

# SUPPORT FOR CLUBS AND PLAYERS: IDENTIFYING DISCRIMINATION AND AGGRAVATED LANGUAGE



To ensure Basketball is truly a game for All, everyone has a responsibility to challenge discrimination when we see it, whether it is at a game, at training or online. Recognising it and knowing how to respond can be vital to ensuring incidents are handled appropriately and promptly.

## WHAT IS DISCRIMINATION?

Basketball England follows the definitions set out in the Equality Act 2010. Discrimination can be any of the following:

### **DIRECT DISCRIMINATION:**

Treating someone with a protected characteristic less favourably than others.

### **HARASSMENT:**

Behaviour linked to a protected characteristic that that violates dignity or creates an offensive environment.

### **INDIRECT DISCRIMINATION:**

Provisions or practices with the effect of putting someone with a protected characteristic at a disadvantage.

### **VICTIMISATION:**

Unfair treatment of any individual because they have raised or reported an act of discrimination.

## WHAT ARE THE PROTECTED CHARACTERISTICS?

Protected characteristics are listed in the Equality Act 2010. They are as follows:

- **AGE**
- **DISABILITY**
- **GENDER REASSIGNMENT**
- **MARRIAGE OR CIVIL PARTNERSHIP**
- **PREGNANCY AND MATERNITY**
- **RACE**
- **RELIGION OR BELIEF**
- **SEX**
- **SEXUAL ORIENTATION**

## WHAT ARE 'AGGRAVATED' BREACHES?

The Disciplinary Code in Basketball describes as Aggravated the use of language of behaviour that makes reference, whether explicitly or implied, to another person's ethnic origin, colour, race, age, nationality, religion or belief, gender, gender reassignment, sexual orientation, or disability.

In most instances, Aggravated breaches could also be considered as Harassment under the Equality Act. They are comments or behaviour making reference to a protected characteristic that cause offence.

## WHAT DOES THIS LOOK LIKE IN BASKETBALL?

Discrimination and Aggravated language can be wide ranging. Isolated incidents are most likely to be dealt with as Aggravated breaches, tending to be a single comment or gesture. Direct and indirect discrimination tend to occur over a period of time.

The way a comment is received or perceived is key to identifying if it is an Aggravated breach, rather than the intent behind it. If it is reasonably deemed to be offensive, and either explicitly or implicitly makes reference to one of the listed protected characteristics, then it is likely to be an Aggravated breach. It doesn't matter if the intention of the person making the comment was not to reference a protected characteristic.