

# Newcastle United Foundation

## Equality Policy

August 2023

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<b>Drafted By</b>	Sophie Pattison
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<b>Policy Owner</b>	Newcastle United Foundation

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## 1 Statement of Policy

Newcastle United Foundation is committed to being a place where everyone is safe, heard, valued and able to thrive. We will constantly strive to create and uphold a culture of equality, diversity and inclusion (EDI).

The aim of this policy is to:

- 1.1 Provide equality, fairness and respect for all who engage with Newcastle United Foundation
- 1.2 Not unlawfully discriminate against any of the protected characteristics as set out in the Equality Act 2010
- 1.3 Oppose and avoid all forms of unlawful discrimination. This includes in:
  - Pay and benefits
  - Terms and conditions of employment
  - Dealing with grievances and discipline
  - Dismissal
  - Redundancy
  - Leave for parents
  - Requests for flexible working
  - Selection for employment, promotion, training or other developmental opportunities.

## 2 Legal Obligations

Newcastle United Foundation are committed to avoiding and eliminating unfair discrimination of any kind and will not, under any circumstances, condone unlawful discriminatory practices.

Under the Equality Act 2010 the protected characteristics are defined as;

- 2.1 **Age:** A person belonging to a particular age (for example, 32 year olds) or ranges of ages (for example, 18 to 30 year olds).
- 2.2 **Disability:** A person has a disability if she or he has a physical or mental impairment that has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- 2.3 **Gender reassignment:** The process from transitioning from one gender to another.
- 2.4 **Marriage and civil partnership:** Marriage is a union between a man and a woman or between same-sex couples. Same-sex couples can also have their relationships

legally recognised as 'Civil Partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act 2010).

**2.5 Pregnancy and maternity:** Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

**2.6 Race:** Race refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

**2.7 Religion and belief:** Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**2.8 Sex:** A man or a woman.

**2.9 Sexual orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

\*Definitions taken from the Equality and Human Rights Commission\*

Under the Equality Act 2010, it is unlawful to discriminate, harass or victimise someone because they have a protected characteristic, are perceived to have a protected characteristic, or are associated with someone who has a protected characteristic.

There are different forms of discrimination that a person may experience. These include:

**2.1 Direct discrimination:** This means treating someone less favourably than someone else because of a protected characteristic.

**2.2 Direct discrimination by perception:** This means treating one person less favourably than someone else, because you incorrectly think they have a protected characteristic.

**2.3 Direct discrimination by association:** This means treating someone less favourably than another person because they are associated with a person who has a protected characteristic.



**2.4 Indirect discrimination:** When rules or arrangements are put in place that apply to everyone but puts someone with a protected characteristic at an unjustifiable disadvantage.

**2.5 Harassment:** Harassment is unwanted behaviour related to a protected characteristic which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment.

**2.6 Bullying:** Bullying is defined as a form of personal harassment. This involves offensive, intimidating, malicious or insulting behaviour, or even an abuse or misuse of power through means that undermine, humiliate, belittle or injure the recipient.

**2.7 Victimisation:** Victimisation is treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so.

**2.8 Failure to make reasonable adjustments:** A 'reasonable adjustment' is broadly a change to remove or reduce the effect of:

- A colleague's disability, so they can do their job
- A job applicants' disability, when applying for a job

A refusal to make reasonable adjustments when we should, is discrimination under the law.

Newcastle United Foundation will not tolerate the discrimination of any individual or group and any such behaviour will be met with appropriate action.

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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.

### 3 Our Commitment

Newcastle United Foundation commit to:

**3.1** Create and uphold a culture of equality, diversity and inclusion

**3.2** Create an environment free of discrimination, promoting dignity and respect for all, and where individual differences and all contributions are recognised and valued.

This includes training managers and all other employees about their rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities and prevent unlawful

discrimination.

All staff understand they, as their employer, can be held liable for acts of unlawful discrimination, in the course of their employment against fellow employees, customers, partners, participants and the public.

- 3.3** Take all complaints and concerns of discrimination by fellow employees, customers, suppliers, partners, visitors, participants, the public and any others in the course of the Foundations work and activities seriously. All complaints and concerns will be investigated impartially, confidentially, and without avoidable delay. Appropriate action will be taken following the investigation.
- 3.4** Make opportunities for training, development and progress available to all, offering support and encouragement to ensure they are able to reach their full potential.
- 3.5** Review organisation policies and procedures when necessary to ensure they are updated to take account of changes in the law and continue to assure fairness.
- 3.6** Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy. Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

## **4 Grievances and/or Concerns**

Newcastle United Foundation consider all forms of discriminatory behaviour, including (but not limited to) behaviour described in the Legal Obligations section of this policy as unacceptable, and want to ensure individuals feel able to raise any bona fide grievance or concern related to such behaviour without fear of being penalised for doing so.

Any person who believes that they have been treated in a way that they consider to be in breach of this policy will in the first instance, speak to the person(s) involved to remind them that their behaviour is unwanted or makes you feel uncomfortable, and asking them to stop, can be an effective way of helping others understand the impact of their behaviour. It also gives them the opportunity to do the right thing, apologise, and stop what is causing concern or offence.

If you do not feel that informal steps are appropriate, or they have been unsuccessful, you should raise the matter formally under our grievance procedure. All complaints will be investigated in accordance with our grievance procedure. If we consider that there is sufficient evidence to suggest you have been discriminated against we will consider the appropriate action to take. If the person accused is an employee, this may include invoking our disciplinary procedure. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Where the violation of the Equality Policy amounts to a criminal offence, the appropriate authority will be informed. In the event that an individual or organisation associated with the Foundation is subject to allegations of discrimination in a court or tribunal, the Board of Trustees will cooperate fully with any investigation carried out by the relevant lawful authorities and, subject to the outcome, will consider taking action as above in relation to the matter concerned.