



# DEALING WITH DISCRIMINATORY BEHAVIOUR POLICY

This policy should be read in conjunction with the Inclusion policy.

At Snug Nursery Schools we do not tolerate discriminatory behaviour, language or conduct and take immediate action to tackle discrimination. We believe that parents have a right to know if discrimination occurs and what actions the nursery school will take in order to tackle it. We follow our legal duties in relation to discrimination and record all incidents, either perceived or actual, relating to discrimination on any grounds and report these, where relevant, to children's parents and, if appropriate, Ofsted, the Police and Children's Social Care.

The proprietor and the leadership team wish to make it clear that extremist religious views and partisan political views when teaching or caring for children will not be tolerated. All members of staff are expected to offer a balanced presentation of views and opinions and to promote British values. Failure to comply will result in disciplinary action and possible dismissal.

## 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 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 badly or suffers a detriment because they have made or supported a complaint or raised grievance under the Equality Act 2010, Whistle Blowing procedure 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 those involved 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, written or verbal
- 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 because of one or more 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 staff in the nursery school 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, visitors or 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 entered in the record book. Any patterns of behaviour should be indicated. Perpetrator/victim's initials may be used in the record book as information on individuals is confidential to the nursery school;
- 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, suspending (pending an investigation) or dismissing any individual 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 result in 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 school to respond to any discriminatory behaviour or bullying.

### **Snug 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 the nursery school.

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 school.

**It is incumbent upon all members of staff to ensure that they do not express any views or comments that are discriminatory; or appear to endorse such views by failing to challenge behaviour, which is prejudicial in a direct manner. We expect all staff to use a sensitive and informed approach to counter any discrimination or harassment perpetrated out of ignorance.**