



Title: **Equality Policy**

Date: 25 February 2016

## **EQUALITY / EQUAL OPPORTUNITY POLICY**

### Statement of Intent

The Birstall Golf Club [the Club] subject to the legal authority of the Council, in compliance with the Equality Act 2010 or any statutory modification thereof, relevant English, UK and European legislation and all other statutory obligations, are resolute in their determination to pursue respective equality of status to all members, associate members, visitors, guests, volunteers, present and potential employees servants agents and service providers associated with those companies. We will endeavour to ensure that every person, as identified above, regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex or sexual orientation, pregnancy and maternity has a genuine opportunity to participate to their full potential at all levels and in all roles within the Club.

### **Equality Policy**

In accordance with the Equality Statement of Intent agreed by Birstall Golf Club, the Council of the club have produced the following Equality Policy. This policy shall be subject to annual review and shall remain effective (subject to minor changes determined only by legislation by the need to make reasonable adjustments to practices procedures and policies or as agreed by practical experience, in keeping with current legislation) during this period.

- A copy of this document is available to all paid staff, agents and service providers and volunteers of the Club together with its members, visitors, guests and associate members and its content will be covered in all induction programmes carried out or organised by the club for all such persons.
- No job application will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unfair discrimination.
- All members, visitors, guests, associate members, employees, agents, service providers and volunteers have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of the policy.
- The policy will be available on the Club website and within the registration process, all electronic green fee enquiries will be automatically directed to the policy.
- All staff, agents and service providers will receive appropriate training.

### **Membership**

- The Birstall Golf Club [the Club] will ensure that each application for membership will be determined in accordance with the club's statement on equal opportunities. Other than the total maximum membership number as identified by the Council, no upper membership limits will be applied to any category of membership although to protect against the erosion of any group of members, the Club has agreed that a minimum number of spaces has been allocated to both genders. The Club may apply an upper limit on the numbers in any category provided that no category is determined by reference to any of the protected characteristics.
- All subscriptions fees are based on seven day membership and will be equal for all categories save where the club have decided the need for positive action measures and have agreed to offer financial incentives to;
  - alleviate disadvantage experienced by people who share a protected characteristic as identified above,
  - junior members for the duration of the specified membership status,

- encourage increased levels of membership to a pre-determined number within specific categories, which may include, for example, certain age groups or other selected under-represented groups.
- Such incentives shall only apply for the agreed duration of the specific recruitment drive initiative or until the requisite number of vacancies has been filled or, in the case of juniors, until such time as the member no longer qualifies under the age requirements of the junior section.
- Applications for membership will be as determined by the Council and will comply with the requirements of the Equality Act 2010 or any statutory modification thereof. Applicants who are considered to be suitable for membership will be allocated membership on a first come, first served basis save that the Council may in their absolute discretion but only where the number of members in an under-represented has fallen below the agreed minimum and solely to protect against the erosion of that group of members admit in preference to a member of another group an applicant who has a protected characteristic of the underrepresented group,

### Membership Rights

- All material prepared, produced and distributed by, or on behalf of the Club will endeavour to promote a clear image of diversity within the club.
- Clear guidance and communication will be given to all members or individuals either governing or working for the Club on its commitment to Equity through the appropriate mediums.
- All participants at the Club, in whatever capacity shall receive fair and equitable treatment in all aspects of their membership.
- All members will have equal access to all joint function rooms and bars at all times save where acceptable similar facilities have been provided to allow single sex occupation at certain agreed times.
- Members who wish to transfer their category of membership shall have their request considered by the Council who will make their decision based on availability.
- All bye-laws introduced by the Council shall reflect fair and equitable treatment in respect of the club's practices policies and procedures they are designed to address.

### Officers of the Club

#### Responsibilities

The Council is responsible for ensuring that the Club operates in accordance with the Memorandum of Association, the Constitution and the Rules and Bye Laws as written and updated from time to time and in conformity with the Equality Act 2010 or any statutory modification thereof.

- The Council shall be elected in accordance with the procedures as identified in the Constitution of the Club.
- Any member, who meets the criteria for election to the Council, shall be encouraged to allow themselves to be nominated.

#### Captaincy

- There will be separate captains for each gender section of the club.
- Proposals and nominations for each captaincy will be in accordance with the procedures as identified in the Constitution.

- Each captain shall comply with the responsibilities of captaincy as identified in the Constitution and shall represent their section of the club at all events that fall within their jurisdiction under those directions.
- In their year of office the two captains shall share responsibility and authority for all club functions and will agree at the outset of their term of office those events which will be undertaken individually or jointly.

#### Presidency/Club Captain/Chairman

- In accordance with the Constitution there shall be a two Presidents/two Captains/Chairman who shall be selected in accordance with the procedure as identified in the Constitution.
- The Presidents/Captains/Chairman shall remain in office for a period stated in the club rules during which time he/she will officiate at those other functions where attendance and/or responsibility has not been previously agreed to be within the scope of the office of either of the two section captains.
- The Presidents/Captains/Chairman may delegate responsibility to either or both of the section captains at his/her discretion.
- In the event that the Presidents/Captains/Chairman is unable to fulfil his/her duties at a particular event, the responsibility to attend on his/her behalf shall be agreed between the section captains.
- The Presidents/Captains/Chairman will review the Compliance Committee reports on an annual basis to establish progress against aims and ensure the Statement and Policy remain appropriate and effective

#### Course access

**General** All members shall enjoy equal access to the golf course at all times save only where this is superseded by the limitations of any restricted access membership.

- Conditions of Entry to club competitions shall be as specifically identified in “The Terms and Conditions of Entry”.
- The playing of designated trophy competitions shall take precedence within the competition calendar of the club. On such occasions and for the duration of the allotted tee reservation, the course will only be available to participants in the competition.
- Where it can be identified that the preponderance of male competitions denies equal access to females at weekends or at regular or particular times, the club will ensure that suitable alternative opportunities for weekend play for females are included in the playing calendar the details of which will be easily accessible by all members and will be included within the Membership Handbook and /or the Rules and Byelaws of the Club.
- Handicap Qualifying Competitions shall be open to all members and shall be played concurrently subject only to gender variations as determined by the Council of National Golf Unions (CONGU) Unified Handicapping Scheme. Tee time availability will be in accordance with the current tee time booking procedure.
- When general play conditions prevail, access to the course shall be in accordance with the tee time booking procedure and shall allow for equal access to all categories of members.
- Individual members will not be allowed to make tee time reservations on behalf of more than eight players (for fourball play) or three tee time slots (for play in threes).

#### Exemptions

- The Club reserves the right to limit competition to specific age, gender or disability groups where this is necessary to ensure equitable, safe and equal competition. The Club will take positive action in providing opportunities to increase the inclusion of people from under-represented groups.

### **Rules and Bye Laws**

The terms and conditions of membership and playing rights do not affect the R&A Rules of Golf relating to Etiquette nor the general Rules and Bye Laws of the Club.

### **Compliance Committee**

Representatives from the Council will be selected to form a Compliance Committee to ensure that the requirements of the Equality Bill and the Terms and Conditions of this Equality Statement are being adhered to and to monitor and evaluate the interpretation of these documents.

- The Presidents/Captains/Chairman will review the Compliance Committee reports on an annual basis, to establish progress against aims and ensure the Statement and Policy remains appropriate and effective.
- The Compliance Committee shall report directly to the Council with whom overall responsibility for ensuring adherence to the Equality Bill and the Terms and Conditions of this Equality Statement rests.
- Selection to the compliance committee shall be in accordance with the Constitution.
- The committee will review process and operation to consider the level of compliance in relation to the legislation.
- The committee should identify areas and processes for change where necessary and make reasonable adjustments to this Statement of Intent and the Equality Policy as required.
- The committee should record their reasonable conclusions and track progress to completion of any changes that they recommend in consideration of the Act.

### **Complaints**

The content of this document applies equally to members, associate members, visitors, guests, employees, servants, agents and service providers of the club. The Presidents/Captains/Chairman has overall responsibility to the Council for ensuring that the requirements of this document are implemented. The day to day responsibility for the Statement of Intent and Equality Policy will rest with the Secretary/Manager.

- Any complaint or grievance will be dealt with via the appropriate policy and procedures, e.g. Disciplinary Procedure, Grievance Procedure or Mediation process.
- Allegations of inequitable behaviour emanating from the actions of an employee of the club will be investigated in accordance with the terms and conditions of employment relating to that employee.
- Allegations of inequitable behaviour emanating from the actions of the club Professional or any of his staff who are members of the Professional Golfers Association (PGA) will be investigated in accordance with the terms and conditions of the agreed contract between the Club and the Professional staff or if none within the Complaints Procedure applying to a Breach of the Club's Equity Policy. All incidents and allegations shall be notified to the PGA for their records.
- Allegations of inequitable behaviour emanating from the actions of a member towards a fellow member, an associate member, a visitor, a guest, an employee, servant agent or service provider will be investigated within the Complaints Procedure applying to a Breach of the Club Equity Policy. If an incident involving a member of the Club is alleged to have occurred touching upon the conduct

of a member at another golf club and reported to the Club in accordance with that club's policies, the member shall be subject to a Disciplinary Hearing at the Club.

- Allegations of inequitable behaviour emanating from the actions of a casual visitor to the club who is a member of a golf club affiliated to the English, Scottish or Welsh Golf Unions towards a member, an employee, visitor, or guest will be initially investigated by the Secretary/Manager of the Club. If the evidence leads the secretary/manager to conclude that a breach of the Club Equity Policy has likely occurred, the evidence should be passed to the home club of the alleged offender to be further investigated and dealt with in accordance with their Disciplinary Procedures. If the home club declines to investigate the allegation the Club may refer the incident to their County Union/County Association for action under their Disciplinary Policy and Procedures. If the County Union/Association declines to investigate the Club may refer the incident to the relevant Home Golf Union for action under their Disciplinary Policy and Procedures. If such a situation occurs and the allegation is proven, the Club, in addition to any sanction imposed at that hearing, will exercise their own prerogative in respect of initiating an appropriate action and which will be limited to the authority of the Club, against the alleged offender on behalf of the Club.
- Allegations of inequitable behaviour emanating from the actions of a casual visitor to the club who is not a member of a golf club affiliated to any of the Home Unions towards a member, an employee, visitor or guest will be initially investigated by the Secretary/Manager of the Club. If the evidence leads the secretary/manager to conclude that a breach of the Club Equity Policy has likely occurred, the evidence should be passed to the appropriate authorities for action under the Equality Laws and to the relevant Home Union for action under their Disciplinary Policy and Procedures. If such a situation occurs and the allegation is proven, the Club, in addition to any sanction imposed at that hearing, will exercise their own prerogative in respect of initiating an action against the alleged offender banning them from the Club for a period of time to be agreed. In the event that an allegation is proven the Club (cognisant of Human Rights Law) will use its best endeavours to notify other clubs of the outcome and of the name of the offender.
- In all cases the alleged offender will be invited to attend the Disciplinary Hearing. If this invitation is declined then the hearing shall precede *absente reo*.

If any dispute arises in connection with this policy, the parties will attempt to settle it by mediation in accordance with the Mediation Procedure of the National Golf Club's Advisory Association (NGCAA). Unless otherwise agreed between the parties, the mediator will be nominated by the Chairman of the NGCAA. To initiate the mediation a party must give notice in writing ('ADR notice') to the other party(ies) to the dispute requesting mediation. A copy of the request should be sent to the NGCAA. The mediation will start not later than 56 days after the date of the ADR notice. The commencement of mediation will not prevent the party(ies) commencing or continuing court proceedings/an arbitration.

### **Discipline**

In accordance with the Club Code of Conduct, Disciplinary and Grievance Policy and Procedures, any reports of alleged breaches of our Equity Policy will be investigated and appropriate disciplinary action will be taken, based on the outcome of the investigation.