



# 4. Equality of Opportunity/Behaviour Policy

## This policy links to the following Legislation & Key Guidance

- Statutory Framework for the Early Years Foundation Stage Sept 2023
  - The Equality Act 2010
  - Human Rights Act 2000
  - Every Child Matters 2004
  - SEND Code of Practice 2015
- UN Convention on the rights of the child 1989
  - Children Act 1989 & 2004
    - GDPR May 2018
    - Childcare Act 2006
  - Prevent Duty Guidance 2021
- Keeping Children Safe in Education 2023

Unique Child	Positive Relationships	Enabling Environments	Learning & Development
Every child is a unique child who is constantly learning and can be resilient, capable, confident and self-assured.	Children learn to be strong and independent through positive relationships	Children learn and develop well in enabling environments with teaching and support from adults, who respond to their individual interests and needs and help them to build their learning over time. Children benefit from a strong partnership between practitioners and parents and/or carers.	Children develop and learn at different rates. The framework covers the education and care of all children in early years' provision, including children with special educational needs and disabilities.

## 4.1 Valuing Diversity and Promoting Equality

### Policy Statement

The Nursery treats everyone with equal concern as an individual regardless of their religious persuasion, racial origin, cultural and linguistic background, sex, gender, social group or disability. The staff working with the children value and respect the fact that people come from different origins, religions, cultures, languages and abilities so the children and their parents are valued as individuals without stereotyping or prejudice. Activities for the children seek to promote anti-discriminatory behaviour and practices.

*Children's rights and entitlements* – The Nursery acknowledges the UN Convention on the Rights of the Child 1989 and as such we seek to promote children's rights to be strong, resilient and listened to by:

- Creating an environment that allows children to be heard and promotes development of a positive self-image.
- Encouraging children to develop a sense of autonomy and independence
- Having the confidence and vocabulary to protect themselves from inappropriate approaches
- Establishing and sustaining positive relationships with their family, peers and other adults
- Working with parents to understand and commit to the principles for safeguarding children

Nursery also has obligations under the Prevent Duty (2015) which highlights the need to foster equality and prevent children from being drawn into harm and radicalisation.

### Procedures

- The Nursery ensures that all parents are made aware of our equal opportunities policy.
- Nursery welcomes all children and families irrespective of colour, ethnicity, religion, social background or ability.
- Nursery values all cultures and encourages children and parents to share their experiences through their Learning Journals, Show & Tell, 'Our Family' noticeboard and visits.
- Job vacancies are advertised and open to any applicant
- Nursery may use exemption clauses in relevant legislation to enable the Nursery to meet the needs of the community
- Nursery monitors its application process to ensure that it is fair and accessible
- Nursery promotes training opportunities to all service users
- Nursery reviews its practices regularly to ensure it is accessible to all, ensuring that barriers to inclusion are identified and removed or minimised wherever possible.
- Nursery curriculum encourages children to develop positive attitudes about themselves as well as people who are different from themselves.
- Nursery creates an environment of mutual respect and tolerance
- Nursery will differentiate the curriculum to meet the needs of all and will access additional funding where necessary and available.
- Nursery uses non stereotypical images in order to help overcome pre-conceived ideas of gender, ethnic origin, culture or religion. Nursery provides books, materials and equipment that is multicultural and non-sexist and positive images of all groups including the disabled.

## 4.2 Achieving Positive Behaviour

### Policy statement

Nursery staff believe that children learn and develop best when their personal, social and emotional needs are met and when there are clear and developmentally appropriate expectations for their behaviour.

Nursery staff promote positive behaviour at all times by being good role models.

We have a named person who has overall responsibility for supporting PSED, including issues concerning behaviour, and who will keep up to date with current legislation and thinking on promoting positive behaviour.

Early intervention can usually stop an incident or allow positive methods of re-direction to be used.

It is the behaviour that is rejected NOT the child.

### Procedures

- Direction and correction are given in a positive way e.g. 'keep the water in the water tray' – NOT 'don't put the water on the floor'.
- We recognise that young children often engage in superhero or rough and tumble play which is acceptable provided it is contained within normal behavioural boundaries to ensure that children do not get hurt or frightened.
- Limits or rules are discussed so that children know what the adults expect from them.
- The same reaction is given to the same situation; by being consistent the children know what is expected of them and the adults helping them.
- The Nursery follows a recognised system for confrontation management, and this means that where ever possible children are encouraged to resolve their own disputes with adult help if necessary, modeling solutions to the situation.

#### ***The six-step conflict resolution approach:***

- ❖ Approach the child calmly and stop any hurtful actions – get down to the child's level. Use a calm voice and gentle touch. Remain neutral, do not take sides
- ❖ Acknowledge feelings – use simple statements like; 'you look really upset'. If an object is involved, let children know that you need to hold it.
- ❖ Gather information – ask 'What is the problem?' Try not to use 'why', since young children focus on what the problem is rather than understanding the reasons behind it.
- ❖ Re-state the problem – 'So the problem is.....' Take the opportunity to use and extend children's vocabulary. If hurtful or judgemental words have been used, then substitute them with neutral ones.
- ❖ Ask the children for solutions – 'What can we do to solve this problem?' Offer options if the children cannot do this for themselves but try to get them to do it on their own.
- ❖ Be prepared to give follow up support – Acknowledge children's accomplishments, 'Well done you have solved the problem.' Stay nearby in case anyone is not happy with the solution.

- Sometimes there is no time to reason. Children need to recognise an adult's authority and respond to *no*, if the child, staff member or other endangers themselves or others.
- If a child is very upset or cannot stop the unwanted action then they may be asked to leave the activity, be re-directed to another activity or asked to go to a transition area in the nursery to calm down. An adult will remain nearby to support the child if this action is needed.
- Should unacceptable behaviour occur the children involved would be encouraged to talk to each other about how the situation occurred and how each might be feeling. They would be encouraged to apologise if they are able to do so.
- Unacceptable behaviour includes any form of physical attack – biting, kicking, punching, pinching, spitting, bullying, verbal or emotional attack – taunts, racial or other inferences.
- Corporal punishment **MUST NEVER** be administered or threatened, and this includes rota parents reprimanding their own child. Any staff member who without reasonable excuse fails to comply with this requirement commits an offence.
- Action that is taken to avert immediate danger of personal injury to, or an immediate danger of death of any person (including the child) will not be deemed as corporal punishment and is not in breach of the statement.
- Physical intervention should only be used to manage behaviour if it is necessary to prevent personal injury to the child, other children or an adult, or to prevent serious damage to property or exceptional circumstances. Any incident involving physical restraint must be recorded on an Incident Form and the parents informed the same day.
- In the event that unacceptable behaviour persists, then parents will be consulted and a My Plan (see SEN Policy) set up, supported by STAR (Setting, Trigger, Action, Response) observations, in order to identify any triggers and address the problems.

### 4.3 Bullying/Peer on Peer Abuse

#### Policy statement

Bullying is not tolerated in the Nursery. Bullying is when someone deliberately sets out to hurt, threaten, frighten or belittle another.

Examples of bullying/peer on peer abuse can be, but are not limited to:

Physical - tripping people up, pushing, throwing things, pulling hair, hitting, kicking, etc.

Verbal - name calling, racist remarks, persistent teasing/taunting

Indirect - spreading nasty stories, cyber-bullying, sexting (adults/students)

#### Procedures

- At Nursery none of the above are acceptable and any person (this means children, staff and users) who is found to act in this way would be spoken to and explained that their actions are not acceptable at Nursery.
- We help the child who has done the bullying to understand the consequences of their actions and encourage them to apologise if they show genuine remorse.
- If the actions are between children, then staff will speak with the parent/s concerned.

- If it is a staff member or other user then the matter would be reported to the Line Manager/Manager(s) or Committee and the Nursery Complaints and Disciplinary procedure would be implemented.
- In an extreme case then Safeguarding/Child Protection procedures may need to be invoked (see Safeguarding Policy).
- In the event of persistent bullying, Nursery reserves the right to exclude the perpetrator as a final resort.
- Any child who feels they are being bullied can approach the staff or their parent and the matter will be dealt with.
- The children are encouraged to TELL if someone does something they do not like.
- Children who are the subjects of abuse (in any form) are always comforted and reassured that the perpetrators of the abuse were the ones in the wrong and not the victim.
- We make sure that children who bully receive positive feedback for considerate behaviour.

#### 4.4 Threats and abuse towards staff and volunteers

##### Policy statement

The Nursery is responsible for protecting the health and safety of all staff and volunteers in its services and has a duty of care in relation to their physical and emotional well-being. We believe that violence, threatening behaviour and abuse against staff are unacceptable and will not be tolerated. Where such behaviour occurs, we will take all reasonable and appropriate action in support of our staff and volunteers.

##### Procedures

- Staff and volunteers have a right to expect that their workplace is a safe environment, and that prompt and appropriate action will be taken on their behalf if they are subjected to abuse, threats, violence or harassment by parents, service users and other adults as they carry out their duties.
- The most common example of unreasonable behaviour is abusive or intimidating and aggressive language. If this occurs, the ultimate sanction, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on the premises.
- Where a person recklessly or intentionally applies unlawful force on another or puts another in fear of an immediate attack, it is an offence in law which constitutes an assault. We would normally expect the police to be contacted immediately.
- Any staff member or volunteer who feels under threat or has been threatened, assaulted, or intimidated in the course of their work must report this immediately to the manager who will follow the setting's procedures and guidance for responding.
- 999 should always be used when the immediate attendance of a police officer is required. The police support the use of 999 in all cases where:
  - there is danger to life
  - there is a likelihood of violence
  - an assault is, or is believed to be, in progress

- the offender is on the premises
  - the offence has just occurred, and an early arrest is likely
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- Staff may find themselves subject to a pattern of persistent unreasonable behaviour from individual parents or service users. This behaviour may not be abusive or overtly aggressive but could be perceived as intimidating and oppressive. If the actions of a parent appear to be heading in this direction, staff should speak to their manager who will take appropriate action to support. This may include the manager sending a letter to the aggressor, warning them that their behaviour is unacceptable and may result in further action being taken against them. All incidents must be recorded.
  - Nursery would normally expect all cases of assault, and all but the most minor of other incidents, to be regarded as serious matters which should be reported to the manager and/or the police and followed up with due care and attention.
  - A record of the incident must be made whether the police are involved or not.
  - Whilst acknowledging that service users i.e. parents and families, may themselves be under severe stress, it is never acceptable for them to behave aggressively towards staff and volunteers. Individual circumstances along with the nature of the threat are considered before further action is taken.
  - All parties involved should consider the needs, views, feelings and wishes of the victim at every stage. Nursery will ensure sympathetic and practical help, support and counselling is available to the victim both at the time of the incident and subsequently.