



Birmingham Federation Maintained Nursery Schools

*Allens Croft Nursery School
Jakeman Nursery School
Shenley Fields Nursery School*

*Lillian De Lissa Nursery School
Newtown Nursery School
St Thomas Nursery School*

*Adderley Nursery School
Gracelands Nursery School
Highfield Nursery School*

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Equalities & Community Cohesion Policy

Ensuring Equal Opportunities in the Workplace- Allens Croft, Jakeman and Shenley Fields Nursery Schools

Part 1: Guidelines

1 Introduction

The main reason for adopting an equal opportunities policy is to identify, prevent and redress unfair discrimination against groups who may be disadvantaged. The Equal Opportunities Policy will assist the governing body to address legal, managerial and social issues from the basis of a statement of commitment to equality, supported by a more detailed policy and procedures for implementation.

The legal responsibilities of governors with respect to promoting equal opportunities are set out in further detail in Section 12 of the DfES Publication *A Guide to the Law for School Governors*. Governors are strongly advised to familiarise themselves with this guide.

2 The Legal Position

These guidelines and policy comply with all the current relevant legislation: The Sex Discrimination Act 1986; The Disability Discrimination Act 1996; The Education Act 1996; Race Relations Amendment Act 2000; The Special Needs & Disability Act 2001; Equality Act 2010.

Protected Characteristics: Following the Equality Act 2010, 9 protected characteristics were confirmed in law.

- 1) Race

- 2) Religion or Belief (inc. non-belief, druids)
- 3) Sex / Gender (including gender re-assignment)
- 4) Sexual Orientation
- 5) Transgender (do not have to be planning for re-assignment)
- 6) Age
- 7) Disability (extended definition “reasonable adjustment” extended to careers)
- 8) Marriage & Civil Partnership
- 9) Pregnancy & Maternity (inc. feeding in public)

These will be referred to as the “protected characteristics” throughout this document.

Equality Duties: The Equality Act 2010 also amended the duties under the law and established the responsibilities to:

- i. Eliminate Discrimination
- ii. Promote / advance equality of opportunity
- iii. Promote / foster good relations

There is, however, often a distinction to be made between what a provider of education does as an employer of staff and what that same provider does in relation to its children and students. The *Law of Education* concentrates on children and students in an educational environment rather than detailed information on discrimination in staff and employment. This needs to be covered under policies as they relate to employment; some reference is made to this in the latter part of these guidelines.

3 Discrimination

Discrimination under ***The Equality Act 2010*** can be direct or indirect and the Act also prohibits harassment and victimisation. But the ways in which discrimination, harassment and victimisation might become illegal depend quite often on the type of protected characteristic involved and on the exceptions elsewhere in the Act. The key sections are relevant to schools, as defined under the Education Act 1996, not to early years’ settings which are not maintained nursery centres / schools. It should also be noted that victimising children by reason of protected characteristics amongst their parents or siblings is also generally unlawful.

The governing body of a school must not discriminate against:

- a child applying to be admitted to the school;

- existing children;
- job applicants;
- existing members of staff;

on the grounds of their protected characteristic.

4. The *Equality Act 2010* combines the various strands:

4.1 Sex discrimination

Under *The Equality Act 2010*, direct sex discrimination is where A treats B less favourably than A treats others, or would treat others, if the reason for the less-favourable treatment is B's sex or because B is breast-feeding. Women are, however, entitled to special treatment in connection with pregnancy, maternity or breast-feeding. Sex discrimination is generally unlawful in centres.

It covers recruitment policies, dismissals and redundancies, fringe benefits and other non-contractual matters and requires that women and men should be treated equally. ***The Sex Discrimination Act 1986*** removes differential compulsory retirement ages for women and men.

4.2 Gender reassignment discrimination

The Equality 2010 Act reminds us that gender reassignment is a process and not an event. Discrimination in connection with the provision of education on grounds of past, present or proposed gender reassignment is generally unlawful.

4.3 Sexual orientation discrimination

Discrimination in connection with the provision of education on grounds of sexual orientation is generally unlawful under the provisions of *The Equality Act 2010*.

4.4 Race discrimination

Race as defined in ***The Equality Act 2010*** includes colour, nationality and ethnic or national origins. Race is essentially a group characteristic, but one racial group can be part of a larger racial group. Discrimination in connection with provision of education on grounds of race is generally unlawful under the Act.

Note: *Race Relations Act 1976*

The Act makes it illegal to discriminate in recruitment, promotion, training and transfer, terms and conditions of employment or dismissal on grounds of colour, race, nationality or ethnic or national origins. Discrimination may be direct or indirect (see below). Where persons of a particular racial group are under-represented, either generally or in a section of the workforce, the Act enables employers to advertise

vacancies in such a way as to encourage applications from persons of that racial group.

4.5 Race Equality

The amendments to the Act give schools a statutory general duty to promote race equality and eliminate unlawful racial discrimination. All schools are required to have a written race equality policy in place.

4.6 Religion or Belief discrimination

In *The Equality Act 2010* any reference to religion includes a reference to a lack of religion. Similarly, belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

NB: there are many important exceptions from legislation prohibiting discrimination on the grounds of religion or belief in relation to the employment of centre head teachers and teaching staff.

4.7 Age discrimination

Age discrimination would be a difficult area for local authorities and for all kinds of schools and centres, which have long-arranged classes and phases by chronological age more than by ability or achievement. However, age discrimination in schools and centres and in local authority provision of centres is not restricted by *The Equality Act 2010*.

4.8 Marriage and civil partnership discrimination

Discrimination relating to marriage or civil partnership is not restricted in the provision of education in schools and centres by *The Equality Act 2010*.

NB: further consideration should be given to this area as it relates to employment law.

4.9 Disability Discrimination

There is a general requirement in *The Equality Act 2010* to make reasonable adjustments for those with disabilities and a more specific requirement to do so in the field of education. Special educational needs are also relevant to this area of discrimination. *Accessibility for disabled children*

The Act requires local authorities in England and Wales to improve their centres and to improve the ways in which disabled children can access their centre's children information and their centre's curriculum. There must be a written accessibility strategy after due consultation and that strategy must be implemented within a reasonable time.

Under *The Disability Discrimination Act 1995 (DDA)*, employers, including local authorities and governing bodies, must not discriminate against disabled people applying for jobs, or against existing disabled

staff. For these purposes, a person has a disability if they have a physical or mental impairment which had a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition is wide. It is unlawful discrimination for an employer to treat a person less favourably than others for a reason relating to disability unless the treatment can be justified by the employer.

The *1995 Act* imposes a duty on employers to make reasonable adjustments if the premises or employment arrangements substantially disadvantage a disabled person compared with a non-disabled person. Examples might be installation of a ramp for an employee who uses a wheelchair, having staff notices in large print etc. Whether or not a particular adjustment is reasonable depends on a number of factors such as cost, practicability and effectiveness. Failure to discharge this duty will constitute discrimination unless the employer can justify their action. Complaints about disability discrimination can be heard by an employment tribunal (if related to an employment matter) or a county court (if they concern supply of goods, facilities or services).

Enforcement of *The Equality Act 2010* relating to disability in centres is possible through:

- centre admission appeals;
- centre exclusion appeals;
- application to the First-tier Tribunal (in England) or the SEN Tribunal for Wales.

5. Direct and indirect discrimination

Direct discrimination is always unlawful (with the exception of genuine occupational requirements – see below). Direct discrimination occurs when a person is treated less favourably than others in the same circumstances because of their protected characteristics.

Indirect discrimination can occur when a condition or requirement is applied equally but is such that the proportion of members of one sex, racial group etc. who can meet it is considerably smaller than the proportion of members of the other sex or other racial groups. Indirect discrimination is unlawful unless the person imposing the condition can show that it is justified, irrespective of the sex or race of the person to whom it is applied.

6. We are committed to working towards community cohesion by:

- promoting shared British values
- to be a school where children's rights are at the heart of our ethos and culture
- encouraging full participation in society

- challenging intolerance and extremism

Promoting common shared values

To achieve this Allens Croft, Jakeman and Shenley Fields Nursery Schools will celebrate what we all have in common and respect the diversity of all of our citizens regardless of background, faith, gender or sexuality. We will ensure all young people have the opportunity to learn in an environment where building positive relationships is actively pursued.

We will encourage and support all in our communities to share greater responsibility to promote cohesion, to robustly challenge those that seek to work against and undermine our common shared values.

Challenging extremism and intolerance

To achieve this aim the school will work to ensure:

- No promotion or unwitting support is given to individuals or groups that promote and propagate messages of hate and intolerance.
- Ensure appropriate linkage to the Prevent programme where appropriate
- Ensure all schools and educational settings promote our shared British values
- challenge illegal and harmful cultural attitudes and practices towards women such as Female Genital Mutilation, Forced Marriage and Honour-Based Violence.
- Actively promote opportunities for cross-community interactions in order to strengthen relationships and common bonds between communities of different backgrounds and isolate extreme voices
- encourage communities to report incidents of hate crime including anti-Semitism, Islamophobia or homophobic behaviour.

7. Code of Behaviour statement for all staff

We aim to have a common vision and sense of belonging across all communities, the diversity of people's backgrounds and circumstances is appreciated and valued. At Allens Croft, Jakeman and Shenley Fields Nursery Schools we promote inclusive early years education and value the diversity of our schools communities supporting everyone to feel they have a stake in society, and are able to fully participate and contribute without prejudice or discrimination and strong and positive relationships exist and continue to be developed in our schools and it's wider communities. We believe that everyone in our city must have access to the same life opportunities. That they respect

the laws of this country and honour their responsibilities as citizens.

These objectives are achieved through a commitment to shared British values and working towards the UNICEF Rights Respecting School award.

- **Democracy:** Everyone has a voice and a say in what we do and how we do it.
- **Mutual Respect:** We admire and acknowledge everyone's abilities, qualities and achievements
- **Liberty:** We have the freedom to make our own choices.
- **Tolerance:** We accept that everyone has a right to their own views and opinions
- **Rule of Law:** We have community rules and practices which keeps our learning community safe and a code of conduct for all adults working within our schools.

At Allens Croft, Jakeman and Shenley Fields Nursery Schools we are always striving to create the best possible learning environment for our children and this achievement shows that we are committed to promoting and realising children's rights and encouraging adults, children and young people to respect the rights of others in school. We to ensure that:

- The United Nations Convention on the Rights of the Child (CRC) underpins our values and decision making in school
- The whole school learns about the CRC and respects the rights of others
- Children are empowered to become active learners and active local and global citizens.

The UN Convention on the Right of the Child **Article 2** (Non-discrimination)
"The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background"

8. Genuine Occupational Requirement

Discrimination is permitted in cases where a person's sex, race, religion or sexual orientation is a genuine occupational requirement for the job. Examples from the sex discrimination legislation are where a job had to be held by a man and not a woman or vice versa to preserve decency or privacy, such as where the job involved visiting changing rooms while they are in use. Further exemptions relate to single sex sport. In race discrimination law, provision of childcare or similar service promoting a particular racial group's welfare may be more effectively provided by someone of that race. It may then be permissible to specify that race as a genuine occupational requirement.

9. Equal pay

The Equal Pay Act 1970 requires that women are paid the same as men if they are employed to do the same work or work that is of equal value. Governing bodies should ensure that this requirement is complied with when making decisions about pay. The Equal Opportunities Commission has issued a code of practice on equal pay in order to provide practical guidance on how to ensure pay is determined without sex discrimination.

10. Part-time workers

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 give the right to part-time workers not to be discriminated against in comparison with comparable full-time workers, unless the employer has objective justification. Where appropriate the principle of 'pro rata' treatment should apply. An example of less favourable treatment would be the automatic selection of part-timers first in a redundancy selection exercise. The centre would almost certainly find it impossible to justify this.

These regulations apply both to women and men part-time workers. Additionally, as the large majority of part-time workers are women, detrimental treatment of part-timers is also likely to be indirect sex discrimination.

11. Complaints

In relation to complaints in the employment context, the local authority or the governing body (whichever is treated as the employer for the purposes of the Acts) may be legally responsible for the discriminatory acts against employees or applicants for jobs – including acts carried out by the head Teacher or other members of staff. Such cases should follow the Complaints Policy of the school and HR procedures agreed by the Governing Body. Such cases can be taken to an employment tribunal. Discrimination complaints involving issues such as the admission of, or equal opportunities for children should follow the Complaints Policy of the school and can be considered by the Secretary of State or by a county court.

12. The Rehabilitation of Offenders Act 1974

This Act provides that if a convicted person completes a specified period without being convicted of further offences then the conviction can be held to be 'spent'. Accordingly these sentences do not have to be revealed and should not be used as a means of excluding people from employment or promotion. The important feature of this legislation is that certain occupations are not within the scope of this Act, for example, a job which involved substantial access to children under 18 years of age. In the cases of these 'exempt employments', all convictions whether spent or not can be taken into account. The Disclosure and Barring Service (DBS) handles disclosures of this data prior to appointment being made.

13. Discrimination, Victimisation and Harassment

See Appendix A for further information and definitions of discrimination, victimisation and harassment. Complaints relating to these matters must be dealt with promptly and investigated using the appropriate procedure, e.g. disciplinary procedure, anti-harassment policy and procedure.

14. Who is the employer and who is responsible?

Where the school or centre is maintained by the local authority then the LA is the employer of all staff. However, while the governing body of a school/centre have a delegated budget, they have powers over the appointment, suspension, discipline and dismissal of staff, even if the local authority are technically the employer of the school/centre staff.

Accordingly, where complaints are made about sex, race or disability discrimination concerning the exercise of these powers, it will normally be the governing body who are treated as the employer.

It follows that the governing body of a school /centre with a delegated budget will generally be the respondent in employment tribunal discrimination cases brought by members of staff (or job applicants), although any award of compensation or costs made by a tribunal would usually have to be paid by the local authority where they are the actual employer of the staff and where appropriate advice had been taken, e.g. from human resources advisors. Governors should be aware that compensation payments in sex and race discrimination cases are potentially unlimited and also that tribunals have the power to require individuals, as well as employers, to pay compensation.

1. Equal Opportunities Statement of Commitment

The governing body of our federated schools is committed to a policy of equality and aims to ensure that no employee, job applicant, child, parent or other member of the centre community is treated less favourably on grounds of Religion or Belief, Sex / Gender, Sexual Orientation, Transgender, Age, Disability, Marriage & Civil Partnership or Pregnancy & Maternity (See Part 1 Guidelines - section 2).

Any behaviour, comments or attitudes that undermine or threaten an individual's self-esteem on these grounds will not be tolerated. We aim to provide equal access to high quality educational opportunities and to ensure that everyone feels that they are a valued member of the centre community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated.

We aim to empower our children to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community. Equality of opportunity cannot be realised without the involvement and commitment of all members of

the centre community and a common understanding of the pivotal role of equal opportunities in the context of the centre's ethos and values, in particular, the recognition that the role of all staff is crucial in the delivery of the objectives of the policy.

All members of the school community are responsible for promoting the equal opportunities policy and are obliged to respect and act in accordance with the policy.

2. Aims

The governing body and schools, through this adopted Equal Opportunities Policy, aim to:

2.1 carry out its legal duty in complying with the relevant legislation (*including The Sex Discrimination Act, Race Relations Act, Disability Discrimination Act and Employment Equality Regulations*);

2.1.1 reinforce the school's position as a provider of high-quality education and as a good employer providing development opportunities;

2.1.2 ensure that equality remains high on the centre's strategic agenda;

2.1.3 establish good people management practice and to set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response;

2.1.4 achieve a staffing composition that reflects the composition of the wider community;

2.1.5 ensure all staff work together with a shared sense of purpose to meet the needs of every child;

2.1.6 ensure that children and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals;

2.1.7 ensure that complaints or evidence of failure to comply with the school's equal opportunities policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g.

complaints relating to staff may be investigated either under the disciplinary, grievance or anti-harassment procedure as appropriate). All forms of discrimination by any person within the school's responsibility will be treated seriously as such behaviour is unacceptable.

3. Policy and Planning

Equal opportunities implications, including race equality, will be considered and recorded whenever centre policies are developed or reviewed. All policies will be regularly reviewed to provide a comprehensive and consistent process of monitoring and evaluation.

4. Employment

4.1 Appointments: in all staff appointments the best candidate will be appointed based on strict professional criteria.

4.2 Family-friendly policies: the Governing Body is a family-friendly employer and will do its best to respond to the changing needs of all staff by publicising existing schemes designed to support employees in combining work and other responsibilities (parental leave arrangements, job share opportunities, flexitime where appropriate, carers' leave provision).

4.3 HIV/AIDS: our federation of schools recognise that people with HIV/AIDS suffer not only from the purely medical effects of the infection but may also experience prejudice and misunderstanding leading to unfair discrimination and victimisation. Our federation will, therefore, ensure that people with HIV/AIDS do not experience unfair treatment in relation to employment, as children or as other members of the centre community. Our schools will follow the detailed guidelines regarding staff recruitment and children admissions set out in Appendix B.

4.4 Transsexual Employees and Gender Reassignment: *The Sex Discrimination Act* now expressly covers discrimination on grounds of gender reassignment.

Our schools will consult with the LA and follow its Gender Reassignment Code of Practice. This provides clear guidelines in respect of recruitment and selection and arrangements for existing staff in cases of gender reassignment.]

5. Training and development

The success of the Equal Opportunities Policy is closely linked to the provision of relevant training. Professional development involves a

continuous process of learning involving self-development, encouragement and motivation. The centre places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the centre's performance management system.

The schools will endeavour to:

- enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status;
- provide equal access to training and development opportunities for all staff, including part time, on the basis of their assessed training needs;
- promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and children can make;
- equip employees with the skills to provide personal and organisational solutions, discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally.
- Encourage governing body members to take up all relevant opportunities provided by the Local Authority's Governors Training Programme.

6. Children and the curriculum

Our federation of schools follow the LA admission policies that do not permit sex, race, colour or disability to be used as criteria for admission. Our federation of schools aims to provide for all children according to their needs, irrespective of gender, ability or ethnic origin. *The Education Reform Act 1988* stated that 'the school curriculum should reflect the culturally diverse society to which children belong and of which they will become adult members.' Children should have access to a broad and balanced curriculum which avoids stereotypes and provides good role models for all children. Equality of opportunity should inform the whole of the curriculum and be reviewed regularly.

Equal opportunities issues will be taken account of in planning the curriculum. This should be reflected in curriculum planning documentation.

6. Principles

6.1 Equality of esteem – each person is an individual with unique needs. If children are to develop the self-esteem that is so vital for personal and social development, then they need to know that they are valued, both as an individual, and as member of a family or a community. Each member of staff is responsible for guarding and promoting the self-esteem of every child. We recognise that practices such as labelling, favouring, "nick-naming" and "writing off" all destroy self-esteem and weaken confidence – they have no place in our federation of schools.

6.2 Equality of Opportunity: Equalising opportunities means ensuring that everyone can achieve and that these achievements are valued. Staff

believe that all children have a right of access to a curriculum that is broad, balanced and relevant to their needs and all families have a right of access services appropriate to their needs.

6.3 Equality of Contribution: staff, families and children contribute to the process of development within our schools by bringing to it their own experiences, values and perspectives. Such contributions should be used in our schools and should be valued and shared.

7. Aims

7.1 To treat every member of the community as an individual, and to respect her/his strengths and talents.

7.2 To ensure all children have access to the Early Years Foundation Stage Curriculum.

7.3 To value cultural diversity.

7.4 To offer positive images and role models to children & families

7.5 To provide an inclusive environment in which every child, adult and young person can succeed and develop to his/her full potential.

7.6 To provide children with accurate, developmentally appropriate information about gender, sexuality, race, ethnicity, culture, language and ability.

7.7 To help children become aware of the shared physical & emotional characteristics that make us all human beings.

7.8 To help every member of our community develop respectful social skills.

7.9 To foster children's developing concept of fairness and feelings of empathy for each other.

7.10 To enable all concerned to foster critical thinking about stereotyping and acquire the skills and self-confidence to stand up for themselves, and others, against biased ideas and discriminating behaviour.

8. Objectives – for children

8.1 Race, Culture & Religion

✚ To enable children to feel pride, but not superiority about their race, religion, culture, ethnicity & racial identity.

✚ To affirm and foster children's knowledge and pride in their cultural, ethnic & racial identity.

✚ To foster children's curiosity, enjoyment and empathic awareness of cultural differences and similarities.

✚ To teach children, in a developmentally appropriate way, to overcome any inappropriate responses triggered by cultural differences.

8.2 Gender / Sexuality

- ✚ To free children from constraining definitions of gender role so that no aspects of development will be closed off simply because of a child's gender.
- ✚ To promote equality of development for both sexes by fostering each child's participation in the activities necessary for physical, cognitive, personal, social and emotional growth.
- ✚ To develop children's skills for challenging sexist stereotypes and behaviours.

8.3 Disability

- ✚ To enable children with disabilities to develop autonomy, Independence, competency, confidence and pride.
- ✚ To provide all children with accurate, developmentally appropriate information about their own and others disabilities.
- ✚ To foster understanding that a person with a disability is different in one respect but similar in many others.
- ✚ To enable all children to develop the ability to interact knowledgeably, comfortably and fairly with people having various disabilities.
- ✚ To support children with disabilities who may be subject to name-calling, biased attitudes or physical barriers.

9. Objectives – for adults

- To increase awareness of personal attitudes about gender, sexuality, race, religion, ethnicity, culture, age and different physical/cognitive abilities.
- To gain an understanding of how young children develop identity and attitudes.
- To learn to identify ways that all prejudices affect our community.

- To plan ways to introduce anti-bias activities and curriculum into our setting.
- To create safe settings for parents/carers to discuss with each other the issues raised by anti-bias work.
- To involve parents in curriculum development implementation and evaluation.

10. Responsibilities

10.1 It is every adult's responsibility to ensure that their own attitudes and behaviour are free from discriminatory practices.

10.2 Staff should be aware of anti-bias strategies to use in planned and incidental activities and should make use of opportunities to discuss biased actions and attitudes with the children. The use of puppets at story/circle time is particularly useful.

10.3 Children will be taught developmentally appropriate strategies for challenging discriminatory behaviour and will be supported by adults to use these strategies.

10.4 All persons witnessing discrimination of any sort should challenge the behaviour in an assertive way (not aggressive) and then report it to the Executive Head Teacher.

10.5 Incident Reporting: Incidents are recorded on the appropriate proforma and kept on file. The information is reported to the L.A. on a termly basis.

11. Practice Guidelines:

11.1 General Guidelines:

- i. Everyone has the right to receive information, views and guidance in order to effectively make important decisions for themselves.
- ii. Discriminatory practices, against any of the 9 protected characteristics, are demeaning for all and must be challenged.
- iii. The richness of cultural diversity must be recognised and celebrated.
- iv. Differences between people should not be linked with ideas of superiority or inferiority.
- v. While there are real differences between people, no child or adult should be made to feel unhappy because they are 'different'.
- vi. No child or adult should be treated less equally than others because of these differences.

- vii. Everyone is entitled to access a range of high-quality educational opportunities and career choices.
- viii. All children should be enabled to grow up with positive attitudes to those who are different from them as well as those who are similar to them.
- ix. An inclusive centre and education will benefit everyone by increasing our understanding and appreciation of each other's lives.

11.2 The Curriculum: The curriculum, in all areas of learning, will include planned activities that introduce ideas of difference and similarity and provide opportunities for children to discuss differences in gender, culture, ethnicity, race and ability in a non-judgemental manner. We will use an anti-bias approach to teach children to interact comfortably with differences, appreciate all people's similarities, and to recognise and confront ideas and behaviours that are biased.

11.2.1 Environment and Resources: A rich environment provides possibilities for exploring the 9 protected characteristics and sets the scene for practising anti-bias curriculum. The material and people resources in the classroom provide children with important information and alerts them to what the staff consider important or not important. Children are as vulnerable to omissions as they are to inaccuracies and stereotypes: what isn't seen can be as powerful as what is seen.

11.2.2 In order to provide positive images of diversity we will seek to use resources that depict all sorts of people in a wide range of contexts, and to eliminate resources that depict stereotypes or inaccuracies.

11.3 Teaching and Learning Strategies: Practitioners need to: -

- i. ensure that all children are enabled to access the full range of learning opportunities, both inside and outside.
- ii. work with children in a range of groupings, ensuring they have opportunities to work with others of different gender, race, ethnicity, culture and ability.
- iii. plan directed and non-directed activities that promote each child's strengths, background and self-esteem. This will include adapted or differentiated activities for children with differing needs,
- iv. respond to individual needs by – varying the pace and length of session
- v. using signs, symbols
- vi. considering children's emotional well-being
- vii. being aware of each child's cultural heritage.

- viii. Introduce the vocabulary for discussing difference and foster an atmosphere of mutual respect and trust to facilitate such discussions.
- ix. Support children to express their needs and opinions within the group.
- x. Challenge discriminatory attitudes and behaviour and support the children to challenge discrimination.
- xi. Teach children strategies for dealing with conflict and solving problems.
- xii. Promote interactions between children of different gender, race, culture, ethnicity and ability.
- xiii. Use positive praise with all children for their strengths and achievements.
- xiv. Act as positive role models through what they do and say.
- xv. Monitor access to each area of learning and intervene to ensure that all children have opportunity to use all equipment

12 Countering Discrimination

12.1 We recognise that all forms of discrimination and harassment are harmful. We also recognise that discrimination may be unintentional or thoughtless rather than deliberate. We do not, however, believe that this is a reason to ignore such behaviour.

12.2 Many discriminatory comments are accidentally overheard. People who overhear such things have to judge how best to deal with the incident, and whether to leave it until later or to respond to it immediately. We encourage adults in the school to consider using one of the following statements in response to a discriminatory comment or action:

- I'm sorry you think that.
- I don't agree with you.
- What makes you think that?
- What makes you say that?
- That's not my experience.
- Please do not include me in that.

12.3 Countering discriminatory attitudes from young children is very different from dealing with the discriminatory attitudes of adults. We know

that children have not yet had the opportunity to consider other information and points of view, so we address the situation particularly sensitively. The aim, after supporting the victimised child is to address the situation in a way that will enable the child to listen, understand, consider and change their behaviour.

12.4 Children can learn to take responsibility to tell adults when they witness any form of unkindness, racial abuse or name-calling. Staff can encourage this through the use of dolls and puppets in story and circle time sessions. These sessions can then be referred back to when an incident occurs.

12.5 The following procedures should be used to deal with any situation in which there is a victim and a perpetrator, be it verbal or physical abuse that occurs, and in situations involving children or adults:

- i. After identifying an incident as discriminatory, whatever its level of severity, the first priority is to comfort and support the adult or child who has been victimised.
- ii. Make sure that anyone listening to or overhearing the incident understands that what was said or done was wrong, hurtful and unacceptable.
- iii. Support the child or adult who has said or done something discriminatory while, at the same time, making sure they know it is wrong, hurtful and unacceptable and will not be condoned.
- iv. Explain why. Take care not to undermine the child or adult's self-esteem by ensuring that the incident itself, not the child or adult, is dealt with. Try to tap into their concepts of empathy and what it feels like to experience discrimination. Where appropriate, consider raising this sort of issue in circle or story time.
- v. Where appropriate, talk about the incident with the perpetrator and the victim.
- vi. Follow up the incident with whatever strategy is necessary to prevent it happening again, according to the circumstances and the incident itself. Work with staff, parents and children as appropriate.

13. Recording and Reporting

13.1 Verbal and physical abuse by adults should be reported to the head teacher who will record the incident on the appropriate proforma, which will be kept on file and passed to the Local Authority. For further information about behaviour management please see the Behaviour Management Policy.

13.2 The Executive Head Teacher will inform parents/carers if their child has been involved in a discriminatory incident and will be expected to work with the school to ensure that their child understands the issues involved and is helped to develop positive attitudes to difference.

13.3 Parents/carers/visitors who persist in discriminatory behaviour will be asked to leave the premises. In extreme cases the L.A will support the school in excluding perpetrators from school premises.

13.4 Monitoring: The Executive Head Teacher will monitor any incidents that occur and these will be reported to the Governing Body and the L.A.

14. English as an Additional Language

Many of our children and parents have a home language other than English. Staff value this linguistic diversity and provide opportunities for children to develop and use their home language in their play and learning. The children will be at many stages of learning English. Some children are bilingual from birth because their families have talked to them in more than one language. Some children will be acquiring English as an additional language. As with their first language, this needs context through practical, meaningful experiences and interaction with others. These children may spend a long time listening before they speak English and will often be able to understand much of what they hear, particularly where communication through gesture, sign, facial expression and using visual support such as pictures and puppets is encouraged. Learning opportunities are planned to help children develop their English and support provided to help them take part in activities.

15. Monitoring, Review and Evaluation

Governors have a duty to ensure that policies are regularly monitored and reviewed. Monitoring is an essential aspect of this policy, as it should provide important information by which the federation of schools can measure its performance against its aims and objectives. Statistical information can also enable the governors and Executive Head Teacher to detect where potential or actual imbalances exist and to take steps to correct them.

15.1 Monitoring with respect to employment will be undertaken in the following areas: composition of the centre staff; recruitment trends; take up of training opportunities; promotion patterns; use of complaints procedure; use of grievance, disciplinary, harassment etc.

15.2 Monitoring with respect to children's progress will be undertaken in the following areas: review of the curriculum environment and resources; analysis of attainment of groups of children: scrutiny of reported cases of bullying or victimisation.

16. Linked Policies:

- ✚ Anti-Harassment Policy and Procedure
- ✚ Behaviour Policy
- ✚ Promoting British Values implementation advice
- ✚ Inclusion and Special Educational Needs Policy
- ✚ Teaching and Learning policy
- ✚ British Values Statement

Appendices

Appendix A: Discrimination, Victimization and Harassment

Discrimination on grounds of race, sex, disability, religion or belief, or sexual orientation is illegal. However, for the school community, discrimination is also unacceptable on any of the other grounds referred to in this policy statement. Failure to comply with the policy will be fully and promptly investigated using the appropriate procedures.

There are four ways in which discrimination may occur:

Direct discrimination: This means treating someone less favourably than others would be treated in the same or similar circumstances on the grounds of race, sex etc.

Indirect discrimination: This means applying a requirement or condition which cannot be justified to all groups but which has a disproportionately adverse effect on one group because the proportion of that group which can comply is smaller than the proportion of the group(s) which can comply with it.

Victimization: This occurs when a person is treated less favourably than other persons would be treated because that person has done a 'protected act' under the Equal Pay Act, Sex Discrimination Act, Race Relations Act or Employment Equality Regulations, for example, by bringing forward proceedings or giving evidence or information.

Harassment: Harassment can take many forms, from the most obvious abusive remarks to extremely subtle use of power. As with unfair or unlawful discrimination, harassment can be intentional or unintentional. However, the key issue is not simply the intention of the offender but the impact of the behaviour on the person receiving it.

Harassment may involve any of the following:

- physical contact or violence;
 - offensive humiliating and intimidating remarks or actions;
 - exclusion from participation in job-related or classroom-related discussions, training or social or other events;
 - unfair work allocation;
 - unjust or excessive or humiliating criticism of performance;
 - offensive signs or notices;
- graffiti;
- repeated demands or requests for sexual favours. (NB This is not an exclusive list)

• **Appendix B: HIV/AIDS guidelines**

The governors and centre will:

- ensure that job applicants who are deemed to be medically fit to perform the job for which they have applied, are not denied an offer of work solely because they are HIV positive. In arriving at the decision, the centre's normal recruitment criteria will be observed including the normal medical procedures;
- ensure, where possible, that resources are available to support employees or children with AIDS or other major health problems associated with HIV infection. The centre's normal rules and procedures regarding ill health will apply in such cases. Equally the centre will make appropriate arrangements for the provision of counselling (i.e. by referral to external agencies);
- give positive consideration to applications for unpaid leave for those with responsibility for caring for people with AIDS-related conditions in accordance with carers' leave arrangements;
- treat any breaches of confidentiality as a serious matter to be dealt with in accordance with the normal disciplinary (or other appropriate) procedure;
- provide appropriate training in relation to AIDS in order to combat fears and prejudice and to enable the centre community as a whole to function without risk to health

Appendix C:

Birmingham Community Cohesion Statement

Birmingham has always been proud of its wonderfully diverse communities and the many cultures that have contributed to a vibrant city. For many years the city council's policy on social cohesion has rightly celebrated the benefits of a multi-racial and multi-faith city. This included a focus on building understanding and connections between different groups and promoting greater equality. However, it has become increasingly clear to us that the promotion of diversity and equality will not on their own lead to community cohesion.

In Birmingham, community cohesion means working towards a vision in which:

- there is a common vision and sense of belonging across all communities
- the diversity of people's backgrounds and circumstances is appreciated and valued
- all citizens feel they have a stake in society, and are able to fully participate and contribute without prejudice or discrimination
- strong and positive relationships exist and continue to be developed in;
-

the workplace

in schools, and

in the wider community

As a council, we believe that everyone in our city must have access to the same life opportunities. That they respect the laws of this country and honour their responsibilities as citizens. These objectives are achieved through a commitment to shared British values. Including;

- the value of democracy and the rule of law
- individual liberty
- tolerance
- mutual respect of those with different faiths and beliefs
- equality and opportunity for all, where every citizen is given equal rights and treated with respect and dignity

This Statement is a re-positioning of the city council's approach to cohesion in order to tackle the new challenges faced locally, nationally and internationally. It is intended to provide a clear framework for supporting all the people of the city to be a strong, united, resilient and cohesive community. It is our belief that this must be a city where your postcode or background does not determine your ambitions and achievements.

This is also a place where we must all be prepared to stand up to anyone who seeks to act against our shared values. There is no room for extremism or intolerance from any corner of society in Birmingham. The city council will work with its partners and all its communities to challenge and neutralise the influence of those who seek to undermine cohesion in our city.

As a council, we are committed to working towards community cohesion by:

- promoting shared British Values
- encouraging full participation in society
- challenging intolerance and extremism

Promoting common shared values

To achieve this aim the city council will:

- celebrate what we all have in common and respect the diversity of all of our citizens regardless of background, faith, gender or sexuality
- support schools to ensure all young people have the opportunity to learn in an environment where building positive relationships is actively pursued
- encourage and support all partners and communities to share greater responsibility to promote cohesion
- to robustly challenge those that seek to work against and undermine our common shared values

Encouraging full participation in society

To achieve this aim the city council will:

- work with educational partners and businesses to help boost opportunities including access to education, employment, and English language training to those most vulnerable, especially women and young people
- challenge behaviours and practices that are discriminatory towards women and girls, such as equal access to education, justice and employment
- will actively work with local communities to identify those most isolated from the mainstream. And to create opportunities helping them to play a full and meaningful role in their communities and wider society
- will ensure that all people are treated equally and fairly and that rules are well understood by all residents

Challenging extremism and intolerance

To achieve this aim the city council will work with our institutions and communities to ensure:

- no promotion or unwitting support is given to individuals or groups that promote and propagate messages of hate and intolerance
- ensure appropriate linkage to the Prevent programme where appropriate
- ensure all schools and educational settings promote our shared British values
- challenge illegal and harmful cultural attitudes and practices towards women such as Female Genital Mutilation, Forced Marriage and Honour-Based Violence
- actively promote opportunities for cross-community interactions in order to strengthen relationships and common bonds between communities of different backgrounds and isolate extreme voices
- encourage communities to report incidents of hate crime including anti-Semitism, Islamophobia or homophobic behavior

This is not a vision that the council will deliver on its own; rather it is a shared endeavour with partners, including;

- individuals
- families
- schools
- the police
- faith groups
- cultural institutions and
- civil society

Date Policy Adopted: 8.2.2022

Date for next renewal: Spring Term 2024

Signed: _____

Sean Delaney
Chair of Governors

Signed: _____

David Aldworth
Executive Head Teacher