



1. INTRODUCTION

1.1 Basketball England is committed to eliminating all forms of discrimination within Basketball. This policy outlines our zero-tolerance approach to discrimination and aligns with our ambitions in our Diversity and Inclusion Action Plan (2025 - 2029).

1.2 This policy re-affirms our commitment to equality, diversity and inclusion (EDI) and should be considered alongside and in accordance with the Basketball England Equality, Diversity and Inclusion Policy.

1.3 Basketball England do not tolerate any form of unlawful or unfair Discrimination, Victimisation, bullying or Harassment and will take appropriate action against any Participant, Staff, Regional Association, League, Club and/or other party sanctioned by and/or under the jurisdiction of the Basketball England who commit or assist others to commit such an act. It should be noted that non-conformance with this Policy may also be an unlawful act subject to criminal prosecution and potential litigation.

1.4 Basketball England undertakes to make available (on request) electronic copies of this Policy as amended from time to time. Electronic copies of this Policy are available on the Basketball England website (the "Website"). The Website will also contain contact details in the event that (i) any person is unable to download this Policy; and/or (ii) any person requires this Policy in another form, for example, in braille or large print. All requests will be considered on their merits on a case-by-case basis. In circumstances where an individual has been classified as having an intellectual impairment, Basketball England shall use all reasonable endeavours to communicate the contents of this Policy to such individual in the most appropriate manner and form in liaison with the parent of, or other person with responsibility for such individual.

2. SCOPE AND APPLICATION

2.1 This policy applies to all Basketball England members, including:

2.1.1 Participants

2.1.2 Regional Associations

2.1.3 Leagues

2.1.4 Clubs

2.1.5 Staff

2.1.6 Spectators

2.2 It covers all club activities, training sessions, matches, events and online interactions.

2.3 All Regional Associations, Leagues, Clubs and all other organisations sanction by and/or under the jurisdiction of the Basketball England must adopt and enforce this Policy.

2.4 Participants who are party to a Basketball England agreement and/or in receipt of Basketball England funding are obliged, as a condition of those agreements or funding, to comply with or adopt this Policy and/or enforce the provisions of this Policy through their own processes.

2.5 All Participants and Staff under the jurisdiction of Basketball England are subject to and bound by all Applicable Laws, Basketball Rules and agree to abide by all Basketball policies (including this Policy), procedures, rules or regulations published by or in place under the auspices of Basketball England from time to time.

2.6 The laws of England and Wales shall apply to this Policy.

3. POLICY OBJECTIVES

3.1 Basketball England is committed to:

3.2 Zero tolerance for discrimination, harassment and bullying.

4. DEFINITION OF DISCRIMINATION

4.1 Discrimination occurs when an individual or group is treated unfairly based on personal characteristics. This includes:

4.2 Direct Discrimination

4.2.1 Treating someone unfairly due to their protected characteristic (e.g., excluding a player based on gender).

4.3 Indirect Discrimination

4.3.1 Applying a rule or policy that disproportionately disadvantages certain groups (e.g., setting training times that exclude those with religious obligations).

4.4 Harassment

4.4.1 Unwanted conduct that violates dignity or creates an intimidating or offensive environment (e.g., racial slurs, sexist comments).

4.5 Victimisation

4.5.1 Retaliation against someone who has reported a Concern or has supported someone else's Concern about Discrimination or Harassment. This includes where someone mistakenly believes that the person victimised has done so.

4.6 Disability Discrimination

4.6.1 This includes Direct Discrimination and Indirect Discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

5. LEGISLATION AND GUIDANCE

5.1 Equality Act 2010

This is the cornerstone of anti-discrimination law in the UK.

What it does: Consolidates and replaces previous anti-discrimination laws (e.g., Race Relations Act 1976, Sex Discrimination Act 1975, Disability Discrimination Act 1995). This includes the latest requirement for employers to take reasonable steps to prevent sexual harassment of their employees.

Protected characteristics:

Age

Disability

Gender reassignment

Marriage and civil partnership

Pregnancy and maternity

Race

Religion or belief

Sex

Sexual orientation

Types of discrimination covered:

Direct discrimination

Indirect discrimination

Harassment

Victimisation

Discrimination arising from disability

Failure to make reasonable adjustments

5.2 Human Rights Act 1998

Incorporates the European Convention on Human Rights into UK law.

Protects rights such as:

- Right to life
- Freedom from torture and degrading treatment

- Right to liberty and security
- Right to a fair trial
- Right to respect for private and family life (often relevant in discrimination cases)
- Freedom of thought, conscience and religion
- Freedom of expression

5.2 Public Sector Equality Duty (PSED) – Part of the Equality Act 2010

Requires public bodies (and those carrying out public functions) to have due regard to:

- Eliminate unlawful discrimination, harassment, and victimisation
- Advance equality of opportunity
- Foster good relations between people who share a protected characteristic and those who do not

5.3 Employment Rights Act 1996

Contains provisions on unfair dismissal, workplace rights, and protections – particularly relevant where discrimination leads to unfair dismissal.

The laws of England and Wales shall apply to this Policy

6. GUIDANCE AND CODES OF PRACTICE

6.1 Equality and Human Rights Commission (EHRC) Guidance

Provides statutory Codes of Practice and non-statutory guidance to help individuals and organisations comply with the Equality Act 2010.

Areas covered:

- Employment
- Services and public functions
- Education
- Housing

Statutory Codes of Practice are admissible in evidence in legal proceedings and must be taken into account by tribunals and courts.

6.2 ACAS (Advisory, Conciliation and Arbitration Service) Guidance

Offers practical guidance and advice on workplace discrimination, handling grievances, and promoting equality at work.

7. SECTOR-SPECIFIC GUIDANCE

7.1 Sport England / UK Sport – Equality Standard for Sport

Voluntary framework to help sport organisations embed equality.

Encourages inclusive practices and supports compliance with the Equality Act 2010.

7.2 Ofsted and DfE Guidance for Schools

Educational institutions must comply with the Equality Act.

DfE provides guidance on equality duties, inclusive practice, and how to respond to discrimination in schools.

8. REPORTING AND RESPONSE

8.1 If you have been the victim of Discrimination, or have witnessed an incident you must report the Concerns to the Integrity Team via email or the

Website at: integrity@basketballengland.co.uk or
www.basketballengland.co.uk/integrity/report-an-incident/

8.2 All Concerns will be treated in confidence and investigated as appropriate.

8.3 Basketball England encourages reporting of all types of potential Discrimination.

8.4 Basketball England will take all Concerns seriously and those reporting will not face disciplinary action for raising a Concern if it proves to be unfounded or does not merit action, provided the Concern was raised in good faith and not maliciously. However, making a false allegation in bad faith, or that is known to be untrue, will be treated as misconduct and dealt with under the Disciplinary Code.

8.5 Victimisation and/or any form of retaliation against those reporting a Concern is not tolerated by Basketball England and must be reported to the Integrity Team.

8.6 If a Concern arises “out of hours”, it must be reported (via the Website or the email address above) to the Integrity Team immediately and within 48 hours. If the person is in immediate danger, call 999 for local Police.

8.7 Response to concerns

8.7.1 Basketball England will deal with Concerns in a timely, respectful, consistent, fair and confidential manner and will provide support for the person reporting the Concern (where appropriate) and the person who is subject to the Concern.

8.7.2 Where appropriate and necessary Basketball England reserves the right to report Concerns to the Police.

9. SANCTIONS AND CONSEQUENCES

9.1 Basketball England will take appropriate action against those who engage in discrimination, which may include:

- Formal warnings
- Suspension or expulsion
- Referral to Basketball England's Disciplinary Panel

BREACHES OF THIS POLICY

Basketball England take a strict approach to breaches of this Policy and all breaches will be dealt with in accordance with the Disciplinary Code.

10. EDUCATION AND PREVENTION

Basketball England will:

- Provide training on anti-discrimination for all members.
- Ensure all members sign and adhere to this policy.
- Promote diverse representation in leadership roles.

11. EXTERNAL SUPPORT

- Equality and Human Rights Commission – www.equalityhumanrights.com
- Citizens Advice Bureau – www.citizensadvice.org.uk
- Basketball England Integrity Team – integrity@basketballengland.co.uk

12. DATA PROTECTION AND CONFIDENTIALITY

12.1 All cases arising under this Policy and in particular all Participant and Staff information provided to Basketball England under this Policy will be dealt with in strict confidence at all times in accordance with the provisions of Data Protection Legislation and Basketball England policies as in place from time to time.

12.2 So far as is practicable and appropriate, confidentiality will be maintained at all times in respect of all those involved in any process arising under this Policy unless there is an overriding obligation in the interests of Basketball England, the BBF, FIBA

and/or the Participant or Staff and safety for such information to be shared with other interested parties Information may be shared publicly in accordance with the Basketball England Publications Policy.

12.3 Basketball England will not comment publicly on the specific facts of a pending or decided case (as opposed to general descriptions of the process and science involved) except in response to public comments attributed to the Participant or Staff involved or their representatives.

13. POLICY REVIEW AND COMPLIANCE

13.1 This policy will be reviewed annually to ensure continued effectiveness.

- Last updated: May 2025
- Next review date: May 2026

13.2 Basketball England will continue to monitor the effectiveness of this Policy in accordance with meeting Basketball's DEI objectives and to identify areas in which further resources or support are required to achieve those objectives.

13.3 Basketball England will also monitor the treatment and outcomes of any Concerns of Discrimination, Harassment or Victimisation to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved, and training is targeted where needed.

DEFINITIONS AND INTERPRETATIONS

Affiliated Member: a Club or League sanctioned by and/or falling under the jurisdiction of Basketball England who has satisfied the affiliation process;

Applicable Laws: any and all: (i) laws, statutes, regulations, decisions, rulings, directives, codes of practice, government policies, enactments or instruments (including national, regional, local or principal laws, regulations or by-laws of any kind whatsoever) relevant to this Policy;

Basketball Rules: the rules and regulations from time to time in force of Basketball England, national association or league under the auspices of the BBF and/or FIBA (including the FIBA Regulations) to the extent that they relate or apply to Basketball England;

BBF: the British Basketball Federation being the national NGB responsible for regulating within its jurisdiction athletes representing Great Britain in the sport of Basketball. The BBF is a Member Federation of FIBA;

Club: a Basketball club sanctioned by and/or falling under the jurisdiction of Basketball England;

Concern: fear, worry or concern that a person may be subject to Discrimination;

Data Protection Legislation: all applicable laws relating to data protection, the processing of personal data and privacy, including: the Retained EU law version of the General Data Protection Regulation ((EU) (2016/679)) ("UK GDPR") and the Data Protection Act 2018, the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications), and any other data protection and/or privacy legislation applicable in the UK from time to time, (each as amended, updated, replaced or re-enacted from time to time and including all subordinate legislation made from time to time under or giving effect to the same) and references to "controller", "personal data", "special category data", "process", "processing" and

“supervisory authority” have the meanings set out in, and will be interpreted in accordance with, such applicable laws;

Disciplinary Code: Basketball England’s disciplinary code as in place from time to time;

Discrimination: unequal or differential treatment which leads to one person being treated more or less favourably than others are;

Diversity: the practice or quality of including or involving people from a range of different social and ethnic backgrounds and/or different genders, sexual orientation, age etc.;

Equality: Ensuing that all people are afforded the same opportunities or outcomes and that all individuals are treated equally. Where required we understand our responsibility to look from an equitable lens to ensure fairness.

Equity: the fair, just and impartial treatment of people, so that the norms, practices, and policies in place ensure identity is not predictive of opportunities or outcomes. Equity differs from equality. While equality assumes that all people should be treated the same, equity takes into consideration a person’s unique circumstances, adjusting treatment accordingly so that the end result is equal;

FIBA: the international federation (Fédération Internationale de Basketball Amateur) recognised by the International Olympic Committee for administering international competitions for Basketball;

FIBA Regulations: the general statutes, internal regulations, other rules and regulations and decisions of FIBA in force from time to time;

Free Member: a person who has free membership of Basketball England which typically includes fans, followers, parents, medics, league organisers, administrators and others who do not require a licence from Basketball England;

Inclusion: providing equal access to opportunities and resources to all;

League: a Basketball league sanctioned by and/or falling under the jurisdiction of Basketball England;

Licenced Activity: Basketball related activity sanctioned by and/or falling under the jurisdiction of Basketball England which requires a Licence;

Licenced Member: a person (including but not limited to a Player, coach, referee, table official, team follower, bench personnel and/or statistician) who requires a Licence in order to carry out Licenced Activity;

Member: a member of Basketball England (including but not limited to a Free Member, Licenced Member and/or Affiliated Member who from time to time participate in any activity sanctioned by and/or falling under the jurisdiction of Basketball England); **Member Federation:** a national governing body for Basketball which is a member of FIBA;

Minor: a young person under the age of 18;

Official: referees, table officials, commissioners, observers, referee coaches and/or statisticians sanctioned by and/or falling under the jurisdiction of Basketball England; 7 7

Participant: any Member, Official, Player, Support Personnel, member of a Club, League or Regional Association sanctioned by and/or falling under the jurisdiction of Basketball England;

Player: an individual who competes in Basketball under the jurisdiction of Basketball England;

Regional Association: a local association with responsibility for regional Basketball activity sanctioned by and/or falling under the jurisdiction of Basketball England including North East, North West, Yorkshire, London, East, East Midlands, West Midlands, South, South East and South West regions;

Staff: any person acting for or on behalf of Basketball England whether as an employee, volunteer, casual workers, consultant or otherwise;

Support Personnel: any coach, trainer, manager, agent, team staff, nutritionist, medical, paramedical personnel, parent or any other person working with, treating or assisting a Club, League, Player, Regional Association or Team;

Website: the official website of Basketball England.