

SCOTTISH DISABILITY SPORT

EQUALITY POLICY

Reviewed by Board – November 2021

1. INTRODUCTION

1.1. Scottish Disability Sport (SDS), has the vision of a Scotland where sport and physical activity is welcoming and inclusive for participants with disabilities. The golden threads of inclusion and equality are fundamental to everything we do at Scottish Disability Sport and the values that we have embedded within our strategic plan underpins everything that we do, These values are:

Inclusion addressing the needs and aspirations of all individuals

Respect considering different opinions and rights of all individuals: participant centred

Integrity underpinning all actions by what is morally right and honest

Ambition finding innovative and creative solutions

1.2. SDS 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 SDS development, delivery and decision making. SDS 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. SDS is committed to taking positive steps and being pro-active in overcoming these inequalities. By taking positive action SDS will try to ensure that physical and attitudinal barriers are removed and traditionally excluded communities are welcomed into sport.

1.3. SDS recognises the importance of introducing a robust and all-encompassing equality policy. SDS has a strong commitment to implementing and promoting equality throughout the organisation and its member Branches.

1.4. SDS 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 SDS.

2. COMMITMENT TO EQUALITY

- 2.1. SDS will ensure that the needs of all Scottish communities are considered when developing programmes, services, procedures and policies.
- 2.2. SDS will address any form of discrimination that occurs within the organisation. **See appendix one.**
- 2.3. SDS will meet statutory and legislative obligations to eliminate discrimination and increase equality in sport. SDS will remain informed of new developments in equalities legislation. SDS 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. SDS will produce an Equality Action Plan that strengthens the existing commitment to equality and addresses areas of weakness and required development.

3. SDS COMMITMENTS

3.1. Accountability for Equality

SDS will ensure that there is a strong commitment to equality at the most senior level within the organisation. The Board of SDS is accountable for ensuring that the Equality Policy is followed and equality will be a standing agenda item at Board meetings. The Chief Executive Officer has overall responsibility for the implementation of the Equality Policy. The SDS Opportunities & Equality Manager is the lead officer for equality on a day to day basis.

3.2. Staff Time and Resources

- 3.2.1. 50% of the work programme of the Opportunities & Equality Manager will be dedicated to work related to equality.
- 3.2.2. Equality will be a standing agenda item for SDS staff meetings and each staff member will have included within their work programme targets related to equality.
- 3.2.3. SDS will allocate a budget for equality which will include specific funds for implementing and overseeing the equality policy and Equality Action Plan. SDS will invest in innovative programmes that have a positive effect on

the participation and inclusion of under represented groups in disability sport e.g. children and young people, women, those with severe physical disabilities, sensory disabilities and individuals from black and minority ethnic communities.

3.3. Employment

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

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

3.4. Education, Training and Development

SDS will ensure that its staff, Board and key volunteers have an understanding of the principles of equality, diversity and inclusion in sport. Consequently, SDS will ensure that Board and staff receive ongoing education and training on equality and its impact on sport. Staff and volunteers within SDS will receive briefings on the Equality Policy and its implications. When delivering training SDS will try to ensure its workshops and courses are accessible.

3.5. Partnership Support and Development

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

3.7.2. SDS 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. SDS 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 SDS 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 and Operational Plans as well as individual work programmes.
- 4.4. SDS 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. SDS will ensure that its Equality Policy is communicated throughout the Association and especially to staff members, key volunteers and coaching staff.
- 4.6. SDS will ensure that its Equality Policy is freely accessible within available resources to all sections of the community.
- 4.7. SDS 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 SDS Equality Policy will apply for two years and then a formal review will take place. This may change if the Board 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 SDS Equality Action Plan will be reviewed by the Chief Executive Officer and Opportunities & Equalities Manager

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. SDS will establish and maintain procedures and systems for collecting equality data to monitor the progress of the policy in practice. An annual report will be presented to the Board on equality progress against key objectives. The headline findings will be disseminated both internally and externally to demonstrate the impact of the policy. Information will be processed in accordance with the Data Protection Act 1998, the UK GDPR and any further legislative amendments.

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 SDS or Board should raise the matter with the Chief Executive Officer in the first instance. If the allegation is against the Chief Executive Officer the matter should be raised with the Chair of the Association. SDS 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 SDS staff (e.g. athlete or volunteer) but feels that he or she has suffered unfair treatment as a result of a decision made by SDS should follow the procedures outlined in SDS Complaints Handling Policy which is included in the SDS Ethics and Equality Policies and Procedures which can be found on the SDS website.

7. LEGAL REQUIREMENTS

In addition to the intent set out within its Equality Policy SDS 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 SDS.

Approved at Board Meeting on Monday 8th November 2021

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.

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.

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.