

# 5.0 Inclusion and Equality Policy

Inclusion is a process of identifying, understanding, and breaking down barriers to participation and belonging. Inclusive early years practice is about anticipating, paying attention, responding to, and reflecting on the needs and interests of all children. A commitment to inclusion should permeate all aspects of the design of educational programmes and the structuring of environments, as well as shaping every interaction with children, parents, and other professionals (*taken from the Birth to 5 Matters, 2021*).

## Statement of intent

At Little Troopers Day 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. Should anyone believe that this policy is not being upheld, it is their duty to report the matter to 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 which cannot be justified as being necessary for the safe and effective performance of their work or training.
- Creating a working environment free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- 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 differences 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.

## Admissions

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 will strive to ensure that all services and projects are accessible and relevant to all groups and individuals in the community within targeted age groups.

## 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. Application forms will not include questions that potentially discriminate on the grounds specified in the statement of intent.

Vacancies should generally be advertised to a diverse section of the labour market. 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 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.

Although you should no longer ask any health-related questions prior to offering someone work in accordance with the Equality Act 2010, 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

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.

## 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:

- 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 (verbally and non-verbally) and making children feel included.
- 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.

### **Special consideration for employees**

We recognise that certain employees such as young persons, new and expectant mothers and persons with a disability may require special consideration.

### Legal requirements

The nursery follows the legal requirements set out in The Management of Health and Safety at Work Regulations 1992 and the Equality Act 2010. Our Health and Safety Policy has regard to any employees requiring special consideration at the commencement of employment and during the course of it. The following procedure is followed.

Procedure: The Nursery Manager will:


- Assesses any employee requiring special consideration in conjunction with the individual on induction to the nursery or when their condition or disablement comes to light.
- Carries out any risks assessments relating to the occupation of such workers.
- Agrees with the worker any necessary special measures such as training and supervision, arrangements, modifications, and medical surveillance.
- Carries out further assessments and reviews at least annually, or if and when any changes to the special circumstances or environment occur.

### Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate.

### Part-time and fixed-term work

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

Produced by:	Signed:  Print: Rebecca Warner	Date: October 2023
Review due:	September 2024	
Nursery Designated Safeguarding Officers		Position
(Lead) Nicola Robertson (Deputies) Beverly Massingham (Deputies) Kayleigh Goodenough		Nursery Manager Deputy Manager Third in Charge

## 5.1 Special Educational Needs & Disabilities (SEND) policy

### Statement

Little Troopers Day Nursery, we are committed to the inclusion of all children. All children have the right to be cared for and educated to develop to their full potential alongside each other through positive experiences, to enable them to share opportunities and experiences and develop and learn from each other.

We provide a positive and welcoming environment where children are supported according to their individual needs and we work hard to ensure no children are discriminated against or put at a disadvantage as a consequence of their needs.

We believe that all children have a right to experience and develop alongside their peers no matter what their individual needs. Each child's needs are unique, therefore any attempt to categorise children is inappropriate. We are committed to working alongside parents in the provision for their child's individual needs to enable us to help the child to develop to their full potential. We are committed to working with any child who has a specific need and/or disability and making reasonable adjustments to enable every child to make full use of the nursery's facilities. All children have a right to a broad and well-balanced early learning environment.

Where we believe a child may have additional needs that have previously been unacknowledged, we will work closely with the child's parents and any relevant professionals to establish if any additional action is required.

Where a child has additional needs, we feel it is paramount to find out as much as possible about those needs; any way that this may affect his/her early learning or care needs and any additional help he/she may need by:

- Liaising with the child's parents and, where appropriate, the child
- Liaising with any professional agencies
- Reading any reports that have been prepared
- Attending any review meetings with the local authority/professionals
- Observing each child's development and monitoring such observations regularly.

All children will be given a full settling in period when joining the nursery according to their individual needs.

### Aims

We will:

- Recognise each child's individual needs and ensure all staff are aware of, and have regard for, the Special Educational Needs Code of Practice on the identification and assessment of any needs not being met by the universal service provided by the nursery.
- Include all children and their families in our provision.
- Provide well informed and suitably trained practitioners to help support parents and children with special educational difficulties and/or disabilities.
- Develop and maintain a core team of staff who are experienced in the care of children with additional needs and identify a Special Educational Needs and Disabilities Co-ordinator (SENCO) who is experienced in the care and assessment of children with additional needs. Staff will be provided with specific training relating to Special Educational Needs and Disabilities (SEND) and the SEND Code of Practice.
- Identify the specific needs of children with special educational needs and/or disabilities and meet those needs through a range of strategies.
- Ensure that children who learn quicker, e.g., gifted and talented children are also supported.
- Share any statutory and other assessments made by the nursery with parents and support parents in seeking any help they or the child may need.
- Work in partnership with parents and other agencies in order to meet individual children's needs, including the education, health and care authorities, and seek advice, support and training where required.
- Monitor and review our practice and provision and, if necessary, make adjustments, and seek specialist equipment and services if needed.
- Ensure that all children are treated as individuals/equals and are encouraged to take part in every aspect of the nursery day according to their individual needs and abilities.
- Encourage children to value and respect others.
- Challenge inappropriate attitudes and practices.
- Promote positive images and role models during play experiences of those with additional needs wherever possible
- Celebrate diversity in all aspects of play and learning.

## Role of the Special Education Needs and Disabilities Co-ordinator

Our nursery Special Education Needs and Disabilities Co-ordinator (SENCO) is Bev Massingham.

The role of the SENCO is to take the lead in further assessment of the child's particular strengths and weaknesses; in planning future support for the child in discussion with colleagues; and in monitoring and subsequently reviewing the action taken.

The SENCO should also ensure that appropriate records are kept including a record of children's SEN support and those with Education, Health and Care plans. The practitioner usually responsible for the child should remain responsible for working with the child on a daily basis and for planning and delivering an individualised programme. Parents should always be consulted and kept informed of the action taken to help the child, and of the outcome of this action (code of practice 2015).

Bev Massingham works closely with all staff to make sure there are systems in place to plan, implement, monitor, review and evaluate the special educational needs practice and policy of the nursery, always making sure plans and records are shared with parents.

## Methods

We will:

- Designate a named member of staff to be Special Educational Needs and Disability Co-ordinator (SENCO) and share their name with parents.
- Undertake formal Progress Checks and Assessments of all children in accordance with the SEND Code of Practice January 2015.
- Provide a statement showing how we provide for children with special educational needs and/or disabilities and share this with staff, parents and other professionals.
- Ensure that the provision for children with special educational needs and/or disabilities is the responsibility of all members of staff in the nursery.
- Ensure that our inclusive admissions practice includes equality of access and opportunity.
- Ensure that our physical environment is as far as possible suitable for children and adults with disabilities.
- Work closely with parents to create and maintain a positive partnership which supports their child(ren).
- Ensure that parents are informed at all stages of the assessment, planning, provision and review of their child's care and education.
- Provide parents with information on sources of independent advice and support.
- Liaise with other professionals involved with children with special educational needs and/or disabilities and their families, including transfer arrangements to other settings and schools. We work closely with the next school or care setting and meet with them to discuss the child's needs to ensure information exchange and continuity of care.
- Use the graduated response system for identifying, assessing and responding to children's special educational needs and disabilities.
- Provide a broad and balanced early learning environment for all children with special educational needs and/or disabilities.
- Provide differentiated activities to meet all individual needs and abilities.
- Use a system of planning, implementing, monitoring, evaluating and reviewing Individual Educational Plans (IEPs) for children with special educational needs and/or disabilities and discuss these with parents.
- Review IEPs regularly every six weeks and hold review meetings with parents at this time.
- Ensure that children with special educational needs and/or disabilities and their parents are consulted at all stages of the graduated response, taking into account their levels of ability.
- Use a system for keeping records of the assessment, planning, provision and review for children with special educational needs and/or disabilities.
- Provide resources (human and financial) to implement our SEND policy.
- Ensure the privacy of children with special educational needs and/or disabilities when intimate care is being provided.
- Use the local authorities Assessment Framework.
- Provide in-service training for practitioners and volunteers.
- Raise awareness of any specialism the setting has to offer, e.g., Makaton trained staff.
- Ensure the effectiveness of our SEN/disability provision by collecting information from a range of sources e.g., IEP reviews, staff and management meetings, parental and external agencies' views, inspections, and complaints. This information is collated, evaluated and reviewed annually.

- Provide a complaints procedure and make available to all parents in a format that meets their needs e.g., Braille, audio, large print, additional languages
- Monitor and review our policy annually.

### Effective assessment of the need for early help

Local agencies should work together to put processes in place for the effective assessment of the needs of individual children who may benefit from early help services.

Children and families may need support from a wide range of local agencies.

Where a child and family would benefit from coordinated support from more than one agency (e.g. education, health, housing, police) there should be an inter-agency assessment. These early help assessments, such as the Common Assessment Framework, should identify what help the child and family require to prevent needs escalating to a point where intervention would be needed via a statutory assessment under the Children Act 1989.

The early help assessment should be undertaken by a lead professional who should provide support to the child and family, act as an advocate on their behalf and coordinate the delivery of support services. The lead professional role could be undertaken by a General Practitioner (GP), family support worker, teacher, health visitor and/or special educational needs coordinator. Decisions about who should be the lead professional should be taken on a case-by-case basis and should be informed by the child and their family.

For an early help assessment to be effective:

- the assessment should be undertaken with the agreement of the child and their parents or carers. It should involve the child and family as well as all the professionals who are working with them;
- a teacher, GP, health visitor, early years' worker or other professional should be able to discuss concerns they may have about a child and family with a social worker in the local authority. Local authority children's social care should set out the process for how this will happen; and
- if parents and/or the child do not consent to an early help assessment, then the lead professional should make a judgement as to whether, without help, the needs of the child will escalate. If so, a referral into local authority children's social care may be necessary.

If at any time, it is considered that the child may be a child in need as defined in the Children Act 1989, or that the child has suffered significant harm, or is likely to do so, a referral should be made immediately to local authority children's social care. This referral can be made by any professional. *Working Together To Safeguard Children 2015.*

### Special Educational Needs and Disability code of practice

The nursery has regard to the statutory guidance set out in the Special Educational Needs and Disability code of practice (DfE 2015) to identify, assess and make provision for children's special educational needs.

The nursery will undertake a Progress Check of all children at age two in accordance with the Code of Practice. The early years provider will also undertake an assessment at the end of the Early Years Foundation Stage (in the final term of the year in which a child turns 5) to prepare an EYFS Profile of the child.

The Code of Practice recommends that, in addition to the formal checks above, the nursery should adopt a graduated approach to assessment and planning, led and coordinated by a SENCO. Good practice of working together with parents, and the observation and monitoring of children's individual progress, will help identify any child with special educational needs or disability. The nursery has identified a member of staff as a SENCO who will work alongside parents to assess the child's strengths and plan for future support. The SENCO will ensure that appropriate records are kept according to the Code of Practice.

### Stage 1

Where a nursery practitioner or SENCO identifies a child with special educational needs, the nursery will assess and record those needs and provide a number of key actions to help the child. As part of this process, the nursery will consult with parents and seek any additional information from external professionals. The targets for the child, any teaching strategies or changes to provision, are set out in an Individual Education Plan (IEP). The plan will be continually under review in consultation with the child and their parent(s). This stage will involve a cycle of assessment, planning and review in increasing detail, with increasing frequency, to identify the best ways of securing and maintaining progress.

### Stage 2

This is where a practitioner or SENCO, in consultation with the child's parents, decide external support services are required usually following a review of the IEP. The nursery will share its records on the child with those services so that they can advise on any IEP targets and appropriate strategies to help the child.


Statutory assessment

If the help given through an IEP is not sufficient to enable the child to progress satisfactorily, it may be necessary for the nursery, in consultation with the parents and any external agencies already involved, to request a statutory assessment by the local authority. This may lead to the child receiving an education, health and care plan.

### SEN Contact Numbers

**Central Early Years SEN team 01865 812628**

**Early Support Programme Officer (Lindy Mabuto) 01865 812629.**  
Regarding a request for involvement of services (**SPORFI**)

Produced by:	Signed:  Print: Rebecca Warner	Date: October 2023
Review due:	September 2024	
Nursery Designated Safeguarding Officers		Position
(Lead) Nicola Robertson		Nursery Manager
(Deputies) Beverly Massingham		Deputy Manager
(Deputies) Kayleigh Goodenough		Third in charge

## 5.2 Dealing with Discriminatory Behaviour policy

### Statement of intent

At Little Troopers Day Nursery 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 incidents any perceived or actual relating to discrimination on any grounds and report these where relevant to children's parents and the registering authority.

### 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
- 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'
- 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 (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.



## 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 staffs understanding and confidence in challenging discriminatory practice
- Expecting all staff in the nursery to be aware of and alert to any discriminatory behaviour or bullying taking place
- Expecting all staff to intervene firmly and quickly to prevent any discriminatory behaviour or bullying, this may include behaviour from parents and other staff members
- 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. Any pattern of behaviour should be indicated. Perpetrator/victim's initials may be used in the record as information on individuals is confidential to the nursery
- Informing: the parents of the child(ren) who are perpetrators and/or victims should be informed 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 will incur our disciplinary procedures (please see the policy on disciplinary procedures).

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 as detailed in our Safeguarding Children Policy in order to safeguard children and families concerned.

## 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 of staff 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.

Produced by:	Signed:  Print: Rebecca Warner	Date: October 2023
Review due:	September 2024	
Nursery Designated Safeguarding Officers		Position
(Lead) Nicola Robertson (Deputies) Beverly Massingham (Deputies) Kayleigh Goodenough		Nursery Manager Deputy Manager Third in charge