

ENGLAND NETBALL EQUALITY & DIVERSITY POLICY

Title of Policy		Equality	
Policy Number	09	Issue Number	2
Effective From	July 2011	For Review	July 2014
Lead Officer		Safeguarding & Equality Manager	
Department		Safeguarding & Equality	

1. Statement of Intent

- 1.1 England Netball is fully committed to the principles of equality of opportunity and is responsible for ensuring that no job applicant, employee, volunteer or member receives less favourable treatment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex and sexual orientation (together the 'Protected Characteristics')
- 1.2 England Netball will ensure that there will be open access to all those who wish to participate in all aspects of Netball activities and that they are treated fairly.

In addition, England Netball recognises that we live in a diverse society and will endeavour to ensure that all participants are given the same opportunities regardless of their socio-economic backgrounds.

England Netball will encourage partner organisations; regions, counties, leagues and clubs, suppliers, sponsors and members to adopt and demonstrate their commitment to the principles and practice of equality as set out in this policy.

1.3 Scope of Policy – Gender

England Netball recognises the gender imbalance of players within our sport and is positive about the contribution that England Netball makes to the participation of women and girls in sport. Netball is recognised as the leading team sport for women in England.

The International Federation of Netball Associations (IFNA) rules state that only single sex competition is recognised and permitted.

Men and boys have an important role to play in Netball and England Netball's position in relation to gender is summarised below:

- England Netball encourages the involvement of men as volunteers, coaches, officials, administrators and employees.
- High 5 Netball is the recognised game for 9-11 year olds and is single sex or mixed.
- England Netball recognises mixed netball within specific education and community programmes where it is used to encourage the growth of female participation.
- England Netball will carry out research into how other countries manage and integrate men and boys as players, in single sex and mixed provision.

2. Definitions

For the purpose of clarification England Netball are working to the following definitions:

Equal Opportunities

Within the employment context, treating people as individuals and providing them with opportunities on the basis of their skills, talents and qualifications so that they are neither disadvantaged nor denied access on the grounds stated in section 1.1.

Equality

The state of being equal – treating individuals equally, which is not necessarily the same as treating them the same. In some cases the need for equality may require unequal effort to ensure the principle is achieved.

Equity

In its simplest sense, 'fairness' and respect for other people; the process of allocating (or re-allocating) resources and entitlements, including power, fairly and without discrimination. It includes fairness in opportunities and the upholding of individual human rights through social justice.

3. Purpose of the Policy

3.1 England Netball recognises that individuals and / or certain groups in our society who share one or more 'Protected Characteristics' may not have been able to participate equally and fully in Netball in the past and that some barriers do exist. England Netball will take positive action to ensure that the game is accessible for everyone.

3.2 This policy has been produced to identify and eradicate barriers and tackle unlawful discrimination or other unfair treatment, whether intentional or unintentional, which may preclude some people from participating fully in Netball.

4. Actions

4.1 England Netball will produce, maintain and monitor an action plan to ensure the intent of this policy is consistently delivered.

4.2 All areas of the organisation will be affected by this action plan, which will be incorporated in to the overall business delivery plan (Corporate Plan) of England Netball, which is itself reviewed and updated on an annual basis.

4.3 England Netball recognises that, in some cases, to achieve the principle of equality, unequal effort and resource is required and, if appropriate and proportionate, will consider positive action or may introduce special measures to assist any group with a Protected Characteristic which is currently underrepresented within any area of netball activity.

5. Legal Requirements

- 5.1 England Netball is required by law not to discriminate against its employees and recognises its legal obligations under, and will abide by the requirements of the following:
- Equal Pay Act 1970
 - Rehabilitation of Offenders Act 1974
 - Sex Discrimination Acts 1975, 1986 & 1999
 - Race Relations Act 1976 and the Race Relations Amendment Act 2000
 - Disability Discrimination Act 1995
 - Human Rights Act 1998
 - Employment Equality (Sexual Orientation) Regulations 2003
 - Employment Equality (Religion and Belief) Regulations 2003.
 - Safeguarding Vulnerable Groups Act 2006
 - Equality Act 2010
 - Any later amendments to the above Acts/regulations, or future Acts/regulations that are relevant to England Netball.
- 5.2 England Netball will seek advice each time the policy is reviewed to ensure that it continues to reflect the current legal framework and good practice.

6. Discrimination, harassment, bullying and victimisation

England Netball recognise the following:

- 6.1 Discrimination can take the following forms:
- 6.1.1 *Direct Discrimination*. This means treating someone less favourably than you would treat others because of a Protected Characteristic.
 - 6.1.2 *Indirect Discrimination*. Imposing requirements or conditions, which on the face of it, apply equally to all but which, in practice, can disadvantage individuals with a Protected Characteristic. Such requirements or conditions are lawful only if they can be objectively justified.
- 6.2 *Harassment is described as* engaging in unwanted conduct (intentional or unintentional) relating to a relevant Protected Characteristic or unwanted conduct of a sexual nature where the conduct has the purpose or effect of violating the recipients dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient, or any other individual affected by such conduct. England Netball is committed to ensuring that its employees, volunteers and members are able to conduct their activities free from harassment.
- Bullying is the misuse of power or position to criticise persistently or to humiliate and undermine an individual's confidence.
- 6.3 *Victimisation is defined as* when someone is treated less favourably than others because he or she has taken action against England Netball under one of the relevant Acts/regulations (as previously outlined) or provided information about discrimination, harassment or inappropriate behaviour.

- 6.4 England Netball regards discrimination, harassment, bullying or victimisation, as described above, as serious misconduct and any employee, volunteer or member who discriminates against, harasses or victimises any other person will be liable to appropriate disciplinary action.

7. Reasonable Adjustments

- 7.1 When decisions are made about an individual, the only personal characteristics taken into account will be those which, as well as being consistent with relevant legislation, are necessary to the proper performance of the work involved.
- 7.2 England Netball recognises that it has a duty to make reasonable adjustments for disabled people. England Netball will consider all requests for adjustments and where possible will accommodate reasonable requests and will work with disabled participants and / or disability organisations to implement any adjustments that will help disabled people to increase their participation in netball related activities.

8. Transgender Athletes

England Netball considers that netball is a gender affected sport under the Equality Act 2010 and refers any transgender athletes to the IFNA policy relating to participation by transgender persons.

9. Responsibility, implementation and communication

- 9.1 The following responsibilities will apply:
- 9.1.1 The Board of Directors of England Netball will endorse and be responsible for ensuring that this Equality & Diversity Policy is implemented and will deal with any actual or potential breaches.
A member of the Board will be appointed as the 'Equality Champion' and will ensure that equality is included as an agenda item at Board meetings when appropriate and that the Board takes equality issues into consideration when making decisions.
 - 9.1.2 The Chief Executive has the overall responsibility for the implementation of the Equality & Diversity Policy.
 - 9.1.3 A specific member of staff, the Safeguarding and Equity Manager, designated by the Chief Executive, has the overall responsibility for managing the implementation of the equality action plan as this will form a key part of their work programme.
 - 9.1.4 All employees, volunteers and members have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of the policy and, where appropriate, individual work programmes will be amended to include equality related tasks.
- 9.2 The new / revised policy will be implemented immediately following Board agreement and, at a corporate level, will result in the following:

- 9.2.1 A copy of this document will be given to all employees (both permanent and contract), and made available to members of England Netball.
 - 9.2.2 England Netball will take measures to ensure that its employment practices are non-discriminatory.
 - 9.2.3 No job applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unlawful discrimination.
 - 9.2.4 A planned approach will be adopted to eliminate barriers that discriminate.
 - 9.2.5 Regional Management Boards (RMBs), Counties and clubs will be required to adopt this policy and to include it within their constitutions.
 - 9.2.6 Partner organisations, consultants and advisers used by England Netball will be encouraged to demonstrate their commitment to the principles and practice of equality.
- 9.3 This Equality & Diversity policy will be communicated in the following ways:
- 9.3.1 It will be part of the Employee Policies and Procedures and reference will be made to it in all England Netball Codes of Conduct.
 - 9.3.2 It will be covered in all staff and volunteer induction training.
 - 9.3.3 England Netball will promote continual personal development for all employees, volunteers and members to support equal opportunities and equity within the organisation and, where appropriate, provide specialist facilities, equipment or training.
 - 9.3.4 All members will be made aware of the policy's existence when they join and a summary of any revisions will be published in England Netball's multiple media publications including the Netball digital magazine, and on the England Netball website.
 - 9.3.5 The policy will be available on the England Netball Website and in alternative formats upon request.
 - 9.3.6 At time of review, a mechanism will be put in place to allow all employees, members and volunteers to be part of the review and consultation process.
 - 9.3.7 A summary of this document will be integrated into new and revised publications, where appropriate.

10. Monitoring and Evaluation

- 10.1 Once approved, the policy will apply for a maximum of 3 years before a formal review takes place, unless any proposal to the Board, or legislation change, requires an interim review and/or amendment.
- 10.2 The equality action plan, created to ensure the intent of the policy is delivered, will be reviewed by the Chief Executive and the Safeguarding and Equality Manager, who is responsible for leading its implementation, on a 6 monthly basis.
- 10.3 As part of the overall business delivery plan (Corporate Plan), the equality action plan, will be reviewed by the Board on an annual basis.
- 10.4 On an annual basis, statistical information will be produced for the Board, and this will be published internally and externally, to show the impact of this policy.

11. Disciplinary and Grievance Procedures

- 11.1 To safeguard individual rights under the policy, an employee, volunteer or member who believes he/she has suffered inequitable treatment within the scope of the policy may raise the matter through the appropriate grievance procedure. For employees this will be through the England Netball Grievance Procedure, for volunteers this will be through the England Netball Codes of Conduct and Disciplinary Procedures.
- 11.2 An individual may raise any grievance and no employee, volunteer or member will be penalised for doing so unless it is untrue and not made in good faith.
- 11.3 Any employee, volunteer or member who discriminates against or harasses any other person will liable to action according to the England Netball Employee Disciplinary Policy or the England Netball Codes of Conduct and Disciplinary Procedures Manual
- 11.4 'As with all grievance procedures, the final point of appeal relating to this policy is the Appeal Committee as illustrated in the England Netball Codes of Conduct and Disciplinary Manual or as set out in Stage 3 of the England Netball Employee Grievance Policy and Procedure'.

July 2011