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**Governance Code for Sport**

**Equality Policy**

Guidelines and Checklist

**Disclaimer**

Sport Ireland is making available a range of resources including guidance notes, policy documents and templates for selected areas aligned to the Governance Code for Sport which will support sport organisations, boards, management and staff in the development of relevant governance processes and procedures particular to their own organisation.

For the avoidance of doubt, the final decision on the nature, type, extent and format of approved governance policies, procedures and processes for each organisation is a matter for the board / highest governing structure of the organisation and the resources and material provided may assist the approval process.

This document is not, nor is it intended to be, a definitive statement of the law and it does not constitute legal advice. This document is not a substitute for professional advice from an appropriately qualified source and it is recommended that sport organisations consult their governing document or obtain their own independent legal advice where necessary.  (Note that local authority LSPs will likely utilise the council’s policy in this case.)

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**Managing and supporting staff: why an organisation needs an equality policy**

Principle 2 of the Governance Code for Sport (the Code) is “*Exercising Control Over Our Organisation’*, which is a key responsibility of the Board. It does this through ensuring that relevant legal and regulatory requirements are complied with as outlined in sub-principle 2.1 of the Code.  Organisations should be mindful of their obligations under employment, equality and data protection legislation. The Governance Code recommends that Type B and Type C organisations should have an equality policy in place, whilst Type A organisations must be aware of the nine grounds of discrimination and do as much as possible to ensure discrimination is not taking place.

The Employment Equality Acts of 1998 and 2004 are anti-discrimination legislation, which promote equality and prohibit discrimination in the workplace across the nine grounds of discrimination (i.e. 1) Gender, 2) Marital status, 3) Family status, 4) Age, 5) Disability, 6) Sexual Orientation, 7) Race, 8) Religion, and 9) Membership of the Traveller Community. The purpose of these acts is to protect and promote respect for and understanding of diversity in the workplace.

Having an equality policy helps sport organisations take proactive measures to ensure equality and avoid discrimination.

With relation to equality, employers are liable for anything done by an employee in the course of his or her employment, unless the employer can prove that they "took reasonably practicable steps" to prevent the discrimination. Discrimination is defined as the treatment of a person in a less favourable way than another person is treated in a comparable situation on any of the nine grounds.

Apart from the legislative requirement around equality and discrimination, there is also proof that organisations benefit from having an equality policy and building an equal opportunities environment. It allows access to a wider pool of people and expertise as it sends out a sign that the organisation is open to diversity, and as a result broadens its appeal across society. This in turn can lead to greater creativity, improved decision making, broader appeal to sponsors, and other positive effects as outlined within the Diversity & Inclusion Policy Guidance.

**What is an equality policy?**

An Employment Equality Policy is a Statement of Commitment identifying actions to be taken to prevent Discrimination and Promote Equality.  An equality policy assists with compliance with legislation by providing an agreed basis for implementing practices and procedures that will eliminate discrimination in the workplace.

Further considerations around equality in the organisation include:

* Ensuring that somebody in the organisation has responsibility for equality and promoting the actions within the policy – this may be a volunteer or staff member
* Taking initiatives around equality and reporting on them within the organisation (or beyond, to stakeholders)
* Communicating the equality policy within the organisation
* Making reference to valuing people and equality within the values of the organisation (and in the strategic plan)
* Investing in training around equality and diversity, and availing of equality and diversity training opportunities with Sport Ireland (as well as Cara[[1]](#footnote-1))
* Ensuring that equality is integrated into the staff/volunteer induction programmes and employee/volunteer handbooks and/or policies and procedures
* Regularly evaluating, monitoring and reviewing the equality policies and practices

Whose responsibility is it to ensure an equality policy is in place?

It is the responsibility of the Board to ensure that the Governance Code for Sport is implemented and that legislation is being adhered to. In practice it will be the Chief Executive Officer (CEO) or equivalent who will be supporting the Board in ensuring the practices are in place in the organisation. In the case of larger governing bodies/associations, there may be a HR manager, whose role may include the drafting/regular updating of the equality policy, and overseeing its implementation. As referenced above there may be an Equality Officer (either volunteer or staff member) whose role is to ensure the development and implementation of the equality policy.

What should be contained in an equality policy?

An equality policy should cover the following areas:

* Introduction – to the organisation as one of equal opportunities, where the dignity of staff and volunteers is protected and respected at all times, regardless of Gender, Marital status, Family status, Race, Religious beliefs, Sexual Orientation, Disability, Age or Membership of the Travelling Community
* Objectives – the aim of the policy, being to ensure that no-one receives less favourable treatment on any grounds which cannot be shown to be justified. (This applies to Recruitment and Selection, Training, Promotion, Pay and Employee Benefits, Employee Grievances and Discipline Procedures and all Terms and Conditions of Employment).
* Responsibilities – covering those that rest with the organisation as an employer, whilst also outlining the responsibilities of staff and management
* Structures – whether there is an equality officer and how the policy is communicated and monitored
* Recruitment and selection – what efforts the governing body/association makes to ensure that recruitment affirms diversity and is non-discriminatory
* Development and Training – what efforts the governing body/association makes to ensure equal opportunities for all around training and skills development
* Promotion - what efforts the governing body/association makes to ensure equal opportunities for all around promotion
* Complaints and Redress – what is the grievance procedure in place in the case of any breach of the policy
* Harassment and Bullying – any specific bullying and harassment policy in place
* Positive Action – any specific positive actions being taken to attract or integrate those from minority communities
* Review and Monitoring – any ongoing actions around review of the policy and specific diversity strategies
1. Cara is the national organisation providing a collaborative platform to enhance sport and physical activity opportunities for people with disabilities – see caracentre.ie [↑](#footnote-ref-1)