

# Factsheet: Making a complaint

## What you need to know if you are thinking about making a complaint

### What can I make a complaint about?

The Commission's free service can help you to resolve complaints under two Victorian laws: the *Equal Opportunity Act* (2010) and the *Racial and Religious Tolerance Act* (2001).

Under these laws, you can make a complaint to the Commission if you believe you have experienced [discrimination](#), [sexual harassment](#), [racial or religious vilification](#) or [victimisation](#).

If you are making a complaint about discrimination under the Equal Opportunity Act, it must:

- have happened in an [area of public life](#) that is protected by the law – such as in recruitment or at work, in education, in the delivery of goods and services, or in accommodation, sport or clubs
- be about something that happened because of at least one [personal characteristic](#) that is protected by the law – such as your race, disability, sex, age, sexuality or gender identity.

The incident or behaviour must have happened in Victoria unless your complaint is about racial or religious vilification, which only requires one of the parties to be a resident of Victoria.

### What can't we help you with?

If your complaint is about an issue that we are unable to help with, such as a crime or about a Commonwealth body, we may be able to refer you to [another organisation](#) that can assist.

Complaints about breaches of human rights under the Charter of Human Rights and Responsibilities can be made directly to the Victorian Ombudsman at

<https://www.ombudsman.vic.gov.au/complaints/>

We cannot make a decision about whether there is a breach of the law. This is the role of the [Victorian Civil and Administrative Tribunal \(VCAT\)](#), which can hear and decide cases.

## How do I make a complaint?

If you decide to make a complaint, you can fill in our simple [online complaint form](#) or you can [contact us](#) for more information or assistance. There is no cost to make a complaint.

You can make a complaint in any language. We can also arrange a free interpreter to help you, including Auslan interpreters. [Contact us](#) to let us know how we can help you participate in the process.

You can also ask someone else to make a complaint for you, such as a family member, friend, advocate, union or lawyer. We will ask you to provide your consent for that person to act on your behalf.

## What information do we need?

To help us understand your complaint, you should give us as much detail as possible, including:

- your name and contact details (in most cases you can't make an anonymous complaint)
- the name and contact details of the person or organisation your complaint is about
- what happened in your own words, where it happened and when
- if you believe you experienced discrimination, the area of [public life](#) it happened in and the reason for the discrimination (at least one [personal characteristic](#) protected by the law)
- the type of outcome you would like – such as an apology or financial compensation
- if you need any adjustments to help you participate in the process, such as an interpreter.

You should also provide the Commission with copies of any relevant documents.

If you are worried about making a complaint, you can contact us confidentially to talk about our service and your options. We can also help you to make a complaint and write it down.

**This factsheet is intended as a guide only. It should not be used as a substitute for legal advice.**

## What happens after I make a complaint?

After you have made a complaint, the Commission will assess your complaint to see if we can offer our service to you. We can only help you if your complaint is covered by the Equal Opportunity Act or the Racial and Religious Tolerance Act.

We may contact you if we need more information before deciding whether to accept your complaint.

If we don't accept your complaint and can't help you, we will tell you why and give you information about [other organisations](#) that may be able to help.

## Where can I find more information?

You can find out more information about making a complaint to the Commission at <http://www.humanrights.vic.gov.au/complaints/what-you-need-to-know/>

### Contact details

If you have any questions about making a complaint, you can contact us confidentially on:

- 1300 292 153 or (03) 9032 3583
- [enquiries@veohrc.vic.gov.au](mailto:enquiries@veohrc.vic.gov.au)
- NRS Voice Relay: 1300 555 727 then use 1300 292 153
- Interpreters: 1300 152 494

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