

National Examining Board for Dental Nurses

Equality and Diversity Policy

Purpose

To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010. To ensure that:

- the recruitment, promotion, training, development and appraisal of staff, trustees and volunteers are determined on the basis of capability, qualifications, experience and skills;
- the benefits, pay, terms and conditions of employment, redundancy and dismissals of staff are determined on the basis of capability, qualifications, experience, skills and productivity;
- the services provided by the organisation to its users are based on the standards required to promote good quality dental care.

Scope

NEBDN seeks to apply this policy in the delivery of its services and in the recruitment, selection, training, appraisal, development and promotion of all employees, trustees and volunteers.

This policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the NEBDN.

NEBDN reserves the right to amend and update this policy at any time.

Policy statement

NEBDN is committed to achieving a working and assessment environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

This policy aims to remove unfair and discriminatory practices within the organisation and to encourage full contribution from its diverse community. NEBDN is committed to actively opposing all forms of discrimination.

NEBDN also aims to provide a service that does not discriminate against the users of its services – individual candidates and training providers - in the means by which they access and use the services supplied by NEBDN.

NEBDN believes that all employees, trustees, volunteers and service users are entitled to be treated with respect and dignity.

Definitions

The Equality Act 2010 harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995). The Equality Act ensures consistency in making workplaces fair environments, providing education and training that is fair, and to comply with the law.

The Equality Act 2010 covers the same groups that were protected by previous equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. The Act refers to these as ‘protected characteristics’. Some protected characteristics are given extended protection under the Equality Act.

Discrimination Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

Types of discrimination

Direct discrimination someone is treated less favourably than another because of their protected characteristic

Associative discrimination direct discrimination against someone because they associate with another person who possesses a protected characteristic

Discrimination by perception direct discrimination against someone because others think they possess a protected characteristic

Indirect discrimination can occur when certain requirements, policies, conditions or practices, that apply to everyone disadvantages those with a particular protected characteristic

Harassment when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Employees can now complain of behaviour they find offensive even if it is not directed at them.

Harassment by a third party employers are potentially liable for harassment of their staff by people they do not employ.

Bullying Bullying at work is where someone is intimidated, often in front of colleagues. In many instances it occurs where the victim is in a less senior position, but can be between peers. It is often linked to harassment where someone's behaviour is offensive, for example, where sexual or racist comments are made.

Victimisation when a person is treated less favourably or badly because they have made or supported a complaint or grievance under the Equality Act 2010.

Unlawful Reasons for Discrimination

Sex This covers sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. A person must not be treated less favourably on any of these grounds. This applies to men, women and those undergoing or intending to undergo gender reassignment.

Sexual harassment of men and women can be found to constitute sex discrimination. For example, asking a woman during an interview if she is planning to have any (more) children, or what arrangements she has made for childcare, would constitute discrimination on the ground of gender.

Age A person must not be treated less favourably because of their age. This applies to people of all ages whether young or old. It does not apply when calculating redundancy payments, which are based on a statutory minimum scale.

Disability A disabled person must not be treated less favourably than a non-disabled person at all stages of employment, from recruitment through to termination, or in education and training. Reasonable adjustments must be made to ensure that the disabled person has as much access to any services and ability as a non-disabled person.

Reasonable Adjustments

Employers, and education and training providers, have a duty to make reasonable adjustments to facilitate the employment or education of a disabled person. This may include adjustments to premises, equipment or working practices. Some examples are:

1. re-allocating some or all of a disabled employee's duties
2. transferring a disabled employee to a role better suited to their disability
3. relocating a disabled employee to a more suitable office or workstation
4. giving a disabled employee time off work for medical treatment or rehabilitation
5. providing training or mentoring for a disabled employee
6. supplying or modifying equipment, instruction and training manuals for disabled individuals.

In essence, an organisation should make any other adjustments that it considers reasonable and necessary, provided such adjustments are within their financial means and feasibility. A Designated Officer should be appointed who can be contacted by an employee who has a

disability and feels that any such adjustments could be made by the organisation.

Race	This covers race, the colour of skin, nationality or ethnic origin. A person must not be treated less favourably than another person on any of these grounds.
Sexual Orientation	A person must not be treated less favourably because of their sexual orientation. For example, you cannot refuse to employ a person just because he or she is homosexual, heterosexual or bisexual.
Religion or Belief	A person must not be treated less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

Responsibilities

The NEBDN board of trustees has overall responsibility for the effective operation of this policy and for ensuring compliance with the law relating to equality, diversity and discrimination. Day-to-day operational responsibility for this policy has been delegated to the Chief Executive.

All managers and team leaders working for NEBDN must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers and team leaders will be given appropriate training on equal opportunities. The Chief Executive has overall responsibility for equal opportunities training.

All employees, trustees, volunteers, subcontractors and agents of NEBDN are required to act in a way that does not subject any other employees or service users to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees, trustees and volunteers is essential for the success of this policy. Line managers and those in a position of leadership (such as the chair of the Board of Trustees and committee chairs) are required to follow this policy and to ensure that all employees, trustees, volunteers, subcontractors and agents do the same. Employees may be held independently and individually liable for their discriminatory acts by the NEBDN and may in certain instances be ordered by an Employment Tribunal to pay compensation to the person who has suffered as a result of discriminatory acts.

The Governance Committee has the responsibility for reviewing this policy every two years and for reporting to the Board of Trustees that this has been done and recommending any changes to the policy. Recommendations for change should be reported to the Governance Committee.

Staff and volunteers are invited to comment on this policy and suggest ways in which it might be improved by contacting the Chief Executive.

References

Bullying and Harassment Policy

Complaints Policy

Social Media Policy

Disciplinary and Grievance policies – in the event that an employee / trustee is the subject or perpetrator of, or witness to, discriminatory behaviour, the disciplinary or grievance procedure will apply.

Reasonable Adjustments Policy

Questions

If you have any questions about this policy, please email NEBDN at info@nebdn.org and your enquiry will be directed to an appropriate member of staff or committee.