



Statement

7th June 2010

Equality Act 2010

The Equality Bill was published on 27th April 2009 and became an Act of Parliament on 8th April 2010.

The Act is intended to provide a legislative framework to protect the rights of individuals and advance equality of opportunity for all. It is envisaged that the main provisions of the Act will come into force in October this year.

Bowls England has received many enquiries from clubs and counties regarding what impact, if any, the new Act will have on our sport.

Bowls England is expecting generic guidance to be issued by the Government Equalities Office this summer, which will be followed by sport specific guidance. Therefore, it is too early to give precise answers to many of the questions being raised by Members.

However, we wish to inform Members of the following items that are included within the Act:

1. Equality in Clubs

The Equality Act does make it against the law for clubs which are for everyone to treat some members and guests unfairly.

However, the Equality Act does not stop women-only and men-only clubs, or clubs for people who share a characteristic like their age or their religion or belief, like an over-60s club.

Examples

- A club with men and women members cannot let men play at any time while women can only play in the mornings.
- A club that lets members bring their partners cannot say disabled partners are not allowed.
- If the building is difficult for disabled people to use, the club must make fair changes so disabled people can use it.



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2. Single Sex Competition

Single sex competition is allowed in 'gender-affected' sports, which are defined as 'a sport, game or other activity of a competitive nature in circumstances in which the physical strength, stamina or physique of average persons of one sex would put them at a disadvantage compared to average persons of the other sex as competitors in events involving the activity.'

It also makes it lawful to restrict participation of transsexual people in such competitions if this is necessary to uphold fair or safe competition, but not otherwise.

Note: It is envisaged that the sport of outdoor bowls will be classified as a 'gender-affected' sport.

It is the view of the Bowls England Chief Executive that physical strength does affect performance on outdoor greens, especially those that may be 'heavy' and/or 'wet', unlike faster indoor bowling surfaces.

However Bowls England is not in a position to clarify this until the sport specific guidance is received.

3. Selection Arrangements

The Act allows the existing selection arrangements of national sports teams, regional or local clubs or related associations to continue. It also protects "closed" competitions where participation is limited to people who meet a requirement relating to nationality, place of birth or residence.

4. Reasonable adjustments for disabled persons

The Act requires Associations to make reasonable adjustments for disabled persons who

- (a) are, or are, seeking to become or might wish to become, members,
- (b) are associates, or
- (c) are, or are likely to become, guests



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Examples:

- A club usually holds its annual dinner upstairs in a local restaurant without a lift. The room is not accessible to two new disabled members who have severe difficulty in climbing stairs. Under the duty the club would need to think about changing the venue to a downstairs room to accommodate the new members. This is likely to be a reasonable adjustment for the club to make.
- A club has members who cannot read standard print. Under the duty it would need to think about providing information in large print and on audio tape for them. These are likely to be reasonable adjustments for the club to make.

FURTHER DETAILED GUIDANCE ABOUT THE IMPACT OF THE EQUALITY ACT 2010 ON THE SPORT OF BOWLS WILL BE COMMUNICATED TO BOWLS ENGLAND MEMBERS ONCE IT IS AVAILABLE.