



ANTI-DISCRIMINATION CODE GUIDANCE NOTES 2024

INTRODUCTION

The England and Wales Cricket Board (the ECB) is responsible for the governance of cricket in England and Wales. This ECB Anti-Discrimination Code (the Code) is part of the ECB's continuing efforts to maintain the integrity, diversity and inclusivity of cricket.

The ECB aims to create an environment within cricket in England and Wales in which no individual, group or organisation experiences discrimination or acts in a discriminatory manner on the basis of a Protected Characteristic (as defined in the Equality Act 2010 from time to time – which at the time of writing are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

This Code therefore sets out discriminatory behaviour which, when carried out by a participant who is required to comply with it, will be a breach of the Code and may be sanctioned accordingly. All Participants (as defined below) agree by virtue of their involvement in cricket in England and Wales to be bound by this Code and submit to the disciplinary jurisdiction of the relevant body which applies to them.

All County Cricket Boards, First Class Counties, Regional Partners, the National Counties, leagues, clubs and other organisations under the jurisdiction of the ECB or its Members must adopt and enforce the Code.

Participants who are party to an ECB agreement and/or in receipt of ECB funding may be obliged, as a condition of those agreements or funding, to comply with or adopt the Code and/or enforce the provisions of the Code through their own processes.

The Code may be amended from time to time by the ECB in its sole discretion, with such amendments coming into effect on the date specified by the ECB.

BREACHES UNDER THE ANTI-DISCRIMINATION CODE

Cricket Organisation means:

- (a) County Cricket Boards, First Class Counties, Regional Partners, National Counties, the Marylebone Cricket Club and other organisations under the jurisdiction of the ECB or its Members;
- (b) Clubs and leagues which are affiliated to or under the jurisdiction of either the ECB or any of its Members; and
- (c) Any other organisations which adopt this Code.

Participant means:

- (a) Cricket Organisations;
- (b) Employees, directors, officers, committee members, contractors and volunteers, in each case, of the ECB or any Cricket Organisation;
- (c) Match officials including members of the Association of Cricket Officials;
- (d) Members of the ECB Coaches Association;
- (e) An individual taking part in a cricket match or event under the jurisdiction of the ECB and/or any ECB Member; and
- (f) Any other individual who becomes bound by this Code.

Example

Paragraph (f) above is intended to cover other individuals which a cricket organisation chooses to have bound by the Code. For example, a cricket venue may require spectators to abide by the Code by making it a provision of the ticket terms and conditions which a spectator agrees to.

1 It will be a breach of this Code for any Participant to:

- 1.1 Discriminate against any person or persons based upon any relevant Protected Characteristic, whether by act or omission, directly or indirectly, unless permitted by law.
- 1.2 Engage in conduct related to a relevant Protected Characteristic which has the purpose or effect of violating another's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person or persons;. and/or
- 1.3 Subject another person to a detriment because that person has made (or the Participant believes that person has or might make) an allegation or complaint in good faith about any conduct described in paragraphs 1.1 and/or 1.2 or has otherwise participated in good faith in any process designed to establish whether such conduct has occurred.

2 In deciding whether the conduct has the effect referred to in paragraph 1.2 above, the following shall be taken into account, namely:

- 2.1 The perception of the relevant person or persons,
 - 2.2 The circumstances of the case, and
 - 2.3 Whether it is reasonable for the conduct to have that effect.
- 3 In instances where the Participant is an organisation, it will be a breach of this Code to fail to provide an effective, timely and proportionate response to an alleged breach under paragraph 1 above, carried out by any individual or organisation under the jurisdiction of the Participant.
 - 4 The breaches referenced in paragraph 1 shall apply regardless of whether the Protected Characteristic(s) around which the breach is based applies to the person or people to whom the offending conduct is directed.

Example

If a player makes a homophobic comment directed at another player during a match, regardless of whether that other player belongs to the group referred to, this would amount to a breach of the Anti- Discrimination Code.

- 5 Any breach of this Code may also constitute an offence or breach of other applicable laws, rules and/or regulations. This Code is intended to supplement such other laws, rules and regulations and is not intended, and may not be interpreted, construed or applied, to prejudice or undermine in any way the application of such other laws, rules and/or regulations. Participants therefore acknowledge and agree that this Code does not limit their responsibilities or obligations under other laws, rules and/or regulations.