



IPSWICH BMX CLUB

Equality and Diversity Policy & Procedures

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1. Introduction

- 1.1 Ipswich BMX Club, hereinafter referred to as Ipswich BMX Club, strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for and strongly support the encouragement of diversity in our work and wholeheartedly support a policy of equal opportunities in all areas of our activities and responsibilities.
- 1.2 This Policy provides guidance to enable all who work with or for Ipswich BMX Club to comply with anti-discrimination legislation. The policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.
- 1.3 Failure to follow the procedures in this Policy may lead to disciplinary or other appropriate action.
- 1.4 The aims and objectives of this policy will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise. Through our training, interaction with members and other activities, Ipswich BMX Club will inform those we work with of this policy and procedure document.
- 1.5 Ipswich BMX Club is committed to reviewing this policy on an annual basis. We will also regularly examine the implementation of the Equality and Diversity Policy and Procedures. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.
- 1.6 Ipswich BMX Club urges staff, volunteers, stakeholders and service users to be aware of the less obvious types of discrimination which result from general

assumptions and pre-conceptions about the capabilities, interests and characteristics of individuals.

2. Definitions

2.1 **Equal Opportunities** - Ipswich BMX Club aims to ensure that policies, procedures and practices do not unfairly discriminate against our employees, volunteers, stakeholders and service users. Ipswich BMX Club aims to treat people fairly and equitably regardless of whom they are, their background or their lifestyle.

2.2 **Diversity** - Ipswich BMX Club aims to ensure that all people are valued as individuals and are able to maximise their potential and contribution. It recognises that people from different backgrounds can bring fresh ideas and a different approach that can make the way we work and learn more fun, more creative, more efficient and more innovative.

2.3 **Protected characteristics** are the grounds upon which discrimination is unlawful. The protected characteristics under the Equality Act 2010 are:

- **Age** – a person of a particular age group, but does not apply to those under the age of 18.
- **Disability** – a person who has a physical or mental impairment, where the impairment has a substantial and long term effect on the person's ability to carry out day-to-day activities.
- **Gender Reassignment** – a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning the person's gender by changing physiological or other attributes of gender.
- **Marriage or Civil Partnership** –. Marriage or Civil Partnership – A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.
- **Pregnancy and Maternity** – a woman who is pregnant has a protected characteristic for the whole pregnancy and for a period of 26 weeks from the day she gives birth (in the case of a still born child the 26 week period exists if the birth takes place after the 24th week of pregnancy). A woman who has given birth and is breast-feeding has a protective characteristic when accessing premises, services and public functions.
- **Race** – a person or group of people defined by their race, colour, nationality, including citizenship, and ethnic or national origins. A racial group can include more than two distinct racial groups; e.g. Black Britons would comprise of those people who are both black and who are British citizens.
- **Religion or Belief** - a person's religion, religious or philosophical belief, lack of religion or lack of religious or philosophical belief. A belief will affect a person's choices or the way they live for it to be considered a protected characteristic.
- **Sex** – a person who is a man or a woman.
- **Sexual Orientation** – a person's sexual attraction towards a person of the same sex, another sex, or people of both sexes.

This Policy uses a wider definition of characteristics and includes caste, caring responsibility, mental health, class, HIV status, employment status, unrelated criminal convictions, and union activities.

- 2.4 **Direct Discrimination** - as defined in law, occurs when a person is dealt with less favourably than other people because of a 'protected characteristic'. These are defined from the Equality Act 2010 above.
- 2.5 **Associated Discrimination** is direct discrimination against a person because they associate with another person who possesses a protected characteristic.
E.g. a person is refused entry to the library because the person they are with has limited mobility and uses crutches to help them move around.
- 2.6 **Discrimination by Perception** is direct discrimination against a person because it is perceived that they possess a particular protective characteristic.
E.g. a man who is perceived to be a woman because they have a high voice on the phone is refused access to a men only service. This would be sex discrimination because the man has wrongly been perceived to be a woman.
- 2.7 **Indirect Discrimination** occurs when an apparently neutral practice, provision or criterion puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and when applying the practice, provision or criterion cannot be objectively justified.
E.g. an organisation has a policy of reminding people of forthcoming appointments by phone. This would indirectly discriminate against deaf people as they would not receive a reminder of their appointment.
- 2.8 **Victimisation** means subjecting a person to detrimental treatment because they are or are believed to be bringing proceedings under the Equality Act; giving evidence or information in connection with proceedings under the Equality Act; doing any other thing for the purposes or in connection with the Equality Act or making an allegation that a person has contravened the Equality Act.
A person must be able to act against unlawful discrimination without fear of reprisals or being subjected to a detrimental effect.
E.g. a patient makes a complaint to a service provider where they were obtaining treatment because they felt they were discriminated against for being gay. The complaint is resolved, but if the person who provides the treatment refuses to treat the gay client this would be victimisation.
- 2.9 **Harassment** means unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.
Sexual harassment is any conduct of a sexual nature that is unwanted by the recipient, including verbal, non-verbal and physical behaviours, and which violates the victim's dignity or creates an intimidating, hostile, degrading or offensive environment for them. Harassment can be sexual, racial, ageist, directed against

people with disabilities or indeed related to any protected or other characteristic exhibited by the individual.

E.g. A male employee is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. A female employee shares an office with the male employee and she too is claiming harassment, even though she is not disabled, as the manager's behaviour has also created an offensive environment for her.

2.10 Harassment by a third party means unwanted, repeated conduct by a third party based on a protected characteristic, which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for a person and where the employer does nothing to prevent it from reoccurring. A third party is defined in law as not being the employer or employees of the employer, such as customers or clients.

E.g. A manager of a Benefits Office hears from one of his staff, who is gay, that he is feeling unhappy after a claimant made homophobic remarks in his hearing. The manager is concerned and monitors the situation. Within a few days the claimant makes further offensive remarks.

The manager reacts by having a word with the claimant, pointing out that this behaviour is unacceptable. He considers following it up with a letter to him pointing out that he will ban him if this happens again. The manager keeps the gay employee in the picture with the actions he is taking and believes he is taking reasonable steps to protect the employee from third party harassment.2.11

2.11 Discrimination arising from disability. Where someone is treated 'unfavourably' because of something linked to their disability, but not because of the disability itself. The disabled person claiming this type of discrimination does not have to compare their treatment to how someone else is treated.

Disability. A person is disabled if they have a physical or mental impairment with a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

2.12 Failure to make 'reasonable adjustments'

An employer failing to make 'reasonable adjustments' for a disabled job applicant or employee is one of the most common types of disability discrimination. If adjustments are 'reasonable', an employer must make them to ensure its workplace or practices do not disadvantage a disabled job applicant or employee already with the organisation.

Employers should ensure they have rules in place to prevent disability discrimination in:

- recruitment and selection

- determining pay, terms and conditions
- sickness absence
- training and development
- promotion
- dismissal
- redundancy.

If a workplace feature or practice puts an employee with a disability at a disadvantage, an employer should look to see what 'reasonable adjustments' it can make and meet with them to discuss what can be done to help them. For example, this could be as simple as supplying a special chair or power-assisted piece of equipment. Reasonable adjustments might also include changing some of the employee's duties, but an employer does not have to change functions essential to the role. (ACAS website)

2.13 Positive Action can be taken when it is clear that a group of people who share a protected characteristic and who are, or could become, employees, volunteers or service users, suffer a disadvantage linked to that characteristic, have disproportionately low levels of participation, or have different needs from a service as compared to other groups.

The positive action must be proportionate and aim to increase participation, meet different needs or overcome disadvantage. The positive action must be appropriate to its aim and other actions would be less effective in achieving this aim or likely to cause greater disadvantage to other groups.

Positive action could take the form of additional training or providing a job application form in other languages to encourage applicants from these communities. 'Positive discrimination' at the point of selection for employment is not permissible.

3. Policy Statements

Diversity

- 3.1 Ipswich BMX Club encourages all people it works with and for to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.
- 3.2 Ipswich BMX Club through its Mission Statement and Aims and Objectives supports the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.
- 3.3 Ipswich BMX Club will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to staff and volunteers to ensure they are able to take a full and active part in Ipswich BMX Club work.

- 3.4 Ipswich BMX Club will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

Equal Opportunities

- 3.5 Ipswich BMX Club strives to be an equal opportunities employer and promotes equality of opportunity through all of its activities.

No job applicant, employee, volunteer, trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin, sex, marital or civil partnership status, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, religious beliefs, class, HIV status, employment status, unrelated criminal convictions, and union activities.

4. Aims & Objectives

- 4.1 The aims and objectives of the Equality and Diversity Policy are:

- To encourage, promote and celebrate equality and diversity in all Ipswich BMX Club activities and services
- To ensure equal access to services, jobs and volunteer opportunities
- To ensure compliance with legislation on discrimination and equality (including the Equality Act and any other legislation which becomes law)
- To promote equal opportunities in other areas not currently covered by legislation
- To create environments free from harassment and discrimination
- To maximise the use of resources in the best interests of staff, volunteers and service users
- To confront and challenge discrimination where and whenever it arises whether it be between colleagues, or in any other area relating to Ipswich BMX Clubs work
- To make a willingness to abide by and implement this policy a necessary condition of employment for any position in Ipswich BMX Club.
- To ensure, through positive action and so far as is practicable, that all Ipswich BMX Clubs premises and services are accessible to all people
- To ensure that employment and advancement within the organisation is determined by objective criteria and personal merit.

5. Policy Implementation - Expectations

- 5.1 Ipswich BMX Club recognises that passive policies do not provide equality and encourage diversity in employment / training /services. Consequently, Ipswich BMX Club will seek to promote equality and diversity within the following framework of responsibilities.

- 5.2 Responsibility for implementing and developing this Policy rests with the Committee. The overall co-ordinating responsibility for equal opportunities and the encouragement of diversity in our work is delegated to the Chief Executive.

However, Ipswich BMX Club believes that all who work with or for Ipswich BMX Club have an individual responsibility: to abide by the Policy and ensure a personal involvement in its application; to co-operate actively to ensure that a fair and equitable environment is a reality. Therefore Ipswich BMX Club requires individuals:

- to implement measures introduced by Ipswich BMX Club to ensure equality of opportunity, diversity and non discrimination
- not to harass, victimise, abuse or intimidate any other employee, volunteer or service user on the grounds of race, colour, nationality, ethnic or national origin, sex, marital or civil partnership status, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, religious beliefs, class, HIV status, employment status, unrelated criminal convictions and union activities.
- to inform management if they suspect discrimination is taking place.

5.3 The Organisation requires its Managers:-

- to ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out
- to ensure that grievances are dealt with in a fair and consistent manner and in line with Ipswich BMX Clubs Disciplinary & Grievance Policy
- to ensure that individuals who they manage are aware of their legal responsibilities, and the Equality and Diversity Policy and Procedures
- to promote actively the benefits of diversity for staff (paid and unpaid) and service users, in employment, volunteering, services and training.

5.4 The Diversity Officer (Chairperson) will:-

- ensure that Managers are supported in their roles in regard to the Equality and Diversity Policy and Procedures
- ensure the Committee annually review equal opportunities and diversity issues within Ipswich BMX Club.
- ensure that the highest standards of equal opportunities practice are strived for in the delivery of Ipswich BMX Club services and undertake training and development opportunities to ensure that competence is maintained
- offer advice and guidance to members of staff,(paid and unpaid) in equality and diversity matters
- seek the views and opinions of staff (paid and unpaid), stakeholders and service users on the operation of the Policy, in particular regarding ways of meeting the diverse needs of the users
- facilitate training and discussion on equal opportunities and diversity issues as appropriate, for example, at team meetings
- ensure that the Equality and Diversity Policy and Procedures are reviewed on an annual basis.

6. Policy Implementation

Recruitment, Interviews, Selection & Promotion

- 6.1 In line with the intentions of this Policy, the Volunteer Policy and the Recruitment Policy, Ipswich BMX Club strives to ensure that staff (paid and unpaid) reflect the wider community.

7. Policy Implementation – Training

- 7.1 In line with the intentions of this policy, Ipswich BMX Club will not discriminate in the provision of training courses / opportunities wherever possible.
- 7.2 Appropriate training will be provided to enable staff, (paid and unpaid) and committee members to perform their jobs / roles effectively. The training offered will take into account the needs of all people.
- 7.3 Briefing on this policy will form part of the Induction Procedure for staff.
- 7.4 Ipswich BMX Club will strive to ensure that all training offered will be accessible to all people.

8. Policy Implementation – Enforcement

- 8.1 Ipswich BMX Club recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

8.2 Policy Enforcement - Grievance

Any staff member who feels aggrieved as a result of discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Disciplinary and Grievance Policy.

Any service user who feels he / she has been unfairly treated in a way contrary to this Policy should make a complaint through the Complaints Policy.

Any job applicant who believes that he / she has been treated unfairly and contrary to the intention of this policy should raise the issue with the Chairperson of the club.

Ipswich BMX Club will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

8.3 Policy Enforcement – Discipline

Any member of staff suspected of being in breach of this policy will be subject to disciplinary action.

All incidents of **direct discrimination** are disciplinary offences.

All incidents of **indirect discrimination** are disciplinary offences.

Incidents of **victimisation** or **harassment** will be dealt with in accordance with Ipswich BMX Clubs disciplinary processes.

Any unpaid member of staff, found to be in breach of this policy will be counselled on his / her actions and may, where necessary, be asked to leave Ipswich BMX Club.

Any service user found in breach of this policy will, where appropriate, be counselled on his / her actions and may, where necessary, be referred back to their organisation or refused future services from Ipswich BMX Club.

9. Policy Implementation – Monitoring

9.1 Ipswich BMX Club regards the collection / analysis of data as vital in informing change and improving performance and complying with legislation. Where appropriate, statistics on Ipswich BMX Club services will be collected and analysed in relation to equality and diversity matters. We will review employee recruitment and turnover and seek information on reasons for leaving. Local and national data or statistics will be used to benchmark our performance.

9.2 The Committee will review annually the equality of opportunity relating to Ipswich BMX Club services. Recruitment and selection procedures will be monitored and reviewed annually by the Trustee Board. All aspects of policies and procedures shall be kept under review to ensure that they do not operate against the Diversity and Equality Policy.

9.3 Equality of opportunities in the workplace will be monitored for all staff through the appraisal systems.

9.4 In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness.

The Diversity and Equality Policy will be monitored and reviewed as follows:

- Diversity and Equality will be an agenda item at all Ipswich BMX Club Trustee, committee meetings and will be minuted
- A review of the policy will be undertaken annually and will take into account minutes from the Organisation's Trustee meetings
- Committee staff, members and service users will be encouraged to submit comments for consideration
- The review recommendations will be presented to the relevant Trustee committee meeting for discussion.

If it is found that the policy is excluding or discouraging staff development or restricting service users, the Chief Executive, should take positive action to re-adjust the policy.

Approved by: Ipswich BMX 2020 Committee

Date: 20.10.20