

OFFICIAL



HUNTER VALLEY  
FOOTBALL



Newcastle  
Football

Football Members  
Protection Policies

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## REGULATION H: 3.3 Anti-Discrimination Policy

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### *Summary*

This Policy provide information about:

➤ **Regulation H – 3.3 Anti-Discrimination Policy**

that the Joint Zone Associations Competitions will operate under.

The Regulations, Procedures and Policies in conjunction with the Constitution and By-Laws of the Zone Association shall, with the approval of NSW Football and duly Registered with FA, apply from the date of approval and shall take precedence over any previous Regulations of the Zone Association.

Issued by the Joint Board of Directors of Macquarie Football, Newcastle Football, and Hunter Valley Football.

Issued: **February 2024**

Review: **January 2025**

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## 1. ANTI-DISCRIMINATION COMMITMENT STATEMENT

The Joint Zones Associations, all our Member Clubs/Branches and their members recognise that individuals cannot participate, enjoy themselves or perform at their best in the football environment, if they are treated unfairly, discriminated against, or harassed.

The Joint Zones Associations, all our Member Clubs/Branches and their members are committed to ensuring that Football is a sport for everyone to participate in safely and enjoy the experience.

This includes a zero-tolerance policy for any form of Discrimination.

As part of the Joint Zones Associations, all our Member Clubs/Branches and their members recognise the importance of Inclusion and Diversity and will undertake to create an environment and culture that is safe, inclusive and celebrates our sport's inherent Diversity.

Every individual should be able to enjoy participating and being involved in Football regardless of age, gender, ability, or disability, cultural or religious background or sexual orientation, or other attributes that may lead to any person feeling excluded or isolated, and have a safe, positive, and inclusive experience.

The Zone Associations and Members do not tolerate any form of discrimination.

The Zone Associations and Members (Clubs) are equal opportunity employers.

This means all employees, officials, volunteers, and players are treated individually on merit, without regard to race, age, sex, marital status, or any other factor not applicable to the position.

Employees, officials, volunteers, and players are valued according to how well each performs his/her duties and his/her ability and enthusiasm to maintain a standard of performance and service.

All employees, officials, volunteers, and players have the right to work and play in an environment free of discrimination, harassment, and vilification.

This is why the Joint Zones Associations have developed this Anti-Discrimination Policy (the **Policy**) as part of its Member Protection Framework.

## 2. PRINCIPLES OF ANTI-DISCRIMINATION

**2.1** Under Federal and State/Territory Anti-Discrimination Laws and Legislation, discrimination in employment (including use of volunteers) on the following grounds but are not limited to is against the law:

- \* sex
- \* pregnancy
- \* age
- \* impairment

- \* political belief and activity
- \* trade union activity
- \* lawful sexual activity
- \* marital status
- \* parental status
- \* race
- \* religion
- \* criminal record
- \* social origin

- 2.2 Sexual harassment is also against the law – refer to separate Policy on this.
- 2.3 Managers, coaches, officials, and administrators must ensure that all employees, officials, volunteers, and players are treated equitably and are not subject to discrimination; they must also ensure that any person who makes a complaint, or any witness to the action that is the subject of the complaint, is not victimized in any way.
- 2.4 Any reports of discrimination or harassment will be treated seriously and investigated promptly, confidentially, and impartially. A written formal complaint is not required.
- 2.5 Disciplinary action shall be taken against any person who discriminates; this disciplinary action may involve a warning, transfer, counselling, demotion, or dismissal, depending upon the circumstances.

### 3. **DEFINING DISCRIMINATION, DIVERSITY, AND INCLUSION**

#### 3.1 ***What is Discrimination?***

Discrimination occurs when a person is treated unfavourably because of one of his/her personal characteristics.

There are two forms of Discrimination, direct and indirect.

Discrimination happens when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics.

This is known as '***direct discrimination***'.

It is also discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share.

This is known as '***indirect discrimination***'

<p><b><i>Direct</i></b></p>	<p>Direct Discrimination occurs when an individual is, or group of people (who usually share a protected attribute or characteristic) are, treated, or proposed to be or likely to be treated, unfairly or less favourably than another person or group of people in the same or similar circumstances on the basis of one or more of the personal characteristics or attributes that are covered by the applicable State, Territory or Federal anti-discrimination legislation. This is sometimes referred to as disparate treatment Discrimination or formal inequality.</p>
<p><b><i>Indirect</i></b></p>	<p>Indirect Discrimination occurs where a requirement, condition or practice is imposed or proposed to be imposed, that is the same for all individuals or groups of people but which disadvantages, or has a disproportionate effect on, an individual or a group of people (who usually share a protected attribute or characteristic) and the condition, requirement or practice is not reasonable. This type of Discrimination is often referred to as adverse impact Discrimination or substantive inequality.</p>

For the purposes of determining Discrimination, the intention, awareness, or motive is not determinative.

Discrimination may also involve any of the following although the list is not exhaustive:

- \* offensive ‘jokes’ or comments about another person’s racial or ethnic background, sex, sexual preference, age, disability, or physical appearance.
- \* display of pictures, computer graphics or posters which are offensive or derogatory.
- \* expression of negative stereotypes of particular groups eg “married women shouldn’t be working”.
- \* judgment of a person on his/her political or religious beliefs rather than work performance.
- \* use of stereotypes or assumptions to guide decision-making about a person’s career.
- \* undermining of a person’s authority or work performance because of a dislike of one of the personal characteristics of the person.

### 3.2 *Exceptions*

Like all Policies, there are exceptions to the legislative prohibition on Discrimination.

The exceptions contained in each jurisdiction may be different, and Members should direct queries regarding such exceptions to the relevant agency or commission in their State or Territory.

The exceptions to State, Territory and Federal anti-discrimination law, including exceptions for sporting activities, include but are not limited to:

1. Holding a competitive sporting activity for a specific age or age group and only permitting age-eligible people to participate in such a competition (e.g., only those who are under the age of 15 years),
2. Excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
3. Not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

### 3.3 *What is Diversity?*

Diversity is the range and combination of peoples' different attributes.

Diversity may include, but is not limited to, identity characteristics, such as gender and gender identity, ethnicity, sexual orientation, disability, age and generation, religion and belief, socioeconomic background, family, and marital and civil partnership status.

These attributes and backgrounds combine uniquely for each individual and contribute to the way they perceive and interact with those around them, and often impact the way that others view and treat them.

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### 3.4 *What is Inclusion?*

Inclusion is pro-active behaviours, options, and actions to make all people, regardless of their diverse attributes feel welcome, respected, empowered to contribute, and have equal access to opportunities in our sport.

If Diversity is the broad mix of people participating in our sport, then Inclusion is the process of working to ensure that these people are treated equally and fairly in football.

Being Inclusive means welcoming everyone to our sport, regardless of their diverse attributes.

Everyone has the right to be involved and it is beneficial to all when a Football Entity's membership represents and reflects the whole community.

### 3.5 Discriminatory actions are unlawful and shall not be tolerated by the Zone Associations and Members under any circumstances.

## 4. **REPORTING DISCRIMINATORY CONDUCT OR BEHAVIOUR**

Reporting Discriminatory conduct or behaviour is an important mechanism in preventing Discrimination in Football.

Members should expect to be able to speak up and to report such incidents, and to be supported by the Joint Zone Associations and its Members if they do.

Any person who reasonably believes that they may have witnessed or been the victim of Discriminatory behaviour or conduct that involves a Member may report it to their Member Club in accordance with that Member Club's Complaints Procedure, which should be available on the Member Club's website and a form is available on each Zone Association's website under Rules and Regulations -Regulation H – Football Member Protection Policy – Attachment 3.

## 5. **RESOURCES:**

Attachment 3 Regulation H – Record of Complaint Document

Football Australia Member Protection – [Anti-Discrimination Policy](#)

Australian Sports Commission – [Inclusive Sport](#)

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