

# Equality Policy

## What is Sports Equality?

Sports Equality is about fairness in sport, equality of access, recognising inequalities and taking steps to address them.

Sports Equality is about changing the culture and structure of sport to ensure it becomes equally accessible to all members of society regardless of their race, gender, age, religion, disability, sexual orientation or economic status (REGARDS).

Sports Equality is about making sure that all people have an opportunity to realise their talent and fulfil their potential throughout the sporting pathway.

Sports Equality is about an individual's responsibility to challenge discriminatory practice and promote inclusion.

## Defining Sport

The broad definition of sport, adopted by the Council of Europe, is used within this policy.

'Sport means all forms of physical activity, which through casual or organised participation, aims at improving physical fitness and mental well being, forming social relationships or obtaining results in competition at all levels'.

Council of Europe, European Sports Charter (1993)

## Derbyshire Sport

Derbyshire County Council is the host agency for Derbyshire Sport. It provides the legal entity and is the employer of its staff.

## Statement of Intent

Derbyshire Sport wishes to act as an exemplar for equality and diversity within its sphere of influence. In doing so, Derbyshire Sport commits to promoting good equitable practice within the organisation and with partners.

Derbyshire Sport will consult with key organisations involved with equality in sport to ensure that its services and programmes are based on current research and good practice.

Derbyshire Sport will take positive action to deliver services and programmes that are appropriate and accessible to every individual in Derbyshire and Derby City.

## Equality Policy

Derbyshire Sport will ensure that responsibility and accountability for equality is placed firmly at the most senior level within the organisation (the Director of Derbyshire Sport) and delivery is the responsibility of all employees, volunteers and partners.

Derbyshire Sport will deliver on this policy by building equality and diversity into all aspects of its work. All reasonable steps will be taken to ensure that employees, volunteers and partner organisations are committed to this policy.

Derbyshire Sport will ensure that no job applicant, employee, volunteer, partner, participant, carer or spectator at a Derbyshire Sport event, receives less favourable treatment on the grounds of race, gender, age, religion, disability, sexual orientation or economic status (REGARDS).

Derbyshire Sport will take positive action through advocacy, training and mentoring to achieve a workforce and a governance structure that is representative of the population in the County and Derby City.

Derbyshire Sport will ensure that its employees, volunteers, partners, participants, carers and spectators are able to conduct their Derbyshire Sport related activities free from harassment or intimidation.

### Legal Framework

Derbyshire County Council on behalf of Derbyshire Sport recognises its legal obligations to employees under the following acts and any future amendments:-

- Equal Pay Act 1970 (amended 1983)
- Sex Discrimination Act 1975
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995 and subsequent amendments (2005)
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Employment Act 2002
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Gender Recognition Act 2004
- Equality Act 2006
- Employment Equality (Age) Regulations 2006

See Appendix 1 for more information about each Act.

Derbyshire County Council on behalf Derbyshire Sport recognises, as a public authority, its legal duties to promote equality of opportunity and eliminate discrimination on the grounds of race, disability or gender throughout all its activities.

# Equality Policy

## Implementation - General

Derbyshire Sport will:

- agree an Annual Action Plan within which specific roles, responsibilities and resources are allocated and targets are set. This will be part of the annual delivery plan which is agreed by the Executive Group.
- progress against the Annual Action Plan will be reviewed by the Executive Group every six months as a minimum.
- achieve Intermediate and Advanced Sport Equality Standards within 5 years i.e. by end of 2011.

## Implementation – Employment and Staffing

Derbyshire Sport will:

- ensure that the training needs of all employees and Executive and Partnership Group members in relation to this policy and sport equity are identified and addressed,
- from 2007, ensure that all employees have an equality objective, performance against which will be reviewed as part of their annual appraisals,
- ensure that this policy is circulated to and is understood by all employees, volunteers, partners and consultants and this will form part of any recruitment and subsequent induction process,
- take positive action to ensure that our employment practices are non-discriminatory,
- ensure that no job applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job,
- take positive action through advocacy, training and mentoring to develop the skills of individuals from under-represented groups so that they can better develop their careers within sport in Derbyshire.
- ensure that all appointed consultants demonstrate their commitment to the principles and practice of equality.

## Implementation – Service Delivery

Derbyshire Sport will:

- regularly liaise with key equality and community organisations in the region, county and districts on the service we offer,
- work with these organisations to target specific REGARDS groups,
- strive to ensure that the facilities we use are accessible to everyone,
- support and influence the district/borough based network groups to address equality issues within their action plans.

# Equality Policy

## Implementation – Promotion and Communication

Derbyshire Sport will:

- communicate and check understanding of this policy as widely as possible,
- promote positive images and text relating to under-represented groups across a wide range of publications and formats,
- offer a wide range of communication methods and formats to meet the different needs of the community.

## Positive Action

Derbyshire Sport acknowledges that certain groups are traditionally under-represented in sports participation, coaching and management. These groups are people from ethnic minority communities, disabled people, people on low incomes and women and girls. Derbyshire Sport will take positive action and/or introduce specific programmes to increase the inclusion of people from these and other identified under-represented groups in sport in Derbyshire. Targets and measurements will be set in the annual action plan.

Derbyshire Sport will however continue to encourage increased involvement by those groups in society who are already well represented in sport.

## Monitoring and Evaluation

Derbyshire Sport will regularly monitor, evaluate and review this policy and progress made against the annual action plan. Results will be published in the Annual Report.

The Director of Derbyshire Sport has the overall responsibility and accountability for the implementation of this policy.

## Disciplinary and Grievance Procedures

Derbyshire Sport regards discrimination (direct and indirect), victimisation and harassment as defined in Appendix 2, as serious misconduct and any employee of Derbyshire Sport, who discriminates against any other person will be liable to appropriate disciplinary action (as outlined in Derbyshire County Council's Disciplinary Policy)

Any employee who believes he/she has experienced inequitable treatment within the scope of this policy may raise the matter through the Derbyshire County Council's Grievance Procedure.

## Equality Policy

Any partner, volunteer, participant or spectator involved in a Derbyshire Sport event or programme who believes he/she has experienced inequitable treatment within the scope of this policy may raise the matter with the Director of Derbyshire Sport or through the Derbyshire County Council's Complaints Procedure.

Equality Policy	Date of Approval 22/11/07	Signatories
	Date of Review By 30/11/07	

# Equality Policy

## Appendix 1 - The Legal Framework

- Equal Pay Act 1970 (amended 1983) - gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing like work, or work related as equivalent, or work that is proved to be of equal value.
- Sex Discrimination Act 1975 - prohibits direct and indirect sex discrimination against individuals in the areas of employment, education, the provision of services, facilities and services and in the disposal or management of premises. It also prohibits discrimination in employment against married people.
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000 - makes it unlawful to discriminate against anyone on the grounds of race, colour, nationality (including citizenship) or ethnic or national origin. All racial groups are protected from discrimination. The Act applies to the fields of employment, planning, housing, the exercise of public functions, provision of goods, facilities and services and education.
- Disability Discrimination Act 1995 and subsequent amendments - prohibits discrimination against disabled people in a range of different situations including employment, education, and the provision of goods and services. In certain circumstances reasonable adjustments must be made for disabled people.
- Protection from Harassment Act 1997 - covers a wide range of conduct and behaviours, including racial or religious motivated harassment and certain types of anti-social behaviour. The Act states a person must not pursue a course of conduct which amounts to harassment of another and which he knows or ought to know amounts to harassment of the other. Harassment is defined as causing alarm or causing distress and a course of conduct, which can include speech, must involve conduct on at least 2 occasions.
- Human Rights Act 1998 - details various articles the most relevant to Derbyshire Sport being :
  - Right to respect for private and family life*  
This says there should be respect for everyone's private and family life, home and correspondence.
  - Freedom of thought, conscience and religion Freedom of expression*  
This guarantees the right to pass information to other people and to receive information that other people want to give you. It also guarantees the right to hold and express opinions and ideas and hold any religious belief.

## Equality Policy

### *Freedom of association and assembly*

This protects the right to protest peacefully by holding meetings and demonstrations.

### *Right to marry and found a family*

This gives men and women the right to marry, as long as they are old enough.

### *Prohibition of discrimination*

This includes many types of discrimination, including discrimination on grounds of sex, race, religion and political opinion.

- Employment Act 2002 - is a wide-ranging Act covering new rights to paternity, adoption leave and pay and improvements to the maternity leave scheme; employment tribunal reform; new statutory dismissal and disciplinary procedures (DDPs); new rights for fixed-term employees not to be treated less favourably than permanent employees and to prevent abuse arising from the use of successive periods of fixed-term employment; new right for parents of young children to request flexible working and a number of miscellaneous provisions concerning equal pay questionnaires, union learning representatives and dismissal procedures agreements.
- Employment Equality (Sexual Orientation) Regulations 2003 - protects lesbians, gay men, bisexuals, and heterosexuals from discrimination on the grounds of sexual orientation in employment and vocational training. It outlaws direct discrimination, indirect discrimination, harassment and victimisation.
- Employment Equality (Religion or Belief) Regulations 2003 - outlaws discrimination, indirect discrimination, harassment or victimisation, in employment and vocational training, of an individual on the grounds of their religion or belief.
- Gender Recognition Act 2004 - provide transsexual people with legal recognition in their acquired gender.
- Equality Act 2006 - sets out to establish the Commission for Equality and Human Rights (CEHR) and define its purpose and functions, to make unlawful discrimination on the grounds of religion or belief in the provision of goods, facilities and services, the disposal and management of premises, education, and the exercise of public functions and to create a duty on public authorities to promote equality of opportunity between women and men, and to prohibit sex discrimination in the exercise of public functions.
- Employment Equality (Age) Regulations 2006 (to be introduced October 2006) - outlaws discrimination, indirect discrimination, harassment or victimisation of an individual on the grounds of their age in employment

## Equality Policy

and vocational training. There will be a national default retirement age of 65 making compulsory retirement below the age of 65 unlawful.



# Equality Policy

## Appendix 2 – Types of Discrimination

- Direct Discrimination – treating people less favourably than you would treat others in the same circumstances
- Indirect Discrimination - applying a provision, criterion or practice which disadvantages a particular group because fewer of that group can comply with it and the requirement cannot be justified in relation to the job.
- Harassment – unwanted conduct that violates people’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.
- Victimisation – treating people less favourably because of action they have taken against Derbyshire Sport under one of the relevant Acts.