

The Wiltshire Equality and Diversity Policy

1. Introduction

1.1 Every person who carries out a task on behalf of The Wiltshire Golf Club (the Club) through arranging competitions, handicaps, coaching etc must be aware of this Policy. If that person should act in a way that breaches this Policy then the injured person should invoke it through the Club's Disciplinary Code.

1.2 This Code does not apply to member on member disputes. In these circumstances, the matter should be raised under the Club's Disciplinary Code and Procedure.

1.3 The Club is committed to the principles of equality and diversity throughout its membership base and visitors.

1.4 The Club considers that everyone should play their part in making golf inclusive and aims to ensure that all people, irrespective of their background, ability or Protected Characteristics, have a genuine and equal opportunity to become a member or participate in club life.

1.5 The Club will not disadvantage any individual, whether they are participants, players, parents, coaches, officials, and volunteers by imposing any conditions or requirements which cannot be justified in the provision of its services.

1.6 This policy will be reviewed at least every 3 years by the General Committee, any amendments shall be effective from the date stated.

2. Purpose

2.1 The purpose of this Policy is to:

- Outline the obligations of those upon whom this Policy is binding;
- Promote fairness, equality, diversity and respect for everyone volunteering, or participating in the sport of golf, or otherwise using the services at the Club.

3. Legislative Framework

3.1 The Club is committed to complying with all relevant legislation enacted or amended from time to time which underpins the principles of equality, diversity, and inclusivity, including but not limited to:

- The Equality Act 2010;
- Protection from Harassment Act 1997, Crime and Disorder Act 1998;
- The Human Rights Act 1998.

4. Scope

4.1 This Policy shall apply to the Club, its golf committees, members, team captains, volunteers and visitors.

5. Policy Implementation

5.1 The Club will:

- Encourage the involvement of all people regardless of background, ability, or any Protected Characteristic, in golf;
- Ensure that all competitions, events and activities administered by the Club are carried out in a fair and equitable way;
- Monitor and review all the Club policies and procedures to ensure that they comply with the requirements of this Policy.

6. Key Concepts

6.1 Direct and indirect discrimination is outlined in Appendix One;

6.2 Harassment is outlined in Appendix Two.

7. Breaches

7.1 The Club takes seriously all claims of inappropriate behaviour, bullying, harassment, victimisation and/or discrimination, whether direct or indirect, by a player, parent, coach, official or volunteer who works for, on behalf of, or represents the Club.

7.2 Alleged breaches of this Policy shall be dealt with using the Club's Disciplinary Code and Procedures Policy as appropriate.

APPENDIX ONE

The Equality Act 2010 and Discrimination

Every individual and organisation to whom this Policy applies must not act in a way which is directly or indirectly discriminatory and must make reasonable adjustments to avoid discriminating against anyone with a Protected Characteristic. Failure to do so will be considered a breach of this Policy, and may be a breach of the Equality Act 2010.

The Equality Act 2010 makes it unlawful to discriminate directly or indirectly against individuals or groups with certain "Protected Characteristics". The "Protected Characteristics" are listed in section 4 of the Act:

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race;
- Religion or Belief;
- Sex;
- Sexual Orientation.

Direct Discrimination

Direct Discrimination is defined at section 13(1) of the Equality Act 2010: "A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others."

For example, if an action or decision is taken by a club which treats females less favourably than males, this would be considered direct discrimination on the grounds of sex, which is a protected characteristic.

Indirect Discrimination

Indirect Discrimination is defined at section 19(1) of the Equality Act 2010: "A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's."

Indirect discrimination occurs where less favourable treatment is not necessarily the main effect or objective of an action or decision.

Since the nature of indirect discrimination is that the discriminatory effect is an unexpected or unforeseen effect of a good faith decision, complaints of indirect discrimination should therefore be considered carefully and objectively, and not dismissed out of hand purely because the effect was not an expected or intentional one.

Actions and Intentions

An action or decision will still be considered discriminatory even if the less favourable treatment is unintentional. It may not always be obvious to the perpetrator that their actions are discriminatory.

Indirect discrimination is often unintentional, but it is not a defence to an allegation of discrimination to say that the perpetrator did not mean to discriminate against a person or group. Discrimination can arise out of actions and decisions, but can also arise out of omissions and failure to take actions or decisions.

Reasonable Adjustments

Everybody to whom this Policy applies is under a duty to make reasonable adjustments to avoid discriminating against any individual or group with a Protected Characteristic.

The duty is to make reasonable adjustments. It is not unreasonable for adjustments to cost time, money, or other resources. However, an adjustment may not be reasonable if the cost is disproportionately high, or making the adjustment would be unfeasible.

Positive Action

It can be lawful to make decisions that discriminate on the basis of a Protected Characteristic in very limited and exceptional circumstances, if the discrimination is a 'Positive Action' taken in order to address an underrepresented group or Protected Characteristic. Positive Actions must be reasonable, justifiable, and clearly linked to a legitimate aim.

For example, in a golfing context, an example of unlawful discrimination might include restricting the number of tee times available to women or seniors during peak hours at a golf course.

APPENDIX TWO

Harassment

Harassment is defined in section 26(1) of the Equality Act 2010. Harassment occurs where a person engages in unwanted conduct related to a Protected Characteristic (outlined in the Equality Act 2010), which has the purpose of either:

- Violating the other person's dignity; or
- Creates an intimidating, hostile, degrading, humiliating or offensive environment for the other person.
- In determining whether conduct amounts to harassment, regard is had to:
 - The perception of the victim;
 - Whether it is reasonable for the conduct to have the perceived effect; and
 - The Wider circumstances of the matter.

Sexual Harassment

Sexual harassment occurs where a person engages in unwanted conduct of a sexual nature, and the conduct has the purpose or effects outlined above.

One Off Incidents

A single, isolated, or one-off incident can still amount to harassment. The key consideration is the purpose or effect of the conduct.

Examples

In a golfing context, some examples of unlawful harassment might include:

- Employees making unwanted or inappropriate contact with colleagues at a golf club or facility;
- Targeting disabled golfers using buggies and demanding to see proof of a disability;
- Disproportionate and public criticism or sanctioning of an individual's behaviour by an organisation for irrelevant or personal reasons.