



Policy	Equality and Diversity Policy
Effective Date	24 th June 2021
Date Last Reviewed	June 2021
Scheduled Review Date	June 2022
Supersedes	Equality and Diversity Policy October 2014
Owned by	NEBDN Executive
Monitored by	Governance and Educational Standards Committees
Approved by	Governance Committee on 28 th January and The Board of Trustees on 24 th June 2021

Purpose

The purpose of this policy is to:

- prevent, reduce, and stop all forms of unlawful discrimination within NEBDN and its services, and
- promote equality and diversity

and to ensure that all aspects of NEBDN's work complies with the Equality Act 2010, Northern Ireland Equality Law and any other UK Equalities legislation as may be updated from time to time.

This policy aims to remove unfair and discriminatory practices within the organisation, its qualifications, services and to encourage full contribution from its diverse community. NEBDN believes that all employees, trustees, associates, suppliers, and users of our services are entitled to be treated with respect and dignity and free from discrimination and abuse. This policy is aimed at our centres and learners, who are delivering/enrolled on or have taken an NEBDN approved qualification or unit.

Scope

This policy covers the promotion of equality and diversity and the prevention of discrimination in relation to:

1. everyone who works for or acts on behalf of NEBDN - including staff, trustees, Committee Members, and associates
2. the development, delivery, and evaluation of NEBDN's qualifications. – ensuring that groups of learners who share a particular characteristic are not disadvantaged by the assessments other than by being directly related to the required competence standards.
3. the requirements that NEBDN places on its Centres via the Centre Agreement.

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.



Centre responsibility

It's important that your staff involved in the delivery of our qualifications and your learners are fully aware of the contents of the policy (e.g. via their induction when first embarking on NEBDN qualifications).

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

We'll review the policy annually and revise it as and when necessary, in response to customer and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation.

Policy statement

NEBDN is committed to actively opposing all forms of discrimination and promoting equality and diversity.

NEBDN aims to achieve 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.

Specifically, our policy is that in relation to:

1. our people (staff, trustees, and associates) will work in accordance with the organisation's policies and procedures:
 - a. Promoting equality of opportunity and anti-discriminatory practice. NEBDN is committed to incorporating specific and appropriate duties in respect of implementing the equal opportunities policy into job descriptions and work objectives of all staff.
 - b. to provide equality training and guidance at induction and throughout their time working for NEBDN. NEBDN will provide equality training and guidance as appropriate to our staff; including as part of staffs' induction training as well as further on-going courses as identified via our internal staff performance review arrangements.
 - c. to ensure that staff performance and actions comply with all Equality and Diversity Laws
 - d. to have the ability to collect information on diversity, requests for reasonable adjustments and incidents of concern, only where appropriate and with explicit consent, in relation to this policy so that we can take action to address any shortfalls



2. our qualifications and assessments:
 - a. will ensure that there are no features that could disadvantage any groups of learners that share a particular characteristic or barriers to entry other than those directly related to the purpose of the units or qualifications and the competence standards required
 - b. will state the nature of any such features or barriers and justify the inclusion of any such requirements that create the barrier in terms of why they are required for the particular unit or qualification
 - c. may, as part of learner registration and certification processes for qualifications and units, collect requests for special considerations, reasonable adjustments and feedback from learners and centres
3. our centres are:
 - a. expected to enable learner to have equal access to training and assessment for qualifications irrespective of their sex, marital status, age, religion, colour, race, nationality or ethnic origin or disability
 - b. expected to deliver training and assessment without discrimination either directly, or indirectly or as a result of pressure from other bodies
 - c. required to have in place a policy to promote equality and diversity and will make learners aware of their policy on Equality & Diversity, potentially as part of learner induction onto an NEBDN course
 - d. monitored and quality assured that such arrangements are in place, are applied and are effective
 - e. will consider issues of inequality and discrimination made by a learner about a centre when they have not been able to satisfactorily resolve the issue themselves. Learners can use NEBDN's Appeals Policy which sets out the arrangements outlined for doing this.
 - f. This policy should apply to all satellite/associated venues and there should be arrangements in place to monitor its application and effectiveness.

NEBDN is committed to complying with all current and relevant legislation and, which at the time of writing includes, but is not limited to the Equality Act 2010 and Northern Ireland Equality Law and monitoring the success of arrangements made.

As part of the learner registration and certification processes for qualifications and units NEBDN may collect information on diversity, requests for special considerations, access arrangements and feedback from learners, centres, and other stakeholders.

All relevant issues identified that suggests that our provision or services may have unnecessarily impacted on learners will be reported back to our Senior Management Team who will be responsible for ensuring that relevant staff introduce, as appropriate, amendments to provision and/or services where necessary and in accordance with our documented procedures for developing and reviewing units and qualifications.



Details of our ongoing reviews will be made available to the qualification regulators upon request.

Definitions

The Equality Act 2010 harmonised and replaced 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 complies 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. The detail of the protected characteristics and the different forms of discrimination are set out below for ease of reference.

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 has she 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:

- re-allocating some or all a disabled employee's duties
- transferring a disabled employee to a role better suited to their disability
- relocating a disabled employee to a more suitable office or workstation
- giving a disabled employee time off work for medical treatment or rehabilitation
- providing training or mentoring for a disabled employee
- 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. The Senior Management Team have collective responsibility for Equality & Diversity; any employee who has a disability and feels that any such adjustments could be made by the organisation can contact any SMT member.

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 who is responsible and accountable for:

- a. promoting equality and diversity within the workplace and the services which the organisation offers
- b. incorporating specific and appropriate duties relating to equality and into job and role descriptions and staff work objectives
- c. ensuring that equality and diversity training and guidance is included at induction and at regular intervals for everyone who works for NEBDN (i.e. staff, trustees, and associates)
- d. ensuring appropriate action is taken in any case where staff actions or behaviour is not to the required standard.
- e. the collection of information about and requests for reasonable adjustments and incidents of concern relating to staff and associates, so that action can be taken to address any shortfalls

All managers and team leaders employed by NEBDN or acting as an associate must:

- a. set an appropriate standard of behaviour
- b. lead by example
- c. ensure that those they manage adhere to the policy and promote our aims and objectives regarding equal opportunities.

All employees, trustees, associates, 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 associates is essential for the success of this policy. 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 Senior Management Team (SMT) will specifically be responsible and accountable for:

- a. planning, delivering, monitoring, and evaluating the delivery of assessment and awarding by NEBDN and training delivered by Centres in a manner which promotes equality and diversity and reduces discrimination
- b. Investigating data and information that suggests our provision or services may have unnecessarily impacted on learners and ensuring that relevant staff introduce, as appropriate, amendments to provision and/or services



- c. improving our documented procedures for developing and reviewing units and qualifications.
- d. the development of assessments and qualifications in manner which promotes equality and diversity and reduces discrimination
- e. making evidence and findings available to qualification regulators upon request

The Education and Standards Committee (ESC) will:

1. ensure that the NEBDN staff team and the qualification committees which they work with are aware that the way in which curriculum, syllabi and assessment are written can be discriminatory and if necessary, organising additional training in this regard or intervening to ensure that this does not happen
2. gather and analyse timely information on any reports, concerns, or incidents of discrimination in curriculum, syllabi, assessment, and the conduct of examinations to determine the appropriate course of action
3. ensure that the Education Standards to which centres must adhere promote equality and diversity and reduce discrimination and that there are appropriate quality assurance and control mechanisms in place to action if there are issues
4. Regularly review the policy as part of NEBDN's self-evaluation arrangements taking into account centre and learner feedback, changes in practice, actions of the regulatory authorities or other relevant external agencies, or changes in legislation
5. make recommendations for revisions to the policy and advise the Governance Committee and the Board of these necessary revisions.

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.

References

- NEBDN Bullying and Harassment Policy
- NEBDN Learner Conduct Policy
- NEBDN Complaints Policy
- NEBDN Disciplinary Policy
- NEBDN Recruitment and Management of Examiners Policy
- NEBDN Extenuating Circumstances Policy
- NEBDN Grievance Policy
- NEBDN Learning and Development policy
- NEBDN Performance Review and Appraisal policy
- NEBDN Reasonable Adjustments Policy
- NEBDN Recognition of prior learning policy
- NEBDN Recruitment, selection, induction, and probation policy
- NEBDN Social Media Policy
- NEBDN Standards of performance and conduct
- NEBDN Trustee Recruitment and Development Policy
- NEBDN Ofqual General Conditions of Recognition (<http://ofqual.gov.uk/>)



National
Examining
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Dental Nurses.

Questions

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