



## Equality and Diversity Policy 2021

The aim of this policy is to ensure that everyone is treated fairly and with respect and that members, non members and visiting teams are not denied access to The Burnham's Tennis Club because of a discriminatory reason.

This policy is fully supported by The Burnham's Tennis Club management committee, which is responsible for the implementation and review of this policy.

The Burnham's Tennis Club will therefore adhere to the following:

- a) be responsible for setting standards and values to apply throughout the place to play at every level, as tennis should be enjoyed by everyone who wants to play the game
- b) be committed to eliminate discrimination by reason of age, gender, gender reassignment, sexual orientation, race, nationality, ethnic origin, religion or belief, ability or disability and to encourage equal opportunities
- c) ensure that it treats its employees, members, non-members and visiting teams fairly and with respect and will ensure that all members of the community have access to and have opportunities to take part in, and enjoy, its programmes of activities, competitions and events
- d) not tolerate harassment, bullying, abuse or victimisation of an individual (which the place to play/facility regards as forms of discrimination), including sexual or racially based harassment or other discriminatory behaviour, whether physical or verbal and work to ensure that such behaviour is met with appropriate action in whatever context it occurs
- e) Be committed to the immediate investigation of any complaints of discrimination on the above grounds, once they are brought to its attention. Complaints will be dealt with in accordance with its complaints policy and, where such a complaint is upheld, the management committee may impose such sanction as it considers appropriate and proportionate to discriminatory behaviour
- f) Be committed to taking positive action where inequalities exist and the development of a programme of on-going training and awareness in order to promote the eradication of discrimination and to promote equality and diversity in tennis. 'Women', disabled people and those from 'ethnic minority groups' are termed as being under-represented in sport.
- g) be committed to a policy of fair and equitable treatment of all members and employees and requires all members and employees to abide by and adhere to these policies and the requirements of the Equality Act 2010 as well as any amendments to this act and any new legislation.

In the event that any employee, member, visitor or visiting team feels that he, she or it has suffered discrimination or harassment in any way or that the policies, rules or code of conduct have been broken they should follow the procedures below.

1. The complainant should report the matter in writing to the secretary or another member of the management committee of The Burnham's Tennis Club. The report should include:
  - a) details of what occurred;
  - b) details of when and where the occurrence took place;
  - c) any witness details and copies of any witness statements;
  - d) names of any others who have been treated in a similar way (provided that those people consent to their names being disclosed);

- e) details of any former complaints made about the incident, including the date and to whom such complaint was made; and
  - f) An indication as to the desired outcome.
2. If the person accused of discriminatory behaviour is an employee, the management committee will regard the incident as a disciplinary issue and will follow any disciplinary procedure set out for employees or (if none exists) the statutory disciplinary procedure.
3. If the person accused of discriminatory behaviour is a non-employee, the management committee [*or relevant body please insert*] or representatives of the management committee:
  - 3.1 will request that both parties to the complaint submit written evidence regarding the incident(s);
  - 3.2 may decide (at its sole discretion) to uphold or dismiss the complaint without holding a hearing;
  - 3.3 may (at its sole discretion) hold a hearing (whether or not such a hearing is requested by either party) at which both parties will be entitled to attend and present their case;
  - 3.4 will have the power to impose any one or more of the following sanctions on any person found to be in breach of any policy, (including the Equality Policy):
    - a) warn as to future conduct;
    - b) suspend from membership;
    - c) remove from membership;
    - d) exclude a non-member from the facility, either temporarily or permanently; and
    - e) turn down a non-member's current and/or future membership applications.
  - 3.5 will provide both parties with written reasons for its decision to uphold or dismiss the complaint within one (1) calendar month of such decision being made.
  - 3.5 Either party may appeal a decision of the management committee to the County Association (including a decision not to hold a hearing) by writing to the [County Secretary] within 3 months of the place to play's decision being notified to that party.
4. If the nature of the complaint is with regard to the management committee or other body or group in the place to play, the member/visitor has the right to report the discrimination or harassment directly to the relevant County Association.

### Terminologies and descriptors

Disability under the Equality act 2010 is defined as:

'A physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities. 'Substantial' means more than minor or trivial. 'Impairment' covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis or motor neurone disease. A mental impairment includes mental health conditions (such as bipolar disorder or depression), learning difficulties (such as dyslexia) and learning disabilities (such as autism and Down's syndrome). Some people, including those with cancer, multiple sclerosis and HIV/AIDS, are automatically protected as disabled people by the Act. People with severe disfigurement will be protected as disabled without needing to show that it has a substantial adverse effect on day-to-day activities.'

- **Direct discrimination** occurs when a person is treated less favourably than another person because of a protected characteristic. Direct discrimination also includes discrimination because a person is wrongly thought to have a particular protected characteristic or is treated as if they do
- **Indirect discrimination** occurs where the effect of certain requirements, provision or practices imposed by an organisation has an adverse impact disproportionately on one group or other. Indirect discrimination generally occurs when a rule or condition, which is applied equally to everyone, can be met by a considerably smaller proportion of people from a particular group; the rule is to their advantage and it cannot be justified on other grounds.
- **Discrimination arising from disability** occurs when a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified. Treatment can be justified if it can be shown that it is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown then the treatment will be lawful. This form of discrimination can occur only if the service provider knows or can reasonably be expected to know that the disabled person is disabled.

- **Positive discrimination** is illegal under UK anti-discrimination law and shouldn't be confused with Positive Action. Positive discrimination generally means being favourable towards an individual or group for whatever reason outlined."
- **Positive action** is legal and describes measures targeted at a particular group that are under represented in a particular programme or aspect of a sport. These measures are intended to redress past discrimination or to offset the disadvantages arising from existing attitudes, behaviours and structures.

Lawful positive action measures can include:

- Targeting job training at people of particular racial groups, or either gender, which have been under-represented in certain occupations or grades during the previous 12 months, or encouraging them to apply for such work.
- Providing facilities to meet any specific educational, training or welfare needs identified for a specific racial group.
- Special action being taken is the employment of a female coach to lead a session aimed at women, to specifically encourage uptake and participation by female players
- **Harassment** can be described as inappropriate actions, behaviour, comments or physical contact, which may cause offence i.e. mental or physical anxiety or hurt to an individual:
  - It may be related to gender, gender reassignment, race, disability, sexuality, age, religion, nationality or any personal characteristic of an individual.
  - Under the terms of the Criminal Justice Act 1994, harassment was made a criminal offence, punishable by a fine of up to £5,000 and/or a prison sentence of up to six months.
- **Victimisation** occurs when a service provider treats someone badly because they have made or supported a complaint about discrimination or harassment, or because the service provider thinks that they are doing or may do these things. It will also be victimisation if a service provider treats someone badly because they support someone else who makes a discrimination claim. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint.
- **Prejudice** is literally pre-judging someone. It is usually led by negative, irrational feelings, resulting from preconceived attitudes and opinions.
- **Stereotyping** is grouping or labelling people because they are members of a particular 'visible' group, and assuming that they have particular traits that are considered to be characteristics of that group.
- **Dignity** is about respectful, responsible, fair and humane behaviour, something that is reflected in the constitution.
- **Disadvantage** is where, as a result of discrimination, an individual or group is deprived of some or all resources and opportunities. This may affect people directly or indirectly.
- **Social exclusion** is when people or areas suffer from one or a combination of linked problems such as unemployment, poor skills, low income, high crime environments or lack of facilities.

