

Ensure your club's policies and procedures are consistent with the AHRC Guidelines

TORQUAY GOLF CLUB, VICTORIA

Working with the Australian Human Rights Commission Guidelines if your policies and procedures run contrary to the requirements of the Sex Discrimination Act



Views of the Torquay Golf Club at the east end of the Great Ocean Road coastal drive.

The Club:

RACV boasts highly regarded golf courses in beautiful surroundings, one of those being Torquay Golf Club (GC) on Victoria's surf coast, near Geelong. While the course is owned and managed by the RACV, the members elect a club committee to run all golf operations. The course is open to RACV members and guests and its membership base comprises 1200 members, 22% of whom are female.

Local Demographic:

- Population: 18,362
- Median age: 39 (national average 38)
- Children aged 0-14 years: 22.8% of the population (average 18.7%)
- People aged 65+ years: 14.8% (average 15.8%)
- People born in Australia: 82.6% (average 66.7%)
- Full-time workers: 54.3% of the population (average 57.7%)
- Part-time workers: 36.1% (average 30.4%)
- Median household weekly income: \$1,625 (average \$1,438)

Background:

As a part of the Vision 2025 Strategy, Golf Australia engaged the Australian Human Rights Commission to develop Guidelines for the Promotion of Equal Opportunity for Women and Girls in Golf (AHRC Guidelines). These have been endorsed by the R&A.

They have been developed to ensure golf clubs are informed about the equal opportunity rights of members, and that they're not held liable under the Sex Discrimination Act.

Golf clubs have a level of legal responsibility under this Act, so it is recommended that clubs work through the publication and follow the guidance of the AHRC.



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The Story:

"It was black and white," said Peter Oliver, club committee member at Torquay GC.

"Once we read the AHRC Guidelines, we realised our club needed to get on the front foot and manage the agenda rather than reacting to it.

"Some issues had previously been tabled in our committee meetings, but not with huge urgency. However, upon reading about the discrimination case at a club in Queensland, followed by the release of the AHRC Guidelines, we knew it was time to act."

This case study outlines how Torquay GC used the AHRC Guidelines as a tool to navigate their self-assessment and lead themselves to become lawful.

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Challenges and Solutions:

Upon revising the AHRC Guidelines, the club undertook an audit of its procedures and practices to identify areas where they may not have been fully compliant with the requirements of the Sex Discrimination Act.

"We realised that some of our policies and procedures ran contrary to the requirements of the Sex Discrimination Act. We were not only being unlawful, but also not working to our 'one club' philosophy - to provide equal golfing experiences for both men and women," Peter said.

Following this realisation, steps the club took to create change were:

- Develop a set of recommendations based on the AHRC Guidelines
- Propose these recommendations to the general committee
- Send recommendations to the RACV for sign-off.

"We needed to balance the gap between the law and our club policies, all while keeping our club membership onside and happy."

"There were originally three members of the club's committee who met with senior representatives of Golf Australia to undertake a desktop audit of our practices by using the AHRC Guidelines - a member of the women's committee, the club vice-president and myself.

"However, we wanted to establish a working group of key people at the club to work on this project, so the club sent our vice-captain and lady captain to Golf Australia's Vision 2025 roadshow.

"Proposed changes were communicated to members in several ways:

- By correspondence to each member, setting out the rationale for the changes.
- At meetings with members, such as annual meetings.
- Individually to those seeking more information.

"The Sex Discrimination Act is not a guideline; it is the law, so it really wasn't a hard sell to make changes," Peter said.

"Our main challenge was practically implementing these changes. We needed to balance the gap between the law and our club policies, all while keeping our club membership onside and happy.

"The changes we needed to make were in the operational areas of golf course access, competition structures and governance.

Playing Days

"The AHRC Guidelines assist golf clubs to promote equal opportunity and minimise the likelihood of a successful discrimination claim. Members should be able to have equal opportunity to access the course on the same number of days that their membership rights entitle them to. This was an issue that we needed to address."

The former offering was:

- A five-day member (male or female) could not play in a Tuesday competition (traditionally women's day) and not at all on a Wednesday or Saturday (traditionally men's day). They could only get on the course for a game on Tuesdays after 1pm.
- A six-day member (male or female) could not play at all on Saturdays and had the added complication that a male could not play in the Tuesday women's competition and did not gain access to the course until 1pm or a female could not play in the Wednesday male competition and could not gain access to the course until 3pm.
- A seven day member (male or female) supposedly could play every day of the week, but had the added complication that a male could not play in the Tuesday women's competition and did not gain access to the course until 1pm or a female could not play in the Wednesday male competition and could not gain access to the course until 3pm.

"Scarily, our circumstances mirrored those of the Royal Queensland GC* that was found to be discriminating against female members after one took action against them," Peter said.

So, the strategy the club adopted to make it compliant included:

- Wednesdays are no longer for male-only competitions. It is open to all 6 and 7-day members.
- Tuesday morning has been protected as a "special measure" for women.

* *Barnett v Royal Queensland GC (2018)*

Playing rights

The AHRC Guidelines assist golf clubs to promote equal competition playing rights for all members, irrespective of gender.

"Our only competition that is exclusively gender based now is the women's Tuesday morning competition. This is protected as a "special measure" under the Act," Peter said.

"In order to add value to those members who may feel this is unfair, we made some adjustments."

These were:

- The latest tee time for the Tuesday women's competition is set at 10.00am so 5,6- and 7-day members can play in the afternoon (both male and female) in an optional afternoon competition.
- Three tee slots in the morning for those women wanting to only play nine holes – because of time or physical constraints. This is designed to keep encouraging participation.
- All competition days can have a gender specific competition played on that day providing there are four players of both genders in the field. This is designed to encourage women who may feel intimidated playing with men in their group to still enjoy a round with other women.
- In a mixed competition, the Golf Australia formula to adjust women's scores for "prize allocation purposes" is applied. In simple terms, this adds two to a woman's stableford score and is designed to encourage women to play against the men as their chances of success are increased.
- An overhaul of prize structure so that only one now exists and applies to all competitions.
- New female members are offered 5 or 6-day memberships upon joining. The advantage of taking the 6-day option is that they can play in the Tuesday morning women's competition.

"We are currently reviewing a change to this policy with the RACV such that a 5-day member be allowed to play in the Tuesday morning women's only competition as a further encouragement for women to join the club."

Governance

The AHRC Guidelines assist golf clubs to promote equal opportunity in their governance arrangements.

“We noted that the women were not adequately represented in our committee structure,” Peter said. So, the following changes have been made:

- The club committee the peak body for running golf on behalf of members, added the “Lady President” and “Lady Captain” to its structure, giving women three of the nine positions (33%) on the committee. Women represent 22% of the club’s membership base.
- The match and greens sub-committee had the Lady President and Lady Captain included as voting members. Women now constitute 33% of this sub-committee.
- A communications and events sub-committee was added to handle these two aspects of operation and this has been structured with equal male and female participants.

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“We are proud that our club has taken a lead in this area of work and that our members have been supportive. Of our 1200 members, we only had five members voice their disapproval.” Peter said.

“While words such as legislation may seem overwhelming, it isn’t as hard to implement change as it sounds.

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“This is why I suggest other clubs start looking at the AHRC Guidelines, too. The more clubs ensuring they are set up to treat women and girls fairly, the better for golf as a whole.”

Learning:

- Don’t be afraid and don’t defer from making change. The sooner you address any gaps between the law and your club policies, the less “at risk” your club will be.
- Change is best introduced gradually. If you focus task by task, you will achieve small wins along the way which will build confidence, trust and a groundswell of support from your members for future change.
- Make decisions as a group. It is good to get several key people at your club involved.
- Come up with strategies for change while also trying to keep your club membership onside and happy. You may need to come up with compromises.
- When advocating for change, in many instances you can start your statement with, “The law says ...” – who can argue with that!
- Use the staff at Golf Australia – they can help your club to revise policies and procedures using the AHRC Guidelines.

For further assistance or to request templates and resources, contact your Regional Development or Club Support Officer via www.golf.org.au/clubsupport or email clubsupport@golf.org.au

Download the AHRC Guidelines – www.humanrights.gov.au