

# **SCOTTISH FENCING EQUALITY AND DIVERSITY POLICY**

## FOREWORD

### **Sports Equality**

Sports Equality is about fairness in sport; equality of access; recognising inequalities and taking steps to address them. It involves changing the culture and structure of sport to ensure it becomes equally accessible to all members of society and ensuring that everyone has the opportunity to enjoy their sport, use their talents, and realise their full potential.

As a Scottish national governing body, Scottish Fencing has an obligation, both legal and moral, to ensure that it not only promotes an environment where all individuals can participate in and benefit from the sport of fencing but to ensure that all of its members; individual, club and corporate, do so too.

Scottish Fencing is fully committed to the principles laid down in this policy document and all Scottish Fencing staff, volunteers and members will work together to embrace difference and diversity and respect the rights of all individuals wishing to participate in fencing in Scotland.

Chris Hyde  
President, SF

## **Policy Statement**

Scottish Fencing (SF) endorses the principle of sports equality and will strive to ensure that everyone who wishes to be involved in fencing, whether as individual fencers, team members, volunteers, coaches, or office-bearers in clubs or SF:

- 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, nationality, colour, socioeconomic status or sexual orientation; and
- 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 their sport without the threat of intimidation, victimisation, harassment or abuse.

## **Legal obligations**

Scottish Fencing is committed to avoid and eliminate unfair discrimination of any kind in fencing in Scotland, 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.

Scottish Fencing will therefore seek to institute, support or contribute to appropriate measures or initiatives that enable access to fencing and participation in associated activities by people from any group that is under-represented in the sport or has difficulty accessing it.

## **Implementation**

The following steps will be taken to publicise this policy and promote sports equality in fencing in Scotland:-

- A copy of this document will be published on the Scottish Fencing Website.
- The SF President will take overall responsibility for ensuring that the policy is observed.
- The SF Board will take full account of the policy in arriving at all decisions in relation to activities of Scottish Fencing
- Scottish Fencing will collaborate fully with any surveys or other initiatives designed to assess the level of participation of different sections of the community in fencing in general, and will take account of the findings in developing measures to promote and enhance sports equality in fencing
- Scottish Fencing will provide access to training for all of its Board members to raise awareness of both collective and individual responsibilities. All Scottish Fencing accredited and licensed coaches will be Equality and Diversity trained.
- It will be a condition of Scottish Fencing membership that member clubs:
  - formally adopt this policy, or produce their own Equality & Diversity policy in terms that are consistent with it; and
  - take steps to ensure that their Committees, members and volunteers behave in accordance with the policy, including where appropriate taking disciplinary action under the Club's constitution; and
  - ensure that access to membership is open and inclusive
  - support such measures and initiatives that Scottish Fencing may institute or take part in to advance the aims of this policy.
- It will be a condition of Scottish Fencing membership that individual members
  - commit to act in accordance with this policy; and

- support such measures and initiatives that Scottish Fencing may institute or take part in to advance the aims of this policy.

### **Responsibility, Monitoring and Evaluation**

The SF Board will be responsible for ensuring the implementation of this policy.

The SF Board will review all Scottish Fencing activities and initiatives against the aims of the policy on an annual basis, and the President will report formally on this issue at the AGM.

The SF Board, or where appropriate a designated project leader, will review any measures or initiatives that Scottish Fencing may institute or take part in to promote and enhance sports equality in fencing, and will report their findings formally to the AGM.

The SF Board will review the policy itself at intervals of no more than three years, (or when necessary due to changes in legislation) and will report with recommendations to the AGM.

### **Complaints and compliance**

Scottish Fencing regards all of the forms of discriminatory behaviour, including (but not limited to) behaviour described in the Appendix as unacceptable, and is concerned to ensure that individuals feel able to raise any bona fide grievance or complaint related to such behaviour without fear of being penalised for doing so.

Appropriate disciplinary action will be taken against any employee, member or volunteer who violates the Scottish Fencing Equality Policy.

Any person who believes that he or she has been treated in a way that they consider to be in breach of this policy by a member club or individual member should first complain to that person or organisation. If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against Scottish Fencing itself, the person may raise the matter by writing directly to the SF President. Contact details are available through the website [www.scottish-fencing.com](http://www.scottish-fencing.com).

The President will investigate the complaint personally or appoint a Board member to do so. The investigation will be conducted impartially, confidentially, and without avoidable delay. Any person or organisation against whom a complaint has been made will be informed of what is alleged and given the opportunity to present their side of the matter.

The outcome of the investigation will be notified to the parties in writing and reported to the SF Board. If the investigation reveals unacceptable discriminatory behaviour on the part of an individual member or member club the SF Board may impose sanctions on that person or organisation in line with the Scottish Fencing Constitution. Sanctions may range from a written reminder concerning future conduct up to and including temporary or permanent expulsion from Scottish Fencing membership. In deciding what sanction is appropriate in a particular case the SF Board will consider the severity of the matter and take account of any mitigating circumstances.

Where the violation of the Equality Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the appropriate authority will be informed.

In the event that an individual or organisation associated with Scottish Fencing is subject to allegations of unlawful discrimination in a court or tribunal, the SF Board will co-operate fully with any investigation carried out by the relevant lawful authorities and, subject to the outcome, may consider taking action as above in relation to the matter concerned.

SF Board

January 2012

## **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, the Sex Discrimination Act, the Disability Discrimination Act and the Equality Act 2006.

In April 2010, the Equality Act 2010 received Royal Assent. The Equality Act 2010 is a new law which harmonises where possible, and in some cases extends, protection from discrimination. It applies throughout Great Britain 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 (employment only until 2012), disability, gender reassignment, marital or civil partnership status (employment only), pregnancy and maternity, race (which includes ethnic or national origin, colour or nationality), 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 can be described as 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.

#### **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. To do so would constitute victimisation.

#### **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.

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<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.