



## FOREWORD

**THE FA AND COUNTY FAS ARE HERE TO ENSURE EVERYONE WHO IS INVOLVED IN FOOTBALL HAS A GREAT EXPERIENCE – REGARDLESS OF GENDER, SEXUALITY, ETHNICITY, ABILITY OR DISABILITY, FAITH OR AGE.**

Both the FA and the CFAs are working to ensure everyone has the opportunity to be part of the game.

We will all work together on our inclusion priorities over the coming years. These are underpinned by three principles of change:

- Ensuring governance and leadership is diverse and modern;
- Removing any obstacles to access and progression in coaching, talent development or personal development pathways; and
- Enshrining equality, diversity and inclusion in our day to day operations.

In order to make a difference, The FA is running and supporting leadership programmes for women, BAME and young people and will adhere to the Government's code for governance in sport.

We will also examine pathways and promote inclusion and access for coaches, welfare officers, club officials, league officials, players, coaches and tutors; and we will challenge ourselves with measurable targets that deliver on diversity and inclusion outcomes.

We will also work with a variety of stakeholders on topics to ensure that people feel safe and included in football.

Meanwhile, there also many programmes across football which support our aims as **part of The FA and County FAs wider inclusion programmes which we will continue to deliver.**

### **Equality and diversity in the workplace**

It is Company policy that all applicants for employment and employees shall be given equal opportunities in all areas of employment. This means that no job applicant or employee receives less favourable treatment on the grounds of gender, age, marital status, social class, colour, race, ethnic origin, religion, sexual orientation, creed or disability. Neither should they be disadvantaged by conditions or requirements that cannot be shown to be relevant to the job.

We place great emphasis on maintaining procedures that are free from all forms of discrimination.

Peter Ducksbury, Chair, Westmorland County FA

## **Policy Statement**

The Westmorland County FA endorses the principle of sports equality and will strive to ensure that everyone who wishes to be involved in football, whether as participants, staff and Board members, volunteers, coaches, office-bearers in clubs or those within the CFA :

- has 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, 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**

Westmorland County FA is committed to avoid and eliminate discrimination of any kind in football, and will under no circumstances condone discriminatory practices. The organisation takes a zero tolerance approach to harassment. Examples of the relevant legislation and the behaviours are given in the Appendix.

## **Positive action**

The principle of sports equality, diversity and inclusion goes further than simply complying with legislation. It entails taking 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.

Westmorland County FA 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 sports equality in football:-

- A copy of this document will be published on the CFA website.
- The Westmorland County FA Chair will 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 Westmorland County FA.
- The Westmorland County FA 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 sports equality in football.
- The Westmorland County FA will provide access to training for all of its Board Members to raise awareness of both collective and individual responsibilities. All Westmorland County FA accredited and licensed coaches and referees will be equality and diversity trained through their FA qualification
- It will be an expectation of Westmorland County FA membership that member clubs:
  - formally adopt this policy, or the standard FA policy provided for clubs in the Clubs Portal, or produce their own policy in terms that are consistent with it; and
  - take steps to ensure that their Committees, staff, members and volunteers behave in accordance with the policy, including where appropriate taking disciplinary action under the CFA's rules; and
  - ensure that access to membership is open and inclusive

- support such measures and initiatives that Westmorland County FA may institute or take part in to advance the aims of this policy.
- It will be a condition of Westmorland County FA membership that individuals:
  - commit to act in accordance with this policy; and
  - support such measures and initiatives that the Westmorland County FA may institute or take part in to advance the aims of this policy.

### **Responsibility, Monitoring and Evaluation**

The Board will be responsible for ensuring the implementation of this policy.

The Board will review all Westmorland County FA activities and initiatives against the aims of the policy on an annual basis, and the Chair will report formally on this issue at the AGM.

The Board, or where appropriate a designated person, will review any measures or initiatives that the Westmorland County FA may institute or take part in to promote and enhance equality, diversity and inclusion in the CFA, and will report their findings in the annual report and to Board.

The Board will review the policy itself at intervals of no more than three years, (or when necessary due to changes in legislation) and will report with recommendations at Board level.

### **Complaints and compliance**

Westmorland County 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, member or volunteer who violates this Policy.

Any person who believes that they have been treated in a way that they consider to be in breach of this policy should first complain to that person or their organisation. If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against the CFA itself, the person may raise the matter by writing directly to the Chair OR CEO. Contact details are available through the website <https://www.westmorlandfa.com/about/contact> or contact [discipline@westmorlandfa.com](mailto:discipline@westmorlandfa.com).

The Chair will investigate the complaint personally or appoint a 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.

The outcome of the investigation will be notified to the parties in writing and reported to the Westmorland County FA Board. If the investigation reveals unacceptable discriminatory behaviour on the part of an individual member the Board may impose sanctions on that person or organisation in line with the Westmorland County FA Constitution. Sanctions may range from a written reminder concerning future conduct up to and including temporary or permanent expulsion from Westmorland County FA membership. 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 this Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the appropriate authority will be informed.

In the event that an individual or organisation associated with Westmorland County FA is subject to allegations of unlawful discrimination in a court or tribunal, the Westmorland County FA Board 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.

Westmorland County FA Board Chair

March 2022

## **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 characteristic<sup>1</sup>. 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.

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<sup>1</sup> 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.