

Club Journal

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The magazine for all CIU members

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Union President George Dawson
CMD is urging clubs to help
influence legislators on both a
national and local level

CIU ready to renew political support for the club sector

Following the recent General Election in May, Union President George Dawson CMD has urged CIU members to intensify their efforts to create awareness in Parliament and at Local Government level of the importance of members' clubs to their local communities.

"It's vital that Union clubs continue to make their voice heard about the vital role we play in local communities and use our collective voice to help shape legislation that will make clubs stronger and more secure in the long term.

"We will continue to influence the Government at the highest levels through our leading roles on the All-Party Parliamentary Group for Non-Profit Making Members' Clubs (APPG) and CORCA (Committee of Registered Clubs Associations) but clubs themselves should also be shouting about the huge benefits they bring to communities at a local level.

"Up and down the country Union clubs raise millions of pounds each year for charities; provide facilities and meeting places for community groups; give people,

from the young to the elderly, a safe environment in which to socialise and make use of sporting facilities; and have a highly respected education programme.

"We can be very proud of the many positive things we bring to local life and should be going out of our way to publicise them."

Mr Dawson CMD believes that clubs have a vital role to play in building awareness of their achievements at a local level and has suggested that inviting politicians to see clubs at first hand should be a priority.

He said: "Why not invite your local MP, Mayor or Councillor to come to your club, meet your members and see for themselves just what clubs are all about?"

"Tell them about the challenges that certain areas of legislation are posing for your club and that will give them food for thought when it comes to debating and voting on issues which affect us."

The CIU will be holding a Parliamentary Reception at the House of Commons later in the year while the next APPG meeting will be held on June 16.

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Club of the Month: Monks Road WMC

June's 'Club of the Month' is Monks Road Working Men's Club in Lincoln which has effected a remarkable turnaround over the past two years.

With mounting debts and urgent building repairs needed, the club embarked on an ambitious cost-cutting plan which has moved Monks Road onto an upward trajectory.

• For the full story, turn to pages 10-11.

ANY QUESTIONS?



Club Journal's panel of experts is ready to answer any of your queries regarding running your club

Q What are the club's responsibilities when it comes to the Disability Discrimination Act (DDA) and the Equality Act?

Michael Rickwood, Managing Director of Disability Awareness company, Access2All, responds:

As a trained disability access consultant I often get asked questions about the DDA and the Equality Act. Many people are worried and concerned about their responsibilities.

In fact, the easiest way to stay the right side of the Equality Act is to follow the advice from the Bible: "Do unto others as you would have others do unto you."

It's quite simple really – whatever decision you are going to make regarding your club, staff or member – put yourself in the other person's place and ask yourself, "how I would feel if this was happening to me?" With that answer in mind you should not go far wrong. Well, that's the easy part. To try and un-muddy some of the waters, here is some more specific advice.

Why was the Act brought in and when did it become law?

The Act brought together several other acts to make it easier to enforce and understand. It also serves to bring all forms of discrimination under one umbrella and therefore make it harder to discriminate and easier to prosecute. It became law in April 2010.

What are the main changes under the Act?

- Improved protection for particular groups
- Increased scope of prohibited discrimination
- New public duties to reduce systematic inequality and discrimination
- Improved powers of tribunals

What are the key changes to the Act?



- Improved protection for disabled people
- New grounds of discrimination arising from disability and indirect disability discrimination
- Protecting people with disabilities from discrimination in the recruitment process (the bill) makes it unlawful to ask applicants about disabilities except in specific circumstances
- Protects carers from discrimination
- Increasing the number of accessible taxis

“Put a plan in place which will highlight your access problems, identify what you have done already and put a time frame in place for improvements”

The Act talks about ‘Protected Characteristics’ – what are they?

The ‘Protected Characteristics’ in the Act are: age; pregnancy & maternity; disability; gender reassignment; marriage and civil

partnership; race; religion & belief; sex; and sexual orientation.

The Act talks about ‘prohibited conduct’ – what is that?

There are four main types of discrimination:

- **Direct Discrimination**

If person (A) treats person (B) less favourably than he would others

- **Harassment**

A engages in unwanted conduct (physical, verbal or psychological) in relation to B's ‘Protected Characteristic’

- **Indirect Discrimination**

A applies a Provision, Condition or Practice which would be discriminatory

- **Victimisation**

A victimises B by subjecting him to detriment.

Plus one other:

A person (A) discriminates against a disabled person (B) if:

- 1) A treats B in a particular way
- 2) Because of B's Disability the treatment amounts to a detriment
- 3) A cannot show that the treatment is a

proportionate means of achieving a legitimate aim.

It is important to remember that the Act applies to one and all. It is important that any person who acts as a service provider, employer or landlord look at the Act and how it applies to them and act accordingly.

So, to ensure you are complying with the Act your club should complete the following checklist:

- Look at your practices policies and procedures and make sure they are updated to include the Act
- Carry out an access audit on your property to highlight access issues and look at your practices, policies and procedures
- Put an access plan in place which will highlight your access problems, identify what you have done and put a time frame in place for improvements

If challenged these measures mean you can demonstrate a willingness to work within the Act. If you have any questions on how this legislation affects your club, please do not hesitate to contact me at Access2All on 0786 276 2276.

Q A club down the road from us has just had a problem with dishonest staff – how can we ensure our club is fully protected in this area?*

Andy Kitchener, Aon Relationship Manager for CIU, responds:

Theft by an employee or club official is thankfully relatively rare but nonetheless we see a number of these claims every year.

These crimes are particularly upsetting as they are often committed by people considered to be close friends so discovering that money or stock is missing often comes as a massive shock.

We all think we are reasonable judges of character and these situations often leave you questioning your own judgement and wondering how you could be so wrong. Also these matters can be extremely delicate in that they affect personalities within the club so care needs to be taken.

We, of course, can only give advice from an insurance perspective. What should you do if you suspect internal theft is going on?

- You should always contact the police in the first instance
- You should then contact your insurance broker to report the claim



When you discover any act which may give rise to a claim you should immediately take steps to prevent further loss

- You should then call your insurer's legal expenses team to again report the incident and obtain any advice from them regarding disciplinary action to be taken against the employee/official.

For an insurer to ensure ALL claims are paid promptly and without incident then you will have need to comply with all conditions of your insurance policy.

No matter who provides your club insurance there will be conditions attached and these can change over time so should be reviewed each year. Making the small print BIG print so to speak.

We thought it would be useful to highlight some typical conditions which may appear in policy wording. You should of course refer to your own club's policy wording for a definitive guide.

There will be special conditions which make you aware of the checks and systems you should have in place. If you aren't operating in this way then the claim could be repudiated.

For example, one of the most common reasons a claim can fail is that the club has failed to get adequate written references for employees or officers.

Typical conditions include:

- The fraud or theft would need to be committed during the Period of Insurance, even if it is discovered later. Your policy may have a maximum timeframe after which claims can't be made
- When you discover any act which may give rise to a claim you should immediately take steps to prevent further loss

- Before engaging any employee or club officers a satisfactory written reference should be obtained covering their previous employment. This may need to be produced in the event of a claim
- There could be a stipulation that money is handed to an authorised employee or banked within a specified time frame, e.g. 24 hours or within three days of receipt
- Cash book entries and other records of money received should be fully checked on a regular basis. This is often stipulated as every month at least
- Often there is a condition that stock should be independently and physically checked at least annually

You should be aware of some of these conditions before a claim is made rather than afterwards when it may be too late.

It is important to make sure that you understand your obligations and discuss them with your insurer if necessary.

Do you have a club-related problem that you think the Club Journal expert panel can help you with? If so, please send your question or query to justin@clubjournal.co.uk and we'll help you get the advice you need.

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