

Council Policy

Fair Access Policy

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1. Policy Purpose

Bayside's Fair Access Policy ('the Policy') seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure, whilst also supporting inclusive opportunities for the sports and active recreation community.

The Policy aims to progressively build capacity and capabilities of Bayside City Council (Council) in the identification, and elimination of systemic causes of inequality in programs, communications, and delivery of services in relation to community sports and active recreation. Council will collaborate with the community, local community clubs, Sporting Associations and the broader sector to enhance diversity, equity and community inclusion. Council will take necessary and proportionate steps towards achieving gender equality in the access and usage of community sports infrastructure.

2. Statement of Intent

This statement of intent establishes Council's expectation that women and girls are considered and prioritised in all current and future Council's planning, policy, service delivery and practice as they relate to community sports and active recreation.

- a. Council recognises that women and girls are the attainment of equal rights, responsibilities, and opportunities. This Policy does not mean that women, men, trans and gender diverse people will be the same but that their rights, responsibilities, and opportunities will not depend on their characteristics such as race, Aboriginality, religion, ethnicity, disability, age, sexual orientation and gender identity.
- b. Council recognises limitations that women and girls experience with provision of fairness and justice in the distribution of benefits and responsibilities based on characteristics such as race, Aboriginality, religion, ethnicity, disability, age, sexual orientation and gender identity. The concept recognises that people have different needs and power, and these differences should be identified and addressed in a manner that rectifies any imbalances.

3. Background

Sport and active recreation is a highly visible and valued feature of Bayside City Council's culture and identity. The sport and active recreation sector provides opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of all Victorians. Council is well positioned to design and implement place-based, integrated action plans that progress gender equality in community sport.

The Victorian Government is committed to developing an environment for all Victorians to live in a safe and equal society, have access to equal power, resources, and opportunities, and are treated with dignity, respect, and fairness. Subsequently the State Government have developed a reform agenda to address the traditional systems that have perpetuated gender inequality by designing an enduring structure that requires implementation and tracking of progress over time (see Section 6 Reform Agenda). This reform agenda also includes addressing the traditional structures and way community sport and active recreation organisations operate through the implementation of all 9 recommendations from the *2015 Inquiry into Women and Girls in Sport and Active Recreation*. This includes recommendation six:

“...encourage facility owners and managers to review access and usage policies to ensure women and girls have a fair share of access to the highest quality facilities at the best and most popular times”

and

“facilitating a universal adoption of policies, strategies and audit tools will drive change further”

The access and use of community sports and active recreation infrastructure is an example of the Policy that has a direct and significant impact on the public, and Bayside City Council is committing to a gender equitable approach aligning to Council plans, policies and strategies.

4. Guiding Principles

The Policy Guiding Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation with representatives from local government and the state sporting and recreation sector. This Policy and associated Action Plan are based on six principles of inclusivity, full participation, equal representation, encouraging and supporting user groups, and prioritising user groups committed to gender equality.

Council considers that these principles provide clear direction, while also enabling adaption to the specific environment of Bayside City Council's area.



Figure 1: Fair Access Guiding Principles [Source: https://changeourgame.vic.gov.au/leadership-centre/fair-access](https://changeourgame.vic.gov.au/leadership-centre/fair-access)

5. 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 scope of the Policy is to support Council to take positive action towards achieving equitable participation, leadership and governance roles, access and usage of community sports and active recreation infrastructure whilst focusing on supporting women and girls.

6. Reform Agenda

Reform Agenda	Objectives
To support Council to take positive action towards achieving gender equity in the access and use of community sports and active recreation infrastructure	<p>To build capacity and capabilities of Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sport and recreation to advocate for women and girls.</p> <p>To ensure an effective place-based response for gender equitable use and access of community sports and active recreation infrastructure.</p> <p>To promote gender equality in policies, programs, communications, and services as they relate to community sports and active recreation infrastructure.</p>
To support Council to take positive action towards achieving gender equity for leadership, governance roles and participation	To build the knowledge, support and understanding of community sport and active recreation clubs and groups to assist with the identification and elimination of systemic causes of gender inequality to access sport clubs, recreation activities and play.
To support Council to take action on prioritised access and use of sports infrastructure and commitment to gender equity.	To make decisions that benefit the whole community for allocations, programs and services. The commitment to prioritise and call out inequalities in decision making for fair access.

For Bayside City Council, the Policy applies to community sports and active recreation clubs and groups that are based in Bayside City Council that conduct their activity on Council land and managed or operate in Council facilities:

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

7. Policy Statement

The Policy is designed to comply with the *Gender Equality Act 2020* and the wider Victorian Government gender equality strategy.

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 for women and girls, trans and gender diverse people to achieve the similar outcomes for people of all genders in the community.

Council will:

1. engage fairly and equitably with all staff, governance working groups, local and state sporting associations, and members of our sport and active recreation community, regardless of their gender identity, race, Aboriginality, religion, ethnicity, disability, age, sexual orientation and in a positive, respectful, and constructive manner.
2. engage in the process of completing Equity Impact Assessments (EIA's) to assess the implications for the community of any planned action, including policies and communications. This is a strategy for making all voices, concerns and experiences, an integral dimension of the design, implementation, monitoring of policies and programs.

8. Compliance, Monitoring, Evaluation and Review

Council commits to undertake an EIA on all new community sports and active recreation infrastructure guidelines, policies and strategies, processes for access to Council facilities and infrastructure, and to consider opportunities that strengthen access and use of community sports and active recreation facilities for women and girls in alignment with the Fair Access Guiding Principles.

Council acknowledges that the requirement to have the Policy and a measurable action plan in place, and the ability to demonstrate progress against the Policy and action plan, will form part of the eligibility criteria for Victorian Government funding programs relating to community sports and active recreation infrastructure from 1 July 2024.

All actions in the Fair Access Action Plan will be entered into Council's reporting software and progress against each action will be assessed yearly. The Fair Access Action Plan will be reported annually to the Office of Women in Sport and Recreation and progress against the

Action Plan will also be reported annually to sport and active recreation clubs at the Annual Sports Forum.

9. Roles and Responsibilities

Council and specifically the Recreation and Events Team are responsible for implementing Council's Fair Access Policy. Management personnel, staff, volunteers, and stakeholders (for example State Sporting Associations and National Sports Organisations) at Bayside City Council have a shared responsibility to support the Policy, as outlined in the table below.

Role	Responsibility
CEO and Executive	<ul style="list-style-type: none"> Promote and advocate the awareness of gender equity in Bayside's sport and active recreation community, 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	<ul style="list-style-type: none"> Lead the review of sport and active recreation policies and processes. Develop and implement equitable processes to allocations, grants, fees, and Council facilities. Responsible for oversight of the Policy and Action Plan (implementation and review) 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 equality and the improvement in the importance of intersectionality. Support the undertaking of Equity Impact Assessment and submission of progress reports as per the <i>Gender Equality Act 2020</i> obligations.
Recreation Planner	<ul style="list-style-type: none"> Support the review of sport and active recreation funding opportunities, guidelines, policies and processes. Support the formal adoption 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 <i>Gender Equality Act 2020</i> 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,

	<p>policies and education events that achieve Council's objectives in accordance with legislation focusing on women and girls.</p>
Recreation and Events Officers	<ul style="list-style-type: none"> • Provide clear communication and education opportunities to sport and active recreation infrastructure user groups/clubs around the objectives required by 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 fair upgrades, maintenance, access and use of infrastructure; for example, allocations and fees. • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Support and deliver on the Actions from the Fair Access Policy • Support the undertaking of an Equity Impact Assessment and submit progress reports • Create own club specific Action Plan to achieve gender equity (example template in Addendum Fair Access Principles for community sport and active recreation clubs). • 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, registrations/fees, training schedules, events, communications and social media. • Communicate the Policy updates to members and update any further internal processes for Gender Equality. • Attend and provide clear communication and education opportunities around the objectives required by the Policy. • Support and increase capabilities to create welcoming and inclusive environments for women and girls. • Ensure accountability to advocate for fair minor works upgrades, maintenance, access and use of infrastructure; for example, allocations and fees.

10. Related Documents

Legislation	<ul style="list-style-type: none"> • Gender Equality Act 2020 (Vic) • Local Government Act 2020 (Vic) • Equal Opportunity Act 2010 (Vic)
Policies	<ul style="list-style-type: none"> • Safeguarding Children and Young People - Policy 2021 • Community and Stakeholder Engagement Policy 2021
Strategies/Plans	<ul style="list-style-type: none"> • Our Equal State – Strategy and Action Plan 2023-2027 • Inquiry into women and girls in Sport and Active Recreation • Bayside City Council Gender Equality Action Plan 2021 – 2025 • Bayside's Municipal Public Health and Wellbeing Plan 2021— 2025 • Department of Health Gender Equality Action Plan 2022–25 • Disability Action Plan 2021 – 2025 • Bayside sportsground pavilion improvement plan • Recreation and open space asset management plan • Bayside open space strategy
Procedures/Processes	<ul style="list-style-type: none"> • Sports Facility User Guide • Sportsgrounds training and game schedules/bookings • Community Engagement Process • Bayside Community Funding
Other	<ul style="list-style-type: none"> • Bayside tennis strategy 2019–28 • Active by the bay recreation strategy 2013- 2022 • Bayside walking strategy • Bicycle action plan 2019–26

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 has also been completed. The pre-assessment concluded that this policy does meet the requirement and must complete the full Equity Impact Assessment.

The EIA was completed and signed on [insert date dd-mm-yyyy].

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:

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.	<p>The Policy considers all linked Council strategies, plans and mandatory legislation.</p> <ul style="list-style-type: none"> • <i>Gender Equality Act 2020</i> • <i>Equal Opportunity Act 2010</i> • <i>Disability Act 2006</i> • <i>Age Discrimination Act 2004</i> • <i>Racial Discrimination Act 1975</i> • <i>Sex Discrimination Act 1984</i> • <i>Australian Human Rights Commission Act 1986</i> • <i>Recreation Strategy 2013-2022</i> • <i>Bayside City Council Gender Equality Action Plan 2021 – 2025</i> • <i>Bayside's Municipal Public Health and Wellbeing Plan 2021—2025</i> • <i>Department of Health Gender Equality Action Plan 2022–25</i> • <i>Disability Action Plan 2021 – 2025</i> • <i>Community Vision 2050</i> • <i>Council Plan 2021-2025</i> • <i>Municipal Public Health and Wellbeing Plan</i>

		<ul style="list-style-type: none"> • Change Our Game – Fair Access Policy Roadmap • Guidelines for Preventing Violence against Women
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

Term	Meaning
Committees of Management	For the purposes of this document, refers to committees appointed by the Department of Energy, Environment and Climate Action under the Crown Land (Reserves) Act 1978 to manage recreation reserves where community sport training and games are held.
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.
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 <i>Gender Equality Act 2020</i> 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 <i>Crown Land (Reserves) Act 1978</i> and responsible for

	the management of recreation reserves where community sport training and games are held.
Transgender, or trans	Someone whose gender does not only align with the one assigned at birth. Not all trans people will use this term to describe themselves.
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.

10.3 Addendum: Community Club - Fair Access Action Plan Template

Principle 1: Community sports and active recreation infrastructure and environments are genuinely welcoming, safe, and inclusive.

Actions to achieve progress	Timeframe	Responsibility	Indicator of Success

Principle 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.

Actions to achieve progress	Timeframe	Responsibility	Indicator of Success

Principle 3: Women and girls will have equitable access to and use of community sport infrastructure:

- of the highest quality available and most convenient
- at the best and most popular competition and training times and locations
- to support existing and new participation opportunities, and a variety of sports.

Actions to achieve progress	Timeframe	Responsibility	Indicator of Success

Principle 4: Women and girls should be equitably represented in leadership and governance roles.

Actions to achieve progress	Timeframe	Responsibility	Indicator of Success

Principle 5: Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.

Actions to achieve progress	Timeframe	Responsibility	Indicator of Success

Principle 6: Prioritise access, use and support to all user groups who demonstrate an on-going commitment to gender equitable access and use of allocated community sport infrastructure.

Actions to achieve progress	Timeframe	Responsibility	Indicator of Success