Birmingham Headteachers' briefing

Monday 25th November 2019 Edgbaston Cricket Ground





Making a positive difference every day to people's lives

Dr Tim O'Neill Director Education and Skills



ITEM	PRESENTER
Welcome and introduction	Dr Tim O'Neill, Director Education and Skills
Driving standards in an inclusive school	Edison David, Headteacher Granton Primary School, South East London
Discrimination in schools: the law and common issues	Tom Cross, Barrister and specialist in education law
Break with tea/coffee	N/A
Rights Respecting Schools and the move towards Child Friendly City status	Dr Tim O'Neill and Naomi Danquah, Programme Director, Child Friendly Cities & Communities
Birmingham 2022: Building an education legacy programme for the Commonwealth Games	Neil Carney, Programme Director Birmingham 2022, Birmingham City Council Phil Batty, Head of Ceremonies, Culture and Queen's Baton Relay, B2022 Organising Committee
Close	Dr Tim O'Neill

- Welcome and introduction
- Reflections on first year
 - Attainment results
 - Senior leadership team
 - Visits to schools
 - UNICEF Rights Respecting Schools
 - SRE toolkit for schools
 - SEND positive work is underway led by Nichola Jones



Making a positive difference every day to people's lives

- Priorities for 2020 and beyond
 - SEND
 - School improvement and support services
 - SRE Toolkit
 - School deficits and High Needs
 - Possible policy changes post election
 - System leadership across all types of schools



Making a positive difference every day to people's lives

Driving Standards in an Inclusive Environment

Edison David Headteacher, Granton Primary School

A Tale of two schools

Vauxhall Primary School (2012-2017)

one- form entry 58% Free School Meals (Very High Deprivation) 96% Minority Ethnic groups 68% EAL 20% SEN K + EHCPs

Granton Primary School (2017- date)

3- form of entry 46% FSM 62% EAL 28% White others, 20 % BBR/ BAFR, 11% White British 20% SEN K + EHCPs 250K in-year deficit



Granton

Inspection dates 13–14		June 2013	
Overall effectiveness	Previous inspection:	Good	2
	This inspection:	Good	2
Achievement of pupils		Good	2
Quality of teaching		Good	2
Behaviour and safety of pupils		Outstanding	1
Leadership and managem	ent	Outstanding	1

Inspection dates	4–5 July 2017
Overall effectiveness	Outstanding
Effectiveness of leadership and management	Outstanding
Quality of teaching, learning and assessment	Outstanding
Personal development, behaviour and welfare	Outstanding
Outcomes for pupils	Outstanding
Early years provision	Outstanding
Overall effectiveness at previous inspection	Good

Deprivation in Context

8 Index of Multiple Deprivation

Each LSOA is shaded according to how its Index of Multiple Deprivation score ranks in the national picture. This is a combined score based on seven domains which are also covered individually in this report.

1 to 3248 (most deprived)
 3249 to 6496
 6497 to 9745
 9746 to 12993
 12994 to 16241
 16242 to 19489
 19490 to 22737
 22738 to 25986
 25987 to 29234
 29235 to 32482 (least deprived)
 ★ Vauxhall Primary School
 o Pupils' home postcodes



Deprivation in Context

9 Income Deprivation Affecting Children Index

Each LSOA is shaded according to how its Income Deprivation Affecting Children Index (IDACI) score ranks in the national picture. This is a based on the number of children in families claiming various benefits.





5 Health and disability

the national picture. This takes into account various indicators related to physical and mental health.



1 to 3248 (most deprived) 3249 to 6496 6497 to 9745 2 Crime 9746 to 12993 Each LSOA is shaded according to how its Crime Domain score ranks in the national picture. This 12994 to 16241 takes into account recorded crime figures for violent crime, burglary, theft and criminal damage. 16242 to 19489 19490 to 22737 Provisions and impact 22738 to 25986 25987 to 29234 29235 to 32482 (least deprived) * Vauxhall Primary School Promoting Alternative Thinking Pupils' home postcodes Strategies (PATHS) **Program Components** Targets **Proximal Outcomes Distal Outcomes** Reduced Improved Antisocial Emotion Behavior Knowledge & Awareness Improved Social & Emotional Skills ieneralizati unicef Improved Self-Control Improved **Cognitive Abilities** (Executive Functions) UNITED KINGDOM Improved Social Problem Improved Solving Academics RIGHTS RESEARCH DELIVERY MODEL RESPECTING SCHOOLS





7 Living Environment Deprivation Domain

Each LSOA is shaded according to how its Living Environment Deprivation Domain score ranks in the national picture. This is based on the quality of individuals' immediate surrounding, both with and outside the home. 1 to 3248 (most deprived)
 3/349 to 6496
 6/497 to 9745
 9746 to 12993
 12994 to 16241
 16241
 16242 to 19489
 19490 to 6243
 19490
 19490 to 6243
 19490 to 22737
 22737
 22737
 22736 to 25866
 25886 to 32482 (least ceprived)
 2923 to 32482 (least ceprived)
 * Vauxhall Primary School
 C Pupils Horne postbodes

Provisions & Impact

Creating enrichment opportunities









ROYAL BALLET







Standards

England - all schools		78%					
England - state funded schools only		78%					
Schools (tick the box next to a school/colle	ege to select it for comparison - on	ce you have sel	ected all requir	ed schools/colle	ges click here Cor	npare)	
Vauxhall Primary School	Lambeth	100%	1/125				
Fairchildes Primary School 0	Croydon	98%	2/125				
Holmer Lake Primary School	Telford and Wrekin	96%	3/125				
							-



The clarity of the strategic vision for the school, coupled with an ever present, relentless attention to detail, across all areas of school life, allows all staff to work with autonomy. There is room to think, plan and implement change effectively. Communication is exemplary. (IQM Centre of Excellence Review, July 2016)

National finalist, Pupil Premium Award 2015

High Aspiration Award, 2015

TES Primary School of the Year 2016



Sanctuary Buildings, 20 Great Smith Street, Westminster, London, SW1P 3BT tel: 0370 000 2288 www.education.gov.uk/help/contactus

Mr Edison David Headteacher Granton Primary School Granton Road Streatham London SW16 5AN

/ February 2019

Dear Mr David,

We would like to congratulate you, your staff and your pupils on the very high level of progress that pupils in your school demonstrated in the reading, writing and mathematics Key Stage 2 assessments last year.

Your school's results, as published on 13 December, show progress-scores of 3.6, 4.4 and 3.6 in English reading, writing and mathematics respectively. This means that in terms of the progress your pupils make between Key Stage 1 and the end of Key Stage 2, your school is amongst the top 3% of schools in England.

Nichola Jones Assistant Director SEND and Inclusion





Discrimination in schools (and other issues)

Tom Cross

Topics

(1) Discrimination in schools: what the law says

(2) Discrimination in schools: particular issues

(1) Discrimination: what the law says

Topics:

(a) Relationship with other legal issues

(b) The types of discrimination

(c) Defences?

(d) Remedies in the court / Tribunal

- Admissions (e.g. sex discrimination)
- School meals (e.g. religious discrimination)

Disability discrimination

- Exam conditions / dispensations
- School trips
- Exclusions (fixed term or permanent)

Case study:

A child with ADHD manifesting in violence when triggered

- Must he receive the same education as non-disabled children?
- Do adjustments need to be made to his education?
- Should he be treated *more* favourably than non-disabled pupils?
- Can he be excluded? (fixed term or permanent)?

IMPORTANT

A child with special educational needs / additional learning needs is not *necessarily* disabled (although often will be)

A child who is disabled will not necessarily have SEN (although often will)

The legal definitions are all important...

WHEN DOES A CHILD HAVE SEN?

Section 20 Children and Families Act 2014

(1) A child or young person has special educational needs if he or she has a learning difficulty <u>or</u> disability which calls for special educational provision to be made for him or her.

(2) A child of compulsory school age or a young person has a learning difficulty or disability if he or she—

- (a) has a significantly greater difficulty in learning than the majority of others of the same age, or
- (b) has a disability <u>which prevents or hinders him or her from making use of</u> <u>facilities of a kind generally provided for others of the same age in mainstream</u> <u>schools or mainstream post-16 institutions</u>

WHEN A CHILD IS DISABLED

The Equality Act 2010 says:

(1) A person (P) has a disability if—

(a) P has a physical or mental impairment, and

(b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

Schedule 1 para 2:

(1) The effect of an impairment is "long-term" if—
(a) it has lasted for at least 12 months,
(b) it is likely to last for at least 12 months, or
(c) it is likely to last for the rest of the life of the person affected

CASE STUDIES:

- A child in a wheelchair because they cannot walk?
- A child with diagnosed dyslexia?
- A child with depression?

The problem of "excluded impairments":

- Law says that certain "impairments" do not qualify for public policy reasons e.g. a tendency to set fires, a tendency to steal, voyeurism
- One of these is "a tendency to physical abuse of other persons"
- It has been decided that this includes how a disability manifests (so impacts on e.g. ADHD)
- BUT recently it has been decided that this particular rule infringes human rights this will increase the number of claims

The "protected characteristics":

- Age
- Disability
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Main types of discrimination relevant to schools:

- Direct discrimination
- Discrimination arising from disability
- The duty to make reasonable adjustments
- Indirect discrimination

(1) Direct discrimination

When you treat a pupil less favourably than another *because of* their protected characteristic (e.g. disability)

e.g. you exclude them *because* they have ADHD

- The Court or Tribunal will use a "comparator" (actual or hypothetical)
- Key issue generally the "reason why"
- Generally you cannot justify direct discrimination

(2) Discrimination arising from disability

Where you:

- Treat someone unfavourably "because of something arising in consequence of [their] disability"; and
- You cannot show that the treatment is a proportionate means of meeting a legitimate aim
- NB does not apply if you "know, and could not reasonably be expected to know" that the child had the disability.

(3) Reasonable adjustments

Can be legally complicated. In short:

The duty *arises* where:

- you have a "provision, criterion or practice", which
- puts the disabled child at a substantial disadvantage in comparison with non-disabled pupils

Where that is so, you must:

"take such steps as it is <u>reasonable</u> to have to take to avoid the disadvantage".

(4) Indirect discrimination

Can also be complicated.

- you have a "provision, criterion or practice" which
- puts pupils with a protected characteristic (including the pupil in question) at a particular disadvantage when compared with pupils who do not have that characteristic
- If so, you then have to show that your PCP is a "proportionate means of achieving a legitimate aim"
- E.g. might arise in relation to the application of an inflexible behaviour policy

<u>Harassment</u>

Where you engage in "unwanted conduct" related to a protected characteristic, and

That has the purpose or effect of:

- (i) violating their dignity, or
- (ii) creating an "intimidating, hostile, degrading, humiliating or offensive environment" for them.

Takes into account their perception and whether it is reasonable for the conduct to have the effect.

Victimisation

If you subject someone to a "detriment" because they did (or may do) a "protected act".

"Protected act" is (basically) bringing proceedings or taking action under the Equality Act

Case study: the child with ADHD manifesting in occasional violence

You fixed term exclude him:

- Direct discrimination?
- Discrimination arising from disability?
- Reasonable adjustments (nb. exclusion *itself* cannot be a failure to make a RA)?
- Was the exclusion in application of the behaviour policy indirectly discriminatory?
(c) Defences

Referred to in the Equality Act as "exceptions" from the obligations not to discriminate:

- exception from sex discrimination in the case of "gender-affected activities" i.e. "a sport, game or other activity of a competitive nature in circumstances in which the physical strength, stamina or physique of average persons of one sex would put them at a disadvantage compared to average persons of the other sex as competitors in events involving the activity"
- There are specific exceptions relating in particular to admissions (i.e. to protect single-sex schools), religious schools, certain selective schools

Crucial distinction:

Cases alleging disability discrimination by schools go to the Tribunal

Cases alleging other forms of discrimination by schools go to the courts

Very different processes...

In the <u>Courts</u>:

You can get damages (and other typical court remedies like a declaration, an order "quashing" the decision, or an order forcing the school to act).

BUT in the <u>Tribunal</u>:

It can "make such order as it thinks fit"

This power:

does not include ordering the payment of compensation.

Examples might include:

- training for school staff and Governors,
- writing up new guidance for staff and Governors,
- making amendments to school or Local Authority policies,
- providing extra tuition to make up for lost learning,
- apologising to a pupil either verbally or in writing, providing trips or other opportunities to make up for activities that your child may have missed.

<u>Time-limits</u> are important (in all claims):

- Basic position is that you have six months to bring a claim from the date of the act of discrimination complained of
- Easier to work out in some cases than others (e.g. reasonable adjustments)
- The Tribunal will often consider the "history" anyway (especially in s.15 claims)
- And earlier discrimination can still be "in time" if forming part of the same "course of conduct" of discrimination by the school

NEW TOPIC: PARTICULAR ISSUES

Issues about the law

- 1. Do we have to find out if the child is disabled?
- 2. The burden of proof and the risk of a finding of direct discrimination
- 3. Recording decision-making
- 4. What is a *reasonable* adjustment?
- 5. Relationship with special educational provision

Do we have to find out if the child is disabled?

This is not a specific requirement, but

It may resolve intractable situations to obtain an assessment yourself (with consent)

Can "ought reasonably be expected to know" extend to situation where school ought to have made enquiries / taken action to discover disability?

Burden of proof

- A specific feature of the Act (addressing difficulty of proving a discriminatory motive)
- "If there are facts from which the court could decide, if the absence of any other explanation, that [there was a contravention of the Act], the court must hold the contravention occurred", unless
- The defendant shows they did not contravene the Act.
- Helpful to claimants where "the story does not stack up"

Recording decision-making

- Standard advice to reduce legal risk in many situations
- BUT *particularly* where so much turns on the *reason why* you did something
- Can help to discharge the burden
- Can be useful presentationally to "tell the story" / put the decision in context
- If recording each and every act impracticable, statements of approach are next best thing

What is a reasonable adjustment?

Concept of "reasonable" open-ended

- <u>Money / resources</u> can be relevant
- The <u>effectiveness</u> of the adjustment can be relevant
- The <u>effect on other children</u> can be relevant (often a key issue in exclusion cases)

Relationship with special educational provision

- Making SEP in a Statement is the responsibility of the LA
- But making reasonable adjustments is the responsibility of the school
- School does not discharge duty to make reasonable adjustments by pointing to authority

Discrimination in schools

Any questions?

11KBW

11KBW is renowned for the outstanding quality of its advice, advocacy and client service. Our barristers are experts in Public, Employment and Commercial Law and lead the field in a number of specialist areas.

"barristers of the very highest quality" Legal 500

Please get in touch with our team to discuss what you need:

Joint Senior Clerks – Lucy Barbet & Mark Dann Director of Business Development – Andrea Kennedy Operations Manager – Claire Halas

Tel: +44 (0) 20 7632 8500 Email: clerksteam@11kbw.com Address: 11 King's Bench Walk, London EC4Y 7EQ Web: www.11kbw.com



Break

Making a positive difference every day to people's lives



UNICEF Rights Respecting Schools BIRMINGHAM REPERTORY THEATRE



Making a positive difference every day to people's lives



Rights Respecting Schools in Birmingham: the headlines

- Birmingham continues to be one of the leading areas in England, working with Unicef UK to promote and realise the UN Convention on the Rights of the Child in educational settings.
- Over 250 schools are actively engaged with the programme.
- 13 Gold schools
 - Primary: Adderley, Holy Cross Catholic, Wyndcliffe, Ward End Somerville, The Rosary, Nelson Mandela, Parkfield
 - Secondary: Cockshut Hill, Saltley
 - Special: Longwill School for Deaf Children
 - Nursery: Goodway
- Out of school settings



Making a positive difference every day to people's lives





ABOUT CFC

- Child Friendly Cities & Communities is a Unicef UK programme that works with local government to put children's rights into practice.
- The programme aims to create cities and communities in the UK where all children – whether they are living in care, using a children's centre, or simply visiting their local library – have a meaningful say in, and truly benefit from, the local decisions, services and spaces that shape their lives.
- The programme is part of Child Friendly Cities a global Unicef initiative that reaches close to 30 million children in 40 countries



CHILD FRIENDLY CITIES & COMMUNITIES unicef

UNITED KINGDOM

GLOBAL CHILD FRIENDLY CITIES INITIATIVE



CFC UK NETWORK





WHAT IS A CHILD FRIENDLY CITY/COMMUNITY?

- A Unicef Child Friendly City or Community is a place where the local government and their partners have committed to protect and promote children's rights and have worked with Unicef UK to put them into practice.
- It is a place that has demonstrated how more children feel safe, heard, cared for and able to flourish as a result.



THE CFC JOURNEY

RECOGNITIO N LASTS FOR 3 YEARS

An independent panel of experts assesses the council's progress and decides whether to recognise the city/community as a Unicef Child Friendly City or Community

DELIVERY 2-4 YEARS

The council works with the local community and children and young people to carry out the Action Plan 0

DEVELOPMEN T 2-3 MONTHS

An Action Plan is drafted and approved showing how the council will achieve progress in those badges

DISCOVER Y

6 MONTHS

The council, community and children and young people come together to agree their priorities, known as 'badges'







HOW WE WORK WITH PARTNERS

- Close collaboration
- Local, contextualised solutions
- Spotlighting and building on good practice
- Training, capacity building, technical assistance & mentoring
- Mainstreaming children's rights
- Transforming the whole system

WE ASK COMMUNITIES TO CONFIRM THEY:

1. Are ready to implement an ambitious programme

2 Have a clear vision of what they hope to achieve for children and young people through participating in the programme

3. Are committed to children's rights and child-centred practice

4. Are committed to enabling children and young people's meaningful participation

5. Are committed to reflection, learning and monitoring throughout the programme

6. Have secured commitment to the programme across the council and at all levels

7. Have thought about how the programme will be coordinated and governed

8. Will take a place-based approach by working with local partners, organisations and agencies including the police and health services

- 9.Can meet the direct and indirect costs of the programme
- 10. Have considered how joining the programme will contribute to existing improvement plans



THANK YOU! unicef.uk/cfc I <u>cfc@unicef.org.uk</u> I #ChildFriendlyCities

BIRMINGHAM 2022 INTRODUCTION TO THE GAMES

BIRMINGHAM 2022 commonwealth games

Headteachers Conference 25 November 2019 The first multi-sport Games experience for our best emerging stars: **our next** generation of heroes

The first Games to integrate and generate funds for a Goodwill Charity Partner

COMMONWER

The first and only multi-sport event featuring an **integrated parasport programme** for elite athletes with a disability

The first Games to have **more medal events for women** and men

The first dedicated multi-sport Youth Games



MISSION OUR GAMES WILL...



Bring people together



Improve health and well-being



Help the region to grow and succeed



Be a catalyst for change



Put us on the map





BIRMINGHAM 2022 IN NUMBERS

71 Commonwealth nations **11** days of sport **6,500** athletes and officials

> A regional showcase with venues in Sandwell, Solihull, Cannock Chase, Coventry and Royal Leamington Spa

> > **2.4 billion** citizens across the Commonwealth

Up to **1.5 billion** global TV spectators

Over **1 million tickets** to be issued during the Games

41,000 (approx.) Games time roles

95% of venues in place

Potential boost to the regional economy in excess of **£1billion** (based in GC2018)

> A trained workforce of at least **10,000 volunteers**

> > 3:1 cost benefit for the West Midlands

A predicted population of **1,173,000** (increase of over **40,000** from today)

> Estimated £300m of Games contracts expected to go to loca and regional suppliers

> > 1,400 new homes built in Perry Barr



GAMES PARTNERS

PARTNER	PRIMARY ROLES
Commonwealth Games Federation (CGF)	Owns and controls the Commonwealth Games and all rights relating to them. Monitors Host City Contract compliance.
Commonwealth Games England (CGE)	Host CGA / Team. Represents the needs of athletes and CGAs.
Organising Committee (OC)	Plans and delivers the Games. Key responsibilities include ticketing, volunteering, promoting the Games and organising the cultural programme, ceremonies and QBR.
Commonwealth Games Federation Partnership (CGFP)	Supports planning and delivery of the Games through expert consultants. Leads the commercial programme.
Department of Digital, Culture, Media & Sport (DCMS)	75% funder. Supports relationships with other HMG departments.
Birmingham City Council (BCC)	Host city. 25% funder. Manages capital projects.
West Midlands Combined Authority (WMCA)	Host region. Represents the other WMCA authorities and ensures the wider regional dimension is considered.
Transport for West Midlands (TfWM)	A subsidiary of WMCA. Transport infrastructure projects and lead on spectator/workforce/public transport.
West Midlands Police	Leads on Security, collaboratively with the OC.





19 SPORTS INCLUDING 8 PARA-SPORTS






VENUES BIRMINGHAM, WEST MIDLANDS AND THE UK









Alexander Stadium

Arena Birmingham

Edgbaston Stadium

NEC



NEC Arena









Cannock Chase, Cannock



Coventry Stadium





Sutton Park, Sutton Coldfield



Lee Valley Velo Park, London



Victoria Park, **Royal Leamington Spa**





- Looking at strategic approach for each area of the Organising Committee's work
- Developing the sport competition schedule looking at days and sessions
- Transport planning with consultation later in the year on the Games Transport Plan
- Developing the ticketing strategy

- Engaging with key creative organisations and local stakeholders to shape the project
- Developing venue operational plans
- Building a sponsorship programme
- Recruiting the team to deliver
- Procuring suppliers





BIRMINGHAM 2022 DEVELOPING OUR ENGAGEMENT PROGRAMMES

BIRMINGHAM 2022 commonwealth games



OUR AMBITION

Partners share an ambition to deliver a world-class learning programme as part of the Games that benefits in particular the children and young people of Birmingham and the West Midlands region retaining a national and international engagement scope.

CONSIDERATIONS

- Creating positive impact on the physical health and mental wellbeing of young people
- Increasing community cohesion and civic pride
- · Celebrating the global community of Birmingham and the Commonwealth
- Being active participants of the Games; as audiences of the future and through flagship engagement programmes, such as the Queen's Baton Relay
- Embedding equality and diversity through further promotion of Rights Respecting Schools and becoming a Child Friendly City (Birmingham)
- Utilising the transformative power of sport and culture







UTILISING A RANGE OF APPROACHES

CURRICULUM-BASED EDUCATION RESOURCES	YOUTH SOCIAL ACTION / ADVOCACY PROJECTS
TWINNING/EXCHAHGE PROGRAMMES	PARTICIPATION IN FLAGSHIP GAMES PROJECTS
RESIDENCIES, ARTISTIC PROJECTS & SPORTS	ALIGNMENT WITH TRAINING & SKILLS INITIATIVE
DIRECT DELIVERY ACTIVITY & WORKSHOPS	PROFESSIONAL DEVELOPMENT FOR EDUCATORS







OPPORTUNITIES FOR LEARNING WITHIN EXISTING PROGRAMMES



CREATIVITY AND THE CULTURAL PROGRAMME SPORTS PARTICIPATION (GAMES & LIVE SITES)



EXPLORING THE COMMONWEALTH WITH QUEEN'S BATON RELAY













GROUP ACTIVITY 1

Look at the 5 draft outcomes on the sheet.

As a small group, discuss what you think of these outcomes.

Do you agree with them?

Is there anything missing or that you would change?

Write any thoughts or ideas you have as a group on the outcomes sheets on your table.







GROUP ACTIVITY 2

As individuals, place a **<u>RED</u>** sticker on the outcome that you think would make the greatest difference to Yyour students, school and community.

Place a **GREEN** sticker on the outcome you think that the 2022 Commonwealth Games could have greatest impact on

As a small group, choose the outcome that has received most stickers. Think about this outcome in more detail.

What difference would you like to make to young people's lives in relation to this outcome? Consider different audiences and groups of young people.

outcomes flipchart sheet.

Note any observations on post-it notes and then stick on the relevant



GROUP ACTIVITY 3

In pairs, consider how the Birmingham 2022 Commonwealth Games could help to deliver these outcomes.

Write a different idea on each post-it note.

Ideas could include:

- New programmes, interventions, activities or campaigns
- Extensions to or enhancements of existing activity
- Activities which could be initiated at school / MAT / community level.

Think about curriculum time, pastoral responsibilities, extra-curricular activity, whole school engagement and activity outside of school.



Place your post-it notes on the relevant outcomes flipchart sheet.

BIRMINGHAM 2022 THANK YOU

BIRMINGHAM 2022 commonwealth games

Headteachers Conference 25 November 2019

Closing thoughts: Dr Tim O'Neill

- All the slides shown today will be emailed to you tomorrow (Tuesday 26th November).
- We would love your feedback on today's session <u>https://www.surveymonkey.co.uk/r/5NBRPD6</u> (this link will also be emailed out.
- Thank you.



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Making a positive difference every day to people's lives