



## Equality Policy

March 2013

## Policy Statement

Scottish Athletics Ltd (trading as scottishathletics) endorses the principle of sports equality and will strive to ensure that everyone who wishes to be involved in athletics (in all its disciplines and forms), whether as athletes, casual participants, club members, officials, volunteers, coaches, office-bearers in clubs or those within the governance structure of scottishathletics:

- has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race, , socioeconomic status or sexual orientation; and
- can be assured of an environment in which their rights, dignity and individual worth are respected, and in particular that they are able to enjoy their sport without the threat of intimidation, victimisation, harassment or abuse.

## Legal obligations

scottishathletics is committed to avoid and eliminate unfair discrimination of any kind in athletics, and will under no circumstances condone unlawful discriminatory practices. The organisation takes a zero tolerance approach to harassment. Examples of the relevant legislation and the behaviours in question are given in the Appendix.

## Positive action

The principle of Sports Equality goes further than simply complying with legislation. It entails taking positive steps to counteract the effects of physical or cultural barriers – whether real or perceived – that restrict the opportunity for all sections of the community to participate equally and fully.

scottishathletics will therefore seek to institute, support or contribute to appropriate measures or initiatives that enable access to athletics and participation in associated activities by people from any group that is under-represented in the sport or has difficulty accessing it.

## Implementation

The following steps will be taken to publicise this policy and promote sports equality in athletics:-

- A copy of this document will be published on the scottishathletics Website.
- The Chairman of scottishathletics will take overall responsibility for ensuring that the policy is observed, and the requirement for all members of the organisation to follow this policy will be enshrined within the articles of association at an Annual General Meeting.
- The Board will take full account of the policy in arriving at all decisions in relation to activities of scottishathletics.
- scottishathletics will collaborate fully with any surveys or other initiatives designed to assess the level of participation of different sections of the community in athletics and will take account of the findings in developing measures to promote and enhance sports equality in athletics.
- scottishathletics will provide access to training in order to raise awareness of collective and individual responsibilities for all of its Board members and staff, and enable access to suitable training for anyone involved in the sport, with a focus on accredited coaches, and officials in terms of equality and diversity training
- It will be a condition of scottishathletics membership that member clubs:
  - formally adopt this policy, or produce their own equality and diversity policy in terms that are consistent with it; and

- take steps to ensure that their Committees, members and volunteers behave in accordance with the policy, including where appropriate taking disciplinary action under the Club's constitution; and
- ensure that access to membership is open and inclusive;
- support such measures and initiatives that scottishathletics may institute or take part in to advance the aims of this policy.

**Note:** scottishathletics will provide advice and training support to clubs in the above areas linked to wider club development support and implementation of programmes.

- It will be a condition of scottishathletics membership that individual and corporate members
  - Recognise they are bound by this policy; and
  - Support such measures and initiatives that scottishathletics may institute or take part in to advance the aims of this policy.

### **Responsibility, Monitoring and Evaluation**

The Board of scottishathletics together with the senior staff will be responsible for ensuring the implementation of this policy.

The Board will review all scottishathletics activities and initiatives against the aims of the policy on an annual basis, and the Chairman / CEO will report formally on this issue at the AGM.

The Board, or where appropriate a designated project leader, will review any measures or initiatives that scottishathletics may institute or take part in to promote and enhance sports equality in athletics, and will report their findings formally to the AGM.

The Board will review the policy itself at intervals of no more than three years, (or when necessary due to changes in legislation) and will report with recommendations to the AGM.

### **Complaints and compliance**

scottishathletics regards all of the forms of discriminatory behaviour, including (but not limited to) behaviour described in the Appendix as unacceptable, and is concerned to ensure that individuals feel able to raise any bona fide grievance or complaint related to such behaviour without fear of being penalised for doing so.

Appropriate disciplinary action will be taken against any employee, member or volunteer who violates the scottishathletics Equality Policy.

Any person who believes that he or she has been treated in a way that they consider to be in breach of this policy by a member club, individual member or corporate member of scottishathletics, should first complain to that person or organisation. If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against scottishathletics itself, the person may raise the matter by writing directly to the Chairman. Contact details are available through the website ([www.scottishathletics.org.uk](http://www.scottishathletics.org.uk))

The Chairman will investigate the complaint personally or appoint a Committee member to do so. The investigation will be conducted impartially, confidentially, and without avoidable delay. Any person or organisation against whom a complaint has been made will be informed of what is alleged and given the opportunity to present their side of the matter.

The outcome of the investigation will be notified to the parties in writing and reported to the Board. If the investigation reveals unacceptable discriminatory behaviour on the part of an individual member, corporate member, or member club the Board may impose sanctions on that person or organisation in line with the scottishathletics Constitution. Sanctions may range from a written reminder concerning future conduct up to and including temporary or permanent expulsion from scottishathletics membership. In

**deciding what sanction is appropriate in a particular case the Board will consider the severity of the matter and take account of any mitigating circumstances.**

**Where the violation of the Equality Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the appropriate authority will be informed.**

**In the event that an individual or organisation associated with scottishathletics is subject to allegations of unlawful discrimination in a court or tribunal, the scottishathletics Board and staff will co-operate fully with any investigation carried out by the relevant lawful authorities and, subject to the outcome, may consider taking action as above in relation to the matter concerned.**

**scottishathletics Board**

**25/3/13**

## **APPENDIX – Relevant legislation and forms of unacceptable discrimination**

### **Legal rights**

Discrimination has been legally defined through a series of legislative acts, including the Race Relations Act, the Sex Discrimination Act, the Disability Discrimination Act and the Equality Act 2006.

In April 2010, the Equality Act 2010 received Royal Assent. The Equality Act 2010 is a new law which harmonises where possible, and in some cases extends, protection from discrimination. It applies throughout the UK and came into force in October 2010.

Discrimination refers to unfavourable treatment on the basis of particular characteristics, which are known as the 'protected characteristics'. Under the Equality Act 2010, the protected characteristics are defined as age (employment only until 2012), disability, gender reassignment, marital or civil partnership status (employment only), pregnancy and maternity, race (which includes ethnic or national origin, colour or nationality), religion or belief, sex (gender) and sexual orientation.

Under the Equality Act 2010, individuals are protected from discrimination 'on grounds of' a protected characteristic<sup>1</sup>. This means that individuals will be protected if they have a characteristic, are assumed to have it, associate with someone who has it or with someone who is assumed to have it.

Forms of discrimination and discriminatory behaviour include the following:

#### **Direct discrimination**

Direct discrimination can be described as less favourable treatment on the grounds of one of the protected characteristics.

#### **Indirect discrimination**

Indirect discrimination occurs when a provision, criterion or practice is applied to an individual or group that would put persons of a particular characteristic at a particular disadvantage compared with other persons.

#### **Discrimination arising from disability**

When a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified, this is unlawful. This type of discrimination only relates to disability.

#### **Harassment**

Harassment is defined as unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity, or which creates an intimidating or hostile, degrading, humiliating or offensive environment for that person.

#### **Victimisation**

It is unlawful to treat a person less favourably because he or she has made allegations or brought proceedings under the anti-discrimination legislation, or because they have helped another person to do so. To do so would constitute victimisation.

#### **Bullying**

Bullying is defined as a form of personal harassment involving the misuse of power, influence or position to persistently criticise, humiliate or undermine an individual.

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<sup>1</sup> The exception to this is pregnancy and maternity, which does not include protection by association or assumption – a woman is only protected from discrimination on grounds of her own pregnancy.