

# FOOTBALL UNITES; SCOTTISH FA GRASSROOTS DISCRIMINATION REPORTING



**FOOTBALL  
UNITES**



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# FOOTBALL UNITES; SCOTTISH FA GRASSROOTS DISCRIMINATION REPORTING



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# SCOTTISH FA MESSAGE

The Scottish FA is committed to the Equality Vision of **"Scottish Football to be representative and reflective of the demographic of Scotland"** with the mission that **"There are no barriers to participate and access Football in Scotland"** both the Equality Vision and Mission are fully evident within Football Unites; Scottish FA Equality Framework which is designed to improve the Diversity within the Scottish Football environment.

A key factor in delivering the overall Vision and Mission is to ensure Scottish Football is a Safe and Enjoyable experience for all. To achieve this aim the Scottish FA has established a Discrimination Reporting Mechanism which allows any forms of Discrimination with Scottish Grassroots Football to be reported and investigated effectively.

The Reporting of Discrimination within the grassroots game not only allows the game to be a safe and enjoyable environment, but allows the Scottish FA to monitor potential high risk areas as well as educational needs within the Scottish Game.

The following Discrimination Reporting Guide aims to assist the understanding of; forms of Discrimination, how they may occur within Scottish Football and the guidance to effectively challenge and report any potential breaches.

The Scottish FA aims to support the understanding through the Scottish FA Equality E-Learning which can be accessed within the Scottish FA Coach Education pathway.

To access the Discrimination Reporting Form please go to [www.scottishfa.co.uk/GrassrootsReporting](http://www.scottishfa.co.uk/GrassrootsReporting) or search for **Scottish FA Grassroots** in Google Play or App store.

## EQUALITY FRAMEWORK OF SPORT — ADVANCED LEVEL

The Equality Standard — a Framework for sport was launched by the UK Sports Councils to address inequality within the sports' sector and to help community organisations towards overcoming this, and achieving equality.



Having achieved Foundation Level in 2009, Preliminary Level in 2012 and Intermediate Level in 2014 it was a momentous occasion in 2019 when the Scottish FA achieved the prestigious Advanced Level. This makes the Scottish FA one of only a small number of National Governing bodies, and the first Football Association across the UK to be presented with this award.

To find out more information of the Equality Framework for sport please go to; <http://equalityinsport.org/>





# WHAT IS DISCRIMINATION?

Discrimination means treating a person unfairly because of who they are or because they possess certain characteristics. If you or someone you know has been treated from other people only because of who you/they are or because you/they possess certain characteristics, you/they may have been discriminated against.

## THE EQUALITY ACT 2010 HIGHLIGHTS 9 PROTECTED CHARACTERISTICS;

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

# EQUALITY ACT 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

It replaced previous anti-discrimination laws with a single act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

## BEFORE THE ACT CAME INTO FORCE THERE WERE SEVERAL PIECES OF LEGISLATION TO COVER DISCRIMINATION INCLUDING;

- **SEX DISCRIMINATION ACT 1975**
- **RACE RELATIONS ACT 1976**
- **DISABILITY DISCRIMINATION ACT 1995**



# PROTECTED CHARACTERISTICS

Under the Equality, there are 9 protected characteristics.

## AGE:

A person belonging to a particular age (for example 32 years' old) or range of ages (for example 18–30 year olds).

## DISABILITY:

A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

## GENDER REASSIGNMENT:

The process of transitioning from one gender to another.

## MARRIAGE AND CIVIL PARTNERSHIP:

Marriage is a union between a man and a woman or between a same-sex couples.

Same sex couples can also have their relationship legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act)

## PREGNANCY AND MATERNITY:

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

## RACE:

Refers to the protected characteristics of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

## RELIGION OR BELIEF:

Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

## SEX:

A man or a woman

## SEXUAL ORIENTATION:

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

# FORMS OF DISCRIMINATION

Discrimination can occur in the following forms;

## DIRECT DISCRIMINATION

Under similar circumstances, when a person with a protected characteristic is treated less favourably than another it is direct discrimination.

## INDIRECT DISCRIMINATION

If there is a rule or policy in the workplace that puts you at a disadvantage as compared to others. It may be considered indirect discrimination.

## DISCRIMINATION BY ASSOCIATION

If you are treated unfairly because someone you know or are associated with has a protected characteristic. This may be constructed as discrimination by association.

## DISCRIMINATION BY PERCEPTION

Receiving unfair treatment because someone thinks you belong to a group with protected characteristics, you may be experiencing discrimination by perception.

## HARASSMENT

Harassment comprises of unwanted behaviour that makes another person feel offended, humiliated or intimidated. Unwanted behaviour could include physical gestures, abuse, jokes, spoken or written words or offensive emails and expressions.

## VICTIMISATION

When a person is treated badly or subjected to detriment because they complained about discrimination or supported another victim of discrimination, this may be considered victimisation.

## HOW IT MAY LOOK WITHIN GRASSROOTS FOOTBALL

*Please note these examples are not exhaustive and discrimination may appear in various situations.*

- An opposition player uses racist language towards you or your player during a match situation
- Supporters shout homophobic chants, comments or phrases during a match towards a team or individual
- A player is not allowed to play for a team because they are deaf due to the coach's belief they cannot train with the other players.
- A woman is not allowed to sit on the Board of a male football team, because their rules state Board members must have played for the team
- A player is not allowed to enter a changing room because he is gay
- A female physio is made to feel uncomfortable due to sexual comments made about her by players
- A coach not allowing a Muslim female player to wear trousers under her shorts which allows her to follow her religious beliefs
- A coach not allowed to join a club's staff because of their religion

## WHEN IT MAY NOT BE CONSIDERED AS DISCRIMINATION

*Please note these examples are not exhaustive and discrimination may appear in various situations.*

- At some levels of the game referees are required to undertake a series of fitness tests. This may put older referees at a disadvantage. However the tests are justified as older referees may not be able to meet the physical demands.
- A 25 year old female player is not permitted to play in a registered male team due to health and safety and football is regarded as a combat sport.
- A participant who requires the use of a Powerchair cannot play within mainstream Football matches or training, health and safety and the permitted rules of the sport.
- A male coach is permitted to be excluded from a changing room of a female team whilst players are changing.

## WHAT IS RACISM?

Racism describes the negative attitudes and practices towards persons because of their membership of groups perceived to differ from the perceiver.

Any distinction, exclusion, restriction or preference based on 'race', colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of human life.

## WHAT IS HOMOPHOBIA?

Homophobia encompasses a range of negative attitudes and feelings toward people who are identified or perceived as being lesbian, gay or bisexual. Homophobia can vary in form throughout the different football contexts and cultures. Forms of homophobic discrimination include but are not limited to; excluding people from participation, practicing derogatory and offensive language with reference to LGBTI people, humiliating or embarrassing people via social media, threats and physical violence.





# WHAT IS HATE CRIME?

The Scottish Government defines Hate Crime as crime committed against a property or a person that is motivated by 'malice or ill-will towards an identifiable social group' (sometimes called a characteristic).

**IN SCOTLAND, THE LAW CURRENTLY RECOGNISES HATE CRIMES AS CRIMES MOTIVATED BY PREJUDICE BASED ON:**

- Race
- Religion/faith
- Sexual orientation
- Transgender identity
- Disability

The perpetrator's motivation is the main factor in defining a hate crime. You do not need to be a member of a minority community to be a victim.



## HOW DOES THE LAW APPLY TO HATE CRIME?

### 01/ AGGRAVATION OF STATUTORY OFFENCE

A statutory offence, for example assault, is aggravated where it can be shown there is a motivation of prejudice towards one or more characteristics (i.e. race, religion/faith, sexual orientation, transgender identity or disability). An assault aggravated by prejudice towards e.g. race will be treated more seriously by the court than an assault without that aggravation. In this way, it recognises the impact these types of offence have on those who are targeted, and sends a symbolic message about the nation's values.

This was brought about over time through the laws below:

**Race:** [section 96 of the Crime and Disorder Act 1998](#)

**Religion/Faith:** [section 74 of the Criminal Justice \(Scotland\) Act 2003](#)

**Sexual orientation:** [section 2 of the Offences \(Aggravation by Prejudice\) \(Scotland\) Act 2009](#)

**Transgender identity (Offences (Aggravated by Prejudice) Act 2010):** [section 2 of the Offences \(Aggravation by Prejudice\) \(Scotland\) Act 2009](#)

**Disability:** [section 1 of the Offences \(Aggravation by Prejudice\) \(Scotland\) Act 2009](#)

### 02/ 'STANDALONE' HATE CRIMES (SPECIFIC TO THE CHARACTERISTIC OF RACE)

There are two types of offence which criminalise behaviour specifically because it is motivated by racial prejudice. They are:

**Racially aggravated harassment:** [section 50A of the Criminal Law \(Consolidation\) \(Scotland\) Act 1995](#)

**Stirring up racial hatred Sections 18–22 of the Public Order Act 1986:** [sections 18 to 22 of the Public Order Act 1986](#)

## WHAT IS A HATE INCIDENT?

Put simply, a hate incident is an act of unacceptable behaviour which motivated by hostility or prejudice but which is not a criminal act.

Citizens Advice Scotland states any action is considered to be a hate incident when the victim or anyone else thinks what happened was motivated by hostility or prejudice against someone, associated with one or more of the following characteristics or presumed characteristics of that person:

- Race
- Religion
- Sexual orientation
- Transgender identity
- Disability

To support the claim, one independent source of evidence is needed. It has to be shown that the person accused of this behaviour showed malice or ill will towards the victim in the incident. The victim cannot be the independent source of evidence.

It can be hard to distinguish between a hate crime and a hate incident. The Procurator Fiscal has responsibility for that but there will be day-to-day ground level judgements on whether to report an occurrence as a hate crime or whether it should be addressed without recourse to law.



# SCOTTISH FA DISCRIMINATION REPORTING

The Scottish FA Discrimination Reporting for the Grassroots Game will allow the Scottish FA to challenge and monitor Discrimination within the Grassroots Game.

The Scottish FA has a number of reporting methods available to anybody who has seen, heard or been on the receiving end of discriminatory abuse in a Scottish Grassroots football environment.

The Scottish FA's role is to raise the complaint with the Affiliated National Association concerned and monitor the case to ensure appropriate action is taken. Where the Affiliated National Association requires additional advice in dealing with a problem, The Scottish FA is able to assist by providing guidance.

*Please note — The Scottish FA acts upon complaints which fall under the jurisdiction of The Scottish Football Association and its member grassroots leagues.*

All complainants have the choice as to whether they wish their report to be dealt with in confidence. Contact details are taken so the Scottish FA can report back on how the Affiliated National Association has responded to the complaint, or in case the organisation requires any further information. If you have chosen to make a confidential report your contact details will not be passed on.

Below you can find out how The Scottish FA can support you, as well as the limits on its role and the step-by-step process when you report an incident of discrimination to the organisation.

## STAGE 1

Your complaint is received and details recorded on an incident form. The Scottish FA talks you through the process, timelines and the outcomes that you can realistically expect.

## STAGE 2

A copy of your report will be sent to the relevant Affiliated National Association for investigation.

## STAGE 3

If the Affiliated National Association does not respond, The Scottish FA will send a reminder for you.

## STAGE 4

The Affiliated National Association will carry out its investigation and inform the Scottish FA of its outcome. Where appropriate, charges will be raised upon completion of a thorough investigation.

## STAGE 5

The Scottish FA will inform you of the outcome of the investigation and monitor any future discrimination reports involving alleged groups.

To Report Discrimination with Scottish Grassroots Football please go to [www.scottishfa.co.uk/GrassrootsReporting](http://www.scottishfa.co.uk/GrassrootsReporting).

Or search for **Scottish FA Grassroots** in Google Play or App store.

If you feel your form of Discrimination relates to Hate Crime (please see page 10) you may also refer the information to **Police Scotland** via **101**.







# GUIDANCE ON REPORTING A COMPLAINT

## DURING A MATCH

If you receive/hear Discrimination abuse during a match; follow the following steps;

1. Speak to the referee or one of the match officials immediately
2. Just the essentials — who said what, where on the pitch and when
3. Remember, the Referee can take immediate action if they see or hear the offence, such as showing a red card. The Referee should also report the offence within the Match Report to inform the relevant league body
4. If they didn't see or hear it, they may choose to speak to the player and let them know a complaint has been made
5. The referee should record your complaint and pass on to the relevant League Body
6. Remember not to react or get involved because you could end up in trouble
7. After the match check again with the referee after the game that he or she has recorded your complaint
8. Make your club aware of your complaint
9. If you feel your complaint comes under the definition of a hate crime you may wish to inform the police
10. Avoid posting messages on Social Media as this can complicate or delay any further investigation
11. You may also wish to report the incident to the Scottish FA Discrimination Reporting Mechanism to ensure the complaint is investigated

## INVOLVING SPECTATORS

If you receive/hear Discrimination abuse from spectators; follow the following steps;

1. Speak to the referee or one of the match officials immediately
2. Just the essentials — who said what, where on the pitch and when
3. It may be possible for instant action to be taken by the Referee by speaking to a representative of the relevant team for assistance in dealing with this conduct
4. If the referee has consistent concerns, he or she has the power to stop or abandon the game
5. But remember not to react or get involved because you could end up in trouble
6. Check again with the referee after the game that he or she has recorded your complaint
7. If you feel your complaint comes under the definition of a hate crime you may wish to inform the police
8. Avoid posting messages on Social Media as this can complicate or delay any further investigation
9. You may also wish to report the incident to the Scottish FA Discrimination Reporting Mechanism to ensure the complaint is investigated

## WITHIN CLUB SETTING

If you receive/hear Discrimination abuse within your club; follow the following steps;

1. Speak to a club official (Coach if involving teammate or Board member if involving Coach)
2. Just the essentials — who said what, where on the pitch and when
3. It may be possible for club to rectify any misunderstanding or lack of understanding on the perpetrators part
4. If you feel your complaint comes under the definition of a hate crime you may wish to inform the police
5. Avoid posting messages on Social Media as this can complicate or delay any further investigation
6. You may also wish to report the incident to the Scottish FA Discrimination Reporting Mechanism to ensure the complaint is investigated



# DEALING WITH INAPPROPRIATE LANGUAGE AND BEHAVIOUR

Everyone involved in football has a right to challenge inappropriate behaviour within the football environment and have it effectively dealt with.

## WHY DON'T WE CHALLENGE;

- It's uncomfortable
- Fear of repercussions
- It's easier to avoid it
- Someone else's problem
- Feel intimidated

Remaining silent or doing nothing contributes to the behaviour continuing and can be a form of collusion.

Collusion is defined as the "cooperation with others, knowingly or unknowingly, to reinforce stereotypical attitudes, particularly behaviours or norms".

## THREE FORMS OF COLLUSION;

- 1) SILENCE
- 2) DENIAL
- 3) ACTIVE COOPERATION

Silence is the most common form. By saying nothing when people tell jokes, exclude others and exhibit inappropriate behaviours, we reinforce the status quo.

## THERE ARE TWO DISTINCT ROUTES FOR DEALING WITH INAPPROPRIATE LANGUAGE OR BEHAVIOUR:

### ROUTE ONE:

Challenge individual directly

### ROUTE TWO:

Report incident to the Scottish FA Discrimination Reporting Mechanism

## THE ROUTE YOU PURSUE DEPENDS ON THE FOLLOWING;

- Your role in Football
- How confident and skilled you are at dealing with both the issue and negotiating conflict
- The circumstances in which the incident occurred

If you pursue Route One and it is not successful, you can subsequently pursue Route Two.

## CHALLENGING BEHAVIOUR DIRECTLY

As officials within your club or organisation you all have a responsibility to challenge racist, proactive or abusive behaviour or language. For example:

- A club official or manager may object in their official capacity to a homophobic remark directly with the person who makes it
- A committee member may directly challenging another committee member for mimicking disabled people or foreign nationals
- Individuals may challenge inappropriate remarks and behaviours informally amongst the team, club or organisation members.

Challenging behaviour directly with the person or people responsible can be a daunting experience. It is even more daunting if the person you are challenging is in a senior or powerful position, or part of a dominant group which denies the behaviour is inappropriate or colludes with it.

However as with all potential abuse situations, taking action to stop the behaviour escalating is crucial.





# REFEREE GUIDANCE

## DISCRIMINATION BEHAVIOUR — GUIDANCE FOR MATCH OFFICIALS

In the event of a Discrimination behaviour perpetrated by spectators the referee shall implement the following procedures when, in the sole opinion of the referee, intervention is necessary to prevent a repeat of the incident or to stop ongoing behaviour.

When considering whether such an incident or behaviour requires intervention the referee shall take account of the number of spectators involved, the frequency and volume (if relevant) of such behaviour and the effect or potential effect on any individual person or persons within the area.

### STEP 1: INCREASED VIGILANCE

When the referee becomes aware by any means (e.g. directly, if informed by another Match official or by a player or coach) of a discrimination incident or discrimination behaviour, he/she shall stop the match and through a Home team official request such behaviour is halted. If the incident is undertaken by away supporters the request is made through an Away team official.

### STEP 2: STOP THE MATCH

If the referee becomes aware or is made aware of the discrimination behaviour persisting despite the request to stop. The referee shall stop the match and ask for the behaviour to be halted once again through the relevant match official. The match must not be restarted until after such request is made.

### STEP 3: SUSPEND THE MATCH

If the discrimination behaviour does not cease once the match has restarted, then the referee shall suspend the match for 10 minutes and request both teams to go to the dressing rooms or to their respective side-lines. During this period the Referee shall again ask for a request to be made with additional warning that a failure to do so may result in the match being abandoned. The Home club official shall telephone the relevant local Police office and report the situation and advise the Police. The match must not be restarted until after such telephone call is made.

### STEP 4: ABANDON THE MATCH

If the Discrimination behaviour does not cease once the match has restarted after the suspension under step 3, then the referee shall, as a last resort, abandon the match.

# DISCRIMINATION REPORTING IN GRASSROOTS FOOTBALL

Discrimination is when a person is treated unfairly because of who they are or who someone thinks they are because of their race or religion, disability, sexual orientation, transgender identity, age, gender, pregnancy & maternity, marriage or civil partnership.



Targeting someone unfairly because of who they are is wrong. It could be a criminal offence.



Everyone has the right to be involved within football.



Any aggressive, bullying or harassing behaviour will not be tolerated within football.



If you become aware of any aggressive, bullying or harassing behaviour, we need you to report this.



The Scottish FA will make sure all incidents you tell us about are recorded, investigated by the appropriate body and where appropriate, reported to the Police.



**WE WILL TAKE YOU SERIOUSLY. DON'T IGNORE IT. REPORT IT.**

To report discrimination in Scottish Grassroots football visit:

[www.scottishfa.co.uk/GrassrootsReporting](http://www.scottishfa.co.uk/GrassrootsReporting)

Search for Scottish FA Grassroots in Google Play or App store



Disability Equality Scotland



POLICE SCOTLAND  
Pòileas Alba



Scottish Government  
Riaghaltas na h-Alba  
gov.scot



The Equality Standard  
A Framework for Sport  
ADVANCED

**FOOTBALL UNITES**



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