

Meeting your duties under the Equality Act 2010 – An overview for Early Years and Childcare providers

This overview aims to provide settings with information about how they can meet their legal requirements under equality legislation.

Settings Equalities Information and Analysis

On 5 April 2011 the Public Sector Equality Duty (The Equality Duty) came into force in England, Scotland and Wales. This Duty replaces the existing Race, Disability and Gender Equality Duties and applies to people/groups with protected characteristics

The act aims to ensure the barriers are removed and that there is equality for groups with 'protected characteristics'

People/groups with protected characteristics are:

- Age (as an employer – but not applicable to children in your setting)
- Disability
- Sex
- Gender reassignment
- Race
- Pregnancy and maternity
- Religion or belief
- Sexual orientation

The **General Duties** of the Equality Act are:

1. **Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.** By removing or minimising disadvantages suffered by people due to their protected characteristics.
2. **Advance equality of opportunity between people who share a protected characteristic and those who do not.** By taking steps to meet the needs of people from protected groups where these are different from the needs of other people
3. **Foster good relations between people who share a protected characteristic and those who do not.** By encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Points to remember

- Take an approach that is proportionate to the size and resources of the setting and to the relevance of the issue to equality when deciding who to engage with and what methods to use.
- Be mindful of diversity within protected groups and of the multiple barriers that many people face.
- In practical terms, you will not be able to engage with every protected group on every decision. As a starting point settings will need to decide how relevant the policy is for equality and good relations and for a particular protected group.
- Engagement should be clearly structured, be clear about what should be achieved and allocated sufficient time.
- Ensure confidentiality is safeguarded.

You need to be collecting and analysing information about your setting to:

- Support your Equality of opportunity policy (as required by the EYFS and DoP) by providing the tools to ensure that the policy is put into practice
- This will become an evidence based working document, assisting you to ensure that you meet the legal duties to prevent discrimination, harassment and victimisation.
- Above all it will ensure that your setting is in the best place to review and monitor that you provide equality of opportunity, access and good outcome for all children and families. This will become a working document which is reviewed annually or as and when required in line with policy changes.

Evidence of this work will be included in the EYC services consideration when RAG rating settings as Suffolk County Council is committed to ensuring the inclusion of all children and their families in all service provision. When the Directory of Providers is revised in September (2012) reference will be made to this specific piece of work.

It is suggested that a group or 'working party' is appointed to complete the following analysis, if possible involving someone with a legitimate interest in the promotion of equality.

Section 1. Who Comes to Our Setting?

This is our setting population. These are the groups we need to plan services for; we regard this aspect of our work as very important. This information also helps us to meet our duties under the Equality Act 2010. As a setting our main function is to provide good access to early learning opportunities and to help/support our children and their families. We have to make sure we do not disadvantage anyone in our setting. We use the following information to help us.

	Setting	
		Number	%
Gender	Girls		
	Boys		
Smaller settings	For settings with small numbers of minority ethnic pupils: Total minority ethnic children		
Ethnicity (for settings with significant numbers of minority ethnic pupils)	White British		
	Other White and European		
	Gypsy Roma/ Irish Traveller/ Other		
	Mixed Heritage		
	Black – Caribbean Heritage		
	Black- African Heritage		
	Black – Other		
	Asian – Indian		
	Asian – Pakistani		
	Asian – Bangladeshi		
	Asian – Any Other Asian Background		
	Chinese		
	Any other minority ethnic group		
Refused/not known			
Religion/Belief	Buddhist/Taoist		
	Christian		
	Hindu		
	Jewish		
	Muslim		
	Sikh		

	Other		
	Refused		
	No Religion		
Special Educational Need	No Special Educational Needs		
	Early Years Action		
	Early years Action Plus		
	Statement of SEN		
Profile of Need (% based on total number of pupils with diagnosed Primary Needs)	Autistic Spectrum Disorder		
	Behaviour, Emotional & Social Difficulties		
	Hearing Impairment		
	Moderate Learning Difficulty		
	Visual Impairment		
	Multisensory Impairment		
	Physical Disability		
	Profound & Multiple Learning Difficulty		
	Speech Language & Communication Need		
	Specific Learning Difficulty		
	Severe Learning Difficulty		
	Global developmental delay		
	Currently undergoing assessment		
In receipt of under 3's SEN Additional funding			
In receipt of 2yr old funding			
Unknown			

* Ethnicity has to be ascribed by the parents/carers and not the setting and will be obtained through admissions procedures and practice

Analysis/comments:

Data can be obtained from Children's Centres to illustrate the local demographic. Does the analysis for the setting data reflect this?

Access to our setting for children and families from protected groups

Steps we have taken to address the above.

Things we do well

Things we would like to improve

Section 2: Advance equality of opportunity between people

As a setting we aim to provide good access to all areas of learning. All children are supported to achieve the Early Year's Foundation Stage learning goals. (As appropriate to the individual child) We use this data so we can achieve this.

Steps we have taken e.g. positive action for children with disabilities, targeted provision for boys, support for a family for whom English is an additional language

Analysis/comments

Things we do well

Things we would like to improve

Section 3: Foster Good Relations between People

We want our setting community to be a welcoming and comfortable environment for all who come here. We want to foster an open environment where people feel they are being treated with dignity and respect. We work to remove barriers as we identify them and improve access to all areas of provision.

The information below provides evidence of what we have done and shows how we foster good relations, to comply with equalities legislation

Examples	Steps we have Taken
Social and Emotional Wellbeing:	
Children's Voice:	
Positive Imagery:	
Community Links:	
Removing Barriers and Reasonable Adjustments:	
Other....	

Analysis/comments:

<p>Things we do well</p>

Things we would like to improve

Section 4: Eliminate Unlawful Discrimination, Harassment and Victimisation

Examples	Steps we have taken
Victimisation and Discrimination:	
Monitoring of Incidents:	
Anti Bullying and Harassment:	
Other...	

Analysis/comments:

Things we do well:

Things we would like to improve:

Section 5: Participation and Engagement

How we have involved people in developing equalities at our setting.

Examples	Steps we have taken
Children's Voice:	
Parents/Carers /Guardians:	
Staff:	
Local Community:	
Committee/Management:	
Support and guidance via the IAA (Information advice and assistance)	
Outside advice/support	
Other....	

Things we do well
Things we would like to improve

Setting Objectives

The objectives should be SMART (Specific, Measurable, Achievable, Relevant, Time-limited)

- Set out how the setting will measure progress towards the objectives.
- Setting Leaders and Committee members (where appropriate) should be involved in the choice of objectives and receive regular updates on the progress made towards the objectives.
- Set out how progress towards meeting the objectives will be monitored and what actions are required to achieve the objectives.
- Consider which staff will need to be engaged.
- Consider how people/groups with a legitimate interest in equalities can be involved.

We have considered the information collected above and have identified (3) (*insert relevant number*) key objectives that our setting will focus on this year. These objectives will help us to meet the three arms of the general duties required in the Equality Act 2010 to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

From our analysis these are the things we would like to improve with regard to the equality objectives for the setting:

Objective	Action to be taken	Who will be involved	Timescale	How do we know we have been successful

Equalities information will be updated annually and progress towards our objectives will be monitored and reviewed every year.

Date completed:

Signed:

Date monitored and progress updated:

Signed:

Review date:

Signed:

Acknowledgment:

This document has been developed drawing on the good practice of the Equalities Network and Newham Local Authority.