KINGSCLERE TENNIS CLUB

Complaints procedure

In the event that any **employee, member, visitor or visiting team feels** that he, she or it has **suffered discrimination** or **harassment** in any way or that the **club policies, rules or code of conduct have been broken** they should follow the procedures below.

1. The Complainant should report the matter in writing to the club secretary or another member of the committee for example the club Chairman or Match Secretary. The report should include:

   (a) **details** of **what** occurred;
   (b) **details** of **when and where** the occurrence took place;
   (c) any **witness** details and copies of any witness statements;
   (d) **names** of any others who have been treated in a similar way (provided that those people consent to their names being disclosed);
   (e) **details of any former complaints** made about the incident, including the date and to whom such complaint was made; and
   (f) an indication as to the **desired outcome**.

2. If the person accused of discriminatory behaviour is an employee of the Club, the Club will regard the incident as a disciplinary issue and will follow any disciplinary procedure set out for employees or (if none exists) the statutory disciplinary procedure.

3 If the person accused of discriminatory behaviour is a non-employee of the Club, the Club's management committee [*or relevant body please insert*] or representatives of the committee:

   3.1 will request that both parties to the complaint **submit written evidence** regarding the incident(s);
   3.2 may decide (at its sole discretion) to uphold or dismiss the complaint without holding a hearing;
   3.3 may (at its sole discretion) **hold a hearing** (whether or not such a hearing is requested by either party) at which both parties will be entitled to attend and present their case;
   3.4 **will have the power** to impose any one or more of the following sanctions on any person found to be in breach of any Club policy, (including the Equality Policy):

      (a) warn as to future conduct;
      (b) suspend from membership;
      (c) remove from membership;
      (d) exclude a non-member from the Club, either temporarily or permanently; and
      (e) turn down a non-member's current and/or future membership applications.

   3.5 will provide both parties with written reasons for its decision to uphold or dismiss the complaint within one (1) calendar month of such decision being made.

   3.5 Either party may appeal a decision of the committee to the County Association (including a decision not to hold a hearing) by writing to the [County Secretary] within 3 months of the Club's decision being notified to that party.

4. If the nature of the complaint is with regard to the club's management committee or other body or group in the club, the member/visitor has **the right to report the discrimination or harassment** directly to the relevant **County Association**.

Terminologies and descriptors

Types of discrimination
There are three categories of discrimination: direct, indirect and positive:

- **Direct discrimination –** is where a person, in a group of people with the same or similar circumstances, is treated less favourably than the others in the group because of their race, gender, disability or sexuality.

- **Indirect discrimination** occurs where the effect of certain requirements, provision or practices imposed by an organisation has an adverse impact disproportionately on one group or other. Indirect discrimination generally occurs when a rule or condition, which is applied equally to everyone, can be met by a considerably smaller proportion of people from a particular group; the rule is to their advantage and it cannot be justified on other grounds.

- **Positive discrimination** is in favour of those who were formerly discriminated against, especially in the provision of social and educational facilities and employment opportunities.

The LTA's equality and diversity policy www.lta.org/equality sets out our commitment to opposing all forms of discrimination. The LTA will ensure that its employees, members, volunteers, players, officials, affiliated clubs and customers are not discriminated against on the basis of any of the following:

- race, colour, ethnic group or national origin
- gender or marital status
- disability
- sexuality or sexual orientation
- age
- employment status
- actual/suspected HIV/AIDS
- religion and faith
- unrelated criminal offences/ex-offenders (subject to any legal or public interest constraints)
- responsibilities for children or dependents

Harassment - Harassment can be described as inappropriate actions, behaviour, comments or physical contact, which may cause offence i.e. mental or physical anxiety or hurt to an individual:

- It may be related to gender, race disability, sexuality, age, religion, nationality or any personal characteristic of an individual.

- Under the terms of the Criminal Justice Act 1994, harassment was made a criminal offence, punishable by a fine of up to £5,000 and/or a prison sentence of up to six months.

Victimisation - Victimisation can be described as treating an individual less favourably than one would treat others because the individual has made a complaint of discrimination, given evidence about such a complaint or raised a concern under the Public Interest (Disclosure) Act 1998.

Positive action - The term 'positive action' refers to a number of methods designed to counteract the effects of discrimination and to help eradicate stereotyping. It can be initiatives or activities that attempt to redress imbalances by providing extra help, doing things in a different way or promoting opportunities in targeted places and to targeted groups. Under this broad meaning, positive action may include actions such as the introduction of discriminatory selection procedures, and training programmes or policies aimed at preventing sexual harassment. An example of positive action being taken is the employment of a female coach to lead a session aimed at women, to specifically encourage uptake and participation by female players.

Prejudice -Prejudice is literally pre-judging someone. It is usually led by negative, irrational feelings, resulting from preconceived attitudes and opinions.

Stereotyping -Stereotyping is grouping or labelling people because they are members of a particular 'visible' group, and assuming that they have particular traits that are considered to be characteristics of that group.

Dignity - Dignity is about respectful, responsible, fair and humane behaviour, something that is reflected in the club's constitution.

Disadvantage - Disadvantage is where, as a result of discrimination, an individual or group is deprived of some or all resources and opportunities. This may affect people directly or indirectly.

Social exclusion - Social exclusion is when people or areas suffer from one or a combination of linked problems such as unemployment, poor skills, low income, high crime environments or lack of facilities