

LGBTQIA+ Inclusion Policy

OVERVIEW

Melbourne University Sport (MU Sport) recognises and celebrates the richness that diversity brings to our sports clubs, teams and programs. As such, MU Sport is committed to providing a safe and welcoming environment for all people to participate regardless of sexual orientation, gender identity or intersex status, and that the provision of our services, programs, competitions and facilities do not discriminate against people based on these protected attributes.

DEFINITIONS

LGBTQIA+	Acronym referring to the lesbian, gay, bisexual, transgender, queer or questioning, intersex and asexual community. The plus is referring to people of diverse orientations or gender identities which aren't reflected within the acronym.
SOGII	Acronym for sexual orientation, gender identity and intersex status, typically used when referring to human rights and anti-discriminatory law.
LESBIAN	Refers to women who have a primary sexual and romantic attraction to women.
GAY	Refers to men who have a primary sexual and romantic attraction to men, as well as women who have a primary sexual and romantic attraction to women.
BISEXUAL	Refers to a person who has a primary sexual and romantic attraction to both men and women.
TRANSGENDER	Refers to a person whose gender identity is opposite to that of which they were assigned at birth.
QUEER	A reclaimed term which is adopted by some as a self-identification to signify that their gender identity, gender expression and/or sexual orientation doesn't conform to social norms. Historically used as a derogatory term, its use today is self-determined.
INTERSEX TRAIT	Umbrella term for naturally occurring biological (physical, hormonal or genetic) variations which do not meet medically defined norms for female or male.
ASEXUAL/ AROMANTIC	Refers to people who lack a sexual and/or romantic attraction to people of any gender.
GENDER IDENTITY	An individual's understanding of their own gender as it relates to societal norms. Gender identity is self-determined and separate to biological sex assigned at birth. All gender identities are valid and are protected by state and national legislation.
NON-BINARY	A common gender identity for people who don't solely identify within the binary of man and woman.
HOMOPHOBIA	Discriminatory behaviour driven by homophobia, an irrational hatred to or aversion of people who are homosexual (gay or lesbian) or who are perceived to be homosexual. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.
BIPHOBIA	Discriminatory behaviour driven by biphobia, an irrational hatred to or aversion of people who are bisexual or who are perceived to be bisexual. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.

TRANSPHOBIA	Discriminatory behaviour driven by transphobia, an irrational hatred to or aversion of transgender people or people who are perceived to be transgender. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.
QUEERPHOBIA	Discriminatory behaviour driven by queerphobia, an irrational hatred to or aversion of people who identify as queer or who are perceived to be queer. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.
INTERPHOBIA	When a person of intersex status is treated in a discriminatory way, based on their intersex variations.
DIRECT DISCRIMINATION	Treating a person less favourably compared to another person in the same circumstance because of a personal characteristic e.g. the purposeful use of derogatory language when communicating with someone who identifies as part of the LGBTQIA+ community.
INDIRECT DISCRIMINATION	Imposition of unreasonable requirements, conditions or practice which disadvantages people with a certain personal characteristic compared to others e.g. not providing appropriate changing facilities for trans or gender diverse people.
CASUAL DISCRIMINATION	Discriminative behaviour which doesn't have the intent to cause harm, but regardless may be equally harmful as direct discrimination e.g. using the phrase "that's so gay".

OBJECTIVES

- To affirm MU Sport's commitment to supporting the inclusion of LGBTQIA+ identifying people in sport.
- To ensure that MU Sport provides a safer and more welcoming environment for LGBTQIA+ identifying people by eliminating discriminative behaviour within our services and programs.
- To apply standards that enforce a zero tolerance of discriminative behaviours based on sexual orientation, gender identity, or intersex status.
- To affirm MU Sport's support of gender affirming practices in our sport competitions, programs and operations.
- To outline MU Sport grievance procedures that are consistent with wider University of Melbourne (UoM) policy.

SCOPE

For the purposes of this policy, discriminative behaviour is inclusive of homophobia, biphobia, transphobia, queerphobia and interphobia.

This policy applies to:

- All MU Sport staff, inclusive of: permanent, part-time, contractual and casual employees.
- MU Sport affiliated clubs, inclusive of their: committees, members, coaches, staff, volunteers, and spectators; while playing, training or participating in affiliated club sanctioned activities.
- Fitness and recreation service staff and patrons, inclusive of: members and casual users; whilst using MU Sport facilities and/or participating in fitness and recreation classes.
- Participants in MU Sport delivered sports competitions, inclusive of: social sport and intercollegiate competitions.
- Participants representing the University of Melbourne at intervarsity, national and international competitions.

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POLICY

In accordance with the **University of Melbourne Student Conduct Policy (MPF1324)** and **Appropriate Workplace Behaviour Policy (MPF1328)**, MU Sport upholds a zero tolerance of discriminatory behaviour towards people based on sexual orientation, gender identity or intersex status (SOGII).

MU Sport recognises that:

- Verbal and physical discriminatory behaviour are held equally to account, and both actions are subject to reporting and remediation.
- Both direct and indirect discrimination exists, and both actions are subject to reporting and remediation.
- Casual discriminatory behaviour, regardless of intent, is equally subject to reporting and remediation.

In alignment with the **Victorian Equal Opportunity & Human Rights Commission guidelines for Trans and Gender Diverse Inclusion in Sport**, and the **National Guidelines for the Inclusion of Transgender and Gender Diverse People in Sport**, MU Sport upholds gender affirming practices to facilitate participation of transgender and non-binary people within MU Sport sanctioned sport, fitness and recreation services:

- For single-sex competitions, people can participate in the competition which best reflects their gender identity. This is in accordance with the Victorian Equal Opportunity Act, which protects people against discrimination in sport on the basis of gender identity unless an exception criteria for legal discrimination can be applied (see appendix item 7.1).
- For mixed-gender competitions, people can participate in a manner which best reflects their gender identity. Rules for mixed-gender competitions will be applied on the basis on gender identity.
- Within MU Sport facilities, people have the right to use changing and bathroom facilities which best reflects their gender identity.
- People participating in sports may wear the uniform of their choosing as it aligns with their gender identity, so long as it abides by wider sporting code attire rules.
- Collection of personal information will be conducted in an inclusive manner, and any information that is collected will be handled with confidentiality.

In accordance with the federal **Sex Discrimination Act (1984)**, MU Sport recognises that being of intersex status is a protected attribute which is separate but equal to gender identity and sexual orientation. As such, we aim to encourage participation of people with intersex variations within MU Sport sanctioned sport, fitness and recreation services:

- Women with intersex variations are able to participate in female-only sporting competitions.
- While separate to gender identity, it is recognised that intersex people may face similar barriers to participation in sport that trans and gender diverse people do. Therefore, the gender affirming practices outlined above are aimed to also support participation of intersex people for which they may apply.

GRIEVANCE PROCEDURES

To protect the safety and wellbeing of LGBTQIA+ individuals, MU Sport strongly encourages reporting of any discrimination based on SOGII by victims and/or witnesses. Reports of discrimination can be made directly to the Pride and Diversity Coordinator, who will act in accordance with University of Melbourne policies and procedures. Confidentiality will be maintained throughout the grievance procedure to protect the privacy of individuals involved.

The contact details for the **Pride and Diversity Coordinator** are:

Chris Bunting

Email: chris.bunting@unimelb.edu.au

Phone: (03) 8344 7718

APPENDIX

- Exceptions under Victorian Equal Opportunities Act and how they relate to single-sex competitions.

STRENGTH, STAMINA OR PHYSIQUE	<p>Discrimination is lawful if an advantage of strength, stamina or physique of one competitor over another can be clearly demonstrated, specific to the sporting competition in question.</p> <p>If a code is proposing to exclude a trans or gender diverse person on this basis, it is recommended:</p> <ul style="list-style-type: none">To carefully consider the level of competition (i.e. necessity to discriminate at non-elite levels)Seek legal advice on the matter
PROGRESSING TO AN ELITE LEVEL COMPETITION	<p>Discrimination may be lawful if participation in single-sex competition is required for progression to elite-level competition (national or international). This will likely require an exemption from the Commonwealth Sex Discrimination Act.</p>
FACILITATING PARTICIPATION	<p>Discrimination may be lawful when a single-sex competition is designed to facilitate participation of one sex where there have previously been barriers to prevent this e.g. running a Women's AFL competition to encourage women to participate in football. If proposing to exclude trans or gender diverse people on this basis, you may need an exemption from the Commonwealth Sex Discrimination Act and should also consider:</p> <ul style="list-style-type: none">The nature/purpose of the activityThe consequences on the person/s you are proposing to excludeIf there are other opportunity for people to participate in the activity

(adapted from the VEOHRC guidelines for trans and gender diverse inclusion in sport)