOP  
DISCRIMINATION

# Disability Services Veterans

# DCJ Pride



## Website

The ADNSW website provides important information about discrimination and the law to the people of NSW. It is a critical tool in connecting and engaging with communities.

In 2019-20, the website attracted:

- 126,510 users
- 125,244 new users
- 725,392 page views

Key insights:

- Facebook was the top social media directing users to the website
- 82,710 users found us via organic search on Google
- Top referrals to the website came from Google classroom and TAFE NSW libguides.

Top 5 visited pages:

- Homepage
- Anti-discrimination law and employers
- About discrimination
- Making a complaint
- Direct and indirect discrimination

## Website redevelopment project

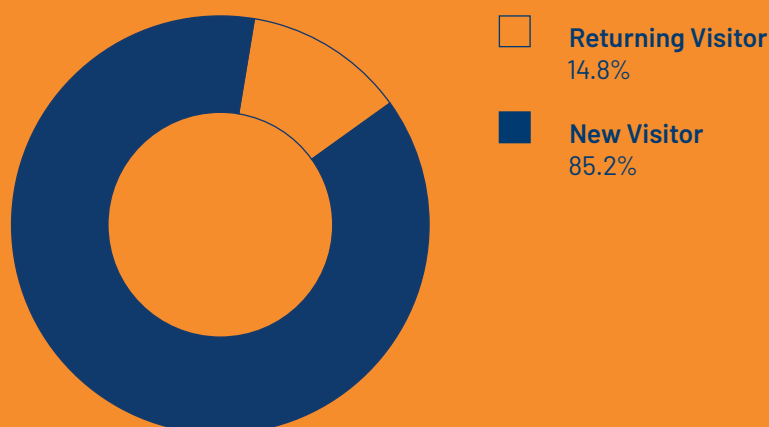
As part of our five-year digital strategy, the website will be redeveloped to be more accessible and will incorporate a user-centred design to make it easier for people to make a complaint or find information. A user centred-design approach will help us to deliver an improved user experience for the people of NSW and will help the organisation in delivering improved service responsiveness to the communities we serve. Once the redevelopment has been completed, we will have the capacity to create more innovative content.

The initial phase of the redesign involved online surveys and workshops conducted with stakeholders and staff to understand the issues with the current website and identify opportunities for improvement. The next stages of the redevelopment are currently underway with the new website due to be launched in 2020-21.

## ADNSW website page views in 2019-20

# 725k

## ADNSW website new visitors in 2019-20



A user centred-design approach will help us to deliver an improved user experience for the people of NSW and will help the organisation in delivering improved service responsiveness to the communities we serve

# Exemptions and certifications

The Act makes certain types of discrimination, in certain areas, against the law. However, in some circumstances an exemption can be granted to allow discrimination where it would address past discrimination by creating specific jobs, programs or services.

Under section 126 of the Act an exemption can be granted giving permission to favour a particular group of people relating to specific jobs, programs or services. These exemptions generally relate to employment and recruitment, for example, targeted jobs or recruitment programs for a particular group already protected by the Act. Applications for section 126 exemptions need to be in writing and sent to the President. The President must make a decision within 60 days and notifies the applicant in writing.

Under section 126A of the Act the NSW Attorney General can certify special needs programs, activities or facilities that promote access for certain groups of people affected by unlawful discrimination. Section 126A applications need to be in writing to the NSW Attorney General. The applicant is notified of the decision in writing.

## Section 126 exemptions

This year we received 43 applications for section 126 exemptions (one of which was an application to vary an existing exemption).

- 39 section 126 exemptions were granted (17 of which were from applications received in 2018-19)
- 10 applications were either withdrawn or not proceeded with (3 of which were received in 2018-19)
- 13 applications were pending on 30 June 2020.

Most exemptions granted related to education, training and employment of women and Aboriginal and Torres Strait Islander people. Applications were received 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.

## Section 126A exemptions

There were 8 applications for certification under section 126A.

- The Attorney General granted 5 certifications
- 1 application was not proceeded with
- 2 applications were pending on 30 June 2020.

The full list of exemptions and certifications is provided in Appendix 3: Granted exemptions and certifications 2019-20.













# Financial

We did not undertake any face-to-face community engagement activities in the second half of the year. This year we also suspended paid training activities due to our ongoing review of this program. ADNSW operated 29% below budget on our operating expenses. Due to COVID -19, we did not incur the usual expenses associated with face-to-face service delivery such as travel to regional areas.

We received a grant from NSW Treasury which is included in the total revenue amount, however revenue has significantly dropped and this resulted in the net cost of services being 13% over budget.

## Minor Capital Expenditure

ADNSW was granted approval of \$1.1M to update the Case Management System and upgrade the public facing website. These minor capital programs are yet to commence. Funding allocation for next financial year is being discussed between Finance and Information Development Strategy (IDS).

Our full financial figures are included in the published consolidated accounts of the Department of Communities and Justice.

## Full year 2019-20

Anti-Discrimination NSW	Actual \$	Budget \$	Variance \$	Variance %
Employee related	3,107,766	2,970,029	-137,737	-5%
Other operating	680,837	964,103	283,266	29%
Financial costs	4,862	0	-4,862	—
Total expenses (before non-cash items)	3,793,465	3,934,132	140,667	4%
Total revenue	-237,325	-799,900	-562,575	-70%
Net cost of services (before non-cash items)	3,556,141	3,134,232	-421,909	-13%
Crown liabilities	109,479	256,300	146,821	57%
Depreciation	174,622	18,220	-156,402	-858%
Gains and losses	-720	0	720	—
<b>Total net cost of services</b>	<b>3,839,522</b>	<b>3,408,752</b>	<b>-430,770</b>	<b>-13%</b>





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# Information technology statement

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

The Digital Information Security Annual Attestation and Evidence of Certification Statement for 2019-20 is held by the Department of Communities and Justice.

ADNSW had an Information Security Management System in place in 2019-20 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 2018-19.













# Appendices

## Appendix 1: Enquiries by type of discrimination and public area 2019-20

	Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vil-	HIV/AIDS vil-	Transgender vil-	All areas	Area not covered	Total		
Type of discrimination	Disability	223	302	41	53	19	3					11	51	703	20.2%
	Sex – includes pregnancy and breastfeeding	180	30	7	17	6	1					4	13	258	7.4%
	Sexual harassment	108	15	1	3	1	0					1	2	131	3.8%
	Race	200	101	30	28	8	2					7	38	414	11.9%
	Age	81	50	12	10	6	0					1	14	174	5.0%
	Carer's responsibilities	66												67	1.9%
	Homosexuality	19	17	2	1	0	0					0	5	44	1.3%
	Transgender	12	11	0	1	0	0					0	1	25	0.7%
	Victimisation	44	5	1	1	1	0					1	0	53	1.5%
	Marital status	7	7	2	2	0	0					0	1	19	0.5%
	Racial vilification							35						35	1.0%
	Homosexual vilification								14					14	0.4%
	HIV/AIDS vilification									2				2	0.1%
	Transgender vilification										6			6	0.2%
	Aiding an unlawful act	1	1	1	0	0	0					0	0	3	0.1%
	Obstruction	1	0	0	0	0	0					0	1	2	0.1%
	Compulsory retirement	0												0	0.0%
	Advertisement	0	0	0	0	0	0					0	0	0	0.0%
	All grounds	61	25	5	2	1	0					288	37	419	12.0%
	Ground not covered – workplace harassment only	52												52	1.5%
	Ground not covered – other	219	159	55	21	14	2					5	584	1,059	30.4%
	<b>Total</b>	<b>1,059</b>	<b>723</b>	<b>157</b>	<b>139</b>	<b>56</b>	<b>9</b>	<b>35</b>	<b>14</b>	<b>2</b>	<b>6</b>	<b>318</b>	<b>747</b>	<b>3,480</b>	<b>100%</b>
	%	36.6%	20.8%	4.5%	4.0%	1.6%	0.3%	1.0%	0.4%	0.1%	0.2%	9.1%	21.5%	100%	



## Appendix 2: Complaints by type of discrimination and public area 2019-20

	<div> <div>☒ Not applicable</div> </div>											Total	%
	Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Homosexual vil-	HIV/AIDS vil-	Transgender vil-	Other		
Disability	93	116	13	25	4	2	☒	☒	☒	☒	9	262	27.8%
Sex – includes pregnancy and breastfeeding	54	27	1	5	1	0	☒	☒	☒	☒	3	91	9.7%
Sexual harassment	60	18	0	2	0	0	☒	☒	☒	☒	1	81	8.6%
Race	44	75	2	12	6	1	☒	☒	☒	☒	7	147	15.6%
Age	35	24	3	4	2	0	☒	☒	☒	☒	2	70	7.4%
Carer's responsibilities	31	1	0	0	0	0	☒	☒	☒	☒	0	32	3.4%
Homosexuality	8	8	0	1	0	0	☒	☒	☒	☒	1	18	1.9%
Transgender	1	13	0	1	0	0	☒	☒	☒	☒	0	15	1.6%
Victimisation	69	16	0	13	0	0	☒	☒	☒	☒	6	104	11.0%
Marital status	5	10	2	1	0	0	☒	☒	☒	☒	1	19	2.0%
Racial vilification	0	0	☒	☒	☒	☒	24	☒	☒	☒	0	24	2.5%
Homosexual vilification	0	0	☒	☒	☒	☒	☒	10	☒	☒	0	10	1.1%
HIV/AIDS vilification	0	0	☒	☒	☒	☒	☒	☒	1	☒	0	1	0.1%
Transgender vilification	0	0	☒	☒	☒	☒	☒	☒	☒	3	0	3	0.3%
Aiding an unlawful act	10	7	0	1	0	0	3	☒	☒	☒	0	21	2.2%
Advertisement	0	0	0	2	0	0	☒	☒	☒	☒	0	2	0.2%
Not specified	3	10	0	2	0	0	☒	☒	☒	☒	11	26	4.6%
Other	5	4	2	1	0	0	☒	☒	☒	☒	5	17	1.8%
<b>Total</b>	<b>418</b>	<b>329</b>	<b>23</b>	<b>70</b>	<b>13</b>	<b>3</b>	<b>27</b>	<b>10</b>	<b>1</b>	<b>3</b>	<b>46</b>	<b>943</b>	100%
%	44.3%	34.9%	2.4%	7.4%	1.4%	0.3%	2.9%	1.1%	0.1%	0.3%	4.9%	100%	

## Appendix 2A: Enquiries and complaints by Aboriginal and Torres Strait Islander people 2019-20

### Enquiries by Aboriginal and Torres Strait Islander people 2019-20

Type of enquiry	All enquiries	Aboriginal and Torres Strait Islander enquiries	% of all enquiries
Phone	2,692	120	4.5%
Written	602	18	3.0%
<b>Total</b>	<b>3,294</b>	<b>138</b>	<b>4.2%</b>

### Complaints by Aboriginal and Torres Strait Islander people by type of discrimination and public area 2019-20

 Not applicable

		Not applicable										
		Employment	Goods & services	Accommodation	Education	Clubs	Qualifying bodies	Racial vilification	Other	Total	%	
Type of discrimination	Disability	0	9	0	1	0	0		0	10	15.4%	
	Sex – includes pregnancy and breastfeeding	0	2	0	0	0	0		0	2	3.1%	
	Race	9	22	0	4	1	0		2	38	58.5%	
	Age	0	2	0	1	0	0		0	3	4.6%	
	Homosexuality	0	2	0	0	0	0		0	2	3.1%	
	Victimisation	0	2	0	1	0	0		0	3	4.6%	
	Marital status	0	0	0	0	0	0		0	0	0.0%	
	Racial vilification								5	0	5	7.7%
	Aiding an unlawful act	0	2	0	0	0	0		0	2	3.1%	
	Total	9	41	0	7	1	0	5	2	65	100%	
%		13.8%	63.1%	0.0%	10.8%	1.5%	0.0%	7.7%	3.1%	100%		

## Appendix 2B: Employment complaints 2019-20

### Types of employment complaints 2019-20

Type of complaint	Total	%
Detrimental – work environment & harassment	161	38.5%
Classification/benefits	120	28.7%
Dismissal	73	17.5%
Recruitment/selection	43	10.3%
Retrenchment/redundancy	9	2.2%
Transfer	4	1.0%
Promotion	3	0.7%
Resignation	3	0.7%
Retirement	1	0.2%
Demotion	1	0.2%
<b>Total</b>	<b>418</b>	<b>100%</b>

### Type of employer 2019-20

Type of employer	Total	%
Private enterprise	215	51.4%
State government department	63	15.1%
Individual male	39	9.3%
Hospital	27	6.5%
Individual female	18	4.3%
State government stat. authority	12	2.9%
Local government	11	2.6%
Non-profit association	11	2.6%
Education authority – private	8	0.2%
Education authority – private	5	0.2%
Registered clubs	3	0.7%
Commonwealth department	2	0.5%
Not known	1	0.2%
Other	3	0.7%
<b>Total</b>	<b>418</b>	<b>100%</b>



## Appendix 3 : Granted exemptions and certifications 2019-20

### Granted exemptions

Organisation	Description	Sections	Granted/declined	
<b>Ability Options Ltd</b>	To designate, advertise and recruit positions for Aboriginal and/or Torres Strait Islander persons only, including 2 Aboriginal and Torres Strait Islander Trainee positions per year, 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>	18.07.2019
			<b>Length</b>	5 years
			<b>Expiry</b>	17.07.2024
<b>AFL SportsReady Ltd</b>	To designate, advertise and recruit in New South Wales: the position of Aboriginal and Torres Strait Islander Mentor – and, a total of up to 60 traineeship, cadetship and other employment positions each year, and for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>	
			<b>Decision date</b>	18.07.2019
			<b>Length</b>	3 years
			<b>Expiry</b>	17.07.2024
<b>Armidale &amp; Region Aboriginal Cultural Centre and Keeping Place Inc</b>	To advertise, designate and recruit the positions of Executive Officer, Curator and Cleaner/Groundsperson and any casual vacancies that arise for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>	
			<b>Decision date</b>	04.10.2019
			<b>Length</b>	3 years
			<b>Expiry</b>	03.10.2022
<b>Australian Partnership of Ernst &amp; Young</b>	To: (1) designate and recruit a Cultural Safety Officer position for Aboriginal and Torres Strait Islander persons only; (2) where women's representation in the employee population of EY is identified to be below the following employee levels: a. 50% at graduate level; b. 30% in senior leadership; c. 50% at Senior Manager 4 level; and d. 30% at Partner level, to designate women only roles and to recruit or promote only female candidates for those positions until the relevant representation, as identified at paragraphs 2 (a) to (d) above, is achieved; (3) where the representation of Aboriginal and Torres Strait Islander people in the employee population of EY is identified to be below 3%, to designate and recruit Aboriginal and Torres Strait Islander people only positions and only consider Aboriginal and Torres Strait Islander candidates for those positions until 3% representation is achieved; and (4) to implement the following diversity and inclusion programs: a. leadership development, mentoring and networking programs for female staff; b. networking, advertising, talent sourcing and recruitment campaigns targeting female candidates; c. networking, advertising, talent sourcing and recruitment campaigns targeting Aboriginal and Torres Strait Islander candidates; and d. internship program for Aboriginal and Torres Strait Islander persons only. EY Corporate Finance Woman of the Year internship program for women only.	8, 25 & 51	<b>Granted</b>	
			<b>Decision date</b>	23.09.2019
			<b>Length</b>	5 years
			<b>Expiry</b>	23.09.2024

Organisation	Description	Sections	Granted/declined	
<b>Australian Mathematical Sciences Institute (APR. Intern)</b>	To designate and advertise 3 internships on its APR. Intern program for Aboriginal and/or Torres Strait Islander persons only.	17, 19 & 51	<b>Granted</b>	
			<b>Decision date</b>	10.02.2020
			<b>Length</b>	1 year
			<b>Expiry</b>	09.02.2021
<b>BAE Systems Australia Ltd</b>	Includes: to enable the Applicant to ask present and future employees and contractors to declare, to the best of their knowledge and belief, their exact citizenship (including any dual citizenship) and country of birth. To require employees to advise of any change to their citizenship status, to identify employees accordingly, and make decisions about recruiting and deploying employees on that basis. Conditions attached — for full details see NSW Government Gazette of 4 October 2019.	8, 10, 51 & 52	<b>Granted</b>	
			<b>Decision date</b>	25.09.2019
			<b>Length</b>	5 years
			<b>Expiry</b>	24.09.2024
<b>Bain International t/a Bain &amp; Company</b>	To provide up to two management consulting scholarships per year for women only.	25, 33 & 51	<b>Granted</b>	
			<b>Decision date</b>	14.11.2019
			<b>Length</b>	10 years
			<b>Expiry</b>	13.11.2029
<b>Caritas Australia</b>	To advertise, designate and recruit for the position of First Australians Program Coordinator for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>	
			<b>Decision date</b>	18.02.2020
			<b>Length</b>	3 years
			<b>Expiry</b>	17.02.2023
<b>City of Newcastle</b>	To designate and recruit two apprenticeship or traineeship positions per year for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>	
			<b>Decision date</b>	04.07.2019
			<b>Length</b>	4 years
			<b>Expiry</b>	03.07.2023
<b>Coast and Country Community Services Ltd</b>	To designate and recruit the position of Aboriginal Driver and Access Officer for an Aboriginal person only.	8 & 51	<b>Granted</b>	
			<b>Decision date</b>	18.07.2019
			<b>Length</b>	1 year
			<b>Expiry</b>	17.07.2020
<b>Dreampath Recruitment (Protech Group) granted together under 'Protech Personnel Pty Ltd and Dreampath Recruitment Pty Ltd'</b>	To advertise, designate and recruit for a maximum of 100 Aboriginal and/or Torres Strait Islander persons only and 50 positions for women only in each business.	8, 25 & 51	<b>Granted</b>	
			<b>Decision date</b>	16.04.2020
			<b>Length</b>	5 years
			<b>Expiry</b>	15.04.2025

Organisation	Description	Sections	Granted/declined
<b>Eurobodalla Shire Council</b>	To advertise, recruit and employ up to twelve Aboriginal and/or Torres Strait Islander persons in trainee and entry level positions.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 21.10.2019
			<b>Length</b> 10 years
			<b>Expiry</b> 20.10.2029
<b>Fairfax Media Publications PTY Ltd</b>	To designate and recruit one Indigenous journalist position and one Indigenous visual journalist/photographer position for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 12.08.2019
			<b>Length</b> 2 months
			<b>Expiry</b> 11.10.2019
<b>Flowbuilders Pty Ltd</b>	To designate and recruit up to two customer success analyst trainee positions per year for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 31.10.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 30.10.2024
<b>Get Up Limited</b>	To advertise, designate and recruit for the positions of First Nations Justice Campaign Director, First Nations Justice Campaigner, First Nations Justice Campaigns Assistant and Operations Assistant for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 21.10.2019
			<b>Length</b> 10 years
			<b>Expiry</b> 20.10.2029
<b>Hollard Insurance Company</b>	To designate and recruit up to 50 % of leadership roles within the organisation for women; leadership roles meaning roles within three layers of the Group CEO and roles with direct reports.	25 & 51	<b>Granted</b>
			<b>Decision date</b> 21.10.2019
			<b>Length</b> 4 years
			<b>Expiry</b> 20.10.2023
<b>King &amp; Wood Mallesons</b>	Variation of existing exemption Order.	8 & 51	<b>Granted variation</b>
			<b>Decision date</b> 09.08.2019
			<b>Length</b> —
			<b>Expiry</b> 15.05.2024
<b>KU Children's Services</b>	To advertise, designate and recruit for the positions of Trainee, Cultural Facilitator and Childcare Educator for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 19.10.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 18.10.2024
<b>Leidos Australia Pty Ltd</b>	Includes: to enable the Applicant to ask present and future employees and contractors to declare, to the best of their knowledge and belief, their: (i) exact citizenship (including any dual citizenship); and/or (ii) place of birth; To identify employees accordingly, require employees to advise the employer of any change in that status, and make decisions about recruiting and deploying employees on that basis.	8, 10, 51 & 52	<b>Granted</b>
			<b>Decision date</b> 24.12.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 23.12.2024



Organisation	Description	Sections	Granted/declined
<b>Linfox Australia Pty Ltd</b>	Includes: to enable the Applicant to ask present and future employees and contractors to declare, to the best of their knowledge and belief, their: (i) exact citizenship (including any dual citizenship); and/or (ii) place of birth; To identify employees accordingly, require employees to advise the employer of any change in that status, and make decisions about recruiting and deploying employees on that basis. Conditions attached — for full details, see NSW Government Gazette of 23 August 2019.	8, 10, 51 & 52	<b>Granted</b>
			<b>Decision date</b> 19.08.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 18.08.2024
<b>NSWALC Employment and Training Ltd (NET Ltd)</b>	To: (a) advertise, designate and recruit the following roles for Aboriginal and/ or Torres Strait Islander persons only: General Manager (1 FTE); Manager Partnerships (1 FTE); Aboriginal Services Designer (1 FTE); Business Analyst (0.5 FTE); Administrative Assistant (1.0 FTE); and (b) advertise, designate and recruit up to 20 other non-frontline roles in pursuance of its goal of up 80% Aboriginal and or Torres Strait Islander employees.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 15.06.2020
			<b>Length</b> 5 years
			<b>Expiry</b> 14.06.2025
<b>Penrith City Council</b>	To recruit and employ up to six Aboriginal and/or Torres Strait Islander persons in traineeship/entry level positions.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 20.09.2019
			<b>Length</b> 10 years
			<b>Expiry</b> 19.09.2029
<b>Raytheon Australia Pty Ltd</b>	Includes: to enable the Applicant to ask present and future employees and contractors to declare, to the best of their knowledge and belief, their: (i) exact citizenship (including any dual citizenship); and/or (ii) place of birth; To identify employees accordingly, require employees to advise the employer of any change in that status, and make decisions about recruiting and deploying employees on that basis. Conditions attached — for full details, see NSW Government Gazette of 23 August 2019.	8, 10, 51 & 52	<b>Granted</b>
			<b>Decision date</b> 19.08.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 18.08.2024
<b>Rohde &amp; Schwartz Australia</b>	To obtain and use certain race related information in employment to comply with regulatory and contractual obligations under the United States International Traffic in Arms Regulations (ITAR).	8, 10 & 51	<b>Granted</b>
			<b>Decision date</b> 03.07.2019
			<b>Length</b> 2 years
			<b>Expiry</b> 02.07.2021
<b>Serco Australia Pty Ltd</b>	To designate and recruit: up to 50% of Correctional Case Officer and/or Supervisor positions at Clarence Correctional Centre for females only; and up to 8% of Correctional Staff positions at Clarence Correctional Centre for Aboriginal and/or Torres Strait Islander persons only; where Correctional Staff means any position at Clarence Correctional Centre including, but not limited to: Nurses (Health Services), Trade Instructors and Supervisors (Trades and Industries), Program Delivery Officers (Rehabilitation and Reintegration), Indigenous Cultural Advisor (Rehabilitation and Reintegration) and Administration roles (Centre Services).	8, 25 & 51	<b>Granted *</b>
			<b>Decision date</b> 12.08.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 11.08.2024

\* (see also variation order below, counted separately)

Organisation	Description	Sections	Granted/declined
Serco Australia Pty Ltd	1. With effect from the date of this Order, the exemption Order of 12 August 2019 is amended to permit Serco Australia Pty Ltd to designate and recruit: up to 50% of Correctional Case Officer and/or Supervisor positions at Clarence Correctional Centre for females only; and up to 8% of Correctional Staff positions at Clarence Correctional Centre for Aboriginal and/or Torres Strait Islander persons only, where Correctional Staff means any positions at Clarence Correctional Centre including, but not limited to: Nurses (Health Services); Trade Instructors & Supervisors (Trades and Industries); Program Delivery Officers (Rehabilitation and Reintegration); Indigenous Cultural Advisor (Rehabilitation and Reintegration); and Administration roles (Centre Services). 2. The duration of the exemption remains the same and will remain in force for a period of 5 years from 12 August 2019.	8, 25 & 51	<b>Granted *</b>
			<b>Decision date</b> 23.09.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 11.08.2024
			* (variation of order of 12 August 2019, counted separately)
Southern Cross University	To advertise, designate and recruit permanent/continuing professional and Academic Level B–E positions for women only, in pursuance of its goal to increase the number of women in science, technology, engineering, mathematics and medicine (STEMM) positions by 20 %, in the following faculties: School of Environment, Science and Engineering; Southern Cross University Geoscience; Southern Cross Plant Science; and Environmental Analysis Laboratory.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 15.11.2019
			<b>Length</b> 5 years
			<b>Expiry</b> 14.11.2024
The Walkley Foundation, Network 10, Junkee	To advertise, facilitate and designate one scholarship per year for an Aboriginal and/or Torres Strait Islander person under the age of 30 years only.	8, 10, 19, 49ZYB, 49ZYD, 49ZYN & 51	<b>Granted</b>
			<b>Decision date</b> 20.11.2019
			<b>Length</b> 4 years
			<b>Expiry</b> 19.11.2023
Tweed, Byron & Ballina Community Transport Inc	To designate and recruit 2 Aboriginal Community Car Driver positions for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 18.07.2019
			<b>Length</b> 1 year
			<b>Expiry</b> 17.07.2020
University of New England	To designate, advertise and recruit positions for Aboriginal and/or Torres Strait Islander persons only, in pursuance of its goal of a 3 % Aboriginal and Torres Strait Islander permanent workforce participation rate.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 16.10.2019
			<b>Length</b> 4 years
			<b>Expiry</b> 15.10.2023
University of Notre Dame	To advertise, designate and recruit for the positions of Indigenous Student Support Officer and Aboriginal and/or Torres Strait Islander Associate Lecturer or Lecturer in the School of Nursing (Sydney), for Aboriginal and/or Torres Strait Islander persons only.	8 & 51	<b>Granted</b>
			<b>Decision date</b> 10.03.2020
			<b>Length</b> 3 years
			<b>Expiry</b> 09.03.2023

Organisation	Description	Sections	Granted/declined	
University of Newcastle	To offer, advertise and facilitate scholarships and fellowships for women only in science, technology, engineering, mathematics and medicine (STEMM) and to designate and recruit: Professorial/Level E positions for women only in pursuance of its goal to achieve a 40 % workforce participation rate of women in professorial/Level E positions; Positions for women only in STEMM (at all levels) where underrepresentation of women exists; and Positions for Aboriginal and Torres Strait Islanders only in pursuance of its goal of a 3.9 % Aboriginal and Torres Strait Islander workforce participation rate.	8, 25, 51 & 31A	Granted	
			Decision date	18.11.2019
			Length	5 years
			Expiry	17.11.2024
University of Sydney	To offer, advertise and facilitate scholarships for women only in the fields of science, technology, engineering, mathematics, medicine and finance.	31A & 51	Granted	
			Decision date	25.07.2019
			Length	10 years
			Expiry	24.07.2029
University of Technology Sydney (UTS)	To advertise, designate and recruit targeted roles for Aboriginal and Torres Strait Islander persons only as part of the strategic target of reaching 3% Aboriginal and Torres Strait Islander staff by 2023 and targeted senior roles for women only with an emphasis on STEMM disciplines, as part of a target of 40% women academic staff.	8 & 51	Granted	
			Decision date	20.05.2020
			Length	10 years
			Expiry	19.07.2030
University of Wollongong	To advertise, designate and recruit academic positions for women only applicants, to designate 50% of postgraduate scholarships for women and to run career development activities and programs for women only, in pursuance of its goal to increase the number of women in academic positions to 40%.	25 & 51	Granted	
			Decision date	16.04.2020
			Length	5 years
			Expiry	15.04.2025
Wagga Wagga City Council	To designate and recruit positions for Aboriginal and/or Torres Strait Islander persons only, in pursuance of its goal of a 6% Aboriginal and/or Torres Strait Islander workforce participation rate.	8 & 51	Granted	
			Decision date	28.07.2019
			Length	10 years
			Expiry	27.07.2029
Winc Australia Pty Ltd	To designate, advertise and recruit positions for Aboriginal and/or Torres Strait Islander persons only, in pursuance of its goal of a 5% Aboriginal and Torres Strait Islander workforce participation rate.	8 & 51	Granted	
			Decision date	28.07.2019
			Length	5 years
			Expiry	27.07.2024



## Granted certifications

Organisation	Description	Sections	Application received	
<b>Liberty DV services</b>	To run domestic violence crisis accommodation service and associated services for women and children only.	33 & 51	<b>Application received</b>	02.07.2019
			<b>Granted</b>	24.02.2020
			<b>Length</b>	Indefinite
<b>Strata Community Association NSW</b>	Mentorship program for strata professionals aspiring to a board position for females only.	33 & 51	<b>Application received</b>	01.10.2019
			<b>Granted</b>	28.11.2019
			<b>Length</b>	Indefinite
<b>TAFE Women in Business</b>	To provide business education and support services for women only.	33 & 51	<b>Application received</b>	09.12.2019
			<b>Granted</b>	28.01.2020
			<b>Length</b>	Indefinite
<b>The Deli Women and Children's Centre Inc</b>	To provide therapeutic services for women and to employ female staff only to provide therapeutic and children's services.	33 & 51	<b>Application received</b>	21.08.2019
			<b>Granted</b>	20.02.2020
			<b>Length</b>	Indefinite
<b>Victress Connection</b>	Membership and professional development course for women only.	33 & 51	<b>Application received</b>	13.09.2019
			<b>Granted</b>	28.11.2019
			<b>Length</b>	Indefinite



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.



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New South Wales

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#### **Complaints**

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




#### **Telephone interpreter service**

13 14 50

#### **Website**

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

#### **Social media**

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 Anti-Discrimination NSW  
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