

Somerset FA Equality Policy 2019

Policy Statement

Somerset FA endorses the principle of equality and will strive to ensure that everyone who wishes to be involved in football, whether as participants, team members, volunteers, coaches, referees, office-bearers or those within the County Football Association:

- have a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race or ethnicity or sexual orientation; and
- 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 football without the threat of intimidation, victimisation, harassment or abuse.

Legal obligations

We are committed to avoiding and eliminating unfair discrimination of any kind in football, and will under no circumstances condone unlawful discriminatory practices. Our organisation takes a zero tolerance approach to harassment. Examples of the relevant legislation and the behaviours in question are given in the Appendix.

Positive action

The principle of equality goes further than simply complying with legislation. It allows us to take positive steps to counteract the effects of physical or cultural barriers – whether real or perceived – that restrict the opportunity for all sections of the community to participate equally and fully in football should they chose to.

We will therefore seek to institute, support or contribute to appropriate measures or initiatives that enable access to football and participation in associated activities by people from any group that is under-represented in the sport or has difficulty accessing it.

Implementation

The following steps will be taken to publicise this policy and promote equality in football:-

- A copy of this document will be published on our website.
- The Somerset FA Chair has delegated the Chief Executive to take overall responsibility for ensuring that the policy is observed.
- The Board will take full account of the policy in arriving at all decisions in relation to activities of the County FA.
- We will collaborate fully with any surveys or other initiatives designed to assess the level of participation of different sections of the community in football and will take account of the findings in developing measures to promote and enhance equality for all involved in football.
- The Board, staff and Council members will undertake equality training and keep up to date with equality legislation.

- Somerset FA affiliated member clubs will be encouraged to:
 - formally adopt this policy, or produce their own equality and diversity policy in terms that are consistent with it; and
 - take steps to ensure that their Committees, members, players, coaches and volunteers behave in accordance with the policy, including where appropriate taking disciplinary action under the Club's constitution; and
 - ensure that access to membership is open and inclusive
 - support such measures and initiatives that Somerset FA may institute or take part in to advance the aims of this policy.
- Somerset FA will encourage individuals and members to
 - commit to act in accordance with this policy; and
 - support such measures and initiatives that Somerset FA may institute or take part in to advance the aims of this policy.

Responsibility, Monitoring and Evaluation

The Board will appoint a member to the Inclusion Advisory Group who will be responsible for ensuring the implementation of this policy.

The Board will review all Somerset FA activities and initiatives against the aims of the policy on an annual basis, and the Inclusion Advisory Group member will report formally on this issue at the AGM.

The delegated Board member for the Inclusion Advisory Group will review any measures or initiatives that Somerset FA may institute or take part in to promote equality in football across the County and will report their findings formally to the AGM annually.

The Board will review the policy annually (or more regularly due to changes in legislation) and will report with recommendations to the AGM.

Complaints Procedure / Policy and compliance

Somerset FA regards all of the forms of discriminatory behaviour, including (but not limited to) behaviour described in the Appendix 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.

Appropriate disciplinary action will be taken against any employee, Board or Council member, player, coach, referee or volunteer who breaches the our Equality Policy.

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, individual, staff, Board or Council member should follow the Somerset FA's complaints procedure and complaints policy, pages 189 & 190 of the county handbook. Anyone wishing to make a complaint should in the first instance complain to that person, organisation or club. If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against Somerset FA staff, Board or Council members, the procedure should be used.

Sanctions may range from a written reminder concerning future conduct up to and including temporary or permanent suspension and expulsion from the County FA and any club or league that affiliates to it. In deciding what sanction is appropriate in a particular case the Board will consider the severity of the matter and take account of any mitigating circumstances.

Where the violation of the Equality Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the Police or appropriate Authority will be informed.

In the event that an individual, club or league associated with Somerset FA is subject to allegations of unlawful discrimination in a court or tribunal, Somerset FA will co-operate fully with any investigation carried out by the relevant lawful authorities and, subject to the outcome, may consider taking further action in relation to the matter concerned.

Somerset FA

September 2019

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, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race, 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.