

Summary Information	
Title:	Equality, Diversity & Inclusion Policy
Purpose:	To strengthen the policy in the following areas – Language and intent, definitions of ED&I, correct reference of legislation and add relevant legislation.
Author:	Ajay Sharma – Head of Inclusion & People
Individuals consulted in developing the policy:	Salah Mirza (Board Champion), Gill Cummings-Bell (Interim CEO), SMT, namely Shelley Meyern, Sue Wilkie and Alex Martin. EDI Champions – Sarah Leeves and Sarah Partington.
Responsible Director:	Gill Cummings-Bell
Approved by:	The Board tbc
Date approved:	23 June 2023
Next Review Date:	June 2026
Target Audiences:	All staff and will also be published on EMD UK website and used by Founder organisations.
Location of Document:	P:\HR\EMD UK POLICIES
Related internal policies:	Recruitment & Selection, Safeguarding, Staff Handbook
Relevant external regulations of guidance:	Legislation, Sport England Code of Sports Governance
Area of EMD UK strategy it relates to:	All strategic goals and operational plans

Version Control

	Date	Author	High level description of major changes
Previous version	March 2021	Shelley Meyern with Board sign off	
This version	June 2023	Ajay Sharma	To strengthen the policy in the following areas – Language and intent, definitions of ED&I, correct reference of legislation and add relevant legislation to support inclusion plans.

1. Introduction

- 1.1 EMDUK is the voice of group exercise instructors in the UK. We understand the power of group exercise and physical activity to improve the health and well-being of all communities regardless of background, circumstances or abilities.
- 1.2 EMDUK is acutely aware of its moral obligation to address inequalities and as such is committed to ensuring that we are an organisation which is inclusive and welcoming of diversity. Our aim is that everyone has a genuine and equal opportunity to participate in group exercise activities.
- 1.3 In addition, this commitment and specifically this policy reflects the provisions of the Equality Act 2010 and also the relevant requirement within A Code of Sports Governance. A sector-wide code that sets out the levels of transparency, diversity and inclusion, accountability and integrity that are required from those organisations who are in receipt of UK Government and National Lottery funding from Sport England.
- 1.4 We will create a working environment in which all individuals can make the best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. EMD UK is committed to avoiding unlawful discrimination in all areas of its work and development and this policy is intended to assist the organisation, and all those connected with it, to put this commitment into practice.

2. Purpose of the Policy

- 2.1 EMD UK is in receipt of public monies so has a duty to have due regard to the need to:
 - eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity, and
 - foster good relations between people who share a relevant protected characteristic and people who do not share it.
- 2.2 EMD UK recognises that certain sections of the community have been affected by past discrimination and may be denied the opportunity to participate equally and fully in group exercise activities.
- 2.3 This policy has been produced to aid in preventing and tackling any potential or current discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect, against its employees, instructors, members, participants and volunteers.
- 2.4 This policy applies to all EMD UK employees, volunteers, members, consultants, contractors connected with EMD UK, who for the purposes of this policy are referred to as 'individuals'.
- 2.5 **Equality** is ensuring individuals and groups are treated fairly and equally understanding that at times unequal effort is required to provide equality of opportunity.
- 2.6 **Diversity** is celebrating the fact that everyone is different and recognising and harnessing the power that diverse teams, with diverse opinions that engage with diverse communities produce better outcomes.

2.7 **Inclusion** is pro-active behaviours, options and actions that address barriers to involvement to make people from all backgrounds, circumstances and abilities feel welcome.

2.8 The Equality Act 2010 and hence this policy covers the following nine protected characteristics:

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

3. Statement of Intent

EMD UK:

- 3.1 will act as an exemplar for equality, diversity and inclusion within its sphere of influence, in doing so it commits to promoting positive and inclusive practice within the organisation, with partners and stakeholders;
- 3.2 will build equality, diversity and inclusion into all aspects of its work. All reasonable steps will be taken to ensure that employees, volunteers, members, consultants and contractors are committed to this policy;
- 3.3 will ensure that no job applicant or employee receives less favorable treatment on the grounds of any protected characteristic;
- 3.4 is committed to supporting individuals to enable them to conduct their group exercise related activities free from bullying and harassment and has implemented a policy for dealing with such matters (see Anti Bullying and Harassment Policy for staff, and Grievance & Disciplinary Procedures for volunteers), and
- 3.5 is committed to sports equity which is about:
 - fairness in sport, group exercise and physical activity, understanding that there is unequal access, recognising differences and taking steps to address them;
 - changing the culture and structure of sport to ensure it becomes equally accessible to all members of society, and
 - an individual's responsibility to challenge discriminatory practice and promote inclusion.

4. Actions

- 4.1 EMD UK will produce and maintain a Diversity & Inclusion Action Plan (DIAP) to ensure the intent of this policy is delivered.
- 4.2 All areas of the organisation will be affected by this action plan, which will be incorporated into the overall operational plan and performance management approach both will be reviewed and updated on an annual basis.

5. Legal Requirements

5.1 EMD UK is required by law not to discriminate against its employees and recognises its legal obligations under, and will abide by the requirements of, the following:

Rehabilitation of Offenders Act 1974 Human
Rights Act 1998

Children Act 1989 and 2004

Gender Recognition Act 2004 Civil

Partnership Act 2004

Mental Capacity Act 2005

Equality Act 2010

Data Protection Act 2018 and its implementation of the General Data
Protection Regulation

Any later amendments to the above or future Acts and regulations, relevant to EMD UK.

EMD UK will endeavour, each time the Equality, Diversity & Inclusion Policy is reviewed, to ensure it continues to comply with all legislation requirements.

6. Discrimination, harassment and victimisation

6.1 Discrimination is illegal and can present itself in different guises including verbal, physical or online and under the Equality Act 2010 types of discrimination are classified as follows:

6.1.1 Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have.

6.1.2 Indirect discrimination

Indirect discrimination can occur when there is a condition, rule or practice which applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can only be justified if the action(s) undertaken are reasonable to achieve a legitimate aim.

6.1.3 Discrimination by Association

Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

6.1.4 Discrimination by Perception

Perception discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic, even if they don't possess it or if the perception was mistaken.

6.2 Harassment

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

Harassment applies to all protected characteristics except for pregnancy and maternity, marriage and civil partnership. It also covers harassment because of 'perception' (see 6.4) and 'association' (see 6.3)

It also includes the right for individuals to raise an issue that they find offensive even if it is not directed at them. Harassment is further dealt with in the EMD UK Non-harassment, Bullying and Victimisation Policy.

6.3 Third-party Harassment

Third-party harassment relates to actions carried out by non EMD UK individuals such as customers, clients, contractors etc. EMD UK will investigate any report or complaint of third-party harassment and will take all reasonable steps to prevent it from happening again (see EMD UK Non-harassment, Bullying and Victimisation Policy).

6.4 Victimisation

Victimisation is illegal and is when an employee is treated less favourably because they have made or supported a complaint/grievance about discrimination or harassment under the Equality Act 2010 or are suspected of either making or supporting such a complaint/grievance. An individual is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

EMD UK regards discrimination, harassment or victimisation, as described above, as serious misconduct and any employee, teacher, volunteer or member who discriminates against, harasses or victimises any other person will be liable to appropriate disciplinary action.

7 Responsibility, implementation, and communication

The following responsibilities will apply:

- 7.1 The EMD UK Board of Directors is responsible for ensuring that this Equality, Diversity & Inclusion Policy is followed and to deal with any actual or potential breaches.
- 7.2 The Chief Executive has the overall responsibility for the implementation of the Equality, Diversity & Inclusion Policy and in achieving change via the Diversity & Inclusion action plan (DIAP) to ensure the organization is more inclusive in policies, practices and engagement.
- 7.3 All employees, volunteers and members have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of the policy and, where appropriate, individual work programmes and an associated performance management system will be amended to include equality related objectives and key results.
- 7.4 The Equality, Diversity & Inclusion Policy will be implemented immediately following Board agreement and will result in the following:
 - 7.4.1 A copy of this document will be available to all staff (both permanent and contract), teachers, members and volunteers of EMDUK
 - 7.4.2 EMD UK will take measures to ensure that its employment practices are non-discriminatory.

- 7.4.3 No job applicant 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.
 - 7.4.4 Appointment of a Board champion for Equality, Diversity & Inclusion with a supporting role outline.
 - 7.4.5 A planned approach will be adopted to eliminate barriers and practices which discriminate.
 - 7.4.6 Consultants and advisers used by EMD UK must demonstrate their commitment to the principles and practice of equality and that they abide by this policy.
 - 7.4.7 EMD UK will ensure that equality, diversity and inclusion are considered at the outset in the development of all products, services and programmes. ED&I will be included as core agenda items at Board, SMT and staff meetings. Papers presented to the Board and as a result decisions made will take cognisance of ED&I implications.
 - 7.4.8 EMD UK will commit to providing appropriate learning and development opportunities as detailed within the Equality, Diversity & Inclusion action plan.
- 7.5 The policy will be communicated in the following ways:
- 7.5.1 It will be made available to all staff, with reference in the staff handbook, made available to instructors in resource areas and reference will be made to it in the code of conduct.
 - 7.5.2 It will be covered in all staff, workforce, and volunteer induction training.
 - 7.5.3 All members will be made aware of the policy's existence when they join, and a summary of any revisions will be published via appropriate communications.
 - 7.5.4 It will be available on the EMD UK website.
 - 7.5.5 At time of review, a mechanism will be put in place to allow all relevant stakeholders to be part of the process.

8. Monitoring and Evaluation

- 8.1 Once approved, the Equality, Diversity & Inclusion Policy will apply for three years before a formal review takes place, unless any proposal to the Board, or legislation change, requires an interim review and/or amendment.
- 8.2 The Equality, Diversity & Inclusion action plan and the subsequent Diversity & Inclusion action plan (DIAP) have been created to ensure that the intent of the policy is delivered. These plans will be reviewed by the Chief Executive and appropriate staff on a quarterly basis.

- 8.3 The Equality, Diversity & Inclusion action plan and subsequent DIAP will be reviewed by the EMD UK Board on a six-monthly basis.
- 8.4 ED&I will be a core agenda item at each Board meeting. All papers for decision will pay due regard to ED&I implications.
- 8.5 On an annual basis, statistical information will be produced by the Chief Executive for the Board, and will be published internally and externally, to show the impact of the Equality, Diversity & Inclusion Policy.

9 Disciplinary and Grievance Procedures

- 9.1 To safeguard individual rights under the policy, an employee, instructor, volunteer or member who believes he/she has suffered inequitable treatment within the scope of the policy may raise the matter through the Anti Bullying and Harassment Policy for staff, or Grievance & Disciplinary Procedures for volunteers.
- 9.2 Appropriate disciplinary action will be taken against any employee, volunteer or member who is known to have violated EMD UK's Equality, Diversity & Inclusion Policy.
- 9.3 An individual may raise any grievance and no employee, volunteer or member will be penalised for doing so unless it is untrue and not made in good faith.
- 9.4 As with all grievance procedures, the final point of appeal relating to this policy is the EMDUK Board.

If you have any questions which relate to the Equality, Diversity & Inclusion Policy, or if you wish to discuss any instances of discrimination or inequality you have witnessed or experienced, please contact any member of the senior management team (SMT) in the first instance.