



# TEHIDY PARK

## GOLF CLUB

### Equality, Diversity & Inclusion Policy

#### 1.0 Statement of Intent

- 1.1 Tehidy Park Golf Club shares the belief of England Golf and the Cornwall Golf Union that golf belongs to everyone. All who play and all who aspire to play must have an equal opportunity to do so. These are enshrined in our Values and Guiding Principles, which include *“our desire to have an open, honest, and accountable club operating environment where we put the interests of our members at the heart of all that we do and respect members, staff, stakeholders, and our neighbours”*.
- 1.2 The Club is committed to the principles of equality and diversity throughout its membership, its paid and volunteer workforce and any others with whom the Club engages.
- 1.3 The Club considers that everyone should play their part in making golf inclusive and aims to ensure that all people, irrespective of background or Protected Characteristics\*, have a genuine opportunity to engage with golf. We will not disadvantage any individual by imposing conditions or requirements which cannot be justified.

#### 2.0 Who this policy Applies to

- 2.1 This policy shall apply to, and be binding upon the Club, its Board of Directors, Officers committee members, staff, volunteers, our retained caterers and golf professional staff, coaches, contractors, and representatives working, holding office or acting for or on behalf of the Club.

#### 3.0 Other Important Documents

- 3.1 This policy works with other documents adopted by the Club, in particular (but not exclusive to):
  - Safeguarding Children and Young People Policy
  - Safeguarding Adults Policy
  - The Code of Conduct which deals with standards of behaviour and handling complaints against alleged breaches, including against this policy
  - Data Protection Policy, including data collected to monitor diversity in line with this policy
  - Grievance Policy, which relates to the relationship between the Club and those it employs and the recruitment process.

## **4.0 Policy Implementation**

### **4.1 What We Will Do**

- 4.1.1 Promote fairness, equality, diversity and respect for everyone working, volunteering or participating in the sport of golf or otherwise engaging with the Club. The Club is proud we have inaugurated our first lady President, and that there is a 50:50 gender split on our Board of Directors. In addition, we are introducing a gender-inclusive Senior Section with effect from November 2024.
- 4.1.2 Ensure that all competitions, events and activities administered by the Club are carried out in a fair and equitable way (except where specific situations and conditions prevent this, or where we consider that Positive Action is a proportionate way to achieve a legitimate aim). In advance of the 2025 'competition season,' the Club will be reviewing our approach to handicap allocations across all competitions, to ensure that golfers of all abilities have equal opportunities. This review process will take place every year
- 4.1.3 Monitor and review Club policies, procedures and regulations to ensure that they are consistent with the requirements of this policy, including policies relating to admission to membership.
- 4.1.4 Where practical we will take steps to monitor the diversity of the Club's members, participants, players, volunteers and others that we may engage with in order to measure and assess the impact of this policy
- 4.1.5 Provide appropriate training and support to staff, volunteers, officials and others.
- 4.1.6 Make reasonable adjustments for those with a disability.
- 4.1.7 Publish this policy on the Club website.

### **4.2 What We Won't Do**

- 4.2.1 Discriminate against anyone, either directly or indirectly, on the basis of a Protected Characteristic.
- 4.2.2 Subject anyone to less favourable treatment on the basis of them doing a Protected Act (victimisation)\*.
- 4.2.3 Subject anyone to harassment in relation to a Protected Characteristic.

## **5.0 Reporting Procedures**

- 5.1 A report of an alleged breach of this policy can be made by anyone, including a competitor, visiting guest/s, other associated golf club members, and members of the public.
- 5.2 A report, should, in the first instance, be made to the GM or the Director of People and Service Delivery. If none of these are available, a Club employee, Board or Committee member can take the initial complaint and start the process, before passing on the report to the GM or Director of People and Service Delivery. These must be then followed up in writing in an agreed timeframe. If the complaint is related to the GM, Officer of the Club or a Director, they should be made to the Chair or Vice-Chair of the Board, as appropriate.

- 5.3 If, at any stage during this process, the GM is not available or there is a conflict of interest if they are involved, the Director of People and Service Delivery will appoint a person from within or outside the Club, to undertake tasks associated with role of GM in this policy.

## **6.0 How we will Deal with Breaches of this Policy**

- 6.1 Depending on the circumstances, an alleged breach of this policy will be dealt with as outlined in the TPGC Code of Conduct, Employee Disciplinary Policy or the relevant Safeguarding Policy.
- 6.2 The Club will usually inform the person reporting the matter of the next steps and/or the outcome of the matter. However, there may be circumstances in which we are not able to disclose full details to the reporting individual. This may be because the law prevents us from doing so, because some information is confidential or to protect the safety or wellbeing of those involved.

## **7.0 Key Concepts, Definitions and Examples**

- 7.1 The Equality Act 2010 - every individual and organisation must not act in a way which is *directly or indirectly discriminatory* on the basis of a *Protected Characteristic*.
- 7.1.1 A "Protected Characteristic" is defined as relating to Age • Disability • Gender Reassignment • Marriage and Civil Partnership • Pregnancy and Maternity • Race • Religion or Belief • Sex • Sexual Orientation.
- 7.2 *Direct Discrimination* is when "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."
- 7.2.1 **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.
- 7.3 *Indirect Discrimination* is when a policy, practice or rule that applies to everyone has the effect of disadvantaging people who share a protective characteristic.
- 7.3.1 Indirect discrimination occurs where less favourable treatment is not the main effect or objective of an action or decision. The nature of indirect discrimination is that the discriminatory effect can be an unexpected or unforeseen effect of a good faith decision. Complaints of indirect discrimination should be considered carefully and objectively, and not dismissed out of hand purely because the effect was not an expected or intentional one.
- 7.3.2 **For example** If, the Club introduced a rule or practice that certain competitions are only played on Fridays, this could prevent members with certain religious beliefs from taking part in the competition. Although it may not have been the intention of the Club, the effect is the less favourable treatment of members on the grounds of religion or belief, which is a Protected Characteristic. This is Indirect Discrimination
- 7.4 *Actions and Intentions*. An action or decision can still be considered discriminatory even if the less favourable treatment is unintentional. It may not always be obvious that actions are discriminatory. Indirect discrimination is often unintentional, but it is not a defence to

an allegation of discrimination to say that there was no intention 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.

7.5 *Reasonable Adjustments*. Everybody to whom this Policy applies is under a duty to make reasonable adjustments to avoid discriminating against any Protected Characteristic individual or group. The duty is to make reasonable adjustments.

7.5.1 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. The resources required to make an adjustment are an important factor to be considered in deciding whether an adjustment is reasonable.

7.6 *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.

7.6.1 Where a club decides to take Positive Action in respect of an underrepresented group, it should carefully record its decision making and the evidence it has considered and review the practice regularly to ensure that the Positive Action does not continue for longer than reasonably necessary.

7.6.2 **For example**

- a) Not allowing the use of golf buggies, as this increases the cost of maintaining the course. Permitting the use of golf buggies may be a reasonable adjustment, and the increased course maintenance costs are a factor to be assessed in deciding whether or not the adjustment is reasonable.
- b) Restricting the number of tee times available to women during peak hours at a golf course. While it may be permissible to limit access to the course at certain times, for example to allow a competition to be played, a club will need to be certain that it is providing equal opportunity to access the course for various groups.
- c) Not allowing competitions to be played on alternate days to accommodate for certain religious beliefs.

7.7 *Harassment* is when a person engages in unwanted conduct related to a Protected Characteristic 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.

7.7.1 In determining whether conduct amounts to harassment, the perception of the victim is paramount as is whether it was reasonable for the conduct to have the perceived effect.

7.7.2 *Sexual Harassment* occurs where a person engages in unwanted conduct of a sexual nature, and the conduct has the purpose or effects outlined in paragraphs 7.1 and 7.7.1 above.

7.7.3 *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. 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.

7.7.4 **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 where this is not required by the terms of a competition.

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

7.8.1 *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.

7.8.2 **Examples** include:

- Initiating disciplinary proceedings against a person as a result of making a complaint about discrimination or harassment.
- Ignoring a person's valid input into the management of a club or county after that person has made a complaint.
- De-selecting a player from a team because that person has made a complaint.

## 8.0 Updating this Policy

8.1 The Director of People and Service Delivery is responsible on behalf of the Board for reviewing this Policy at least once every three years and updating as necessary.