



Morlais Castle Golf Club

EQUALITY & DIVERSITY POLICY

1. INTRODUCTION

- 1.1 Morlais Castle Golf Club recognise the importance of affording equal opportunity and equal treatment and be committed to challenging any discrimination within the Club or within golf in general and to create a safe and inclusive atmosphere for all members, staff and service users
- 1.2 Morlais Castle Golf Club is committed to the principles of equality and diversity throughout its membership base, workforce, customers and service providers.
- 1.3 We considers that everyone should play their part in making the Club and golf inclusive and aims to ensure that all people, irrespective of their background, ability Age, Disability, Sex, Sexual Orientation, Race, Religion or Belief, Marriage and Civil Partnership, Gender Reassignment, Pregnancy and Maternity, have a genuine and equal opportunity to work at the club, become a member, or participate in the sport and club life.
- 1.4 Morlais Castle Golf Club will not disadvantage any individual, whether they are participants, contractors, players, parents, coaches, officials, and volunteers by imposing any conditions or requirements which cannot be justified in the provision of its services.
- 1.5 The Club is also committed to supporting the rights and interests of those who it employs or its service providers.
- 1.6 All members, visitors, guests, employees, agents, service providers or any other associated with Morlais Castle Golf club have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of the policy.
- 1.7 This policy will be reviewed periodically (at least every 3 years) to ensure its continued validity and any amendments shall be effective from the date stated.

The policy will be made available within the Club and on the Club website

2. PURPOSE

- 2.1 The purpose of this Policy is to:
 - 2.1.1 Outline the obligations of all members, visitors, guests, employees, agents, service providers or any other associated parties with Morlais Castle Golf of their commitment to this Policy.
 - 2.1.2 Promote fairness, equality, diversity and respect for everyone working, volunteering, or participating in the sport of golf, or otherwise using the services at Morlais Castle Golf Club.



3. LEGISLATIVE FRAMEWORK

3.1 Morlais Castle Golf Club is committed to complying with all relevant legislation which underpins the principles of equality, diversity, and inclusivity, including but not limited to:

- The Equality Act 2010;
- The Protection from Harassment Act 1997;
- The Employment Act 2002;
- The Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002; and
- The Human Rights Act 1998.

4. SCOPE

This Policy shall apply to, and be binding upon Morlais Castle Golf Club, its Committee, staff, volunteers, contractors, squad players, agents, and representatives working or acting for or on behalf of Morlais Castle Golf Club.

5. POLICY IMPLEMENTATION

5.1 Morlais Castle Golf Club will:

- 5.1.2 Encourage the involvement of all people regardless of background, ability, Age, Disability, Sex, Sexual Orientation, Race, Religion or Belief, Marriage and Civil Partnership, Gender Reassignment, Pregnancy and Maternity Club life and Golf in general.
- 5.1.3 Ensure that all competitions, events and activities administered by Morlais Castle Golf Club are carried out in a fair and equitable way (except where specific situations and conditions may prevent this).
- 5.1.4 Monitor and review Morlais Castle Golf Club policies and procedures to ensure that they comply with the requirements of this Policy;
- 5.1.5 Monitor the diversity of its members, participants, players and volunteers in order to better understand the diversity that currently exists within Morlais Castle Golf Club.
- 5.1.6 Provide appropriate training and support to all staff, contractors, officials and volunteers to raise awareness of both the collective and individual responsibilities imposed by this Policy.
- 5.1.7 Publish this Policy internally and on the Clubs website.



6. KEY CONCEPTS

- 6.1 Direct and indirect discrimination is outlined in **Appendix One**;
- 6.2 Harassment is outlined in **Appendix Two**;
- 6.3 Victimization is outlined in **Appendix Three**;

7. BREACHES

- 7.1 Morlais Golf Club takes seriously all claims of inappropriate behaviour, bullying, harassment, victimisation and/or discrimination, whether direct or indirect, by a contractor, player, parent, coach, official or volunteer who works for, on behalf of, or represents Morlais Castle Golf Club .
- 7.2 Alleged breaches of this Policy shall be dealt with using the Club's complaints, disciplinary or staff grievance procedure as appropriate.



APPENDIX ONE

Direct and Indirect discrimination

Every individual and organisation to whom this Policy applies must not act in a way which is directly or indirectly discriminatory and must make reasonable adjustments to avoid discriminating against anyone with a Protected Characteristic. Failure to do so will be considered a breach of this Policy.

The Equality Act 2010 makes it unlawful to discriminate directly or indirectly against individuals or groups with certain "Protected Characteristics". The "Protected Characteristics" are::

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race;
- Religion or Belief;
- Sex;
- Sexual Orientation.

Direct Discrimination

Direct Discrimination is defined as "*A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.*"

For example, if an action or decision is taken by a club which treats females less favourably than males, this would be considered direct discrimination on the grounds of sex, which is a protected characteristic.

Indirect Discrimination

Indirect Discrimination is defined as: "*A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's.*"

Indirect discrimination occurs where less favourable treatment is not necessarily the main effect or objective of an action or decision.

Since the nature of indirect discrimination is that the discriminatory effect an unexpected or unforeseen effect of a good faith decision, complaints of indirect discrimination should therefore be considered carefully and objectively, and not dismissed out of hand purely because the effect was not an expected or intentional one.

If, for example, a golf club introduces a rule that club competitions can only be played on Saturdays, this rule would prevent members with certain religious beliefs from taking part in the competition. Although it may not have been the intention of the golf club, the effect



of the rule is the less favourable treatment of members on the grounds of religion or belief, which is a protected characteristic. This is indirect discrimination.

Actions and Intentions

An action or decision will still be considered discriminatory even if the less favourable treatment is unintentional. It may not always be obvious to the perpetrator that their actions are discriminatory. Indirect discrimination is often unintentional, but it is not a defence to an allegation of discrimination to say that the perpetrator did not mean to discriminate against a person or group. Discrimination can arise out of actions and decisions, but can also arise out of omissions and failure to take actions or decisions.

Reasonable Adjustments

Everybody to whom this Policy applies is under a duty to make reasonable adjustments to avoid discriminating against any individual or group with a Protected Characteristic.

The duty is to make *reasonable* adjustments. It is not unreasonable for adjustments to cost time, money, or other resources. However, an adjustment may not be reasonable if the cost is disproportionately high, or making the adjustment would be unfeasible.

Positive Action

It can be lawful to make decisions that discriminate on the basis of a Protected Characteristic in very limited and exceptional circumstances, if the discrimination is a 'Positive Action' taken in order to address an underrepresented group or Protected Characteristic. Positive Actions must be reasonable, justifiable, and clearly linked to a legitimate aim.

Examples

In a golfing context, some examples of unlawful discrimination might include:

- Not allowing the use of golf buggies, as this increases the cost of maintaining the course;
- Restricting the number of tee times available to women during peak hours at a golf course;
- Not allowing competitions to be played on alternate days to accommodate for certain religious beliefs.



APPENDIX TWO

Harassment

Harassment is defined in section 26(1) of the Equality Act 2010. Harassment occurs where a person engages in unwanted conduct related to a Protected Characteristic (outlined in the Equality Act 2010), which has the purpose of either:

- Violating the other person's dignity; or
- Creates an intimidating, hostile, degrading, humiliating or offensive environment for the other person.

In determining whether conduct amounts to harassment, regard is had to:

- The perception of the victim;
- Whether it is reasonable for the conduct to have the perceived effect; and
- The Wider circumstances of the matter.

Sexual Harassment

Sexual harassment occurs where a person engages in unwanted conduct of a sexual nature, and the conduct has the purpose or effects outlined above.

One Off Incidents

A single, isolated, or one-off incident can still amount to harassment. The key consideration is the purpose or effect of the conduct.

Protection from Harassment Act 1997

Harassment can still occur even if it not based on a Protected Characteristic. The Protection from Harassment Act 1997 made it a civil, and sometimes a criminal, offence to carry out a course of conduct that amounts to harassment.

Examples

In a golfing context, some examples of unlawful harassment might include:

- Employees making unwanted or inappropriate contact with colleagues at a golf club or facility;
- Targeting disabled golfers using buggies and demanding to see proof of a disability;
- Disproportionate and public criticism or sanctioning of an individual's behaviour by an organisation for irrelevant or personal reasons.



APPENDIX THREE

Victimisation

Victimisation is defined in section 27(1) of the Equality Act 2010.

Victimisation occurs where a person suffers a detriment because they do a protected act, or are believed to have done a protected act.

Protected Act

A protected act includes bringing legal proceedings or making a complaint under the Equality Act 2010 in relation to discrimination, harassment, bullying, or any other issue related to equality, diversity or Protected Characteristics.

Detriment

A detriment can be any less favourable treatment, including direct acts such as suspensions, fines, sanctions, and verbal and physical aggression.

It is not necessary to show that somebody is being treated less favourably than somebody else who did not do a protected act, only that they have been subject to a detriment because of a protected act.

Examples

In a golfing context, some examples of unlawful victimisation include:

- Initiating disciplinary proceedings against a person as a result of making a protected act;
- Ignoring a person's valid input into the management of a club or county after that person has made a protected act;
De-selecting a player from a squad or team as a result of that person doing a protected act.