



SPÓRT ÉIREANN
SPORT IRELAND

Governance Code for Sport

Diversity and Inclusion

Checklist and sample policy

Disclaimer

Sport Ireland is making available a range of resources including guidance notes, policy documents and templates for selected areas aligned to the Governance Code for Sport which will support sport organisations, boards, management and staff in the development of relevant governance processes and procedures particular to their own organisation.

For the avoidance of doubt, the final decision on the nature, type, extent and format of approved governance policies, procedures and processes for each organisation is a matter for the board / highest governing structure of the organisation and the resources and material provided may assist the approval process.

This document is not, nor is it intended to be, a definitive statement of the law and it does not constitute legal advice. This document is not a substitute for professional advice from an appropriately qualified source and it is recommended that sport organisations consult their governing document or obtain their own independent legal advice where necessary. Sport Ireland does not accept any responsibility or liability for any errors, inaccuracies or omissions in this document.

How to Use this Document

The document is designed to assist organisations with their adoption of the Governance Code for Sport by the end of 2021. It provides an overview of key considerations and a framework for initial policy considerations within an organisation.

As organisations will be aware Sport Ireland's Ethics Unit currently has a consultation process underway in relation to the development of a diversity & inclusion policy statement. It is envisaged as part of that process that additional supports, guidance and templates will be made available to the sports sector throughout 2022.

In all cases the policy will require some adjusting to reflect the staffing arrangements, membership profile, organisational structure or Board structure.

Diversity and Inclusion: Why an organisation needs a diversity and inclusion policy

Principle 2 of the Governance Code for Sport (the Code) is “*Exercising Control Over Our Organisation*”, which is a key responsibility of the Board. It does this through ensuring that relevant legal and regulatory requirements are complied with as outlined in sub-principle 2.1 of the Code. Organisations should be mindful of their obligations under employment, equality and data protection legislation. The Governance Code recommends that Type B and Type C organisations should have an equality policy in place, whilst Type A organisations must be aware of the nine grounds of discrimination and do as much as possible to ensure discrimination is not taking place.

The Employment Equality Acts of 1998 and 2004 are anti-discrimination legislation, which promote equality and prohibit discrimination in the workplace across the nine grounds of discrimination (i.e. 1) Gender, 2) Marital status, 3) Family status, 4) Age, 5) Disability, 6) Sexual Orientation, 7) Race, 8) Religion, and 9) Membership of the Traveller Community. The purpose of these acts is to protect and promote respect for and understanding of diversity in the workplace. Having a diversity and inclusion policy helps sport organisations take proactive measures to ensure equality and avoid discrimination – note however that Sport Ireland is not responsible for organisation’s interpretation of this guidance document, and organisations must produce their own policy.

What is diversity and inclusion?

Diversity is a shorthand word that relates to a mix of employees in the workplace, it is inclusive of all employees when it comes to gender, age, race, ethnicity, sexual orientation, family status and so forth. Diversity is a positive action from a governing body/association when they create an inclusive culture through their recruitment and retention practices and policies. Equality is a legal requirement to ensure that employees are protected against discrimination under the nine grounds. Diversity is a step beyond equality - it is positive commitment to create an inclusive work culture.

Inclusion essentially means people having a sense of belonging, of being comfortable in being part of something they value. Diversity means being aware of, accommodating and celebrating difference. Inclusion and Diversity in many ways go hand-in-hand. Real inclusion reflects diversity, i.e. it aims to offer that sense of belonging to everyone, irrespective of gender, marital status, family status, sexual orientation, religion, age, race or ethnicity, and/or disability.

The benefits of diversity include:

- ◆ Higher retention rates of volunteers/employees and increased loyalty
- ◆ Improved communication
- ◆ Reduction in conflict / grievances amongst volunteers/employees
- ◆ Increased innovation and creativity
- ◆ Better understanding of member needs

- ◆ Enhanced reputation
- ◆ Greater loyalty

What is a diversity and inclusion policy?

‘Diversity and Inclusion’ at national level of the organisation relates to the development of inclusive principles, policies and programmes for all identified minority groups.

A Diversity and Inclusion Policy is a Statement of Commitment identifying positive actions to be taken to promote diversity and inclusion in the governing body/association. A diversity and inclusion policy assists with compliance with legislation by providing an agreed basis for implementing practices that eliminate discrimination in the governing body/association. It further supports the Governance Code by demonstrating leadership and showing the values of the governing body/association in action.

Further considerations around diversity and inclusion in the organisation include:

- ◆ Ensuring the make-up of staff, Board, committees and the volunteer workforce is genuinely diverse and reflective of contemporary society
- ◆ Taking positive actions to ensure diversity in the workplace e.g., undertaking diversity events, or promoting and supporting 3rd party events e.g., LGBTI week
- ◆ Communicating openly around diversity and highlighting positive actions in this area e.g., in the newsletter/e-zine
- ◆ Ensuring that people of diverse backgrounds are reflected in the organization's publications, in a genuine way
- ◆ Taking steps to build a more inclusive environment and providing leadership at Board and Committee level around diversity and inclusion

Whose responsibility is it to ensure that a diversity and inclusion policy is in place?

It is the responsibility of the Board to ensure that the Governance Code for Sport is implemented, and that legislation is being adhered to. In practice it will be the Chief Executive Officer (CEO) who will be supporting the Board in ensuring the practices are in place in the organisation. In the case of larger governing bodies/associations, there may be a HR manager, whose role may include the drafting/regular updating of a diversity and equality policy and overseeing its implementation. Furthermore, somebody within the governing body, whether a volunteer or staff member, may take on the role of ensuring the development and implementation of the diversity and inclusion policy. Additionally, the organisation may appoint a Diversity and Inclusion sub-committee to focus on this important area across the sport.

What should be contained in a diversity and inclusion policy?

A diversity and inclusion policy should cover the following areas:

- ◆ A policy statement – that is a definition of the organisation’s values and commitment around diversity and inclusion and what they are seeking to achieve (see sample statement on next page)
- ◆ Definition of what diversity is and where individuals may experience discrimination e.g. on the grounds of their sex, age, disability, ethnicity (including nationality, race,

Traveller status), gender-reassignment, sexual orientation, religion and belief, pregnancy and maternity, or marriage and civil partnership status.

- ◆ Definition of types of discriminatory behaviour (e.g. treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers).
- ◆ Objectives of the policy e.g.
 - To adopt a planned approach to eliminating perceived barriers which discriminate against particular groups. This might include widening the traditional approach to include communities experiencing disadvantage, poverty and health inequalities.
 - To ensure that no-one working or volunteering in the sport receives less favourable treatment on the grounds outlined in the Policy Statement
 - To give clear guidance to volunteers, members and staff on the commitment to equal opportunities.
 - To ensure that all those who participate in the sport at all levels and in roles receive fair and equitable treatment.
 - To ensure that the format and content of all competitions, regulations and assessments provide equality for all, except where specific situations and conditions properly or reasonably prevent this.
 - To ensure that all materials prepared, produced and distributed by or on behalf of the sport promote a clear image of the profile of all those who involved in the sport.
 - How the governing body will support onwards to clubs to take positive steps to address any barriers.
- ◆ Commitment to positive practices to encourage diversity e.g. recruitment and retention practices, procedures, diversity training, diversity awareness events, etc.
- ◆ Responsibility – whose responsibility it is to ensure the policy is implemented

Sample diversity and inclusion statement

The following is a sample diversity and inclusion statement, that could be included within a diversity and inclusion policy

- ❖ We recognise the importance of affording equity, equal opportunity and fair treatment to all present and potential members.
- ❖ We aim to ensure that all people irrespective of their age, gender, ability, disability, race, religion, ethnic, origin, creed, colour, nationality, social status or sexual orientation have a genuine and equal opportunity to participate in our sport at all levels and in all roles. That is, as a beginner, participant or performance athlete, and as a coach, official, manager, administrator or spectator.
- ❖ We aim in our relationships with our members, volunteers and employees, applicants and in the provision of our sport, not to disadvantage any individual by imposing any conditions or requirements which cannot be justified.
- ❖ We will never directly discriminate against any group or unintentionally indirectly discriminate, or in any way treat a person less favourably than others are treated in the same or similar circumstances.