



## **KENDAL RUGBY CLUB**

### **EQUALITY POLICY STATEMENT**

#### **Policy Statement**

Kendal RUFC is fully committed to the principles of equality and will strive to ensure that everyone who wishes to be involved in rugby union, whether as employees, members, volunteers or participants:

- i. has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race, ethnic origin, socioeconomic status or sexual orientation; and
- ii. can be assured of an environment in which their rights, dignity and individual worth are respected, and in particular, that they are able to enjoy rugby without the threat of intimidation, victimisation, harassment or abuse.

We recognise rugby union as a diverse sport, involvement in which can bring communities together, have health and economic benefits and impact positively on the future of rugby in our region. We promote equality of opportunity in rugby union at all levels.

#### **Purpose and Scope**

This policy has been produced to prevent and tackle any discrimination or other unfair treatment, whether intentional or unintentional against its employees, members, volunteers and participants in line with the Equality Act 2010.

This policy is applicable to all Kendal RUFC employees, members, volunteers and participants at all levels of the game in England.

#### **Legal obligations**

Kendal RUFC is committed to avoid and eliminate unfair discrimination of any kind in rugby and will under no circumstances condone unlawful discriminatory practices. The organisation takes a zero tolerance approach to harassment. Examples of the relevant legislation and the behaviours in question are given in the Appendix.

#### **Positive action**

The principle of sports equality goes further than simply complying with legislation. It entails taking positive steps to counteract the effects of physical or cultural barriers – whether real or perceived – that restrict the opportunity for all sections of the community to participate equally and fully.

Kendal RUFC will therefore seek to support appropriate measures or initiatives that enable access to rugby union and participation by people from any group that is under-represented in the sport or has difficulty accessing it.



Kendal RUFC will continue to ensure that its employment practices are non-discriminatory and in line with up-to-date statutory requirements.

Kendal RUFC will continue to ensure that no job applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unfair discrimination.

**Exemption:**

Through RFU guidelines, Kendal RUFC reserves the right to limit competitions to persons of specific age, gender or disability groups where this is necessary to ensure equitable, safe and equal competition.

**Responsibility, Monitoring and Evaluation**

Kendal RUFC has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law.

Kendal RUFC Chairman has the overall responsibility for the implementation of this policy.

All employees, members, volunteers or participants have a personal responsibility to comply with this policy and ensure that it is adhered to.

**Complaints and compliance**

Kendal RUFC will treat seriously and take action if any Kendal RUFC employees, volunteers, members or participants raise a grievance or complaint as a result of discrimination, harassment or victimisation.

If you, as a Kendal RUFC employee, believe you may have suffered any unequal treatment within the scope of this policy, you are encouraged to raise the matter through our Grievance Procedure.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Kendal RUFC employees who make such allegations in good faith will not be victimised or treated less favourably as a result.

Any Kendal RUFC employee who is found to have committed an act of discrimination or harassment will be subject to disciplinary action.

## **APPENDIX - Relevant legislation and forms of unacceptable discrimination**

### **Legal rights**

Discrimination has been legally defined through a series of legislative acts, including the Race Relations Act 1976, the Sex Discrimination Act 1986, the Disability Discrimination Act 2005 and the Equality Act 2006.

In April 2010, the Equality Act 2010 received Royal Assent. The Equality Act 2010 is a new law that harmonises where possible, and in some cases extends, protection from discrimination. It applies throughout the UK and came into force in October 2010.

Discrimination refers to unfavourable treatment on the basis of particular characteristics, which are known as the 'protected characteristics'. Under the Equality Act 2010, the protected characteristics are defined as age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation.

Under the Equality Act 2010, individuals are protected from discrimination 'on grounds of' a protected characteristic<sup>1</sup>. This means that individuals will be protected if they have a characteristic, are assumed to have it, associate with someone who has it or with someone who is assumed to have it.

### **Forms of discrimination and discriminatory behaviour include the following:**

#### ***Direct discrimination***

Direct discrimination is less favourable treatment on the grounds of one of the protected characteristics.

#### ***Indirect discrimination***

Indirect discrimination occurs when a provision, criterion or practice is applied to an individual or group that would put persons of a particular characteristic at a particular disadvantage compared with other persons.

#### ***Discrimination arising from disability***

When a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified, this is unlawful. This type of discrimination only relates to disability.

[A person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term effect on their ability to carry out normal day-to-day activities].

#### ***Harassment***

Harassment is defined as unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity, or which creates an intimidating or hostile, degrading, humiliating or offensive environment for that person.

***Victimisation***

It is unlawful to treat a person less favourably because he or she has made allegations or brought proceedings under the anti-discrimination legislation, or because they have helped another person to do so.

***Bullying***

Bullying is defined as a form of personal harassment involving the misuse of power, influence or position to persistently criticise, humiliate or undermine an individual.

<sup>1</sup> The exception to this is pregnancy and maternity, which does not include protection by association or assumption – a woman is only protected from discrimination on grounds of her own pregnancy.