

Youth contract Policy: Equality and Diversity

1 POLICY STATEMENT

The aim of this policy is to communicate the commitment of the management to the promotion of equal opportunities within the *Youth Contract Consortia*.

1.1 INTRODUCTION

The *Youth Contract Consortia* is committed to encouraging diversity and eliminating discrimination in both its role as an employer and as a provider of services. The *Youth Contract Consortia* aims to create a culture that respects and values each other's differences, that promotes dignity, equality and diversity, and that encourages individuals to develop and maximise their true potential. The *Youth Contract Consortia* is committed, wherever practicable, to achieving and maintaining a workforce that broadly reflects the local community in which we operate.

1.2 TERMS AND DEFINITIONS

In line with the Equality Act 2010, the *Youth Contract Consortia* applies the following definitions in application of this policy:

- Direct Discrimination: Occurs when a person is treated less favourably than others in similar circumstances because of a protected characteristic.
- Perceptive Discrimination: This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
- Associative Discrimination: This is direct discrimination against someone because they associate with another person who possesses any one or more of the protected characteristics.
- Indirect Discrimination: Indirect discrimination can happen where there is a condition, rule, policy or even practice in the organisation that applies to everyone but particularly disadvantages people who share a protected characteristic. Employers can only justify indirect discrimination if they can show that they acted fairly and reasonably in managing their business and they would need to show that they had considered other, less discriminatory alternatives. Like direct discrimination, indirect discrimination is unlawful whether it is intentional or not, unless it can be fully justified.
- Victimisation: Victimisation is when a person is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. A person is not protected if they have maliciously made or supported an untrue complaint.
- Harassment: The law defines harassment as "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual."
- Sexual Harassment: This is unwanted behaviour which is of a sexual nature and which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. A person should not be treated less favourably because they submit to or reject sexual harassment or harassment related to sex.
- Third Party Harassment: This is where employers could potentially be liable if someone other than a member of their staff (a third party such as a customer or client) harasses an employee. However, it would need to have happened on at least two previous occasions, the employer would need to be aware it had taken place and a claim of harassment could only be justified if the employer had not taken reasonable steps to prevent it happening again.

1.3 SUMMARY OF PRINCIPLES

The *Youth Contract Consortia* commitment to Equality and Diversity is:

- To create an environment in which individual differences and the contributions of all our employees, trustees and volunteers are recognised and valued.
- To create a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated.
- To ensure training, development and progression opportunities are available to all.
- To promote equality in the workplace, which it believes is good management practice and makes sound business sense.
- To regularly review all employment and volunteering practices and procedures to ensure that no job applicants, staff, trustees or volunteers are treated less favourably than others.
- To regularly review services to ensure they are accessible and appropriate to all groups within society.
- To treat breaches of the equality policy seriously and to take disciplinary action when required.
- To provide information and training to all employees, trustees and volunteers so that they are fully aware of the issues relating to Equality and Diversity and their responsibilities relating to it.
- To ensure the policy is fully supported by all of those within the **Youth Contract Consortia**.
- To monitor and review the policy annually.

1.4 LEGISLATION SUPPORTING THE POLICY

- The Acts of Parliament which apply are:
 - The Equal Pay Act 1970
 - The Sex Discrimination Act 1975
 - The Race Relations Act 1976
 - The Race Relations (Amendment) Act 2000
 - The Employment Rights Act 1996
 - The Disability Discrimination Act 1995 and 2005
 - The Rehabilitation of Offenders Act 1976
 - The Human Rights Act 1998
 - Employment Equality (Sexual Orientation) Regulations 2003
 - Employment Equality (Age) Regulations 2006
 - Employment Equality (Religion or Belief) Regulations 2003
 - Equality Act 2006
 - Racial and Religious Hatred Act 2006
 - The Equalities Act 2010

2. POLICY

2.1 USAGE

2.1.1 The **Youth Contract Consortia** have specific responsibility for the effective implementation of this policy. We expect all staff and customers alike to abide by the policy and help to create the environment of equality which is its objective.

2.1.2 It is the Policy of the **Youth Contract Consortia** to:

- recruit, employ and develop all staff on the basis of their suitability, qualifications and experience in relation to the requirements of the work to be performed and not on grounds of their sex, sexual orientation, marital status, creed, colour, race, ethnic origin, nationality, disability or age.
- monitor the composition and progress of the workforce to establish that its intentions are realised and to take action to remedy the situation if necessary.
- The **Youth Contract Consortia** undertakes to inform all its employees of the policy and related procedures. This will be done by means of induction training for new employees, and job related training will be given according to the position held.

2.2 POLICY APPLICATION

The policy applies to:

- All types of advertisement of jobs (both internal and external)

- The recruitment process - The Manager/Directors will prepare advertisements ensuring that there is no bias, or discrimination, in the conditions stated. Those involved in the recruitment and selection of employees will be given appropriate training.
- The appointment to the position.
- Training.
- Conditions of employment including pay.
- Every other aspect of employment within the **Youth Contract Consortia**.

All employees should note that the imposition of any condition, or requirement, which has an adverse effect on someone due to his/her sex, sexual orientation, race, marital status, age, nationality or disability etc, will be unlawful unless it can be justified by business need.

2.3 MONITORING AND REVIEWING

The **Youth Contract Consortia** will establish appropriate information and monitoring systems to assist the effective implementation of our equal opportunities policy. The effectiveness of the equal opportunities policy will be reviewed regularly (at least annually) and action taken as necessary.

2.4 COMPLAINTS

If someone feels that they wish to make a complaint following an incident of abuse, discrimination, victimisation or harassment, they may wish to follow the **Youth Contract Consortia's** complaints policy which states the following:

1.3 PROCEDURE

1.3.1 STEP ONE: RESOLVE ISSUES INFORMALLY -

Before making a complaint about an individual/organisation within the **Youth Contract Consortia**, the complainant should, where possible, be encouraged to discuss the problem with the individual/organisation lead concerned in an attempt to reconcile the issue. An informal approach may be particularly helpful where complaints can be resolved quickly and confidentially.

1.3.2 STEP TWO: A FORMAL DISCUSSION -

Where Step One cannot resolve a complaint, the **Youth Contract Consortia** can set up a discussion between the parties involved in the complaint. The **Youth Contract Consortia** will hold this discussion in private and an impartial representative will 'chair' the discussion. This will be a two-way conversation, aimed at discussing possible shortcomings in conduct or performance and encouraging improvement. All parties, including the chair, may bring an advocate to witness the meeting. Criticism will be constructive and the aim is to resolve the complaint.

In order to begin Step two, the complainant should speak with, or write to, the relevant project lead. If this is not possible, the the complainant should contact another project lead or site manager from within the **Youth Contract Consortia**.

1.3.3 STEP THREE: A YOUTH CONTRACT CONSORTIA TRIBUNAL -

Step one and Step two cannot resolve a complaint, the **Youth Contract Consortia** will arrange for a tribunal. A panel from either within the **Youth Contract Consortia** or independent from it will listen to the all parties involved in the complaint and make a decision to resolve the complaint. The tribunal's decision will be final.

In order to begin Step three, the complainant should speak with, or write to the relevant project lead. If this is not possible, the the complainant should contact another project lead or site manager from within the **Youth Contract Consortia**.

Extract from the **Youth Contract Consortia's** complaints policy, Page 1.

3. SUPPLIERS / CONTRACTORS AND OTHER THIRD PARTIES

3.1 The **Youth Contract Consortia** requires that all employees follow the requirements of the Policy in its dealings with

other parties, including clients, customers and suppliers to the **Youth Contract Consortia** will also ensure that any other partners operate an Equal Opportunities Policy similar to its own.

Signed

Name

Role

Date

Policy review date