



## **Halifax Golf Club Equality, Diversity & Inclusion Policy 2023**

### **1. STATEMENT OF INTENT**

- 1.1 The Halifax Golf Club ('The Club') shares the belief of England Golf and The Halifax and Huddersfield Union that golf belongs to everyone. All who play and all who aspire to play must have an equal opportunity to do so.
- 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.
- 1.4 The Club, in compliance with the Equality Act 2010 or any statutory modification thereof, is resolute in its determination to pursue respective equality of status to all members, visitors, guests, volunteers, present and potential employees servants agents and service providers. The Club will endeavour to ensure that every person, as identified above, regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex or sexual orientation, pregnancy and maternity ( i.e. The Protected Characteristics )has a genuine opportunity to participate to their full potential at all levels and in all roles within the Club.

### **2. WHO DOES THIS POLICY APPLY TO?**

- 2.1 This Policy shall apply to, and be binding upon the Club, its Board of Directors, Management Committees ,Professional, staff, volunteers, coaches, contractors,

squad players, agents, and representatives working, holding office or acting for or on behalf of the Club.

### **3. OTHER IMPORTANT DOCUMENTS**

This policy works with other documents adopted by the Club, in particular:

- Grievance procedure. PN 3
- Disciplinary Regulations which may be used to deal with alleged breaches of this policy. PN 3
- Safeguarding Children and Young People Policy, and Safeguarding Adults Policy, which will be followed in respect of any matters which give rise to a safeguarding concern. PN6/7
- Codes of Conduct which set out the standards of behaviour and conduct expected from members, those who are attending Club events, or representing, working for or otherwise engaging with the Club in some capacity. PN 1
- Complaints Policy which may be used to deal with concerns raised about the actions of the Club PN8
- Data Protection Policy which sets out how we will handle personal data, including data collected to monitor diversity in line with this Policy.PN5

### **4. POLICY IMPLEMENTATION**

#### **A. WHAT WE WILL DO**

1. Promote fairness, equality, diversity and respect for everyone working, volunteering or participating in the sport of golf or otherwise engaging with the Club.
2. Ensure that all competitions, events and activities are 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).
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. 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
5. Provide appropriate training and support to staff, volunteers, officials and others.
6. Make reasonable adjustments for those with a disability.
7. Publish this policy on the Club website.

## **B. WHAT WE WON'T DO**

1. Discriminate against anyone, either directly or indirectly, on the basis of a Protected Characteristic.
2. Subject anyone to less favourable treatment on the basis of them doing a Protected Act (victimisation).
3. Subject anyone to harassment in relation to a Protected Characteristic.

## **5. REPORTING PROCEDURES**

If you are concerned about the behaviour or conduct of someone while playing golf, at a Club event, someone representing the Club, or any other breach of this policy:

- 5.1 please report the matter to the club Secretary. [Secretary@halfaxgolfclub.co.uk](mailto:Secretary@halfaxgolfclub.co.uk) giving as much detail as possible.
- 5.2 If the matter is reported verbally, and you are able, please follow the verbal report in writing as soon as possible.
- 5.3 The Club will consider the appropriate way to deal with the matter, which may include referring the matter to and/or seeking guidance from England Golf.

## **6. HOW WE WILL DEAL WITH BREACHES OF THIS POLICY**

- 6.1 When we receive a report or a concern that relates to this policy we will ask The Board of Directors to consider the matter initially. They will consider the appropriate next steps, which may include the following:
  - a. seeking further information in relation matters raised

- b. seeking guidance from England Golf or any other appropriate body or organisation
  - c. referring the matter to another body or organisation
  - d. dealing with the matter informally
  - e. deciding which procedure is the most appropriate, such as the Employee Disciplinary Procedure, the Safeguarding Policies or the Disciplinary Regulations, to progress the matter formally.
- 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. KEY CONCEPTS, DEFINITIONS AND EXAMPLES**

### **A. The Equality Act 2010 and Discrimination**

Every individual and organisation to whom this Policy applies must not act in a way which is directly or indirectly discriminatory on the basis of a Protected Characteristic.

The Equality Act 2010 makes it unlawful to discriminate directly or indirectly against individuals or groups with certain **“Protected Characteristics”**. The **“Protected Characteristics”** are listed in section 4 of the Act:

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

#### **Direct Discrimination**

Direct Discrimination is defined at section 13(1) of the Equality Act 2010: *“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 at section 19(1) of the Equality Act 2010: “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 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.

If, for example, a club has a rule or practice that certain competitions are only played on Saturdays, this 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 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 can 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 the Protected Characteristic of Disability.

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. The resources

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

### **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. 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.

### **Examples**

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

- 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.
- Restricting the number of tee times available to women during peak hours at a golf course. Whilst 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.
- Not allowing competitions to be played on alternate days to accommodate for certain religious beliefs.

### **B. 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
- 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 is 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 where this is not required by the terms of a competition, for example.
- Disproportionate and public criticism or sanctioning of an individual's behaviour by an organisation for irrelevant or personal reasons. A clear disciplinary procedure will help to ensure that those facing disciplinary action at a club are treated fairly.

## **C. 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 making a complaint (whether in writing or not, formally or informally) or bringing legal proceedings 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 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 squad or team because that person has made a complaint.

## **8. Policy**

In accordance with the Equality Statement of Intent agreed by the Club the Board has produced the following Equality Policy. This policy shall be subject to annual review and shall remain effective (subject to minor changes determined only by legislation and by the need to make reasonable adjustments to practices procedures and policies or as agreed by practical experience, in keeping with current legislation) during this period.

- A copy of this document is available to all paid staff, agents and service providers and volunteers of the Club together with its members, visitors and guests and its content will be covered in all induction programmes carried out or organised by the Club.

- No job application will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unfair discrimination.

All members, visitors, guests, employees, agents, service providers and volunteers have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of the policy.

- All staff, agents and service providers will receive appropriate training.

### **8.1 Membership**



- The Club will ensure that consideration of any candidate for membership will be determined in accordance with the Club's statement on equal opportunities. The Board from time to time will determine the total maximum membership and apply an upper limit on the numbers in any category provided that no category is determined by reference to any of the protected characteristics.
- All subscriptions fees will be equal for all categories save where the Club has decided the need for positive action measures and has agreed to offer financial incentives to;
  - (a) alleviate disadvantage experienced by people who share a protected characteristic,
  - (b) junior members for the duration of the specified membership status,
  - (c) encourage increased levels of membership to a pre-determined number within specific categories, which may include, for example, certain age groups or other selected under-represented groups,
  - (d) to preserve the current membership of people who are disadvantaged by sharing a protected characteristic.

Such incentives shall only apply until the requisite number of vacancies has been filled or, in the case of juniors, until such time as the member no longer qualifies under the age requirements of the junior section.

Nominations for membership will be as determined by the Board and will comply with the requirements of the Equality Act 2010 or any statutory modification thereof. Candidates who are considered to be suitable for membership will be allocated membership on a first come, first served basis save that the Board may in its absolute discretion but only where the number of members in an under-represented group of members has fallen below the agreed minimum and solely to protect against the erosion of that group of members admit in preference to a member of another group a candidate who has a protected characteristic of the underrepresented group.

## **8.2 The Board**

- Election to any position on the Board/ Management Committees cannot be limited by or discriminated on the ground of gender, gender reassignment, age, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity or disability.
- The Club wholeheartedly supports and is committed to using Positive Action (s158 Equality Act) so that where the make-up of the Board/Management Committees following election, does not achieve its stated objective , positive action shall be taken to address any such shortfall.

- Members from under-represented sectors who meet the criteria for election to the Board shall be encouraged to allow themselves to be nominated for election.

### **8.3 Membership Rights**

- All material prepared, produced and distributed by, or on behalf of the Club will endeavour to promote a clear image of diversity within the Club.
- All participants at the Club, in whatever capacity shall receive fair and equitable treatment in all aspects of their membership.
- The Club will use best endeavours for all members to have equal access to all joint function rooms and bars at all times.
- All bye-laws introduced by the Board shall reflect fair and equitable treatment in respect of the Club's practices policies and procedures they are designed to address.

### **8.4 Responsibilities**

The Board is responsible for ensuring that the Club operates in accordance with the Rules and Bye Laws as written and updated from time to time and in conformity with the Equality Act 2010 or any statutory modification thereof. The Board shall be elected as provided in the rules of the Club.

### **8.5 Course access**

- All members shall enjoy equal access to the golf course at all times save only where there are gender or age specific competitions.
- Conditions of entry to Club competitions shall be as specifically identified in the relevant Conditions governing Competitions in force from time to time.
- The playing of designated competitions shall take precedence within the competition calendar of the Club.
- Where it can be identified that the preponderance of male competitions denies equal access to females at weekends the Club will ensure that suitable alternative opportunities for weekend play for females are included in the playing calendar, the details of which will be easily accessible to all members.
- When general play conditions prevail equal access shall be allowed to all categories of members, but with the Competition Committee preserving the right to decide the format of play at any time.

### **8.6 Exemptions**

- The Club reserves the right to limit competition to specific age and gender where this is necessary to ensure equitable, safe and equal competition. The Club will take

positive action in providing opportunities to increase the inclusion of people from under-represented groups.

### **8.7 Rules and Bye Laws**

The terms and conditions of membership and playing rights do not affect the R & A Rules of Golf relating to Etiquette nor the general Rules and Bye Laws of the Club.

### **9. Further guidance and support**

You can find further information from the following sources:

- [England Golf ED&I pages on website](#)
- [England Golf Equality Guidance](#)
- [equalityhumanrights.com/en](https://equalityhumanrights.com/en)