

Section 3 – Policies and procedures

3.2.2 - Equality and diversity policy

Equality policy guidance notes

The LTA provides an equality policy template for clubs to review and adopt, if there is not already a policy in place to deal with and manage equality of opportunities across all areas of club management. The aim is to ensure that everyone is treated fairly and with respect, and that members, non-members and visitors are not denied access for discriminatory reasons.

The LTA also provides a complaints procedure template for clubs to review and adopt, if there is not already a complaints procedure in place. Clubs looking to adopt either template should seek legal advice over their contents before wide dissemination to members and users of the club.

Explaining the equality policy template

- a) Setting standards and values is about the integrity of your club and the image and professionalism you want to project.
- b) Eliminating discrimination confirms your club's commitment to eradicating discrimination by the reasons stated. You must make this commitment known through other channels, such as declarations on club application and renewal forms.
- c) The management committee or a body within the club is responsible for reviewing the policy once implemented. A policy is considered to have been 'implemented' when its content has been communicated to club members, and when non-members, guests and visiting teams are aware of its existence. Awareness can be achieved by displaying the main points of the policy in accessible and visible areas, such as notice boards and changing rooms.
- d) Re-affirms that the club will not treat anyone less favourably and will ensure through its programming and operational activities that everyone is treated fairly and with respect.
- e) The club will not tolerate harassment, bullying, abuse or victimisation. For definitions of these terms please refer to the back of these explanatory notes (see below).
- f) The club will take necessary steps to investigate any complaints of discriminatory practice that are brought to the attention of the management committee, in accordance with the club's complaints procedure. It is important that club members and guests know how to bring about a complaint, who they should contact, how decisions are made and what sanctions may be imposed if there has been a breach of the club policy.
- g) Taking positive action is not the same as eliminating discrimination. A good example of positive action is running a programme or event specifically aimed at an under-represented group, and then choosing to employ a coach from that part of the community. It is perfectly acceptable to take this form of action, just as it is acceptable to employ a female coach for a ladies or women-only coaching programme. 'Women' and those from 'ethnic minority groups' are termed as being under-represented in sport.
- h) Policy of equal treatment of all members and employees refers to the club operating within the appropriate legal framework. This simply means the club is aware of, and adheres to, all the relevant (equalities) legislation, and any amendments to these acts.

Club equality policy template

The aim of this policy is to ensure that **everyone is treated fairly and with respect** and that members, non members and visiting clubs and teams are not denied access to ___Preston ___ LTC because of a discriminatory reason.

- a) ___Preston___ LTC is responsible for **setting standards and values** to apply throughout the club at every level. Tennis should be enjoyed by everyone who wants to play the game.
- b) Our commitment is to **eliminate discrimination** by reason of gender, sexual orientation, race, nationality, ethnic origin, religion or belief, ability or disability and to encourage equal opportunities.
- c) This policy is fully supported by the ___Preston___ **management committee** and development committee [*delete/insert name of relevant body*] which is responsible for the implementation and review of this policy.
- d) ___Preston___ LTC, in all its activities, **will not discriminate** or in any way treat **anyone less favourably**, on grounds of gender, sexual orientation, race, nationality, ethnic origin, religion or belief, ability or disability. The ___Preston___ LTC will ensure that it **treats its employees, members, non-members and visiting clubs and teams fairly and with respect** and will ensure that all members of the community have access to and have opportunities to take part in, and enjoy, its programmes of activities, competitions and events.
- e) ___Preston___ LTC will **not tolerate harassment, bullying, abuse** or **victimisation** of an individual (which the ___Preston___ LTC regards as forms of discrimination). This includes **sexual or racially based harassment** or other **discriminatory behaviour**, whether physical or verbal. ___Preston___ LTC will work to ensure that such behaviour is met with appropriate action in whatever context it occurs.
- f) ___Preston___ LTC commits itself to the **immediate investigation** of **any complaints** of discrimination on the above grounds, once they are brought to its attention. Complaints will be dealt with in accordance with its complaints policy and, where such a complaint is upheld, the LTC may impose such sanction as it considers appropriate and proportionate to discriminatory behaviour.
- g) ___Preston___ LTC is committed to **taking positive action** where **inequalities exist** and the development of a programme of on-going training and awareness in order to promote the eradication of discrimination and to promote equality and diversity in tennis.
- h) ___Preston___ LTC is committed to a **policy of equal treatment** of all members and employees and requires all members and employees to abide by and adhere to these policies and the requirements of the relevant equalities legislation, including the Race Relations Act 1976, Sex Discrimination Act 1975, Disability Discrimination Act 1995, Age Discrimination Act 2006 as well as any amendments to these acts and any new legislation.

*LTC can be replaced with the name of a School/Tennis Centre/ITI/After School Club or a Community Tennis Club/commercial or a City Tennis Club

Complaints procedure guidance notes

Your complaints procedure can be integrated into your club's equality and diversity policy, or maintained separately (in which case it must be referenced by other club policies, such as your code of conduct). Either way, it outlines the steps that will be undertaken to **investigate any complaint** brought to the attention of the management committee (or the alternative body chosen to perform this role).

As with the equality policy template, it is imperative that you **seek legal advice** over the contents of your complaints procedure. If your club does choose to adopt the LTA template, all members and visitors must be made aware of its existence.

Explaining the complaints procedure template

1. Part one of the procedure makes it clear that complaints can only be dealt with and managed if they are submitted in writing and cover all the points **a** to **f**.
2. This confirms that **employee(s) of the club** such as bar staff, grounds man, coaches and paid volunteers, are subject to specified disciplinary procedures.
3. This section explains how complaints about individuals **who are not employed by the club** will be dealt with and managed.
4. Explains the steps to be taken if the complain concerns the club's management committee itself (or the alternative body chosen to perform this role).

Club complaints procedure template

In the event that any **employee, member, visitor or visiting team feels** that he, she or it has **suffered discrimination or harassment** in any way or that the **club policies, rules or code of conduct have been broken** they should follow the procedures below.

1. The Complainant should report the matter in writing to the club secretary or another member of the committee [*insert relevant name or committee body*]. The report should include:
 - (a) **details of what** occurred;
 - (b) **details of when and where** the occurrence took place;
 - (c) any **witness** details and copies of any witness statements;
 - (d) **names** of any others who have been treated in a similar way (provided that those people consent to their names being disclosed);
 - (e) **details of any former complaints** made about the incident, including the date and to whom such complaint was made; and
 - (f) an indication as to the **desired outcome**.
2. If the person accused of discriminatory behaviour is an employee of the Club, the Club will regard the incident as a disciplinary issue and will follow any disciplinary procedure set out for employees or (if none exists) the statutory disciplinary procedure.

- 3 If the person accused of discriminatory behaviour is a non-employee of the Club, the Club's management committee [*or relevant body please insert*] or representatives of the committee:
 - 3.1 will request that both parties to the complaint **submit written evidence** regarding the incident(s);
 - 3.2 may decide (at its sole discretion) to uphold or dismiss the complaint without holding a hearing;
 - 3.3 may (at its sole discretion) **hold a hearing** (whether or not such a hearing is requested by either party) at which both parties will be entitled to attend and present their case;
 - 3.4 **will have the power** to impose any one or more of the following sanctions on any person found to be in breach of any Club policy, (including the Equality Policy):
 - (a) **warn** as to future conduct;
 - (b) **suspend** from membership;
 - (c) **remove** from membership;
 - (d) **exclude** a non-member from the Club, either temporarily or permanently; and
 - (e) **turn down** a non-member's current and/or future membership applications.
 - 3.5 will provide both parties with written reasons for its decision to uphold or dismiss the complaint within one (1) calendar month of such decision being made.
 - 3.5 Either party may appeal a decision of the committee to the County Association (including a decision not to hold a hearing) by writing to the [County Secretary] within 3 months of the Club's decision being notified to that party.
4. If the nature of the complaint is with regard to the club's management committee or other body or group in the club, the member/visitor has **the right to report the discrimination or harassment** directly to the relevant **County Association**.

Terminologies and descriptors

Types of discrimination

There are three categories of discrimination: direct, indirect and positive:

- **Direct discrimination** – is where a person, in a group of people with the same or similar circumstances, is treated less favourably than the others in the group because of their race, gender, disability or sexuality.
- **Indirect discrimination** occurs where the effect of certain requirements, provision or practices imposed by an organisation has an adverse impact disproportionately on one group or other. Indirect discrimination generally occurs when a rule or condition, which is applied equally to everyone, can be met by a considerably smaller proportion of people from a particular group; the rule is to their advantage and it cannot be justified on other grounds.
- **Positive discrimination** is in favour of those who were formerly discriminated against, especially in the provision of social and educational facilities and employment opportunities.

The LTA's equality and diversity policy www.lta.org/equality sets out our commitment to opposing all forms of discrimination. The LTA will ensure that its employees, members, volunteers, players, officials, affiliated clubs and customers are not discriminated against on the basis of any of the following:



- race, colour, ethnic group or national origin
- gender or marital status
- disability
- sexuality or sexual orientation
- age
- employment status
- actual/suspected HIV/AIDS
- religion and faith
- unrelated criminal offences/ex-offenders (subject to any legal or public interest constraints)
- responsibilities for children or dependents

Harassment - Harassment can be described as inappropriate actions, behaviour, comments or physical contact, which may cause offence i.e. mental or physical anxiety or hurt to an individual:

- It may be related to gender, race disability, sexuality, age, religion, nationality or any personal characteristic of an individual.
- Under the terms of the Criminal Justice Act 1994, harassment was made a criminal offence, punishable by a fine of up to £5,000 and/or a prison sentence of up to six months.

Victimisation - Victimisation can be described as treating an individual less favourably than one would treat others because the individual has made a complaint of discrimination, given evidence about such a complaint or raised a concern under the Public Interest (Disclosure) Act 1998.

Positive action - The term 'positive action' refers to a number of methods designed to counteract the effects of discrimination and to help eradicate stereotyping. It can be initiatives or activities that attempt to redress imbalances by providing extra help, doing things in a different way or promoting opportunities in targeted places and to targeted groups. Under this broad meaning, positive action may include actions such as the introduction of discriminatory selection procedures, and training programmes or policies aimed at preventing sexual harassment. An example of positive action being taken is the employment of a female coach to lead a session aimed at women, to specifically encourage uptake and participation by female players.

Prejudice -Prejudice is literally pre-judging someone. It is usually led by negative, irrational feelings, resulting from preconceived attitudes and opinions.

Stereotyping -Stereotyping is grouping or labelling people because they are members of a particular 'visible' group, and assuming that they have particular traits that are considered to be characteristics of that group.

Dignity - Dignity is about respectful, responsible, fair and humane behaviour, something that is reflected in the club's constitution.

Disadvantage - Disadvantage is where, as a result of discrimination, an individual or group is deprived of some or all resources and opportunities. This may affect people directly or indirectly.

Social exclusion - Social exclusion is when people or areas suffer from one or a combination of linked problems such as unemployment, poor skills, low income, high crime environments or lack of facilities.