

POLICY

OCTOBER 2024

DIVERSITY, EQUALITY AND INCLUSION POLICY



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DIVERSITY, EQUALITY AND INCLUSION POLICY

INTRODUCTION TO THIS POLICY

POLICY STATEMENT

The DNA is committed to encouraging equality, diversity and inclusion, and eliminating unlawful discrimination. We believe that all stakeholders (defined below), will benefit from our organisation reflecting the rich and diverse nature of our society. To achieve this, we are inclusive and treat all individuals equally.

The DNA recognises that discrimination and victimisation is unacceptable and that it is in the interests of the DNA and all stakeholders to utilise the skills of the total workforce. It is the aim of the DNA to ensure that no individual in any of these groups receives less favourable facilities or treatment (either directly or indirectly) in recruitment, employment or training on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation (the 'protected characteristics').

The Dental Nurse Academy (DNA) recognises and conforms to the principles of the European Convention on Human Rights, particularly Article 14, the Human Rights Act 1998 and the Equality Act 2010 by creating an environment where everyone is treated with dignity and respect. This policy sets down our approach to diversity, equality and inclusion as it applies to all who come into contact with the DNA. This includes our approach to discrimination and human rights.

All stakeholders, whether part-time, full-time or temporary, and all students will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Our staff will not discriminate directly or indirectly, or harass students or employers because of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation in the provision of the DNA's services.

PURPOSE

Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best. In turn we aim to provide a fair and inclusive environment for our learners to thrive and become the best dental nurse that they can be.

We oppose all forms of unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all in our employment (staff), training care (students), job applicants and our partners (employers and DNA suppliers).

STAKEHOLDERS

This policy applies to all whom come into contact with the DNA. This includes:

1. DNA staff
 - a. The Board
 - b. Senior Managers
 - c. Employees
 - d. Self Employed
 - e. Agency Staff
 - f. Volunteers
2. Job applicants
3. Learners (current and prospective)
 - a. Apprenticeship students
 - b. National Diploma students
4. Third Parties
 - a. Employers (Dental Practices) of our learners

- b. Sub-Contractors to the DNA
- c. Suppliers to the DNA

DEFINITIONS

GENERAL DEFINITIONS

- (i) **DNA** means the Dental Nurse Academy.
- (ii) **Employers** means the employer (Dental Practice) of an Apprentice or National Diploma student who is registered with the Dental Nurse Academy.
- (iii) **Learners** means Apprentices and National Diploma students.
- (iv) **Staff** means The Board, Senior Managers, Employees, Self Employed, Agency Staff and Volunteers acting on behalf of the Dental Nurse Academy.
- (v) **Third Parties** means Employers, Sub-Contractors to the DNA and Suppliers to the DNA

DEFINITIONS SPECIFIC TO THIS POLICY

- (vi) **DE&I** means Diversity, Equality and Inclusion.
- (vii) **Discrimination** is any form of unfavourable treatment. We recognise that any discrimination is harmful and is, in many cases, illegal.
- (viii) **Sex discrimination** is any form of treatment which is unfavourable and which is gender or marital related. Discrimination according to sex is illegal under the terms of the Sex Discrimination Act 1975. The Act applies equally to both men and women. Sex discrimination is when one person is treated less favourably on the grounds of his or her sex than a person of the other sex would be treated under similar circumstances and can be direct or indirect.
- (ix) **Sexual harassment** is a form of sexual discrimination. It can be defined as unwanted conduct of a sexual nature or other conduct based on sex which affects the dignity of those who work in or who attend the practice. This can include unwelcome physical or verbal conduct.
- (x) **Race discrimination** is any form of treatment which is unfavourable and which is related to colour, race or nationality. Discrimination according to race is illegal under the terms of the Race Relations Act 1976 and can be direct or indirect.
- (xi) **Racial harassment** is a form of racial discrimination and might involve racist jokes or insults etc.
- (xii) **Religious discrimination** is where a person is treated less favourably because of his or her religious beliefs. The Fair Employment Act 1989 enables employees who feel that they have been discriminated against on the grounds of religious belief or political opinion to take action against an employer.
- (xiii) **Disability discrimination** is where a person is treated less favourably because of disability. Occasionally a disability can limit a person's capability for some forms of employment.

Discrimination occurs when the treatment of the individual is unfavourable taking into account the disability.

- (xiv) **Age discrimination** is where a person is treated less favourably on the grounds of age. The Employment and Equality (Age) Regulations 2006 requires employers to foster a workplace culture in which discrimination and harassment, on the grounds of age, are unacceptable. Employers are also required to lay down procedures to enable employees to work past the age of 65 if they so wish.
- (xv) **Harassment** is a form of discrimination where a person is made to feel uncomfortable because of their sex, race, disability, age or religion. It may involve action, behaviour, comments or physical contact which is found offensive, objectionable or intimidating by the recipient.
- (xvi) **Victimisation** is when the employer treats an employee less favourably than other employees are treated because he or she has brought or threatens to bring proceedings, or give evidence or information against an employer with reference to the Sex Discrimination, Race Relation or Equal pay Acts.
- (xvii) **The right to have equal pay** provides equality in terms of an employee's contract where he or she is employed to perform work which is rated equivalent to that performed by a member of the opposite sex.

RELATED POLICIES AND ARRANGEMENTS

Related Policies:

- POL-I-3 Safeguarding and Prevent Duty Policy
- POL-I-4 Complaint Policy
- POL-I-5 Professional Development Policy
- POL-I-8 Quality Assurance and Management Policy
- POL-I-9 Whistle Blower Policy
- POL-I-10 Harassment and Bullying Policy
- POL-I-17 Staff Recruitment Policy

The DNA's policies will be reviewed regularly (on an annual basis) and any identified elements which breach or risk deviation from this policy shall be removed.

LEGAL FRAMEWORK

This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any UK Government Departments, and any other relevant statutory bodies.

- Article 14 of the Human Rights Act 1998

- Equality Act 2010

OUR COMMITMENT

Through this policy, through training and by example, we wish to demonstrate that we do not tolerate any form of discrimination by anyone working at the DNA, its partners (including employers and suppliers) and students.

Furthermore, we actively promote Diversity, Equality and Inclusion (DE&I) and are therefore determined that every person regardless of their age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation have equal, fair and respectful treatment when they come into contact with the DNA.

As such, we commit as follows:

OUR COMMITMENT TO PROTECT STAFF

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- To ensure that every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated (see POL-I-10 Harassment and Bullying Policy)
- That training, development and progression opportunities are available to all staff.
- To promote equality in the workplace which we believe is good management practice and makes sound business sense.
- That we will review all our employment practices and procedures to ensure fairness.
- That breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

OUR COMMITMENT TO PROTECT LEARNERS

- We recognise all our students as individuals with diverse needs
- We aim to accommodate the needs of our students relating to any disability wherever possible, including working with the NEBDN to request that the examination process includes reasonable adjustments for individuals with a disability as defined by the Equality Act 2010 and wishes to apply for an adjustment to their examination(s), individuals who wish to apply for an adjustment to their examination date based on religious grounds or any other reasons including maternity, or who require an extension of their registration period when they are suffering from a long-term, critical or life-threatening illness.
- We respect the rights and dignity of all our students

- We invite comments regarding improvements to the provision of our services in relation to students with disabilities

OUR COMMITMENT TO PROTECT APPLICANTS

- When applying for a role with DNA, our decisions will be based on skills, qualifications and experience and on who is most suitable for the job
- Meet any needs you may have at interview and during employment wherever possible
- When applying for a role with DNA, our decisions will be based on skills, qualifications and experience and on who is most suitable for the job. We will endeavour to meet any needs you may have at interview and during employment wherever possible

OUR COMMITMENT REGARDING THIRD PARTIES

- Third-party harassment occurs where a DNA employee is harassed, and the harassment is related to a protected characteristic, by third parties such as suppliers, employers or students. The DNA will not tolerate such actions against its staff, and the employee concerned should inform one of the Partners at once that this has occurred. The DNA will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

RIGHTS OF DISABLED PEOPLE

The DNA attaches particular importance to the needs of disabled people. Under the terms of this policy, managers are required to:

- make reasonable adjustment to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours. (NB: managers are expected to seek advice and guidance from external agencies where appropriate to maintain disabled people in employment);
- include disabled people in training/development programmes;
- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.
- Accommodate the needs of students who are disabled people (see 'Our Commitment to Protect Learners' described above).

PROMOTION AND COMMITMENT

PROMOTING THIS POLICY

All stakeholders (defined above) are required to engage with this policy and the procedures described.

This policy is promoted via the Staff Handbook, the Student Handbook and is readily available on the DNA website at www.dentalnurseacademy.com.

GAINING COMMITMENT TO THIS POLICY

Confirmation of engagement is required by all stakeholders. Our contracts and agreements require agreement to this Policy's acceptance:

- a. Employee Contract (employees)
- b. Employer Agreement (employers i.e. dental practices)
- c. Apprenticeship Commitment Statement (Apprenticeship learners)
- d. Student terms and conditions (National Diploma learners)
- e. Sub Contracting Agreement (suppliers)

All members of staff are required to attest to their having read, understood and commit to this policy.

1. Upon joining the Dental Nurse Academy, new staff members complete policies and procedures training as part of their induction. Attestation is completed via the web form
2. Each year on an annual basis, all staff members must renew their attestation via the web form.

Web form for staff attestation: www.dentalnurseacademy.com/staff-attestation-form
(staff only)

TRAINING

INITIAL TRAINING

Training on this policy is included as part of the induction process when new starters join the Dental Nurse Academy.

Training is provided for managers on this policy and the associated arrangements. All managers who have an involvement in the recruitment and selection process will receive training.

REFRESHER TRAINING

The DNA conducts regular briefing sessions for staff on DE&I issues.

Training is provided for managers on this policy and the associated arrangements.

Training regarding this policy is repeated annually.

MONITORING

Any concerns raised are reviewed by the Board at Management Meetings. The Board has the responsibility to ensure that any issues are resolved promptly and effectively such that the risk of repeat-occurrences is as low as reasonably practicable.

The DNA deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation as a whole. Accordingly, a monitoring system is in place to measure the effectiveness of the policy and arrangements.

The system involves the routine collection and analysis of information on employees including:

- Physical and Mental Health
- Ethnicity
- Marital or Civil Partnership Status
- Religion
- Role as a Carer
- Age
- Sex and Sexual Orientation

- Job function
- Length of service

Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of the DNA's policies and our services / products may have on those who experience them.

The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purposes.

As part of the monitoring, DNA analyses results from the survey against industry benchmarks. If monitoring shows that the DNA, or areas within it, are not representative as far as is reasonably practicable or that sections of our workforce are not progressing properly within the DNA, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, policies and practices as well as consideration of taking legal Positive Action.

We will maintain information on staff who have been involved in Disciplinary, Grievance and Bullying & Harassment.

MANAGING CONCERNS

RAISING CONCERNS

If you feel that you are the subject of discrimination or harassment, or become aware that a member of staff, a student or other person in DNA may be violating the principles contained in this policy, in the first instance you should let the perpetrator know how you feel verbally or in writing asking them to stop the behaviour.

The DNA takes all allegations and reports of incidents seriously. Keep a record of the incident/s, raise the issue in accordance with the responsibilities hierarchy described in this policy, and if the matter is not resolved, submit a written complaint.

Employees have a right to pursue a complaint concerning discrimination or victimisation via the DNA's Harassment and Bullying Policy (POL-I-10). Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the DNA's Disciplinary Procedure.

To raise a concern, contact the Senior Lead in the first instance. If that person is not available, please contact the Deputy Senior Lead. In the event of neither being available please escalate to the point of escalation. Full contact details are described below for each of these individuals.

All concerns should be raised formally by email to raisingconcerns@dentalnurseacademy.com

RECORDING CONCERNS

Concerns are recorded in the DNA's Policy Concerns Log, which is stored securely on our HR server. Access is restricted to this folder so that only relevant persons can access the log. It is the responsibility of the Senior Lead to record all concerns and action taken.

All log files are kept in accordance with UK law and best practice and will be deleted in the appropriate timeframe.

INVESTIGATING CONCERNS

We aim to objectively assess every concern, evaluating its severity in the context of this policy. We aim to apply common sense and judgement, and commit to deal with allegations as quickly, fairly and consistently as is reasonably practicable. Our process will always involve two (2) senior management team members in any investigation, as well as a relevant Manager as appropriate.

PROCESS FOR INVESTIGATION

1. Ensure the log is started for this case
2. Categorise the level of the allegation
3. Create an initial response to the allegation
4. Ensure the full facts are presented to the investigation team
5. Seek advice from relevant regulatory/government body if appropriate
6. Reach initial conclusion ('no further action' or 'further enquiry')
 1. Where 'no further action' is the outcome:
 1. The record log must be updated including the justification for the decision
 2. A response will be put in writing to the individual concerned
 2. Where 'further enquiry' is the outcome:
 1. A schedule for review will be created to determine frequency for updates
 2. An action plan for next steps will be created
 3. The record log will be updated accordingly

POSSIBLE OUTCOMES FROM AN INVESTIGATION

The following outcomes are possible from an investigation:

Outcomes requiring action

1. **Substantiated**: there is enough evidence to prove the allegation for the breach of policy
2. **False**: there is enough evidence that disproves the allegation

Outcomes not requiring action

3. **Unsubstantiated**: there is insufficient evidence to prove or disprove the allegation
4. **Unfounded**: there is

POSSIBLE ACTIONS TO BE TAKEN BY THE DNA

1. **No further action**
2. **No material action but an update of the policy is required**
3. **Dismissal** (of an employee), **Expulsion** (of a learner), **Termination** (supplier).

RESPONSIBILITY

Responsibility for ensuring the effective implementation and operation of this policy rests with the Chief Executive. Partners and Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to ensure continuity plans and contingencies are in place on an ongoing basis. Each partner will ensure that:

- All staff are aware of the processes and arrangements referenced in this policy;
- Grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- Proper records are maintained.

The person responsible for monitoring the operation of the policy, including periodic departmental audits, and with responsibility for considering and taking action if any instances breach this policy is:

Demelza Mustoe (contact details below)

GETTING SUPPORT OR GUIDANCE

SUPPORT

Please contact the Senior Lead in the first instance for support. If that person is not available, please contact the Deputy Senior Lead. In the event of neither being available please escalate to the point of escalation.

GUIDANCE

Guidance on this topic can be provided by the named leads below, the NEBDN or the General Dental Council (GDC). Where children are involved, the NSPCC can offer guidance. For any matters which require urgent intervention please contact the Police on 999.

IMPORTANT CONTACTS

SENIOR LEAD FOR THIS POLICY

- Name: Demelza Mustoe
- Title: Operations Director
- Email address: demelzao@dentalnurseacademy.com
- Telephone number: 020 4591 2333

DEPUTY SENIOR LEAD FOR THIS POLICY

- Name: Elaine Mustoe
- Title: Course Director
- Email address: elainem@dentalnurseacademy.com
- Telephone number: 020 4591 2333

POINT OF ESCALATION FOR THIS POLICY

- Name: Paul Mustoe
- Title: CEO
- Email address: paulm@dentalnurseacademy.com

- Telephone number: 020 4591 2333

NEBDN (AWARDING BODY)

- Name: Customer support
- Email address: customersupport@nebdn.org
- Telephone number: 01772 429 917

GENERAL DENTAL COUNCIL (GDC)

- Email address (<https://www.gdc-uk.org/contact-us> - use contact form)
- Telephone number: 0207 167 6000

POLICE

- **Emergency – 999**
- Non-emergency – 101

NSPCC HELPLINE

- 0808 800 5000

REVIEW

This policy is fully supported by senior management (The Board at the DNA).

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the Chief Executive.

LAST REVIEWED

October 2024

Reviewed by: Paul Mustoe, CEO

Signature of Paul Mustoe, CEO

Signed _____

NEXT REVIEW

October 2025