Inclusion and Equality

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| EYFS: 1.1-1.17, 2.4, 2.5, 2.6, 3.1-3.68, 3.80 |

Statement of Intent

At Upperthorpe Nursery 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 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, age, race, religion or belief, marriage or civil partnership, disability, sexual orientation, gender reassignment, pregnancy or maternity, ethnic or national origin, or political belief has no place within our nursery.

A commitment to implementing our inclusion and equality policy will form part of each employee’s job description and the implementation of this is overseen by the ENCO (Equalities Named Co-Ordinator). Should anyone believe that this policy is not being upheld, it is their duty to report the matter to the attention of the Nursery Manager at the earliest opportunity. Appropriate steps will then be taken to investigate the matter and if such concerns are well-founded, disciplinary action will be invoked under the nursery’s disciplinary policy.

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.

The nursery and staff are committed to:

* Recruiting, selecting, training and promoting individuals on the basis of occupational skills requirements. In this respect, the nursery will ensure that no job applicant or employee will receive less favourable treatment because of age, sex, gender reassignment, disability, marriage or civil partnership, race, religion or belief, sexual orientation, pregnancy or maternity/paternity
* Providing a childcare place, wherever possible, for children who may have learning difficulties and/or disabilities or are deemed disadvantaged according to their individual circumstances, and the nursery’s ability to provide the necessary standard of care
* Making reasonable adjustments for children with special educational needs and disabilities to remove barriers and improve access for all
* Striving to promote equal access to services and projects by taking practical steps (wherever possible and reasonable), such as ensuring access to people with additional needs and by producing materials in relevant languages and media for all children and their families
* Providing a secure environment in which all our children can flourish, and all contributions are valued
* Including and valuing the contribution of all families to our understanding of equality, inclusion and diversity
* Providing positive non-stereotypical information
* Continually improving our knowledge and understanding of issues of equality, inclusion and diversity
* Regularly reviewing, monitoring and evaluating the effectiveness of inclusive practices to ensure they promote, and value diversity and difference and that the policy is effective, and practices are non-discriminatory
* Making inclusion a thread which runs through the entirety of the nursery, for example, by encouraging positive role models through the use of toys, imaginary play and activities, promoting non-stereotypical images and language and challenging all discriminatory behaviour (see dealing with discriminatory behaviour policy).

**Inclusion**

The term “inclusion” is designed to ensure the equal and fair provision of services to all. These may include individuals with special educational needs and / or disabilities, those from minority ethnic groups and other diverse cultural groups, those whose mother tongue is not English, and those with specific medical or clinical needs. In this respect the Nursery has established the following policy standards:

* To ensure that each child, regardless of family background, race or ethnic origin, creed, colour, or religion, has equal and consistent access to the same range of services, facilities, curriculum and resources within the setting, and to meet individual needs.
* To create a friendly, caring setting where both adults (staff, parents, carers) and children are encouraged to have a positive self-image.
* To enhance and improve staff awareness and appreciation of the beliefs, values and cultures of different ethnic groups which may directly impact upon both our employment policies for staff, and the services we provide for the children in our care.
* To recognise the importance of parents / carers and families in the life of every child, to seek their views and to value their contributions.
* To enable staff to address, challenge and eliminate discriminatory practices within the Nursery. This will include challenging unacceptable language, actions, beliefs and any stereotyping of any particular ethnic or cultural group.
* To ensure that this ethos underpins the Nursery’s overall management strategy. This will cross-reference the following:
	+ The Selection and Recruitment of Staff Policy (12-01)
	+ Staff Training Policy (12-08)
	+ Staff Performance Appraisals & Training Review (12-09)
	+ Welcoming a New Child into The Nursery Policy (31-04)
	+ Handling children with special needs, referring to our SEND Policy (31-08)
	+ Planning activities for the children in line with the requirements of the Early Years Foundation Stage Guidance, as appropriate to each child (referring to Policy No 31-07 Planning Activities for Children)
	+ Addressing the requirements of the Disability Discrimination Act, 1995. Policy No 21-08 and related Disability Needs Assessment Forms (Form No 2104) refer.
	+ Working closely with parents / carers to ensure that the appropriate care is delivered to the child. The Partnership with Parents and Carers Policy No 22-02 refers.

Admissions/Service Provision

The nursery is accessible to all children and families in the local community and further afield through a comprehensive and inclusive admissions policy. The nursery welcomes any child and does not discriminate in any way towards gender, race or ethnic origin, colour, religion and disabilities or impairments. Nursery staff will treat every child as an individual who has individual needs. These needs will include special educational needs where appropriate and will also address the linguistic and communication needs for children whose mother tongue or first language is not English.

The nursery’s activities and daily routines are designed to discourage the stereotyped image. Nursery practices are constantly reviewed to challenge and eliminate discriminatory practices relating to issues listed above. The nursery’s activities and daily routines are planned to ensure equal opportunities for all the children. Toys, equipment, and other resources such as books or posters address equal opportunities, and the nursery recognises and accommodates customs, festivals and practices from different religions and ethnic backgrounds. Staff promote an ethos of equality and encourages each child to develop a non-judgemental approach to life.

The nursery recognises and respects special catering requirements with respect to planning menus, and staff training includes an awareness of those foodstuffs that may be prohibited by religion, faith, or culture.

Recruitment

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 along with a copy of the equal opportunities monitoring form. In order to eliminate possibilities of discrimination prior to interview, employment application forms do not include questions concerning race or ethnic origin, religion, political affiliation, parenthood or sexual orientation. The selection criteria will proceed purely according to merits and abilities of the candidate to perform the tasks and duties listed in the relevant Job Description. Employment recruitment and selection procedures are regularly reviewed to ensure that the elements of this Policy are maintained.

At interview, no questions will be posed which potentially discriminate on the grounds specified in the statement of intent. 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. Candidates will be given the opportunity to receive feedback on the reasons why they were not successful.

Under the Equality Act 2010 you can only ask questions prior to offering someone employment in the following circumstances:

* You need to establish whether the applicant will be able to comply with a requirement to undergo an assessment (i.e., an interview or selection test)
* You need to establish whether the applicant will be able to carry out a function that is intrinsic to the work concerned
* You want to monitor diversity in the range of people applying for work
* You want to take positive action towards a particular group – for example offering a guaranteed interview scheme
* You require someone with a particular disability because of an occupational requirement for the job.

The National College for Teaching and Leadership provides further guidance specific to working with children:

*Providers have a responsibility to ensure that practitioners have the health and physical capacity to teach and will not put children and young people at risk of harm. The activities that a practitioner must be able to perform are set out in the Education (Health Standards England) Regulations 2003. Providers are responsible for ensuring that only practitioners who have the capacity to teach remain on the staff team.*

*People with disabilities or chronic illnesses may have the capacity to teach, just as those without disabilities or medical conditions may be unsuitable to teach. Further information on training to teach with a disability is available from the DfE website.*

*Successful applicants offered a position may be asked to complete a fitness questionnaire prior to commencing the programme. Providers should not ask all-encompassing health questions but should ensure that they only ask targeted and relevant health-related questions, which are necessary to ensure that a person is able to teach.*

Staff

It is the policy of Upperthorpe Nursery not to discriminate in the treatment of individuals. All staff are expected to co-operate with the implementation, monitoring and improvement of this and other policies. All staff are expected to challenge language, actions, behaviours and attitudes which are oppressive or discriminatory on the grounds specified in this policy and recognise and celebrate other cultures and traditions. All staff are expected to participate in equality and inclusion training.

**The Nursery Manager**

The Management of the Nursery are committed to adopting, implementing and monitoring the Inclusion and Equality Policy for all employees to ensure a total absence of discrimination in the workplace and that equal opportunities do genuinely exist.

Implementation and management of this policy is the overall responsibility of the Nursery Manager and ENCO (Equalities Named Co-Ordinator). It is the objective of the policy that there is no discrimination towards employees for any reason of race, ethnic origin, colour, religion, political affiliation, disability or impairments, marital status, parenthood, age, gender or sexual orientation. In this respect, any employees with physical disabilities will only be prohibited from positions where the job duties involve activities which would make it impossible or inherently hazardous to perform. Staff will follow the ‘Dealing with Discriminatory Behaviour’ policy where applicable to report any discriminatory behaviours observed.

Training

The nursery recognises the importance of training as a key factor in the implementation of an effective inclusion and equality policy. All new staff receive induction training including specific reference to the inclusion and equality policy. The nursery will strive towards the provision of inclusion, equality and diversity training for all staff on an annual basis.

Early Learning Framework

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

We do this by:

* Making children feel valued and good about themselves
* Ensuring that all children have equal access to early 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
* 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 early learning opportunities and are supported in their learning
* Working in partnership with all families to ensure they understand the policy and challenge any discriminatory comments made
* Ensuring the medical, cultural and dietary needs of children are met
* Identifying a key person to each child who will continuously observe, assess and plan for children’s learning and development
* Helping children to learn about a range of food and cultural approaches to mealtimes and to respect the differences among them.

Information and meetings

Information about the nursery, its activities and their children’s development will be given in a variety of ways according to individual needs (written, verbal and translated), to ensure that all parents can access the information they need.

Wherever possible, meetings will be arranged to give all families options to attend and contribute their ideas about the running of the nursery.