

## **Staffing**

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See also Appendix 2: Code of Conduct

## Staff Behaviour Policy

This document provides a guide for adults working and volunteering in Longleaze Pre-school and Nursery regarding acceptable and desirable conduct to safeguard both adults and children.

<b>Policy agreed:</b>	November 2021
<b>Next review:</b>	November 2022

<b>Key Personnel</b>			
Role	Name	Tel.	Email
<b>Manager</b>	Emma Flack	01793 848978	longleazepreschool@outlook.com
<b>Designated Safeguarding Lead (DSL)</b>	Emma Flack	01793 848978	<a href="mailto:longleazeprePre-school@outlook.com">longleazeprePre-school@outlook.com</a>
<b>Deputy DSL(s) (DDSL)</b>	Tracey Jacobs / Hayley Dewsbury	01793 848978	Ipsn@btinternet.com / longleazepreschool@outlook.com
<b>Committee member for safeguarding</b>	Sarah Champion		
<b>The key safeguarding responsibilities within each of the roles above are set out in Keeping Children Safe in Education 2020</b>			

<b>Designated Officer for Allegations</b>	01225 713 945
<b>Children's Social Care referrals:</b>	
Multi-Agency Safeguarding Hub (MASH):	0300 456 0108
Out of hours:	0300 456 0100
<p>If you believe a child is <b>at immediate risk</b> of significant harm or injury, you <b>must</b> call the police on 999.</p>	

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Signed by the Chairperson on behalf of the Committee.....  
To be reviewed at the next AGM in November 2022.

## Introduction

Longleaze Preschool is committed to providing positive academic, social and emotional outcomes for our children, underpinned by a strong safeguarding ethos. We are equally committed to the welfare of our staff, who are expected to adhere to the highest standards of professional behaviour to maintain confidence and respect of the general public and colleagues.

The committee will make sure that this policy reflects national and local requirements to protect and support the children and adults in our school.

We will fulfil our local and national responsibilities as laid out in the following key documents:

- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education (2021)
- The procedures of Safeguarding Vulnerable People Partnership (SVPP)

This policy:

- is based on the Guidance for Safer Working Practice for those working with children and young people in education settings (May 2019 with April 2020 Addendum).
- aims to provide a guide for adults about acceptable and desirable conduct to ensure that staff maintain safe working practice and so safeguard both children and adults.
- does not provide a complete checklist of appropriate behaviour for staff in every circumstance. Staff must make judgements about their behaviour to secure the best interests and welfare of the children in their charge and, in so doing, will be seen to be acting reasonably.

In *very exceptional* circumstances where a member of staff believes it is the best interest of a child to breach these guidelines, that person **must** tell the manager of the justification for any proposed, or action already taken, at the earliest opportunity. The manager will make a written record of that discussion including any areas of disagreement and actions taken.

## Scope

This policy is consistent with all other policies adopted by the governors and should be read alongside the **Child Protection and Safeguarding policy and the Staff Code of Conduct** as well as the following documents relevant to the safety and welfare of our children:

- Behaviour policy
- SEND policy
- Online/e-safety policy
- Health and safety policy
- Whistleblowing policy
- Complaints policy

**This policy applies to all staff and volunteers working at our school.**

For the purposes of this policy:

- 'Staff' refers to all those working for the school, full time or part time, on a temporary basis, or permanent, in a paid or regular voluntary capacity.
- A 'volunteer' is a person who performs an activity that involves spending time, unpaid in this preschool (except for approved expenses).
- A 'position of trust' is one in which one party is in a position of power or influence over another, due to their work or the nature of their activity.
- 'Child' refers to all children up to the age of 18. All adults are in positions of trust in relation to every child (and student over the age of 18) at our school.

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**It does not apply to** employees of external contractors and providers of services (eg contract cleaners). Such staff are covered by the relevant Code of Conduct of their employing body.

## **Expectations**

All staff:

- are familiar with this policy and have an opportunity to contribute to its review.
- understand their responsibilities to safeguard and promote the welfare of children.
- are aware that failure to meet the standards of behaviour and conduct in this policy may result in disciplinary action. This includes dismissal, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity.

## **Mandatory Procedures**

### **Confidentiality**

The sorting and processing of personal information is governed by GDPR (General Data Protection Regulations 2018) - see Data Protection Policy.

Child records are shared with those who have a professional need to see them. When staff have access to confidential information about colleagues, children or their parents/carers, the staff must treat such information in a sensitive and confidential way, sharing it only in the interests of a child and when legally permitted to do so.

Committee members should not routinely access child records. Exceptions to this would be for the purpose of an investigation in line with the school's complaint policy and procedures.

Staff and committee members will not use their position to gain access to information for their own advantage and/or a child's or family's detriment.

If a member of staff is concerned that a child is being abused, is at risk of being abused or may have been abused in the past, they will follow the agreed procedure set out in the flowchart 'What to do if you are worried about a child', displayed in the staff room/staff cloakrooms... See Safeguarding and Child Protection Policy.

If a member of staff is ever in any doubt about whether to share information or not, they should get advice from the designated safeguarding lead.

### **Staff relationships with children and parents**

#### **Staff responsibilities**

All staff know that:

- they are in positions of trust in relation to all children (and students over the age of 18) on roll. They ensure that the power imbalance is never used for personal advantage or gratification. They avoid behaviour which might be interpreted by others as an abuse of the position of trust, and report any incident with this potential to the manager. This includes sharing personal contact details with children or families.
- they have a legal duty to protect the interests of children and accept the obligations inherent in that responsibility.

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- they must not establish or seek to establish social contact with children to secure a friendship or to pursue or strengthen a relationship.
- they must inform the manager of any pre-existing (prior to the member of staff or child starting at the school) or new relationship with a child or close family member, which they feel, might compromise the school or their own professional standing.
- they should disclose any relationship or association (in the real world or online) that may impact on the school's ability to safeguard pupils.
- it is an offence (Sexual Offences Act 2003) for a member of staff in a position of trust to engage in **any** form of sexual activity with a child under the age of 18.

Certain behaviours are at odds with a position of trust. These include, but are not limited to:

- Harassment or discrimination based on any characteristic protected by the Equality Act 2010
- Loss of personal civility including, personal attacks or insults, displays of temper (such as throwing objects), unwanted physical contact (pushing, shoving, hitting) or the threat of the same.
- Staff must not swear, blaspheme or use offensive language in front of pupils, nor use language which is discriminatory and demeaning in any way.

Such behaviours are disciplinary offences and may be referred to Local Authority and/or the police.

### **Communication with children and parents, including social contact outside of the workplace**

Staff must use their professional judgement when requesting or accepting any social contact (including through social media). This means that they must:

- not accept any request from pupils for contact via any social media platform.
- make a judgement about whether to maintain the connection in any cases where contacts were made before the child started at the school (eg teacher being friend with a parent). Staff must discuss any decision to maintain such contact with the manager.

We acknowledge that staff may have friendships and social contact with parents of children outside of preschool. Staff will not engage in conduct outside work that could damage their professional reputation or the reputation of the preschool community.

Any contact between staff and children and/or parents that is deemed to bring the school into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions will always be investigated and could lead to disciplinary action.

Staff must not make sexual innuendos or any comments of a sexual nature to any pupil (other than in the context of sex and relationship education in the PSHE curriculum), nor make any comments trivialising alcohol or drug abuse.

Occasionally, pupils may develop an infatuation for a member of staff. In such situations, the advice of the Head/Deputy Head must be sought. Staff should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is beyond reproach.

Staff must inform the manager of any proposed or pre-existing arrangements between them and the families of children on roll that take place outside school eg baby-sitting, sports coaching, music tuition.

Staff are advised to wait until after an ex-pupil's 18th birthday before accepting any request on social media.

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## **Gifts, rewards, favouritism and exclusion**

Staff must:

- declare any gift they receive from a parent or child. This does not include small tokens of appreciation such as at Christmas or the end of the year.
- not give gifts to individual children. Any rewards or treats will be given only as part of the school's agreed behaviour (or other relevant) policy.
- advise the manager about the offer of any gift or hospitality, from outside or inside the school, which might be interpreted as an attempt to influence staff conduct towards children, parents or other employees.

## **Physical contact including intimate/personal care and behaviour management**

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child, in one set of circumstances, may be inappropriate in another, or with a different child. Any physical contact will be in response to the child's needs, of limited duration and appropriate to their age, stage of development, gender, background and any agreed support or care plan.

The use of physical intervention including the use of reasonable force will always be in line with the following policies (Special Needs policy, Supporting children with medical needs policy, Behaviour policy).

Staff understand that:

- on a daily basis, it may be entirely appropriate and proper for staff to have physical contact with children and that they do so in ways appropriate to their professional role and in relation to the child's individual needs.
- some children are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Whenever possible, adults seek the child's permission before initiating contact and are sensitive to any signs that the child may be uncomfortable *or* embarrassed.
- they have a responsibility to ensure the way they offer comfort to a distressed child is age appropriate.
- they must never touch a child in a way which may represent a misuse of authority or considered indecent.
- physical contact must never be secretive, or for the gratification of the adult.
- they should be aware of cultural or religious views about touching and be sensitive to the issues of gender.

If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances will be immediately reported to the manager/DSL and recorded in writing. If appropriate, the manager will consult with the Designated Officer for Allegations (DOFA).

Staff understand that a child who has suffered previous abuse or neglect may associate physical contact with such experiences. They recognise that such a child may seek out inappropriate physical contact and know to deter the child sensitively to help them to understand the importance of personal boundaries. Staff know that they must never indulge in play that involves rough-and-tumble or fun fights.

Children with disabilities may require more physical contact to assist their everyday learning. The arrangements are understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny. Staff always allow/encourage children, where able, to undertake self-care tasks independently.

If a child's behaviour presents a serious risk to themselves or others, a robust risk assessment and, where relevant, a physical intervention plan is always put in place and reviewed regularly. In all cases where physical intervention takes place, staff record the incident and subsequent actions and report these in line with the school's behaviour and safeguarding policies.

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## **First aid**

Staff adhere to the school health and safety policy, the policy for supporting pupils with medical conditions and for administering first aid or medication.

## **One to one situations**

Staff carefully consider the welfare needs of children when with them in a one to one situation. All spaces in the school are set up to allow any activity to be easily observed by other staff in the school. Windows and doors are kept clear from display materials to allow rooms to be overlooked. Internal doors remain open when practicable.

Children are provided with age/developmentally appropriate advice about managing distressing feelings that may arise during 1-1 situations in school. Staff will record any time a child has appeared upset/angry during a 1-1 session and will report this to their line manager.

## **Educational Visits and After-School Activities**

Staff remain in a position of trust during preschool activities that take place off the school site or out of school hours and so, they will ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Organisers will conduct risk assessments and adhere to Health and Safety guidelines. Staff/child ratios will be specified and where overnight stays are involved, and the composition of groups of children and the supervising staff will be carefully planned to keep all children and staff safe.

Health and Safety arrangements require members of staff to keep colleagues aware of their whereabouts, during an out of school activity. This means staff will always have another adult present in out of school activities, unless otherwise agreed with senior staff in the school.

## **Staff appearance** (Also applies to online and virtual teaching)

Staff must dress smartly, in clothing appropriate to the role, compliant with professional standards and not likely to be viewed as offensive, revealing or sexually provocative. It should not distract, cause embarrassment or give rise to misunderstanding. Political slogans must be avoided.

Any staff with tattoos that might be viewed as offensive, provocative or likely to give rise to misunderstanding must ensure those tattoos always remain covered when that adult is working for the preschool.

## **The acceptable use of technologies**

Staff must not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute. Staff should ensure that they adopt suitably high security settings on any personal profiles they may have.

Staff must be circumspect in their use of **all** social media or any other web-based presence that they may have, including written content, videos or photographs, and views expressed directly or by association

with websites/pages or posts established by others (eg 'liking', reposting or forwarding). This includes the use of dating websites where staff could encounter parents or students either with their own profile or acting covertly.

They must consider the long-term implications of any content published by them online, specifically how it might ever have an adverse effect:

- on their reputation as an individual working in an education setting

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- their ability to maintain good professional boundaries with parents and with children
- on the reputation of the school.

Staff must not access any content from the internet on personal device during preschool hours, on the preschool site, or on a school computer or device at any time that could bring the school into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions.

### **Exceptional operating circumstances**

If the preschool is required to change the way we offer our provision to children due to exceptional circumstances eg during a pandemic lockdown, staff safeguarding responsibilities to children will continue to apply, in line with the safeguarding policy.

The DSL will ensure staff, children, and families are provided with written:

- temporary changes to procedures for working with children eg online.
- timescales for such changes so that all children, families and staff understand when such arrangements will end, and arrangements revert to those in place prior to the events leading to the need for the temporary changes.

### **Photography and recording**

Staff are not permitted to use their phones, cameras, smart technology, or any device that can be used for photographing or recording children, when on duty for any purpose. Phones are kept in the designated area. Any pictures taken of children by the preschool will be in accordance to the preschool Mobile phone and camera published procedures.

Staff will not:

- take images of a child's injury, bruising or similar (eg following a disclosure of abuse)
- make audio recordings of a child's disclosure.

### **Concerns and allegations against staff (including supply teachers, volunteers and contractors)**

If a member of staff is concerned about the behaviour of a person working or volunteering at the school (including contractors), they will follow the agreed procedure set out in the flowchart 'Allegation against adults', displayed throughout the setting. See Safeguarding and Child Protection Policy.

### **Concerns and allegations against staff (including supply teachers, volunteers and contractors)**

If a member of staff is concerned about the behaviour of a person working or volunteering at the school (including contractors), they will follow the agreed procedure set out in the flowchart 'Allegation against adults', displayed in throughout the setting. See Safeguarding and Child Protection Policy.

Longleaze Preschool and Nursery operates a 'low-level' concerns policy in accordance with KCSIE. 'Low-level' refers to behaviour that is: inconsistent with expectations set out in this policy, including inappropriate conduct outside of work, and/or does not meet the allegations threshold, or is otherwise not considered serious enough to consider a referral to the DOfA.

All concerns, no matter how small, will be shared responsibly and with the right person, recorded and dealt with promptly and appropriately. This will serve our commitment to create and embed a culture of openness, trust and transparency in which the school's values and expected behaviour set out in this policy are constantly lived, monitored and reinforced by all staff.

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'Low-level' concerns could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

We also encourage all staff to self-refer to their line manager or DSL where they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

### **Whistleblowing**

All staff and volunteers are expected and encouraged to raise concerns about poor or unsafe practice and potential failures in the school safeguarding regime. All staff within the school who wish to raise an issue relating to the organisation with someone in confidence can use the following whistleblowing procedures:

In the first instance, concerns about poor or unsafe practice within must be raised with: Emma Flack.

Where a staff member feels unable to raise an issue with Emma Flack or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- A member of the committee: Kirsty Mallinson.
- The [NSPCC whistleblowing helpline](#) is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) if:
  - they think the concern will not be dealt with properly or
  - may be covered up or
  - if they raised a concern but it has not been acted upon or if they are worried they are being treated unfairly.

### **Training**

All members of staff and volunteers have read and signed to confirm they understand this Staff Behaviour Policy.

### **Induction**

The welfare of all children on roll is of paramount importance. All staff including volunteers are informed of this policy at induction and given the chance to question and discuss the expectations set out.

### **Staff support**

Work in schools is both rewarding and demanding. We support staff by prioritising time to discuss the challenges of their role linked to any aspect of this Staff Behaviour Policy with their line manager and seek further support as appropriate.

### **Monitoring and review**

This policy is reviewed annually or earlier as required by changes to legislation or statutory guidance.

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# Capability procedure

## 1. Introduction

This procedure applies to all employees who have successfully completed their probation period and establishes guidelines for line managers and employees in relation to the management of unsatisfactory performance. It is designed to ensure that cases of unsatisfactory performance are dealt with similarly and fairly, with the prime objective of improving an employee's performance to the required level.

## 2. Principles

The first step is to establish whether it is a misconduct or capability issue, as only concerns about work performance due to lack of knowledge or skills should be addressed through the capability procedure. For example, an individual incapable of working to required standards through no fault of their own should be taken through the capability procedure, whereas concerns about work performance due to carelessness, neglect or lack of effort should be dealt with through the disciplinary procedure as misconduct.

Managers have a responsibility for setting realistic and measurable standards of performance, for explaining these standards to employees and for supporting employees to achieve the standards set.

Managers also have a responsibility for making employees aware of the standards expected of them and where expectations change and develop over time, informing employees of these changes.

All employees have a contractual responsibility to perform their duties to an acceptable standard and are expected to be proactive in terms of ensuring that they are clear and understand the standards of performance required of them.

## 3. Informal stage

When there is evidence that an employee is not performing at an acceptable level, the line manager should investigate the circumstances without delay and make every effort to establish the reasons for the unsatisfactory performance.

If, following this assessment, the line manager considers that the employee's performance is poor due to capability then an informal discussion with the employee will be arranged.

At this meeting the key points to be covered by the line manager will be to make clear the areas in which the employee's performance is below expectations (explaining the grounds/evidence for this view) with the aim of identifying any

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problems or reasons for the unsatisfactory performance, which could be resolved. Solutions to the problem could include closer supervision, additional guidance, advice, training, coaching or some other kind of ongoing support to the individual.

Give the employee the opportunity to explain their unsatisfactory performance and to raise any concerns they may have about the job, or the support and guidance they have been given to do it.

Ensure that the employee is aware of the level of performance required in relation to each element of the duties about which there is a concern.

Set a reasonable time frame within which improvement is expected and arrange a further meeting at the end of this time to review the situation.

The content and outcome of this meeting will be confirmed by the line manager in writing to the employee, including the type of improvement required, any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review. The line manager should also make the employee aware of the consequence of failing to reach the expected standard of performance.

When discussing unsatisfactory performance, line managers must be specific about their concerns and demonstrate evidence and/or give examples to support their assertions.

At the end of the informal review period the line manager will need to write to the employee to confirm the outcome of the informal review period, stating either that performance targets have been reached, ending the process, or performance targets have not been reached, requiring a formal stage 1 meeting under the capability procedure.

If there is an improvement in the performance which is not sufficient, then the informal review period can be extended to allow the employee to reach the required level and demonstrate they can maintain the improvement over a sustained period of time.

#### **4. Formal stages**

Where an employee's performance fails to improve as a result of having being given relevant support, for example, guidance, advice, coaching or training, and performance remains below the required standard, then the formal stages of this procedure will apply.

It is important to make it clear to the employee, the outcomes of the various stages potentially resulting in the following sanctions:

- Stage 1 – First Written Warning (12 months on file)
- Stage 2 – Final Written Warning (18 months on file)
- Stage 3 – Dismissal

If an employee's unsatisfactory performance is sufficiently serious or gross negligence is alleged, it may be appropriate to move directly to stage 2 or 3. This might occur where the employee's actions have had, or are likely to have, a serious or harmful impact on a setting, a service user or person. Alliance members can use their free 24-hour legal advice line prior to taking the decision to move to a higher stage.

At any stage during the formal stages of the procedure, if the employee's performance meets the required standard and this is sustained, the process ends.

## 5. Stage 1 – Potential issue of First Written Warning

If there is continued unsatisfactory performance, the employee should be invited to a formal meeting to discuss the matter. The meeting will normally be conducted by the manager who will be accompanied by a trustee/Chairperson. At this meeting the employee will have the opportunity to explain their unsatisfactory performance.

At the stage 1 meeting the employee will be reminded of the earlier informal discussions and the steps taken to support an improvement in their performance. They will be told as precisely as possible, the reasons for the manager's continued concerns about their performance.

If, having heard any explanations offered by the employee, the line manager remains concerned and an extension is not appropriate, the line manager will write to the employee issuing them with a **First Written Warning** normally within 10 working days. The letter will indicate:

1. the unsatisfactory performance
2. the performance required
3. the improvement required
4. the timescale for improvement
5. any review date
6. any support that can be offered to assist the employee to improve their performance

7. the consequence of not meeting the performance targets
8. the right to appeal

This warning will be placed on the employee's personnel file and will be removed as spent after a period of 12 months.

At this meeting further consideration should be given to any additional training or support that could reasonably be provided to the employee to enable them to reach the required standard of performance.

A reasonable time period (immediately or within a reasonable timescale) will be set within which improvement is expected and a further meeting arranged at the end of this time to review the situation.

If there is improvement in the performance which is not sufficient, then the first written warning can be extended to allow the employee to reach the required level and demonstrate that they can maintain the improvement over a sustained period of time.

## **6. Stage 2 – Potential issue of a Final Written Warning**

If the problem is more serious, or if there has been a failure to meet the performance targets set at the stage 1 meeting, the employee shall be invited in writing to a stage 2 meeting, normally with at least ten working days' notice. The letter inviting the employee to the meeting shall set out the issues to be considered.

The meeting will normally be conducted by the line manager who will be accompanied by a trustee/ Chair as at the stage 1 meeting. At this meeting the manager will review the history of the case, including the steps that have been taken to support the employee to achieve the required level of performance.

If no satisfactory explanation is given for the failure to meet the required standard of performance, the manager will write to the employee issuing them with a **Final Written Warning** normally within 10 working days. The letter will indicate:

1. the unsatisfactory performance
2. the performance required
3. the improvement required
4. the timescale for improvement
5. any review date

6. any support that can be offered to assist the employee to improve their performance
7. the consequence of not meeting the performance targets, for instance, that the employee may be dismissed if no acceptable improvement in performance is achieved within the given timescale
8. the right to appeal as outlined in section 10 will apply (see below)

This formal and final written warning will be placed on the individual's personnel file and will be removed as spent after a period of 18 months.

Further consideration should be given to any additional training or support that could reasonably be provided to the employee to enable them to reach the required standard of performance. A review period (immediately or within a reasonable time scale) will be set within which improvement is expected and a further meeting arranged at the end of this time to review the situation.

### **7. Stage 3 – Potential dismissal**

If the employee does not improve as specified in the final written warning issued under stage 2, or where serious performance issues arise or gross negligence is alleged (and after such investigation as is appropriate in the circumstances), the employee will be invited to a stage 3 meeting. Where practicable the panel (who will decide the outcome) should consist of a minimum of two people not previously involved in stage 1 and 2.

A letter will be sent to the employee, normally ten working days before a stage 3 meeting, detailing the purpose of the meeting, and the circumstances that have led the employer to consider dismissing the employee. The employee will be invited to make any written submissions. The employee will also be advised that one consequence of the meeting may be the termination of employment. Prior to the meeting the employee will be provided with copies of the papers that will be considered at the meeting.

At the stage 3 meeting, the line manager normally will present the history of the case, including the steps that have been taken to support the employee to achieve the required level of performance. The employee's explanation will be heard and considered.

The person conducting and hearing the case will consider the facts of the case and any representations made. On the basis of the information presented the chair may decide on the following outcomes:

1. that there are insufficient grounds to dismiss the employee under this procedure
2. extension or renewal of a warning or final written warning issued under this procedure
3. that the employee should be dismissed on grounds of capability (with appropriate notice)

The above list is not exhaustive and the outcome may vary according to the circumstances of the case.

The decision will be confirmed in writing within 10 working days of the meeting and will notify the employee of her or his right to appeal against any sanction. In the event that the decision taken is to dismiss the employee, the letter will include the reasons for the dismissal and the date that her or his employment will terminate together with details of any notice arrangements.

## **8. Representation**

The employee has the right, if they wish, to be accompanied by a workplace colleague or trade union representative at all formal (stage 1, 2 and 3) meetings.

It should be noted that the representative/companion has no right to answer questions on behalf of the employee, to address the meeting if the employee does not wish him or her to do so, or to prevent the employer explaining its case.

## **9. Timescales**

Employees are required to take all reasonable steps to attend the meetings. However, should, for an unforeseen reason, either the employee, the line manager or their companion be unable to attend the meeting, it must be rearranged.

An employee will receive a minimum of 48 hours advanced notice in writing of any stage 1, 2 or 3 meetings arranged under this policy from receipt of the letter to the addressee. This letter will include a statement which sets out the areas of unsatisfactory performance and any other relevant circumstances. Where witnesses are to be called by the manager or the individual, prior notice of this should be given.

Should an employee's companion be unable to attend then the employee should make contact within 5 days of the date of the letter to arrange an alternative date that falls within 10 working days of the original date provided.

Time limits may be extended by mutual agreement.

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To be reviewed at the next AGM in November 2022.

**10. Right of appeal**

An employee has the right to appeal against any formal action taken against them in line with this procedure and must do so in writing to the identified person in their outcome letter, within seven working days of the date of the outcome letter, stating their grounds for appeal.

Normally for appeals, the Chair of the appeal meeting will not have had any prior involvement in the process.

Normally an appeal meeting will be arranged with the employee together with the line manager of the manager who issued the sanction (e.g. a trustee / Chair). This should happen within 15 working days of the employee’s request.

The appeal meeting will take into account any new evidence that either party may present and consider its relevance to the sanction imposed.

Where an appeal is upheld, reference to the warning or dismissal will be removed from file. Alternatively, the outcome of the appeal hearing may be to impose a lesser penalty, for example, a final warning instead of dismissal. The outcome of the appeal will be set out in a letter to the employee.

A letter detailing the outcome of the appeal should be issued within 10 working days of the appeal meeting.

# Disciplinary procedure

## 1. Introduction

This procedure is designed to encourage all employees to achieve high standards of conduct and work performance and also aims to provide a fair, effective and consistent method of dealing with disciplinary matters.

## 2. Key principles

Employees are expected to know the standard of conduct or work performance expected of them.

Employees will be provided with a management statement of the case prior to any disciplinary meeting and will be allowed to respond to any alleged fault or failing at the meeting.

At a disciplinary meeting and appeal, an employee is entitled to be accompanied by a recognised trade union representative or work colleague employed by the setting. Other external representatives may not accompany an employee.

For minor or isolated infringements of rules or expected behaviour, managers and supervisors should give employees informal advice, coaching and counselling as part of their supervisory duties.

Where an employee's conduct or performance fails to improve as a result of advice, coaching or counselling, or where the offence is more serious, then the disciplinary procedure will be applied.

A prompt and thorough investigation into the concerns will take place prior to a disciplinary meeting taking place. The employee will be informed that an investigation is taking place as soon as possible. The setting reserves the right to dispense with an investigation interview with the employee (suspected of contravening policies or rules), and to proceed directly to a formal disciplinary meeting.

The employee must take all reasonable steps to attend the disciplinary meeting and any appeal. Except in cases of gross misconduct, no employee will be dismissed for a first offence.

## 3. Categories of gross misconduct

Gross misconduct can include:

- theft, fraud and deliberate falsification of records, expenses, qualifications and other offences of dishonesty

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- physical violence
- serious bullying or harassment
- deliberate damage to property
- conviction of a criminal offence relevant to the employee's role
- gross negligence
- serious insubordination
- misuse of the setting's property or name
- misuse of electronic communications which defames individuals or brings the organisation into disrepute
- bringing the organisation into serious disrepute
- serious incapability whilst on duty brought on by alcohol, illegal drugs or legal highs
- serious negligence which causes or might cause unacceptable loss, damage or injury
- serious infringement of health and safety rules
- serious failure to comply with policies, procedures and legal requirements that safeguard children
- serious breach of the early years setting's and statutory policies
- serious breach of confidentiality (subject to the Public Interest (Disclosure) Act 1998)
- defaming or bad mouthing the setting on social networking sites
- serious breaches of the General Data Protection Regulation
- bribery and corruption

This provides the main categories of gross misconduct but is not an exhaustive list.

#### **4. Steps prior to deciding to take disciplinary action**

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When any incident of misconduct or negligence or poor performance is alleged to have occurred, the manager must establish the facts to decide whether there is a need for a disciplinary meeting.

Where appropriate/possible, signed written statements should be obtained as quickly as possible from the individual(s) concerned and should include where possible, dates, times, details of those present and the issues of concern.

## **5. Procedure**

At the earliest opportunity the manager must inform the employee that an allegation/incident has occurred and that an investigation is to take place.

Following an appropriate investigation, the manager must prepare a written statement of the employee's alleged conduct or characteristics, or of the circumstance which have led to the contemplation of taking disciplinary action. The manager must send the statement and any witness statements to the employee, including any evidence that will be relied upon at the meeting and invite her/him to attend a disciplinary meeting to discuss the matter. The employee should also be informed of their right to be accompanied at the meeting. Employees should be given an appropriate amount of notice of the meeting in order to prepare their response and to contact any witnesses that she/he wishes to call to the meeting to give evidence.

A disciplinary meeting must take place before any disciplinary action is taken, (except where the action in question consists of suspension pending a disciplinary meeting). At the disciplinary meeting, the manager (investigation officer) should ensure that the circumstances of the complaint against the employee are presented to the disciplinary panel and that the employee is provided with an opportunity to respond to the management case. The disciplinary panel will then decide whether or not to issue a disciplinary penalty. The outcome of the disciplinary meeting must be confirmed in writing within 10 working days, include the right of appeal and the name of the person to whom any appeal letter should be addressed.

Where practicable the investigating officer(s) will normally not sit on the disciplinary panel.

Where practicable the disciplinary panel should consist of a minimum of two people not previously involved in the case.

## **6. Appeal**

Any employee who feels they have been disciplined unfairly may appeal in writing to the person named in the disciplinary letter. All appeals must be submitted in

writing, clearly setting out the grounds for appeal, within seven working days of the date of the disciplinary meeting letter.

Normally an appeal meeting will be arranged with the employee together with the line manager of the manager, for example, the owner, who issued the disciplinary penalty, within 15 working days of the employee's request.

A letter detailing the outcome of the appeal should be issued within 10 working days of the appeal meeting.

## **7. Disciplinary penalties**

Managers should not issue any disciplinary penalties without a formal meeting.

There are five disciplinary penalties, which may result from misconduct:

- formal verbal warning (first formal warning)
- written warning
- final written warning
- dismissal with notice
- summary dismissal (dismissal without notice on the grounds of gross misconduct) The gravity of the offence will determine which disciplinary penalty is issued. All disciplinary penalties must be confirmed in writing.

## **8. Formal verbal warning**

Minor breaches of organisational discipline, misconduct or time keeping, or failure to meet performance criteria, may result in a formal verbal warning given by the line manager. The line manager may give this at a disciplinary meeting with the employee. The warning should be confirmed in writing. If the warning relates to unsatisfactory performance then it should set out:

- the performance required
- the improvement required
- the timescale for improvement
- any review date
- any support that can be offered to assist the employee to improve their performance

If the warning relates to conduct, then the nature of the misconduct and the change in behaviour required should be set out in the warning letter.

The employee may be accompanied at the meeting by a work colleague or a recognised trade union representative.

The warning will be placed on the employee's personnel file. After a period of [three months], if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

## **9. Written warnings**

If the infringement is regarded as more serious, or the employee's work or conduct are considered unsatisfactory after they have received a formal verbal warning and after a period has elapsed in which the employee has had time to remedy their work or conduct, a disciplinary meeting conducted by the line manager will be held.

The employee will be informed of the nature of the complaint and such evidence as may exist, and will be given an opportunity to respond. The employee will be told of the decision and given a letter of confirmation within [10] working days of the disciplinary meeting. The written confirmation will state:

- the date of the disciplinary meeting and those present
- the penalty imposed
- details of the misconduct, poor performance or poor time keeping that has occasioned a warning and the performance required or the change in behaviour required
- the timescales for performance improvement, where appropriate
- details of any necessary action to remedy the situation, any period of review, extra training or supervision etc., or the possibility for redeployment/demotion
- that any further misconduct etc. will result in a further disciplinary meeting and will normally result in a confirmed final warning, which if unheeded will result in dismissal with appropriate notice
- that there is a right of appeal

After a period of [six months], if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

## **10 Final Written Warning**

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If the employee's work or conduct fails to improve, or where the infringement is sufficiently serious, the manager will follow the same procedures as for issuing a written warning. If proven, a final warning, which will be in writing, will be given to the employee warning that any further misconduct will result in dismissal with appropriate notice.

After a period of [12 months], if no further disciplinary action has been found necessary and the breach has been resolved, the warning will expire.

## **11. Gross misconduct**

Employees dismissed with notice will be paid for this notice period. An employee may be dismissed without notice if there has been an act of gross misconduct, or a major breach of duty or conduct that brings the organisation into disrepute. The employee will be suspended with pay while the circumstances of the alleged gross misconduct are investigated.

A dismissal must be confirmed in writing within [10] working days of the date of the disciplinary interview. As well as covering the points stated in section 9 above, the letter should also include details of any outstanding money owed to the employee, how and when it will be paid and the final date of employment.

In certain cases, where a member of staff is dismissed from the organisation or internally disciplined because of misconduct relating to a child, the setting informs the Disclosure and Barring Service.

## **12. Suspension**

Suspension should be used in circumstances where the line manager needs to conduct an investigation prior to a hearing where it is felt that the impact of not suspending the employee, during the period, is more likely to be detrimental than suspending them.

Cases which involve potential gross misconduct will usually result in suspension, particularly when relationships have broken down or where the setting's property or responsibilities to other parties are involved, or where the employee's presence may prejudice the inquiry.

Suspension should be kept brief and reviewed to ensure that it is not unnecessarily protracted.

Where a member of staff is suspended because of alleged misconduct relating to a child, the setting informs Ofsted, social services and may also contact the Police and other relevant agencies.

**13. Timescales**

Employees are required to take all reasonable steps to attend hearings. However, should, for a reasonably unforeseen reason, either the employee, the line manager or their companions be unable to attend meetings, they must be rearranged.

Should an employee's companion be unable to attend, then the employee should make contact within [five] days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. Time limits may be extended by mutual agreement.

# Grievance procedure

## 1. Introduction

The following procedure should be followed in order to settle all grievances concerning any employee(s) of Longleaze Pre-school and Nursery.

## 2. Principles

The key objective of the procedure is to allow grievances to be settled quickly, fairly and at the lowest possible level within Longleaze Pre-school and Nursery, whilst allowing employees the opportunity to appeal to a higher level if necessary.

The procedure covers all employed staff in Longleaze Pre-school and Nursery who have a grievance.

It covers all matters which may become a source of grievance, excluding:

- those concerned with disciplinary action, unless the disciplinary action amounts to discrimination, or the action was not taken on the grounds of the employee’s conduct or capability
- decisions on strategic business issues, which are taken by the [trustees/owners/directors], but not excluding the operational impact of those decisions

Employees are encouraged to raise concerns verbally with their line manager (or employer) prior to raising a formal grievance.

Employees are entitled to be accompanied by a trade union representative or by a work colleague at a grievance meeting and appeal.

## 3. Procedure

Longleaze Pre-school and Nursery’s policy is to encourage free interchange and communication between managers and the staff they manage. This ensures that questions and problems can be aired and resolved quickly and that grievances are settled informally.

## 4. Informal procedure

If an employee has a complaint about their individual circumstances at work, then they are entitled to raise a grievance. Employees are expected to discuss ordinary day-to-day issues informally with their line manager through supervision meetings or if necessary request a separate meeting. Where this is not possible

employees should raise their concerns verbally with the next level of management, prior to raising a formal grievance.

If after seeking to resolve concerns informally, employees are not satisfied, then they should write to the setting explaining their grievance.

## **5. Formal procedure**

Employees must state in writing the nature of the alleged grievance and send the written complaint to their line manager.

Where the grievance is against their line manager, the matter should be raised with a more senior manager, normally the line manager's manager (for example, the appropriate trustee, owner or director).

Normally within five working days of receiving a grievance, the line manager will write to the employee, inviting them to attend a meeting where the alleged grievance can be discussed. The meeting should be scheduled to take place as soon as reasonably possible, and normally at least 48 hours' notice of this meeting should be provided to the employee.

Employees are required to take all reasonable steps to attend the meeting. However, should, for a reasonably unforeseen reason, either the employee, employee's companion, or the line manager be unable to attend the meeting, it must be rearranged.

Should an employee's companion be unable to attend, then the employee should make contact within five days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

At the meeting the employee must inform the manager hearing the grievance what the basis for the complaint is.

After the final meeting, the manager hearing the grievance must write to the employee informing them about any decision and offering the right of appeal. This letter should be sent within 10 working days of the grievance meeting and should include the details of how to appeal.

Should the employee consider that the grievance has not been satisfactorily resolved, then they must set out their grounds of appeal in writing within [seven] working days of receipt of the decision letter, confirming that they wish to appeal against the decision or failure to make a decision.

Within five working days of receiving an appeal letter, the employee should be invited in writing to attend an appeal hearing where the alleged grievance can be

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discussed. The appeal meeting should be scheduled to take place as soon as reasonably possible.

Employees are required to take all reasonable steps to attend the appeal hearing. However, should, for a reasonably unforeseen reason, either the employee, the line manager or the employee's companion be unable to attend the meeting, it must be rearranged.

Should an employee's companion be unable to attend then the employee should make contact within five days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

After the appeal meeting, the appeal hearing manager must write to the employee informing them of the employer's final decision. This letter should be sent within [10] working days of the appeal hearing.

This is the final stage of the procedure.

## **Working in partnership with other agencies**

### **Policy statement**

We work in partnership with local and national agencies to promote the well-being of all children. We will never share your data with any organisation to use for their own purposes.

### **Procedures**

- We work in partnership, or in tandem, with local and national agencies to promote the wellbeing of children.
- We have procedures in place for the sharing of information about children and families with other agencies. These are set out in our Privacy Notice, Information Sharing Policy, Safeguarding Children and Child Protection Policy and the Supporting Children with Special Educational Needs Policy.
- Information shared by other agencies with us is regarded as third party information. This is also kept in confidence and not shared without consent from that agency.
- When working in partnership with staff from other agencies, we make those individuals welcome in our setting and respect their professional roles.
- We follow the protocols for working with agencies, for example on child protection.
- We ensure that staff from other agencies do not have unsupervised access to the child they are visiting in the setting and do not have access to any other child(ren) during their visit.
- Our staff do not casually share information or seek informal advice about any named child/family.

When necessary, we consult with and signpost to local and national agencies who offer a wealth of advice and information that help us to develop our understanding of the issues facing us and who can provide support and information for parents. For example, ethnic/cultural organisations, drug/alcohol agencies, welfare rights advisors or organisations promoting childcare and education, or adult education.

## **Staffing policy**

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 enhanced criminal records and barred list checks through the Disclosure and Barring Service in accordance with statutory requirements.

To meet this aim we use the following ratios of adult to children:

- Children under two years of age: 1 adult : 3 children
  - at least one member of staff holds a full and relevant level 3 qualification and is suitably experienced in working with children under two;
  - at least half of all other staff hold a full and relevant level 2 qualification;
  - at least half of all staff have received training that specifically addresses the care of babies; and
  - where there is an under two-year-olds' room, the member of staff in charge of that room has suitable experience of working with under twos.
- 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.

We follow the Early Years Foundation Stage Safeguarding and Welfare Requirements where a Qualified Teacher, Early Years Professional or other suitable level 6 qualified person is working directly with children aged three and over between the hours of 8am and 4pm as follows:

- there is at least one member of staff for every 13 children; and
  - at least one other member of staff holds a full and relevant level 3 qualification.
- 
- The number of children for each key person takes into account the individual needs of the children and the capacity of the individual key person to manage their cohort.
  - We only include those aged 17 years or older within our ratios. Where they are competent and responsible, we may include students on long-term placements and regular volunteers.
  - A minimum of two staff/adults are on duty at any one time; one of whom is either our manager or deputy.
  - Our manager deploys our staff, students and volunteers to give adequate supervision of indoor and outdoor areas, ensuring that children are usually within sight and hearing of staff, and always within sight or hearing of staff at all times.

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- All staff are deployed according to the needs of the setting and the children attending.
- Our staff, students and volunteers inform their colleagues if they have to leave their area and tell colleagues where they are going.
- Our staff, students and volunteers focus their attention on children at all times and do not spend time in social conversation with colleagues while they are working with children.
- We assign each child 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.
- In line with Ofsted guidance we will inform Ofsted of any changes to our Registered Person (trustees of our provision and/or our manager)

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## Emergency staff absence policy

Generally our staff take their holiday breaks when the setting is closed. Where a staff member may need to take time off for any reason other than sick leave or training, this is agreed with the manager with sufficient notice.

We try and run with staff numbers above ratio so we can move staff around if needed. Also we always try and have the manager or a deputy on site but not formally in session who can be called on if needed.

If our 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 individual's contract of employment.

If the absence is for the long term we will make arrangements for staff to cover accordingly.

**Expenses policy**

Any reasonable expenses incurred by Staff or Committee Members (e.g. paper, printer cartridges, envelopes, stamps, refreshments, etc.) can be reclaimed following the procedures stated below:

- Purchases must be agreed before they are made
- Expenses form must be completed
- Receipts must be kept
- More expensive purchases to be discussed and agreed at Committee Meetings.

**Petrol Expenses**

Staff/Committee Members attending courses where they have to use their own transport may claim petrol back at the rate of 40p per mile. Please provide destinations, from and to, as evidence and the number of miles. Receipts are not required, however evidence and date of Course attended should be included.

**Expenses Form**



**EXPENSES CLAIM FORM**

Name : .....

Date : .....

Details :

**NB. For petrol Claims please specify destination, from and to, number of miles, Course and date attended. Petrol claimed at /mile.**

**For all claims (except petrol) you must attach a receipt.**

## **‘Key worker’ policy**

‘Each child must be assigned a key person. Their role is to help ensure that every child’s care is tailored to meet their individual needs, to help the child become familiar with the setting, offer a settled relationship and build a relationship with their parents’ (EYFS 2020)

We embrace the role of the ‘Key worker’ as described above in the Early Years Foundation Stage. We recognise that if a child feels happy and secure in the setting they will be more confident to play and explore, learn and become confident and independent. The role of ‘Key worker’ is built into the Job Description of a Pre-School Assistant and each member of staff is regularly monitored at one-to-one’s and Appraisals.

As soon as a new member of staff has completed their induction and it is felt that they are ready, they will be assigned a small number of children (possibly one child to start with) to whom they will be a ‘Key worker’.

### **The Role of the ‘Key worker’**

- Help child settle in, feel secure and confident and form a genuine bond with that child.
- Complete Child Profile and other paper work – form initial relationship with parents, collect information and ensure that relevant information is shared with other members of the team.
- Explaining our policies and procedures to parents with particular focus on policies such as safeguarding and our responsibilities under the Prevent Duty. Observe child.
- Become aware of child’s abilities.
- Find suitable ways of helping the child move forward using the most appropriate ways of learning for that child (audio, visual & connective).
- Ensure child’s day runs smoothly.
- Become aware of the child’s needs and obtain extra help from external agencies where appropriate.
- Maintain confidentiality.
- Be available for consultations and meetings.
- Reassure child/parent.
- Maintain records, assessments, progress etc. in Individual Learning Journal. □  
Ensure smooth transition between rooms/settings and to school.

### **The progress check at age two**

- The ‘key worker’ carries out the progress check at age two in accordance with any local procedures that are in place and referring to the guidance A Know How Guide: The EYFS progress check at age two.

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- The progress check aims to review the child's development and ensures that parents have a clear picture of their child's development.
- Within the progress check, the 'key worker' will note areas where the child is progressing well and identify areas where progress is less than expected.
- The progress check will describe the actions that will be taken by us to address any developmental concerns (including working with other professionals where appropriate) as agreed with the parent(s).
- The 'key worker' will plan activities to meet the child's needs within the setting and will support parents to understand the child's needs in order to enhance their development at home.

### **Attributes of a 'Key worker'**

- Approachable.
- Good Communication skills – keep parents informed.
- Good listener.
- Sensitive.
- Inclusive.
- Enthusiastic.
- Diplomacy – able to reassure parents that they are primary teachers.
- Knowledgeable – EYFS, Child Profile, Learning Journey, child's progress. □  
Attentive, friendly, smiling and welcoming.

### **Benefits to the Child of having a □'keyworker'**

- Feel more confident.
- Sense of belonging
- Brings out personality.
- Child is challenged and full potential is achieved.
- Ensures that progress is monitored.
- Good role model.
- Child more likely to form relationships with other peers and adults if they have a strong relationship with their Key worker.
- Child will benefit from the good parent/Key worker relationship – due to the understanding of abilities, achievements and interests at home Parents will pass on more information if at ease with the Key worker.
- Good Key worker will help child realise their own strengths.
- Enables child to relax and settle into new surroundings.
- Allows smooth transition into new rooms/settings and school.

# Induction of employees and volunteers policy

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

- We have a written induction plan for all new staff, which includes the following:
  - Introductions to all employees and volunteers including management committee members.
  - Familiarisation with the buildings, health and safety, and fire and evacuation procedures.
  - Ensuring our policies and procedures are read and adhered to.
  - Introduction to the parents, especially parents of allocated key children where appropriate.
  - Familiarisation with confidential information in relation to any key children where applicable.
  - Details of the tasks and daily routines to be completed.
- The induction period lasts at least two weeks but we normally view the entire 6 month probationary period as induction. The manager inducts new employees and volunteers. A member of the leadership team 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.
- Following induction, we continue to support our staff to deliver high quality performance through regular supervision and appraisal of their work.
- Each new member of the team will be provided with a mentor from the staff team to help with their induction and settling in.

## Recruitment and on-going suitability checks policy

We meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that our staff and volunteers are appropriately qualified, and we carry out checks for criminal and other records through the Disclosure and Barring Service (DBS) in accordance with statutory requirements. We maintain a single central record (SCR) of the essential checks as set out in KCSiE, that have been carried out and certificates obtained. All staff are subject to safer recruitment processes and checks and we follow the guidance set out in KCSiE.

In the event of an existing staff post or other position that the Committee deem appropriate being available at the Pre-School, the following procedures will be followed for recruitment:

1. A job description will be drawn up to indicate the job title, the individual to whom the new person will be accountable, the main responsibilities and duties of the post.
2. A person specification document will then be drawn up to explain the qualities, experience etc needed to do the job and whether they are essential or desirable.
3. The vacancy will be advertised, internally first and then externally, informing people of the basic elements of the position i.e. title, references needed, mix of essential and desirable factors, location, benefits, whom to apply to, manner of application, closing date.
4. Applicants will then be screened according to the person specification. Applicants not meeting the essential criteria will be rejected and the remaining applicants invited to a taster session. If the taster session goes well they will be interviewed to establish their suitability against the essential and desirable criteria.
5. All unsuccessful candidates will be informed and these applications will be held for a period of 3 months as evidence in the event of any claim for discrimination against the setting.
6. Interviews will be conducted by at least two people (usually the Chairperson of the Committee and the Pre-School Manager) and an Interview Assessment Form completed. Candidates will be compared against the person specification and in the event of equal attributes then against each other.
7. A conditional offer will then be made dependant on the outcome of the following checks: References, Qualifications, Disclosure and Barring Service (DBS) and Ofsted DC2. References will be followed up with a phone call to ensure that they are genuine.
8. These checks will then be carried out.
9. A Formal Offer and Contract of Employment will then be issued if everything is satisfactory.

We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection. 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

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placed at a disadvantage by our imposing conditions or requirements that are not justifiable.

### **Vetting and on-going checks**

We follow the requirements of the Early Years Foundation Stage and Ofsted guidance on checking the suitability of all staff and volunteers who will have unsupervised access to children. This includes obtaining references and ensuring they have a satisfactory enhanced criminal records check with barred list(s) check through the DBS. This is in accordance with requirements under the Safeguarding Vulnerable Groups Act (2006) and the Protection of Freedoms Act (2012) for the vetting and barring scheme.

- Where an individual is subscribed to the DBS Update Service we carry out a status check of their DBS certificate, after checking their identity and viewing their original enhanced DBS certificate to ensure that it does not reveal any information that would affect their suitability for the post.
- We keep all records relating to the employment of our staff and volunteers; in particular those demonstrating that suitability checks have been done, including the date of issue, name, type of DBS check and unique reference number from the DBS certificate, along with details of our suitability decision.
- Our 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.
- 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 and Ofsted will be informed.

## Staff Reference Policy

Whilst there is no legal requirement to provide references for former employees the setting recognises that it is necessary to provide written references for the purposes of gaining future re-employment. In this instance the Manager, Deputy or in some cases the Chairperson, will provide a written reference, if requested to do so in writing, within a period of up to two years of the former employee's departure. After this period of time a reference confirming dates of employment only will be provided on written request.

The reference will be accurate, factual and not contain any information which could be construed as defamatory or negligent. All references should state that the reference *'is given to the addressee in confidence and only for the purposes for which it was requested. It is given in good faith, but neither the writer nor Longleaze Pre-School and Nursery accepts any responsibility or liability for any loss or damage caused to the addressee or any third party as a result of any reliance being placed on it.'*

The setting will not provide telephone references other than to confirm suitability to work with children.

It is important to provide references where there have been safeguarding concerns, to ensure children are protected. In these circumstances the setting should take legal advice (using our membership with the Early Years Alliance 24 hour legal advice line) prior to responding to a reference request.

## **Staff Re-employment Policy**

Former employees of Longleaze Pre-School and Nursery will generally not be considered for re-employment.

The setting will however, review all applications for vacancies on an individual basis. It is at the discretion and agreement of the Manager, Deputy and Chairperson that candidates are interviewed and considered for appointment. In this instance, in exceptional circumstances, it may be the case that former employees of Longleaze Pre-School and Nursery may apply and be considered for advertised vacancies. All such applications will follow the standard recruitment process including suitability, reference and DBS vetting and in the event of an offer of employment the standard probationary period, terms and conditions will apply.

Re-employment of any former member of staff will count as a new period of employment and will not be considered in conjunction with any former period of employment in relation to pension or redundancy eligibility.

## **Staff taking medication/other substances policy**

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. Our 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 our 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.

## **Staff qualifications and training policy**

The leader of the pre-school will have obtained at least an NVQ Level 3 qualification in Child Care and Education or equivalent.

At least half of the rest of the staff will have obtained at least an NVQ Level 2 qualification in Child Care and Education or similar.

Details of staff personal and medical history will be easily accessible if needed. Any training and/or qualifications they hold will be recorded in their training folder which is held on the premises.

The pre-school leadership team (Manager, deputy and Chairperson) will work together through the year to provide regular one to one supervision meetings each term and an annual appraisal.

We have an induction programme for new members of staff. They will have a mentor (designated member of staff) who will ensure they are informed of the day-to-day running of our pre-school and our policies and practices. The length and depth of the induction will change depending on the competency of the member of staff being inducted.

Regular in-house and external training courses will be offered (where appropriate). Further training will be offered and paid for by the committee at their discretion.

## **Student placements policy**

We recognise that qualifications and training make an important contribution to the quality of the care and education we provide. 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 require students on qualification courses to meet the Suitable Person requirements of the Early Years Foundation Stage and have a satisfactory enhanced DBS check with barred list check(s).
- 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, colleges or universities placing students under the age of 17 years with us 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.
- Students and apprentices, over the age of 17, who are undertaking a level 3 qualification may be considered to be counted in the ratios if our manager deems them to be suitably qualified and experienced.
- We take out employers' liability insurance and public liability insurance, which covers both students and voluntary helpers.
- We require students to keep to our Confidentiality and Client Access to Records Policy.
- 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.

Agreed by the Committee of Longleaze Pre-School and Nursery at the AGM dated December 2021.

Signed by the Chairperson on behalf of the Committee.....

To be reviewed at the next AGM in November 2022.