

Sunflowers Day Nursery Policies & Procedures

Inclusion and Equality (incorporating Dealing with Discriminatory Behaviour)

At Sunflowers Day Nursery no child, parent, staff member, student or visitor will be discriminated against on grounds of gender, age, race, religion or belief, marriage or civil partnership, disability, sexual orientation, gender reassignment, pregnancy or maternity, ethnic or national origin, or political belief. These differences will be acknowledged and celebrated where appropriate.

What this looks like in practice.

At Sunflowers, we are committed to providing an inclusive, welcoming and respectful environment where every child, parent, carer, staff member, student and visitor feels valued and able to belong. We actively promote equality, diversity and inclusion in all aspects of nursery life.

We do not tolerate discrimination, harassment or unfair treatment. No individual will be discriminated against on the basis of a protected characteristic under the Equality Act 2010, including age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

At Sunflowers, we respect cultural differences and always strive to meet the individual needs of each child or staff member and their family. Whenever possible, we aim to provide a personalised care and education experience to meet the unique needs of each child and their family, taking into consideration all the factors that define that child and their family. We respect, acknowledge and nurture every child's individuality. We are committed to providing equality of opportunity and anti-discriminatory practice for all children and families according to their individual needs.

We recognise that **equality does not always mean treating everyone the same**. Some children, families or staff may require additional or different support in order to achieve equitable outcomes. We are committed to taking all reasonable steps to remove barriers and ensure fair access, participation and opportunity for all. All children are welcome at Sunflowers Day Nursery. We believe every child has an equal right to access early education and care and to be supported to reach their full potential.



Our Inclusive Ethos

We respect, acknowledge and nurture every child's individuality. We value cultural diversity and strive to meet the individual needs of each child and their family, taking into account family circumstances, culture, language, religion, abilities, health needs and experiences.

Our responsibility is to help children develop an understanding and appreciation of the rich and diverse world in which they live. By celebrating diversity and recognising both differences and similarities as positive, children are supported to grow into confident, empathetic and respectful individuals.

Discrimination has no place within our nursery.

Who is responsible for the implementation of this policy?

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A commitment to implementing our Inclusion and equality policy is part of each employee's job description. Should anyone believe that this policy is not being upheld, it is their duty to report the matter to the attention of the **Manager – Heather Clark-Kelly** at the earliest opportunity.

All Sunflowers staff will have a thorough introduction and continued access to this policy and it will form the basis of everything we offer and provide at Sunflowers.

It is each member of staff's responsibility to ensure this policy is followed and all children, families and staff are welcome at our Nursery. We do this by:

- Identifying a key person to each child who will ensure that each child's care is tailored to meet their individual needs and continuously observe, assess and plan for their learning and development
- Listening to children's verbal and non-verbal communication and making children feel included, valued and good about themselves
- Ensuring that we know what each child knows and "can do" and has equal access to tailored early learning and play opportunities
- Reflecting the widest possible range of communities in the choice of resources
- Avoiding stereotypical or derogatory images in our selection of books, posters and resources.
- Acknowledging and celebrating a wide range of religions, beliefs, events and festivals
- Creating an environment of mutual respect
- Supporting children to talk about their feelings and those of others, manage emotions and develop empathy
- Helping children to understand that discriminatory behaviour and remarks are unacceptable
- Knowing children well, being able to meet their needs and know when they require further support
- Establishing strategies that consistently enhance the opportunities and experiences of disadvantaged children, those with SEND, those who are known (or previously known) to children's social care, and those who may face other barriers to their learning and/or well-being
- Ensuring that children whose first language is not English have full access to our early learning opportunities and are supported in their learning
- Working in partnership with all families to ensure they understand the policy and know how to challenge any discriminatory comments made.
- Ensuring the medical, cultural and dietary needs of all children are met and help children to learn about a range of food and cultural approaches to meal times and to respect the differences among them.

All staff will have this policy explained to them in an induction upon recruitment. Therefore - Inclusion and equality are the responsibility of all members of staff, students, volunteers and visitors. A commitment to inclusive practice forms part of every member of our teams role and responsibilities.

Our responsibility at Sunflowers is to help children broaden their knowledge, understanding and appreciation of the rich and diverse world in which we live. Through celebrating this diversity of culture and the individual characteristics that make all people unique, children grow to see the differences and similarities between people as special and positive. **We are part of a rich, diverse world and this is to be celebrated.**

The legal framework for this policy is based on:

- Special Education Needs and Disabilities Code of Practice 2015
- Children and Families Act 2014
- Equality Act 2010
- Childcare Act 2006
- Children Act 2004
- Care Standards Act 2002
- Special Educational Needs and Disability Act 2001
- Worker Protection Act 2023.
- The EYFS 2026

Partnership with Parents and Carers

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We recognise that parents and carers are children's first and most important educators. We work in partnership with families to ensure that each child's needs are understood and met.

We do this by:

- By accepting and understanding each family's individual situation and working with a child's parents and /or carers to ensure their needs are met and each child and their family is treated with respect and fairness. Parents and carers are the EXPERT on their own circumstances, cultures and lifestyles.
- Communicate with parents and carers to find out about 'home life'. Looking at what is important to each family, looking at family structures and how families work and respecting this – where possible, ensuring we incorporate each family's differences into our working practice.
- Learning about what is important to each family, including languages spoken at home, celebrations, cultural practices, and dietary requirements.
- Ensuring we understand and acknowledge family make up and roles within families. Consider Foster carers and families who have Special Guardianship Orders (SGO's). Find out, share and understand different names for family members and use these consistently across their staff team. Demonstrate awareness and adaptations with regard to Mothers Day, Fathers Day etc.
- Acknowledging and respecting medical, cultural and dietary needs at all times
- Inviting parents to share experiences, celebrations and events with the nursery community
- Keeping parents informed about nursery activities and children's learning, and offering ideas to extend learning at home
- Sharing this policy through newsletters and ensuring it is available within the nursery
- Ensuring Parents and Carers know they can, and how to challenge any discrimination within the setting.

Parents who have English as an additional language.

Parents and children for whom English is an additional language (**EAL**) will be welcomed and staff will ensure they become familiar with some aspects of the families first language. Help and advice will be sought from the North Yorkshire Early Years Team and other agencies to facilitate this. We will identify the best and preferred way to communicate with families about nursery events and other information. We will share resources and key words needed for the child's day at nursery – each family will have their needs individually assessed to reduce barriers to effective communication.

Enabling Environment and Inclusive Learning.

The nursery environment and curriculum actively promote positive attitudes towards diversity and difference. Children are supported to recognise similarities, appreciate differences and develop empathy and respect for others.

We do this by:

- Helping children to feel confident, valued and positive about themselves
- Ensuring all children have equal access to learning and play opportunities
- Reflecting a wide range of communities, cultures and abilities within resources
- Avoiding stereotypical, biased or derogatory images and materials
- Providing resources and books where children can recognise people who look like themselves or their family members.
- Acknowledging and celebrating a range of religions, beliefs and festivals
- Promoting mutual respect and kindness
- Supporting children to understand that discriminatory behaviour is unacceptable
- Ensuring children with SEND, EAL or from disadvantaged backgrounds are fully included and supported
- Working with families to challenge discriminatory comments or behaviour in a constructive and supportive way

Each child should be able to 'see themselves' and children with similar characteristics in our setting, this includes positive representation in books, posters, games, photographs etc. In practice this means that we will scrutinize our resources and ensure that the individual characteristics of our children have representation – we will include positive representation of children and adults wearing glasses, hearing aids, mobility aids, as well as physical

characteristics such as hair colour, skin tone, eye colour. We will also acknowledge family and household make up, languages from other countries and an understanding of cultural and religious differences.

Lead practitioners should audit the provision regularly to ensure we are meeting this aim.

Information Sharing and Meetings

Information about the nursery, its provision and children's development is shared in a variety of ways to meet individual needs, including written, verbal and translated formats where required.

Meetings are arranged flexibly wherever possible to enable families to attend, contribute ideas and engage with nursery life.

Recruitment of new staff.

Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person if possible.

All members of the selection group will be committed to the inclusive practice set out in this policy and will have received appropriate training in this regard.

Application forms will be sent out to candidates, along with a copy of the equal opportunities monitoring form. Application forms will not include questions that potentially discriminate on the grounds specified in this policy. Vacancies should generally be advertised widely. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

At interview, no questions will be posed which potentially discriminate on the grounds specified in this policy. All candidates will be asked the same questions and members of the interview panel will not introduce nor use any personal knowledge of candidates acquired outside the selection process. Candidates will be given the opportunity to receive feedback on the reasons why they were not successful.

Part-Time and Fixed-Term Employees

Part-time and fixed-term employees are treated no less favourably than comparable full-time or permanent employees, unless different treatment can be objectively justified.

Special Consideration for Employees

We recognise that some employees, including young workers, new or expectant mothers, and individuals with disabilities or health conditions, may require additional consideration or support.

Risk assessments are carried out in line with the Management of Health and Safety at Work Regulations 1999 and reviewed regularly or when circumstances change. Reasonable adjustments are agreed with the employee.

Disability Support

Employees who are disabled or who become disabled are encouraged to inform the nursery so that appropriate support and reasonable adjustments can be considered. We will work alongside other professionals such as an Occupational Therapist to meet the needs of each staff member where practicably possible.

Reporting Concerns

All staff, students, volunteers and visitors are expected to uphold this policy. Any concerns that this policy is not being followed should be reported to Heather Clark-Kelly – Nursery Manager at the earliest opportunity. Concerns will be investigated appropriately and, where necessary, action will be taken in line with the nursery's disciplinary procedures.

Staff Responsibilities and Support

All staff are expected to:

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- Co-operate with the implementation and monitoring of this policy
- Challenge discriminatory language or behaviour
- Respect and celebrate different cultures and traditions
- Participate in equality and inclusion training

Staff who have concerns or require support should speak to the Nursery Manager.

Dealing with discrimination

At Sunflowers, we do not tolerate discriminatory behaviour and take action to tackle discrimination. We believe that parents have a right to know if discrimination occurs and what actions the nursery will take to tackle it. We follow our legal duties in relation to discrimination and record all perceived or actual incidents relating to discrimination on any grounds and report these where relevant to children's parents and the registering authority. We provide a neutral working environment where no one should feel threatened or intimidated and everyone should be treated with equity, inclusivity, dignity and respect. This includes 'work situations' such as social events and social media posts and interactions between colleagues.

Definition and legal framework

Types of discrimination

- **Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic
- **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, criterion or practice is in place which applies to everyone in the organisation but particularly disadvantages people who share a protected characteristic and that provision, criterion or practice cannot be justified as a proportionate means of achieving a legitimate aim
- **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'; we have zero tolerance towards such behaviour
- **Sexual harassment** is any unwanted sexual conduct that has the purpose or effect of violating a person's dignity or creating a hostile environment for them; the law requires the setting to take all reasonable steps to prevent sexual harassment of workers in the course of their employment; we have zero tolerance towards such behaviour
- **Third party harassment** occurs where a person is harassed by someone who does not work for the same employer, such as a visitor or supplier; we have zero tolerance towards such behaviour
- **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.

Examples of discriminatory behaviour are:

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- Physical assault against a person or group of people
- Derogatory name calling, insults and discriminatory jokes
- Graffiti and other written insults (depending on the nature of what is written)
- Provocative behaviour such as wearing badges and insignia and the distribution of discriminatory literature
- Threats against a person or group of people pertaining to the nine protected characteristics listed above
- Discriminatory comments including ridicule made in the course of discussions
- Patronising words or actions.

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.

Our procedures

We tackle discrimination by:

- Providing inclusive early years practice where all staff are able to identify, understand and break down barriers to participation and belonging and create an ethos of equality
- Consistently promoting the British values of democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs to all practitioners, children and families in the setting. We value diversity and celebrate differences in children and families
- Providing training and support around this subject to support staff understanding and confidence in challenging discriminatory practice, including understanding that harassment, of any kind, is subjective and so depends on how the behaviour makes someone feel. Training ensures staff understand this in order to create a culture of zero tolerance towards sexual harassment in the workplace
- Ensure a zero-tolerance approach is actually taken by challenging any observed instances of inequalities, discrimination and prejudice as they arise in play, conversation, books or other contexts from practitioners, children and families and follow this policy, as outlined below, to ensure that discriminatory behaviours against the protected characteristics are not tolerated within our setting
- Ensuring all children and families have a sense of belonging and they can see themselves and their family's identity reflected in the setting
- Expecting all staff in the nursery to be aware of and alert to any discriminatory behaviour, stereotyping, bias or bullying taking place in person or via an online arena
- Expecting all staff to intervene firmly and quickly to prevent any discriminatory behaviour or bullying, including behaviour from parents and other staff members
- Expecting all staff to intervene in the case of third-party harassment, reporting issues to the nursery manager and/or reporting criminal acts to the police; we have an anonymous reporting procedure for sexual harassment
- Expecting all staff to treat any allegation seriously and report it to the nursery manager. Investigating and recording each incident in detail as accurately as possible and making this record 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 appropriately. Any patterns of behaviour should be noted. The perpetrator's and victim's initials may be used in the record.
- Ensuring any online bullying or discriminatory behaviour is tackled immediately
- Informing the parents of the child(ren) who are perpetrators and/or victims of the incident and of the outcome, where an allegation is substantiated following an investigation
- Excluding or dismissing any individuals who display continued discriminatory behaviour or bullying, but such steps will only be taken when other strategies have failed to modify behaviour. This includes any employees where any substantiated allegation after investigation leads to disciplinary procedures (please see the Disciplinary procedures).

We foster a safe, inclusive, and positive work environment, ensuring policies are kept up-to-date, conducting risk assessments, providing regular training and monitoring to ensure effective implementation. These

demonstrate taking 'all reasonable steps' to ensure compliance with the duty to prevent harassment of our employees, including harassment from third parties, such as visitors to the premises.

We record any incidents of discriminatory behaviour or bullying 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.

If the behaviour shown by an individual is deemed to be radicalised, we will follow our procedure for Prevent Duty in our Safeguarding Policy in order to safeguard children and families.

Nursery staff

We expect all staff to be alert and seek to overcome any ignorant or offensive behaviour based on fear or dislike of distinctions that children, staff or parents may express in nursery. We aim to create an atmosphere 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 important that all members ensure that they do not express any views or comments that are discriminatory or appear to endorse such views by failing to counter behaviour, which is prejudicial in a direct manner. We expect all staff to use a sensitive and informed approach to counter any harassment perpetrated out of ignorance.

Please speak to Heather Clark-Kelly for any further clarification or if you have any questions or further training needs.