**Equal opportunities policy & procedure**

**Statement of intent**

At Smart Steps nursey we take great care to treat each individual as a person in their own right, with equal rights and responsibilities to any other individual, whether they are an adult or a child. We are highly committed to providing equality of opportunity and anti-discriminatory practice for all children and families according to their individual needs.

Discrimination on the grounds of gender, race, age, religion or belief, marriage or civil partnership, disability, sexual orientation, gender reassignment, pregnancy or maternity, ethnic or nitinol origin, or political belief has no place within our nursery.

A commitment to implementing our inclusion and equal opportunity policy will form part of each employee’s job description. Should anyone believe that this policy is not being upheld, it is their duty to report this matter to the attention of the nursery manager – kadie Butler, at the earliest convenience. Appropriate steps will be taken to investigate this matter and if such concerns are well-founded, disciplinary action will be invoked under the nursery’s disciplinary procedure set out in the employee hand book.

The nursery conducts regular risk assessments on all aspects of nursery operation and areas of equality/inclusion and SEND are no exception. The nursery has assessed all the risks relating to intimate care routines and has placed appropriate safeguards in place to ensure the safety of all involved.

**Aim**

The nursery aims that all children, staff and parents/carers including those with disability or SEND are treated as individuals and given equal opportunity to access the curriculum or nursery opportunities provided by making reasonable adjustments to meet individual needs. This is specified in the Early Years Foundation Stage Statutory guidance for Equality of Opportunity. We aim to celebrate diversity in all aspects of play and learning.

**Role of the Inclusion and Equality Practitioners**

Our fully trained SENCO Chrissie Jeffries (see Special Educational Needs and Disability Policy) helps to coordinate any special needs within the nursery. Her role is described in the special educational needs policy. Our other SENCO’s include: Kadie Butler

The role of the Inclusion practitioners is to identify any children, parents/carers or staff with additional or special needs and ensure they liaise with the nursery S.E.N.C.O Chrissie Jeffries, and relevant agencies to help provide tailored support

**Admissions/Service Provisions**

At Smart nursery we are highly committed to working in partnership with Parent/ Carers and Agencies that work in relation with children.

The nursery is accessible to all children and families in the local community and further afield through a comprehensive and inclusive admissions policy. We will strive to ensure that all services and projects are accessible and relevant to all groups and individuals in the community within the targeted groups.

**Recruitment**

Practitioners on the S.E.N.D or Inclusion panel will be committed to the inclusive practice set out in this policy and will have received appropriate training in this regard.

We will be recruiting, selecting and training practitioners on the basis of occupational skills requirements. In this respect, the nursery will ensure no job applicant will receive less favourable treatment on the ground of; age, sex, gender reassignment, disability, marriage or civil partnership, race, religion or belief, sexual orientation and pregnancy or maternity which cannot be justified as being necessary for the safe and effective performance of their work or training. We aim to ensure that all staff are aware and follow the guidelines set out in the 0 – 25 SEND Code of Practice 2014.

Posts are advertised and all applicants are judged against explicit and fair criteria. Application forms will not include questions that potentially discriminate the grounds specified in the statement of intent and commitment. At interview, no questions will be asked which potentially discriminate on the grounds specified in the statement of commitment. All candidates will be asked the same questions, and members of the selection group will not introduce nor use any personal knowledge of candidates acquired outside the selection process. All candidates will be given the opportunity to receive feedback on the reasons why they were not successful.

**Training**

Smart Steps nursery recognizes the importance of training as a key factor in the implementation of an effective inclusion, equality and special needs policy. The nursery will strive towards the provision of inclusion, equality and diversity training for all staff on a regular basis.

We seek out training that helps staff to develop anti discriminatory and inclusive practices, which enable children to flourish. This is regularly updated to meet with the Early Years Framework.

**Diversity in Families**

* Every person’s cultural and linguistic background should be recognized and celebrated.
* We offer a settling in process to ensure that children and parents/carers are comfortable with the care offered to their children, and enable them to become more confident in the care given. See our Settling in Policy.
* For families who speak languages in addition to English, we will develop means to ensure their full inclusion.
* We ensure parents/carers see their own language in welcoming print, to assist with the settling process.
* We welcome the contribution and interaction from families regarding their culture; encourage them to share that with the nursery group.
* We are able to provide information in other languages for parents and carers.
* We endeavour to display photos and visual posters of people / children of different races, abilities and from different cultural groups around the nursery setting to develop children’s awareness of cultural diversity and inclusion.

**Early Learning Framework**

We will ensure that all children have equal advantage in all the areas of activities (Early Years Foundation Stage Framework). We are committed to provide a stimulating inclusive education and care for all children, by ensuring inclusion runs like a thread through the entirety of the nursery for example: encouraging positive role models through the use of toys, imaginary play and activities, promoting non –stereotypical images and language and challenging all discriminatory behaviour.

Making children feel valued and good about themselves. Achievement days are good ways of respecting individuality. Many children attend sports, music or dance clubs, and achievements gained through outside activities can be discussed in the setting. The children will be encouraged to bring in any outside achievements (certificates, badges, medals, trophies), and these could be incorporated into learning. If the achievement is related something that can be performed in the nursery, such as performing a dance routine, playing an instrument, the child concerned will be encouraged to share their talent with the rest of the group.

Early learning opportunities offered in the nursery encourage children to develop positive attitudes to people who are different from them. It encourages children to empathize and to begin to develop the skills of critical thinking.

We do this by:

• Ensuring that children have equal access to learning and play opportunities

• Reflecting the widest possible range of communities in the choice of resources • Avoiding stereotypical or derogatory images in the selection of materials • Acknowledging and celebrating a wide range of religions, beliefs and festivals. Provide opportunities for children to celebrate diversity and promote inclusions: we will have set days to celebrate culture. This could include food, religion, animals, weather, and will involve the rest of the children by way of researching and bringing in an item that represents the country under discussion. Such interactive opportunities allow for a wide range of learning processes to take place, highly beneficial for their emotional and intellectual development. We will seek to have speakers into the nursery to share experiences with the children, and involvement from the child’s family.

• Personal values can be demonstrated by providing good routines and a chance for children to interact in a formal environment, where they can sit down and have lunch together, using the appropriate cutlery and table manners, talking politely to each other, and instilling good hygiene habits.

• Creating an environment of mutual respect and empathy

• Helping children to understand that discriminatory behaviour and remarks are unacceptable

• Ensuring that all early learning opportunities offered are inclusive of children with learning difficulties and / or disabilities and children from disadvantaged backgrounds.

• Ensuring that children whose first language is not English have full access to the learning opportunities and are supported in their learning.

• Ensuring that activities and special events are repeated in the morning and afternoon and across days of the week so that all part time and full-time children can participate and no one is excluded.

• Promoting positive behaviour: Staff will promote positive behaviour and attitudes by setting the right example. They will help children to learn the skills of working together, and of setting consequences if rules are broken. Staff will promote the use of reward stickers, and charts to reward positive behaviour.

**Food/Medicine**

We will work in partnership with parents to ensure that medical/cultural and dietary needs of children are met.

We will help children to learn about a range of food and cultural approaches to meal times and to respect the differences among them.

We encourage children by means of conversation and stories to understand that different cultures and families may eat different foods, and assist them with being non-judgmental in their approaches.

**Exclusion**

There may be occasions when it may be necessary to ask a parent not to bring a child to nursery for a short period of time. These reasons include:

• If a child has a highly infectious condition e.g. impetigo, conjunctivitis, hand, foot and mouth, oral thrush and chicken pox or measles.

• If the child has a notifiable disease.

• If a child has had a bout of sickness or diarrhea within the last 48 hours.

The management of the nursery reserves the right to terminate a contract with immediate effect and exclude a child permanently if they:

• Continually demonstrate aggressive behaviour toward the other children in the nursery

• Continually uses inappropriate language (swearing)

• Continually makes inappropriate remarks, such as racist remarks

• Is likely to cause harm to other children in the setting

• Is found to be stealing from staff or the nursery

Nursery staff will have already issued a behaviour letter and discussed concerns with you and worked with you over a period of time to address your child’s behaviour. Nursery staff would have used a variety of different strategies and with parental permission sought support from outside agencies.

Exclusion of a child would only occur if their behaviour was very severe, having continued negative impact on the other children in the nursery.

**Looked After Children**

Our nursery is committed to providing a welcoming and inclusive quality environment for all children and families.

The description ‘Looked After’ is generally used to describe a child who is looked after by the Local Authority. This term ‘Looked After Child’ donates a current legal status; but this term is never used to categories a child as standing out from the others. We recognize that for young children to learn they need to be fully settled into the nursery. We will help to achieve this by ensuring that discussions will take place regarding the length of time the child has been with the carer/ or subject to a court order.

Discussions will take place regarding e.g.: the length of time the child has been with their carer before they start nursery to distinguish if they have secured a positive relationship and are ready to be able to cope with further separation, a new environment and new expectations upon them.

We are aware that there are a number of reasons why a child may go into care and these reasons may or may not include traumatic experiences or abuse. The nursery staff are committed to doing all they can to support individual children to achieve their full potential. The nursery team are all trained to understand our safeguarding policy and procedures. Practitioners are supported by managers at all times and we have an open-door policy if they need to discuss any sensitive issues regarding the child.

Where necessary an Individual Education Plan (IEP) will be developed with carers and professionals. This will include:

- the child’s emotional needs and how they are to be met

- how any emotional issues and problems that affect behaviour are to be managed

- how any special needs or disability will be supported.

In addition, the Plan may also consider:

• What contact the child has with his/her birth parent(s) if parents are separated or the child is in care, and what arrangements will be in place for supervised contact. If this is to be the setting, when, where, and what form the contact will be discussed and agreed;

• What written reporting is required.

Wherever possible, and where the plan is for the child’s return to their home, the birth parents(s) should be involved in planning; and

With the social worker’s agreement, and as part of the plan, the birth parent(s) should be involved in the settings activities that include parents, such as outings, fun days etc alongside the foster carer.

**Dealing with discriminatory behaviour**

We have a duty to create and implement strategies in the nursery to prevent and address all discriminatory behaviour.

Such strategies include:

Parents have a right to know if discrimination occurs and what actions the nursery will take to tackle it.

The nursery records all incidents relating to discrimination on any grounds on Incident Forms. All recorded incidents are reported to the children’s parents, and when appropriate to the registering authority.

**Types of discrimination**

• Discrimination by association occurs when there is a direct discrimination against a person because they associate with a person who has a protected characteristic.

• Discrimination by perception occurs when there is a direct discrimination against a person because they are perceived to have a protected characteristic.

• Indirect discrimination can occur where a provision or criterion is in place which applies to everyone in the organisation but particularly disadvantages people who share a protected characteristic.

• Harassment is defined as ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’.

• Third party harassment is the harassment of employees by a third party not employed by the nursery, e.g. visitors or parents.

• Victimisation occurs when an employee is treated badly or put to detriment because they have made or supported a complaint or raised grievance under the Equality Act 2010 or have been suspected of doing so.

**Protected characteristics**

The nine protected characteristics under the Equality Act 2010 are:

* Age
* Disability
* Gender reassignment
* Race
* Religion or belief
* Sex
* Sexual orientation
* Marriage and civil partnership
* Pregnancy and maternity

Incidents may involve a small or large number of persons; they may vary in their degree of offence and may not even recognise the incident has discriminatory implications; or at the other extreme their behaviour may be quite deliberate and blatant.

**Examples of discriminatory behaviour are:**

• Physical assault against a person or group of people

• Derogatory name calling, insults and discriminatory jokes

• Graffiti and other written insults

• Provocative behaviour such as wearing badges and insignia and the distribution of discriminatory literature.

• Threats against a person or group of people because the nine protected characteristics listed above

• Discriminatory comments including ridicule made in the course of discussions

• Patronising words or actions.

**Procedure**

• They must intervene firmly and quickly to prevent any discriminatory behaviour or bullying; this may include behaviour from parents. Any allegation should be taken seriously and reported to the nursery manager

• Each incident should be investigated and recorded in detail as accurately as possible. This record should be available for inspection by staff, inspectors and parents where appropriate, on request

• The nursery manager is responsible for ensuring that incidents are handled appropriately and sensitively and recorded on the nursery Incident Form. Any pattern of behaviour should be indicated.

• Where an allegation is substantiated following an investigation, the parents of the child (ren) involved should be informed of the incident and of the outcome

• Continued discriminatory behaviour or bullying may lead to exclusion but such steps should only be taken when other strategies have failed to modify behaviour.

• Adults found to be causing discrimination must be reported immediately to the manager and where such adults are employees and such allegations are substantiated after investigation, appropriate disciplinary action shall be taken which can include dismissal.

**Discriminatory behaviour or bullying needs to be recorded to ensure that:**

• Strategies are developed to prevent future incidents

• Patterns of behaviour are identified

• Persistent offenders are identified

• Effectiveness of nursery policies are monitored

• A secure information base is provided to enable the nursery to respond to any discriminatory behaviour or bullying.

An atmosphere must be created where the victims of any form of discrimination have confidence to report such behaviour, and that subsequently they feel positively supported by the staff and management of the nursery.

It is necessary that all members of staff ensure that they do not express any views or comments that are discriminatory. Nor must staff appear to endorse such views by failing to counter behaviour, which is prejudicial in a direct manner. A sensitive and informed approach must be used to counter any harassment arising out of ignorance

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| **Date policy adopted on** | **Signed on behalf of the nursery** | **Review date** |
| February 2020 | KButler | Every 6 months |