

## JudoScotland

### Key Policy Document: Equality Policy

Adopted: 11<sup>th</sup> June 2013; Updated 04/12/17



JudoScotland

#### Introduction

1. JudoScotland (JS) Key Policy Documents (KPD) are used in conjunction with individual employee Contracts. They form the basis of the contract of employment between JS and individual employees and is the statement of main terms of employment which sets out certain key information required by law and communicates the main individual terms and conditions of employment to employees.
2. KPD's outline our standards, general terms and rules and methods of work and shows employees that they will be treated fairly and legally. KPD's will be made readily available to all employees as it forms part of their contract of employment. These terms & conditions apply to all employees who work within JS. This includes permanent, co-funded, seconded and voluntary employees.

#### Equality Policy

3. JS has a duty to provide services fairly and without discrimination.
4. JS is fully committed to the principles of equality in opportunity and will devote appropriate resources to the achievement of this aim.
5. JS is responsible for ensuring that no participant, volunteer, job applicant or employee receives less favourable treatment on the grounds of age, sex, gender identity, disability, parental status, marital or civil partnership status, pregnancy or maternity, religion, race, ethnic origin, socio-economic status or sexual orientation; and that they 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.

#### Purpose and Legal Responsibilities of the Equality Policy

6. JS has developed this policy to prevent any potential discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect, against its employees, members and volunteers; and to ensure that there is genuine and equal opportunity for people to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, parental status, marital or civil partnership status, pregnancy or maternity, religion, race, ethnic origin, socioeconomic status or sexual orientation.
7. JS is required by law not to discriminate against employees, members and volunteers or condone any unlawful discriminatory practice and recognises this legal obligation under the Equality Act 2010.

#### Commitment to Equality

8. JS will strive to, though not exclusively:
  - a. devise and implement an updated Equality Action Plan (EAP) to ensure the intent of this policy is delivered;
  - b. consult with staff and members when reviewing the Equality Policy and EAP;
  - c. educate and guide employees, members and volunteers on the adoption and implementation of the EAP;
  - d. make it a condition of membership that Member Clubs:

- i. formally adopt this policy, or produce their own equality and diversity policy in terms that are consistent with it;
  - ii. 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;
  - iii. ensure that access to membership is open and inclusive and;
  - iv. support such measures and initiatives that JS may institute or take part in to advance the aims of this policy.
- e. Make it a condition of JS membership that individual and Club members:
- i. commit to act in accordance with this policy and;
  - ii. support such measures and initiatives that JS may institute or take part in to advance the aims of this policy.
9. JS recognises that - in some cases - to achieve the principle of equality, unequal effort is required and, if appropriate will consider positive action to tackle under-representation.
10. JS will monitor and evaluate on a regular basis, progress in the achievement of the aims and objectives contained within the EAP.
11. JS will monitor and review the policy, practices, procedures and operational systems and keep the employees, members and volunteers informed of progress.
12. JS regards discrimination as gross misconduct and any employee, member or volunteer who discriminates against any other person will have appropriate action taken against them.

### **Underpinning Principles**

13. The JS EAP is based upon a number of principles, whereby:
- a. all individuals have the right to participate in and enjoy sport;
  - b. all personnel involved in the sport of judo are responsible for creating an open and friendly environment for anyone wishing to participate in the sport;
  - c. discriminatory behaviour will not be tolerated within the sport of judo in Scotland;
  - d. all allegations and incidents of discrimination or other such unfair treatment will be taken seriously and responded to in accordance with the JS's policies and procedures.

### **Discrimination, Harassment and Victimisation**

14. Discrimination can take the following forms:

**a. Direct Discrimination**

This means treating someone less favourably than you would treat others in the same circumstances;

**b. Indirect Discrimination**

This occurs when a job requirement or condition is applied equally to all, which has a disproportionate and detrimental effect on one sector of society, because fewer from that sector can comply with it and the requirement cannot be justified in relation to the job;

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;

**c. Harassment**

Is described as inappropriate actions, behaviour, comments or physical contact that is objectionable or causes offence to the recipient. It may be directed towards people because of their gender, appearance, race, ethnic origin, nationality, age, sexual preference, a disability or some other characteristic. JS is committed to ensuring that its employees, members, participants and volunteers are able to conduct their activities free from harassment or intimidation;

#### d. **Victimisation**

Is defined as when someone is treated less favourably than others because he or she has taken action against JS under the Equality Act 2010 or provided information about discrimination, harassment or inappropriate behaviour;

15. JS regards discrimination, harassment 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.

### **Responsibility, Implementation and Communication**

16. The JS Board is responsible for ensuring that the Equality Policy is followed and to deal with any actual or potential breaches.
17. The Chief Executive Officer (CEO) has the overall responsibility for the implementation of the Equality Policy.
18. The Lead Executive, Business Support Team (LE,BST) has the overall responsibility for achieving the EAP in conjunction with the Equality Working Group (EWG).
19. 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.
20. JS will take appropriate measures to ensure that its employment practices are non-discriminatory.
21. 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 unfair discrimination.
22. A planned approach will be adopted to eliminate barriers, which discriminate.
23. It will be covered in all staff and volunteer induction training.
24. It will be available on the JS website.
25. The CEO and LE,BST will review and report to the Board on a six monthly basis.

### **Disciplinary and Grievance Procedures**

26. JS regards all of the forms of discriminatory behaviour, including (but not limited to) behaviour described previously 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.
27. Appropriate disciplinary action will be taken against any employee, member or volunteer who violates the JS Equality Policy.
28. 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 or individual member of JS, should first complain to that person or Club.
29. If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against JS itself, the person may raise the matter by writing directly to the Chairman.
30. The Chairman will investigate the complaint personally or appoint an independent Board 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.
31. The outcome of the investigation will be notified to the parties in writing and reported to the JS Board. If the investigation reveals unacceptable discriminatory behaviour on the part of an individual or Club member, the Board may impose sanctions on that person or Club in line with the JS Articles of Association.
32. 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.
33. In the event that an individual or Club associated with JS is subject to allegations of unlawful discrimination in a court or tribunal, JS 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.

34. As with all grievance and disciplinary procedures, the final point of appeal relating to this policy is contained within the JS Articles of Association.

Board Adopted	21 <sup>st</sup> February 2013
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