



EQUALITY, DIVERSITY AND INCLUSION POLICY

1.0 INTRODUCTION

At Middlesbrough Football Club and Middlesbrough Football Club Foundation (together ‘the Club’) we are committed to providing the best experience for employees and supporters as possible. Being part of our local community is very important to us, and to that end we are passionate at reducing and eliminating discrimination at all levels of our fan base, partners and employees.

As outlined in our Equality, Diversity and Inclusion Statement of Commitment we are ‘committed to promoting equality by treating people fairly and with respect; by recognising inequalities exist; by taking steps to address them; and by providing access and opportunities for all members of the community’.

The Club’s commitment is to eliminate discrimination on the basis of age, disability, sex, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, or sexual orientation.

We will ensure that we treat people fairly and with respect, and that we will provide access and opportunities for all members of the community to take part in, and enjoy, our activities.

The content of this statement applies equally to the treatment of our staff, customers, supporters, clients, partners and suppliers and is fully supported by the Executive Management Committee of the Club.

Through our promise, the Club are committed to achieving the Premier League’s updated Equality, Diversity and Inclusion Standard (PLEDIS) at Intermediate level. In June 2016, whilst in the Premier League, we were proud to achieve the Preliminary Equality Standard and though no longer a Premier League Club, we then chose to continue to work towards, and subsequently achieved the Intermediate Standard on the old framework, showing our commitment to embedding EDI across our club.

Our Equality, Diversity and Inclusion (EDI) Steering Group which represents a cross section of employees from across MFC and MFC Foundation will lead the drive towards achieving the Intermediate PLEDIS Standard.

By collating data from staff, supporters and outreach participants since 2016, we are aware of the makeup of these groups within our organisation. We understand, appreciate and advocate the need for diversity across all areas of our business and our EDI Delivery Plan is reflective of this.

2.0 LEGAL OBLIGATIONS

The Club is committed to avoiding and eliminating discrimination of any kind and will under no circumstances condone unlawful discriminatory practices. The Club takes a zero-tolerance approach to intimidation, harassment, victimisation, bullying, abuse and hate crime. Examples of the relevant legislation and the behaviours are given in Appendix 1.

3.0 POSITIVE ACTION

As well as complying with all legislation, the Club promotes EDI by taking positive steps to support underrepresented groups, in the workforce, through our commercial partners and in our Academy and community delivery. The Club seeks and delivers appropriate measures and initiatives that enable our Club to be accessible to all.

4.0 IMPLEMENTATION

The following steps will be taken to publicise this policy and promote EDI in our Club:

- A copy of this document will be published on the MFC and MFC Foundation websites – www.mfc.co.uk and www.mfcfoundation.co.uk
- The Club's Executive Committee will take overall accountability for ensuring that the policy is observed
- The Club will implement regular audits, surveys or other initiatives designed to assess the level of participation from diverse groups of people in the Club, including employed roles, and will take account of the findings in developing measures to promote and enhance EDI in the Club
- The Club will provide access to a rolling programme of training (for example, online, face-to-face, briefings) for all its players, match day fans, staff, Board members and other people engaged with the Club's activities, to raise awareness of both collective and individual responsibilities
- It will be a condition of working with the Club that suppliers:
 - Commit to act in accordance with this policy; and
 - Support such measures and initiatives that the Club may institute or take part in to advance the aims of this policy

5.0 RESPONSIBILITY, MONITORING AND EVALUATION

The Executive Committee will be accountable for ensuring the implementation of this policy. The Executive Committee member responsible for EDI will be responsible for the day-to-day implementation of EDI in the Club, with support from the strategic and operational EDI lead officers.

On an annual basis, the Executive will review the EDI policy, strategy and action plan to ensure the club remain on track in their EDI objectives.

The Executive Committee will review the policy every three years (or when necessary due to changes in legislation), in line with the policy review process.

6.0 COMPLAINTS AND COMPLIANCE

Where an individual, external to the club, has reason to complain about their treatment, or the conduct of others, they should refer to the Incident Management Procedure.

Any internal complaint should be reported to the complainant's line manager or the HR Department and will be investigated in accordance with the Club's Grievance Procedure.

The complainant's identity will be protected via application of the Club's internal complaints and discipline procedure, and the complainant will be supported throughout the investigation process, unless the allegation proves to be malicious. Support may include the allocation of the EDI Lead Officer, to provide a single point of contact for updates and advice for both the duration of the investigation and an appropriate period beyond its conclusion.

A considered and methodical approach will be adopted, as any such investigation will require some degree of detailed research, evidence-gathering and subsequent correspondence. Any investigation will always be completed swiftly as possible in order to maintain confidence in the complaint process.

At the culmination of any such investigation, information may be forwarded to Cleveland Police for their attention if it is considered relevant and in furtherance of the Club's desire to promptly and effectively tackle discriminatory behaviour.

APPENDIX 1 – Relevant legislation and forms of unacceptable discrimination

Legal Rights

The Equality Act 2010 brings together over 116 separate pieces of legislation into one single Act. The Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides Britain with a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

Discrimination refers to unfavourable treatment on the basis of particular characteristics, which are known as the 'protected characteristics'. Under the Equality Act 2010, the protected characteristics are defined as age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation.

Under the Equality Act 2010, individuals are protected from discrimination 'on grounds of' a 'protected characteristic'¹. This means that individuals will be protected if they have a characteristic, are assumed to have it, associate with someone who has it or with someone who is assumed to have it.

Forms of discrimination and discriminatory behaviour include the following:

Direct discrimination

Direct discrimination can be described as less favourable treatment on the grounds of one of the protected characteristics.

Indirect discrimination

Indirect discrimination occurs when a provision, criterion or practice is applied to an individual or group that would put persons of a particular characteristic at a particular disadvantage compared with other persons.

Discrimination arising from disability

When a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified, this is unlawful. This type of discrimination only relates to disability.

Harassment

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

Victimisation

¹ The exception to this is pregnancy and maternity, which does not include protection by association or assumption – a woman is only protected from discrimination on grounds of her own pregnancy.

It is unlawful to treat a person less favourably because he or she has made allegations or brought proceedings under the anti-discrimination legislation, or because they have helped another person to do so. To do so would constitute victimisation.

Bullying

Bullying is defined as a form of personal harassment involving the misuse of power, influence or position to persistently criticise, humiliate or undermine an individual.

Hate crime

The Police and the CPS have agreed the following definition for identifying and flagging hate crimes:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation; or transgender identity or perceived transgender identity."

Intimidation

Intimidation or harassment is a personalised form of anti-social behaviour, specifically aimed at particular individuals, which could be based on their protected characteristics. The Act defines anti-social behaviour as "conduct that has caused, or is likely to cause, harassment, alarm or distress to any person." Threats to kill, rape, serious violence, stalking and property damage, as well as intimidating behaviour that is face-to-face or by letter, telephone call or online are examples of intimidation that are all criminal offences.

Abuse

As an employer or manager, there may be situations where verbal abuse, threats or name-calling (and harassment) at work could be a crime, for example, if an employee tells you they have been physically attacked, sexually assaulted, the victim of a hate crime, for example racist or homophobic abuse, or threatened with violence. Such incidents may be a criminal offence and should be reported to the Police and other relevant agencies.

Hostility

There is no legal definition of hostility so the CPS uses the everyday understanding of the word which includes ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike.

Incitement to hatred

The offence of incitement to hatred occurs when someone acts in a way that is threatening and intended to stir up hatred. That could be in words, pictures, videos, music, and includes information posted on websites.

Hate content may include:

- messages calling for violence against a specific person or group
- web pages that show pictures, videos or descriptions of violence against anyone due to their perceived differences

- chat forums where people ask other people to commit hate crimes against a specific person or group