



## Dealing with Discriminatory Behaviour

March 2024

At Elsworth Pre-School we do not tolerate discriminatory behaviour and will take action to tackle discrimination. We believe that parents/carers have a right to know if discrimination occurs and what actions the pre-school will take to tackle it. We follow our legal duties in relation to discrimination and record all perceived or actual incidents 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.

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.
- Discriminatory comments including ridicule made in the course of discussions
- Patronising words or actions.

We tackle discrimination by:

- Expecting all staff in the pre-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 and other staff members.
- Expecting all staff to treat any allegation seriously and report to the Pre-School Manager or Chair of Trustees if related to the manager.
- Having a named Equality Named Co-ordinator (ENCO) to lead good practice in equality.
- 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 Pre-School Manager and/or Chair of Trustees (if related to behaviour by the manager) is responsible for ensuring that incidents are handled appropriately and sensitively and entered in the record book. Any pattern of behaviour should be indicated. Perpetrator/victim's initials may be used in the record book as information on individuals is confidential to the pre-school.
- Informing: the parents/carers 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.

**Our Equality Named Co-ordinator (ENCO) is Sophie Mills.**

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 pre-school policies are monitored.
- A secure information base is provided to enable the pre-school to respond to any discriminatory behaviour or bullying.

If the behaviour shown by an individual is deemed to be radicalised, we will follow the procedure as detailed in our Safeguarding Policy in order to safeguard children and families concerned.

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, parents and/or carers may express in pre-school.

We aim to create an atmosphere where the victims of any form of discrimination have the confidence to report such behaviour, and that subsequently they feel positively supported by the staff and management of the pre-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 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.

<b>Adopted on:</b>	7 <sup>th</sup> March 2024
<b>Adopted by:</b>	Sophie Mills, Pre-School Manager Hannah Holland, Chair of Trustees
<b>Next Review Date:</b>	7 <sup>th</sup> March 2025