

## ENGLAND NETBALL

  	<b>Diversity &amp; Belonging Policy</b>	
	<b>Responsible Officer</b>	Company Secretary
	<b>Group Owner</b>	Executive Team
	<b>Date Created / Modified</b>	July 2021
	<b>Version</b>	1.2
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	<b>Applicable for</b>	This policy is mandatory. It applies to Clubs, Registered Leagues, Regional Management Boards, County Netball Associations and Partners delivering recognised and authorised netball activity as well as all England Netball employees and volunteers acting in any capacity within netball where a separate policy does not exist.
	<b>Summary</b>	This policy provides information on England Netball's Diversity & Belonging Policy (which may also be referenced at times as the Equality Policy) and sets out England Netball's aim to ensure that everyone is treated fairly and not subject to unlawful or unfair discrimination. The policy sets out the objectives to explain how they will achieve the aim of eliminating discrimination for everyone participating in netball.

### Version Control:

Person Responsible	Version and summary of changes	Date
Compliance Manager	Extended to include England Netball employees	August 2018
Company Secretary	General review and update	May 2021

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## ENGLAND NETBALL STATEMENT OF COMMITMENT

- 1.1 As a National Governing Body, England Netball is fully committed to:
- creating a diverse and inclusive workplace culture in which everyone is treated fairly and with respect, employees have equal access to opportunities and not judged by reference to unlawful or irrelevant attributes and have genuine feelings of Belonging and being part of a team.
  - creating a workplace that is free from discriminatory behaviours and organisational practices including discrimination, harassment and bullying.
  - creating a wider netball environment and culture in which everyone is treated fairly and with respect and can enjoy and belong in our sport free from discrimination, harassment and bullying.
- 1.2 The principles of Equality and Diversity are underpinned by England Netball's strategic aims, values and current equality legislation.
- 1.3 England Netball will take seriously any breaches of this policy and any complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, volunteers, customers, suppliers, visitors and the public during the organisation's activities.
- 1.4 England Netball undertakes to investigate every complaint raised in line with the appropriate policy or regulations detailed in item 8.

## POLICY AIMS & OBJECTIVES

- 2.1 England Netball aims to ensure that:
- anyone participating or wishing to participate in netball can do so in an environment free from harassment and discrimination.
  - Diversity, Inclusion and Belonging drives our ability to attract, retain, motivate and develop the best talent, deliver the sharpest insights as we grow our netball family.
  - no employee, volunteer or job applicant is unlawfully discriminated against or receives less favourable treatment on the grounds of a protected characteristic as described in the Equality Act 2010.
  - every employee within England Netball has equality of opportunity and access to job opportunities, promotion, training and other employee services without any unlawful discrimination or unfair treatment, whether intentional or unintentional, direct or indirect.
  - through working in partnership we will successfully deliver accessible services and employment opportunities.

2.2 This Diversity and Belonging Policy is based on the following objectives which England Netball commits to uphold:

- Create an environment for Equality and diversity in the workplace and the sport of netball.
- Create a working and sporting environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all and where individual differences and the contributions of all are recognised and valued.
- All employees, volunteers and job applicants are entitled to be fairly treated regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. Together these are referred to as “protected characteristics”.
- All employees, volunteers and job applicants are given the same opportunity regardless of their socio-economic background.
- Equality is woven throughout the organisational, strategic, individual and departmental planning.
- Through partnerships with a variety of netball delivery partners every individual who wishes to participate in netball should be able to access an opportunity to do so in some form.
- Where appropriate positive action will be used to address past inequalities and areas which are under-represented within netball.
- We all have a responsibility to ensure that discrimination is not tolerated within England Netball and report incidents of discrimination or concerns through the appropriate complaints or governance process.
- Ensure that any individual who believes they have received unfavourable treatment within the scope of this policy should be able to raise their concerns in line with the appropriate policy and procedures (see Section 8). No individual who raises a concern in good faith, or those who support another person to raise a concern should be treated unfairly or discriminated against because of raising the concern.

2.3 We are committed to creating a workplace and netball environments that are free from discrimination, harassment and bullying.

2.4 This commitment includes training employees and volunteers, and informing them about their rights and responsibilities under this Diversity and Belonging Policy.

## LEGAL REQUIREMENTS

### Equality Act 2010

- 3.1 England Netball recognises its legal obligations under the Equality Act 2010. The Equality Act defines nine protected characteristics:
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation
- 3.2 Not one protected characteristic has a higher priority than any other. Discrimination can be on the grounds of a single protected characteristic or a number of single, but unrelated, characteristics.
- 3.3 It is unlawful to discriminate directly or indirectly in recruitment, employment or in the provision of services because of a protected characteristic.

### Reasonable Adjustments for Employees and Job Applicants

- 3.4 A reasonable adjustment is a change or adaption to the physical or working environment that has the effect of removing or minimising the impact of the individuals' impairment in the workplace, so that they are able to undertake their job or duties.
- 3.5 As a responsible employer England Netball will consider making reasonable adjustments to ensure that workplace requirements or practices do not disadvantage employees or potential employees with a disability if:
- England Netball become aware of the disability
  - A person with a disability asks for adjustments to be made
  - An employee who is disabled is having difficulty with any part of their job
  - Either an employee's sickness record or delay returning to work is linked to their disability
- 3.6 England Netball are accountable for deciding what reasonable adjustments will be made and will seek advice where appropriate when coming to a decision. The focus will be discussing reasonable adjustments with people who are disabled. In assessing what reasonable adjustments might be made we will consider if we need to change how a process is carried out, or if we need to physically change the workplace or provide extra equipment to assist the disabled employee in some way.
- 3.7 Reasonable adjustments can be a complex area ACAS have a helpline on 0300 123 1100 which can provide advice on specifics

## APPLICATION OF THE POLICY

### Implementation

- 4.1 England Netball has a Diversity Action Plan and Equality Action Plan which ensures the objectives of this Diversity, Inclusion and Belonging Policy are delivered. The Action Plans in conjunction with the Diversity and Belonging Policy is designed to increase diversity of the organisation and its membership and ensure an inclusive environment.
- 4.2 The Diversity and Equality Action Plans set out the actions that England Netball will take to improve accessibility to the sport of netball. Making the sport of netball more accessible will help to reduce inequalities and under representation in the sport.
- 4.3 It is a requirement of the Membership Regulations that members adopt and implement this Policy. There is an expectation that Regional Management Boards and County Associations will also adopt this Policy and develop their own Diversity Action Plans.
- 4.4 England Netball will regularly review its employment practices to ensure continued compliance with relevant legislation and good practice. All jobs advertised by England Netball will contain a statement regarding equal opportunities.
- 4.5 No applicant for any post (including job applicants, consultant advisers, suppliers and volunteers) will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the role or which constitute unlawful discrimination.
- 4.6 Suppliers and third-party providers used by England Netball will be required to demonstrate their commitment to the principles and practice of Equality.

### Communication

- 4.7 The Diversity and Belonging Policy will be communicated in the following ways:
  - A copy of the Diversity and Belonging Policy will be accessible to all employees, both permanently and casually contracted. It will also be made widely available to England Netball members.
  - The Diversity and Belonging Policy will be highlighted in all staff and volunteer inductions carried out by England Netball
  - A copy of the Diversity and Belonging Policy will be publicly available on the England Netball website.
- 4.8 England Netball will promote continuing professional development for all employees and volunteers to support equal opportunities within the organisation and where appropriate provide reasonable adjustments.

## ROLES AND RESPONSIBILITIES

- 5.1 England Netball has a legal responsibility under the Equality Act 2010 and will take all reasonable steps to prevent and eliminate all forms of unlawful discrimination and victimisation.
- 5.2 The Board of England Netball is responsible for ensuring that this Diversity and Belonging Policy is implemented, followed and reviewed where appropriate. The England Netball Board is also responsible for ensuring that this Diversity and Belonging Policy is enforced, and any breaches are dealt with appropriately.
- 5.3 The Executive Team has the overall responsibility for communicating and embedding the Diversity and Belonging Policy in our practices to create a culture where volunteers and employees understand the policy aims and their responsibilities and bring them to life in their day to day activities.
- 5.4 A Board Member will be appointed as the 'Equality Diversity and Inclusion Champion' and will advocate the Equalities agenda to the Board and ensure Equality issues are considered when making decisions.
- 5.5 The Company Secretary is responsible for the practical implementation, monitoring and review of the Diversity and Belonging Policy, including reporting to the Executive Team. This will include advice, support and dealing with any issues arising from the Diversity and Belonging Policy.
- 5.6 All employees and volunteers have a responsibility to create a culture where everyone feels included and that they belong. A culture where Diversity is recognised as strength and people are treated fairly, where harassment, unlawful discrimination and bullying are unacceptable.

England Netball actively encourages all employees and volunteers to challenge inappropriate behaviour and support colleagues who are experiencing harassment, unlawful discrimination and bullying. All employees and volunteers must comply with this policy and related policies as listed in Related Documents section 8

## MONITORING, AUDIT AND REVIEW

- 6.1 The Diversity and Belonging Policy will be reviewed every three years unless proposals to the Board or legislation change requires an interim review or amendment.
- 6.2 This Diversity and Belonging Policy will remain in force until it is amended, replaced or withdrawn.
- 6.3 The Diversity and Equality Action Plans are created to ensure the objectives of this Diversity and Belonging Policy are delivered and will be reviewed by the Executive Team and the Company secretary quarterly.
- 6.4 On an annual basis, statistical and (if appropriate) qualitative information will be collected and a report will be produced by the Company Secretary for the Board.

Once approved by the Board the report will be published internally and externally (with due regard to sensitive information) to show the impact of the Diversity and Belonging Policy and implementation of the Diversity and Equality Action Plans.

## DEFINITIONS

- 7.1 All forms of discrimination, harassment, bullying and victimisation are unacceptable. Unlawful discrimination can take the following forms:

### **Direct discrimination.**

This occurs when a person directly discriminates against another person because of a protected characteristic, where they treat them less favourably than they treat or would treat others. It is direct discrimination when the person who engages in less favourable treatment is influenced at least in part (consciously or subconsciously), by the protected characteristic (for example, a person's sex, race or disability).

### **Direct discrimination by association.**

Occurs when someone is treated less favourably directly because a protected characteristic of someone they are associated with, such as a friend, family member or colleague.

### **Direct discrimination by perception.**

Occurs when someone is treated less favourably directly because a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not.

### **Indirect discrimination.**

This type of discrimination can be less obvious than direct discrimination. Indirect discrimination occurs where a provision, criterion or practice is applied equally to a group of individuals but has (or will have) the effect of putting those who share a certain protected characteristic at a particular disadvantage when compared to others in the group and it is unable to be justified.

### **Bullying.**

There are many definitions of bullying and harassment. It may be characterised as unwelcome, offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying may be treatment by one individual or groups which may be persistent or an isolated incident.

There can be circumstances when an individual might experience conduct amounting to both bullying and harassment, with the bullying part of the behaviour not related to a protected characteristic.

### **Harassment.**

Is unwanted conduct with the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment has a legal definition under the Equality Act 2010 when this unwanted conduct is related to a relevant protected characteristic. Harassment

can take many forms. For example, abusive language, name calling, offensive screen savers, jokes, offensive emails, texts, cruel or offensive postings on social media sites. It can also include spoken or written words. The conduct is unwanted in the sense of unwelcomed or uninvited, even if the victim has not expressly communicated to the harasser that they object to the behaviour. A serious one-off incident, for example forwarding a pornographic email, can be classed as harassment.

### **Victimisation.**

Victimisation has a specific meaning under the Equality Act 2010. It is subjecting someone to less favourable treatment because they have made a complaint of discrimination, lodged a grievance, supporting a colleagues' grievance or bringing a tribunal claim alleging discrimination or harassment.

Victimisation may also occur because an individual is suspected of doing one or more of these things. An employee is protected under the Equality Act if they make or support an allegation of victimisation in good faith, even if the information or evidence they give proves to be inaccurate.

Examples of victimising behaviour could include being:

- Bullied or belittled;
- Ostracised or excluded, having tasks removed;
- Denied promotion;
- Denied bonuses paid to comparable colleagues; or
- Given a poor reference

## 7.2 Other definitions:

**Belonging** the feeling of security and support when there is a sense of acceptance, Inclusion, and identity for a member of a certain group or place. In order for people to feel like they belong, the environment (in this case the workplace or netball more broadly) needs to be set up to be a diverse and inclusive place.

**Diversity** psychological, physical, and social differences that occur among any and all individuals; including but not limited to race, ethnicity, nationality, religion, socioeconomic status, education, marital status, language, age, gender, sexual orientation, mental or physical ability, and learning styles. A diverse group, community, or organization is one in which a variety of social and cultural characteristics exist.

**Employee** where the policy references 'employee', it is also applicable to a worker but for avoidance of doubt, a worker does not have a contract of employment or the same employment rights as an employee.

**Equality** evenly distributed access to resources and opportunity necessary for a safe and healthy life and to ensure fairness.

**Inclusion** the act of creating environments in which any individual or group can be and feel welcomed, respected, supported, and valued to fully participate. An



inclusive and welcoming climate embraces differences and offers respect in words and actions for all people.

## RELATED DOCUMENTS

- 8.1 Codes of Conduct
- 8.2 Disciplinary Regulations
- 8.3 Diversity Action Plan
- 8.4 Equality Action Plan
- 8.5 Anti- Bullying and Harassment Policy
- 8.6 Trans Inclusion Guidance