



EQUALITY, DIVERSITY & INCLUSION POLICY – COVER SHEET

Version:	1
Date approved:	21/04/2021
Approved by:	Board of Directors
Review Date:	21/04/2024

VERSION HISTORY

Version	Date	Changes Made	Implications

For the purpose of the 2021 policy review undertaken by British Ice Skating all version numbers will begin at one. Where previous versions do exist these will be archived for reference by the Association.

REVIEW PROCESS

This policy will be reviewed every three years, or sooner should the owner, legal requirements or organisational change deem it to be relevant or required.

APPLICATION

This policy is to be read by all stakeholders of BIS and should be read in conjunction with the BIS Anti Bullying Policy and Complaints & Disciplinary Policies.

EQUALITY, DIVERSITY & INCLUSION POLICY

1. PURPOSE

- 1.1 British Ice Skating (BIS) is fully committed to the principles and practice of equality, diversity and inclusion in all its functions. It is responsible for ensuring that no stakeholders are unlawfully discriminated against because of protected characteristics or any other relevant characteristic.
- 1.2 BIS considers the ice skating disciplines to provide “sport for all”. They can and should be made accessible to everyone, to the greatest extent possible.
- 1.3 To that end, all stakeholders whether permanent or temporary, are responsible for the promotion and advancement of this Equality, Diversity & Inclusion Policy. BIS will strongly encourage partner organisations to adopt and demonstrate their commitment to the principles and practices as set out in this policy and it will be a requirement of all members and affiliated organisations.

2. OBJECTIVES

- 2.1 BIS recognises that individuals (and/or certain groups in our society who share one or more Protected Characteristics) may not have been able to participate equally and fully in sports related activities in the past. This policy has been produced to try to prevent and address any unlawful discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect, against stakeholders, that may preclude them from participating fully in ice skating related activities.
- 2.2 BIS recognises the diversity of provision that is required in order to ensure that all people regardless of their protected characteristics or social or economic background can access skating and develop at a level that is appropriate to them.
- 2.3 BIS recognises the need to provide different and diverse opportunities as a means of creating entitlement, inclusion, and access.
- 2.4 In addition, BIS recognises that we live in a diverse society and will endeavour to ensure that all stakeholders are given equal opportunities regardless of their Protected Characteristics and/or socio-economic backgrounds.
- 2.5 BIS is fully committed to the elimination of unlawful and unfair discrimination and values the differences that a diverse set of stakeholders brings to the organisation.

- 2.6 The aim is for our Organisation to be representative of all sections of society and to provide equality, inclusion, fairness and respect for all.
- 2.7 BIS shall promote dignity in the workplace which will form part of internal HR policies. It is also committed to avoiding all forms of unlawful discrimination including but not limited to employee selection, pay, disciplinary procedures, statutory requirements and working arrangements.

3. DEFINITIONS

- 3.1 Within this policy, unless the context requires otherwise:

"stakeholder"	means job applicant, employee, volunteer, member, service user, supplier, contractor or person within its jurisdiction
"protected characteristics"	means age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation as defined by the Equality Act 2010 or as amended from time to time.

4. LEGISLATION

- 4.1 BIS is required by law not to unlawfully discriminate against its stakeholders and recognises its legal obligations under, and will abide by the requirements of the Equality Act 2010 and any equivalent legislation (as amended) in any UK jurisdiction, Jersey, Guernsey or the Isle of Man and any later amendments to such legislation or subsequent equality related legislation that may be relevant to BIS.
- 4.2 BIS will seek advice each time this policy is reviewed to ensure it continues to reflect the current legal framework and good practice.
- 4.3 BIS recognises the following as being unacceptable:
- 4.3.1 DISCRIMINATION
- 4.3.1.1 Unlawful discrimination which can take the following forms:
- 4.3.1.2 *Direct discrimination:* treating someone less favourably than you would treat others because of a Protected Characteristic.

- 4.3.1.3 *Indirect discrimination*: applying a provision, criterion or practice which, on the face of it, applies equally to all but which, in practice, can disadvantage individuals with a particular Protected Characteristic. Such requirements or conditions are lawful only if they can be objectively justified.
- 4.3.2 HARRASSMENT
 - 4.3.2.1 Engaging in unwanted conduct relating to a relevant Protected Characteristic or unwanted conduct of a sexual nature where the conduct has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient, or any other individual affected by such conduct.
- 4.3.3 BULLYING
 - 4.3.3.1 the misuse of power or position to criticise persistently or to humiliate and undermine an individual's confidence.
- 4.3.4 VICTIMISATION
 - 4.3.4.1 subjecting someone to a detriment because they have in good faith taken action under the Equality Act 2010 (or equivalent legislation) by bringing proceedings, giving evidence or information in relation to proceedings, making an allegation that a person has contravened the Equality Act 2010 (or equivalent legislation) or doing any other thing for the purpose of or in connection with the Equality Act 2010 (or any equivalent legislation).
- 4.3.5 BIS regards discrimination, harassment, bullying or victimisation, as described above, as misconduct. All complaints will be taken seriously and appropriate measures including disciplinary action may be brought against any stakeholder who unlawfully discriminates against, harasses, bullies or victimises any other person.
- 4.3.6 BIS is committed to ensuring that its stakeholders are able to conduct their activities free from discrimination, harassment, bullying or victimisation.
- 4.4 TRANSGENDER ATHLETES
 - 4.4.1 The sports of figure skating and speed skating belong to and should be enjoyed by anyone who wishes to participate in them. BIS governs domestic figure skating competitions in the UK and under its own and ISU (International Skating Union) rules.

- 4.4.2 With respect to participation in competitions, BIS has adopted the International Olympic Committee's position on transgender athletes as set out in the Stockholm Statement 2003 and the IOC Consensus Meeting on Sex Reassignment and Hyperandrogenism November 2015, and as amended by the IOC and/or the ISU from time to time.
- 4.4.3 The Gender Recognition Act 2004 (the "Act") permits transgender people who have taken decisive steps to live fully and permanently in their acquired gender to gain legal recognition of that gender and have their fundamental rights to privacy, family life and freedom from discrimination respected. The Act however allows Sports Organisations to restrict or prohibit the participation of those whose gender has become an acquired gender under the Act in gender affected sports. A gender affected sport is one where the average physical strength, stamina or physique of one gender would put them at an advantage to those of the other gender in competitions within the sport. Such prohibitions or restrictions can only be made in the interests of fair and safe competition.
- 4.4.4 GENDER REASSIGNMENT
- 4.4.4.1 Under the Equality Act 2010, a person has the characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning that person's sex by changing physiological or other attributes of sex
- 4.4.4.2 A reference to a transgender person is a reference to a person who has the characteristic of gender reassignment.
- 4.4.4.3 The reassignment of a person's gender may include undergoing medical gender reassignment treatments. However, it is not necessary for somebody to have undergone medical treatment in order to have the characteristic of gender reassignment. A transgender person may or may not be proposing to undergo, be in the process of undergoing, or have completed a reassignment of their sex. Gender reassignment is a personal process (that is, moving away from one's birth sex to the preferred/affirmed gender), rather than a medical process.
- 4.4.4.4 Gender reassignment is one of 9 protected characteristics under the Equality Act 2010, and as such transgender people are protected against discrimination.
- 4.4.4.5 The Gender Recognition Act 2004 also makes clear that the trans status of a person is confidential.

4.4.5 BIS POLICY

4.4.5.1 For Domestic Competitions:

4.4.5.1.1 Those who transition from female to male are eligible to compete in the male category without restriction.

4.4.5.1.2 Those in transition from male to female are eligible to compete in the female category up to and including level three criteria in Figure Skating, below Junior C in Speed Skating, or where the entry has no effect on other skaters qualifications and at any level in Inclusive Skating and all Disability Sport competitions.

4.4.5.2 For Domestic Competitions (At level four criteria or above in Figure Skating and/or Junior C or above in Speed Skating) and all international competitions:

4.4.5.2.1 Skaters must abide by the rules as set out by the International Olympic Committee's position on transgender athletes as set out in the Stockholm Statement 2004 and the IOC Consensus Meeting November 2015 and as amended by the IOC and/or the ISU from time to time.

4.4.5.2.2 An individual who has undergone gender reassignment may participate under their acquired gender where they meet the following conditions:

4.4.5.2.3 Those who transition from female to male are eligible to compete in the male category without restriction.

4.4.5.2.4 Those who transition from male to female are eligible to compete in the female category under the following conditions:

4.4.5.2.5 The athlete has declared that their gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.

4.4.5.2.6 The athlete must demonstrate that their testosterone level in serum has been below 10 nmol/L for at least 12 months prior to their first competition (with the requirement for any longer period to be based on a confidential case-by-case evaluation, considering whether or not 12 months is a sufficient length of time to minimise any advantage in women's competition).

4.4.5.2.7 The athlete's total testosterone level in serum must remain below 10 nmol/L throughout the period of desired eligibility to compete in the female category.

- 4.4.5.2.8 Compliance with these conditions may be monitored by testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months.
- 4.4.5.2.9 Where appropriate, for recognition of their acquired gender athletes may have their application considered by a Medical Officer who will assess the application to ensure that the individual meets the necessary conditions.
- 4.4.5.2.10 An individual whose application is refused will have the right to appeal that decision to an independent appeals panel established by Sports Resolutions.
- 4.4.5.2.11 To avoid discrimination, if not eligible for female competition, the individual should be eligible to compete in male competition.
- 4.4.5.2.12 This policy should be applied flexibly, taking into account the youth and development of the skaters.
- 4.4.5.2.13 The presumption is that there is no unfair advantage in transition from female to male.
- 4.4.5.2.14 The presumptions can be rebutted by evidence on a case by case basis.
- 4.4.6 PRIVACY
- 4.4.6.1 BIS (and its officers and staff) and any organisers of events sanctioned by BIS shall not disclose any information obtained from an individual in accordance with this policy unless:
- The disclosure of that information does not enable the individual competitor to be identified;
 - The individual competitor to whom the information relates has agreed to its disclosure;
- or
- It is under a legal duty to disclose the information.

5. RESPONSIBILITIES

5.1 The following responsibilities will apply:

5.1.1 The Board of BIS is responsible for ensuring that this policy is reviewed and enforced and any breaches are dealt with appropriately.

5.1.2 A Director of BIS will be appointed by the Board in consultation with the Chief Executive as the “Equality & Diversity Champion” and will ensure that equality, diversity and inclusion is included as an agenda item at Board meetings when appropriate and that the Board takes relevant issues into consideration when making decisions.

5.1.3 The Chief Executive, has the overall responsibility for the implementation of this policy and for achieving any related actions resulting from it. They will work in conjunction with the Equality & Diversity Champion.

5.2 BIS will produce, maintain and monitor a separate Equality, Diversity & Inclusion plan to ensure the objectives of this policy are consistently delivered throughout all areas of the organisation and to make positive progress towards accessibility in a proactive manner. This will be managed by the Chief Executive and reviewed by the Equality & Diversity Champion. Progress relating to this plan will be recorded and a full report will be presented annually to the Board for review, with the key data being published.

5.3 Every stakeholder of BIS is required to assist BIS to meet its commitments under the Equality, Diversity & Inclusion Policy which includes providing equal opportunities and avoiding unlawful discrimination.

6. IMPLEMENTATION

6.1 Objectives relating to fair and inclusive practices will be included in all employees’ performance indicators and will form an integral part of performance reviews throughout the year. Individual work programmes for BIS staff will be amended to include equality, diversity and inclusion related tasks where appropriate.

6.2 Equality monitoring forms will be included alongside any job postings of BIS. These will be non-mandatory but aim to assist in data collection and ensuring balance and diversity within the Organisation. Member surveys will also be used periodically to gather further data on diversity and inclusion.

- 6.3 No applicant for any post (including job applicants, consultants, advisers and suppliers) will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unlawful discrimination.
- 6.4 Consultants and advisers (and where appropriate, suppliers) to BIS will be required to abide by this Equality, Diversity and Inclusion Policy and it will be referred to in any service level agreements or contracts issued by BIS.
- 6.5 BIS will join appropriate organisations in order to network, promote and exchange best practice relating to equality, diversity and inclusion.
- 6.6 This policy will be highlighted in all staff and volunteer inductions.
- 6.7 A copy of this Equality, Diversity & Inclusion Policy will be publicly available on the BIS website and copies in other formats will also be available from BIS Head Office.
- 6.8 BIS will continually promote equality standards and respect professional development for all its workforce to support equal opportunities within the organisation.

7. REPORTING & COMPLAINTS

- 7.1 BIS takes issues and complaints regarding bullying, harassment, victimisation and unlawful discrimination very seriously.
- 7.2 To safeguard individual rights under this policy, any stakeholder who believes they have suffered inequitable treatment within the scope of this policy may raise the matter to the BIS Office.
- 7.3 In the event that it is a complaint regarding this policy, the complainant shall be directed to the BIS Complaints and Disciplinary Policies.
- 7.4 Appropriate action may be taken against any BIS stakeholder who is found to have violated this policy.
- 7.5 Acts of discrimination, harassment, bullying or victimisation against employees or other stakeholders are disciplinary offences and will be dealt with under the BIS disciplinary procedures. Conduct of this type will often be gross misconduct which may lead to dismissal without notice.
- 7.6 Individuals can be held personally liable as well as, or instead of, BIS for any act of unlawful discrimination. Persons who commit serious acts of harassment may also be guilty of a criminal offence.