CONSTRUCTION YOUTH TRUST

EQUAL OPPORTUNITIES & DIVERSITY POLICY

Reviewed and adopted by Board of Trustees: 1st October 2026

Next Review Date: Q3 2027

EQUAL OPPORTUNITIES & DIVERSITY POLICY

The policy applies to

- Job applicants
- Employees
- Agency temps
- Students on work experience or placements
- Volunteers including trustees
- Service participants

The policy applies to all stages of employment including recruitment and selection, promotion and training.

This policy will be reviewed annually.

All staff undertake Equalities and Diversity training and this is refreshed annually.

Construction Youth Trust is fully committed to equality and diversity. We recognise that diversity is a positive attribute which brings many benefits. The aim of this policy is to support that commitment and to meet the legislative requirements of The Equality Act 2010.

1. Policy Aims

1.1 Construction Youth Trust recognises and values people's differences and will assist them to use their talents to reach their full potential.

1.2 Without prejudice, Construction Youth Trust will do all it can to ensure it recruits, trains and promotes people based on qualifications, experience and abilities for all roles within the organisation.

1.3 This policy is designed to ensure that Construction Youth Trust complies with its obligations under equality legislation and demonstrates our commitment to treating people equally and fairly.

1.4 Construction Youth Trust is unreservedly opposed to any form of discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (defined as Protected Characteristics).

1.5 Using fair and objective employment practices, the organisation aims to ensure that:

- All employees and potential employees are treated fairly and with respect at all stages of their interview selection process and any subsequent employment with Construction Youth Trust

- All employees, volunteers and service users have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour which is offensive or designed to intimidate and / or humiliate. Such behaviour may come from other employees or by people (third parties) who are not employees of Construction Youth Trust, such as customers or clients

- All employees, volunteers and service participants have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination

- All employees, volunteers and service participants have the right to be free from discrimination because they associate with another person who possesses a Protected Characteristic or because others perceive that they have a particular Protected Characteristic, even if they do not

2. Scope of the Policy

2.1 We recognise the following as definitions of discrimination:

2.2 Direct discrimination
This is where an employee or applicant is treated less favourably than someone else because of their:

- sex
- marriage or civil partnership
- gender reassignment
- pregnancy and maternity leave
- sexual orientation
- disability
- race
- religion or belief
- age

and that there is no genuine occupational requirement for it.

2.3 People must also not be discriminated against because they are on a part time or fixed term contract.

2.4 Indirect discrimination
This is where there is a working condition, practice or rule that disadvantages one group of people more than another. In other words, it is more difficult for people from one group to comply with the requirement. Even if it is done accidentally, indirect discrimination is unlawful. Indirect discrimination is only allowed if it is necessary for the way the business works, and there is no other way of achieving it.

2.5 Discrimination arising from disability
This is where a disabled person is treated unfavourably because of something connected to their disability where it cannot be objectively justified. This only applies where the organisation knew or could reasonably be expected to know that the person was disabled.

2.6 Associative Discrimination
This is where someone is treated worse than someone else because they are associated with someone with a Protected Characteristic.

2.7 Perceptive Discrimination
This is where someone is treated worse than someone else because there has been an incorrect assumption that they have a Protected Characteristic. This applies even if the person does not possess the characteristic.

2.8 Third Party Harassment
This is where an employee is harassed by a third party who is not an employee e.g. volunteers or service users.

3. Responsibilities

3.1 Employees, trustees and volunteers of Construction Youth Trust have a duty to act within this policy, ensure it is followed and to draw attention to any suspected discriminatory acts or practices.

3.2 Breaches of the Equality and Diversity Policy by employees
Breaches of this policy by employees may be dealt with under Construction Youth Trust's disciplinary procedures.

3.3 Breaches of the Equality and Diversity Policy by trustees and volunteers
Breaches of this policy could jeopardise their position within Construction Youth Trust should the policy not be followed.

3.4 Employees and trustees are also personally liable under equality legislation for any act of unlawful discrimination.

4. Equality and Diversity in Practice

4.1 In carrying out the policy, the Construction Youth Trust will:

- Use selection criteria that does not unlawfully discriminate in recruitment and promotion procedures
- Require entry to employment /volunteering or progression within it to be based on merit
- Ensure opportunities for recruitment, training, promotion or transfer of employees/volunteers are free from discrimination.
- Ensure that every individual is assessed according to his or her personal capability to carry out a given job/role
- Ensure that all employees are given equal treatment regarding terms and conditions of employment, provided they do the same or broadly similar work, or work of equal value
- Ensure equal opportunities and non-discrimination in the operation of grievance and disciplinary procedures
- Ensure that all relevant requirements of the Equality Act in relation to disability are met and adhered to. This will include making reasonable adjustments to ensure access to employment or volunteering tasks and opportunities
- Ensure that any amendments to any legislation relating to discrimination are met and adhered to

5. Implementation of the Policy

5.1 All staff, trustees and volunteers will be involved in creating an environment that adheres to equality and one that values diversity.

5.2 Communication of the policy to employees and volunteers is through Construction Youth Trust's website, induction process and HR Toolkit.

5.3 In selecting service delivery partners Construction Youth Trust will consider their commitment to Equality and Diversity by seeking their Equality and Diversity Policy.

5.4 Construction Youth Trust will make our services accessible by

- Considering locations where the organisation's services are promoted /advertised
- Considering accessibility of locations from which the service is provided
- Considering the diverse make up of our staff/ volunteers in relation to our service users
- Considering the impact of proposed new services on the user group

5.5 Construction Youth Trust will monitor effectiveness of the policy through its evaluation of its services and via employee and volunteer feedback.

6. Reporting discrimination or potential discrimination

6.1 Employees and volunteers who feel that they have suffered any form of discrimination should either notify their line manager or follow the grievance procedure as laid out in the Staff Handbook.

6.2 Service participants who feel that they have suffered any form of discrimination should speak to any member of Construction Youth Trust staff who will take responsibility for ensuring that the issue is addressed by Construction Youth Trust. The complaints policy will be made available to the individual.

6.3 Employees, volunteers and service participants should also use this approach if they feel that they have been the subject of harassment from someone who is not an employee of Construction Youth Trust. Construction Youth Trust will not tolerate any harassment from third parties towards its employees, volunteers or service participants and will take appropriate action to prevent it happening again.

6.4 If an employee, volunteer or service participant witnesses behaviour that they find offensive in relation to age, marriage or civil partnership, pregnancy and maternity, disability, gender reassignment, race, religion or belief, sex and sexual orientation, even if it is not directed at them, they should also use this procedure.

This policy is endorsed by the Chief Executive, Carol Lynch.

APPENDIX 1

Recruitment and Employment of Ex-offenders

1. Recruiting Ex-offenders

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Construction Youth Trust complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

Construction Youth Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed. Construction Youth Trust will only ask an individual to provide details of convictions and cautions that Construction Youth Trust is legally entitled to know about. Construction Youth Trust will only

apply for a DBS certificate at the appropriate level when it can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended). Construction Youth Trust can only ask an individual about convictions and cautions that are not protected.

As Construction Youth Trust work with children and other people in vulnerable circumstances, under the rehabilitation of Offenders Act 1974 (Exceptions) order 1975, as amended (the "Exceptions Order"), the Trust is entitled to know about any/all applicants' previous spent and unspent cautions and convictions.

Construction Youth Trust is committed to the fair treatment of its staff, potential staff or users of its services and actively promotes equality of opportunity for all with the right mix of talent, skills and potential. Construction Youth Trust welcomes applications from a wide range of candidates, including those with criminal records.

Construction Youth Trust selects candidates for interview based on their skills, qualifications and experience. Any information given is treated in the strictest confidence and an applicant's criminal record declaration form is kept separate from their application. A person's criminal record will not, in itself, debar that person from being appointed to this post, unless they pose a risk to and/or are barred from working with children and vulnerable groups. Suitable applicants will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying. All cases will be examined on an individual basis and will take the following into consideration:

- Whether the conviction is relevant to the position applied for
- The seriousness of any offence revealed
- The age of the applicant at the time of the offence(s)
- The length of time since the offence(s) occurred
- Whether the applicant has a pattern of offending behaviour
- The circumstances surrounding the offence(s), and the explanation(s) offered by the person concerned
- Whether the applicant's circumstances have changed since the offending behaviour

At interview, or in a separate discussion, Construction Youth Trust ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Construction Youth Trust undertakes to discuss any matter revealed on a candidate's application form and/or a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment. Failure to reveal information that is not protected (including convictions, cautions, reprimands or final warnings) could lead to withdrawal of an offer of employment or disciplinary proceedings/dismissal in the future.

The Trust has a documented process through which we will discuss and assess any information disclosed by, or regarding, an applicant that could potentially affect that individual's suitability to work with children. Please refer to the Trust's Safeguarding Policy on our adverse information risk assessment protocols.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all recruitment material will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

Construction Youth Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request. See link https://www.gov.uk/government/publications/dbs-code-of-practice

2. Current Employees in positions working with children and other vulnerable groups

For all positions working, or potentially working, with children and other people in vulnerable circumstances, the Trust is entitled to know on an on-going basis about any cautions and convictions that might affect a current employee's DBS status and/or suitability to work with children.

A criminal record will not, in itself, automatically lead to the removal of an employee from their position, unless they pose a risk to and/or are barred from working with children. The Trust is committed to taking an open and measured approach if a current employee discloses an offence or any other matter arises that might be relevant to their position. Please refer to the Trust's Safeguarding Policy for our adverse information risk assessment protocols.

Employees must inform the Trust immediately of any criminal convictions, warnings, reprimands that could affect their DBS status. Employees are asked to disclose at the earliest possible opportunity any situation that has the potential to lead to a criminal conviction or, otherwise, has the potential to undermine the Trust's confidence, and the confidence of our partners, in that individual's suitability to work with children and other vulnerable groups. This information will be discussed with sensitivity and confidentiality.

The Trust requires all employees in relevant positions to update their DBS check on a regular basis, at least every three years. Additionally, employees are required to complete an Annual Safeguarding Check which includes a Declaration of Criminal Record Status.

Failure to reveal information that is not protected (including convictions, cautions, reprimands or final warnings) could lead to disciplinary proceedings/dismissal.