



# INCLUSION, DIVERSITY AND PERSONAL SAFETY POLICY

## Acknowledgement of Country

We respectfully acknowledge our First Nations Peoples deep, spiritual and powerful connection to their ancestry, community, culture and land. We recognise that we work, rest, learn and play on Aboriginal and Torres Strait Islander Land. We acknowledge all Elders past, present and emerging as we continue our journey of understanding, recognising and celebrating Aboriginal & Torres Strait Islander cultures.

# Inclusion, Diversity & Personal Safety Policy

## 1. Purpose

- 1.1 Tennis' commitment to inclusion and diversity makes our sport welcoming, safe and inclusive for everyone.
- 1.2 Tennis is committed to developing and maintaining an inclusive workplace that embraces and celebrates diversity.
- 1.3 Tennis' vision for diversity is to foster a safe, inclusive and diverse workplace that is reflective of the community we serve.
- 1.4 Tennis recognises that diversity improves its ability to attract, retain, motivate and develop the best talent, create an engaged workforce, deliver the highest quality services to its customers and continue to grow the business.

## 2. General

- 2.1 The Inclusion, Diversity & Personal Safety Policy (**Policy**) provides a framework to effectively embed and support a diverse workforce and inclusive workplace for all Tennis Team Members.
- 2.2 The first section ("Inclusion and Diversity Principles") outlines our overall commitment to inclusion and diversity and how Tennis promotes and embeds these attributes in our workplaces.
- 2.3 The second section ("Compliance") describes behaviours, including discrimination, harassment, and bullying, that are unlawful and unacceptable at Tennis and the obligation of all team members and leaders to ensure a workplace free from unlawful behaviours.
- 2.4 This Policy sets out the approach which Tennis will generally take; Tennis may depart from or vary this policy from time to time in its absolute discretion. This Policy does form part of any employment contract or employment terms, but all Tennis Team Members are required to comply with the Compliance section of this Policy.

## Part 1 –Inclusion and Diversity Principles

### 3. Definitions - Inclusion and Diversity

#### What is inclusion?

- 3.1 Inclusion starts with fairness and equity.
- 3.2 In an inclusive culture, every person feels that they are treated respectfully and valued for their individuality.
- 3.3 Inclusion results in feelings of safety and belonging to the group.

#### What is diversity?

- 3.4 Diversity is the combination of the visible and invisible differences that shape our perspective and our approach and make us who we are.
- 3.5 Diversity refers to any dimension that can be used to differentiate groups and people from one another.

### 4. Benefits of a diverse workforce and inclusive workplace<sup>1</sup>

- 4.1 Companies that are diverse and inclusive significantly outperform their peers.
- 4.2 Employees are 80% more likely to view their organisation as high performing, when they think it is committed to diversity and they feel highly included.
- 4.3 Gender-diverse companies are 15% more likely to outperform their peers and ethnically diverse companies are 35% more likely to do the same.
- 4.4 A meta-analysis of 20 years of research on team diversity shows that functional and educational diversity improves team innovation and problem-solving performance.
- 4.5 A Gallup survey found that retail and hospitality companies that are gender-diverse do better financially than those dominated by one gender.
- 4.6 Teams with psychologically safe environments had employees who were less likely to leave, more likely to harness the power of diversity, and ultimately, who were more successful (Project Aristotle, Google).
- 4.7 The United States Olympic Committee found that teams that are more diverse throughout all levels of the organisation tend to win more medals than teams that are not. That holds true for both the Summer and Winter Olympics.

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<sup>1</sup> see: Catalyst (2007, 2011, 2013); McKinsey (2012, 2015); Credit Suisse Research Institute (2012); Herring (2009); Horwitz and Horwitz (2007); Page (2007); Deloitte (2012, 2015)

## 5. Tennis' commitment to Inclusion and Diversity

- 5.1 Tennis values the diversity of its Team Members, customers and other stakeholders and recognises that diversity is supported and enhanced by an inclusive workplace culture.
- 5.2 Tennis recognises that the culture of its workplaces are a product of the behaviour and conduct of Tennis' people - that is, how Team Members treat each other, customers and stakeholders while conducting Tennis' business.
- 5.3 Tennis sets clear expectations for leaders and employees regarding the actions, conduct and behaviour that support a diverse workforce and an inclusive workplace. These expectations are described in this policy, the Tennis Code of Conduct, Tennis Values and other related documents and are explained and reinforced through general communication and targeted education and training programs. Key concepts and obligations are communicated through compulsory training.
- 5.4 Tennis regularly consults with Team Members about key areas and issues relating to inclusion and diversity and uses this information to improve existing processes and develop new initiatives.
- 5.5 While Tennis aims to create a safe place for Tennis Team Members to share their own experiences and express their individuality, we also respect Tennis Team Members' choice to share or not share their personal circumstances with others. Tennis encourages a common respect for, and awareness of, Tennis Team Members' personal boundaries.
- 5.6 Tennis' Inclusion and Diversity strategy is broad, and currently has specific streams of work relating to:
  - **Lead:** Our workforce – including all Tennis Team Members
  - **Play:** Our players and participants
  - **Enjoy:** Our fans

Below shows how Inclusion and Diversity has been embedded in to the values of Tennis

Values	Inclusive behaviours (items where inclusion has been embedded in)	9 Inclusive tactics (how to apply it)
<u>IMAGINATION</u> <b>Dare to be different</b>	<i>Find inspiration in unique or unexpected people and places (be curious).</i>	<ul style="list-style-type: none"> <li>• <b>Ask more questions</b> - be curious about the point of view of others, particularly those who may have different experiences to you. Paraphrase to show others that you are listening to their view e.g. “so is this what you are saying....?”</li> <li>• <b>Put yourself in others' shoes.</b> How would others receive this? Think deliberately about people who are not like you and may experience things differently.</li> </ul>
<u>COLLABORATION</u> <b>Build trust through mutual respect</b>	<i>Listen to others, and actively seek out diverse points of view and skill-sets</i>  <i>Empower others to speak up, be an inclusive role model</i>	<ul style="list-style-type: none"> <li>• <b>Call out non-inclusive acts</b> in a safe way. Remember “the standard I walk past is the standard I accept”. E.g. notice and call out when others get spoken over.</li> <li>• <b>Encourage others to elaborate or speak up</b> “tell me more about that”</li> </ul>
<u>HUMILITY</u> <b>Put others ahead of yourself</b>	<i>Listen with an open mind. Don't assume you have all the answers</i>  <i>Be open about your vulnerabilities and your mistakes</i>	<ul style="list-style-type: none"> <li>• <b>Speak last and less</b> – give everyone a voice by hearing what each person has to say, then speak last and synthesise what others have said to provide clarity. Are you still talking after 40 seconds? Being long winded can cut off others perspectives.</li> <li>• <b>Ask for feedback, admit your mistakes</b>– Ask others how you could be more inclusive of them. Talk about your mistakes or weaknesses. Apologise when needed.</li> </ul>
<u>EXCELLENCE</u> <b>Never stop striving to be the benchmark</b>	<i>Help others achieve their potential</i>  <i>Always look for ways to be better</i>	<ul style="list-style-type: none"> <li>• <b>Sponsor diverse talent</b>- Don't just advocate people who look or think like you. e.g. Provide opportunities for people to speak up in meetings, create opportunities for others, remove barriers to progress.</li> <li>• <b>Make a pledge</b>– make a public commitment to diversity and inclusion (e.g. I will ensure every public panel includes 50:50men:women)</li> </ul>

## Part 2 – Compliance

### 6. Application

6.1 This Policy applies to:

- all employees (whether they are full-time, part-time, casual, permanent or temporary) employed by Tennis Australia (**TA**), the Australian Tennis Foundation (**ATF**) or any of the Member Associations (**MA** or **MAs**);
- any volunteer of TA, the ATF or an MA; and

- (c) all persons who work at the direction of, or on behalf of TA, the ATF or an MA (for example agents, contractors, consultants),

(collectively, **Tennis Team Members**).

## 7. Coverage

- 7.1 This Policy applies to Tennis Team Members whether they are engaging or interacting with other Tennis Team Members or external stakeholders, parties or customers.
- 7.2 This Policy binds Tennis Team Members within the workplace and outside of the workplace. The key point to consider to determine if the Tennis Team Member's conduct is covered by this Policy is whether there is a connection with the Tennis Team Member's work when the behavior is alleged to have occurred.
- 7.3 For example, this Policy will cover a Tennis Team Member:
  - (a) *in the workplace* - including when working outside normal working hours;
  - (b) *during work activities* - including on business trips and when working remotely, interstate or overseas; and
  - (c) *at work-related events* - including conferences, social functions held offsite, sponsor events.

## 8. Tennis' approach to eliminating unacceptable and unlawful behaviour

- 8.1. We are committed to maintaining a working environment free of unacceptable and inappropriate workplace behaviours, such as, harassment, sexual harassment, bullying and workplace violence. We are committed to providing a safe and respectful environment for all of our people which is free from all forms of discrimination and unacceptable and inappropriate workplace behaviours, such as, harassment, sexual harassment, bullying and workplace violence. This Policy is designed to ensure that all of our people treat others with dignity, courtesy and respect and foster an inclusive and supportive working environment.
- 8.2. By effectively implementing this Policy, we are:
  - (a) abiding with, and achieving our commitment to, the Inclusion and Diversity Principles;
  - (b) attracting and retaining talented people;
  - (c) creating a positive working environment to allow Tennis Team Members to perform at the best of their abilities; and
  - (d) ensuring the personal safety of Tennis Team Members.

## 9. Discrimination

### Legislation

9.1. Unlawful discrimination is defined under federal and state legislation. Tennis Team Members wishing to review the relevant legislation should refer to the *Operation of Tennis People & Culture Policies*, which sets out an extensive list of anti-discrimination legislation in Australia.

### What is unlawful discrimination?

9.2. Unlawful discrimination is defined as treating someone or group less favourably than another person or group because of a particular protected characteristic.

9.3. Under federal discrimination law, the protected personal characteristics include:

- (a) Sex
- (b) Race or ethnic background
- (c) Age
- (d) Disability
- (e) Pregnancy and breastfeeding
- (f) Gender identity
- (g) Marital status
- (h) Religion
- (i) Sexual orientation
- (j) Parental status or status as a carer
- (k) National extraction or social origin
- (l) Industrial, political or trade union activity

(collectively, **Protected Characteristics**)

### Direct and indirect discrimination

9.4. Discrimination may be either direct or indirect. Direct discrimination occurs when a person treats or proposes to treat someone less favourably because of a Protected Characteristic.

9.5. Examples of direct discrimination in the workplace include:

- (a) not hiring someone because they are considered to be too old or too young for the position;
- (b) not promoting an employee because of their gender;
- (c) assigning a disabled employee different work or a narrower range of duties than an employee without a disability, without considering their capacity to do the job.

9.6. Indirect discrimination occurs where a person imposes, or proposes to impose, an unreasonable requirement, condition or practice that has, or is likely to have, the effect of disadvantaging people with a Protected Characteristic.

9.7. Examples of indirect discrimination in the workplace could include:

- (a) Scheduling meetings for 7:00 am when employees with children will be unable to attend;
- (b) The only access point to a training venue is via stairs meaning a person in a wheelchair cannot attend.
- (c) Not make reasonable and inclusive communication adjustments for employees who are deaf or hard of hearing.

9.8. We strive to provide a workplace that is free from discrimination and any Tennis Team Member who engages in conduct which amounts to discrimination will be in breach of this Policy and such breach may amount to serious misconduct.

## Victimisation

9.9. For the purposes of this Policy, victimisation is subjecting, or threatening to subject, someone to something detrimental because they have (i) asserted their rights under equal employment opportunity law, (ii) made a complaint or helped someone else to make a complaint under this Policy, or (iii) refused to do something because it would be discrimination or some conduct which would amount to a breach of this Policy.

9.10. We take a zero tolerance approach to victimisation. It is considered a breach of this Policy.

## **10. Equal Employment Policies**

### **Rationale**

10.1. We are committed to managing our operations with a positive awareness of the spirit of equal opportunity and anti-discrimination legislation.

10.2. All Tennis Team Members should be able to enjoy equal opportunities in their association with TA or an MA.



10.3. Through our equal employment opportunity policies, practices and procedures set out below we seek to ensure the prevention of unlawful discrimination and to provide equal access to opportunities within TA and the MAs.

### Equal Employment Opportunity Policies

10.4. *Recruitment, selection and promotion:*

- (a) Our recruitment, selection and promotion practices are open, competitive and based on merit, ensuring that the best applicant is selected for the job.
- (b) In establishing qualifications for employment, no provision or requirement will be adopted that would be discriminatory on the basis of a Protected Characteristic except where a bona fide occupational qualification or reason exists for obtaining such information.

10.5. *Interviews:*

- (a) No questions in any interview, application form or other Human Resource process will be so framed as to attempt to elicit information concerning a Protected Characteristic from an applicant, eligible candidate or employee except where a bona fide occupational qualification or reason exists for obtaining such information.

10.6. *Appointment and removal:*

- (a) No appointment to, or removal from, a position will be affected in any manner solely on the basis of a person's Protected Characteristics.

10.7. *External Recruitment:*

- (a) All recruitments conducted by an external firm or agency must be conducted in accordance with the requirements of this Policy.
- (b) It is the responsibility of any Tennis Team Member engaging an external firm or agency to advise them of our relevant policy requirements as appropriate.

### Affirmative Action

10.8. The Director of People and Culture at TA has responsibility for the overall operation of affirmative action at TA, the ATF and the MAs.

10.9. Our affirmative action practices involve:

- (a) conducting continual reviews of all Human Resources policies and practices in the areas of recruitment and selection methods, promotion, staff development, training, transfers and conditions of service to ensure underrepresented population groups and those with access needs are not disadvantaged;

- (b) maintaining records of transfers and promotions and to establish employment patterns within business units;
- (c) encouraging underrepresented population groups and those with access needs to take an active role in decision making through participative and consultative processes;
- (d) including affirmative action approaches in appropriate training and as part of new employee induction; and
- (e) ensuring heads of departments understand the benefits of diversity and diverse thinking.

10.10. Affirmative Action approaches will be regularly monitored, evaluated and updated as required.

## 11. Harassment

- 11.1. Harassment refers to unwelcomed or unsolicited behaviour which is intimidating, humiliating, offensive, abusive, belittling or threatening to a person, regardless of the intent of the perpetrator. Whether or not the behaviour amounts to harassment is determined from the point of view of the person receiving the behaviour, assessed objectively. That is, it must be behaviour that a reasonable person with those characteristics would find unwelcome.
- 11.2. Harassment can be express or implied, physical, verbal or non-verbal (i.e. visual). It can be a single incident or repeated behaviour.
- 11.3. For clarity, harassment can be, but is not limited to, any one or more of the following:
- (a) offensive physical contact;
  - (b) intimidating acts;
  - (c) asking intrusive questions about someone's personal life;
  - (d) comments that put down or stereotype people;
  - (e) setting Tennis Team Members impossible deadlines or impossible tasks;
  - (f) electronic messages or other types of communication which are threatening, abusive or offensive;
  - (g) derogatory, crude or demeaning jokes; and
  - (h) name calling or physical threats.

11.4. The following is not considered harassment:

- (a) feedback or counselling on work performance or work-related behaviours that are intended to assist Tennis Team Members improve performance or the standard of their behaviour. Feedback or counselling should always be carried out in a constructive manner; and
- (b) fair and appropriate supervisory or management instructions delivered in a fair and appropriate manner e.g. without any belittling, sarcasm, favouritism, unlawful discrimination, aggression or other abusive behaviour.

## 12. Sexual harassment

12.1 Tennis is committed to maintaining an environment free of sexual harassment.

12.2 Please refer to the *Sexual Harassment Policy* for further information.

## 13. Bullying

13.1. Bullying is a deliberate (and often repeated) pattern of behaviour that unfairly or unreasonably puts down, belittles, undermines, controls, abuses, scares, intimidates, degrades, excludes, offends or embarrasses a person.

13.2. The following types of behaviour could be considered bullying:

- (a) abusive and offensive language;
- (b) threatening behavior including physical or psychological harassment;
- (c) insults or teasing;
- (d) spreading rumors;
- (e) pranks or a series of pranks;
- (f) manipulating the work environment, such as:
  - (i) excessive overworking of staff;
  - (ii) setting impossible deadlines or tasks;
  - (iii) constant, unreasonable criticism and/or repeated failure to give credit where due (trivialising of achievements);
  - (iv) deliberately withholding information that is vital for effective work performance or sabotaging someone else's ability to do their job; or

- (v) deliberate exclusion, chastising in front of colleagues.

## 14. Workplace violence

- 14.1. Workplace violence is any incident where a Tennis Team Member is physically attacked or threatened in the workplace by another Tennis Team Member. Workplace violence is never acceptable.
- 14.2. Examples of workplace violence include, but are not limited to:
  - (a) striking, kicking, scratching, spitting or any other type of direct physical contact;
  - (b) throwing objects at someone;
  - (c) attacking someone with knives, guns, clubs or any other type of weapon; or
  - (d) pushing, shoving, tripping or grabbing.

## 15. Racial and religious vilification

- 15.1. Vilification on the basis of race or religion is considered to be any behaviour that incites or encourages hatred, serious contempt, revulsion or severe ridicule against another person or group of people because of their race and/or religion.
- 15.2. Examples of behaviour that amounts to racial or religious vilification include, but is not limited to:
  - (a) racist slogans painted on signs or as graffiti;
  - (b) making racist speeches or remarks in a public place;
  - (c) verbally or physically abusing someone because of their race or religion; or
  - (d) making an offensive comment in a publication that is widely distributed, including distribution over the internet or via email.

## 16. Victimisation

- 16.1. For the purposes of this Policy, victimisation is subjecting, or threatening to subject, someone to something detrimental because they have (i) made a complaint or helped someone else to make a complaint under this Policy, or (iii) refused to do something because it would be conduct which would amount to a breach of this Policy.
- 16.2. An example of victimisation could be a Department Head firing a female Tennis Team Member because she complains that a colleague has sexually harassed her.
- 16.3. We take a zero tolerance approach to victimization.

## 17. Referrals to external bodies

- 17.1. Some forms of behaviour that breach this Policy may also be criminal offences or breaches of other legislation.
- 17.2. In addition to having implications in the workplace, Tennis Team Members who breach this Policy may be referred to external bodies or organisations such as the police.

## 18. Breaches of this Policy

- 18.1. Any Tennis Team Member involved in a breach of this Policy may be subject to disciplinary action, up to and including termination of their employment.

## 19. If you are concerned, speak up

- 19.1. All Tennis Team members are encouraged to voice any genuine concerns about conduct that may have breached the law or this Policy with either their supervisor or manager or a member of the TA People and Culture team.
- 19.2. Please also be aware that the Tennis Whistleblower Policy provides another avenue for making a disclosure if you have a concern that a Tennis Team Member has engaged in serious misconduct. You can access the Tennis Whistleblower policy on the Tennis Australia website for further information.
- 19.3. If the conduct in question which you are concerned about fits within the scope of the Tennis Whistleblower Policy, you may be entitled to the protections afforded under the Tennis Whistleblower Policy, including the ability to remain anonymous when reporting your concerns. Should you wish to be afforded such protections, we encourage you to read the Tennis Whistleblower Policy carefully and to follow the processes and procedures that are outlined within it.
- 19.4. Unless a disclosure has been made and accepted under the *Tennis Whistleblower Policy*, any complaints relating to this Policy will be dealt with in accordance with the *Grievance Resolution Policy and Procedure*.

### Version Control

Version Number:	1
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Previous Versions:	Note: From 9 November 2020 this policy replaces our previous Discrimination and Equal Opportunity Policy and Bullying, Harassment and Violence Policy.

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