

Section 3 – Human Resource

5.0 Workplace Diversity & Inclusion and Non-Discrimination Policy

Change Control

Version No.	Date Approval	Change Body	Description
0.8	December 2019	Manager, Māori Engagement and Priority Populations	Policy drafted
0.9	February 2019	Audit & Risk Committee	Policy reviewed; Change to cross reference Treaty of Waitangi in Policy Statement section. Amendment of wording of Appendix 2 – Procedures to reflect ability to profile recipients of funding
1.0	March 2019	Aktive Board	Policy established

Review Protocol

Policy Reviewed By: Audit & Risk Committee
 Review Cycle: reviewed with other policies by a rotation basis

Policy Objective

Active – Auckland Sport & Recreation (Aktive) is committed to achieving a diverse workforce and inclusive workplace practices in order to harness the business benefits of diversity, further social justice and Treaty of Waitangi objectives and comply with legislation.

Principles

We regard diversity and inclusion as essential to successfully and sustainably achieving our organisation's goals.

We respect and value the potential contribution of each team member.

We regard discrimination as unfair, unacceptable and unlawful so we will not tolerate its active practice and are dedicated to eliminating its passive practice.

We recognise our key role in educating managers about the business benefits of diversity and inclusion, how to recognise discrimination and know what action to take.

We understand the importance of measuring progress on our diversity journey.

We understand the value of involving a cross-section of our team in our diversity journey.

We acknowledge and will address the key concepts of Equal Employment Opportunities, Equitable Pay, Flexibility and Work Life Balance, Accessibility, and Cultural Sensitivity and Celebration amongst others.

Definitions

Diversity

Diversity refers to our individual differences and it includes everyone. This includes cultural background and ethnicity, age, gender, gender identity, disability, sexual orientation, sex characteristics, religious beliefs, language and education. Diversity also includes characteristics such as professional skills, married/partnered status, economic background, working style, life experiences, behavioural styles, the perspectives of each individual shaped by their nation, experiences and culture.

Inclusion

Inclusion is the act of including; a strategy to leverage diversity. Diversity always exists in social systems but inclusion, on the other hand, must be created.¹ Inclusion is about removing barriers to make sure everyone can fully participate and have equal access to opportunities. Leveraging diversity requires us to create an environment where people feel supported, listened to, respected, engaged, have a voice, and are able to achieve their potential. Inclusion relates to our response to diversity, encompasses acceptance, respect and recognition that each individual has the right to take pride in, and draw strength from, their unique and diverse backgrounds and characteristics, regardless of the dominant culture.

Purpose

This document provides a framework to ensure all employees, contractors (being an organisation or person with a contract for services) and Board members have a clear and consistent understanding of Active 's approach and commitment to diversity and inclusion.

Workplace Diversity is the array of different identity groups in the working environment.

Identity groups include those based upon factors including but not limited to:

- Ethnicity
- Gender

¹ American Alliance of Museums <http://aam-us.org/about-us/strategic-plan/diversity-and-inclusion-policy>

- Sexual orientation
- Age
- Disability
- Religion
- Socio-economic background

Discrimination is behaviour that excludes or restricts a person or group based upon identity factors such as those listed above, from opportunities that are available to others with substantially similar potential. The behaviour is primarily seen as unfair but is also unlawful. Discrimination can be active and passive and is a barrier to achieving the benefits of a diverse workforce.

Scope

This Policy applies to all people at Active; including governors, volunteers, external contractors, permanent, fixed term and casual staff.

Māori and the Treaty of Waitangi

The Treaty of Waitangi affirms the rights tangata whenua had prior to 1840 and gave tauwiwi (non-Māori) and the Crown a set of rights and responsibilities that enabled them to settle in Aotearoa with “the promise of two peoples to take the best possible care of each other”. It gives rights and responsibilities to all people in Aotearoa New Zealand and assures a tūrangawaewae (standing place to belong) for all of us.

The spirit and intent of the Treaty of Waitangi is reflected in Active’s approach that is committed to:

- The Board relationship with the Active Māori Advisory Group for matters specific to te ao Māori as well the broader sector issues likely to impact on Māori
- recruitment, management and retention of staff in ways that are culturally appropriate to Māori.
- Māori cultural competency opportunities for all staff
- Working in and/or developing cultural and relational frameworks (e.g. He Oranga Poutama, Te Whetū Rēhua) in which to build understanding of one another, acknowledge and respect what we have in common and work towards best outcomes by, for, with and as Māori.

Policy Statement

Active is committed to ensuring that the unique qualities and strengths of individuals are valued and strives to provide an environment where all of our people feel free to bring their whole selves to work. This means feeling comfortable that their unique backgrounds and that these characteristics will be accepted and respected by their work colleagues and valued by Active.

Active is committed to:

- Having an approach that is consistent with the spirit and intent of the Treaty of Waitangi (refer to **Māori and the Treaty of Waitangi** above)
- adding to, nurturing and developing the collective relevant skills, and diverse experience and attributes of its people;
- being relevant, inclusive and accessible to our many communities and diverse audiences;
- ensuring that Active's culture and management systems are aligned with and promote the attainment of diversity and inclusion;
- providing an environment where discrimination is not acceptable and in which all people are treated with fairness and respect, and have equal opportunities available at work;
- ensuring that all staff receive equal and fair treatment under our employment policies and practices, so all can reach their potential on merit, unhindered by individual differences;
- including diversity and inclusion as one of the factors that will be used to assess the alignment of stakeholders (e.g. staff, potential commercial partners, etc.) with our culture;
- having measurable diversity and inclusion objectives (recommended by the Executive to the Board) and annually assessing Active's progress towards achieving them.

Responsibilities

Board

The Board is responsible for approving and reviewing this Policy.

Executive Team

All Executive Team members are responsible for:

- a) ensuring their managers follow this Policy and its associated processes;
- b) championing diversity and inclusion initiatives; and
- c) promoting Active's diversity and inclusion to audiences, customers, vendors, partners and other stakeholders.

Manager, Māori Engagement and Priority Populations

The Manager, Māori Engagement and Priority Populations is responsible for:

- a) establishing a Diversity and Inclusion Action Plan and associated systems to monitor progress;
- b) reporting to the Board annually on diversity and inclusion;
- c) monitoring and evaluating diversity and inclusion initiatives; and

Managers

Each manager is responsible for:

- a) championing diversity and inclusion initiatives; and
- b) ensuring that this Policy is embraced and followed by their teams.

All Staff

- a) being aware of Aktive's commitment to diversity and inclusion in its workforce
- b) adhering to this Diversity and Inclusion Policy

New Zealand Law

An employer cannot discriminate against an employee based on their gender, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status or sexual orientation.

Diversity policy references and builds on relevant **legislation** including:

- Employment Relations Act 2000
- Human Rights Act 1993

Appendix 1

Background Information

Background

Auckland's growing diversity, the Aktive Board's Māori engagement policy and the organisation's operational investment to targeted population groups creates an environment where it is fitting for a formal commitment to a diverse, inclusive and non-discriminatory workforce to be made.

Operationally, through our Auckland Approach to Community Sport, we established the Targeted Population Group Action Group that is working to a collective plan. We have also already undertaken and received the CQ Tick for organisational cultural intelligence and established an internal cross team "Culture Club" to undertake priority initiatives.

What are Workplace Diversity & Inclusion, and Discrimination and what is the link?

Inclusion in a workplace sense is effectively the opposite end of a continuum that starts with Discrimination. The journey moves through Tolerance, Acceptance, Respect, and finally to Inclusion when Diversity is actively sought, valued, and supported. Then an organisation can focus on fully realising the business benefits of a diverse workforce.

The Business Case

Research continues to show that diversity and inclusion together have many positive impacts on business including:

- Reputation as an employer of choice
- Bigger and better talent pool
- Workforce that offers customer insights
 - o Stronger product development
 - o Better service delivery
 - o More effective Marketing & Communications
 - o Access to global markets
- Increased employee satisfaction, morale & loyalty
 - o Retention and consequent saving on recruitment & training costs
 - o Productivity gains
- Stronger supplier relationships
 - o Point of difference
 - o Reputation for social justice
 - o Better quality, service, price
- Different perspectives
 - o Creativity & innovation
 - o Robust solutions

New Zealand Law

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Some Facts

- > From the 2013 Census, a quarter of New Zealand's population and nearly 40% of people living in Auckland were born overseas.
- > New Zealand's five most commonly spoken languages are English, Te Reo Māori, Samoan, Hindi and Chinese dialects.
- > New Zealand's population is aging – the median age is 38 and the number of people aged over 65 who are still working has doubled since 2001.
- > Women represent 56% of graduates and 47% of the workforce in New Zealand

Key Checklist for a Diverse & Inclusive Workplace recommends the following:

- Have a Diversity & Inclusion (D&I) policy and socialise it
- Recognise the Treaty of Waitangi
- Understand the diversity profile of your existing customers & supplier base, compare it to the environment in which you operate and assess the potential impact of change
- Conduct an internal diversity census, compare it to the environment in which you operate, and assess the potential impact of change
- Develop a diversity and inclusion (D & I) business case, goals and strategy
- Benchmark, put in place KPIs and report on them
- Hold senior managers accountable for D&I measures
- Have a cross-function and cross-level D&I council in place to undertake priority initiatives
- Key managers are aware of related legislative requirements
- Train line managers in key concepts such as discrimination
- Promote a culture of respect for and valuing of diversity
- Embed the concepts of equity and merit, practicing EEO throughout the employment cycle
- Promote flexible work practices and work life balance
- Undertake to pay fairly
- Ensure accessibility
- Celebrate cultural diversity

Appendix 2

Procedures

1. Aktive will join Diversity Works and maintain its membership and involve itself with other organisations and projects that can assist to further the aims of this policy
2. Aktive will form a Diversity group comprising of a cross-section of employees
3. Aktive will profile the diversity of its employees and Board, and ensure that the recipients of funding from Aktive confirm compliance (via the Investment Schedule contract) to NZ legislation governing Workplace Diversity and Inclusion, including the Employment Relations Act 2000 and the Human Rights Act 1993. Aktive will encourage the recipients of funding (via the Investment Schedule contract) to have a formal Workplace Diversity and Inclusion policy
4. Aktive will develop and maintain a Diversity & Inclusion Plan covering long-term goals & strategies, and short-term objectives and initiatives
5. Aktive will measure the progress of its Diversity journey
6. Aktive will provide adequate training for line managers about discrimination, unconscious bias and the business benefits of diversity
7. Aktive will promote its position on discrimination to all employees
8. Employees should immediately report concerns about discrimination to their manager or the HR manager
9. Aktive will promptly deal with concerns and decide whether a low-key approach or a formal approach is appropriate, taking into account the wishes of the complainant
10. If a formal approach is taken Aktive will keep written records and
 - a. assist the complainant to make a written complaint (see Diversity & Inclusion Incident Template)
 - b. inform the alleged perpetrator of the complaint
 - c. explain to both parties the process, timeframe for investigation, rights to support, requirement for confidentiality and non-victimisation, possible consequences
 - d. interview the complainant
 - e. interview the alleged perpetrator
 - f. interview any witnesses
 - g. collect any factual evidence

h. consider the evidence and decide whether the allegations amount to discrimination or something else

i. make recommendations, including whether or not a disciplinary process will proceed, and communicate these to all parties in writing

11. Active will implement the recommendations and monitor the situation ongoing

Appendix 3

Diversity & Inclusion Incident Template

Today's date: _____

Statement made by: _____

Incident date(s): _____

Provide as much detail as possible of the incident(s) including dates, times, place and people involved:

Signature _____

Full Name (Print) _____