

SSS Equality Policy

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1.1	Updated in line with Sporting Equals recommendations & review period	May-25

Policy Statement

Scottish Student Sport (hereafter to be referred to as “SSS”) endorses the principles of sports equality and will strive to ensure that everyone who wishes to be involved in student sport & physical activity in Scotland:

- has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities;
- can be assured of an environment in which their rights, dignity and individual worth are respected, and in particular that they are able to enjoy their sport without threat, victimisation or harassment.

SSS will also work towards creating a more diverse workforce that reflects the population of Scotland.

Legal obligations

SSS is committed to avoid and eliminate unlawful discrimination, harassment and of any kind in SSS-endorsed student sport & physical activity in Scotland, and will under no circumstances condone unlawful discriminatory practices. The organisation takes a zero-tolerance approach to harassment. Examples of the relevant legislation and the behaviours in question are given in the Appendix.

Positive action

The principle of Sports Equality goes further than simply complying with legislation. It entails taking positive steps to counteract the effects of physical or cultural barriers – whether real or perceived – that restrict the opportunity for all sections of the community to participate equally and fully.

SSS will therefore seek to institute, support or contribute to appropriate measures or initiatives that enable access to student sport & physical activity in Scotland and participation in associated activities between people who share a protected characteristic and those who do not.

Implementation

The following steps will be taken to publicise this policy and promote sports equality in student sport & physical activity in Scotland:-

- A copy of this document will be published on the SSS Website.
- The SSS Chair will take overall responsibility for ensuring that the policy is observed.
- The Executive Committee will take full account of the policy in arriving at all decisions in relation to activities of SSS.
- SSS will collaborate fully with any surveys or other initiatives designed to assess the level of participation of different sections of the community in student sport & physical activity in Scotland and will take account of the findings in developing measures to promote and enhance sports equality in student sport & physical activity in Scotland.
- SSS will provide access to training for all of its Executive Committee Members to raise awareness of both collective and individual responsibilities.
- It will be a condition of SSS membership that member institutions:
 - o commit to act in accordance with this policy; and
 - o formally adopt this policy, or produce their own equality and diversity policy in terms that are consistent with it; and
 - o support such measures and initiatives that SSS may institute or take part in to advance the aims of this policy.

Responsibility, Monitoring and Evaluation

The Executive Committee will be responsible for ensuring the implementation of this policy. The Executive Committee will review all SSS activities and initiatives against the aims of the policy on an annual basis, and the Chair will report formally on this issue at the AGM.

The Executive Committee or, where appropriate, a designated project leader, will review any measures or initiatives that SSS may institute or take part in to promote and enhance sports equality in student sport & physical activity in Scotland, and will report their findings formally to the AGM. The Executive Committee will review the policy itself at intervals of no more than two years, (or when necessary due to changes in legislation) and will report with recommendations to the AGM.

Complaints and compliance

SSS regards all of the forms of discriminatory behaviour, including (but not limited to) behaviour described in the Appendix as unacceptable, and is concerned to ensure that individuals feel able to raise any bona fide grievance or complaint related to such behaviour without fear of being penalised for doing so.

Appropriate disciplinary action will be taken against any employee, member or volunteer who violates the SSS Equality Policy. This will include due reference to other SSS Human resources policies as appropriate.

Any member of SSS staff who believes that they have been: unfairly discriminated against; harassed; or victimised by any other member of SSS staff or Executive Council should follow the procedures set out in the University of Edinburgh's Grievance policy which are adopted for use by SSS.

Any other individual who believes that they have been treated in a way that they consider to be in breach of this policy by a member of SSS staff, should first complain to that person or their member institution. If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against SSS itself, the person may raise the matter by writing directly to the Chair.

The Chair's contact details are available on Governance page of the SSS website
<https://scottishstudentsport.com/about/governance/>

The Chair will investigate the complaint personally or appoint a committee member to do so. The investigation will be conducted impartially, confidentially, and without avoidable delay.

The initial stage of any investigation will be to confirm the role of SSS in any complaint – where the complaint is solely relevant to one member institution, the complaint shall be referred to that institution's equality staff. Any person or organisation against whom a complaint has been made will be informed of what is alleged and given the opportunity to present their side of the matter.

The outcome of the investigation will be notified to the parties in writing and reported to the SSS Executive Committee. If the investigation reveals unacceptable discriminatory behaviour on the part of an individual member of staff, or institution the Executive Committee may impose sanctions on that person or organisation. Sanctions may take a wide range of outcomes but on deciding what sanction is appropriate in a particular case the Executive Committee will consider the severity of the matter and take account of any mitigating circumstances.

Where the violation of the Equality Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the appropriate authority will be informed.

In the event that an individual or organisation associated with SSS is subject to allegations of unlawful discrimination in a court or tribunal, the SSS Executive Committee will co-operate fully with any investigation carried out by the relevant lawful authorities and, subject to the outcome, may consider taking action as above in relation to the matter concerned.

APPENDIX – Relevant legislation and forms of unacceptable discrimination

Legal rights

The Equality Act 2010

The Equality Act 2010 prohibits unlawful discrimination, harassment and victimisation. It also requires public authorities to actively eliminate discrimination, advance equality of opportunity and foster positive community relations in their decision-making, policy and practice.

The following nine characteristics are protected under the Act:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex (gender)
- Sexual orientation
- Pregnancy and maternity
- Marriage and civil partnership

The Equality Act 2010 can be considered in two parts:

- Anti-discriminatory framework - this sets out the basic legal framework, which prohibits unlawful discrimination, harassment and victimisation and applies to the public, private and voluntary sectors.
- Public Sector Equality Duty - this places additional legal duties on public authorities that require them to actively eliminate discrimination, advance equality of opportunity and foster positive community relations in their decision-making, policy and practice

Forms of discrimination and discriminatory behaviour include the following:

Direct discrimination

Direct discrimination can be described as less favourable treatment because of an actual or perceived protected characteristic.

Discrimination by association

Discrimination by association is when someone is treated less favourably because of an association with someone who has a protected characteristic. Protection from discrimination by association covers age, disability, gender reassignment, sex, race, religion and belief, and sexual orientation. Marriage and civil partnerships or pregnancy and maternity are not covered.

Indirect discrimination

Indirect discrimination is when a working practice, policy or rule is the same for everyone but has a worse effect on someone because of a protected characteristic.

Perception Discrimination

When an employer or service provider directly discriminates against someone whom they believe has a protected characteristic, even if they actually don't. This protection applies to age, race, religion and belief, sexual orientation, disability, gender reassignment and sex. As for discrimination by association, it does not cover marriage and civil partnership or pregnancy and maternity.

Discrimination arising from disability

When a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified, this is unlawful. This type of discrimination only relates to disability.

Harassment

Harassment is defined as unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity, or which creates an intimidating or hostile, degrading, humiliating or offensive environment for that person.

Victimisation

It is unlawful to treat a person less favourably because he, she or they have made allegations or brought proceedings under the anti-discrimination legislation, or because they have helped another person to do so. To do so would constitute victimisation.