



# **Little Athletics Australia (LAA) Inclusion Policy – Gender Diversity**

**Endorsed by the LAA Board on Monday 29 July 2024**

**Commencement Date: Wednesday 31 July 2024**

## Inclusion Policy – Gender Diversity

### 1 Introduction

#### 1.1 CEO Foreword

Little Athletics Australia (LAA) is committed to promote principles of equality and ensure respect and diversity is intrinsic to the Little Athletics culture. All individuals will be treated equally, with dignity and respect to ensure that all people experience a safe and inclusive sporting environment. This policy is driven by our purpose as an organisation to improve people’s lives through our sport and believe participation in Little Athletics has the power to unite communities, empower individuals and breakdown barriers.

This policy have been created to assist LAA and affiliates in setting a standard for inclusion of trans and gender diverse people in compliance with the federal Sex Discrimination Act 1984 and is based on the *Guidelines for the Inclusion of Trans and Gender Diverse People in Sport* (2019) written by Sport Australia, the Australian Human Rights Commission and the Coalition of Major Professional and Participation Sports.

LAA is committed to providing a safe, fun and inclusive environment for all people including those with diverse sexuality and genders. LAA has zero tolerance for bullying, harassment or vilification and will not tolerate homophobia, biphobia, or transphobia in our sport. LAA celebrates diversity of sex, gender identity, gender expression and gender sexual orientation.

#### 1.2 Purpose

LAA recognises and respects the transgender and gender diverse community and believes that everyone has the right to participate in Little Athletics in a safe, respectful, and welcoming environment that is free from harm. Our commitment is to unite, inspire, and enable everyone regardless of gender, sexuality, ability, ethnicity, age, or culture the opportunity to participate, develop and belong.

These guidelines have been developed to ensure our LAA community has enough information to enable and welcome the inclusion of transgender and gender diverse people. Under the eyes of the law, everyone has a human right to be included without fear of retribution, discrimination, harassment, or harm in any form.

## 2 Scope

The LAA Inclusion Policy – Gender Diversity applies to all LAA:

- Board
- Member Associations
- Staff (including employees and contractors)
- Officials
- Coaches
- Volunteers
- Athletes
- Parents and careers
- Service providers/contractors

These groups of people are collectively referred to as “personnel” in this policy, unless specifically referenced.

Where used, the term “employees” refers to employees of LAA and Member Associations but excludes volunteers, unpaid officials and coaches, and contractors.

## 3 Objectives

The objectives of the LAA Inclusion Policy – Gender Diversity is:

- To affirm LAA’s commitment to the inclusion of trans and gender diverse people in Little Athletics.
- To ensure we foster a safe and welcoming environment for gender diverse people by eliminating discriminatory behaviour within LAA facilities, programs/activities and services.
- To promote a safe, inclusive and welcoming environment that engaged and keeps participants with diverse genders and sexualities involved with Little Athletics.

## 4 Uniforms

All personnel should be able to participate in a uniform in which they feel comfortable, as long as it abides by Member Association Uniform Policy. If gendered uniforms are necessary, then Member Associations should:

- Allow personnel to choose which uniform they would prefer to wear
- Ensure that appropriate sizes are available for all participants
- Design options that are suitable for different body types and shapes

## 5 Facilities

LAA recognises that existing difficulties faced by Centres/Clubs and Member Associations in having adequate bathroom, change room and showering facilities.

While many transgender people prefer to use facilities that align with their affirmative gender, and where this is the case LAA supports the right of people to do this, there is also a strong preference for privacy. People who identify as non-binary may prefer to use gender neutral facilities. Facilities should be considered to ensure that they are suitable for all participants. Centres/Clubs and Members Associations may consider making their existing venue facilities more inclusive by:

- Changing signage on some facilities to all gender;
- Modifying change rooms and bathrooms to create private spaces (higher doors, room dividers, shower curtains, etc); and
- Ensuring all change rooms have appropriate waste disposal.

Where new facilities are built or upgrades are taking place (whether in consultation with council, schools or others), Centres/Clubs and Member Associations should consider options to create inclusive spaces by:

- Creating private spaces so that people can use the facility safely and comfortably; and
- Providing a gender neutral space where possible.

## **6 Participant Eligibility**

### **6.1 Athletes under 12 years of age**

It is the policy of LAA that participants in Little Athletics at all levels, under the age of 12 years take part and/or compete in either male or female category in the age appropriate group. It is the preference of LAA that once a child has registered in a selected gender category, they continue to take part in that category, as registered, for the entire of that season.

### **6.2 Athletes over 12 years of age**

It is the policy of LAA that all Member Associations must permit athletes 12 years and over to participate in all Little Athletics competitions in the category (by gender) they choose, in accordance with their Gender Identity, whether or not the category accords with the sex they are assigned at birth, subject to the following:

- If the athlete identifies with a particular gender, they must nominate their gender at the time of registration with the association for the upcoming competition season; and
- If the athlete does not identify with a specific gender, commit to the category that they choose for the entire of the season in which they register.

Member Associations must not ask any athlete to undergo a medical examination for the purposes of gender verification. Member Associations must only collect personal information about gender from all athletes if absolutely necessary and with the athletes consent, or where the athlete is under the age of 18, their parent or guardian's consent.

Every transition and affirmation is different and for this reason, Member Associations must give consideration to the needs of an individual.

Non-binary people are welcome and encouraged to participate in Little Athletics competitions. Centres and Member Associations are encouraged to provide opportunities for mixed or gender neutral events where possible. From a competition standpoint, where it is not possible to conduct mixed or gender neutral events, non-binary people can participate based on their sex assigned at birth or under the gender category of male or female that most affirms their gender.

## **7 Privacy and Confidentiality**

Collection of personal information will be handled with confidentiality and be conducted in an inclusive manner. Personal information should only be collected from participants if absolutely necessary and with the individual's consent or, where the individual is under the age of 18 years, their parent or guardian's consent.

Any personal information collected by LAA or Member Associations must only be disclosed if necessary and in accordance with the law.

LAA and Member Associations must:

- Securely store personal information, in line with privacy legislation;
- Not disclose the Gender Identity of a participant without the express consent of the individual;
- Ensure correct names and pronouns are used in conversations, databases, documents and correspondence.

LAA and Member Associations should be aware that, depending on the circumstances, requesting additional information from transgender and gender diverse people may be unlawful. LAA and Member Associations entities must protect the privacy of participants. This is particularly important when dealing with any personal or sensitive information that the affiliate, Centre/Club or stakeholder may hold regarding a person's gender identity, or transition or affirmation process.

## 8 Discrimination

This policy does not provide a definitive legal answer to all of the issues of discrimination, harassment or victimisation involving sex or gender identity that may arise under The Act. Sporting organisations and individuals should seek their own independent legal advice if they have concerns regarding their compliance with the Act or with relevant state or territory anti-discrimination legislation.

Discrimination on the basis of sex or gender identity can include both direct and indirect discrimination and may be unlawful under Commonwealth and State legislation.

*Direct discrimination* occurs when a person is treated less favourably than another person on the ground of:

- Sex or gender identity; or
- A characteristic generally associated with a person of that sex or gender identity in circumstances that are the same or not materially different

An example of direct discrimination would be a sporting organisation refusing a trans woman's application for membership because she is transgender.

*Indirect discrimination* can be less obvious. Indirect discrimination occurs when a condition, requirement or practice that applies to everyone disadvantages persons of a particular sex or gender identity, and the condition, requirement or practice is not reasonable in the circumstances.

Further guidance on Federal, State and Territory laws and exemptions is available through the Australian Human Rights Commission and any State or Territory Human Rights Authority.

## **9 Complaints**

### **9.1 Resolving Issues and Complaints Handling**

Initially if you or someone you know, through association with LAA, believe that you/they have been, or are being, discriminated against, treated unfairly, bullied or harassed, you may follow the procedures outlined below:

- Only if you can, make it very clear to the offender that their behaviour is unreasonable. This usually means approaching the person responsible and asking them to stop.
- If you would like assistance, information or mediation support then contact your Centre/Club President, Member Association or the LAA Complaint Manager.
- If you feel the situation is serious and/or beyond your individual control or has not been resolved through direct action and/or informal mediation, you can make a formal written complaint in accordance with Centre/Club, Member Association, LAA policy, on the basis of the most appropriate policy for the complaint.

It is LAA's policy that personnel who witness discrimination against transgender or gender diverse persons deal with the behaviour they have observed by reporting it to their Centre/Club President, Member Association or the LAA Complaint Manager.

Personnel should contact their local Centre/Club President in the first instance. The escalation path is toward the Member Association, and in turn LAA Complaint Manager. The escalation path applies in the event that the complaint cannot be resolved at local level, and/or is at risk of bringing the sport into disrepute.

### **9.2 Formal Complaints and Complaint Investigation**

Where a situation is not able to be resolved through the above steps, personnel should refer to [LAA Integrity Framework – Complaints, Disputes and Discipline Policy](#), where a formal complaint may be lodged with the LAA Complaints Manager.

The Australian Human Rights Commission or State or Territory Human Rights Commission may also assist individuals in relation to any complaints of discriminations, harassment and/or victimisation under Federal or State and Territory laws.



## **10 Responsibilities**

The LAA Chief Executive Officer is responsible for enforcing this policy and for ensuring that LAA complies with legal requirements and industry standards relating to the inclusion of trans and gender diverse people.

All Member Associations have the responsibility to ensure this policy is adhered to, and to take appropriate action to ensure the inclusion of all gender identities.

Discrimination against people who have approached LAA under this policy will be referred to the LAA Complaint Manager under the [LAA Complaints, Disputes and Discipline Policy](#).

## **11 Non-Compliance and Policy Breaches**

Under Federal, State and Territory law it is unlawful to discriminate on the basis of sex or gender identity in sport, unless an exemption applies. A Member Association may be in breach of these laws if they do not follow this policy.

An alleged breach of the terms of this policy will be managed by LAA Complaints Manager under the [LAA Complaints, Disputes and Discipline Policy](#).

This policy does not prevent a complaint being made, where applicable, to relevant external bodies, including the Anti-Discrimination Commission in the relevant State or Territory or the Australian Human Rights Commission.

## 12 Support Services and Additional Resources

For external support, LAA recommends using the following LGBTQ specific providers:

### **Lifeline**

13 11 14

[www.lifeline.org.au/gethelp](http://www.lifeline.org.au/gethelp)

Lifeline provides 24-hour crisis support and suicide prevention services to all Australians experiencing a personal crisis.

### **QLife**

1800 184 527

[www qlife.org.au/get-help](http://www qlife.org.au/get-help)

QLife provides anonymous and free LGBTQ peer support and referral for people wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.

### **Australian Human Rights Commission**

[www.humanrights.gov.au](http://www.humanrights.gov.au)

The Australian Human Rights Commission is an independent statutory organisation, established by an act of Federal Parliament. We protect and promote human rights in Australia and internationally

### **Pride in Sport Australia**

[www.prideinsport.com.au](http://www.prideinsport.com.au)

Pride in Sport is the only sporting inclusion program specifically designed to assist sporting organisations at all levels with the inclusion of LGBTQ employees, athletes, coaches, volunteers and spectators.

### **Proud 2 Play**

<http://www.proud2play.org.au/>

Proud 2 Play is a peak body that promotes the participation and inclusion of LGBTQ+ people in all levels of sport, and provides support to sports organisations with the creation of policies and education programs.

### **Play by the Rules**

<https://www.playbytherules.net.au/got-an-issue/inclusion-and-diversity>

Play by the Rules provides information, resources, tools and free online training for sports club and participants about discrimination, harassment, child safety, inclusion and integrity issues in sport.

### **Transcend**

<https://transcendaus.org/>

Transcend was the first parent lead peer support network and information hub for transgender children and their families in Australia. They provide patient/carer support, community connection, information, advocacy and fundraising.

### **TransHub**

[www.transhub.org.au](http://www.transhub.org.au)

This platform is an initiative from ACON Health, Australia's largest LGBTQ health organisation specialising in community health, inclusion and HIV responses for people of diverse sexualities and genders.

### **Trans Pride Australia**

[www.transprideaustralia.org.au](http://www.transprideaustralia.org.au)

Trans Pride Australia Inc is a social and support group for trans and gender diverse people and their loved ones in Australia.

## 13 Definitions

### 13.1 Bodies, Gender and Gender Identities

**Gender identity** 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).

**Gender dysphoria** is the discomfort a person feels with how their body is perceived and allocated a gender by other people. The experience may occur when a person feels their biological or physical sex doesn't match their sense of their own gender. This feeling, that there is a mismatch, can trigger a range of responses. Some people experience serious distress, anxiety and emotional pain, which can affect their mental health. Others experience only low-level distress — or none at all. For this reason, gender dysphoria is no longer considered a mental illness. (Not to be confused with 'Body Dysmorphia')

**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 non-conforming and many more.

**Cisgender / cis** is a term used to describe people who identify their gender as the same as what was assigned to them at birth (male or female). 'Cis' is a Latin term meaning 'on the same side as'

**Deadname** is a term used by some trans people to describe the name they were given and known by prior to affirming their gender and/or coming out

**Intersex (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). A person with an intersex variation may identify as a man, woman, neither or both.

**LGBTQ (or variations of it)** is an acronym for lesbian, gay, bisexual, transgender, queer/questioning and intersex. It is used to refer collectively to these communities. The 'LGB' refers to sexuality/sexual identity; the 'T' refers to gender identity; and the 'I' refers to people who have an intersex variation. 'Q' can refer to either gender identity or sexuality.

**Non-binary** is a term used to describe a person who does not identify exclusively as either a man or a woman. Genders that sit outside of the female and male binary are often called non-binary. A person might identify solely as non-binary, or relate to non-binary as an umbrella term and consider themselves genderfluid, genderqueer, trans masculine, trans feminine, agender, bigender, or something else.

**Pronouns** are a grammatical means of referring to a person or persons. Conventional pronouns are 'she/her/hers' and 'he/him/his'. Some people use gender neutral pronouns, such as 'they/them/their'. The pronoun a person uses to describe themselves generally reflects their gender identity.

**Sex** refers to a person's biological sex or sex characteristics. These may be genetic, hormonal, or anatomical. Unlike 'gender identity', 'sex' is not defined in the Act.

**Transgender (commonly abbreviated to 'trans')** is a general term used to describe a person whose gender identity is different to 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. Trans people may position 'being trans' as a history or experience, rather than an identity, and consider their gender identity as simply being female, male or a non-binary identity. Some trans people connect strongly with their trans experience, whereas others do not. Processes of gender affirmation may or may not be part of a trans or gender diverse person's life.

**Transition / Gender Affirmation** The personal process or processes a trans or gender diverse person determines is right for them in order to live as their defined gender and so that society recognises this. Transition may involve social, medical/surgical and/or legal steps that affirm a person's gender. Affirming gender doesn't mean changing gender, 'having a sex change' or 'becoming a man or a woman', and transition isn't the same as being trans. A trans or gender diverse person who hasn't medically or legally affirmed their gender is no less the man, woman or non-binary person they've always been.

**AFAB/DFAB** Assigned female at birth/Designated female at birth.

**AMAB/DMAB** Assigned male at birth/Designated male at birth.

### 13.2 Societal Attitudes/Issues

**Ally** An ally, straight ally, or heterosexual ally is typically a heterosexual and cisgender person who supports equal civil rights, gender equality, LGBTQ+ social movements, and challenges homophobia, biphobia, and transphobia. Not everyone who meets this definition identifies as an “ally”. An ally acknowledges that LGBTQ+ people face discrimination and thus are socially disadvantaged. They aim to use their position as heterosexual and cisgender individuals in a society focused on heteronormativity to counter discrimination against LGBTQ+ people. An ally can also be someone who identifies within the LGBTQ+ community and supports an aspect of that community in which they don’t identify with (e.g. a Cisgendered gay man may identify as an ally to transgender individuals).

**Biphobia** is abuse towards someone who is attracted to more than one gender, and even includes when that person’s identity is erased. This can be in the form of telling someone that their sexuality is “just a phase”, or even telling them to “pick a side.

**Cissexism** is where something is based on a discriminatory social or structural view that positions (either intentionally or otherwise) the trans experience as either not existing or as something to be pathologised. Cissexism believes that gender identity is determined at birth and is a fixed and innate identity that is based on sex characteristics (or ‘biology’) and that only binary (male or female) identities are valid and real.

**Heteronormativity (also known as cisnormativity)** the view that heterosexual relationships are the only natural, normal and legitimate expressions of sexuality and relationships, and that other sexualities or gender identities are unnatural and a threat to society.

**Homophobia** refers to negative beliefs, prejudices and stereotypes that exist about people who are not heterosexual. Verbal homophobia is the most common form. Things like name-calling, rumours and abusive words (‘f\*g’ or ‘d\*\*e’). Phrases like “that’s so gay” which compare sexuality to words like ‘crap’ can have a negative impact. Homophobia also include abusive threats or actual physical violence, sexual harassment and deliberately excluding someone because of their sexuality.

**Misgendering** is an occurrence where a person is described or addressed using language that does not match their gender identity. This can include the incorrect use of pronouns (she/he/they), familial titles (father, sister, uncle) and, at times, other words that traditionally have gendered applications (pretty, handsome, etc.). It is best to ask a person, at a relevant moment, what words they like to use.

**Transphobia** refers to negative beliefs, prejudices and stereotypes that exist about transgender/trans and gender diverse people. You may have heard transphobic language like ‘tr\*nny’, or seen restrictions on the way that people are allowed to express their gender. Things like which uniform you’re allowed to wear or toilets you can use.

Transphobia can also include abusive threats or actual physical violence, sexual harassment and deliberately excluding someone because of their gender.

### 13.3 Sexual Orientations

**Aromantic/aro** refers to individuals who do not experience romantic attraction. Aromantic individuals may or may not identify as asexual.

**Asexual/ace** is a sexual orientation that reflects little to no sexual attraction, either within or outside relationships. People who identify as asexual can still experience romantic attraction across the sexuality continuum. While asexual people do not experience sexual attraction, this does not necessarily imply a lack of libido or sex drive.

**Bisexual** is an individual who is sexually and/or romantically attracted to people of the same gender and people of another gender. Bisexuality does not necessarily assume there are only two genders.

**Gay** is an individual who identifies as a man and is sexually and/or romantically attracted to other people who identify as men. The term gay can also be used in relation to women who are sexually and romantically attracted to other women.

**Heterosexual (straight)** is an individual who is sexually and/or romantically attracted to the opposite gender.

**Lesbian** is an individual who identifies as a woman and is sexually and/or romantically attracted to other people who identify as women.

**Pansexual** is an individual who's sexual and/or romantic attraction to others is not restricted by gender. A pansexual may be sexually and/or romantically attracted to any person, regardless of their gender identity.

**Queer** a term used to describe a range of sexual orientations and gender identities. Although once used as a derogatory term, the term queer now encapsulates political ideas of resistance to heteronormativity and homonormativity and is often used as an umbrella term to describe the full range of LGBTIQ+ identities.

**Sexual orientation** refers to an individual's sexual and romantic attraction to another person. This can include, but is not limited to, heterosexual, lesbian, gay, bisexual and asexual. It is important to note, however, that these are just a handful of sexual identifications – the reality is that there are an infinite number of ways in which someone might define their sexuality. Further, people can identify with a sexuality or sexual orientation regardless of their sexual or romantic experiences. Some people may identify as sexually fluid; that is, their sexuality is not fixed to any one identity.

## 14 Acknowledgment

*LAA Inclusion Policy – Gender Diversity* have been developed in consultation with a number of stakeholders.

Pride in Sport, ACON have participated in consultations which have informed this work. We thank and acknowledge those who have participated.

We wish to acknowledge the Australian Human Rights Commission, in partnership with Sport Australia and the Coalition of Major Professional and Participation Sports for their development of the *Guidelines for the Inclusion of Transgender and Gender Diverse People in Sport*. We thank them for their foresight and knowledge as many of the concepts and terminology used in this policy have been adopted from this.