

LOTHIAN DISABILITY SPORT

EQUALITY POLICY



1. INTRODUCTION

- 1.1. Lothian Disability Sport (LDS) is fully committed to promoting equality. Fairness, justice, respect for each other, inclusion, addressing inequalities and removing barriers are just some of the principles of equality that influence LDS development, delivery and decision making. LDS believes that everybody should have the opportunity to participate in physical activity, including sport, and no individual should be discriminated against for reasons of gender reassignment, race, disability, age, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. These are known as the protected characteristics (Equality Act 2010) recognises and acknowledges that inequalities do exist in Scottish sport. LDS is committed to taking positive steps and being pro-active in overcoming these inequalities. By taking positive action LDS will try to ensure that physical and attitudinal barriers are removed and traditionally excluded communities are welcomed into sport.
- 1.2. LDS recognises the importance of introducing a robust and all embedding equality policy. LDS has a strong commitment to implementing and promoting Equality Standard throughout the organisation and its member Branches.
- 1.3. LDS is totally committed to promoting and achieving equality and ensuring that all discrimination is eliminated. Discrimination on any of the grounds listed in paragraph 1.1 will not be tolerated in LDS.

2. COMMITMENT TO EQUALITY

- 2.1. LDS will ensure that the needs of all Lothian communities are considered when developing programmes, services, procedures and policies.
- 2.2. LDS will address any form of discrimination that occurs within the organisation. See appendix one
- 2.3. LDS will meet statutory and legislative obligations to eliminate discrimination and increase equality in sport. LDS will remain informed of new developments in equalities legislation. LDS will ensure it continues to promote age, disability, gender reassignment, race, religion or belief, sex (gender), sexual orientation, pregnancy and maternity and marriage and civil partnership in line with legislative requirements. LDS will produce an Equality Action Plan that strengthens the existing commitment to equality and addresses areas of weakness and required development.

3. LDS COMMITMENTS

3.1. Accountability for Equality

LDS will ensure that there is a strong commitment to equality at the most senior level within the organisation. The Board of LDS is accountable for ensuring that the Equality Policy is followed. The Chief Executive Officer has overall responsibility for the implementation of the Equality Policy. The LDS National Development Officer is the lead officer for equality on a day to day basis.

3.2. Staff Time and Resources

3.2.1. Equality will be a standing agenda item for LDS staff meetings and each staff member will have included within their work programme issues related to equality.

3.3. Employment

3.3.1. LDS is committed to being an equal opportunities employer and recognises and encourages diversity, inclusion and respect within its workforce. LDS will have in place employment conditions and practices that ensure all staff are treated fairly

3.3.2. LDS will ensure that no member of the workforce suffers harassment, direct or indirect discrimination or victimisation. In the event of instances of harassment, direct or indirect discrimination or victimisation, robust grievance and disciplinary procedures will be firmly upheld.

3.3.3. LDS will continue to operate equitable, open and transparent recruitment and selection policies and procedures to ensure that discrimination does not occur. Staff will be appointed on their ability to carry out the job in question.

3.3.4. LDS has in place a Code of Conduct that adequately reflects what is expected of Board members, staff, volunteers, coaches, officials and athletes in terms of equitable conduct when carrying out their duties.

3.4. Education, Training and Development

LDS will ensure that its staff, Board and key volunteers have an understanding of the principles of equality, diversity and inclusion in sport. Consequently LDS will ensure that Board members and staff receive ongoing education and training on equality and its impact on sport. Staff and volunteers within LDS will receive briefings on the Equality Policy and its implications.

3.5. Partnership Support and Development

- 3.5.1. LDS will continue to work and develop relationships with key partners in sport to develop programmes, policies and initiatives that are inclusive and to share information and good practice.
- 3.5.2. LDS will develop links with new partners in areas of sports equality.
- 3.5.3. LDS will provide advice and officer support to organisations and agencies that wish to promote inclusion through sport.

3.6. Communication and Access to Information

- 3.6.1. LDS will continue to work with the media and celebrate the success of athlete members with a disability. LDS will continue to promote its athlete members as positive role models, particularly those athletes from under- represented groups.
- 3.6.2. LDS will consider equality when producing newsletters and reports and attempt to ensure that images are used that reflect diversity within the Scottish population. LDS is committed to the use of inclusive (gender-neutral) language.
- 3.6.3. LDS will give due regard to equality and accessibility of information in all matters relating to the Association website.
- 3.6.4. LDS will as far as possible and within available resources attempt to provide information in alternative formats and languages if requested.
- 3.6.5. LDS will ensure that its equality policy and its commitment to equality are communicated to all staff, Board members, coaches, officials, athletes, Branches and partners in sport.
- 3.6.6. The LDS Equality Policy will be circulated extensively throughout the organisation in hard copy and appear on the LDS website. It will also form part of the LDS Handbook.
- 3.6.7. All new staff will be directed to read the Equality Policy as part of their induction.

3.7. Policy Review and Programming

- 3.7.1. LDS is committed to ensuring that equality is given due regard when developing new policies, programmes, projects, services or initiatives.
- 3.7.2. LDS will constantly review the equality impact of its key policies as part of the Board Policy review cycle every two years.

4. IMPLEMENTATION OF THE POLICY

- 4.1. LDS will produce an Equality Action Plan that will provide a framework for implementing the equality policy. The plan will address communication, equality training for staff and volunteers and ensure that the equality policy influences all of the policies, programmes and activities of the Association.
- 4.2. The LDS Equality Action Plan will include timelines for satisfying the requirements of the Equality Standard: A Framework for Sport.
- 4.3. Equality affects the whole Association and the Equality Action Plan will have an impact on all areas of Association work. The Equality Action Plan will form part of the Association's Strategic Plan and individual work programmes.
- 4.4. LDS recognises in some instances that it may be necessary to take positive action to satisfy the principles of equality as they relate to under represented and traditionally marginalised groups.
- 4.5. LDS will ensure that its Equality Policy is communicated throughout the Association and especially to staff members, key volunteers and coaching staff.
- 4.6. LDS will ensure that its Equality Policy is freely accessible within available resources to all sections of the community.
- 4.7. LDS will strive to highlight the diverse nature of its participant membership in promotional material, website and media releases and presentations.

5. MONITORING AND EVALUATION

- 5.1. Once approved, the LDS Equality Policy will apply for two years and then a formal review will take place. This may change if the committee determines that a legislative change necessitates an interim review or amendment. During any review, structures will be put in place that offer staff, volunteers, member organisations and external partners the opportunity to be part of the review process.
- 5.2. The LDS Equality Action Plan will be reviewed by the Chair & Disability Sport Officer responsible for the day to day operation and implementation of equality. Regular monitoring and review of the Equality Action Plan will be addressed as part of the Association strategic planning process. The Plan will address the needs of all communities and consider in particular individuals with a physical, sensory and/or learning disability.
- 5.3. LDS will establish and maintain procedures and systems for collecting equality data to monitor the progress of the policy in practice.

6. GRIEVANCES

- 6.1. Any member of staff who believes that he or she has been unfairly directly or indirectly discriminated against, harassed , bullied or victimised based on a protected characteristic by any other member of LDS or Board should raise the matter with the Chair in the first instance. If the allegation is against the Chair the matter should be raised with the Disability Sport Officer. LDS is committed to ensuring that its employees are able to conduct their activities free from harassment and victimisation.
- 6.2. Any individual who is not a member of LDS staff (e.g. athlete or volunteer) but feels that he or she has suffered unfair treatment as a result of a decision made by LDS should follow the procedures outlined in LDS Complaints Policy which is included in the LDS Ethics and Equality Policies and Procedures which can be found on the LDS website.

7. LEGAL REQUIREMENTS

In addition to the intent set out within its Equality Policy LDS recognises its obligations in relation to a number of acts including the following

Equality Act 2010 and the Enterprise and Regulatory Reform Act 2012 – which adds political belief as a 10th protected characteristic

Rehabilitation of Offenders Act 1974

Sex Discrimination (Gender Reassignment) Regulations 1999

Human Rights Act 1998

Scotland Act 2000

Gender Recognition Act 2004

Civil Partnership Act 2004

Data Protection Act 1998 and any further amendments

Any later amendments to the above Acts/Regulations or future Acts/Regulations that are relevant to LDS.

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 characteristic¹. 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.

¹ 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.