

Diversity and Inclusion Policy

Last Review: N/A	Constructed / Reviewed by: Clayton Utz
Next Review: March 2026	Approval Required: Yes
	Board Sign Off Date: Monday 26 th October 2024

1. Purpose

- 1.1 Geelong Independent School Sports Association (**GISSA**) encourages an inclusive, welcoming and diverse culture through its practices, its interactions with each other, GISSA Member Schools and the communities in which it operates.
- 1.2 Diversity and inclusion is an essential part of building and delivering GISSA's objectives by fostering an environment where all staff and students can contribute to the achievement of GISSA's vision, mission and values.

2. Scope

- 2.1 This policy applies to GISSA and all GISSA Member Schools.

3. Reference Points/Background Papers

- 3.1 *Equal Opportunity Act 2010* (Vic);
- 3.2 *Sex Discrimination Act 1984* (Cth);
- 3.3 *Disability Discrimination Act 1992* (Cth);
- 3.4 *Age Discrimination Act 2004* (Cth);
- 3.5 *Racial Discrimination Act 1975* (Cth); and
- 3.6 Harassment, Discrimination and Grievance Policy and Procedure.

4. Accountability

- 4.1 GISSA and all GISSA Member Schools are responsible for ensuring that:
 - 4.1.1 all respective managers, leaders and supervisors foster an inclusive and welcoming culture where individual differences are understood, respected, valued and promoted;
 - 4.1.2 all respective employees:
 - (a) are responsible for understanding, respecting, valuing and promoting individual differences; and
 - (b) comply with this Policy.
- 4.2 GISSA Member Schools will develop and implement their own policies to give effect to this Policy.

5. Employment

GISSA is committed to mutual respect, teamwork and diversity in the workplace among people who are diverse in work background, experience, education, age, gender, race, national and social origin, physical abilities, religious belief, sexual orientation, gender identity and other real and received differences. GISSA expects Member Schools to demonstrate this commitment in their own practices.

5.1 Recruitment and selection

Where reasonable, appropriate and lawful, GISSA may take special measures in its recruitment and selection activities to enable it to promote equal opportunity in its workforce. These special measures may be in place for as long as required to achieve the objective of equal opportunity that specifically targets groups of people with particular attributes, including but not limited to race or gender.

5.2 Discrimination and harassment

5.2.1 GISSA is committed to taking all reasonable steps to prevent unlawful discrimination and harassment. Any unlawful discrimination or harassment will not be tolerated and is inconsistent with GISSA's values of diversity and inclusion.

5.2.2 Where any GISSA or GISSA Member School employee engages in such discrimination or harassment, it must be dealt with by the respective employer in accordance with the employer's relevant policies and procedures.

6. Access to sport

GISSA supports the rights of all students to access the same opportunities to sport as their peers, and is committed to providing the same access, where appropriate, to school sport for all students regardless of gender, race, culture, religious belief, age or disability.

6.1 Students with disabilities

6.1.1 GISSA will work with GISSA Member Schools to provide students with disabilities opportunities to play sport in settings where they may compete with students with or without disability, as reasonable and appropriate in the particular circumstances. Where reasonably practicable, GISSA Member Schools should make minor modifications to the rules at the first level of entry to better include all students. This is best done at a local level, and between schools, using a common sense approach to competition. GISSA Member Schools should also ensure there are disability parking spaces in front of their sporting venues.

6.1.2 GISSA will work with its member schools to facilitate the existence of competition opportunities for students with a disability, and for pathways between school and community sport to be mirrored. Where the need arises, GISSA and GISSA Member Schools will decide what competition opportunities should be set up for students with a disability.

6.2 **Gender identity and sex**

- 6.2.1 GISSA will work with GISSA Member Schools and other school sport structures to endeavour to provide opportunities for all students to play sport competitively regardless of their gender identity or sex.
- 6.2.2 GISSA has an inclusive approach to all students playing sport competitively and encourages and supports participation of trans and gender diverse students in GISSA sports and competitions.

6.3 **Exemption: Competitive sporting activity**

- 6.3.1 It is important to note that it is against the law to discriminate against someone on the basis of their sex or gender identity in sport, unless an exception or exemption applies. Refusing or failing to select a student in a sporting team or excluding a student from participating in a sporting activity may constitute unlawful discrimination.
- 6.3.2 There may be circumstances where the exclusion of a student aged 12 years or over from a competitive sporting activity on the basis of sex or gender identity may not constitute unlawful discrimination. The law provides that in limited circumstances where the strength, stamina or physique of competitors is relevant in a single-sex competitive sporting activity, it may be lawful to exclude a student on the basis of their sex or gender identity.

6.4 **Guidelines**

- 6.4.1 Students may be excluded from participation in competitive sporting activities on the basis of their sex or gender identity only in the circumstances contemplated by this policy (or as otherwise contemplated by legislation).
- 6.4.2 In limited circumstances a student may be lawfully excluded from competing in a single sex competitive sporting activity on the basis of sex or gender identity where the strength, stamina or physique of competitors is relevant. However, the skill and competition level of the activities should be carefully considered when deciding whether it is appropriate to rely on this exception. The relevance of strength, stamina or physique will also depend on the sport.
- 6.4.3 Where GISSA seeks to specifically exclude a student from a sporting activity based on sex or gender, then it will consider:
 - (a) what evidence supports the relevance of strength, stamina and physique to the relevant sport;
 - (b) how a student's participation might lead to unfair disadvantage;
 - (c) whether a student's individual circumstances give them a competitive advantage;
 - (d) what impact exclusion would have on both the student and the school, as well as the competition;
 - (e) consulting with the relevant national or state sporting organisation;
 - (f) ensuring that any assessment is undertaken in a timely manner so that the student is not unnecessarily disadvantaged;

- (g) consulting with and providing the student (and student's parent or guardian) with an opportunity to respond to any proposal to exclude them based on the exemption;
- (h) providing the student (and student's parent or guardian) with reasons of any decision to exclude them; and
- (i) providing the student (and student's parent or guardian) with an opportunity to seek a review of a decision to exclude them.

6.4.4 Primary decision making authority in relation to the inclusion or exclusion of a student in accordance with this policy rests with the school.

6.5 **Access to facilities**

GISSA recognises that students participating in sport need access to appropriate changing and bathroom facilities, and have the right to use these facilities without stress.

6.6 **Uniforms**

6.6.1 GISSA recognises that all students should be able to play sport in a uniform in which they feel comfortable.

6.6.2 GISSA Member Schools should encourage their students to wear the uniform of their choosing as it aligns with their gender identity, so long as it complies with the wider sporting code attire rules. GISSA Member Schools' uniform requirement rules should cater to all types of bodies, and where possible, various uniform options and sizes should be offered to students so they can participate in a uniform they feel comfortable in.

6.7 **Collection of personal information**

All personal information that is collected from students regarding gender will be collected and retained in accordance with the GISSA Privacy Policy.

6.8 **Pride and Diversity Coordinator**

6.8.1 GISSA has appointed the GISSA Executive Officer to be the Pride and Diversity Coordinator, as a first point of contact to provide advice and support to students, parents and staff regarding the safety and wellbeing of LGBTQIA+ students.

6.8.2 Reports of discrimination or bullying of such students can be made directly to the Pride and Diversity Coordinator, who will act in accordance with the GISSA Policies and Procedures. Confidentiality will be maintained throughout the grievance procedure to protect the privacy of individuals involved.

7. Implications for practice

7.1 At GISSA level

To properly implement this Policy, GISSA must ensure;

- that this Policy is reviewed and endorsed on an annual basis;
- that copies of this Policy are made available to employees on the GISSA website and within members schools;
- that this Policy is incorporated into GISSA's record of current policies;
- that this policy is incorporated into GISSA's induction program, to ensure that all employees are aware of the Policy, have read and understood the Policy, and acknowledge their commitment to comply with the Policy; and
- that periodic training and refresher sessions are administrated to all employees of GISSA in relation this Policy.

7.2 At Other Levels

To properly implement this Policy, GISSA staff and member schools must abide by this Policy and assist in the implementation of this Policy.

7.3 At GISSA Member School Level

7.3.1 To properly implement this Policy, GISSA Member Schools must ensure that they implement a policy and procedures to give effect to this Policy that this Policy is endorsed on an annual basis.

7.3.2 GISSA will require Member Schools to sign an annual attestation of compliance with this policy.