



## **EQUALITY AND DIVERSITY POLICY DOCUMENT**

By definition:

**“Equality is about being different but treated the same”**

**“Diversity is about valuing and embracing the differences in people”**

### **1. INTRODUCTION**

This policy provides guidance to staff, players and scholars on equity and diversity matters. Copies of this document may be obtained from the General Manager of Barnsley Football Club.

### **2. COMMITMENT**

Barnsley Football Club is an equal opportunities employer, and a provider of training, which is committed to the development and use of employment procedures and practices which do not discriminate on the grounds of gender, ethnic origin, religion, disability, age ex-offender background, sexual orientation, marital status, social, cultural or linguistic background.

Barnsley Football Club is committed to making full use of the expertise and resources of its employees and to ensuring that all participants are guaranteed the same opportunity.

### **3. OPPORTUNITIES**

Barnsley FC recognises its responsibility and legal obligations in relation to:

Equal Pay Act 1970 (Equal Value Amendment 1984)

The Rehabilitation of Offenders Act 1974

The Sex Discrimination Acts 1975 (Amended 1986: Gender Reassignment Regulations 1999)

The Race Relations Act 1976

Disability Discrimination Act 1995

Protection from Harassment Act 1997

Human Rights Act 1998

The Learning and Skills Act 2000

The Special Educational Needs and Disability Act 2001  
Race Relations Amendments Act 2001  
Employment Act 2002  
Employment Equality (Sexual Orientation) Regulations 2003  
Employment Equality (Religion or Belief) Regulations 2003  
Data Protection Act 1998  
Public Interest Disclosure Act 1998  
Employment Equality (Age) Regulations 2006 (DRAFT)

It is the responsibility of all employees and scholars of Barnsley FC to eliminate discrimination by ensuring the application of this policy and reporting incidents of discrimination if and when they occur.

#### **4 LEGISLATION**

It is Barnsley FC's policy to promote equality of opportunity throughout the club. Harassment may constitute unlawful discrimination under the Sex Discrimination Act (1975) and the Race Relations Act (1976). Under the Public Order Act (1986) a person will be guilty of a criminal offence if he or she intentionally causes a person harassment, alarm or distress by using abusive or insulting words or behaviour, or by displaying written material, signs or pictures, which are threatening or abusive.

#### **5. THE LAW**

It is generally unlawful to discriminate in employment against a person on the grounds of sex, sexual orientation, race, religious belief or disability. (Discrimination on the grounds of age will become unlawful in 2006) Employment issues particularly affected by the legislation relating to discrimination are recruitment, promotion, transfer, pay and access to other benefits.

#### **6. DISCRIMINATION**

In relation to sex it is recognised that discrimination can be both direct and indirect.

- i) **Direct discrimination** occurs when a person is treated less favourably than others, under similar conditions, on the grounds of race, sex, disability or other inappropriate grounds.
- ii) **Indirect discrimination** can occur where a condition or requirement adversely affects one particular group more than another and which cannot be justified in terms of the requirements for performing the job or task.

In relation to disability, discrimination occurs if, for a reason which relates to a person's disability, that person is treated less favourably than others to whom the reason does not apply and this treatment cannot be justified.

#### **7. BULLYING AND HARASSMENT**

Harassment is a form of discrimination. Harassment at work covers a wider range of unacceptable and unwanted physical, verbal, or non-verbal behaviour which affects people's dignity. It may be experienced by anyone on a variety of grounds including

race, sex, political and religious beliefs, and disability. Sexual, racial, and (in Northern Ireland) religious harassment is unlawful. Within Barnsley FC harassment for whatever reason, will not be tolerated and may lead to disciplinary action. The club views bullying as harassment and acts of bullying will be treated as harassment, under the terms of this policy.

## **8. VICTIMISATION**

Barnsley FC regards as a serious disciplinary matter proven acts of victimisation in areas covered by this policy document.

It is unlawful to victimise anyone who has sought to exercise, or has assisted another to exercise, his or her rights under legislation concerned with preventing discrimination. Equally, Barnsley FC will not tolerate the victimisation of any member of staff who has brought a complaint, or assisted a colleague to bring a complaint to the club's notice.

## **9. EMPLOYMENT PRACTICES**

### **i) RECRUITMENT AND SELECTION**

Barnsley FC will ensure that its recruitment procedures are fair and non-discriminatory.

All vacancies will be advertised appropriately to ensure that all applicants are informed of the available opportunities. Equal opportunity statements will be present in all job advertisements.

All recruitment publicity will be designed to positively encourage applicants from suitably qualified and experienced people and will avoid any stereotyping of roles.

Barnsley FC will select the most suitable person for the job in respect of skills, experience, and qualifications, irrespective of gender, ethnicity, religion, disability, age, ex-offender background, sexual orientation and marital status.

### **ii) TRAINING AND DEVELOPMENT**

Training is recognised as an integral part of promoting equal opportunities, and ensuring that individuals have a clearly developed understanding of the relevant issues.

All staff, players and scholars will receive equal opportunities awareness (including child protection) training as part of their induction.

All staff and players will receive equal access to training and development.

iii) PROMOTIONS

All staff vacancies will be advertised to internal and external candidates. All internal promotions will be monitored accordingly.

iv) TERMS AND CONDITIONS

All employees who are undertaking equal jobs will be treated equally with respect to pay and other conditions of their Contracts of Employment.

v) PART-TIME AND FLEXIBLE WORKING ARRANGEMENTS

Wherever possible, in line with the requirements of the club, consideration will be given to whether a position can be filled by two part-time workers as opposed to one full-time worker and/or flexible working arrangements.

Barnsley FC will endeavour to be flexible in the provision of work-based training to accommodate those workers with child/family responsibilities.

**10. WHISTLE-BLOWING AND ANTI-FRAUD POLICY**

i) Whistle-blowing/ Public Interest Disclosure

The Public Interest Disclosure Act 1998 states that employees who disclose information on certain matters which they reasonably believe and in good faith will be legally protected from being disciplined, dismissed or victimised by their employer as a result.

ii) Anti-Fraud

Barnsley FC requires its directors, managers, and staff to act honestly, with integrity, and to safeguard any resources for which they are responsible at all times.

**11. BREACHES OF POLICY**

Any employees who feel that they have been victims of unlawful discrimination or suffered victimisation have the right to have their complaints investigated through the club's grievance procedure. In the case of harassment or bullying, these will be investigated thoroughly.

Scholars who have a grievance in connection with their education, shall in the first instance bring the grievance informally to the Academy's Education Officer. If the grievance is not settled to the scholar's satisfaction within 14 days thereafter formal notice of the grievance may be given in writing to the Academy Manager, for consideration by the General Manager of Barnsley FC. The matter shall thereupon be dealt with by the General Manager within four weeks of receipt of the notice.

If the grievance is not settled by the club to the scholar's satisfaction, the scholar shall have the right of appeal to the LFE exercisable within seven days of receipt by the scholar of the Board's decision in writing.

In such circumstances, where a scholar feels uncomfortable in approaching a member of staff within the club, he should contact his LFE Regional Officer who may refer the case directly to the FA Case Management Group where it can be dealt with in line with their Child Protection policies and procedures.

All incidents of discrimination, victimisation, harassment and bullying will be regarded as a disciplinary offence and dealt with through the club's disciplinary procedure.

## **12. CHILD PROTECTION**

Barnsley FC is fully supportive of the Academy's Child Protection Policy, and that provided by the LFE. The main aims are:

- To develop a positive and pro-active position in order to best protect all children and young people who play football, enabling them to participate in an enjoyable and safe environment.
- To deliver quality assured child protection training.
- To demonstrate best practice in the area of child protection.
- To promote ethics and high standards throughout football.

It is Barnsley FC's policy to review this document on an annual basis in line with current employment practice and procedures.

