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## EQUALITY AND DIVERSITY POLICY

### 1. Introduction

- 1.1 This policy reflects the provisions of the Equality Act 2010. The Act harmonises, simplifies and replaces previous equalities legislation such as Race Relations Act 1976 & Disability Discrimination Act 1995 into one Act<sup>1</sup>. This policy also reflects the relevant requirements within A Code for Sports Governance.
- 1.2 Badminton England is committed to ensuring that we are a sport which is inclusive and welcoming of diversity. We wish to ensure that everyone has a genuine and equal opportunity to participate in badminton at all levels and in all roles.
- 1.3 We aim to create an environment in which all individuals can make the best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. Badminton England is committed to avoiding unlawful discrimination in all areas of its work and development and this policy is intended to assist the organisation, and all those connected with it, to put this commitment into practice.

### 2. Summary

- 2.1 This policy applies to all Badminton England employees, volunteers, members, consultants, contractors etc. connected with Badminton England, who for the purposes of this policy are referred to as 'individuals'. This also includes those who play in Badminton England affiliated clubs and events under the jurisdiction of Badminton England and County Badminton Associations.
- 2.2 **Equality** is about making sure people are treated fairly and with respect, it is not about treating everyone in exactly the same way
- 2.3 **Diversity** is about recognising, valuing and welcoming difference and acknowledging that individuals have different needs which can be met in different ways
- 2.4 The Equality Act and hence this policy covers the following nine protected characteristics:
  - Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership

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<sup>1</sup> Badminton England will ensure that relevant amendments to equality legislation will be immediately incorporated into all aspects of its work regardless of the 2 year review timescale of this Policy.

- Pregnancy and maternity
- Race (*including colour, nationality, ethnic/national origin*)
- Religion or belief (*including no religion*)
- Sex (*male / female*)
- Sexual orientation (*bisexual, gay, lesbian, heterosexual*)

### 3. Principles

#### 3.1 Statement of Intent

Badminton England:

- 3.1.1 wishes to act as an exemplar for equality and diversity within its sphere of influence, in doing so it commits to promoting positive and inclusive practice within the organisation and with partners
- 3.1.2 will ensure that responsibility and accountability for equality is placed at the most senior levels within the organisation, the Chief Executive has overall responsibility and accountability for the effective implementation of this policy and the Board of Directors will monitor the effectiveness (see 6 Implementation)
- 3.1.3 will build equality and diversity into all aspects of its work. All reasonable steps will be taken to ensure that employees, volunteers, members, consultants, contractors etc. are committed to this policy (see 6 Implementation)
- 3.1.4 will ensure that no job applicant or employee receives less favourable treatment on the grounds of any protected characteristic (as noted in 2.4)
- 3.1.5 will work to ensure that there will be open access to all those who wish to participate in the sport and that they are treated fairly
- 3.1.6 is committed to ensuring that all individuals are able to conduct their badminton related activities free from bullying and harassment and has implemented a policy for dealing with such matters (see Anti Bullying and Harassment Policy for staff, and Grievance & Disciplinary Procedures for volunteers)
- 3.1.7 is committed to sports equality which is about:
- fairness in sport, equality of access, recognising differences and taking steps to meet them
  - changing the culture and structure of sport to ensure it becomes equally accessible to all members of society
  - making sure all individuals can realise their talent and fulfil their potential
  - an individual's responsibility to challenge discriminatory practice and promote inclusion

### 4 Discrimination

Discrimination can present itself in different guises including verbal, physical or online and Under the Equality Act types of discrimination are classified as follows:

#### 4.1 Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person:

- because of a protected characteristic they have OR
- because of a protected characteristic they are *thought* to have (see 4.4 Discrimination by Perception)
- because they associate with someone who has a protected characteristic (see 4.3 Discrimination by Association)

#### 4.2 Indirect Discrimination

Indirect discrimination can occur when there is a condition, rule or practice which applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if the action(s) undertaken are reasonable in order to achieve a legitimate aim

#### 4.3 Discrimination by Association

Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

#### 4.4 Discrimination by Perception

Perception discrimination is direct discrimination against an individual because others *think* they possess a particular protected characteristic, even if they don't actually possess it or if the perception was mistaken

#### 4.5 Harassment

Harassment is defined as '*unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual*'

Harassment applies to all protected characteristics except for pregnancy and maternity, marriage and civil partnership. It also covers harassment because of 'perception' (see 4.4) and 'association' (see 4.3)

It also includes the right for individuals to raise an issue that they find offensive even if it is not directed at them

Harassment is further dealt with in the Anti Bullying and Harassment Policy

#### 4.6 Third Party Harassment

Third party harassment relates to actions carried out by non Badminton England individuals such as customers, clients, contractors etc. Badminton England will investigate any report or complaint of third party harassment and will take all reasonable steps to prevent it from happening again (see Anti Bullying and Harassment Policy)

#### 4.7 Victimisation

Victimisation is illegal and is when an employee is treated badly because they have made or supported a complaint/grievance about discrimination or harassment under the Equality Act, or are suspected of either making or supporting such a complaint/grievance. An individual is not protected from victimisation if he/she acted maliciously, or made or supported an untrue complaint.

#### 5. Transgender Athletes

Badminton England considers that badminton is a gender affected sport under the Equality Act 2010 and refers any transgender athletes to its policy relating to participation by a transgender person.

#### 6. Implementation – Badminton England’s Responsibilities

- 6.1 Badminton England will make available on its website a copy of this policy which outlines that all individuals have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of this policy.
- 6.2 Badminton England will ensure that this policy is an integral part of the recruitment, induction and on-going training for all employees.
- 6.3 Badminton England will assign the Head of HR (or the most senior person in the organisation responsible for human resources) to monitor staff recruitment and employment practices to ensure that they are non-discriminatory; we will monitor equality and diversity data collected at the recruitment stage and also on the workforce, in order to make recommendations for any corrective or positive action.
- 6.4 Badminton England will make reasonable adjustments in the provision of employment, goods and services, to overcome barriers caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alternation of physical features, and/or any practice/process which may impede people with disabilities. All requests for reasonable adjustments will be accommodated wherever possible.
- 6.5 Badminton England will ensure that consultants, contractors, partners, agents, advisors etc are appointed fairly and equally in accordance with Badminton England’s Procurement Policy. Any such bodies will be directed to this policy on Badminton England’s website and will be required to demonstrate their commitment to the principles and practices of this policy.
- 6.6 Badminton England requires all County Badminton Associations to adopt this Policy and reference it in their constitutions, also to abide by the principles and spirit of the policy in everything that they do. Only CBAs who have adopted this Policy and abide by its principles will be eligible for funding and support by Badminton England.
- 6.7 Badminton England will work to achieve the Advanced Level of the Equality Standard for Sport as guided by Sport England/UK Sport.

6.8 Badminton England's Corporate Management Team (CMT) will approve an Annual Action Plan against which specific roles, responsibilities and resources are allocated. Progress against the Action Plan will be regularly monitored by CMT and reported to the Board on a six monthly basis, together with publishing data within Annual Reports and employee communications.

6.9 Badminton England is committed to providing appropriate learning and development opportunities as detailed within the Equality Action Plan

## 7. Implementation – Manager's Responsibilities

All managers are required to set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to this policy and promote Badminton England's aims and objectives with regards to equality and diversity

## 8. Implementation - Individual's Responsibilities

Individuals must not discriminate against or harass any other individual in the course of their duties and are required to assist Badminton England to meet its commitment to this policy including the implementation requirements above at 6.

Individuals can be held personally liable, as well as Badminton England, or instead of, for any act of unlawful discrimination. Individuals who commit serious acts of harassment may be guilty of a criminal offence as well as gross misconduct.

## 9. Positive Action

9.1 Badminton England may take positive action in the form of proportionate measures to encourage or train people from under-represented groups to play, apply for paid and voluntary roles within badminton and overcome a perceived disadvantage or meet specific needs based on a protected characteristic

## 10. Breaches of This Policy

10.1 Acts of discrimination, harassment, bullying or victimisation are disciplinary offences and will be investigated under the appropriate Disciplinary Procedure, for players, staff or volunteers. If proven such acts may be considered as gross misconduct which could lead to summary dismissal or suspension from badminton activities. Badminton England takes a strict approach to serious breaches of this policy by anyone within the badminton network

## 11. Grievances

11.1 If employees wish to make a complaint about a breach of this policy they should follow the Grievance Procedure. If their complaint is related to bullying and harassment employees are advised to read the Anti Bullying and Harassment policy for guidance/information prior to submitting a grievance

11.2 If any Badminton England volunteers or members wish to make a complaint about a breach of this policy they should follow the Badminton England General Disciplinary Regulations and / or Grievance Procedure for volunteers.

**Read this Policy in Conjunction with:**

**For Employees:**

Staff Handbook:

Anti Bullying and Harassment Policy  
Recruitment Policy  
Grievance Procedure  
Disciplinary Procedure

**For Volunteers:**

General Disciplinary Regulations  
Codes of Conduct  
Safeguarding Adults at Risk Policy  
Transgender Policy and Guidance  
Board Recruitment Policy