



## NORTH WEST SYDNEY FOOTBALL: DIVERSITY AND INCLUSION POLICY

North West Sydney Football's (NWSF's) Diversity and Inclusion Policy aims to:

1. Make a clear statement of our commitment to inclusion and diversity;
2. Assist with running NWSF's footballing activities; and
3. Provide information around common terms and frequently asked questions.

### 1. STATEMENT OF DIVERSITY AND INCLUSION

NWSF is committed to providing a safe, respectful, and fair football environment for all. We strive to be inclusive and celebrate diversity. We are proud to provide a footballing experience for everyone regardless of their race, ethnicity, religion, social background, age, disability, sex, sexual orientation, and gender identity.

### 2. DIVERSITY AND INCLUSION POLICY

#### 2.1. Background

2.1.1. In line with our governing bodies, Football Australia (FA) and Football NSW (FNSW), NWSF abides with Australian Law and the guidelines pertaining to diversity issued by the Australian Human Rights and Equal Opportunity Commission. These are summarised in the following documents:

- 2.1.1.1. [Disability Discrimination Act \(1992\)](#);
- 2.1.1.2. [Sex Discrimination Act \(1984\)](#); and
- 2.1.1.3. [Guideline for the Inclusion of Transgender and Gender Diverse People in Sport \(2019\)](#).

#### 2.2. General Inclusion Principles

2.2.1. NWSF recognises that:

- 2.2.1.1. Everyone has the right to play football;
  - 2.2.1.2. There are diverse populations within society who face, or have faced, entrenched discrimination; and
  - 2.2.1.3. Special measures may be required to remove any barriers to participation for individuals belonging to diverse populations.
- 2.2.2. All NWSF members are bound by NWSF's Code of Conduct.
- 2.2.3. NWSF has a zero tolerance for any abuse, discrimination, or harassment by, or towards, any NWSF member.
- 2.2.4. NWSF has a duty of care and responsibility for considering the safety (both physical and emotional well-being) of all participants of the game, including but not limited to players, coaches, managers, match officials, and volunteers.
- 2.2.5. Member Clubs have the same duty of care and responsibility for considering the physical and emotional safety of all participants of the game, including opponents.
- 2.2.6. NWSF and its Member Clubs are required to have a Member Protection Information Officer (MPIO) who can be contacted by any NWSF member if they have any questions or concerns.
- 2.2.7. Any formal complaint of abuse and harassment will be referred to NWSF's General Purposes Tribunal under Section 8.1 of NWSF's Grievance and Disciplinary Regulations for investigation.

## 2.3. Registration and Play

- 2.3.1. NWSF recognises that:
  - 2.3.1.1. Everyone has the right to play football;
  - 2.3.1.2. Gender is not binary, and that not all people are, or identify as, male or female;
  - 2.3.1.3. Participation in sport should be based on a person's affirmed gender identity and not the sex they were assigned at birth; and
  - 2.3.1.4. In the case of an individual who identifies as non-binary, to facilitate participation and remove any barriers, the individual should elect which gender team they wish to join based on what fits best with their gender identity.
- 2.3.2. For individuals of diverse populations, NWSF will provide:
  - 2.3.2.1. Reasonable exemptions to its Competition Regulations; and
  - 2.3.2.2. Adjustments to its registration process and competitions; or
  - 2.3.2.3. Either directly or indirectly, access to alternative programs within or external to NWSF.
- 2.3.3. All exemptions and adjustments offered by NWSF are at the discretion of NWSF's Football Management Committee and/or the CEO. Examples of types of exemptions or adjustments may include, but are not limited to:
  - 2.3.3.1. Offering registration assistance to socially disadvantaged families or populations;
  - 2.3.3.2. Offering specific programs for individuals with disability;
  - 2.3.3.3. Considering, on a case-by-case basis, age-exemptions for individuals with disability to play within competitions related to their physical or cognitive level rather than their chronological age;
  - 2.3.3.4. Offering alternative football competition formats to allow individuals of any age or ability to play (e.g., Masters and Walk competitions, and Football4All programs);
  - 2.3.3.5. Rescheduling matches where possible for teams associated with specific cultural or religious holidays and events.
- 2.3.4. NWSF Member Clubs must not discriminate. Therefore, they must not ask anything from an individual identifying as belonging to a diverse population that is different to what they would ask from any other person registering, or registered, to play. As such, a Member Club has no right to ask:
  - 2.3.4.1. An individual identifying as having a disability to provide proof of diagnosis;
  - 2.3.4.2. An individual identifying as trans, gender diverse or intersex, to provide proof of their status as a trans, gender diverse or intersex person;
  - 2.3.4.3. An individual identifying as trans whether they are, have had, or are planning to engage in any gender affirming processes as part of their transition (i.e., hormone therapy or surgical intervention).

## 3. COMMON QUESTIONS AND DEFINITIONS

### 3.1. Common Questions

- 3.1.1. ***Why did NWSF implement a Diversity and Inclusion Policy?***

NWSF wanted to make a clear statement of our commitment to inclusion and diversity, and our goal to remove barriers to participation for individuals of diverse populations. NWSF's Competition Regulations provide the rules and regulations that all NWSF competitions abide by. However, the Competition Regulations need to be read and implemented in conjunction with this Diversity and Inclusion Policy to ensure all NWSF members, irrespective of race, ethnicity, religion, social background, age, disability, sex, sexual orientation, and gender identity, can participate safely in footballing activities.
- 3.1.2. ***How does NWSF ensure there is no unfair advantage if individuals identifying as trans, gender diverse or intersex play in competitions different to their sex assigned at birth?***

NWSF acknowledges that it could be perceived that the relative difference in strength, stamina or physique of a trans, gender diverse or intersex player is significant and has an appreciable effect on their ability to compete. There also could be concerns about whether individuals transition for a competitive advantage, or the role hormone therapy

plays. These concerns are addressed in the Australian Human Rights and Equal Opportunity Commission's *Guideline for the Inclusion of Transgender and Gender Diverse People in Sport* (2019, pg. 37).

NWSF takes the view that everyone has different levels of hormones that affect their abilities, and this is not specific to trans, gender diverse and intersex people. Any perceived advantage or disadvantage should be addressed through grading, first at the Member Club level, and then at NWSF's level if required.

Instances of rough conduct and other unsafe play involving any player, including trans, gender diverse and intersex players, will continue to be managed in accordance with the laws of the game and NWSF's Grievance and Disciplinary Regulations.

NWSF will, acting reasonably, apply appropriate risk management procedures to strive to ensure the safety and wellbeing of all players, including the safety and wellbeing of trans, gender diverse and intersex players.

### 3.2. Definitions of Terms Used in this Policy

*(as defined by the Australian Human Rights and Equal Opportunity Commission)*

- 3.2.1. **'Disability'** includes physical, intellectual, psychiatric, sensory, neurological, and learning disabilities. It also includes physical disfigurement and the presence in the body of disease-causing organisms.
- 3.2.2. **'Gender diverse'** is an umbrella term that includes all the different ways gender can be experienced and perceived. It can include people questioning their gender, those who identify as trans/ transgender, genderqueer, non-binary, gender nonconforming and many more.
- 3.2.3. **'Gender identity'** refers to a person's deeply held internal and individual feeling of gender. It is defined in the Act as 'the gender related identity, appearance or mannerisms or other gender related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth'. For example, a person's birth certificate may include a marker which indicates that the person's designated sex is female when that person identifies as a man (in other words, their gender identity is that of a man).
- 3.2.4. **'Intersex status'** is a protected attribute under the Act. Under the Act 'intersex status' means the status of having physical, hormonal, or genetic features that are:
  - neither wholly female nor wholly male
  - a combination of female and male, or
  - neither female nor male.The term 'intersex' does not describe a person's gender identity (man, woman, neither or both).
- 3.2.5. **'Non-binary'** is a term used to describe a person who does not identify exclusively as either a man or a woman.
- 3.2.6. **'Sex'** refers to a person's biological sex or sex characteristics. These may be genetic, hormonal, or anatomical.
- 3.2.7. **'Transgender'** (commonly abbreviated to 'trans') is a general term used to describe a person whose gender identity is different from the sex they were assigned at birth. Being transgender is about how an individual describes their own gender. It is not necessarily about their biological characteristics. A person whose birth certificate originally described them as female, who now identifies as a man, may use the labels 'trans', 'trans man' or 'man'. Similarly, a person originally described on their birth certificate as male, who now identifies as a woman, may use the label 'trans', 'trans woman' or 'woman'.
- 3.2.8. **'Transition'** or affirmation refers to the social, medical, or legal steps that a transgender person takes to affirm their gender identity. A transition or affirmation may or may not involve medical treatment, including surgeries or hormone therapy. People can transition as children or as adults. Each transition is different.