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## 1. Policy

The England Touch Association, as the National Governing Body for the sport of Touch in England, acknowledges that discriminatory behaviour including direct discrimination, indirect discrimination, associative discrimination and discrimination by perception is against the law and is against the values of Touch.

The England Touch Association commits to recognise, address and remove all barriers faced by anyone in our sport. We will promote equality, diversity and inclusion in our sport through education, action and listening. We aspire to challenge all aspects of our sport to create a culture of diversity and become a beacon for inclusion and equality for any person that participates or wishes to participate in Touch.

The England Touch Association is fully committed to the principles of equality, diversity and inclusion in our sport of opportunity and is responsible for ensuring that no participants are discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex and sexual orientation (together 'protected characteristics') included in the Equality Act 2010. The England Touch Association will ensure its policies, procedures and practices at all times meet the requirements of legislation.

Equality, diversity and inclusion in the Touch community means taking all possible steps to ensure that all our players, coaches, officials, staff, or volunteers in any other role (together participants) are welcomed and respected as they participate in our sport. All participants should also understand the principles of equality, diversity and inclusion and embed those principles into everything they do. We want to ensure our sport is fair and inequalities are recognised and addressed.

## 2. Policy Objectives

The England Touch Association;

# Equality, Diversity & Inclusion Policy



- will encourage partner organisations, including affiliated clubs, leagues, events and other governing bodies to adopt and demonstrate their commitment to the principles set out in this Equality, Diversity and Inclusion Policy.
- recognises that we live in a diverse society, which suffers from systemic injustices, and is committed to promoting Touch as a sport for all at all levels regardless of the background and protected characteristics of participants.
- will ensure that its recruitment, selection and deployment procedures are fair, equal and transparent, and ensure continuing compliance with equal opportunities legislation.
- is committed to ensure equality, diversity and inclusion training opportunities are available to all staff, coaches, volunteers and referees.
- will identify indicators that will be regularly monitored to assess how well we are performing against our goal of being a sport for all.

## 3. Procedures

The England Touch Association regards discrimination, harassment, bullying or victimisation as serious misconduct and likely to bring the sport into disrepute. Appropriate measures including disciplinary action will be brought against any participant who discriminates against, harasses, bullies or victimises any other person in accordance with the England Touch Association's disciplinary policy.

Complaints and incidents should be reported through the procedures as set out in England Touch Association's disciplinary policy.

This policy will be published on the England Touch Association website, to promote our commitment to equality, diversity and inclusion.

All England Touch Association Board members and all staff will receive a copy of this policy when they join as part of their induction. Staff members will be required to read and agree to the policy as part of their contract.

An Equality, Diversity and Inclusion working group was established in 2020, with membership including at least one Board member. The working group will run initiatives and promote equality and inclusion activities to England Touch Association participants and partners.

## 4. Monitoring & Evaluation

This policy will be reviewed as part of the England Touch Association policy review schedule (not less than once every three years).

The England Touch Association will regularly monitor and evaluate the policies, procedures and practices and inform participants and partners of their impact and of any resulting recommendations.

## Appendix A

Standard Definitions from Equality Legislation are attached, making reference to the changes due to the Equality Act 2010.

### **Direct discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

### **Associative discrimination**

Already applies to ethnicity, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

### **Perceptive discrimination**

Already applies to age, ethnicity, religion or belief and sexual orientation. Now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

### **Indirect discrimination**

Already applies to age, ethnicity, religion or belief, sex, sexual orientation and marriage and civil partnership. Now extended to cover disability and gender reassignment.

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, i.e. that it is 'a proportionate means of achieving a legitimate aim'.

A legitimate aim might be any lawful decision you make in running your business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful.

Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.

### **Harassment**

Harassment is "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 and marriage and civil partnership. An individual will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves.

Individuals are also protected from harassment because of perception and association.

## **Bullying**

The misuse of power or position to criticise persistently or to humiliate and undermine an individual's confidence.

## **Third party harassment**

Already applies to sex. Now extended to cover age, disability, gender reassignment, ethnicity, religion or belief and sexual orientation. The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

## **Victimisation**

Victimisation occurs when an individual is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An individual is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.