

## **Dealing with Discrimination**

Here at Sweet Peas Nursery we do not tolerate discriminatory behaviour and take action to tackle discrimination. We will follow our legal duties in relation to discrimination and record all incidents, perceived or actual, relating to discrimination on any grounds and report these, where relevant, to children's parents/carers and the registering authority.

### **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 who is associated with a person who has a protected characteristic.
- Discrimination by perception - occurs when there is a direct discrimination against a person because they are perceived to have a protected characteristic.
- Indirect discrimination - can occur where a provision or criterion is in place which applies to everyone in the organisation but particularly disadvantages people who share a protected characteristic.
- Harassment - is defined as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.'
- Victimisation – occurs when an employee is treated less favourably or put to detriment because they have made or supported a complaint or raised a 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 or maternity

Examples of discriminatory behaviour are:

- Physical assault against a person or group of people.
- Derogatory name calling, insults and discriminatory jokes.
- Graffiti and other written insults.
- Provocative behaviour such as wearing badges and insignia and the distribution of discriminatory literature.
- Threats against a person or group of people relating to any of 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:

- Expecting all team members in the nursery to be aware of and alert to any discriminatory behaviour or bullying taking place.
- Expecting all team members to intervene firmly and quickly to prevent any discriminatory behaviour or bullying. This may include behaviour from parents/carers and other team members.
- Expecting all team members 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 team members, inspectors and parents/carers where appropriate, on request. The Nursery Manager is responsible for ensuring incidents are handled appropriately and sensitively and entered in the record book. Any pattern of behaviour should be indicated. Perpetrator's/victim's initials may be used in the record book as information on individuals is confidential to the nursery.
- Informing the parents/carers of the child(ren) who are perpetrators and/or victims of the incident and of the outcome, where an allegation is substantiated following an investigation.



- Disciplinary proceedings will be taken against any employee who displays discriminatory or bullying behaviour.
- Any individuals accessing our setting who display continued discriminatory behaviour after a Manager's intervention will be asked not to return to the premises.

We record any incidents of discriminatory behaviour or bullying to ensure that:

- Strategies are developed to prevent future incidents.
- Patterns of behaviour are identified.
- Persistent offenders are identified.
- The behaviour has been addressed and dealt with appropriately.
- Effectiveness of nursery policies are monitored.
- A secure information base is provided to enable the nursery to respond to any discriminatory behaviour or bullying.

### **Nursery team**

We expect all team members to be alert and seek to overcome any ignorant or offensive behaviour based on fear or dislike of distinctions that children, team members or parents/carers may express in the 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 team and management of the nursery.

It is incumbent upon all members of the team to 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 team members to use a sensitive and informed approach to counter any harassment perpetrated out of ignorance.

