




Equality and Diversity Policy & Guidelines

Policy prepared by:	Mike Farrington
Date:	08/08/2025
Signed:	
Policy review date:	08/08/2026
Version:	1.3



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1.0 INTRODUCTION

1.1 Policy Statement

Concrete Rose Collective CIC (Concrete Rose) is committed to promoting equality, diversity and inclusion and eliminating unlawful discrimination for all those it employs and/or supports including staff, young people, hosts, volunteers and the general public. The key legislation underpinning this policy is outlined in Appendix 1.

Concrete Rose has a responsibility to combat all forms of prejudice including that relating to the nine protected characteristics¹:

- Age
- Disability (whether physical, sensory, learning, mental, or long-term health problem)
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race (including race, colour, ethnic or national origins)
- Religion and belief
- Sex
- Sexual orientation

Concrete Rose recognises the importance of understanding and respecting diversity and of the need to support and prepare children and young people for life in a pluralistic society. As such it is the responsibility of all members of Concrete Rose (staff, volunteers, hosts etc) to ensure the practical application of this policy. Concrete Rose also recognises that certain responsibility will fall on its management to provide appropriate coordination and training.

1.2 Policy Aims

This policies purpose is to:

- Provide equality, fairness and respect for all those who interact with Concrete Rose.
- Not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation.
- Oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

1.3 Unlawful Discrimination

Although there may be circumstances justifying different treatment, which are not unlawful (for example to comply with a genuine occupational requirement for a position), Concrete Rose will not tolerate unlawful discrimination and/or harassment on the grounds of an individual's sex, race,

¹ 'Care-leaver' has recently been adopted as a protected characteristic amongst a number of councils across the UK and, although not one of the 9 characteristics in the equalities act, for the purpose of this policy we include this as an additional characteristic warranting additional protection.

marital status, colour, ethnic or national origin, disability, gender reassignment, sexual orientation, age, religion and other beliefs, pregnancy and maternity, union membership, union activities, employment status or care background. Any reference to discrimination in this policy includes all such possible grounds.

1.4 **Scope**

This policy applies to the whole of Concrete Rose at all levels of the organisation, and across all policies and activities especially with regard to:

- Implementation
- Employment & Recruitment
- Participant & Community Involvement
- Tackling Discrimination & Harassment
- Programme Planning & Provision of services
- Procurement
- Promoting Social Inclusion & Community Cohesion
- Partnerships
- Responsibilities
- Monitoring & Review
- Complaints & Redress

2.0 RECRUITMENT AND EMPLOYMENT

2.1 **Staff recruitment**

Concrete Rose will endeavour to recruit staff in a fair and open manner – including equality for all job applicants – to achieve a diverse workforce. After taking into account any genuine occupational requirement attached to a role any entry into employment and promotion (or change of post) is determined by personal merit, suitability, and ability or potential ability, relevant to the mission and purpose of Concrete Rose.

Concrete Rose aims to ensure that people with disabilities are given equal opportunity to enter employment and will look to make reasonable adjustments to working practices, equipment and premises to ensure that a disabled person is not put at a substantial disadvantage due to their disability. In addition, if staff members become disabled in the course of their employment, every effort will be made through reasonable adjustment, retraining or redeployment to enable them to remain in the employment of Concrete Rose.

2.2 **Host and volunteer recruitment**

Concrete Rose will look to recruit hosts and, where appropriate, volunteers in a fair and open manner. The primary goal is to recruit hosts (and volunteers) with the ability, character, experience, skills etc to provide stable, safe and loving support for young people. Whilst the vetting procedure is rigorous (and particularly detailed for hosts) Concrete Rose aims to advertise and recruit in a way that both encourages and facilitates a diverse mix of hosts/volunteers reflecting the diverse mix of young people in need of support.

2.3 **Exemptions**

On occasions, Concrete Rose may be required to restrict recruitment based on Genuine Occupational Requirements for a particular post. Any such exemptions must be compliant with guidance issued by the Equality and Human Rights Commission.

2.4 Terms, conditions and requirements

Concrete Rose is committed to ensuring that rates of pay and other terms and conditions of employment/remuneration are fairly applied without regard to sex, race, marital status, etc. Unless there can be justification on the grounds of business need, it is unlawful to impose a condition or requirement on any post where such a condition would have an adverse impact on an employee (or prospective employee) on account of their sex, race, marital status etc.

2.5 Staff support and development

Concrete Rose will promote awareness of its Equality and Diversity Policy, and of the practices which will advance its implementation, amongst staff, hosts, and volunteers. This will include promoting greater awareness of equality issues and promoting positive messages and practices around inclusion and diversity.

2.6 Review of recruitment

A system will be operated to keep records of gender, ethnic origin and any disability of applicants in order to monitor the effectiveness of the equal opportunities policy.

3.0 PARTICIPANT AND COMMUNITY INVOLVEMENT

3.1 Feedback from hosts and young people

Concrete Rose will regularly seek feedback from those non-employees involved in programme delivery (e.g. hosts) or participation (i.e. young people). Details of the progress monitoring for young people, and 'hosts experience' surveys sit outside the scope of this policy, nevertheless both hosts and young people will be made aware of the other feedback loops for complaints and compliments.

3.2 Wider community engagement

Concrete Rose is committed to continually improving its practice in order to recognise and respond effectively and agilely to the needs of young people and deliver the best possible services. To this end we will proactively engage, and seek feedback from, the wider community including local authorities, community groups, voluntary sector organisations, faith groups, local councils, other statutory bodies and wider stakeholders as part of the process of developing and assessing policy and practice.

4.0 TACKLING DISCRIMINATION AND HARASSMENT

4.1 Roles and responsibilities

It is the responsibility of every individual representing Concrete Rose to eliminate discrimination by ensuring the practical application of this policy including reporting incidents of discrimination to an appropriate senior person. Discrimination or harassment in any form is not acceptable and Concrete Rose will take prompt action to deal with cases brought to its attention. Concrete Rose will offer appropriate support to any participants or staff experiencing harassment and, in the first instance, will look to agree any action with them first.

Concrete Rose will work in partnership with the police, local authorities and other agencies to prevent harassment in the community and to encourage its reporting. Concrete Rose will keep a record of incidents concerning discrimination, harassment and racially motivated incidents.

4.2 Discrimination and harassment of staff

Concrete Rose will ensure that staff, volunteers and hosts feel able to raise complaints of discrimination or harassment and that no individual will be penalised for doing so unless it is untrue and made in bad faith. Concrete Rose is committed to protecting staff, volunteers and hosts from harassment by other staff, by programme participants and by others, and will take appropriate action against perpetrators in agreement with staff concerned. Actions may include mediation, restorative processes and/or disciplinary proceedings.

4.3 Discrimination and harassment by staff

Any employee who harasses any other employee, volunteer, host or young person, or whose conduct or actions are inconsistent with the Concrete Rose's commitment to equal opportunities, will be subject to the organisation's disciplinary procedure. In serious cases, such behaviour will be deemed to constitute gross misconduct and, as such, will result in summary dismissal in the absence of mitigating circumstances.

4.4 Discrimination and harassment of young people

Concrete Rose will ensure that young people are able to raise complaints of discrimination or harassment and that there are no barriers for minority groups to do so. Complaints will be dealt with directly by senior members of the board. Concrete Rose is committed to protecting young people from harassment by others and will take appropriate disciplinary action (where staff are the perpetrators). Where perpetrators are hosts Concrete Rose will, in the first instance look to encourage and provide mediation services, to overcome the difficulties (if appropriate). However, if this is not amenable to the young person, or the harassment is deemed serious and counter to the ethos of Concrete Rose, the arrangement will be considered to have 'broken down' and alternative accommodation will be sought. Concrete Rose will thoroughly investigate such incidents to deem whether it is appropriate for the host(s) in question to continue in their role.

4.5 Incidents of racism

A racist incident is one which is perceived as being such by the person experiencing it or witnessing it (Home Office guidance). As with all forms of harassment, Concrete Rose will not tolerate racist incidents against its staff, hosts or young people and we will work with those experiencing racially motivated behaviour such as abuse, intimidation, harassment or violence.

5.0 PROVISION OF SERVICES

5.1 Service delivery

Concrete Rose is committed to ensuring fair access and fair treatment for all young people irrespective of background. Ensuring ease of access to appropriate premises and activities for those with disabilities, will particularly be taken into consideration. Where possible, office premises will endeavour to respect and acknowledge the need for staff to have a private place for privacy, prayer or quiet contemplation.

5.2 Reviewing services

Reviews will take into account fair access to services including race equality. Wherever possible, programme participants particularly those from minority groups will be encouraged to give their views and identify their priorities for service delivery and improvement.

6. PROMOTING SOCIAL INCLUSION AND COMMUNITY COHESION

6.1 Promoting inclusion and cohesion

Concrete Rose is committed to promoting social inclusion and will actively seek to work with individuals, communities and organisations to integrate marginalised and excluded individuals, and particularly young people, back into society (including mainstream health services, housing and employment) in order that they can fulfil their potential.

Concrete Rose also recognises its role in promoting community cohesion in the areas where it operates. Factors such as age, wealth, ethnicity, religion and political ideology, sexual orientation can create divisions in communities. Concrete Rose will look to promote positive interactions between people and engender positive community relations. This includes promoting the needs of local BME communities and other minority groups when contributing to local community strategies. Concrete Rose will endeavour to work with BME led organisations and other bodies representing minority groups in order to develop services and promote race equality.

7. PARTNERSHIPS

7.1 Co-delivery of services

Where Concrete Rose wishes to provide services in partnership with other organisations/agencies, any contracting or service level agreements or management agreements will reference Equality and Diversity Policies and ensure that these matters are accounted for in service delivery.

8. RESPONSIBILITIES

8.1 Directors

The directors are responsible for:

- Ensuring that the organisation complies with all current equality legislation.
- Adopting the Equality and Diversity Policy and ensuring that the procedures outlined are implemented and reviewed annually.
- Arranging training where necessary.
- Ensuring that staff know their responsibilities and are able to carry these out.
- Ensure that the policy is readily available.
- Taking appropriate action in cases of harassment and discrimination.

8.2 Staff, hosts and volunteers

Staff, hosts and volunteers are responsible for:

- The day-to-day implementation and operation of this policy.
- Addressing racist, sexist and homophobic incident including recognising and tackling bias and stereotyping.
- Promoting equality and good community relations.
- Avoiding discrimination against any persons for reasons of race, colour, nationality, ethnic or national origins, gender, disability, religion or belief, sexual orientation, gender reassignment, or socio-economic circumstances.
- Keeping up to date with the law on discrimination and taking part in training and learning opportunities.

9. COMPLAINTS AND REDRESS

9.1 External bodies



Concrete Rose is committed to taking positive action to address potential discrimination or any barriers to service access. Staff, prospective staff, hosts, volunteers, young people and others have the right to take complaints of unfair treatment or failure to follow legal or regulatory obligations to an appropriate external body, once complaints have been fully investigated internally.

APPENDIX I: LEGAL AND REGULATORY FRAMEWORK UNDERPINNING THIS POLICY

Concrete Rose will have regard to all legal and regulatory duties concerning Equality & Diversity in carrying out its activities.

Equality Act 2010

A new Equality Act came into force on 1 October 2010. The Equality Act brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

The Act simplifies, strengthens and harmonises the current legislation to provide Britain with a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The nine main pieces of legislation that have merged are:

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- the Employment Equality (Religion or Belief) Regulations 2003
- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Age) Regulations 2006
- the Equality Act 2006, Part 2
- the Equality Act (Sexual Orientation) Regulations 2007

This Act makes provision to require Ministers of the Crown and others when making strategic decisions about the exercise of their functions to have regard to the desirability of reducing socio-economic inequalities; to reform and harmonise equality law and restate the greater part of the enactments relating to discrimination and harassment related to certain personal characteristics; to enable certain employers to be required to publish information about the differences in pay between male and female employees; to prohibit victimisation in certain circumstances; to require the exercise of certain functions to be with regard to the need to eliminate discrimination and other prohibited conduct; to enable duties to be imposed in relation to the exercise of public procurement functions; to increase equality of opportunity; to amend the law relating to rights and responsibilities in family relationships; and for connected purposes. Government guidance on the Equality Act is referred to at <https://www.gov.uk/equality-act-2010-guidance>.

Race Relations Acts 1976 and 2000

Concrete Rose and its staff have a duty under The Act not to discriminate on racial grounds as an employer or as a provider of services.

Sex Discrimination Act 1975 & 2008 amendment regulations

Concrete Rose and its staff have a duty under The Act not to discriminate as an employer or in the provision of services by treating a person less favourably than another on the grounds of their sex.

The 2008 regulations outlaw discrimination on the grounds of sex, gender reassignment, pregnancy and childbirth, in service delivery and some employment provisions.

Disability Discrimination Acts 1995 & 2005

Concrete Rose has a duty under the 1995 Act not to discriminate as an employer or in the provision of services by treating a person less favourably than another on the grounds of their disability. The 2005 Act extends legal protection to those with diagnosed or progressive conditions such as AIDS, MS or cancer.

Rehabilitation of Offenders Act 1974

Under this act, prospective employees do not have to declare criminal convictions which attracted a prison sentence or suspended sentence of less than two and a half years, once the conviction becomes spent. However, Concrete Rose, in providing services to children, young people and vulnerable adults is exempt from The Act and ALL convictions must be declared.

Protection from Harassment Act 1997

This allows for civil or criminal proceedings to be taken in cases of harassment.

Human Rights Act 1998

Contracts under which we provide services require the association to protect the rights of clients enshrined in The Act. Article 6 (Right to a Fair Trial), Article 8 (Right to Respect for Private & Family Life), Article 9 (Freedom of Religion), Article 10 (Freedom of Expression), Article 12 (Right to Marry & Found a Family) and Article 14 (Prohibition of Discrimination) are of particular relevance.

Gender Recognition Act 2004

This sets out the legal framework for the recognition of individuals who undergo complete gender reassignment. The Act also contains provisions to outlaw discrimination of people at any stage of gender reassignment, particularly in the workplace.

Mental Capacity Act 2005

The Act governs decision-making on behalf of adults who lack mental capacity, both where they lose capacity at some point in their lives, and where the incapacitating condition has been present since birth. It covers all decisions, including personal welfare and financial matters, and covers decision-making on their behalf by attorneys, or court-appointed "deputies". It also clarifies the position if a formal process has not been adopted.

Equality Act 2006

This act creates a single commission, the Equality and Human Rights Commission, replacing the Commission for Racial Equality (CRE), the Disability Rights Commission (DRC), and the Equal Opportunities Commission (EOC). It also makes it unlawful to discriminate on the grounds of religion/belief or sexual orientation, in the provision of goods, services and facilities.

Racial & Religious Hatred Act 2006

This act outlaws the use of threatening words, behaviour or written material if the person intends to stir up religious hatred. This can apply to both individuals and companies.

Equality in Employment Regulations

The Employment Equality (Sexual Orientation) Regulations and the Employment Equality (Religion or Faith) Regulations came into force in December 2003 and it unlawful to discriminate on these grounds in the workplace. The Employment Equality (Age) Regulations came into force in October 2007 to make it is unlawful to discriminate on the grounds of age.



Regulatory & Contractual Responsibilities

Concrete Rose will also have regard to any regulatory requirements of relevant organisations involved in the commissioning and/or regulation of our services.