



Budworth Sailing Club

EQUAL OPPORTUNITIES AND DIVERSITY POLICY

Budworth Sailing Club embraces diversity and will seek to promote the benefits of diversity in all of its activities. The Club will seek to develop a culture which reflects that approach. The Club will not discriminate against any members of the Club because of sex, age, disability, ethnicity, nationality, sexual orientation, religious or other beliefs and will take action to prevent any harassment on the premises. The Club will act to ensure that any limitation due to lack of facilities or resources does not discriminate against any individual or group.

BSC shall not discriminate unlawfully when reviewing any aspect of its activities, nor when considering applicants/candidates for employment. BSC will ensure that each applicant/candidate for employment is assessed only in accordance with the candidate's merits, qualifications and abilities to perform the relevant duties required by the particular vacancy.

Dated 1st February 2012

Signed

NOTES

The following notes provide guidance with regard to various aspects of Discrimination law which should be followed

1. DISCRIMINATION

Unlawful discrimination occurs in the following circumstances:

1.1. Direct discrimination

Direct discrimination occurs where one individual treats or would treat another individual less favourably on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs (“the protected categories”).

It is unlawful for BSC to discriminate against a person on the grounds that they are members of a protected category.

Direct discrimination would also occur if BSC accepted and acted upon instruction or advice from a supplier which states that certain persons are unacceptable because they are members of a protected category, unless one of the exceptions applies, for instance, the position/job demands a genuine occupational requirement or, in the case of age, the discrimination can be lawfully justified.

1.2. Indirect Discrimination

Indirect discrimination would occur where BSC applied a provision, criterion or practice generally, but which is such that a proportion of persons in a protected category who can comply with it are considerably smaller than the proportion of persons who are not in that protected category.

Indirect discrimination would also occur if BSC accepted and acted upon an indirectly discriminatory instruction or advice from a supplier.

2 DISABLED PERSONS

2.1 Direct Discrimination

Direct discrimination against a person occurs where, if for a reason which relates to the disabled person's disability, an individual:

treats him less favourably than he treats, or would treat others to whom that reason does not or would not apply, and,

the club/association/employer cannot show that the treatment in question is justified.

Or

If on the ground of a disabled person's disability, he treats the disabled person less favourably than he treats or would treat a person not having that particular disability, whose relevant circumstances, including his abilities, are the same as, or not materially different from, those of the disabled person. This type of direct discrimination can never be justified.

2.2 Duty to make reasonable adjustments and to provide auxiliary aids and services

This is a similar protection to indirect discrimination in the other protected categories.

Where a provision, criterion or practice applied by or on behalf of a club/association/employer, or any physical feature of the club/association/employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of a club/association/employer to take such steps as are reasonable, in all the circumstances of the case, to remove the provision, criterion, practice or physical feature.

BSC must take reasonable steps to provide auxiliary aids or services if this would make it easier for the disabled person to use their services. For instance, an appropriate auxiliary aid or service can include the provision of information on audiotape or provision of a sign language interpreter.

BSC will not discriminate against a disabled person on the grounds of disability -

in the arrangements i.e. membership and employment application forms, employment interview or arrangements for selection for determining to whom a job should be offered; or

in the terms on which membership or employment is offered; or

by refusing to offer, or deliberately not offering the disabled person membership or a job for reasons connected with their disability; or

in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or

by subjecting him or her to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment).

BSC will accordingly make opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of members, officers and staff.

Wherever possible BSC will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled members, officers and employees. However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

3. AGE DISCRIMINATION

BSC will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age.

BSC is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age.

No age requirements will be stated in any job advertisements on behalf of the club.

BSC may request age as part of its membership and staff recruitment process but such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the club holds on all members and employees and as part of its equal opportunities monitoring process.

4. PART-TIME WORKERS

This Diversity Policy also covers the treatment of those employees and workers who work on a part-time basis. BSC recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. BSC also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

5. HARASSMENT POLICY

5.1 BSC is committed to providing an environment free from unlawful harassment on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by BSC.

5.2 This policy prohibits unlawful harassment by any member, officer or employee of BSC.

5.3 Examples of prohibited harassment are: -

5.3.1 Verbal or written conduct containing derogatory jokes or comments,

5.3.2 Slurs or unwanted sexual advances

5.3.3 Visual conduct such as derogatory or sexually orientated posters,

5.3.4 Photographs, cartoons, drawings or gestures which some may find offensive,

5.3.5 Physical conduct such as assault, unwanted touching, or any interference

because of sex, race or any other protected category basis,

Threats and demands to submit to sexual requests as a condition of continued membership or employment or to avoid some other loss, and offers of

membership or employment benefits in return for sexual favours

- 5.3.7 Retaliation for having reported or threatened to report harassment.
- 5.4 If you believe that you have been unlawfully harassed, you should make an immediate report to an Officer of BSC followed by a written complaint as soon as possible after the incident. Your complaint should include:
- Details of the incident
 - Name(s) of the individual(s) involved
 - Name(s) of any witness(es)
- 5.5 BSC will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.
- 5.6 Any member, officer or employee(s) who BSC finds to be responsible for unlawful harassment may be subject suspension or expulsion (subject to Club Rule 7 in the case of members) or termination (in the case of employees).
6. GENDER REASSIGNMENT POLICY
- 6.1 BSC recognises that any member, officer or employee may wish to change their gender during the course of their membership or employment with the club.
- 6.2 BSC will support any employee or worker through the reassignment provided that full medical counselling has been undertaken and BSC has access to any relevant medical reports.
- 6.3 BSC will make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.
- 6.4 All members, officers, and employees will be expected to comply with BSC's policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.
- 6.5 Where an employee is engaged in work where the gender change imposes genuine problems, BSC will make every effort to reassign the employee or worker to an alternative role in the club, if so desired by the employee.
- 6.6 Any member, officer or employee suffering discrimination on the grounds of gender reassignment should make an immediate report to an Officer of BSC followed by a written complaint as soon as possible after the incident. Your complaint should include:
- Details of the incident
 - Name(s) of the individual(s) involved
 - Name(s) of any witness(es)
- 6.7 BSC will undertake a thorough investigation of the allegations. If it is concluded that unlawful discrimination has occurred, remedial action will be taken.

6.8 Any member, officer or employee(s) who BSC finds to be responsible for unlawful discrimination may be subject suspension or expulsion (subject to Club Rule 7 in the case of members) or termination (in the case of employees).

7. COMPLAINTS AND MONITORING PROCEDURES

7.1 BSC has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. These are available from the Commodore or his/her delegated officer and will be made available as soon as possible upon request.

7.2 Any discrimination complaint will be investigated fully.