



BENTLEIGH BOWLING CLUB **SELF DECLARED EXEMPTION POLICY** **ON SINGLE SEX COMPETITIONS**

NOTE: This policy is intended to outline the club's approach to organization of bowling competitions. The Bentleigh Bowling Club **SELF DECLARES** that we do not support discrimination in relation to single sex competitions. The Committee of Management has approved this policy at its meeting held on the 14/06/2017.

1.0 Purpose of this policy

Club members must understand the club's position regarding Discrimination due to Single Sex Competitions and how the **BBC Committee of Management** will respond to a Discrimination Case brought upon by a disgruntled member of the club. The purpose of this policy is to ensure sufficient evidence is available to support the above.

This policy statement does not include club training games (at home and away) and competitions and events NOT organized by the **Bentleigh Bowling Club (BBC)**.

2.0 Background

Victorian Civil Administrative Commission VCAT now decide on Discrimination cases in compliance with the new law. This follows a milestone case in 2001. VCAT and BBC will comply with the new law.

Note -- Clubs seeking **LAWFUL DISCRIMINATION** to run a single sex competition must decide to either:

- Apply to VCAT for an exemption. In this case a club would have to supply sufficient evidence in support of their case to satisfy the commission OR.
- Create a Self Declared Exception and thus does not have to apply to VCAT for an exemption.

The club is responsible under the ACT and is fully responsible as an entity for single sex competitions.

BBC Committee of Management have decided to make a Self Declared case for single sex competitions as applicable. We confirm the rewards will be the same for either sex in the same level of competition. We will create an internal case as judged by an ordinary person. We confirm we understand the consequences of exclusion.

We will collect evidence including:

- Current proof of member surveys and preferred participation in specific competitions
- Selection criteria,
- Justification for running a single sex competition.
- Records of discussions, and member responses. . . .

Note members who don't comment on this policy have in effect "Not Objected"



3.0 Extent of Competitions Organized by the Club

A game organized by the club includes competitive participation for club members.

Table 3.0 Club Competitions

Competition	Duration (Approx)	Description of Game	Selection	Players
Saturday Pennant	18 weeks over summer	16 players per side 4 sides 2 bowls per player 21 ends	Using Criteria set down by BBC Selection Committee	Open
Tuesday Pennant	18 weeks over summer	16 players per side 2 sides 2 bowls per player 21 ends	Using Criteria set down by BBC Selection Committee	Open
Electric Light (Tuesday night)	14 weeks over summer	16 players per side 2 sides 2 bowls per player 17 ends	Using Criteria set down by BBC Selection Committee	Open
Lightning Pairs	From completion of pennant until the start of winter bowls	16 players per side 2 sides 2 bowls per player 17 ends	Teams randomly drawn from a hat	Open
Outdoor Winter Bowls	April to August	3 players per team 2 bowls per player 2 games of 13 ends	Teams formed on their own volition	Open
Indoor Winter Bowls (Carpet bowls)	April to August	? players per team ? bowls per player ? games of 13 ends	Using Criteria set down by BBC Selection Committee	Open
Monthly Triples	Over summer	3 players per team 2 bowls per player 2 games of 13 ends	Teams formed on their own volition	Open
Singles Men/Ladies Club Championship	Over summer	Knock out	Self nominated	Separate Comps
Pairs Men/Ladies Club Championship	Over summer	Knock out	Self nominated	Separate Comps (Note 1)
Triples Club Championship	Over summer	Knock out	Self nominated	Open
Mixed Pairs Club Championship	Over summer	Knock out	Self nominated	Open
Novice Singles Club Championship	Over summer	Knock out	Self nominated	Open
Singles Proportional Club Championship	Over summer	Knock out	Self nominated	Open
Century 21 Competition Open to all clubs	About 1 week after Christmas	16 players per team 2 bowls per player 21 ends	Self nominated teams	Open

Note 1 Although organization allows for single sex competitions that due to insufficient numbers these may be cancelled thereby allowing a single sex competition.

Note 2 All players are selected on ability not on sex. A policy of "Rotation" also reflects the above.



***NOTE Single sex Single Comps can be excluded as these are pathway events.
We only need evidence for single sex Pairs, Triples and Fours events.***

Further information maybe sought from the Equal Opportunity Commission

4.0 Evidence

The **Bentleigh Bowling Club** provides the following EVIDENCE: Refer to File located in the office Marked "Single Sex Competitions"

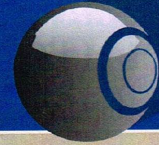
- Member surveys
- Selection criteria,
- Discussions and Verbal Agreements

5.0 Lawful Discrimination

The following Flyer was handed out by Bowls Victoria on the 1st June at the Region Meeting held at Moorabbin BC.



LAWFUL DISCRIMINATION TO FACILITATE PARTICIPATION IN SAME SEX COMPETITIONS



EXCEPTION OR EXEMPTION



A Club will need to decide which option they wish to follow if they are seeking to 'lawfully discriminate' and run a single sex competition

- A Club will need to gather information to support their position understanding that if they have insufficient evidence to support a self-declared 'exception' then gaining support for an application to VCAT for an exemption may be difficult
- However if a Club gathers, stores and keeps updated evidence to prove that an exception applies then they are not required to make an application to VCAT for an exemption

CLUB SELF-DECLARED EXCEPTION

Is there sufficient evidence to prove an exception applies?

YES

NO

Obtain evidence
No VCAT application for exemption needed

Would need to apply to VCAT for an exemption

Consider not running a single sex competition

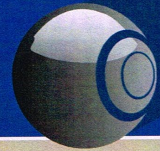


Bowls is for **EVERYONE**

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LAWFUL DISCRIMINATION TO FACILITATE PARTICIPATION IN SAME SEX COMPETITIONS



EXCLUSION IS REASONABLE TEST

Judged by what an ordinary person would see as reasonable

Nature and purpose of competition

Consequences of excluding or restricting one sex

Opportunities for the excluded or restricted sex to participate in other competitions

GATHERING INFORMATION TO SUPPORT EXCEPTION

Evidence must be appropriate to demonstrate club intends to facilitate participation

STEP ONE

- The Club should collect data from men & women separately by survey, interview or questionnaire
- Formally note key decisions & decisions of management about the decision to rely on an exception to run a single sex competition
- Note in minutes of meetings when views or positions on using an exception to run a single sex competition are expressed

STEP TWO

- Note the review & decision making process that confirms an exception applies to a particular single sex competition & refer to the evidence supporting that assessment e.g. a memo outlining how each criteria has been met
- Records must demonstrate the Club has addressed the exception criteria with due diligence & regard for the Equal Opportunity Act

STEP THREE

- Records should be stored securely and updated as needed
- A Club relying on an exception to run single sex competitions more than once must maintain current evidence to demonstrate the intention is to facilitate participation and that it continues to be reasonable

WHAT IS A VCAT EXEMPTION

- Exemptions are temporary orders made by VCAT allowing Clubs to lawfully discriminate and run a single sex competition for up to 5 years
- VCAT is cautious about granting exemptions without good reason
- VCAT has granted exemptions for annual or commemorative events
- Exemptions may be granted in limited circumstances by VCAT after considering whether an exception applies and the right to equality is reasonably limited under the Charter of Human Rights and Responsibilities Act 2006 (Vic)





References

Equal Opportunity and Human Rights Commission

Level 3, 204 Lygon Street,
Carlton 3053

telephone 1300 292 153

enquiries@veohrc.vic.gov.au



Incident Report

PERSON MANAGING	NAME	
THE CONCERN/ALLEGATION		
INCIDENT	DATE RECORD MAKE	
PERSON WHO RAISED THE CONCERNS/ALLEGATIONS OR WITNESSED THE INCIDENT	NAME	UNDER 18 <input type="checkbox"/> OVER 18 <input type="checkbox"/>
	TELEPHONE	
	EMAIL	
	ROLE IN THE CLUB	
	DATE CONCERNS/ALLEGATIONS MADE	
PERSON WHO THE CONCERNS/ALLEGATIONS REFER TO	NAME	UNDER 18 <input type="checkbox"/> OVER 18 <input type="checkbox"/>
	TELEPHONE	
	EMAIL	
	ROLE IN THE CLUB	
DETAILS OF THE CONCERNS OR ALLEGED INCIDENT	DATE	
	LOCATION	
	DETAILS	
INITIAL ACTIONS TAKEN	DATE	
	LOCATION	
	DETAILS	
INVESTIGATIVE STEPS TAKEN	DATE	
	LOCATION	
	DETAILS	
RECOMMENDATIONS FROM THE WELFARE OFFICER TO THE CLUB COMMITTEE	DATE	
	DETAILS	