

Fair Access

Policy



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Acknowledgements

The Fair Access Policy Roadmap has been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth in collaboration with many organisations. In particular, the contributions of the many local governments, state sporting bodies and other groups which took part in consultation to help shape this project are acknowledged:

| | | |
|---|---|---|
| AFL Victoria | Department of Jobs, Precincts and Regions | Municipal Association of Victoria |
| Athletics Victoria | East Gippsland Shire Council | National Rugby League Victoria |
| Ballarat City Council | Fencing Victoria | Netball Victoria |
| Basketball Victoria | Football Victoria | Parks Victoria |
| Campaspe Shire Council | Glenelg Shire Council | Regional Sport Victoria |
| Central Goldfields Shire Council | Hockey Victoria | Southern Grampians Shire Council |
| City of Casey | Hume City Council | Sunraysia Community Health Services |
| City of Glen Eira | Indigo Shire Council | Tennis Victoria |
| City of Greater Dandenong | Lacrosse Victoria | Towong Shire Council |
| City of Stonnington | Local Government Victoria | Vicsport |
| Colac Otway Shire | Macedon Ranges Shire Council | Victorian Equal Opportunity and Human Rights Commission |
| Commission for Gender Equality in the Public Sector | Maroondah City Council | Victorian Local Governance Association |
| Cricket Victoria | Melton City Council | Wellington Shire Council |
| Department of Environment, Land, Water and Planning | Mildura Rural City Council | Wyndham City Council |
| Department of Health | Mooney Valley City Council | |
| Department of Families, Fairness and Housing | Moreland City Council | |
| | Mornington Peninsula Shire Council | |

Purpose

The Fair Access Policy (the Policy) seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure. The Policy aims to progressively build capacity and capabilities of Baw Baw Shire Council in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure.

Baw Baw Shire Council will undertake take the necessary and proportionate steps towards implementation of the Fair Access Policy.

Background

Sport is a highly visible and valued feature of Baw Baw Shire Council's culture and identity. The sport and active recreation sector provide 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. Baw Baw Shire Council is well positioned to design and implement place-based, integrated actions 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. A reform agenda has been developed to change the systems that have perpetuated gender inequality by designing an enduring structure that requires implementation and tracking of progress over time.

This reform agenda includes addressing the traditional structures and way community sport and recreation organisations operate through the implementation all nine (9) recommendations from the 2015 Inquiry into Women and Girls in Sport and Active Recreation. This includes recommendation six (6):

"...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"

As a defined entity of the Gender Equality Act 2020, Baw Baw Shire Council will be required from 31 March 2021 to conduct Gender Impact Assessments (GIA) on all new policies, programs, communications, and services, including those up for review, which directly and significantly impact the public (Gender Equality Act 2020). The access and use of community sports infrastructure is an example of policy that has a direct and significant impact on the public.

Statement of Intent

This Statement of Intent establishes the expectation that gender equality is considered and prioritised in all current and future Baw Baw Shire Council's planning, policy, service delivery and practice as they relate to community sports infrastructure.

a. Baw Baw Shire Council recognises that gender equality is the attainment of equal rights, responsibilities, and opportunities of women, men, trans and gender diverse people. Equality does not mean that women, men, trans and gender diverse people will become the same but that their rights, responsibilities, and opportunities will not depend on their gender.

b. Baw Baw Shire Council recognises that gender equity is 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.

Governance Principles

Section 9 of the Local Government Act 2020 (the Act) specifies the overarching governance principles and supporting principles that Council must adhere to in the performance of its role and functions.

This policy gives effect to the following overarching governance principles outlined in Section 9(2) of the Act:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) The municipal community is to be engaged in strategic planning and strategic decision making;
- e) Innovation and continuous improvement is to be pursued;
- f) Collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) The ongoing financial viability of the Council is to be ensured;
- h) Regional, state and national plans and policies are to be taken into account in making strategic planning and decision making;
- i) The transparency of Council decisions, actions and information is to be ensured.

This report also takes into account the following supporting principles defined in Section 9(3) of the Act:

- The community engagement principles (Community Engagement Policy);

- The public transparency principles (Public Transparency Policy);
- The strategic planning principles;
- The financial management principles; and,
- The service performance principles.

Definitions

| | |
|----------------------------------|--|
| Committees of Management | For the purposes of this document, refers to committees appointed by the Department of Land, Water, Environment and Planning under the Crown Land (Reserves) Act 1978 to manage recreation reserves where community sport training and games are held. |
| Community Sports 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. |
| Gender Impact Assessment, or GIA | 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. |
| 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. |

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 Baw Baw Shire Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. This complies with the Gender Equality Act 2020 and aligns with Municipal Public Health and Wellbeing Plans or Council Strategies:

| Reform Agenda | Objectives |
|--|---|
| To support Baw Baw Shire Council to take positive action towards achieving gender equity in the access and use of community sports infrastructure | <p>To build capacity and capabilities of Baw Baw Shire 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.</p> <p>To ensure an effective place-based response for the gender equitable use and access of community sports infrastructure.</p> <p>To promote gender equality in policies, programs, communications, and services as they relate to community sports infrastructure.</p> |

For Baw Baw Shire Council, the Policy applies to the following community sports infrastructure:

| | Facility | Location |
|----|----------------------------------|--------------|
| 1 | Athlone Recreation Reserve | Athlone |
| 2 | Buln Buln Recreation Reserve | Buln Buln |
| 3 | Bellbird Park Indoor Centre | Drouin |
| 4 | Drouin Recreation Reserve | Drouin |
| 5 | Balmoral Park | Drouin |
| 6 | Bellbird Park | Drouin |
| 7 | Drouin Outdoor Pool | Drouin |
| 8 | Ellinbank Recreation Reserve | Ellinbank |
| 9 | Erica Recreation Reserve | Erica |
| 10 | Kydd Parke Reserve | Jindivick |
| 11 | Lardner Recreation Reserve | Lardner |
| 12 | Baw Baw Equestrian Centre | Lardner |
| 13 | Neerim South Recreation Reserve | Neerim South |
| 14 | Neerim South Outdoor Pool | Neerim South |
| 15 | Bells Hall Stadium | Rawson |
| 16 | Dunstan Oval | Rawson |
| 17 | Rawson Indoor Pool | Rawson |
| 18 | Thorpdale Outdoor Pool | Thorpdale |
| 19 | Trafalgar Recreation Precinct | Trafalgar |
| 20 | Macgregor Park (Tennis Facility) | Trafalgar |
| 21 | Trafalgar Outdoor Pool | Trafalgar |
| 22 | Warragul Leisure Centre | Warragul |
| 23 | Baxter Park | Warragul |
| 24 | Burke Street Pavilion | Warragul |
| 25 | Eastern Park | Warragul |
| 26 | Geoff Watt Track | Warragul |
| 27 | Logan Park | Warragul |
| 28 | Western Park | Warragul |
| 29 | Warragul Velodrome | Warragul |
| 30 | Downton Park Recreation Reserve | Yarragon |

Legislative context

- Gender Equity Act 2020

Gender Impact Assessment

A gender impact assessment (GIA) has been completed and utilised to inform the development of this policy.

Environmental Sustainability Strategy

Considering the environment and climate change in your policy can support Council in making decisions that sustain and enhance the environment, as well as mitigate and adapt to climate change. This can reduce negative impacts on both Council and community and can allow Council to meet legislative requirements including the Local Government Act 2020, which requires Council to promote mitigation and climate change risk planning. For more information, see the Policies page on The Hub.

Related policies and documents

- Gender Equality Act 2020 (Vic)
- Local Government Act 2020 (Vic)
- Equal Opportunity Act 2010 (Vic)

Policy principles

The Fair Access 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 sport and recreation sector. This Policy and any resultant action plan are based on six (6) principles of inclusivity, full participation, equal representation, encouraging and supporting user groups, and prioritising user groups committed to equality.

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

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

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:

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

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 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 detail

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

Baw Baw Shire Council acknowledges:

- the disadvantaged position some individuals have had in the sport and recreation sector because of their gender; and
- that achieving gender equality will require diverse approaches for women, men, trans and gender diverse people to achieve similar outcomes for people of all genders.

Baw Baw Shire Council will:

- engage fairly and equitably with all staff, governance working groups, state sporting organisations, regional sport assemblies (where applicable) and members of our sport and recreation community, regardless of their gender, in a positive, respectful, and constructive manner; and
- engage in the process of gender impact assessments to assess the implications for women, men, trans and gender diverse people 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.

Compliance and Monitoring

a. Actions

Baw Baw Shire Council acknowledges that the requirement to have a gender equitable access and use policy and action plan in place, and the ability to demonstrate progress against that policy and action plan, will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

Baw Baw Shire Council has also identified specific actions to progress gender equitable access and use of community sports infrastructure in its Fair Access Action Plan as outlined below.

| Action | Fair Access Principle Addressed | Responsibility | Timeline |
|---|---------------------------------|------------------|---------------|
| When Council's community sports infrastructure facility licence agreements are due to be renewed, they will be updated to include a statement outlining the Government and Council's expectation of equitable access. | 3,4,5,6 | Council Clubs | 2024- 2028 |

| Action | Fair Access Principle Addressed | Responsibility | Timeline |
|--|---------------------------------|--------------------------------------|-----------|
| Council will advocate and ensure women and girls have access to female friendly/gender neutral sport and active recreation infrastructure by seeking grants to support the development of facilities upgrades. | 1 | Council | 2024-2028 |
| Council will ensure Project Reference Groups include diverse representation including women. PRG's will be chaired by Council to ensure that all members voices are heard at the project meetings | 1,2,4, | Council Clubs/Leagues/User Groups | 2024-2028 |
| Council will complete Gender Impact Assessments for all new or upcoming renewals of any master plans, policies, strategies etc | 1,4 | Council | 2024-2028 |
| Review the provision of lighting and cleaning of Council managed public facilities to ensure that open space areas and supporting infrastructure are welcoming, safe and inclusive. | 1,3 | Council | 2024-2028 |
| Council will monitor annual sport participation data where it is available to track progress over time. A baseline data set will be developed in the first instance. | 2,5,6 | Council Clubs | 2024-2028 |
| Council will develop and implement an online venue booking system to support access to community facilities and data collection. | 2,3,5,6 | Council | 2024 |
| Council will inspect all future facilities that are constructed with support from Sport & Recreation Victoria grant funding on an annual basis to ensure fair access is provided as identified from the facility designs and funding outcomes. | 1,2,6 | Council | 2024-2028 |
| Council will encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement equitable access and use practices. | 1,2,4,5, | Council Clubs/League/User Groups | 2024-2028 |

| Action | Fair Access Principle Addressed | Responsibility | Timeline |
|--|---------------------------------|--|-----------|
| Council will develop a Sports Pavilion Design and Development policy to establish guidelines and standards for the construction, upgrade and renewal of sports pavilions, ensuring that the facilities are developed in a manner that promotes equitable access and inclusivity. | 1,3 | Council | 2024 |
| All projects that are seeking future Sport & Recreation Victoria grant support or benefiting from an application will require a the development of a Participation Plan that should also include a Gender Equity audit which can identify actions to support fair access. The plans should be embedded into facility management once facilities are constructed. | 2,3,4,5 | Council Clubs/User Groups GippSport Sport and Recreation Victoria | 2024-2028 |
| Council will partner and/or promote training opportunities with industry bodies as such GippSport to educate community on equitable access and use practices. | 2,4,5 | Council Clubs/User Groups GippSport/SSA's | 2024-2028 |
| The responsible service of alcohol is an important part of providing a safe and welcoming environment for the whole community and required through license and hire agreements. | 5 | Council Clubs/User Groups | 2024-2028 |

b. Responsibility

Manager Infrastructure Assets and Recreation and Coordinator Recreation are responsible for implementing Baw Baw Shire Council's Fair Access Policy.

Management personnel, staff, volunteers, and stakeholders at Baw Baw Shire Council have a shared responsibility to support the policy.

| | |
|----------------------|-----------------------------------|
| Approval date | 5 June 2024 |
| Approval authority | Council |
| Effective from | 6 June 2024 |
| Review term | Council term |
| Next review date | By October 2028 |
| Responsible position | Manager Infrastructure Assets |
| Responsible Director | Director Community Infrastructure |
| Version | 1 |

Revision History

| Approval date | Version | Revision description |
|---------------|---------|-------------------------------|
| | 1 | Fair Access Policy - Original |
| | | |
| | | |