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| **Council policy sponsor:** | Jill Colson  Director Environment, Recreation, and Infrastructure |
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# Policy Purpose

Bayside City Council’s (Council) Fair Access Policy (‘the Policy’) is addressing known barriers experienced by women and girls in accessing and using community sports infrastructure and supports inclusive opportunities for the community. The Policy and Action Plan will enable Council to take steps towards a level playing field so that women and girls can participate at their full potential on and off the field.

The Policy and associated Action Plan align with the Victorian Government’s framework via the Office for Women in Sport and Recreation. Council and community partnerships will progressively build both the capacity and capability to identify and eliminate systemic causes of gender inequities in community sports and active recreation.

The Policy is a key driver for practical and cultural change to ensure everyone has access to the full health and wellbeing benefits that sport and active recreation can provide. The Policy supports Councils commitment to think critically about how our future policies, strategies, plans, infrastructure and services meet the diverse needs of women and girls in sport and active recreation.

# Policy Intent

The intent of this Policy is to focus future planning, policy, service delivery and practice regarding community sports and active recreation, and for Council to:

1. collaborate with the community, local community clubs, Sporting Associations, and the broader sector to enhance diversity, equity, and inclusion. Council will take necessary and proportionate steps towards achieving gender equity in the access and usage of community sports and recreation infrastructure.
2. consider and prioritise equal rights, responsibilities, and opportunities of women and girls, and to recognise that an equitable lens must be considered for all.
3. recognise the compounding effects that people experiencing gender inequities face when it interacts with other forms of disadvantage or discrimination that a person may experience. Council recognises that people have different needs, and these differences should be identified and addressed in a manner that rectifies any imbalances.

# Scope

The Policy enables effective and efficient integration of the requirements of the *Gender Equality Act 2020*, the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008* and other legislative frameworks.

The Policy will apply to all recreation and sporting facilities users (Facility Users) that conduct their activity on or within our facilities (see Facilities below) on Council owned or managed land:

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|  | Facilities |
| 1 | Sport Pavilions |
| 2 | Sportsground Reserves |
| 3 | Recreation and Leisure Centres |
| 4 | Informal Recreation and Open Spaces |

# Background

The Victorian Government, led by the Office for Women in Sport and Recreation, requires all Victorian Councils to have a Fair Access Policy and Action Plan by 1 July 2024.

Councils Fair Access Policy and Action Plan addresses known barriers experienced by women and girls in accessing and using community sport and recreation infrastructure, whilst also supporting inclusive opportunities for the sports and active recreation community. Council supports and advocates for the sport and active recreation sector to provide opportunities for enriching our community through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of all.

Council owns and manages a large range of sport and recreation facilities, covering a lot of sports including netball, football, cricket, tennis, lawn bowls, golf, swimming, soccer, and athletics. As such, Council is well positioned to make a positive contribution through an integrated Action Plan that will progress gender equality in community sport and recreation.

# State Government Framework

Incorporated into Council’s Policy are the 6 guiding principles that have been developed by the Office for Women in Sport and Recreation, in collaboration with Sport and Recreation Victoria, VicHealth, and in consultation with representatives from some Local Councils and the sporting and recreation sector.

This Policy and associated Action Plan support these 6 principles of inclusivity, full participation, equal representation, encouraging and supporting and prioritising user groups that are committed to gender equality. The 6 Principles are:

* 1. Community sports infrastructure and environments are genuinely welcoming, safe, and inclusive.
  2. Women and girls can fully participate in all aspects of community sport and active recreation including as a player, coach, administrator, official, volunteer and spectator.
  3. Women and girls will have equitable access to and use of community sport infrastructure:
     1. of the best available and most convenient
     2. at the best and most popular competition and training times and locations
     3. to support existing and new participation opportunities, and a variety of sport.
  4. Women and girls should be equitably represented in leadership and governance roles.
  5. Encourage and support all user groups who access and use community sport and recreation infrastructure to understand, adopt and implement gender equitable access and use practices.
  6. Prioritise access, use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of allocated community sport infrastructure.

# Policy Statement

The Policy complies with the requirements set by the Office for Women in Sport and Recreation, and adheres to the *Gender Equality Act 2020.*

**Council acknowledges**:

1. the disadvantaged position some individuals have had in the sport and active recreation sector because of their gender; and
2. that achieving gender equity will require diverse approaches to achieve the similar outcomes for people of all genders in the community.

**Council will:**

* 1. engage fairly and equitably with all internal and external stakeholders, governance working groups, local and state sporting associations, and members of our community, in a positive, respectful, and constructive manner.
  2. engage with an equitable lens for the community with any new plans and actions, and specifically including strategies, policies, services, and programs.

# Compliance, Monitoring, Evaluation and Review

Council recognises that the requirement to have a Fair Access Policy and a measurable Action Plan in place, and the ability to report and demonstrate progress against the Actions will form part of the legislation compliance and eligibility criteria for Victorian Government funding programs.

Council will gather relevant data from State, National and local sport and recreation bodies in order to lead on-going monitoring and review of the Policy and Actions and report on the positive changes made. The expectation for ‘Fair Access’ is not only for Council but for the sport and recreation industry including clubs, leagues, associations, and other levels of government.

All actions in the Action Plan will be entered into Council’s reporting platform and progress indicators will apply, which will be regularly reviewed and reported.

# Roles and Responsibilities

Council is responsible for implementing the Fair Access Policy and Action Plan. Key personnel have shared responsibility to support the Policy, and collaboration with external stakeholders across the sector is required.

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| Role | Responsibility |
| CEO and Executive | * Promote and advocate the awareness of gender equity in Bayside’s community and championing equitable opportunities for women and girls. * Promote, encourage, and facilitate the achievement of gender equality and growth of women and girls in leadership, participation, coaching and volunteering in sport and active recreation. |
| Recreation and Events Coordinator | * Responsible for oversite of the Fair Access Policy and Action Plan (implementation and review) * Lead the review of all sport and active recreation policies and processes. * Develop and implement equitable processes to facility allocations, grants, fees & charges * Communicate the Policy updates and updated internal processes to all staff and relative stakeholders. (Sporting clubs, State Sporting Association, National Sporting Organisations, Active Recreation groups.) * Promote, encourage, and support the successes of gender equity and the importance of intersectionality. * Support the undertaking of Equity Impact Assessment and submission of progress reports as per the *Gender Equality Act 2020* obligations. |
| Recreation Planner | * Support the review of sport and active recreation funding opportunities, guidelines, policies, and processes. * Support the revision of new or revised gender equitable additions to strategies, policies or processes. * Monitor compliance and issues toward women and girls’ access. * Undertake and review Equity Impact Assessment and submission of progress reports as per the *Gender Equality Act 2020* obligations. * Plan, report, and advise on emerging recreation issues, opportunities and trends for equitable access and use. * Assess and prepare reports regarding changes to State and Federal Government recreation policy and associated legislation. * Contribute to the development and implementation of recreation and events related strategies, plans, studies, guidelines, policies, and education events that achieve Council’s objectives in accordance with legislation focusing on women and girls. |
| Recreation and Events Officers | * Provide clear communication and education opportunities to sport and active recreation facility user groups/clubs about the objectives of the Policy. * Support sport and active recreation user groups/clubs to increase their capabilities to create welcoming and inclusive environments for women and girls. * Ensure accountability of sport and active recreation user groups/clubs facility upgrades, maintenance, access, and use of infrastructure * Ensure all communication and community engagement, is fair, equitable and of high quality engaging with all user groups and clubs focused on women and girls. |
| All staff | * Adhere to and communicate the Policy when required. * Attend training and awareness programs to understand the Policy and the aspired outcomes. * Include all relevant staff, user groups and clubs on programs and services for inclusive engagement. * All staff to acknowledge the focus on women and girls so grants and funding towards organisations will need to adhere to the Policy. |
| Facility Users | * Support the undertaking of a Self-Assessment and have an action plan for change in place. * Promote and advocate the awareness of gender equity in Bayside’s sport and active recreation community, championing equitable opportunities for women and girls. * Develop and implement equitable processes to allocations, training schedules, events, communications, and social media. * Communicate the Policy and Action Plan updates to members and update any further internal processes for gender equity. * Provide clear communication for committee members or participants to attend education opportunities around the objectives required by the Policy. * Support the capabilities to create fair, welcoming, inclusive and safe environment for women and girls. * Advocate for minor works upgrades and maintenance that supports fair access and use of facilities. |
| Office for Women in Sport and Recreation | * Support and review the Roadmap of Fair Access and outline the successes. * Lead on-going monitoring and reporting of Fair Access * Provide education opportunities for Local Governments and State Sporting Associations. * Liaise with key stakeholders to ensure accountability. |

# 10. Related & Aligned Documents

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| **Legislation** | * [*Gender Equality Act 2020*](https://content.legislation.vic.gov.au/sites/default/files/2022-06/20-5aa004%20authorised.pdf) * [*Local Government Act 2020*](https://www.legislation.vic.gov.au/as-made/acts/local-government-act-2020) * [*Equal Opportunity Act 2010*](https://content.legislation.vic.gov.au/sites/default/files/2022-12/10-16aa030%20authorised.pdf) * [*Public Health and Wellbeing Act 2008*](https://content.legislation.vic.gov.au/sites/default/files/2023-11/08-46aa063-authorised.pdf) * [*Disability Act 2006*](https://www.legislation.vic.gov.au/in-force/acts/disability-act-2006/049) |
| **Policies** | * [*Safeguarding Children and Young People - Policy 2021*](https://www.bayside.vic.gov.au/sites/default/files/2021-11/Safeguarding%20Children%20and%20Youn_ople%20-%20Policy%20-%20September%202021.DOCX) |
| **Strategies/Plans** | * [*Bayside’s Municipal Public Health and Wellbeing Plan 2021—2025*](https://www.bayside.vic.gov.au/sites/default/files/2021-10/Bayside%27s%20Municipal%20Public%20Health%20and%20Wellbeing%20Plan%202021%202025%20FINAL.pdf) * [*Disability Action Plan 2021 – 2025*](https://www.bayside.vic.gov.au/sites/default/files/2021-10/Disability%20Action%20Plan%20Year%201%20-%20FINAL.pdf) * [*Bayside sportsground pavilion improvement plan*](https://bayside.vic.gov.au/sites/default/files/2021-08/sportsground_pavilion_improvement_plan_review.pdf) * [*Recreation and open space asset management plan*](https://bayside.vic.gov.au/sites/default/files/2021-08/Recreation%20and%20Open%20Space%20Asset%20Management%20Plan.pdf) * [*Bayside open space strategy*](https://bayside.vic.gov.au/sites/default/files/2021-08/open_space_strategy_0.pdf) * [*Bayside tennis strategy 2019–28*](https://bayside.vic.gov.au/sites/default/files/2021-08/tennis_strategy_2019-2028_0.pdf) * [*Active by the bay recreation strategy*](https://bayside.vic.gov.au/sites/default/files/2021-08/active_by_the_bay_recreation_strategy_2013-2022.pdf) *2013- 2022* |
| **Procedures/Processes** | * [*Sports Facility User Guide*](https://www.bayside.vic.gov.au/sites/default/files/2023-06/sports_facility_user_guide_-_june_2023_0.pdf) * [*Sportsgrounds training and game schedules/bookings*](https://www.bayside.vic.gov.au/services/sport-and-recreation/bayside-club-hub#sports) * [*Bayside Community Funding*](https://www.bayside.vic.gov.au/sites/default/files/2022-01/Bayside%20New%20Program%20or%20Community%20Initiative%20Grant%20Guidelines%202022.pdf) * *Asset Service Levels MASTER* |
| **Other** | * [*Our Equal State – Strategy and Action Plan 2023-2027*](https://content.vic.gov.au/sites/default/files/2023-08/our-equal-state-vic-gender-equality-strategy-action-plan-2023-27.pdf) * [*Inquiry into women and girls in Sport and Active Recreation*](https://changeourgame.vic.gov.au/__data/assets/pdf_file/0019/39025/inquiry_into_women_and_girls_in_sport.pdf) |

Please note: This policy is current as at the date of approval. Refer to Council’s website (<https://www.bayside.vic.gov.au/council/plans-strategies-and-policies>) to ensure this is the latest version.

## 10.1 Compliance Considerations

#### **Human Rights Charter**

This Policy has been assessed against the principles of the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter) and is considered to be compatible with the Charter. In assessing the proposed changes, consideration has also been given to the *Equal Opportunity Act 2010*.

#### **Equity Impact Statement**

The implications of this policy have been assessed and are compliant with the requirements of the *Gender Equality Act 2020*.

In the development of this Policy, the requirement for Equity Impact pre-assessment and Equity Impact Assessment has been completed.

#### **Governance Principles**

In the development of this Policy, the requirements of the Governance Principles as per the *Local Government Act 2020* have been considered and are summarised below:

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| **LGA S** | **Governance Principle** | **Consideration** |
| a) | Compliance with the law | No legal implications relative to the Policy. |
| b) | Achieve best outcomes for the community | With the guiding principles in place, we will be taking a collaborative approach across the organisation and in the community to provide equitable opportunities to achieve the best outcomes. |
| c) | Promote the sustainability of the municipality | Although there are no specific implications currently explored, we will align the policy with council plans and look at how we can be resourceful and provide education to our community utilising sport, activity and play as a tool. |
| d) | Engage the community in strategic planning and decision making | We have considered and communicated to our community, collaboratively with the community engagement team to create an equitable plan executed into the community. Our approach is equitable, considered and engaging for our residents, sports clubs, and broader community. |
| e) | Strive for innovation and continuous improvement | Although there are no specific obligations for innovation, the Policy aligns to continuous improvement of programs, processes, services, and future impact we can make in the community by providing equitable opportunities. |
| f) | Collaborate with all other levels of government and government agencies | We have considered our approach to collaborate with other Local Governments, State Sporting Associations, National Sporting Organisations, community sport and active recreation clubs and user groups aligning with other government agencies. Our approach is equitable, considered and engaging for our residents. |
| g) | Secure the ongoing financial viability of Council | Internally the Policy is developed and any cost in delivering the action plan arising from the Policy such as improved, upgraded, increased assets and sport and recreation infrastructure, plus resources in delivering actions will be considered as part of the Recreation Strategy financial viability or budget neutral in creating cultural change. |
| h) | Strategic planning and decision making must take into account plans and policies in operation at all levels. | The Policy considers all linked Council strategies, plans, and mandatory legislation.   * *Gender Equality Act 2020* * *Local Government Act 2020* * *Public Health and Wellbeing Act 2008* * *Equal Opportunity Act 2010* * *Disability Act 2006* * [*Bayside City Council Gender Equality Action Plan 2021 – 2025*](https://www.bayside.vic.gov.au/sites/default/files/2023-02/Gender%20Equality%20Act%20-%20Gender%20E~n%20Plan%20Full%20%28Designed%20version%29.pdf) * [*Bayside’s Municipal Public Health and Wellbeing Plan 2021—2025*](https://www.bayside.vic.gov.au/sites/default/files/2021-10/Bayside%27s%20Municipal%20Public%20Health%20and%20Wellbeing%20Plan%202021%202025%20FINAL.pdf) * [*Disability Action Plan 2021 – 2025*](https://www.bayside.vic.gov.au/sites/default/files/2021-10/Disability%20Action%20Plan%20Year%201%20-%20FINAL.pdf) * [*Bayside sportsground pavilion improvement plan*](https://bayside.vic.gov.au/sites/default/files/2021-08/sportsground_pavilion_improvement_plan_review.pdf) * [*Recreation and open space asset management plan*](https://bayside.vic.gov.au/sites/default/files/2021-08/Recreation%20and%20Open%20Space%20Asset%20Management%20Plan.pdf) * [*Bayside open space strategy*](https://bayside.vic.gov.au/sites/default/files/2021-08/open_space_strategy_0.pdf) * [*Bayside tennis strategy 2019–28*](https://bayside.vic.gov.au/sites/default/files/2021-08/tennis_strategy_2019-2028_0.pdf)   + [*Recreation Strategy 2013-2022*](https://www.bayside.vic.gov.au/sites/default/files/2021-08/active_by_the_bay_recreation_strategy_2013-2022.pdf)   + *Asset Service Levels MASTER* |
| i) | Council decisions, actions and information must be transparent. | Bayside staff and Councillors involved in the preparation of the Policy have no conflict of interest or disclose for transparency. |

## 10.2 Glossary - Definitions and Abbreviations

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| **Term** | **Meaning** |
| **Facility Users** | Recreation and sporting **users** (club/group) that conduct their activity **or** take place on Council owned or managed land. |
| **Office for Women in Sport and Recreation** | The **Office for Women in Sport and Recreation** was created by the Victorian Government in response to the Inquiry into Women and Girls in Sport and Recreation.  It is the first Office of its kind in Australia and is supported by the biggest investment by any state government into facilities, participation, leadership opportunities, and professional and grassroots sport and active recreation for girls and women.  Their intention is to level the playing field for women and girls across all roles in sport and active recreation. |
| **Community Sports and Active Recreation** **Infrastructure** | Publicly owned local, rural, regional, or state level sport and recreation infrastructure operated and maintained primarily for the purpose of facilitating community sport activities, including sporting grounds, surfaces, facilities, and pavilions. |
| **State Sporting Association or SSA, National Sporting Organisation or NSO** | Are sporting organisations that develop, deliver, and facilitate sport from a national or state perspective. They work closely with Council for sports and active recreation infrastructure facilities and education for their community sports clubs. |
| **Gender** | How you understand who you are and how you interact with other people. Many people understand their gender as being a man or woman. Some people understand their gender as a mix of these or neither. A person’s gender and their expression of their gender can be shown in different ways, such as through behaviour or physical appearance. |
| **Gender diverse** | An umbrella term for a range of genders expressed in different ways. Gender diverse people use many terms to describe themselves. Language in this area is dynamic, particularly among young people, who are more likely to describe themselves as non-binary. |
| **Gender equality** | The equal rights, responsibilities and opportunities of women, men and trans and gender-diverse people.  Equality does not mean that women, men and trans and gender diverse people will become the same but that their rights, responsibilities, and opportunities will not depend on their gender. |
| **Gender equity** | The provision of fairness and justice in the distribution of benefits and responsibilities based on gender. The concept recognises that people may have different needs and power related to their gender and these differences should be identified and addressed in a manner that rectifies gender related imbalances. |
| **Equality** | Equality is recognising that, as human beings, we all have the same value. This means, we all have the same rights, we should all receive the same level of respect, and have the same access to opportunities. This isn’t just a nice idea - there are actual laws supporting this. (“Let's talk about equality and equity - Australian Human Rights Commission”) |
| **Equity** | Equity is about everyone achieving equal outcomes. We all have the same value and deserve a good life, but we all start from a different place. We are also all wonderfully different and experience the world in our own unique way. It’s because of these differences that we sometimes need to be treated differently for us all to live safely, healthily, happily…and equally! This means that we need to look at what individual people and communities need in order to achieve equity. (“Let's talk about equality and equity - Australian Human Rights Commission”) |
| **Equity Impact Assessment, or EIA** | A requirement under the *Gender Equality Act 2020* to be carried out on policies, programs and services which have a direct and significant impact on the public. The assessment must evaluate the effects that a policy, program or service may have on people of different genders. |
| **Public land management groups** | For the purposes of this document, are the Committees of Management appointed under the *Crown Land (Reserves) Act 1978* and responsible for the management of recreation reserves where community sport training and games are held. |