



The Equality Register

Member 2015

# Equality Policy

Revised date	15 March 2014	Adopted by Board	March 2014
Reviewed by	C&I	Review date	15 March 2017

## 1 Policy Objectives

- 1.1 As a National Governing Body, England Netball is fully committed to the principles of equality of opportunity and the elimination of unlawful and unfair discrimination and aims to ensure that anyone participating or wishing to participate in netball is able to do so in a discrimination-free environment.
- 1.2 England Netball adopts a zero-tolerance approach to any breaches of this policy and will investigate every complaint raised.
- 1.3 The Equality Policy is based on the following fundamental principles, which England Netball aims to uphold:
  - 1.3.1 All individuals must respect the rights, dignity and worth of every human being and their right to self-determination.
  - 1.3.2 All members, connected participants, staff and job applicants are entitled to be fairly treated regardless of their age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race (including ethnic or national origins); religion or belief; sex or sexual orientation. Together, these are referred to as "Protected Characteristics".
  - 1.3.3 England Netball recognises that we live in a diverse society, and will ensure that all members, connected participants, staff and job applicants are given the same opportunity regardless of their socio-economic background.
  - 1.3.4 Equality will permeate throughout organisation; strategic; individual and department development plans.
  - 1.3.5 All who wish to participate in netball should be afforded equal opportunity of access to quality services.
  - 1.3.6 In some cases, positive action may be required to redress past inequalities or under-representation.
  - 1.3.7 It is everyone's responsibility to ensure that discrimination is not tolerated within England Netball and report any incidents or concerns through the appropriate complaints or governance process.
  - 1.3.8 Any individual who believes that they have received unfavourable treatment within the scope of this Policy should raise their concern in line with the appropriate complaints or governance process.
  - 1.3.9 No individual (and/or their family) who raises a concern in good faith, or those who support another person to raise a concern should be treated unfairly as a result of raising a concern.

## 2 Definitions

- 2.1 With this Policy and all future Equality documentation, EN will use the following definitions:
- 2.1.1 Equality in Sport - is fairness, equality of access, recognising inequalities and taking steps to address them. It is about evolving the culture and structure of netball to ensure that is becomes equally accessible to all members of society, whatever their age, sex, disability, gender reassignment, pregnancy or maternity status, race, religion or belief, marital status or sexual orientation.
  - 2.1.2 Sports Equality - is an individual's and organisation's responsibility to challenge discriminatory practice and promote inclusion.
  - 2.1.3 Equal Opportunities - is the policy of treating anyone without discrimination relating to the Protected Characteristics.
  - 2.1.4 Equality of Opportunity - is treating individuals equally, which is not necessarily the same as treating them the same. In some cases the need for equality may require positive action to ensure the principle of equality of opportunity is achieved.

## 3 Purpose of the Policy

- 3.1 This Policy has been produced to ensure that no member, connected participant, employee or job applicant; is unlawfully discriminated against or receives less favourable treatment on the grounds of a Protected Characteristic under the guidance of the Equality Act 2010.
- 3.2 This Policy has been produced to try to ensure that everyone is treated fairly and address and prevent any unlawful discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect, towards certain sections of society.
- 3.3 England Netball recognises that, in some instances, unequal distribution of effort and resources, may be required. This may be necessary when certain sections of society are faced with barriers that prevent or restrict their participation in netball. England Netball supports the need for positive action to alleviate any barriers to participation.
- 3.4 Equality is about respecting a person's individuality. In doing so, England Netball recognises that this Policy must provide flexibility in order to ensure a service which is adaptive to an individual's needs, and thus enabling all in our society to participate without prejudice or unnecessary barriers.

## 4 Legal Requirements

- 4.1 England Netball recognises its legal obligations under, and will abide by the requirements of, the Equality Act 2010, and any later amendments to such legislation or subsequent equality related legislation that may be relevant to England Netball.
- 4.2 It is unlawful to discriminate directly or indirectly in recruitment, employment or in the provision of services because of a Protected Characteristic.
- 4.3 England Netball will seek advice each time this Policy is reviewed to ensure it continues to reflect the current legal framework and best practice.

## 5 Discrimination, Harassment and Victimisation

- 5.1 EN recognises that discrimination; harassment; bullying and victimisation as being unacceptable.
- 5.2 Unlawful discrimination which can take the following forms:
- 5.2.1 **Direct Discrimination** - treating an individual or group less favourably than you would treat other because of a Protected Characteristic.
  - 5.2.2 **Indirect Discrimination** - an action, rule or policy that applies to everyone but disadvantages an individual or group with a Protected Characteristic.
  - 5.2.3 **Associative Discrimination** - Direct discrimination against an individual or group because they associate with another person who possesses a particular Protected Characteristic.
  - 5.2.4 **Discrimination by Perception** - Direct discrimination against an individual or group because others think they possess a Protected Characteristic.
  - 5.2.5 **Discrimination arising from Disability** - Direct discrimination against an individual or group because of something connected with their disability.
  - 5.2.6 **Bullying** - Offensive, intimidating, malicious or insulting behaviour, and/or abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.
  - 5.2.7 **Harassment** - Unwanted or offensive conduct directed at another person.
  - 5.2.8 **Harassment by a Third Party** - The company is potentially liable for harassment of their staff by people not employed by them.
  - 5.2.9 **Victimisation** - Treating an individual or group in a detrimental way because they have made, or intend to make, a complaint or provide evidence in support of another complaint.
- 5.3 England Netball regards acts of discrimination; bullying; harassment; or victimisation in respect of a Protected Characteristic as unacceptable behavior and has a zero-tolerance approach to such behaviour. Any individual or group who, following the relevant Disciplinary Process, are found to have discriminated against; harassed; bullied; or victimised any other person, will be dealt with appropriately.

## 6 Reasonable Adjustments

- 6.1 England Netball is committed, to making reasonable adjustments wherever a Protected Characteristic demands.
- 6.2 England Netball will consider all requests for adjustments from members, connected participants, staff and job applicants and where possible will accommodate reasonable requests and will work with disabled people to implement any adjustments that will enable them to participate fully in netball related activities.
- 6.3 England Netball, when acting as a service provider, has an obligation to think ahead and address any barriers that may impede disabled people from accessing its service.

## 7 Responsibilities

7.1 The following responsibilities will apply:

- 7.1.1 The Board of England Netball is responsible for ensuring that this Equality Policy is implemented, followed and reviewed where appropriate. The England Netball Board is also responsible for ensuring that this Equality Policy is enforced and any breaches are dealt with appropriately.
- 7.1.2 The Executive Team has the overall responsibility for the implementation of the Equality Policy.
- 7.1.3 A member of the Board will be appointed as the “Equality Champion” and will advocate the Equality agenda to the Board takes equality issues into consideration when making decisions. The “Equality Champion” will also Chair the Inclusion Advisory Forum.
- 7.1.4 The Compliance and Inclusion Manager, reporting to the Executive Team, will have the overall day-to-day responsibility for the implementation of this Equality Policy and for achieving any equality related actions resulting from it. The Compliance and Inclusion Manager’s work program will reflect this. The Inclusion Advisory Forum will provide additional support and guidance.
- 7.1.5 All members, connected participants and staff have responsibility to respect, follow and promote the spirit and intentions of this Equality Policy. Individual work programs for EN employees will be amended to include equality related tasks where appropriate.

## 8 Monitoring and Evaluation

- 8.1 This Equality Policy will be reviewed every three years, unless any proposal to the Board, or legislation change, requires an interim review or amendment.
- 8.2 This Equality Policy will remain in force until it is amended, replaced or withdrawn.
- 8.3 The Equality Action Plan, created to ensure the objectives of this Equality Policy are delivered, will be reviewed by the Executive Team and the Compliance and Inclusion Manger on a monthly basis.
- 8.4 The Equality Action Plan, will be reviewed at each meeting of the Inclusion Advisory Forum.
- 8.5 On an annual basis, statistical and, if appropriate qualitative, information will be collected and a report will be produced by the Compliance and Inclusion Manager for the Board. Once approved by the Board the report will be published internal and externally (with due regard for the sensitivity of the information), to show the impact of this Equality Policy and implementation of the Equality Action Plan.

## 9 Breaches of this Policy

- 9.1 England Netball takes all breaches of this Policy seriously and will investigate any complaint thoroughly. Any offended person, member, connected participant, employee, who believes he/she has suffered inequitable treatment within the scope of this Policy may raise the matter through the appropriate grievance procedure.
  - 9.1.1 For employees, this will be through the England Netball Grievance Procedure.

- 9.1.2 For members, and connected participants this will be through the England Netball Codes of Conduct and England Netball Disciplinary Procedures.
- 9.1.3 England Netball will take appropriate action in the case of breaches by contracted suppliers and third-party providers
- 9.2 No person will be victimised or penalised as a consequence of making any complaint, should this complaint be made in good faith.
- 9.3 Any breach of this Policy will lead to the instigation of the appropriate Disciplinary Process.

## 10 Implementation and Communication

- 10.1 The Equality Policy will be implemented as follows:
  - 10.1.1 England Netball has developed an over-arching Equality Action Plan, designed to increase the diversity of the organisation and its membership.
  - 10.1.2 The Equality Action Plan sets out the actions that England Netball will take to improve accessibility to the sport of netball, making it more accessible in order to reduce inequalities and under-representation in the sport.
  - 10.1.3 It is a requirement of the Membership Regulations that members adopt and implement this Policy. There is an expectation that Regional Management Boards and County Associations will adopt this Policy and develop their own Equality Action Plans.
  - 10.1.4 The Human Resources and Remuneration Committee will regularly review its employment practices to ensure continuing compliance with relevant legislation, and where possible good practice. All job packs sent out, or advertised, by EN will contain a statement regarding equal opportunities.
  - 10.1.5 No applicant for any post (including job applicants, consultant advisers, suppliers and volunteers) will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the role or which constitute unlawful discrimination.
  - 10.1.6 Suppliers and Third Party Providers used by England Netball will be required to demonstrate their commitment to the principles and practice of equality.
- 10.2 EN considers that netball is a gender affected sport under the Equality Act 2010 and refers any transgender athletes to its policy relating to participation by transgender individuals.
- 10.3 The Equality Policy will be communicated in the following ways:
  - 10.3.1 A copy of this Policy will be given to all employees, both permanent and casual contracted, and made widely available to England Netball members.
  - 10.3.2 This Policy will be highlighted in all staff and volunteer inductions carried out by England Netball.
  - 10.3.3 A copy of this Equality Policy will be publicly available on the England Netball website and copies in other formats will also be available from the EN Head Office.

- 10.3.4 England Netball will promote continuing professional development for all employees and volunteers to support equal opportunities within the organisation and, where appropriate, provide specialist facilities, adapted conditions, equipment or training.
- 10.3.5 Additional guidance on the implementation and communication of this Policy can be found within the Equality Action Plan.