



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

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- (1) A person exercising functions under this Act in relation to –
 - (a) an individual who has, or may have, needs for care and support,
 - (b) a carer who has, or may have, needs for support, or
 - (c) an individual in respect of whom functions are exercisable under Part 6 (looked after children etc),must comply with the duties in subsection (2).
- (2) The person must –
 - (a) in so far as is reasonably practicable, ascertain and have regard to the individual's views, wishes and feelings,
 - (b) have regard to the importance of promoting and respecting the dignity of the individual,
 - (c) have regard to the characteristics, culture and beliefs of the individual (including, for example, language), and
 - (d) have regard to the importance of providing appropriate support to enable the individual to participate in decisions that affect him or her to the extent that is appropriate in the circumstances, particularly where the individual's ability to communicate is limited for any reason.
- (3) A person exercising functions under this Act in relation to an adult falling within subsection (1)(a), (b) or (c) must, in addition, have regard to –
 - (a) the importance of beginning with the presumption that the adult is best placed to judge the adult's well-being, and
 - (b) the importance of promoting the adult's independence where possible.
- (4) A person exercising functions under this Act in relation to a child falling within subsection (1)(a), (b) or (c), in addition –
 - (a) must have regard to the importance of promoting the upbringing of the child by the child's family, in so far as doing so is consistent with promoting the well-being of the child, and
 - (b) where the child is under the age of 16, must ascertain and have regard to the views, wishes and feelings of the persons with parental responsibility for the child, in so far as doing so is –
 - (i) consistent with promoting the well-being of the child, and
 - (ii) reasonably practicable.

Assessing children

21 Duty to assess the needs of a child for care and support

- (1) Where it appears to a local authority that a child may need care and support in addition to, or instead of, the care and support provided by the child's family, the authority must assess –
 - (a) whether the child does need care and support of that kind, and
 - (b) if the child does, what those needs are.
- (2) The duty under subsection (1) applies in relation to –
 - (a) a child who is ordinarily resident in the authority's area, and
 - (b) any other child who is within the authority's area.
- (3) The duty under subsection (1) applies regardless of the local authority's view of –
 - (a) the level of the child's needs for care and support, or
 - (b) the level of the financial resources of the child or any person with parental responsibility for the child.
- (4) In carrying out a needs assessment under this section, the local authority must –
 - (a) assess the developmental needs of the child,
 - (b) seek to identify the outcomes that –
 - (i) the child wishes to achieve, to the extent it considers appropriate having regard to the child's age and understanding,
 - (ii) the persons with parental responsibility for the child wish to achieve in relation to the child, to the extent it considers appropriate having regard to the need to promote the child's well-being, and
 - (iii) persons specified in regulations (if any) wish to achieve in relation to the child,
 - (c) assess whether, and if so, to what extent, the provision of –
 - (i) care and support,
 - (ii) preventative services, or
 - (iii) information, advice or assistance,could contribute to the achievement of those outcomes or otherwise meet needs identified by the assessment,
 - (d) assess whether, and if so, to what extent, other matters could contribute to the achievement of those outcomes or otherwise meet those needs, and
 - (e) take account of any other circumstances affecting the child's well-being.

Principles and Aims

The nursery takes great care to treat each individual as a person in their own right, with equal rights and responsibilities to any other individual, whether they are an adult or a child.

Discrimination on the grounds of gender, age, race, religion or belief, marriage or civil partnership, disability, sexual orientation, gender reassignment, pregnancy or maternity, ethnic or national origin, or political belief has no place within this nursery.

A commitment to implementing our inclusion and equality policy will form part of each employee's job description and is contained in the code of conduct.

The nursery is committed to providing equality of opportunity and anti-discriminatory practice for all children and families according to their individual needs. In achieving this goal our principle aims are to:

- Demonstrate the nursery's commitment, to the quality of equal opportunities.
- Use good employment practice to the benefit of The Wishing Tree Nursery for our employees, trainees, children, parents and carers.
- Provide equal opportunity and inclusion for all children and their families, regardless of gender, ethnic origin, race, colour, sexual orientation, marital status, family structure, social grouping, nationality, age or disability.
- Ensure that no child, or their family, is discriminated against or prevented entry to our setting on the basis of gender, ethnic origin, race, colour, sexual orientation, marital status, family structure, nationality, age, disability or social grouping, such as a member of a travelling community or an asylum seeker.
- Ensure that all staff are aware that the CRB disclosure is a mandatory part of our recruitment process.
- Comply with various Acts of Parliament, which have an effect on employment.
- Recruit, select, train and promote individuals on the basis of occupational skills requirements. In this respect, the nursery will ensure that no job applicant or employee will receive less favourable treatment on the grounds of age, sex, gender reassignment, disability, marriage or civil partnership, race, religion or belief, sexual orientation and pregnancy or maternity which cannot be justified as being necessary for the safe and effective performance of their work or training
- Providing a childcare place, wherever possible, for children who may have learning difficulties and/or disabilities or are deemed disadvantaged according to their individual circumstances, and the nursery's ability to provide the necessary standard of care.
- Include and value the contribution of all families to our understanding of equality, inclusion and diversity.
- Continually improve our knowledge and understanding of issues of equality, inclusion and diversity by ensuring regular training of key staff. The Nursery's equality representative is Margo Konopinska.
- Make inclusion a thread, which runs through the entirety of the nursery, for example, by encouraging positive role models through the use of toys, imaginary play and activities, promoting non-stereotypical images and language and challenging all discriminatory behaviour (see dealing with discriminatory behaviour policy).