

"Land in the State of New South Wales was traditionally owned and controlled by the Aboriginal people. It has a social, cultural and economic importance to Aborigines. It is fitting to acknowledge the fact that the land has been taken from Aborigines and the need of Aborigines for land. It is amount of land set aside for Aborigines has been progressively reduced without compensation."

GUIDE TO MAKING COMPLAINTS



New South Wales
Aboriginal Land Council

www.alc.org.au

NEW SOUTH WALES ABORIGINAL LAND COUNCIL

As the State's peak representative body in Aboriginal affairs, the New South Wales Aboriginal Land Council (NSWALC) aims to improve and protect the interests of its members and the broader Aboriginal community of NSW.

Complaints provide valuable feedback in relation to how NSWALC is carrying out its functions under the *Aboriginal Land Rights Act 1983* and how we can improve the services we provide to our community.

As such, NSWALC is committed to the effective and efficient handling of complaints. NSWALC aims to resolve difficulties, grievances and complaints in a prompt, impartial and just manner.

Whilst NSWALC has no formal powers under the *Aboriginal Land Rights Act 1983* to investigate the conduct of a Local Aboriginal Land Council (LALC), its Board members, its staff or members, NSWALC is committed to providing support and assistance to LALCs and LALC members to resolve local issues.

NSWALC encourages LALCs and its members to attempt to resolve local issues before approaching NSWALC. In certain circumstances, NSWALC may be able to mediate, conciliate or arbitrate disputes between members of LALCs, and between LALCs and members where both parties agree to such a process.

What you can complain to NSWALC about?

NSWALC can only deal with complaints where it has legal jurisdiction to assess certain matters. Examples of these matters are:

- An expression of dissatisfaction relating to NSWALC operations.
- An expression of dissatisfaction relating to a NSWALC Councillor, employee, contractor or consultant.
- Matters that concern corruption under the *Independent Commission Against Corruption Act 1988*.
- Matters that concern compliance with the *Ombudsman Act 1974*.

- Matters that concern compliance with the *Government Information Public Access Act 2009*.
- A dispute concerning the operation of the *Aboriginal Land Rights Act 1983* or *Aboriginal Land Rights Regulation 2002* where NSWALC has been requested by both parties to mediate, conciliate or arbitrate the dispute.

What you cannot complain to NSWALC about?

NSWALC does not deal with complaints where it does not have legal jurisdiction to assess or determine such matters. Some examples of matters which NSWALC cannot resolve are:

- Allegations concerning pecuniary interests - the Registrar of the *Aboriginal Land Rights Act 1983* has jurisdiction to determine these matters.
- Allegations concerning misbehaviour – the Registrar of the *Aboriginal Land Rights Act 1983* has jurisdiction to determine these matters.
- LALC tenancy issues. The Consumer, Trader and Tenancy Tribunal is responsible for determining tenancy issues in NSW.
- LALC employer/employee issues. These matters are regulated under industrial relation laws and the LALC Board is responsible for LALC employment matters.
- LALC policy and procedures. These matters are decided by the LALC members at a meeting and the LALC Board would be the appropriate body to raise any concerns about the effectiveness and efficiency of LALC policies or procedures.
- Membership applications. Applications for membership to a LALC are specifically for the LALC members to decide at a LALC meeting.
- Criminal matters, for example, assaults, domestic violence, theft or damage to property. These matters should be reported to the NSW Police.

As the LALC Board is responsible for directing and controlling the affairs of the LALC, members should approach the LALC Chairperson to resolve local issues if they are dissatisfied with its day to day operational activities.

A complaint cannot be accepted by NSWALC when the outcome sought by a complainant is not actionable by NSWALC, that is, the relief to be provided to the complainant is not within NSWALC’s responsibility or legal jurisdiction. For example, seeking NSWALC’s assistance to evict a LALC tenant or the dismissal of a LALC Board or staff member.

How to make a complaint?

Complaints can be made to NSWALC using your preferred method.

- by post:** PO Box 1125,
Parramatta NSW 2124
- by email:** complaints@alc.org.au
- by fax:** (02) 9689 4502
- by telephone:** (02) 9869 4444
- in person:** Ground Floor,
33 Argyle Street,
Parramatta NSW 2150
- or via the NSWALC webpage:** www.alc.org.au

All complaints received are given equal priority.

Attached to this information sheet is the NSWALC complaint form which is the preferred way for you to provide all the relevant information NSWALC requires when we assess your complaint.

In order to progress your matter, you will need to explain what action you think should be taken by NSWALC to resolve your complaint; for example, a correction of a mistake by NSWALC, an explanation or apology from NSWALC, a review of a NSWALC decision, etc.

If you wish to discuss your complaint over the telephone, please contact the NSWALC Complaints Officer on (02) 9689 4444.

Other complaint handling authorities

If NSWALC is not able to assist you with your complaint, you can contact the following external agencies for further assistance:

Aboriginal Land Rights Act 1983

Office of the Registrar of the Aboriginal Land Rights Act 1983
Post Office Box 112
Glebe NSW 2037
Phone: 02 9562 6327

Fax: 02 9562 6350
Email: adminofficer@oralra.nsw.gov.au

Discrimination or harassment

Anti-Discrimination Board
Level 4, 175 Castlereagh Street
SYDNEY NSW 2000
Phone: (02) 9268 5555
Toll free: 1800 670 812 (within NSW)
TTY: (02) 9268 5522
Fax: (02) 9268 5500
Web: www.lawlink.nsw.gov.au/adb

Australian Human Rights Commission
Level 8, Piccadilly Tower
133 Castlereagh Street
SYDNEY NSW 2000
GPO Box 5218
SYDNEY NSW 2001
Phone: (02) 9284 9600
Complaints Infoline: 1300 656 419
TTY: 1800 620 241
Fax: (02) 9284 9611
Web: www.hreoc.gov.au
Email: newcomplaints@humanrights.gov.au

Employment, occupational health and safety, workers compensation and rehabilitation information

Fair Work Ombudsman
GPO Box 9887
SYDNEY NSW 2000
Phone: 131 394
TTY: 1800 555 677
Web: www.fairwork.gov.au/

NSW Industrial Relations
McKell Building
2-24 Rawson Place
SYDNEY NSW 2000
Phone: 131 628
TTY: 1800 555 677
Fax: (02) 9020 4700
Web: www.industrialrelations.nsw.gov.au

WorkCover NSW
92-100 Donnison Street
GOSFORD NSW 2250
Locked Bag 2906
LISAROW NSW 2252
Phone: (02) 4321 5000

Info Centre: 131 050
Fax: (02) 4325 4145
Web: www.workcover.nsw.gov.au
Email: complimentsandcomplaints@workcover.nsw.gov.au

Access to Information , Complaints about Public Agencies and Local Councils

NSW Ombudsman
Level 24, 580 George Street
SYDNEY NSW 2000
Phone: (02) 9286 1000
Toll free: 1800 451 524
TTY: (02) 9264 8050
TIS: 131 450
Fax: (02) 9283 2911
Web: www.ombo.nsw.gov.au
Email: nswombo@ombo.nsw.gov.au

Office of the Information Commissioner (NSW)

Level 11, 1 Castlereagh Street Sydney
GPO Box 7011 Sydney 2001
Free call: 1800 463 626
Web: www.oic.nsw.gov.au
Email: oicinfo@oic.nsw.gov.au

Department of Local Government

Level 2, 5 O’Keefe Ave
NOWRA NSW 2541
Locked Bag 3015
NOWRA NSW 2541
Phone: (02) 4428 4100
TTY: (02) 4428 4209
Fax: (02) 4428 4199
Web: www.dlg.nsw.gov.au
Email: dlg@dlg.nsw.gov.au

Independent Commission Against Corruption (ICAC)

Level 21, 133 Castlereagh Street
SYDNEY NSW 2000
GPO Box 500
SYDNEY NSW 2001
Phone: (02) 8281 5999
Toll free: 1800 463 909
TTY: (02)8281 5773
Fax: (02) 9264 5364
Web: www.icac.nsw.gov.au
Email: icac@icac.nsw.gov.au

Privacy

Federal Privacy Commissioner
GPO Box 5218
SYDNEY NSW 2001
Phone: 1300 363 992
TTY: 1800 620 241
Fax: (02) 9284 9666
Web: www.privacy.gov.au
Email: privacy@privacy.gov.au

Privacy NSW

160 Marsden Street
PARRAMATTA NSW 2150
Locked Bag 5111
PARRAMATTA NSW 2124
Phone: (02) 8688 8585
Fax: (02) 8688 9660
Web: www.lawlink.nsw.gov.au/privacynsw
Email: privacy_nsw@agd.nsw.gov.au

Real estate agents, landlords and builders

NSW Fair Trading

1 Fitzwilliam Street
PARRAMATTA NSW 2150
PO Box 972
PARRAMATTA NSW 2124
Phone: (02) 9895 0111
Enquiries: 133 220
TTY: 1300 723 404
Fax: (02) 9895 0222
Web: www.fairtrading.nsw.gov.au



New South Wales Aboriginal Land Council

COMPLAINT FORM

Definition of a Complaint: an expression of dissatisfaction relating to the NSW Aboriginal Land Council (NSWALC) operations, which may be conveyed verbally (in person or over the phone) or in writing (letter, facsimile or e-mail); and where a response or resolution is explicitly or implicitly expected by the complainant.

Anonymous complaints will only be dealt with where the matter is relatively serious and there is sufficient information in the complaint to enable an investigation to be conducted.

NSWALC's "Guide to Making Complaints" may assist you in completing this form.

Taken by: Date:

Mode of Complaint:

First Name: Surname Name:

Address:

Home Phone: Mobile:

Email:

Local Aboriginal Land Council membership:

Voting member:

