

# Acorns Preschool



## Kington St Michael

### Employment Policy Document

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This document should be read in conjunction with the Safeguarding and Procedural Policy documents.

- Safeguarding Policy
  - Photography, Images & Mobile Phones
- Procedural Policy Document

#### **1. Purpose of the document**

This document sets out the various aspects of employment for all staff, volunteers and students working for Acorns Preschool.

For employed staff it should be read alongside the individuals Job Description as issued by the Chair of the Committee.

#### **2. Employment (including suitability, contingency plans, training and development)**

## Statement

We meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that our staff are appropriately qualified, and we carry out checks for criminal and other records through the Disclosing and Barring Service (formally Criminal Records Bureau) in accordance with statutory requirements.

We provide a staffing ratio in line with the Safeguarding and Welfare Requirements of the Early Years Foundation Stage to ensure that children have sufficient individual attention and to guarantee care and education of a high quality. Our staff are appropriately qualified and we carry out checks for criminal and other records through the Criminal Records Bureau in accordance with statutory requirements.

## Procedures

### Staffing

- We use the following ratios of adult to children:
- Children aged two years: 1 adult : 4 children:
  - at least one member of staff holds a full and relevant level 3 qualification; and
  - at least half of all other staff hold a full and relevant level 2 qualification.
- Children aged three years and over: 1 adult : 8 children:
  - at least one member of staff holds a full and relevant level 3 qualification; and
  - at least half of all other staff hold a full and relevant level 2 qualification.
- A minimum of two staff/adults are on duty at any one time.
- Each child is assigned a key person to help the child become familiar with the setting from the outset and to ensure that each child has a named member of staff with whom to form a relationship. The key person plans with parents for the child's well-being and development in the setting. The key person meets regularly with the family for discussion and consultation on their child's progress and offers support in guiding their development at home.
- We hold regular staff meetings to undertake curriculum planning and to discuss children's progress, their achievements and any difficulties that may arise from time to time.

### Vetting and staff selection

- We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.
- All staff have job descriptions, which set out their staff roles and responsibilities.
- We welcome applications from all sections of the community. Applicants will be considered on the basis of their suitability for the post, regardless of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation, sex, age, marriage or civil partnership. Applicants will not be placed at a disadvantage by our imposing conditions or requirements that are not justifiable.
- We use Ofsted guidance on obtaining references and enhanced criminal record checks through the Disclosing and Barring Service (formally Criminal Records Bureau) for staff and volunteers who will have unsupervised access to children. This is in accordance with requirements under the Safeguarding Vulnerable Groups Act (2006) for the vetting and barring scheme.

- We keep all records relating to employment of staff and volunteers, in particular those demonstrating that checks have been done, including the date and number of the enhanced DBS (formally CRB) check.
- Staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children – whether received before, or at any time during, their employment with us.
- We will ask for a minimum of two references which will be followed up with verbal confirmation by the Manager or Chair of the Committee.

#### Disqualification

- Where we become aware of any relevant information which may lead to the disqualification of an employee, we will take appropriate action to ensure the safety of children. In the event of disqualification, that person's employment with us will be terminated.

#### Changes to staff

- We inform Ofsted of any changes in the person responsible for our setting.

#### Training and staff development

- Our Manager and Deputy hold the CACHE Level 3 Diploma for the Children and Young People's Workforce or an equivalent qualification and a minimum of half of our staff hold the CACHE Level 2 Certificate for the Children and Young People's Workforce or an equivalent or higher qualification.
- We provide regular in-service training to all staff.
- Our setting budget allocates resources to training.
- We provide staff induction training in the first week of employment. This induction includes the relevant sections of the Safeguarding and Procedural Policy documents. Other policies and procedures will be introduced within an induction plan.
- We support the work of our staff by holding regular supervision meetings and appraisals.
- We are committed to recruiting, appointing and employing staff in accordance with all relevant legislation and best practice.
- Staff appraisals are done annually and reviewed after a six months period.

#### Staff taking medication/other substances

- If a member of staff is taking medication which may affect their ability to care for children, we ensure that they seek further medical advice. Staff will only work directly with the children if medical advice confirms that the medication is unlikely to impair their ability to look after children properly.
- Staff medication on the premises will be stored securely and kept out of reach of the children at all times.
- If we have reason to believe that a member of staff is under the influence of alcohol or any other substance that may affect their ability to care for children, they will not be allowed to work directly with the children and further action will be taken.

#### Managing staff absences and contingency plans for emergencies

- In term time only settings, our staff take their holiday breaks when the setting is closed. Where staff may need to take time off for any reason other than sick leave or training, this is agreed with the Manager with sufficient notice.
- Unpaid leave may be granted in exceptional circumstances only when agreed by the Manager and Chair of the Committee.
- In all year round settings, Managers organise staff annual leave so that ratios are not compromised. Where staff are unwell and take sick leave in accordance with their contract of employment, we organise cover to ensure ratios are maintained.
- Sick leave is monitored and action is taken where necessary, in accordance with the contract of employment.
- We have contingency plans to cover staff absences by utilising Bank Staff and DBS (formally CRB) Committee members when needed.
- In an emergency when a staff member is no longer able to function as part of the Adult/Child ratio, suitable cover will be utilised until such time that all the children at the setting can be collected by their parents/carers.

#### Hours of Work

- Staff are allocated their hours of work to meet the required Adult/Child ratio
- It is the duty of the Manager to ensure the correct number of staff are available with sufficient and relevant qualifications.
- Any alterations to staffing arrangements must be agreed by the Manager prior to making these changes.
- When possible all staff will be given a terms notice of any permanent changes to their working hours.
- Any significant changes to working hours will be given in writing.
- Allocation of the number of hours worked will be decided upon using the following criteria;
  1. Seniority of position held
  2. Ofsted/Local Authority requirements
  3. Length of service
  4. Experience
  5. Qualifications held

### **3. Student Placements**

#### **Statement**

Acorns Preschool recognises that qualifications and training make an important contribution to the quality of the care and education provided by early years settings. As part of our commitment to quality, we offer placements to students undertaking early years qualifications and training. We also offer placements for school pupils on work experience.

We aim to provide for students on placement with us, experiences that contribute to the successful completion of their studies and that provide examples of quality practice in early years care and education.

We take account of the need to protect young people 16-19 as defined by the Children Act 1989. This may include students or school children on work placement, young employees or young

parents. Where abuse is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed to share information if it feels that it is necessary to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.

### **Procedures**

- We require students on qualification courses to meet the 'suitable people' requirements of Ofsted and have CRB checks carried out.
- We require students in our setting to have a sufficient understanding and use of English to contribute to the well-being of children in our care.
- We require schools placing students under the age of 17 years with the setting to vouch for their good character.
- We supervise students under the age of 17 years at all times and do not allow them to have unsupervised access to children.
- Students undertaking qualification courses who are placed in our setting on a short term basis are not counted in our staffing ratios.
- Trainee staff employed by the setting and students over the age of 17 may be included in the ratios if they are deemed competent and responsible.
- We take out employers' liability insurance and public liability insurance, which covers both trainees and voluntary helpers.
- We require students to keep to the relevant sections of our Safeguarding Employment policy Documents.
- We co-operate with students' tutors in order to help students to fulfil the requirements of their course of study.

We provide students, at the first session of their placement, with a short induction on how our setting is managed, how our sessions are organised and our policies and procedures.

- We communicate a positive message to students about the value of qualifications and training.
- We make the needs of the children paramount by not admitting students in numbers that hinder the essential work of the setting.

We ensure that trainees and students placed with us are engaged in bona fide early years training, which provides the necessary background understanding of children's development and activities.

## **4. Whistleblowing**

### **Definition**

Whistleblowing is raising a concern about malpractice within an organisation.

### **Protection**

Acorns Preschool is committed to delivering a high quality preschool service, promoting organisational accountability and maintaining public confidence.

The policy provides the individual in the workplace with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the organisation. The policy is underpinned by Public Interest Disclosure Act 1998, which encourages people to raise concerns about misconduct or malpractice in the workplace, in order to promote good governance and accountability in the public interest. The Act covers behaviour, which amounts to –

- A criminal offence
- Failure to comply with any legal obligation
- Miscarriage of justice
- Danger to health and safety of an individual and/or environment
- Deliberate concealment of any information about any of the above

It is not intended that this policy be a substitute for, or an alternative to the formal Grievance Procedure, but is designed to nurture a culture of openness and transparency within the organisation, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice.

An employee or volunteer who, acting in good faith, wishes to raise such concerns should normally report the matter to the Manager who will advise the employee or volunteer of the action that will be taken in response to the concerns expressed. Concerns should be investigated and resolved as quickly as possible.

If an employee or volunteer feels the matter cannot be discussed with the Manager, he or she should contact the Chair of the Committee, the Child Development Officer, Ofsted's Whistleblowing hotline or write to or email them.

A disclosure in good faith to the preschool Manager or Chairperson will be protected. Confidentiality will be maintained wherever possible and the employee or volunteer will not suffer any personal detriment as a result of raising any genuine concern about misconduct or malpractice within the organisation.

## **5. induction of Staff and Volunteers**

### **Statement**

We provide an induction for all staff, volunteers and managers in order to fully brief them about the setting, the families we serve, our policies and procedures, curriculum and daily practice.

### **Procedures**

- We have a written induction plan for all new staff, which includes the following:
  - Introductions to all staff and volunteers, including management committee members where appropriate.
  - Familiarising with the building, health and safety, and fire and evacuation procedures.

- Ensuring our policies and procedures have been read and are carried out.
  - Introduction to parents, especially parents of allocated key children where appropriate.
  - Familiarising them with confidential information where applicable in relation to any key children.
  - Details of the tasks and daily routines to be completed.
- The induction period lasts at least two weeks. The manager inducts new staff and volunteers. The chairperson or senior manager inducts new managers.
  - During the induction period, the individual must demonstrate understanding of and compliance with policies, procedures, tasks and routines.
  - Successful completion of the induction forms part of the probationary period.

## **6. Health and Safety general standards**

Our setting believes that the health and safety of children is of paramount importance. We make our setting a safe and healthy place for children, parents, staff and volunteers.

We aim to make children, parents, staff and volunteers aware of health and safety issues and to minimise the hazards and risks to enable the children to thrive in a healthy and safe environment.

Our member of staff responsible for health and safety is Lee Churchill who is competent to carry out these responsibilities, he has undertaken health and safety training and regularly updates his/her knowledge and understanding.

- We display the necessary health and safety poster in: **The front entrance hall**

### Insurance cover

We have public liability insurance and employers' liability insurance. The certificate for public liability insurance is displayed in The front entrance hall.

## **Procedures**

### Awareness raising

- Our induction training for staff and volunteers includes a clear explanation of health and safety issues, so that all adults are able to adhere to our policy and procedures as they understand their shared responsibility for health and safety. The induction training covers matters of employee well-being, including safe lifting and the storage of potentially dangerous substances.
- Records are kept of these induction training sessions and new staff and volunteers are asked to sign the records to confirm that they have taken part.
- Health and safety issues are explained to the parents of new children, so that they understand the part played by these issues in the daily life of the setting.
- As necessary, health and safety training is included in the annual training plans of staff, and health and safety is discussed regularly at staff meetings.

- We operate a no-smoking policy.
- Children are made aware of health and safety issues through discussions, planned activities and routines.

### Safety of adults

- Adults are provided with guidance about the safe storage, movement, lifting and erection of large pieces of equipment.
- When adults need to reach up to store equipment or to change light bulbs, they are provided with safe equipment to do so.
- All warning signs are clear and in appropriate languages.
- Adults do not remain in the building on their own or leave on their own after dark.
- The sickness of staff and their involvement in accidents is recorded. The records are reviewed termly to identify any issues that need to be addressed.
- We keep a record of all substances that may be hazardous to health, such as cleaning chemicals, or gardening chemicals if used. This details what the risks are and what to do if they have contact with eyes or skin or are ingested. It also states where they are stored.
- We keep all cleaning chemicals in their original containers.

### Windows

- Low level windows are made from materials that prevent accidental breakage or are made safe.
- Windows are protected from accidental breakage or vandalism from people outside the building.
- Windows above the ground floor are secured so that children cannot climb through them.

### Doors

- We take precautions to prevent children's fingers from being trapped in doors.

### Floors

- All floor surfaces are checked daily to ensure they are clean and not uneven, wet or damaged.

### Electrical/gas equipment

- All electrical/gas equipment conforms to safety requirements and is checked regularly.
- Our boiler/electrical switch gear/meter cupboard is not accessible to the children.
- Heaters and electric sockets, wires and leads are properly guarded and the children are taught not to touch them.
- There are sufficient sockets to prevent overloading.
- The temperature of hot water is controlled to prevent scalds.
- Lighting and ventilation is adequate in all areas including storage areas.

### Storage

- All resources and materials, which are used by the children, are stored safely.



- All equipment and resources are stored or stacked safely to prevent them accidentally falling or collapsing.

### Outdoor area

- Our outdoor area is securely fenced.
- Our outdoor area is checked for safety and cleared of rubbish before it is used.
- Adults and children are alerted to the dangers of poisonous plants, herbicides and pesticides.
- Our pool/pond is securely covered or otherwise guarded.
- Where water can form a pool on equipment, it is emptied before children start playing outside.
- Our outdoor sand pit is covered when not in use and is cleaned regularly.
- All outdoor activities are supervised at all times.

### Hygiene

- We seek information from the Health Protection Agency to ensure that we keep up-to-date with the latest recommendations.
- Our daily routines encourage the children to learn about personal hygiene.
- We have a daily cleaning routine for the setting, which includes the play room(s), kitchen, rest area, toilets and nappy changing areas.
- We have a schedule for cleaning resources and equipment, dressing-up clothes and furnishings.
- The toilet area has a high standard of hygiene, including hand washing and drying facilities and disposal facilities for nappies.
- We implement good hygiene practices by:
  - cleaning tables between activities
  - cleaning and checking toilets regularly
  - wearing protective clothing, such as aprons and disposable gloves, as appropriate
  - providing sets of clean clothes
  - providing tissues and wipes

### Activities and resources

- Before purchase or loan, equipment and resources are checked to ensure that they are safe for the ages and stages of the children currently attending the setting.
- The layout of play equipment allows adults and children to move safely and freely between activities.
- All equipment is regularly checked for cleanliness and safety, and any dangerous items are repaired or discarded.
- All materials, including paint and glue, are non-toxic.
- Sand is clean and suitable for children's play.
- Physical play is constantly supervised.
- Children are taught to handle and store tools safely.
- Children who are sleeping are checked regularly.
- Children learn about health, safety and personal hygiene through the activities we provide and the routines we follow.

- Any faulty equipment is removed from use and is repaired. If it cannot be repaired it is discarded.
- Large pieces of equipment are discarded only with the consent of the manager and the management team.

### Legal framework

- Health and Safety at Work Act (1974)
- Management of Health and Safety at Work Regulations (1999)
- Electricity at Work Regulations (1989)
- Control of Substances Hazardous to Health Regulations (COSHH) (2002)
- Manual Handling Operations Regulations (1992 (As Amended 2004))
- Health and Safety (Display Screen Equipment) Regulations (1992)

## **7. Valuing Diversity and promoting Equality**

### **Statement**

We will ensure that our service is fully inclusive in meeting the needs of all children. We recognise that children and their families come from diverse backgrounds. All families have needs and values that arise from their social and economic, ethnic and cultural or religious backgrounds. Children grow up in diverse family structures that include two parent and one parent families; some children have two parents of the same sex. Some children have close links with extended families of grandparents, aunts, uncles and cousins; while others may be more removed from close kin, or may live with other relatives or foster carers.

Some children have needs that arise from disability or impairment, or may have parents that are affected by disability or impairment. Some children come from families who experience social exclusion or severe hardship; some have to face discrimination and prejudice because of their ethnicity, the languages they speak, their religious or belief background, their gender or their impairment.

We understand that these factors affect the well-being of children and can impact on their learning and attainment. Our setting is committed to anti-discriminatory practice to promote equality of opportunity and valuing diversity for all children and families. We aim to:

- provide a secure and accessible environment in which all of our children can flourish and in which all contributions are considered and valued
- include and value the contribution of all families to our understanding of equality and diversity
- provide positive non-stereotyping information about gender roles, diverse family structures, diverse ethnic and cultural groups and disabled people
- improve our knowledge and understanding of issues of anti-discriminatory practice, promoting equality and valuing diversity
- challenge and eliminate discriminatory actions;
- make inclusion a thread that runs through all of the activities of the setting
- foster good relations between all communities.

## Procedures

### Admissions

Our setting is open to all members of the community.

- We advertise our service widely.
- We reflect the diversity of our society in our publicity and promotional materials.
- We provide information in clear, concise language, whether in spoken or written form.
- We provide information in as many languages as possible.
- We base our Admissions Policy on a fair system.
- We ensure that all parents are made aware of our Valuing Diversity and Promoting Equality Policy.
- We do not discriminate against a child or their family, or prevent entry to our setting, on the basis of a protected characteristic as defined by the Equalities Act (2010);
  - disability
  - race
  - gender reassignment
  - religion or belief
  - sex
  - sexual orientation
  - age
  - pregnancy and maternity
  - marriage and civil partnership
- We do not discriminate against a child with a disability or refuse a child entry to our setting for reasons relating to disability.
- We ensure, wherever possible, that we have a balanced intake of boys and girls in the setting.
- We develop an action plan to ensure that people with impairments can participate successfully in the services offered by the setting and in the curriculum offered.
- We take action against any discriminatory behaviour by staff or parents whether by:
  - direct discrimination – someone is treated less favourably because of a protected characteristic e.g. preventing families of some racial groups from using the service.
  - indirect discrimination - someone is affected unfavourably by a general policy e.g. children must only speak English in the setting.
  - association – discriminating against someone who is associated with a person with a protected characteristic e.g. behaving unfavourably to someone who is married to a person from a different cultural background.
  - perception – discrimination on the basis that it is thought someone has a protected characteristic e.g. making assumptions about someone's sexual orientation because of their mannerisms or how they speak.
- Displaying of openly discriminatory and possibly offensive materials, name calling, or threatening behaviour are unacceptable on, or around, the premises and will be dealt with immediately and discreetly by asking the adult to stop using the unacceptable behaviour and inviting them to read and to act in accordance with the relevant policy statement and procedure. Failure to comply may lead to the adult being excluded from the premises.

## Employment

- Posts are advertised and all applicants are judged against explicit and fair criteria.
- Applicants are welcome from all backgrounds and posts are open to all.
- We may use the exemption clauses in relevant legislation to enable the service to best meet the needs of the community.
- The applicant who best meets the criteria is offered the post, subject to references and checks by the Criminal Records Bureau. This ensures fairness in the selection process.
- All job descriptions include a commitment to promoting equality and recognising and respecting diversity as part of their specifications.
- We monitor our application process to ensure that it is fair and accessible.

## Training

- We seek out training opportunities for staff and volunteers to enable them to develop anti-discriminatory and inclusive practices, which enable all children to flourish.
- We ensure that staff are confident and fully trained in administering relevant medicines and performing invasive care procedures when these are required.
- We review our practices to ensure that we are fully implementing our policy for Valuing Diversity and Promoting Equality.

## Curriculum

The curriculum offered in the setting encourages children to develop positive attitudes about themselves as well as to people who are different from themselves. It encourages children to empathise with others and to begin to develop the skills of critical thinking.

Our environment is as accessible as possible for all visitors and service users. If access to the settings is found to treat disabled children or adults less favourably, then we make reasonable adjustments to accommodate the needs of disabled children and adults. We do this by;

- making children feel valued and good about themselves and others
- ensuring that children have equality of access to learning
- undertaking an access audit to establish if the setting is accessible to all children
- making adjustments to the environment and resources to accommodate a wide range of learning, physical and sensory impairments
- making appropriate provision within the curriculum to ensure each child receives the widest possible opportunity to develop their skills and abilities, e.g. recognising the different learning styles of girls and boys
- positively reflecting the widest possible range of communities in the choice of resources
- avoiding stereotypes or derogatory images in the selection of books or other visual materials
- celebrating a wide range of festivals
- creating an environment of mutual respect and tolerance
- differentiating the curriculum to meet children's special educational needs
- helping children to understand that discriminatory behaviour and remarks are hurtful and unacceptable

- ensuring that the curriculum offered is inclusive of children with special educational needs and children with disabilities
- ensuring that children learning English as an additional language have full access to the curriculum and are supported in their learning
- ensuring that children speaking languages other than English are supported in the maintenance and development of their home languages

### **Valuing diversity in families**

- We welcome the diversity of family lifestyles and work with all families.
- We encourage children to contribute stories of their everyday life to the setting.
- We encourage mothers, fathers and other carers to take part in the life of the setting and to contribute fully.
- For families who speak languages in addition to English, we will develop means to ensure their full inclusion.
- We offer a flexible payment system for families of differing means and offer information regarding sources of financial support.
- We take positive action to encourage disadvantaged and under-represented groups to use the setting.

### **Food**

- We work in partnership with parents to ensure that dietary requirements of children that arise from their medical, religious or cultural needs are met.
- We help children to learn about a range of food, and of cultural approaches to mealtimes and eating, and to respect the differences among them.

### **Meetings**

- Meetings are arranged to ensure that all families who wish to may be involved in the running of the setting.
- We positively encourage fathers to be involved in the setting, especially those fathers who do not live with the child.
- Information about meetings is communicated in a variety of ways - written, verbal and in translation – to ensure that all mothers and fathers have information about, and access to, the meetings.

### **Monitoring and reviewing**

- So that our policies and procedures remain effective, we monitor and review them annually to ensure our strategies meets the overall aims to promote equality, inclusion and to value diversity.
- We provide a complaints procedure and a complaints summary record for parents to see.

### **Legal framework**

- The Equality Act (2010)
- Children Act (1989) & (2004)
- Special Educational Needs and Disability Act (2001)

## **8. Complaints Procedure for Staff**

### **Statement**

Our Preschool believes that staff members should be treated fairly and without discrimination regardless of gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status (e.g. age, disability or sexuality).

### **Aim**

We will not tolerate processes, attitudes or behaviour that amount to any form of discrimination, including harassment, victimisation and bullying through prejudice, ignorance, thoughtlessness, stereotyping or any other reason.

The purpose of the Complaints Procedure is to promote a working environment where all staff are treated with dignity and respect and where complaints or grievances, whatever their nature, are taken seriously and dealt with promptly, effectively and sensitively.

### **Methods**

In practice this means:

- there will be clear and effective ways of raising any complaint, in confidence and without fear of recrimination;
- wherever appropriate, necessary steps will be taken to ensure the individual safety of the complainant;
- complaints can be informally/formally investigated and/or mediation used to resolve problems wherever appropriate;
- staff making a complaint can choose to be represented/accompanied at any part of the process by a colleague or union representative;
- staff will be informed of any complaints made against them. They can be represented/accompanied and respond at any time during the investigation, by a colleague or union representative;;
- all complaints will be monitored;
- there is a right to appeal.

### **Making a complaint**

#### **Stage 1**

- In the first instant, any member of staff who has a concern or grievance about an aspect of the working environment at the pre-school should discuss his/her worries and anxieties with their line manager.

- In the event that the concern or grievance involves the staff member's line manager, they should approach a management committee member in the first instance. This would be the chairperson or if they are unavailable contact either the treasurer or the secretary.
- Most complaints should be resolved amicably and informally at this stage.

## **Stage 2**

- If this does not have a satisfactory outcome, or if the problem recurs, the staff member moves to Stage 2 of the procedure by putting the concerns or complaint in writing to the Preschool manager and the chair of the management committee.
- For staff members who are not comfortable with making written complaints, there is a complaint form available in the staff filing cabinet.
- The complaint will be investigated by the committee chairman and the Preschool manager.
- When the investigation into the complaint is completed, the Preschool manager and/or committee chairman, together with the human resources representative meets with the staff member to discuss the outcome.
- When the complaint is resolved at this stage, the summative points are logged in the Staff Complaints Summary Record.

## **Stage 3**

- If the staff member is not satisfied with the outcome of the investigation, he or she requests a meeting with the Preschool manager and the chair of the management committee. The staff member may have a colleague or union representative present if required and the manager should have the support of the chairperson and a representative of the committee present if required.
- An agreed written record of the discussion is made as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it.
- This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, the summative points are logged in the Staff Complaints Summary Record.

## **Stage 4**

- If at the Stage 3 meeting the staff member and Preschool management team cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.
- Staff or volunteers within the Preschool Learning Alliance are appropriate persons to be invited to act as mediators.
- The mediator keeps all discussion confidential. S/he can hold separate meetings with the Preschool management team (Preschool manager and chair of the management committee) and the staff member, if this is deemed to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice s/he gives.

## Stage 5

- When the mediator has concluded her/his investigations, a final meeting between the staff member, the Preschool manager and the chair of the management committee is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.
- A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

## Confidentiality

Strict confidentiality must be maintained when dealing with complaints. Managers and staff involved in cases must not breach confidentiality beyond those involved in the management of the complaint, without having the specific agreement of the parties.

Records should be kept detailing the nature of the complaint raised, the response, any action taken, and the reasons for it. These records should be kept confidential and retained in accordance with the Data Protection Act, which requires the release of certain information to individuals on their request. Copies of any meeting records should be given to the staff member concerned, although in certain circumstances, some information may be withheld (for example to protect a witness).

## Types Of Complaint

There are many forms of grievance that staff may have. They can range from complaints by staff about work related issues, to complaints concerning fellow workers' or a Childs'/parents' actions that affect them. They can also cover terms and conditions of employment; health and safety; relationships at work; new working practices; organisational change and equal opportunities. To try to provide an exhaustive list, and what individual members of staff discern as a complaint, is beyond the scope of this document. However, the following list identifies the main complaints that can be brought under this procedure;

- Direct discrimination
- Indirect discrimination
- Direct disability discrimination
- Victimisation: race, sex and disability
- Health & Safety complaints
- Violence complaints
- Complaints about racial abuse
- Harassment & bullying



This list tries to provide the main types of employment-related complaints that staff may have. To provide an exhaustive list of what constitutes bullying or harassment is not possible. Staff should use their judgement when applying Council standards and policies, but should also be guided by the principle that the determining issue is how the member of staff is affected, not the intention.

## **9. Smoking, Drugs and Alcohol**

### **Staff**

Staff are not permitted to consume alcohol during their contracted hours of work or to care for the children if they have consumed alcohol prior to commencing work.

The same applies to all drugs other than those prescribed by a doctor and considered appropriate for intake while working with children.

Staff will ensure that all drugs are stored correctly.

The management committee will respond to and investigate concerns and complaints raised in relation to alleged breaches of the welfare requirements.

Staff will promote positive role models in health and safety practices in relation to smoking, alcohol and drugs.

Should a member of staff be found under the influence of alcohol or drugs of any illegal form before or during the opening hours, they will be immediately asked to leave the premises and told to return home. Thereafter the normal disciplinary procedures will begin.

This will ensure that staff are able to respond appropriately to children at all times and that the children's welfare is paramount.

### **Parents/carers**

Staff have a duty of care to the children whilst on Acorns premises. Staff have to ensure that the authorised adult collecting the child/children are of a competent and able disposition.

If a member of staff suspects that the authorised collecting adult is under the influence of alcohol or mind altering substances it is their responsibility to ensure that the child/children welfare is not compromised.

In such a case;

- Staff will inform the authorised adult of their concern.
- Staff will attempt to arrange a mutually agreed alternative way home for the relevant child/children if we feel that the parent/carer is not capable of looking after the child then we will look for an alternative.

In the event that the mutually agreed alternative is not followed once leaving Acorns we will follow the steps below;

- Check the registration details file and contact persons that have permission to pick up child/children, phone them.
- If we have no response from these persons then we will take advice from Social Services team.
- The incident will be logged in the Incident Book.

## **Smoking**

### **Statement**

We comply with health and safety regulations and the Safeguarding and Welfare Requirements of the Early Years Foundation Stage in making our setting a no-smoking environment both indoors and outdoors.

### **Procedures**

- All staff, parents and volunteers are made aware of our no-smoking policy
- We display no-smoking signs
- The no-smoking policy is stated in our information for parents
- We actively encourage no-smoking by having information for parents and staff about where to get help to stop smoking if they are seeking information.
- Staff who smoke do not do so during working hours, unless a break and off the premises
- Staff who smoke during their break make every effort to reduce the effect of the odour and lingering effects of passive smoking for children and colleagues.
- The premises is non-smoking
- Smoking is strictly prohibited within the preschool premises and outside areas used by the children

### **Legal framework**

- The smoke-free (Premises and Enforcement) regulations (2006)
- The smoke-free (Signs) regulations (2012)

Your child's safety is our main concern and as such this will determine all action taken.

## **10. Arriving Late or Non-Attendance**

### **Statement**

To offer a reliable service to parents and children.

**Aim**

To ensure the preschool meets the required adult/child ratio, thus permitting the preschool to operate its sessions.

**Methods**

- Staff must notify the Preschool Manager or Deputy if they are unable to attend a session or if they are likely to be late as early as possible, either the night before or before 8.00am of the day of the session so cover can be arranged. Please remember if a staff member is not there, then the adult/child ratio is affected.
- Circumstances may make this difficult but every effort should be made to contact, keeping relevant telephone numbers at home and or stored in your mobile phone.
- It is advisable to keep a copy of all relevant telephone numbers.
- If a member of staff wishes to swap their sessions, this has to be agreed with the Preschool Manager.
- Staff are entitled to take sick leave for themselves only and the Preschool Manager will need to be informed.
- Staff will not be paid for any time off other than authorised sick leave or training.
- All effort will be made to accommodate emergencies but this has to be organised to suit both preschool ratios and staff.

Lee Churchill, Preschool Manager

Home: 01249 783483 or Mobile: 07977 954771

**11. Code of Conduct****Statement**

All members of staff and Committee are expected to conduct themselves at all times in a professional, courteous, helpful, warm and consistent manner.

Members of staff are expected to display both knowledge and understanding of child protection/safeguarding policies and issues, multi-cultural issues and a commitment to treating all children as individuals and with equal concern and respect.

Members of staff will have regard for wearing appropriate clothes and shoes when working with children and have awareness of health and safety issues. Uniform will be provided in the form of a branded polo shirt and hooded top, staff are expected to wear black trousers or similar to complement this. During hot weather staff are permitted to wear shorts or 'cut offs' providing they are dark in colour and suitable for work.

Denim Jeans should not be worn unless where no other alternative is available and then only as a temporary measure.

Footwear should be appropriate and comfortable.

Staff arriving at work not suitably dressed will be asked to return home to change when suitable cover is available.

Tattoos should be covered at all times if they depict images unsuitable for young children.

Visible piercings should only be worn if they do not present a danger to the children in our care or to the member of staff wearing them.

All personal mobile phones must be kept in the plastic box on the kitchen counter and the Managers permission has to be sought if staff need to make or receive a call.

Under no circumstances should any arguments or disagreements between members of staff or Committee occur in the presence of children or parent/carers.

No smoking, alcohol or drug use is allowed on the preschool premises.

No bullying, swearing, harassment or victimisation will be tolerated on the preschool premises.

## **CONFIDENTIALITY**

The Manager, staff and Committee members must respect confidentiality by;

- Not discussing individual incidents, behaviour or information of children in front of parent/carers and other children.
- Not discussing confidential matters about children with other parent/carers.
- Not discussing confidential matters about parent/carers with children or other parent/carers.
- Not discussing confidential information about other staff members.
- Only passing sensitive information in written or oral form to relevant people.

If a staff member or Committee member works or is involved with more than one setting they must be aware that they must not share information regarding children and families between settings. If you have child protection concerns regarding a child then please refer to the settings child protection policy.

Under no circumstances should staff provide any information about children to any branch of the media. All media enquiries should be passed in the first instance to the Manager.

Staff and Committee members using social media sites should never talk or discuss children or families who attend the preschool or discuss issues relating to the preschool or other confidential information. Staff cannot be 'friends' with current parents on any social media platform.

All staff, Committee members or volunteers must declare any conflict of interests that may;

- Allow you or a direct relation to benefit financially either directly or indirectly from the Preschool
- Directly conflict with the interests of another company or charity with which the Preschool is in direct competition

## **12. Confidentiality**

### **Statement**

It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our preschool.

### **Aim**

We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children.

### **Methods**

We keep two kinds of records on children attending our preschool:

#### 1. Developmental records

- These include observations of children in the preschool, samples of their work, summary developmental reports and records of achievement.
- They are usually kept in a locked filing cabinet and can be accessed and contributed to by staff, the child and the child's parents.

#### 2. Personal records

- These include registration and admission forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
- These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitably safe place.
- Parents have access, in accordance with the access to records procedure, to the files and records of their own children but do not have access to information about any other child.
- Parent helpers and students are bound by the preschool confidential policy. Anything seen or heard must only be discussed with a staff member of the preschool.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

### **Other records**

- Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.

- Students on Preschool Learning Alliance or other recognised qualifications and training, when they are observing in the preschool, are advised of our confidentiality policy and required to respect it.

### **Access to personal records**

Parents may request access to any records held on their child and family following the procedure below.

- Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the preschool manager.
- The preschool manager informs the chairperson of the management committee and sends a written acknowledgement.
- The preschool commits to providing access within 14 days - although this may be extended.
- The preschool manager and chairperson of the management committee prepare the file for viewing.
- All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. A copy of these letters is retained on the file.
- 'Third parties' include all family members who may be referred to in the records.
- It also includes workers from any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
- When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
- A photocopy of the complete file is taken.
- The preschool manager and chairperson of the management committee go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file.
- What remains is the information recorded by the preschool, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
- The 'clean copy' is photocopied for the parents who are then invited in to discuss the contents. The file should never be given straight over, but should be gone through by the preschool manager, so that it can be explained.
- Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the preschool or another (third party) agency.

Any breach of Confidentiality could have serious consequences for the person concerned. Confidentiality is brought to the attention of all staff/volunteers on appointment.

A confidentiality agreement should be signed and dated by each individual staff member/volunteer to be retained with their application and acceptance details.

All the undertakings above are subject to the paramount commitment of the preschool, which is to the safety and well-being of the child. Please see also our policy on Child Protection and Safeguarding.

### **13. Disciplinary and Grievance procedure**

#### **Statement**

It is our intention to provide a balanced and fair approach to disciplinary action and provide a clear grievance procedure. This document is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. Acorns Preschool is committed to ensuring that all staff at the setting should be treated in a fair, consistent and sensitive way.

#### **Minor disagreements**

Informal action will be considered, where appropriate, to resolve minor disagreements among Preschool staff. This can be achieved at a regular staff management meeting or informally by discussion.

#### **Disciplinary Procedure**

Where there is a more serious situation which arises, when a dispute cannot be resolved in an informal way or the manager or deputy is dissatisfied with the conduct or activities of an employee, a formal disciplinary procedure will take place.

Misconduct which may warrant action under the appropriate stage of the disciplinary procedure includes:

- Poor timekeeping or persistent lateness.
- Unauthorized absence from work.
- Wilful failure to comply with a reasonable instruction from a member of senior management
- Persistent minor breaches of health and safety requirements
- Foul or abusive language.
- Sexual or racial harassment which is not sufficiently serious to fall into the category of 'gross misconduct'.

The list is not exclusive or exhaustive and there may be other matters which are sufficiently serious to warrant categorization and consideration as either 'misconduct' or 'gross misconduct'

Any disciplinary matter will normally be dealt with using the following procedure. At every stage the employee will be given reasonable notice that a disciplinary hearing is due to take place to give them the opportunity to prepare their case, they should be given the opportunity to be accompanied by a member of staff or /union representative if they wish to do so.

Disciplinary matters will be dealt with in three stages:

- Oral warning
- Written warning
- Notice of dismissal

### **Oral Warning**

1. The employee will be interviewed by the disciplinary panel and the complaint explained.
2. The employee will be given the opportunity to fully explain his/her case.
3. After consideration by the panel and if a warning is considered to be appropriate, the employee will be:
  - Told what corrective action should be taken.
  - Given a reasonable length of time to rectify matters.
  - Given appropriate training if such needs have been identified, and given time to implement.
  - Informed of any mitigating circumstances that have been taken into consideration when reaching the decision.
  - Given a warning that if improvements are not made, then further action will be taken.
  - Informed that they may appeal against the decision within 5 days.

The employee will be advised that this is the first stage of formal procedure. A record of the improvement note will be kept for **3 months** and after that period of time it will be considered spent, subject to achieving and sustaining satisfactory performance.

### **Formal written warning**

If further action is necessary the employee will be interviewed and given the opportunity to state his/her case.

If there is a need for disciplinary action a letter will be sent to the employee.

- The letter will contain the reason for the reprimand.
- Explain the corrective action required and the time given to improve.
- Training needs that have been identified and the timescales for implementation.
- Warn that if improvements are not made in the time given further disciplinary action will be taken which could result in a final written warning which if unheeded could result in dismissal.
- Explain that an appeal could be made against the decision within 5 days.

### **Final written warning**

If further action is necessary the employee will be interviewed and given the opportunity to state his/her case, within 1 week.



A disciplinary action a letter will be sent to the employee.

- The letter will contain the reason for the reprimand.
- Explain the corrective action required and the time given to improve.
- Training needs that have been identified and the timescales for implementation.
- Warn that if improvements are not made in the time given further disciplinary action will be taken which could result in dismissal.
- Explain that an appeal could be made against the decision within 5 days.

### **Dismissal**

If the employee fails to make the agreed improvements then the employee will be interviewed as before and if the decision is to dismiss, the employee will be given the notice of dismissal, stating reasons and given the details of the right of appeal.

If progress is satisfactory, within the time given to rectify matters the record of warnings will be destroyed.

### **Gross Misconduct**

If after investigation it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- Theft or fraud
- Ill treatment of children
- Assault
- Malicious damage
- Gross carelessness which threatens the health and safety of others
- Serious incapability at work brought on by use of drugs or alcohol
- A serious breach of confidence

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation.

### **Appeals**

At each stage of the disciplinary procedure the employee has a right of appeal and that appeal must be made in writing to the Manager and Chair of the Committee.

The procedure will be informal and the employee may have a friend/colleague or trade union official to speak for them.

- The employee will state why they are dissatisfied and may be questioned.
- The Manager and Chair will be asked for their point of view and may be asked questions.
- Witnesses may be heard and questioned by the Appeals Committee and by an employee and Deputy Manager.
- The committee will consider the matter and make its decision.

A written record will be kept.

## **Grievance Procedure**

### **Informal grievance**

If an employee has a grievance it should be discussed in the first instance with the Manager. If the grievance persists a management committee should be set up for the purpose of further discussion. The employee is entitled to have a colleague present. Employees' grievances will be treated seriously and will be resolved as quickly as possible.

A grievance is a complaint by an employee about any aspect of his/her employment, e.g. nature or range of duties, conditions of service, relationships with other staff. The grievance must be one that lies within the powers of the management of the Preschool to resolve, e.g. it cannot be about matters determined by national legislation.

### **Formal grievance**

If the matter is serious and the employee wishes to raise the matter formally, the grievance should be set out in writing. If the grievance is against the Manager and the employee feels unable to speak to them directly, he/she should be able to talk to the Chair.

### **Grievance hearing**

The Manager or Chair will call the employee to a meeting to discuss the grievance, within 5 days of the grievance being received. The employee has the right to be accompanied by a colleague or trade union representative.

After the meeting the Manager or Chair will give you a decision in writing within 24 hours.

### **Appeal**

If the employee is unhappy about the decision and wishes to appeal he/she should let the Manager/ Chair know.

The employee will be invited to a meeting, within 5 days and the appeal will be heard by an Appeals Committee. The employee has the right to have a colleague or trade union representative present.

After the meeting the Appeals Committee will give a decision, within 24 hours. The decision will be final.

This policy was adopted at a Committee meeting of Acorns Preschool, Kington St Michael

Signed:

Chair

Manager

Date: