



## SAFEGUARDING DISCRIMINATORY ABUSE

### **Scope**

This policy applies to all Foundation colleagues, including those on temporary contracts or who have been working at the Foundation through a recruitment agency for more than 12 weeks. It does not apply to agency workers who have worked at the Foundation for less than 12 weeks, consultants or self-employed contractors

This policy supersedes any previous policies prior to its issue date.

### **Policy Statement**

The Foundation believes that all our environments should be inclusive and welcoming for everyone and people should feel safe, valued and respected in line with our own club values. This policy will outline the processes in place to tackle any acts of violence or hostility directed at people because of who they are or who someone thinks they are.

We are committed to tackling any abusive behaviour, motivated by prejudice or bias, robustly in order to reinforce our customer's confidence in reporting any such incidents to us.

### **Policy and Procedure**

The Equality Act 2010 ensures that people are legally protected from discrimination in the following scenarios:

- At work.
- In education.
- As a consumer.
- When using public services.
- When buying or renting property.
- As a member or guest of a private club or association.

Therefore, the Foundation has a legal responsibility to protect our staff and customers from discrimination under this legislation. It is also against the law to discriminate against anyone because of the following protected characteristics:

- Age.
- Gender reassignment.
- Being married or in a civil partnership.
- Being pregnant or on maternity leave.
- Disability.
- Race including colour, nationality, ethnic or national origin.
- Religion or belief.
- Sex.
- Sexual orientation



## SAFEGUARDING DISCRIMINATORY ABUSE

### **How you can be discriminated against**

Discrimination can come in one of the following forms:

- Direct discrimination - treating someone with a protected characteristic less favourably than others.
- Indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage.
- Harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them.
- Victimisation - treating someone unfairly because they've complained about discrimination or harassment.

### **Hate Motivation**

Hate crimes and incidents are taken to mean any crime or incident where the perpetrator's hostility, or prejudice against an identifiable group of people, in determining who is directly harassed or victimised. Motivation originates from 'who' the victim is, or 'what' the victim appears to be that motivates a person to act in a hateful or discriminatory manner.

### **Hate Definitions**

A hate crime is defined as 'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'

A hate incident is any incident which the victim, or anyone else, thinks is based on someone's prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender.

Not all hate incidents will amount to criminal offences, but it is equally important that these are also reported and recorded by Police and the Foundation.

Evidence of the hate element is not a requirement. You do not need to personally perceive the incident to be hate related. It would be enough if another person, a witness or Club staff thought that the incident was hate related.

### **Types of Hate Crime**

Hate crime can fall into one of three main types: physical assault, verbal abuse and incitement to hatred. These are detailed below:

- Physical assault - Physical assault of any kind is an offence. If anyone has been a victim of physical assault on Club property or transport, then they should be encouraged to report it to Police. Depending on the level of the violence used, a perpetrator may be charged with common assault, actual bodily harm or grievous bodily harm following a Police investigation.



## SAFEGUARDING DISCRIMINATORY ABUSE

- Verbal abuse - Verbal abuse, threats or name-calling can be a common and extremely unpleasant experience for minority groups. Victims of verbal abuse are often unclear whether an offence has been committed or believe there is little that can be done however, there are laws in place to protect them from this.

If anyone has been the victim of verbal abuse, they should be encouraged to report the incident to the police or other organisations such as; Kick it Out, Stonewall and Women in Football.

### **Incitement to Hatred**

The offence of incitement to hatred occurs when someone acts in a way that is threatening and intended to stir up hatred. That could be in words, pictures, videos, music, and includes information posted on websites.

Hate content may include:

- Messages calling for violence against a specific person or group.
- Web pages that show pictures, videos or descriptions of violence against anyone due to their perceived differences.
- Chat forums where people ask other people to commit hate crimes against a specific person or group

These incidents are particularly serious and should always be reported to Police where people feel confident to do so.

### **Reporting Protocols**

Foundation representatives are responsible for monitoring, reporting and acting on any discriminatory abuse from their spectators or players.

This protocol applies specifically where incidents are heard or witnessed by players, managers or match officials on the pitch. It aims to ensure that any discriminatory abuse directed at players, managers or match officials is effectively addressed and that participants feel protected.

Offenders should be identified and dealt with efficiently by The Foundation while ensuring that the match, where possible, is not unduly interrupted.

- The incident should in the first instance be brought to the attention of the match referee during a break in play.
- The match referee should report the incident to a relevant responsible club representative.
- The identity of that Foundation representative will vary game to game and the match official will determine the best person from The Foundation to assume this responsibility and is likely to be the Coach or other Club Official.
- The Foundation representative should seek to identify the person/people responsible and take appropriate action while the match continues in order to stop the abuse.



## SAFEGUARDING DISCRIMINATORY ABUSE

- If, within an amount of time agreed by the match referee to the Foundation representative, the problem continues, the referee may remove the players from the field and suspend the match, allowing the Foundation representative a further opportunity to deal with the problem.
- If in the opinion of the match referee the matter cannot be dealt with satisfactorily and the welfare of any participants, in terms of the threat of continued abuse, remains at risk, the match referee should consider abandoning the match.
- Any decision to suspend or abandon a match should be taken solely by the match referee after full consultation where deemed appropriate with both team managers and captains.
- In these scenarios it will be the responsibility of the referee to report the matter to the FA and relevant League.
- These matters should be recorded by the Foundation using the My Concern database and appropriate referrals made to agencies such as "Kick it Out" where applicable.

### **Immediate Reporting Norwich City FC Match Day (Supporter/Staff) Procedure**

Club staff are responsible for monitoring, reporting and acting on any discriminatory abuse from their spectators. This applies within Stadium or Academy Settings. This protocol applies specifically where incidents are heard or witnessed by Supporters or Club staff (such as stewards). It aims to ensure that any discriminatory abuse directed at other supporters, staff, players, managers or match officials is effectively addressed and that participants feel protected. Offenders should be identified and dealt with efficiently by club staff either at the time or post-match where delayed reporting features.

- Supporters should be encouraged to report incidents immediately to the nearest Steward at the time of reporting or soon as practicable. Supporters can also report matters immediately to the Match Day Control Room via the published reporting line.
- The reporting person should identify the location of the person involved and the nature of the incident described.
- The Control Room should be notified immediately to ensure that the incident is properly co-ordinated and appropriate advice is shared where necessary.
- In cases where crimes have been committed and the Police are present this should be immediately reported to them for action.
- In cases where Police are not present Stewards should be deployed to the incident and the offending person should be escorted to the nearest egress.
- The identity of the offending person should be established including their seat number in order to maximise any future identification issues which may arise. The allegation should be put to the person and appropriate action taken. Best practice will be for this interaction to be recorded by THE Stewards Section Head using Body Worn Video.
- The Foundation should adopt a robust approach to such allegations in order to ensure that confidence in reporting is maintained.
- The Control Room should be informed of the outcome in order to fully inform any need for further surveillance or risk reduction decision making required.
- Where stewards have such incidents reported to them, they should complete a steward report post-match with full details and action taken.
- This report should subsequently be reviewed by the Operations Team and a copy sent to the Head of Safeguarding for recording and referral processes.



## SAFEGUARDING DISCRIMINATORY ABUSE

### **Delayed Reporting Norwich City FC Match Day (Supporter/Others) Procedure**

Club staff are responsible for monitoring, reporting and acting on any discriminatory abuse reported to them by any person. This applies within Stadium, Academy or external settings. This protocol applies specifically where incidents are heard or witnessed by anyone. It aims to ensure that any discriminatory abuse directed at other supporters, staff, players, managers or match officials is effectively addressed and that those involved feel protected. Offenders should be identified and dealt with efficiently by club staff in a timely manner.

- Delayed reporting may come from a variety of routes including club email inboxes, telephone calls, letters, external agencies, steward reports and debrief meetings. (This list is not exhaustive).
- It is vitally important that the staff member receiving any such report can identify that discriminatory abuse has taken place and that the proper process is followed.
- All reports of discriminatory abuse should be recorded on the My Concern database at the earliest opportunity to ensure that actions and decision making are accountable and transparent.
- The Head of Safeguarding will be responsible for ensuring that delayed complaints of discriminatory abuse are acknowledged, and the appropriate referrals made.

### **Allocation**

All incidents of discriminatory abuse will be subject to investigation by the most appropriate agency. In cases where Hate Crimes have been reported to Police, they will have the primacy for investigation processes. In all cases The Foundation will investigate the circumstances of the situation in order to fully inform any future Club sanction process.

Allocation of cases will be made by the Head of Safeguarding to the most appropriate person to ensure that any investigative action is proportionate, necessary and legal.

### **Decision Making Panel**

All cases of Discriminatory Abuse within the Stadium environment will be considered by a decision-making panel chaired by the Head of Operations and Projects. The objective of this panel will be to consider risk and to agree actions to drive investigative processes. This panel should sit within 72hrs of the report to ensure that future risk to any party is mitigated before the next home match. This panel should also include the following:

- Head of Operations – Chair
- Head of Safeguarding to advise as to threat, risk and harm,
- Head of Ticketing to advise as to identification, history and tactics
- Head of Executive Office to advise as to Club Policy.

This panel will decide any necessary interim sanctions including bans to ensure that those reporting or subject to harm are not intimidated or left at risk from further offending,

### **Investigation**

In order to fully inform decision making in relation to outcomes it will be necessary to fully understand the circumstances in all reports of Discriminatory Abuse. It will be imperative that those people reporting feel confident that The Foundation take the matter seriously and they are listened to compassionately and with understanding.



## SAFEGUARDING DISCRIMINATORY ABUSE

The following investigative tactics (list not exhaustive) may be utilised in such cases:

- Victim Account
- Witness Enquiries
- Ticketing Enquiries
- Covert operations
- CCTV
- Media/Communications
- Wellbeing support where required

All cases will be subject to a safeguarding strategy to address threat, risk and harm and each action will be documented on My Concern.

### **Outcomes**

The Foundation have a zero-tolerance approach to discriminatory abuse and therefore it is important that where possible outcomes should reflect such a serious stance. This approach will increase confidence in reporting, improve the feeling of safety within our environments and to deter others from engaging in such behaviour.

Outcomes may involve sanctions which will be proportionate as to the seriousness of the incident. All decisions will be recorded on the My Concern record with rationale to ensure they are defensible and stand up to future scrutiny.

Sanctions may include telephone or verbal warnings (all will be documented by letter), temporary bans or permanent exclusions. These sanctions will be recommended by the Decision-Making Panel who will re-convene at the conclusion of the investigative process.

All recommendations for Sanctions will be presented to The Foundation Executive Board by the Head of Operations for ratification.

A note of the final decision will be recorded on both the Ticketing and Safeguarding Databases.

A communication strategy to improve confidence should be considered at the conclusion of such matters.

### **Finalisation**

Upon finalisation all parties involved should be notified by the most appropriate method and person. In all cases the person reporting, or customer involved must be informed and this interaction recorded on the My Concern record. It will be important to fully explain decisions made in cases where No Further Action is taken and to communicate these effectively to ensure that the person involved does not feel disbelieved. This could lead to a barrier of future reporting and it will also be important to capture the view of this person affected to ensure that lessons are learnt where required.

The Board will usually be informed via the Senior Safeguarding Lead in higher profile cases or through the safeguarding Board report.



## SAFEGUARDING DISCRIMINATORY ABUSE

All agencies receiving notifications from The Foundation should be updated with the outcome. This may include statutory agencies, Football Association and Premier League and support agencies such as Kick it Out and Stonewall.

The Equality Advisory Group should be provided with an overview of investigations and outcomes to assist delivering The Foundation commitment to such issues within their wider groups.

### **Prevention**

The Foundation should continually seek to ensure that our environments are free from hate and discriminatory abuse. This can be enhanced through educational campaigns and widely highlighting reporting methods. Such strategies will be considered within the Equality Group and the Strategic Safeguarding Panel.

Feedback from individual cases, the Equality Advisory Group and advisory peer support agencies will ensure that we evaluate the effectiveness of processes and strive for continuous improvement.

### **Policy Review**

Policy Issue Date **December 2020**

Date of Next Update **March 2022**

All safeguarding policies and procedures are due for a general review on the above date. They may however be reviewed and updated earlier, in the event of a change in Foundation requirements, or relevant legislation.