

Mountaineering Scotland

DRAFT Diversity, Equality and Inclusion Policy

Note: where possible, we are able to provide a copy of this policy in more accessible / different formats for those with visual impairments or other disabilities.

Target audience:	Affiliated clubs, members of clubs, volunteers, other members and staff of Mountaineering Scotland.
Purpose:	To set out Mountaineering Scotland's aims and commitments to diversity, equality and inclusion.

1. Aim / Equality Statement

We seek to encourage people and members to enjoy the benefits of walking, climbing and ski touring in Scotland. We believe that everyone has the right to be treated with dignity and respect. Diversity, equality and inclusion are vital to these objectives. We will ensure we act inclusively and properly represent a diverse pool of members, volunteers and staff.

We want our membership to be inclusive; to allow members to share ideas and express diverse perspectives. It is our policy to treat our employees, volunteers and members equally regardless of age, disability, civil partnership or marital status, pregnancy or maternity, gender reassignment, race or ethnicity, religion or belief, sex and/or sexual orientation.

2. Policy Statement

Mountaineering Scotland endorses the principle of equality¹. We strive to ensure that everyone who wishes to be involved in activities in which we are the representative body, whether as casual participants, members, volunteers, coaches, office-bearers in clubs or those within Mountaineering Scotland:

- has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race, ethnic origin, socioeconomic status or sexual orientation; and
- can be assured of an environment in which their rights, dignity and individual worth are respected, and in particular that they are able to enjoy their sport without the threat of discrimination, intimidation, victimisation, harassment or abuse.

¹ Please see Appendix 1 for more detail on relevant legislation and forms of unacceptable discrimination.

3. Legal obligations

Mountaineering Scotland is committed to avoiding and eliminating discrimination of any kind in activities where we are the representative body. Under no circumstances will we condone unlawful discriminatory practices. We take a zero-tolerance approach to bullying and harassment. Examples of the relevant legislation and forms of unacceptable discrimination are detailed in **Appendix 1** of this policy. Our codes of Conduct for Individual and Club Members are set out in **Appendices 2 and 3** of this policy.

Our commitment to equality goes further than simply complying with legislation. It means we will take positive steps to counteract the effects of physical or cultural barriers – whether real or perceived – that restrict the opportunity people to participate in activities Mountaineering Scotland is involved with equally and fully.

Mountaineering Scotland will seek to institute, support or contribute to appropriate measures or initiatives that enable access to and participation in activities in which we are the representing body by people from any group that is under-represented in these activities or who have difficulty accessing it.

3.1. What do we do to support our commitment to equality?

We will take the following actions to implement this policy and promote equality, diversity, and inclusion in activities in which we are the representative body:

- Publish this policy on our website.
- Ensure that the President will take overall responsibility for ensuring that this policy is observed.
- Ensure that the Board of Mountaineering Scotland takes full account of this policy in arriving at all relevant decisions in relation to the activities of Mountaineering Scotland.
- Collaborate fully with any surveys or other initiatives designed to assess the level of participation of different sections of the community in activities in which we are the representative body and will take account of the findings in developing measures to promote and enhance equality in those activities.
- Provide access to diversity, anti-discrimination training for our Board members and staff to raise awareness of both collective and individual responsibilities.
- Actively discuss diversity issues with our staff, with our Boards and committees, in our publications and in our membership communications.
- All Mountaineering Scotland accredited and licensed coaches will be equality and diversity trained.

- Be inclusive with our recruitment, training, appraisal, promotion and volunteer experience processes and criteria including making reasonable adjustments as a part of all of these procedures, for example, we consider how accessible our online forms and our website are.
- Actively seek members and representatives who share protected characteristics to sit on our committees or steering groups. ensure experience and insights from our staff, members, and volunteers are considered and contribute to a diversity of views to inform our member content, events and communications, strategy and activities.

3.2 How do our members support our commitment to equality?

It will be a condition of Mountaineering Scotland membership that member clubs:

- formally adopt this policy, or produce their own equality and diversity policy in terms that are consistent with it;
- take steps to ensure that club committees, members and volunteers behave in accordance with the policy, including where appropriate taking disciplinary action under the Club's constitution;
- ensure that access to membership is open and inclusive; and
- support such measures and initiatives that Mountaineering Scotland may institute or take part in to advance the aims of this policy.

It will be a condition of Mountaineering Scotland membership that individual members:

- commit to act in accordance with this policy; and
- support such measures and initiatives that Mountaineering Scotland may institute or take part in to advance the aims of this policy.

4. How do we monitor and measure this?

The Board of Mountaineering Scotland will be responsible for ensuring the implementation of this policy.

The CEO and staff will review relevant Mountaineering Scotland activities and initiatives against the aims of the policy on an annual basis. The CEO will report formally on this issue at the AGM.

As part of monitoring our progress in increasing the diversity of our membership, we request demographic information from our employees, volunteers, members and prospective members. This information is collected and held anonymously and in accordance with data protection legislation. This will help us meet our aims set out in this policy

5. Complaints and compliance

Mountaineering Scotland regards all of forms of discriminatory behaviour, including (but not limited to) behaviour described in the Appendix as unacceptable, and is concerned to ensure that people feel able to raise any bona fide grievance or complaint related to such behaviour without fear of being penalised for doing so.

Appropriate disciplinary action will be taken against any employee, member or volunteer who violates the Mountaineering Scotland Equality and Diversity Policy.

a. Complaints against clubs or members of Mountaineering Scotland clubs

Any person who believes that they have been treated in a way that they consider to be in breach of this policy by a Mountaineering Scotland member club or a member of a Mountaineering Scotland member club, should first use the relevant Club's complaint policy. The Mountaineering Scotland pro forma Club's Complaint Policy can be found on our website.

<https://www.mountaineering.scot/about-us/business-matters/complaints-policy>

b. Complaints against individual members, volunteers or the staff or Board of Mountaineering Scotland

Any person who believes that they have been treated in a way that they consider to be in breach of this policy by an individual Mountaineering Scotland member, or a member of the staff or Board of Mountaineering Scotland, should raise a complaint directly with that person in the first instance.

If this does not resolve the matter, or in the case of allegations of discriminatory behaviour against Mountaineering Scotland itself, they may raise the matter by writing directly to the [CEO / President]. Should the matter involve the President, the complainant should contact the CEO directly and vice versa. Contact details are available on our website <https://www.mountaineering.scot/about-us/meet-the-team>

The [CEO /President] will investigate the complaint personally or appoint a Board member or members to do so. The investigation will be conducted impartially, confidentially, and without avoidable delay. Any person or organisation against whom a complaint has been made will be informed of what is alleged and given the opportunity to present their side of the matter.

The outcome of the investigation will be notified to the parties in writing and reported to Board of Mountaineering Scotland. If the investigation reveals unacceptable discriminatory behaviour on the part of an individual member,, club member, or member club, staff or Board member, where appropriate, the Board may impose sanctions on that person or club in line with Mountaineering Scotland's Constitution. Sanctions may range from a written reminder concerning future conduct up to and including temporary or permanent expulsion from Mountaineering Scotland . In deciding what sanction is appropriate in a particular case, the Board will consider the severity of the matter and take account of any mitigating circumstances.

Where the violation of this Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the appropriate authority will be informed.

In the event that an individual or organisation associated with Mountaineering Scotland is subject to allegations of unlawful discrimination in a court or tribunal, the Board of Mountaineering Scotland will co-operate fully with any investigation carried out by the relevant lawful authorities and, subject to the outcome, may consider taking action as above in relation to the matter concerned.

6. When is this policy reviewed?

The Board will review the policy itself at intervals of no more than three years, (or when necessary due to changes in legislation) and will report with recommendations to the AGM.

The Board of Mountaineering Scotland

September 2022

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Revision: 2

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Relevant legislation and forms of unacceptable discrimination

Legal rights

Discrimination has been enshrined in legislation for a number of decades.

From October 2010, the relevant Act which applies throughout the UK is the Equality Act 2010 (“the Act”).

“Discrimination” refers to unfavourable treatment on the basis of particular characteristics, which are known as ‘protected characteristics’. Under the Act, 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 Act, people are protected from discrimination ‘on grounds of’ a protected characteristic². This means that people will be protected if they have one or more of these characteristics, are assumed to have it, or associate with someone who has it or is assumed to have it.

Forms of discrimination and discriminatory behaviour include the following:

a. Direct discrimination

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

b. Indirect discrimination

Indirect discrimination occurs when a provision, criterion or practice is applied to a person or group of people that would put persons of a particular characteristic at a particular disadvantage compared with other persons who do not share that particular characteristic.

c. 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.

d. 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.

² 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.

e. Victimisation

It is unlawful to treat a person less favourably because they have 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.

f. Bullying

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

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Mountaineering Scotland – Members’ Code of Conduct

Target audience:	This document applies to all individual members, volunteers and helpers affiliated with Mountaineering Scotland.
Purpose:	This document outlines the appropriate behaviours expected of that target audience.

Members are expected to:

- Uphold the values, rules, code of conduct and other policies of Mountaineering Scotland.
- Promote and preserve the good reputation of Mountaineering Scotland.
- Treat others fairly and with dignity, courtesy and respect at all times.
- Raise any concern regarding the behaviour of another member, volunteer or helper with the appropriate person in accordance with the Mountaineering Scotland complaints policy.
- Ensure that any concerns regarding the safeguarding of children or vulnerable adults associated with Mountaineering Scotland is reported to the Club Child Welfare & Protection Officer, or the Mountaineering Scotland Child Welfare & Protection Lead.
- Follow health and safety protocols and avoid any unnecessary risks or behaviour that may affect the health, safety of welfare of others or themselves.
- Follow the principles of the Scottish Outdoor Access Code, including respecting the property and privacy of local residents, and the property and livelihood of landowners.

Members, volunteers and helpers must not behave or condone others behaviours by:

- Behaving in a manner liable to bring the sports of mountaineering, hillwalking, ski-touring or climbing, or Mountaineering Scotland, into disrepute.
- Engaging in unacceptable behaviours including using inappropriate or abusive language, bullying, harassment, discrimination, physical or verbal violence, being under the influence of illegal drugs or irresponsible behaviour relating to the excessive consumption of alcohol.

Where concerns are raised by a member or member of the public about the behaviour or conduct of another member, volunteer or helper, they may be suspended from membership of Mountaineering Scotland whilst such allegations are investigated.

Mountaineering Scotland – Club Code of Conduct

Target audience:	This document applies to all members, volunteers and helpers of clubs (“the Club”) or groups affiliated with Mountaineering Scotland.
Purpose:	This document outlines the appropriate behaviours expected of that target audience.

Members, volunteers and helpers are expected to:

- Uphold the values, rules, code of conduct and other policies of the Club and Mountaineering Scotland.
- Promote and preserve the good reputation of the Club and Mountaineering Scotland.
- Treat others fairly and with dignity, courtesy and respect at all times.
- Raise any concern regarding the behaviour of a Club member, volunteer or helper with the appropriate Club committee member(s), in accordance with the Club’s complaints procedure.
- Ensure that any concerns regarding the safeguarding of children or vulnerable adults associated with the Club or its activities is reported to the Club Child Welfare & Protection Officer, or the Mountaineering Scotland Child Welfare & Protection Lead.
- Follow health and safety protocols and avoid any unnecessary risks or behaviour that may affect the health, safety of welfare of others or themselves.
- Follow the principles of the Scottish Outdoor Access Code including respecting the property and privacy of local residents, and the property and livelihood of landowners.

Members, volunteers and helpers must not behave or condone others behaviours by:

- Behaving in a manner liable to bring the sports of mountaineering, hillwalking, ski-touring or climbing the Club or Mountaineering Scotland into disrepute.
- Engaging in unacceptable behaviours including using inappropriate or abusive language, bullying, harassment, discrimination, physical or verbal violence, being under the influence of illegal drugs or irresponsible behaviour relating to the excessive consumption of alcohol during Club activities and meets.

Where concerns are raised by a member or member of the public about the behaviour or conduct of another member, volunteer or helper, they may be suspended from the Club whilst such allegations are investigated.