



# **UK Sport Equality and Diversity Strategy 2010 - 2013**

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## **UK SPORT EQUALITY POLICY STATEMENT**

***UK Sport will take necessary action to eliminate individual and institutional discrimination; to comply with its statutory and legislative obligations; to meet the needs of its staff and partners and to make equality and equal treatment a core issue in the development, delivery and refinement of its policies, initiatives and services and the way it manages its staff.***

2011 Amendment:

UK Sport in exercising our functions, have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
2. Advance equality of opportunity between people who share a protected characteristic and those who do not
3. Foster good relations between people who share a protected characteristic and those who do not

The protected characteristics covered in this Strategy, as defined in the Equality Act 2010 are:

1. Age
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race
6. Religion / Belief
7. Sex
8. Sexual Orientation
9. Marriage or Civil Partnership Status

## **EXECUTIVE SUMMARY**

We must act fairly at all times in the interests of sport. To be trusted to make the right decisions, we realise that our workforce needs to reflect the population we serve and to treat all employees with respect. UK Sport will ensure equal treatment — and by this we mean treating people fairly, providing equal chances while respecting people's differences — in employment and in support of the high performance system.

UK Sport's Equality Framework comprises an Equality Strategy, Equality Policy and Equality Action Plan, also known as an Equality Scheme, for the purposes of meeting legal duties.

Each of these has been developed to prevent any discrimination or unfair treatment, whether intentional or unintentional, direct or indirect, against its employees, representatives, sports men and women, partners and job applicants.

The Equality Strategy and Policy have been written in consultation with UK Sport's internal Equality Group, which includes staff from all Directorates and at all levels of operation. In addition, the Human Resources team, Policy Team and equality agencies have been consulted throughout its development. It builds on the Strategy presented to and signed off by Board on 8 November 2006 .

There is now a much more powerful business case for equality in high performance sport as we move towards 2012 and beyond. Sports that seek to draw on talent from different groups in society are more likely to be competitive in the long term as the UK population ages and diversifies. The traditional talent pool is diminishing and measures to address this are needed.

### **UK Sport Commitments 2010-13**

To enable successful delivery of our Mission and the equality outcomes therein, UK Sport will develop systems and strategic relationships in the following areas:

- Policy and Practice - assessing all new policies and major projects for their equality impact
- Employment - implementing recruitment procedures that aim to attract the best available candidates from the widest possible talent pool
- Working together - with Home Country Sports Councils (HCSCs) and funding partners to maximise the benefits of collaboration on equality to NGBs
- Consulting and communicating - with staff and partners on developments and achievements
- Monitoring - internally and through partners, progress against our equality objectives and the impact this has on the high performance system
- Supporting partners - we will facilitate the achievement of agreed equality goals including the implementation of the Equality Standard for Sport.

## **Outcomes for UK Sport**

The anticipated outcomes include investment decisions that are free from discrimination as well as increased employee satisfaction and UK Sport's recruitment procedures follow best practice, particularly with regard to ensuring attraction of candidates from widest possible pool in order to give equal opportunity to all

## **Outcomes for UK Sport funded partners**

Ultimately we will enable sports to develop performance pathways and services that are more accessible to those with the talent and desire to achieve podium success. These measures will help raise partners' understanding of our obligations and, in turn, their role in achieving equality outcomes through the strategic relationships.

## 1. INTRODUCTION

Equality outcomes are best understood, and achieved, when linked to an organisation's core functions. UK Sport is a public authority and a Lottery Distributor and this status brings with it legal obligations that we are required to meet. More than this, UK Sport is one of the world's best high performance agencies with a unique role in sport as a strategic investor in athletes and sports that are best placed to deliver British sporting success in the Olympic and Paralympic Games.

Tailoring support to an athlete requires an understanding of his or her needs which can be affected by a number of factors including background, gender, sexuality or religion. Through this Strategy UK Sport will seek to assist sports in developing a greater understanding of the equality factors that can affect high performance success.

UK Sport's obligations as a public authority will be reflected in the relationships we have with our partners and this is manifested in the 2009-13 Funding Agreement which sets out conditions in respect of equality. By meeting these conditions, governing bodies will demonstrate they are meeting legal requirements, operating transparent processes and widening access to high performance sport.

We want our sportsmen and women to be the best in the world, winning medals, setting the highest standards and fulfilling their responsibilities as role models. We want to ensure that, both in and through sport, we maximise the impact of our work at home and internationally - using our unique position to help exert influence in world sport, develop sport worldwide and attract major sporting events to accompany the ultimate sporting pinnacle, the hosting of the Olympic and Paralympic Games in London in 2012. Our focus is at a UK level. Our aspirations are unashamedly world class.

***Ultimately the purpose of the strategy will be to show what UK Sport is doing both as an employer and also as an enabler to National Governing Bodies and others within the high performance system.***

UK Sport achieved the achieved the Intermediate level of the *Equality Standard for Sport* in March 2010, one of only four organisations to do so. This is best practice and it demonstrates leadership to our partners.

Equality and diversity – and by this we mean treating people fairly, providing equal chances while respecting people's differences – is an important part of who we are and what we do. It is also central to how we treat athletes, support personnel and NGBs.

## **2. BACKGROUND**

UK Sport cannot and does not work alone but brings together partners in the Home Countries including the Sports Institutes, the British Olympic Association (BOA) and British Paralympic Association, English Institute of Sport (EIS), Sports Coach UK (scuk) and the National Governing Bodies to provide a focus on sport at world-class level and achieve the success to which we collectively aspire. Our structure affords the flexibility to be genuinely athlete-focused and support individuals and teams competing at UK level. For us to achieve our goals, we need to work in a spirit of genuine partnership, adding value to others' work and making the most of the available investment, for the well-being of sport and in the wider public interest

### **The business case for diversity**

Cultural diversity includes the range of ways in which people experience a unique group identity, which includes gender, sexual orientation, religion, ethnicity and age. Diversity brings substantial potential benefits such as better decision making and improved problem solving as a mix of people with different talents, skills and perspectives allows innovation and creativity to develop.

UK Sport needs to appeal to the widest possible number of people to fulfil its recruitment needs and attract the skills it requires. The labour force is becoming increasingly diverse so UK Sport will create a culture of inclusion to build a sustainable business. This will also mean that UK Sport can mirror the different needs of athletes, coaches and other beneficiaries of UK Sport programme investment.

### **Service delivery and external drivers**

UK Sport is a public authority and a Lottery Distributor and whilst we are investing public funds, we will be expected to deliver equality outcomes as part of our remit and within the sphere of our influence.

Some of the external factors that currently drive the equality agenda for UK Sport include:

- The enforceable duties on disability, sex and race;
- The creation of a new Commission on Equality and Human Rights which monitors and can take action in situations where public authorities are not performing to required levels;
- The extension of anti-discrimination measures to cover religion or belief, sexuality, age and gender reassignment;
- the passing of the Equality Act in April 2010

## **Equality Act Amendment:**

UK Sport as a public sector organisation has to comply with the public sector equality duties. In the past these duties have focused on three strands – gender, race and disability. However, the Equality Act 2010, which brings together all the previous equality and diversity legislation, establishes a new public sector equality duty, from 6 April 2011, which covers the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race
6. Religion / Belief
7. Sex
8. Sexual Orientation
9. Marriage or Civil Partnership Status (only for general duty 1 below)

The public sector equality duty consists of general and specific equality duties. UK Sport is required to comply with the general equality duty, which means in exercising our functions, we have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
2. Advance equality of opportunity between people who share a protected characteristic and those who do not
3. Foster good relations between people who share a protected characteristic and those who do not

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

## **Sporting Context**

International sport is governed by each International Federation which sets the sports rules and regulations. These include age, gender and weight limitations all of which are designed to ensure fair competition and the safety of each competitor. Where professional athletes are involved in competition, a legal Genuine Occupational Requirement (GOR) might be considered on the basis that it enables athletes to compete fairly, however this affects only a minority of participants in a small number of competitions.

NGBs who successfully bid and host major events in the UK would have to demonstrate that International Federation rules are adhered to, including those

where age limits are placed on competitors, for example junior or Under 23 events. Any legal restriction could limit sports ability to be competitive on the world stage as bids would be less likely to succeed. In addition, athlete welfare may be affected if gender, age or weight classifications were deemed unlawful.

## Organisational development

The *Equality Standard for Sport* Preliminary Level assessment report for UK Sport highlighted our achievements and provided development areas that we have focused on since. Achieving the Intermediate level of the Standard places UK Sport in a small group of organisations including LOCOG, British Swimming and the Amateur Swimming Association.

### ***Areas for improvement identified at the Preliminary Level and through research***

- High performance sport is our business. We need to strengthen how we measure and review the effect of equality practice to drive improvements in the system.
- We need to work harder with partners to deliver tangible outcomes in high performance sport.
- We need to review under-representation by certain groups at middle and senior management levels giving consideration to any unjustifiable reasons for this.
- We need to monitor any significant differences in employment processes and responses to staff surveys.
- We must put all Human Resource policy into practice consistently.
- We must make sure we focus appropriately on the range of equality and diversity issues including religion and belief, disability and lesbian, gay, bisexual, transgender (LGBT) issues.

While a combination of legislation and innovative action adopted in our 2006 - 2009 Equality Strategy has brought us a long way, research commissioned in 2008 by UK Sport and Home Country Sports Councils suggests that inequality and discrimination persist, in particular in the provision of and access to sporting opportunities by black and minority ethnic (BME) communities. These communities are poorly represented at decision making levels and for a number of reasons are excluded or face a range of barriers to sports participation.

## UK Sport Staff

Through the delivery of the 2006-09 Equality Scheme, UK Sport has improved representation across the UK Sport staff team. We will continue to gather data, review under representation and take any necessary actions to ensure continued equality of opportunity at UK Sport.

As at October 2009, the UK Sport staff profile is as follows:

<b>Gender</b>	Male	52%	<b>Disability</b>	No	96%
	Female	48%		Yes	4%
<b>Age</b>	16-25	13%	<b>Ethnicity</b>	White	92%
	26-44	70%		Black	4%
	45-65	17%		Asian	3%
	65 +	0%		Mixed	0%
				Chinese	1%

Religion		Sexuality	
Christian	52%	LGBT	3%
Prefer not to say	2%	Heterosexual	88%
Muslim	1%	Prefer not to answer	9%
Hindu	2%		
Sikh	1%		
Jewish	0%		
Other	1%		
Buddhist	0%		
No Religion	42%		

Our current senior management (Director and Leadership Team) representation is as follows:

Gender	Male 75% Female 25%
Age	26-44 55% 45-64 45%
Disability	None
Ethnicity	White 90% Black 5% Asian 5%

*\*Figures for sexuality and religion or belief for senior managers are not published due to low numbers and the potential for identification*

As these figures suggest, UK Sport's revised recruitments processes have successfully sought more diverse candidates. However, with a changing population the challenge remains to seek the best available people at all levels whilst maintaining best practice.

### ***Background data – UK and high performance sport***

The UK population is projected to increase by 4.3 million to 65.6 million by 2018. This increase is equivalent to an average annual rate of growth of 0.7 per cent. If past trends continue, the population will continue to grow, reaching 71.6 million by 2033. This is due to natural increase (more births than deaths).

### ***Women***

- in mid-2007 there were 31.0 million women compared with 29.9 million men in the UK population
- One in five members of NGB boards is a woman. One quarter of sports have no women in board positions at all, although half of all staff in NGBs are female.
- 22% of Performance Directors are female and only 20% of NGB senior management team members are women. Less than one in ten women plays competitive sport. (*WSFF – Trophy women*)

### ***People with Disabilities***

- there are currently 1.3 million disabled people in the UK who are available for and want to work. Only half of disabled people of working age are in work (50%), compared with 80% of non disabled people. (*ONS Labour Force Survey, March 2009*)
- Disabled people are half as likely to participate in sport as non-disabled people (Sport England 2001) and only one in four disabled children took part in physical education as part of the curriculum in 2002 (*English Federation of Disability Sport, 2002*)

### ***Ethnic Minorities***

- the 2001 Census revealed that the UK today is more culturally diverse than ever before. The 4.6 million people (7.9 per cent) from a variety of non-White backgrounds are not evenly distributed across the country, tending to live in the large urban areas. The different groups share some characteristics but there are often greater differences between the individual ethnic groups than between the minority ethnic population as a whole and the White British people
- Today, nearly 11% of people living in England and Wales were born overseas, representing new arrivals from over 200 countries.

- In Beijing 8% of the British Olympic team and 2% of the Paralympic team were from ethnic minority groups (*UK Sport, 2008*)

While there is a plethora of information available on the number and characteristics of people who participate in sport and recreation there is almost no information on the ethnic or cultural background of those in the high performance system. Without reliable information about ethnic minority involvement and why some sports are or are not attracting ethnic minority participants, it is difficult to determine what can be to identify and develop the best ethnic minority athletes and support personnel within the high performance system.

## **DELIVERING THE STRATEGY**

### **3. UK SPORT PRIORITIES**

We should deliver equality and diversity through our business priorities. UK Sport is bound by the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006 to take positive steps to ensure our core activities, including Performance, Major Events, International Relations and International Development do not deliver disproportionate impact in relation to race, disability and gender.

#### **2011 Amendment:**

We should deliver equality and diversity through our business priorities. UK Sport is bound by the Equality Act 2010 and we therefore need to ensure our core activities, including Performance, Major Events, International Relations and International Development do not deliver disproportionate impact in relation to Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion / Belief, Sex, Sexual Orientation and Marriage or Civil Partnership Status.

The following strategic objectives capture the priority actions for 2010-13. These will enable us to prioritise our activities and ultimately be more effective, efficient and innovative where opportunities arise.

UK Sport will:

#### ***Lead improvement in the high performance sport sector***

By:

- carrying out equality impact assessments on all our policies, programmes and projects, \*
- measuring the progress made by our partners against Key Governance Indicators which will help identify areas of support as they implement the Equality Standard;
- analysing Mission 2012 outcomes to assess equality needs in respect of the three Mission 2012 dimensions

\*This will help set priorities and enable us to make informed decisions when deploying resources and providing support

### ***Inspire confidence among our partners and the UK population***

By:

- making sure we have a balanced approach between working with our NGB partners / stakeholders and carrying out our own specific equality work;
- developing, communicating and delivering our equality schemes in areas of disability, gender and race while also working across all other areas.

### ***Build a reputation for people development, career opportunities and the commitment and skill of all our people***

By:

- including equality and diversity training in our people development programmes;
- reviewing recruitment policies and practices to identify any opportunities for improvement
- monitoring equality and diversity in employment processes; and
- maintaining robust employee complaints and grievance procedures.

### ***Continuously strengthen our ability to deliver.***

By:

- Building a greater understanding of the factors that affect different groups
- Addressing the requirements in the new legislative areas of sexuality and religion or belief;
- developing guidance for staff and partners which prioritises the areas of lowest representation

*\* Equality Impact Assessments (EqIAs) offer an opportunity for UK Sport staff and their teams to think carefully about the impact of their work on Olympic and Paralympic sports and athletes. The EqIA process is not just a legal requirement it actually helps to improve policies, procedures, projects and reviews.*

## 5. MANAGING RISK

There are a number of risks to the successful delivery of this strategy. To help mitigate these an organisational risk map for equality will be prepared to monitor and respond to changes and challenges. For immediate consideration are the following:

Risk	Mitigating action
Failure to identify equality and diversity outcome measures in our planning and performance management systems leading to legal challenge with the related financial and reputation damage this would cause	Equality impact assessments are carried out on all major investment and programme decisions to minimise risk and maximise effectiveness.
Failure to set up essential systems to monitor and manage information leading to less well-informed decision making	<p>Monitoring data will be gathered for all job candidates, staff, athletes and UK Sport funded programme participants</p> <p>Using Mission 2012, Key governance indicators and by monitoring progress against the Equality Standard, we will build a body of evidence of funded partners' achievements and progress</p> <p>We will work with HCSCs, the Equality and Human Rights Commission and Government Equality Executive to maintain</p>
Assumptions that high performance sport may not yet need to consider the impact of a changing population and the potential talent currently unable to access performance pathways	<p>Through the Equality Standard we will support NGBs in building greater understanding of barriers to performance sport.</p> <p>We will also work with HCSCs to build solid pathways so that work undertaken to widen access to participation generates a larger, and more diverse, talent pool</p>

As set out in the UK Sport Equality Policy, accountability for the delivery of this Strategy lies with the Chief Executive. Operational delivery will be the responsibility of Team Leaders and the Equality Policy Officer will provide the necessary information, guidance and support to facilitate this delivery.

## **6. NEXT STEPS**

This Strategy will be submitted to Board for approval in June 2010. Subject to this approval we will then publish the Strategy on our website and develop a one year action plan which sets out the priority actions, lead responsibility and timescales for delivery.

Progress reports will be submitted to Directors biennially and an annual report presented to Board. Quarterly reviews will be led by the UK Sport Equality Group.

## GLOSSARY

This annex provides short definitions of frequently used equality terminology.

### **Mainstreaming**

A process whereby people who set policy, fund and / or deliver services take account of and reflect the diverse needs of the population.

### **BME**

BME refers to Black Minority Ethnic groups and is the language often used within the equalities field.

### **Demographics**

Demographics are population or consumer statistics regarding socioeconomic factors such as age, income, sex, occupation, education, family size, and the like.

### **Disability**

Disability is a term that can be interpreted in different ways by different people however the legal definition of a 'disabled person' is very broad. It covers people with hidden and visible disabilities and long-term health conditions, including many people who wouldn't think of themselves as 'disabled'.

### **Discrimination**

#### *Direct Discrimination*

Direct discrimination means treating a person less favorably than others are or would be treated, on the grounds of race, sex, disability, religion or belief, sexual orientation or age. It includes instruction and pressure to discriminate, harassment, victimisation and racial segregation. The law is not interested in the employer's motives. Provided that a claimant puts forward facts which appear to support a claim of discrimination, a tribunal will uphold the complaint unless the employer has a reasonable explanation. It is the employer's responsibility to be familiar with the legislation.

#### *Indirect Discrimination*

This includes practices which look fair but have discriminatory side effects, which may or may not be intended. It applies when an apparently neutral provision, criterion or practice disadvantages members of one group relative to others. Such discrimination is unlawful unless the provision, criterion or practice can be objectively justified by a legitimate aim, such as the requirements of the job. A tribunal will also consider whether the means used is appropriate and necessary. An

example of indirect discrimination would be a criterion for promotion being 5 continuous years service – this could indirectly discriminate against women who are more likely than men to have taken a break in their career to have and raise children.

### *Positive Discrimination*

Positive discrimination refers to the preferential treatment of members of a minority group over members of a majority group (e.g. females over males, or Asians over Whites). Preferential treatment for members of a minority group is **unlawful** unless it is part of a positive action programme to address under representation, for example the *Women and Leadership Development Programme* or there is a Genuine Occupational Requirement

### **Diversity**

Recognising and valuing individual and group differences.

### **Diversity in the workplace**

This involves:

- Valuing people's differences both visible and non-visible. These differences will include factors such as sex, age, background, race, sexual orientation, disability, religion or belief, personality and work style.
- Managing the needs and contributions of a diverse workforce.
- Positive harnessing and uncovering of all talent.
- Tackling historic barriers of discrimination and disadvantage, which can be experienced by particular groups of people such as carers, disabled people, women, people from ethnic minorities, gay men and lesbians, older people and people with a particular religion or belief.

### **Equality**

Treating all people with dignity and respect, paying due regard to their personal characteristics or circumstances.

### **Equality group**

An equality group refers to a group within one of the six equality strands: Gender, Religion or Belief, Age, Disability, Ethnicity or Sexual Orientation

### **Gender reassignment**

The clinical condition is known as gender dysphoria whereby a person feels he or she has been born into the wrong gender. Reassignment is the process of changing a male body into a female body or vice versa in order to match the person's gender identity.

## **Lesbian, gay, bisexual and transgender**

Lesbians and gay men have an affectional, emotional, romantic, and sexual attraction towards the same sex whilst bisexual people will form similar relationships with the same and opposite sex.

Transgender refers to a person who wishes to live and be accepted as a member of the opposite gender from that to which they were born. Trans issues relate to gender identity not sexuality. Trans people are often grouped with the Lesbian, Gay and Bi-sexual community as the issues faced within the workplace can be similar.

## **Harassment**

Harassment can be defined as: 'Unwanted conduct related to any of the grounds covered by the legislation which takes place with the purpose or effect of violating the dignity of a person and/or creating an intimidating, hostile, degrading, humiliating or offensive environment.' It may include suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter.

Harassment is often based on group membership and may focus on age, disability, nationality, race, sex, sexual orientation, family status, religion or any other personal characteristic, and may affect the dignity of any individual or group of individuals at work.

It is important to note that the courts are primarily interested in the impact of harassment on the recipient – they disregard the intentions of the alleged perpetrator. For example, an individual may regard remarks made to a colleague about their gender as 'harmless banter', but if the colleague finds them offensive then legally this may constitute harassment.

Employers are responsible for ensuring that the workplace is free of harassment. Employers are liable for the behaviour of their employees unless they take reasonable steps to prevent the behaviour occurring.

The courts also consider the workplace to extend beyond immediate working hours and premises to include work related social events. This covers events such as office parties and departmental drinks at the pub.

## **Sexual harassment and sex-related harassment legislation**

Harassment in employment is defined in the Sex Discrimination Act as unwanted conduct on the basis of the recipient's sex or unwanted verbal, non-verbal or physical conduct of a sexual nature. Harassment on the grounds of gender reassignment is also unlawful.

## Homophobia

Homophobia is the irrational hatred, intolerance, and fear of lesbian, gay and bisexual people

## Positive action

Where a particular group is significantly underrepresented in a position or role for a period of 12 months or more, the law allows organisations to take positive action. They can:

- Encourage specified groups to apply for positions in which they are under-represented or
- Provide training to help them develop their potential and improve their chances in competing for particular work.

This might include advertising vacancies through community organisations so as to attract people with a particular ethnic minority background, for example. Or it could involve training for a particular sex to help women or men reach standards for promotion. Positive action means that you can encourage people to apply for, or give people the skills to apply for a particular role. Once they have applied you **cannot** apply different rules to help them through the process or grade them more leniently – this is positive discrimination and is illegal in this country. Applicants must all be judged equally on job-related criteria - employing someone because they come from a particular group and regardless of whether the person has the relevant skills and qualifications is positive discrimination.

## Reasonable adjustment

An employer must take reasonable steps to reduce or remove any substantial disadvantage which is caused to a disabled job applicant or employee, compared to a non-disabled person. Examples of reasonable adjustments include:

- Making premises physically accessible.
- Altering working hours.
- Allowing the employee to be absent during working hours for rehabilitation, assessment or treatment.
- Acquiring or modifying equipment.
- modifying procedures for testing or assessment.
- providing a reader or interpreter.

## Targets

Targets are **not** quotas. Targets are a numerical benchmark or goal against which to measure progress and the size of the change needed. The achievement of targets is not an end in itself. Whether externally imposed or set from within an organisation, targets are a mechanism for concentrating on milestones towards the achievement of fair representation. Targets can be expressed as a minimum

percentage, for example, of the proportion of all new recruits to the workforce x percentage will be from ethnic minority groups. They can also be used to measure parity of outcomes - such as relative success rates.

Targets are not intended to dilute an organisation's commitment to recruit or develop individuals on the basis of merit or competencies. They do however assist organisations in developing transparent and more efficient recruitment processes.