



NEWCASTLE UNITED

EQUAL OPPORTUNITIES POLICY

23rd January 2019



Statement of Policy

- Newcastle United Football Company Limited (the Club) is committed to equal opportunities for all employees and applicants
- It is our policy that all employment decisions are based on merit and the legitimate business needs of the Club. The Club does not discriminate on the basis of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion and belief, sex or sexual orientation as protected under the Equality Act 2010.
- Our intention is to enable employees to work in an environment which allows them to fulfil their potential without fear of discrimination, victimisation, bullying or harassment. The Club's commitment to equal opportunities extends to all aspects of the working relationship including:
 - recruitment and selection procedures;
 - terms of employment, including pay, conditions and benefits
 - training, appraisals, career development and promotion;
 - work practices, conduct issues, allocation of tasks, discipline and grievances;
 - work-related social events; and
 - termination of employment and matters after termination, including references.
- This policy is intended to help the Club achieve its diversity and anti-discrimination aims by clarifying the responsibilities and duties of all employees in respect of equal opportunities and discrimination. The Club will promote effective communication and consultation between the Club and employees concerning equal opportunities by means considered appropriate.
- The principles of this policy and our Equality Policy also apply to the way in which employees treat visitors, clients, customers, suppliers and former employees.
- This is a statement of a policy only and does not form part of a contract of employment. This policy may be amended at any time by the Club at its discretion.

Responsibility for equal opportunities

- Achieving an equal opportunities workplace is a collective task and responsibility is shared between the Club and all employees. This policy therefore applies to all employees irrespective of seniority, tenure or working hours, including all employees, directors, consultants, contractors, casual or agency staff, trainees, and any volunteers or interns.
- The Managing Director of the Club has overall responsibility for this policy and for matters relating to equality, diversity and inclusion. The Head of HR has day-to-day operational responsibility for these matters.



- All employees have personal responsibility to ensure compliance with this policy, to treat colleagues with dignity at all times and not to discriminate against, bully or harass other employees, visitors, clients, customers, suppliers and former employees. In addition, those with managerial responsibilities who take part in recruitment, selection, promotion, training and other aspects of career development must lead by example and ensure compliance of themselves and their team.
- Managers will receive appropriate training in equal opportunities and must take all necessary steps to:
 - promote the objective of equal opportunities and the values set out in this policy;
 - ensure that their own behaviour and those of the employees they manage complies in full with this policy;
 - ensure that any complaints of discrimination, victimisation, bullying or harassment (including against themselves) are dealt with appropriately with the Head of HR and are not suppressed or disregarded.

Legal obligations

The Club are committed to avoiding and eliminating unfair discrimination of any kind and will not, under any circumstances, condone unlawful discriminatory practices.

Under the Equality Act 2010 the protected characteristics are defined as;

Characteristic	Definition
Age	A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).
Disability	A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Gender reassignment	The process of transitioning from one gender to another.
Marriage and civil partnership	Marriage is a union between a man and a woman or between a same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).
Pregnancy and maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.



Religion and belief	Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Sex	A man or a woman.
Sexual orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**Definitions taken from the Equality & Human Right Commission.*

Under the Equality Act 2010, individuals are protected by law from discrimination 'on the grounds of having one or more of these characteristics¹, being assumed to have one or more, associating with someone who has one or more or being with someone who is assumed to have one or more.

There are different forms of discrimination that a person may experience. These include:

Type	Definition
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	It is unlawful if a disabled person is treated unfavourably because of something connected with their disability & such unfavourable treatment cannot be justified.
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	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.

The Club will not tolerate the discrimination of any individual or group and any such behaviour will be met with appropriate action in whatever context it occurs.

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.



Disabled persons

- Any employee who considers that they have a disability is strongly encouraged to speak to the Head of HR, particularly where difficulties at work arise because of the disability so that reasonable adjustments can be agreed. For these purposes, disability includes any physical or mental impairment which substantially affects the ability to perform day to day activities and has lasted (or is likely to last) more than 12 months. Disclosure of this information will be treated in confidence, so far as reasonably practicable, and the Club will do its best to handle matters sensitively and to ensure the employee is treated with dignity and respect for their privacy.
- The Club will consult with the employee with regard to whether adjustments are needed to avoid any disadvantage from occurring. The Club may ask for you to see a doctor, appointed by us, to advise on this. If the Club consider a particular adjustment to be unreasonable then reasons will be provided and an alternative solution will be offered.
- Managers with responsibility for managing an employee with a disability should work with the Head of HR to ensure all accessibility needs are met to enable that employee to fulfil their role.

Employment decisions

- As noted above, the Club will recruit employees and make other employment decisions concerning promotion, dismissal and related issues on the basis of objective criteria.
- Managers must only stipulate criteria or conditions for employment decisions (including job selection, promotion and redundancy) which are based on a legitimate business need and which do not go further than is needed to satisfy that need. In the instance of any doubt about whether particular criteria or conditions are indirectly discriminatory or justifiable, then speak to the Head of HR

Recruitment

- The HR Department and Managers involved in recruitment will:
 - specify only recruitment criteria that are relevant to the job, reflect genuine business needs and are proportionate. More than one person should be involved in the shortlisting of applicants wherever practicable;
 - ensure that vacancies are advertised to a diverse audience and try to avoid informal recruitment methods which exclude fair competition. In some cases, it may be legitimate and necessary to restrict recruitment to a particular role to certain groups, in this instance it will need to be cleared with the Business Operations Strategy Group so that appropriate steps are taken to ensure legality;



- review job advertisements carefully to ensure that wording and stereotyping is avoided and that particular groups are not unjustifiably discouraged from applying;
 - not ask applicants about health or disability before a job offer is made (other than adjustments for interview). If necessary for the role. A job offer can be expressed to be conditional upon satisfactorily passing a medical check;
 - not ask candidate about any protected characteristics if the question may demonstrate an intention to discriminate. For example, candidates should not be asked about current or future pregnancy, childcare or related matters; and
 - not make assumptions about immigration status based on appearance, accent or apparent nationality;
 - so far as reasonably practicable, keep a written record of the reasons for relevant decisions.
- The Club is legally required to verify that all employees have the right to work in the UK. Prior to starting employment, all employees must produce original documents, irrespective of nationality. Information about the documents required is available from HR.
 - The Club will monitor applicants protected characteristics through the Equal Opportunities Monitoring Form as part of the recruitment process. This is done to assess the effectiveness of our measures to promote equal opportunities and to help identify and take appropriate steps to avoid discrimination, under-representation, potential disadvantage and improve diversity. Provision of this information is voluntary and the information is kept in an anonymised format solely for the purposes stated in this policy. The information will not be used as part of any decision-making process relating to the recruitment or employment of the person providing the information.

Employees training, career development and promotion

- Training needs may be identified through the annual appraisal process using Actus. Appropriate training to facilitate progression will be made available to all employees.
- All promotion decisions will be made on the basis of merit and according to proportionate criteria determined by business need.
- Employees diversity at different levels of the Club will be kept under review to ensure equality of opportunity. Where unjustified barriers to progression are identified, these will be removed.

Conditions of service

- Access to benefits and facilities and terms of employment will be kept under review to ensure that they are appropriately structured and that no unlawful barriers to qualification or access exist.



Discipline and termination of employment

- Any redundancy selection criteria and procedures that are used, or other decisions taken to terminate employment, will be fair and not directly or indirectly discriminatory.
- Disciplinary procedures and penalties will be applied without discrimination, whether they result in warnings, dismissal or other disciplinary action.
- Part-time and fixed-term employees will be treated the same as full-time or permanent employees of the same position and enjoy no less favourable terms and conditions (pro rata, where appropriate), unless different treatment is justified.

Non-compliance with equal opportunities

- Any breach of equal opportunities rules or failure to comply with this policy will be taken seriously and is likely to result in disciplinary action against the offender, up to and including immediate dismissal.
- Employees should also note that in some cases, they may be personally liable for their acts of discrimination and that legal action may be taken against them directly by the victim of any discrimination.
- In the event that an employee believes they have been the victim of discrimination, they should follow the complaints procedure as set out in the Club's Equality Policy.

Review

- The Head of HR, Head of Inclusion and Business Operations Strategy Group will keep this policy under review.