

## FACT SHEET:

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# Responding to a complaint

The Anti-Discrimination Act provides a means for people in Queensland who believe they have been discriminated against, sexually harassed, vilified, or victimised to make a complaint to the Commission.

The Human Rights Act requires government agencies and organisations performing functions of a public nature to act and make decisions compatible with human rights. The complaint process is for a person who believes that their human rights have not been given proper consideration to make a complaint directly to the agency. If this does not resolve the person's complaint, they may complain to the Commission.

## What happens if someone makes a complaint about me?

When a complaint is made to the Commission, it is assessed to see whether it is something we can deal with.

If the complaint is accepted, it doesn't mean that we have decided that the allegations are true. Accepting a complaint means that the allegations, if proven, may involve unlawful conduct.

If a complaint about you is accepted, you will be given a copy of the complaint and have an opportunity to respond to it, and to engage in resolving the complaint. Usually this is through the conciliation process, managed by an impartial Commission conciliator who will provide you with information about what you have to do.

If a complaint about you is made, but not accepted, you won't be notified.

## Do I need a lawyer?

You don't need a lawyer to respond to a complaint, or participate in a conciliation conference, but some people find it useful to get legal advice about the complaint made against them.

We do not provide legal advice to any party, so if you feel that you need this, contact your industry association or other support agency, or get professional legal advice from a lawyer.

The Queensland Law Society may be able to help you find a private lawyer. You can contact them on 1300 367 757 or visit [www.qls.com.au/findasolicitor](http://www.qls.com.au/findasolicitor).

## What is the Commission's role?

Our role is not to decide who is right or wrong but to help people resolve complaints.

The Commission's role is to:

- work to ensure that everyone puts forward their point of view, is listened to, and feels safe
- assist everyone reach agreement about how to resolve the complaint
- ensure the process is fair

A conciliator from the Commission will manage the complaint, provide information and explain the process to all parties, but will not advocate for any person involved in the complaint.

Complaints are usually resolved through the conciliation process, which involves bringing all the parties together (in person, by phone, or online) at a conciliation conference to discuss the issues and try to resolve them.

We do not provide legal advice to any party, so if you feel that you need this, contact your industry association or get professional legal advice from a lawyer, or other support agency.

We are not a court or tribunal, and don't have the power to decide if discrimination, harassment, or limitations on human rights have happened.

## Privacy information

If you make a written response or submission in relation to a complaint about you, we will provide it to the person who made the complaint and any other parties to the complaint.

Otherwise, your personal information will generally be treated confidentially.

Read our privacy notice for more information about how we use and disclose your personal information on our website at [www.qhrc.qld.gov.au/privacy](http://www.qhrc.qld.gov.au/privacy).

If you have any concerns about your privacy, talk to the conciliator who is managing your complaint, or call our enquiry line on 1300 130 670.