

# Staffing Policy - Policy 1

Date updated: January 2019

## Contents of policy:

Section 1	What is the general information about this Policy?
Section 2	What are the aims, responsibilities and remit of this Policy?
Section 3	What about Staffing?
Section 4	What does induction mean and how does it happen?
Section 5	What is the attendance and absence procedure?
Section 6	What are the staff conduct requirements and prohibitions?
Section 7	What are disciplinary procedures and appeals?
Section 8	What are grievance hearings and appeals?
Section 9	Do you have a Self-employed and Franchise Staff Agreement?
Section 10	What is the Staff Induction policy and procedure?
Section 11	Where can I find Nursery forms?

## Section 1:

### What is the general information about this Policy?

The general information about this policy follows below and includes relevant policies that also apply.

### **What other Policies are relevant to this Policy?**

All Nursery Policies and procedures are relevant to this Policy.

### **What is the policy statement?**

We endorse this statement from the EYFS: *"The quality of the provision depends on the suitability of the adults providing day care. Ofsted makes a judgement about the suitability of all registration applicants and registered persons. Responsibility for deciding on the suitability of other prospective staff rests with the registered person."*

### **What is the staff responsibility for this policy?**

Managers have responsibility for monitoring this Policy. The Nursery Director oversees any issues that may arise or clarifications which may need to be made. Team members have a duty of care to comply with this Policy.

### **Who does this policy apply to?**

This policy applies to all members of the Nursery community, staff, students, parents, carers, early years professionals, authorised collectors, specialist teachers and all other visitors.

### **Who is responsible for monitoring this policy?**

Nursery Managers have responsibility for implementing this policy at all sites in the company at all times. Coordinators have responsibility for occasional audits.

### **What is the procedure for policy review?**

This policy will be reviewed periodically. Reviews may be required as a result of research, statutory changes in child care regulations, children's needs, parental consultation, police advice or suggestions from courses attended by staff. The Nursery Director is responsible for review.

### **What do we do if relevant law or the requirements for Nurseries changes?**

If relevant law changes, or the requirements or guidance for Nurseries change we update Policies. We always seek current advice as we from our legal advisors Bin cases relating to staff conduct, employment law or rights, staff expectations, and any other similar queries. The Nursery will follow all legal requirements at all times. It is the Nursery Manager's responsibility to ensure the correct action is discussed with the Nursery Director and then implemented accordingly.

## **Section 2:**

### **What are the aims, remit and responsibilities of this Policy?**

#### **What are the aims of the policy?**

This policy ensures the nursery upholds this statement from the Early Years Foundation Stage (EYFS): "Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so" and "...are suitable to fulfil the requirement of their roles". The purpose of this policy is to ensure that all staff understand their obligations, expectations, job role, attendance requirements, conduct expectations and what to do in the event of absence, ill health or any concern. The Policy also details the induction procedure for new staff. The Policy aims to support the fact that all staff have a contractual and moral duty to consider the children's interests as paramount, as well as a legal duty within The Children Act 1989 which states, "welfare of the child is paramount."

## **Section 3:**

### **What about staffing?**

#### **What qualifications and attributes do staff require?**

Along with those detailed in individual staff job descriptions, staff require the following:

- Qualified staff require suitable training, qualifications and experience as defined by Ofsted which changes periodically.
- A passion for working with young children.
- A commitment to provide outstanding quality of care.
- A commitment to safeguarding children and working with others to ensure that children are safeguarded and protected at all times when in the nursery.
- A clear understanding of Nursery Policy in how it relates to their role.
- The ability and commitment to implement Nursery policy.
- The ability to work successfully as a member of a team.
- The ability and commitment to fulfil their individual job description.
- The potential to be trained and for personal development.
- Outstanding communication skills.
- Outstanding record keeping skills.
- An outstanding understanding of safeguarding and Prevent Duty.
- An active DBS.
- A minimum of three positive written references. Four references are required for Managers and Deputies, unless they have had very long period of time in their most recent workplaces.

#### **How do we select staff?**

Throughout the process Nursery Managers must adhere to our Diversity Policy. Potential staff are selected through interview, appraisal of employment history, qualifications, identity checks, DBS checks, proof of right to work in the UK and references. All original certificates must be seen, and a new DBS check applied for even if the applicant is on the DBS update service. Copies of all staff records will be held on file. Potential staff are invited to complete a trial, longer trials are required for seniors. During a trial qualities can be accurately assessed. Potential staff are advised verbally and must complete declaration forms regarding convictions and cautions that may affect suitability to work with children. Failure to do this is breach of contract and can lead to summary dismissal.

#### **What about DBS checks?**

New Team members will apply for a new a DBS check even if they are on the update service. A DBS check must be underway before an employee starts at Nursery. All employment offers are subject to DBS clearance and other suitability checks. The Company acknowledges that delays to DBS checks can happen, and are not the fault of the employee or Company. A risk assessment needs to be undertaken if the Team member is not on the update service. Members of staff without a check must never be left alone with a child, change nappies unsupervised, take part in any personal care routines, be in the bathroom alone with children, or become a Suitable Person. It is the responsibility of the Nursery Manager to ensure

that all long serving staff renews their DBS's every three years even when a new staff member is part of the DBS update service. Occasional audits may be undertaken.

## How does the EYFS define a Suitable Person?

The EYFS states *"providers must ensure that people looking after children are suitable to do so and fulfill the requirements of their roles"*.

In addition to this, it also defines the following requirements:

- *"The Manager must hold a full and relevant Level 3 qualification."*
- *"Have at least two years experiences in an early years setting, or have at least two years other suitable experience."*
- *"The provider must ensure there is a named deputy who, in their judgement, is capable and qualified to take charge in the managers absence."*
- *"At least one person who has a current paediatric first aid certificate must be on the premises and available at all times when children are present, and must accompany children on outings."*

## How does the Company define a CF Suitable Person?

The CF Suitable Person here is defined by Children-First.info and is different to that defined by the EYFS. The company require more checks and suitability than the EYFS definition. For the purpose of best practice the role is called a CF Suitable Person. The company uses the definition of a CF Suitable Person to identify a senior staff member who has additional responsibilities to be left in sole-charge of the Nursery. This is usually the Nursery Manager, Deputy Nursery Manager, and Third-in-charge, but can also be extended to other senior staff members if they are thought capable and qualified.

To be a CF Suitable Person, the staff member must meet the following requirements:

- Be a 'senior' staff member in the nursery.
- Hold a full and valid paediatric first aid certificate.
- Have a clear and active DBS check.
- Be qualified to a minimum of a Level 3 in early years or other suitable qualification as defined in the EYFS.
- Pass a Suitable Person interview with a Nursery Manager.

If a CF Suitable Person has a DBS underway but it is not yet returned, then they are unable to be left in charge of any Nursery or alone in a room or with children. Other aspects of their job role may be continued, such as a Room Leader role, with due regard to the Children-First policy on staff who are not yet DBS cleared and a risk assessment.

## What qualifications and skills does a Nursery Manager or CF Suitable Person have to have?

A Suitable Person will have an interview with their Nursery Manager or a Nursery Coordinator to ensure their suitability status and compliance with the points below. Suitable skills and qualifications are:

- Fully understanding the EYFS Statutory Requirements, as well as any other requirements by Ofsted.
- Being able to implement the EYFS statutory requirements and Nursery policies.
- Being able to fulfil the job description of Nursery Manager.
- Relevant training as defined by the EYFS statutory requirements.
- Relevant suitable qualifications as decided by EYFS statutory requirements.
- Relevant experience with a minimum of two years in a senior role previously.
- Skills in communication, decision making, prioritising and managing.
- Ability to make decisions about the suitability of any staff or volunteers.
- An outstanding understanding of all Children-First Policy and procedures.

## What about staffing in the Nursery?

The Company follows the EYFS staffing requirements for all nurseries a minimum. This states that *"the Nursery Manager must hold at least a full and relevant level 3 qualification, there must be one level 3 staff member in each group room and at least half of all other staff must hold at least a full and relevant level 2 qualification"*. There must always be at least one member of staff on duty who is a CF Suitable Person and meets the requirements. Occasionally a staffing audit will be undertaken. An annual review of staff, pay, bonuses, qualifications and training ensure that the nursery has an ongoing development process in place. This process is linked to meetings during the year and the twice yearly appraisal process. On gaining a new

qualification staff enjoy a pay review.

## **What responsibilities do unqualified staff have?**

Unqualified staff are responsible for working with the children, getting to know the children, staff and parents, participating fully in nursery activities, developing their skills and learning about the Nursery policies and procedure through the induction process. Unqualified staff must not have responsibility for a key group until they have completed their probationary period. Unqualified staff must never be left with children even if they have a clear DBS unless in a complete emergency or whilst suitable staff are arriving to cover due to unforeseen circumstances. If employed as an apprentice, they must begin professional training during their probationary period once inducted into Nursery. Apprentices are employed in collaboration with a training provider. Failure to hand in work or complete the course will also affect employment by the Nursery and usually leads to further Supervisions or Appraisal of the apprentice and potentially disciplinary action and termination of contract.

## **What responsibilities do new staff have?**

New staff are expected to fulfil their job descriptions in context of the induction and probationary process. New staff must not be left alone with children until the Nursery Manager deems them competent. New Team members will have a key group after completing their probation or sooner at the discretion of the Nursery Manager. Formal reviews of probationary reviews are conducted by the Manager or Deputy Manager, there may also be supervisions resulting in a PIP.

## **What is a probationary period?**

The probationary period is defined in the employment contract. It is usually six months. If the Nursery has concerns in relation to an employee it can be extended by agreement with the Nursery Manager and the Company Director. Performance reviews should be completed at 1 month, 3 month and 6 months or more frequent reviews or supervisions if needed with the aim of improving performance or if the Team member requests this. Targets and Personal Improvement Plans (PIP's) are always set in all meetings. Probation can be extended subject to legal advice.

## **Can team members care for children out of hours?**

Staff at the nursery are entitled to care for children attending the nursery out of hours, providing it does not conflict with Nursery duties or relationships. This is not a requirement of staff, but a voluntary agreement entered in to between the member of staff and the parents involved. All arrangements of this kind must be made out of the Teams members shift pattern. The Nursery accepts no responsibility or liability for these arrangements, what happens within them, or the individual requirements of the children during these times. Staff are not permitted to take children into their personal car unless Nanny Insurance has been purchased, a copy of which must be kept in the Nursery and updated annually or each and every time the policy expires. There are no exceptions to this instruction. An 'Out of Hours Agreement' form must be signed by the employee, child's parents, and Nursery Manager beforehand. This can be found in the Parent Partnership Policy. Staff may not care for children out of nursery hours at any time if the care or relationships conflict with the interests of the Company, its children, other members of staff, or Children-First. Any such concerns must be brought immediately to the attention of the Nursery Manager so that a decision can be made as to whether there is a conflict of interests. The Company Director must be informed of all concerns. Where there has been a conflict of interests, staff are not permitted to baby sit. If the conflict continues then an investigation and disciplinary proceedings may follow. In all cases, should such a situation arise, the disciplinary procedure will be followed.

## **Section 4:**

### **What does induction mean and how does it happen?**

#### **What is Induction?**

New staff should be inducted following recruitment. Internal Team members changing role also need to go through an induction process regarding new responsibilities. Induction is the process of learning about the specifics of the new role, responsibilities, Nursery Policy and procedure. This part of the policy covers the following areas:

- Starting work and induction policy for new cover, part time and full time staff.
- Induction policy for temporary staff.
- Starting placements induction policy for students.

For the purposes of this policy temporary is defined as up to and including 20 working days. Any person

employed on a part time permanent basis or part time absence cover basis must be inducted according to the full time induction policy and the Nursery.

## **Who is responsible for the starting work and induction policy for new staff?**

Nursery Managers are responsible for this policy. If the Nursery Manager is absent, then the responsibility falls to the next most senior staff member on duty. Nursery Co-ordinators are responsible for inducting Managers/

## **What happened before a new part time cover or part time team member starts work?**

All new Team members will have been shown around the Nursery after their first interview and during their trial period. They will have met some of the Team and been given some information. Job descriptions within employment contracts, links to Policies on the website, Starters Forms etc, should be sent by email as soon as possible after the job offer is made. Copies of paperwork that needs to be returned can be sent by post or dropped in. If the employee does not have access to a printer they can collect paperwork or we can post it. Contracts must be signed and filed. New DBS's must be applied for even if the worker has the Update Service.

There must be two copies of employment contracts for each employee. The employee keeps one copy of their contract and job description, and the other is returned to the Nursery Manager to file in the employee staff file. Both copies must be signed by both parties. Managers sign on the behalf of Children-First.

All staff are informed of the new Team members DBS status through instructions from the Nursery Manager, and on the weekly staffing rota which must detail an employee's qualification and DBS status. The Room Leader of each room must know each Team members staff suitability of in their room; including cover staff if they are placed to work in their room that day. If the new team members DBS is still processing a risk assessment must be completed by the Nursery Manager.

## **What needs to happen before the first day of work for a new team member as part of induction? (PRE-START)**

New workers must visit for about half a day prior to their start. Additional information given will vary upon job role and be Nursery specific. The detailed Induction and Staff Training Schedule forms part of this policy and must be used for induction. Time worked will be paid for. All staff must be informed of the following procedures during their pre-start visit:

- A link to Children-First website for policies should be sent out to new team members before starting at Nursery by email.
- Policies must be read and all questions noted and ask during the pre-start visit.
- Links to online training will be sent out to new team members and the certificates for this can either be printed at home or sent to Nursery for printing.

## **What must happen during a pre-start visit?**

Staff must be informed of the following procedures during their pre-start visit:

- Policies are discussed and questions discussed. The sign off sheet is signed off.
- Fire procedures, pointing out exits, firefighting equipment, & evacuation instructions.
- DBS clearances, personal care routines, lone working, nappy changing.
- New staff must not open the entrance door, handover children, or release the door under any circumstances.
- Nursery security which is site specific.
- Mobile phones policy.
- Maintaining ratios.
- Nursery presentation standards.
- Children's allergies and/or dietary requirements list.
- Walk around nursery premises, with the Nursery Manager pointing out key safety points, such as safety gates, cupboard locks, etc.
- Personal social networking sites guidelines.
- Risk assessments.

There must be a timed planned fire evacuation practice to be co-ordinated by the Nursery Manager or Deputy. This will ensure familiarity with procedures. Team members will be paid for the pre-visit.

## **What is the induction procedure for new Managers?**



There is an induction procedure for all new Managers. Additional information given will vary upon aspects of the job role and be Nursery specific. The detailed Induction and Training Schedule procedure within this Policy must be used for induction. Managers will be inducted by a Coordinator, where possible. The Coordinator will be present at the Nursery for the first 2 weeks, or the new manager will be present at another nursery for the first 2 weeks, or a combination of both.

## **What is the induction procedure for temporary staff and agency cover?**

For the purposes of this policy temporary is defined as working at the nursery over 30 days. The policy for new staff will apply to any person who we intend to employ for longer than four weeks. It is the responsibility of the Nursery Manager or most senior member of staff on duty to deliver induction. Permanent staff must be informed whether temporary staff have DBS clearance. Agency Staff must have DBS and proof of identity checked before starting work with the children.

Temporary staff and agency cover induction must be delivered in the following areas:

- Safeguarding and child protection policy
- Fire procedures, pointing out exits, firefighting equipment, & evacuation instructions
- Temporary staff must not open the entrance door, handover children, or release the door under any circumstances.
- Nursery security which is site specific.
- Mobile phones policy must be kept in phone lockers monitored by CCTV.
- Physical contact and behaviour management.
- Maintaining ratios.
- Nursery presentation standards.
- Children's allergies and/or dietary requirements.
- Walk around nursery premises, with the Nursery Manager pointing out key safety points, such as safety gates, cupboard locks, etc...
- Temporary staff must not be left alone with children

Whilst showing the temporary person around the Nursery, a general job description and requirements should be defined. Within the Nursery all other conduct requirements and procedures apply to temporary staff. Permanent staff should be informed as to whether a temporary member of staff has appropriate DBS and qualifications. Temporary members of staff must not administer medicine, or act in loco parentis in an emergency.

## **What is the induction procedure for students?**

The student placement officer is responsible for the Induction of students and therefore the implementation of this policy. Where possible, the Room Leader of the student's room should be their mentor. Students must be shown around the nursery in the same way a new staff member would be. Students should be sent the link to Children-First website to get a feel for the Nursery and read the Policies. Managers must create students staff files with the required documents.

Students must:

- Be inducted into Policies in the same way as Team members.
- Understand student placement expectations.

The following procedures must be explained to students and unqualified staff. They must not:

- Administer medicine or first-aid.
- Be alone with a group or individual child.
- Take part in any personal care routines for children, such as changing clothes, nappies, etc. unless supervised as part of their learning requirements by a CF Suitable Person.
- Open the entrance door or handover children.
- Be responsible for managing children who have dietary requirements or allergies.
- Use mobile phones whilst working.
- Use the Nursery cameras unless used under strict supervision by a CF Suitable Person. The camera or memory card must never be taken off the premises.

At the discretion of the Nursery Manager, students may have the opportunity for paid employment in the Nursery when required to make up ratios, holiday or absence cover etc. If this is to occur, relevant employment checks must take place as per standard new employee procedures. All relevant checks will

be carried out as per recruitment procedure. In this case the student must be treated as if they are a new employee and must be followed.

## **Section 5:**

### **What is the attendance and absence procedure?**

#### **What days are included in the absence?**

Throughout this document, days of absence include any Bank Holidays, weekend days, or religious holidays which may fall within a sickness period. Periods of absence are also logged when a member of staff may go home during the day for an unforeseen reason. In these cases, the actual time the employee left is recorded. This may then be logged as time off in lieu (TOIL) or as unpaid.

#### **What procedure must a team member do on the first day of sickness?**

On the first day of absence the Nursery must be contacted before 7:30 a.m. regardless of shift start time. The exception to this is if the employee is due to start their shift at this time, in which case they must call the nursery by sooner. A phone call from relative, partner, spouse or friend is not sufficient unless the employee is hospitalised or in medical care. If possible the estimated length of absence should be stated. The Nursery must be informed by 3 p.m. as to whether absence will continue for the following day. Sickness must not be reported via email, text message, or any other method of communication. Failure to follow these procedures may result in disciplinary action.

#### **What must a team member do on the third day of sickness?**

A doctor's certificate will be required for the third and subsequent days. The certificate must state the condition of sickness and a return to work date. The Nursery will reimburse any reasonable charge made for the certificate.

#### **What must a team member do on the fourth day and onwards of sickness?**

A statutory sick certificate must be obtained from a medical professional. There is no charge for this. This will state a return to work date. Further certificates must be obtained if absence continues beyond the date covered by an initial certificate. Copies of certificates must provisionally be emailed to the nursery on the day of issue if the individual, or their representative, is not able to bring it to the Nursery. Upon returning to work the original certificate or certificates be provided on the day of return.

#### **What happens when a team member returns to work?**

An informal interview will be undertaken by the Nursery Manager. The return to work form will be completed. A record will be kept. This will enable any concerns to be raised, planning to be made and management analysis to be undertaken. A copy will usually be given to the employee.

#### **What happens when there is regular or frequent absence?**

The average sick absence in the UK was 4.1 days according to 2017 Office for National Statistics. If the Nursery Manager have concerns over a Team members absence a Supervision meeting will be held and a PIP completed. Absence totalling more than ten or more days occasional days or fifteen certificated days will result in a letter to being written to the Doctor to request information relating to underlying causes. Any charges for this letter will be covered by the Company. Appropriate action will be decided in line with legal advice. Nursery Managers will be responsible for keeping individual staff attendance records up to date to evaluate team member's absences.

#### **Can the Nursery require team members to have a medical examination?**

The Nursery may at any time require a member of staff who is unable to complete their duties fully, as a consequence of absences, to undertake a medical examination by a qualified medical practitioner. This is to see if there are any underlying causes of ill health. All staff have signed this agreement at the time of employment within their employment contracts. As far as possible, appointments will be made during the opening hours of the Nursery. Public transport travel costs will be met by the Nursery.

#### **What do team members have to do whilst sick?**

Staff that are unfit to work in the nursery are considered to be involved in rest and recuperation. Staff are not allowed to babysit, look after children from Nursery, be on Holiday, enjoying days out, complete driving test or have interviews during sick leave. Staff who are found to be completing duties which contradict their reason for absence will be invited to a meeting to discuss this during an investigatory meeting.

## **What about other absence?**

Occasionally Children-First does provide other leave.

## **Does the Nursery give maternity and paternity leave?**

All statutory regulations will be provided for. The Nursery and the person on leave will follow current guidelines relating to communication in order that adequate planning is made. The Nursery will ensure that the employee has a copy of the current guidelines. The Manager will consult with the Company legal team for confirmation on an employee's rights and obligations where a query may occur. This may include leave for adoption, fostering, IVF, shared parental leave, and any other similar leave and keeping in touch days.

## **What happens if a team member is called for jury service?**

The Nursery Director must be informed of any request for a member of staff to complete Jury Service. A decision may be made to apply to the court to defer or cancel. This is dependent on child and nursery requirements and the need for CF Suitable Persons. All statutory regulations will be implemented. Costs will be claimed from the court by the juror to offset against salary costs. The Juror must inform the Nursery as soon as they are released from service and are required to return to work. The Juror is required to inform the Nursery if they are sitting on a case which is expected to exceed their service period.

## **Can team members ask for compassionate or special leave?**

Leave must be requested in writing or by email. The Company Director and Nursery Manager will give sympathetic consideration to a request for absence for work on compassionate grounds or family grounds. Grounds may include bereavement, funeral, or serious illness of a very close friend or immediate relative or dependant e.g. father, child, sister, or husband. Each request will be considered on its own merits without recourse to precedent. Leave will be granted without pay.

## **How much annual leave do team members receive?**

Annual leave is granted according to contract. In the first and final years' service leave will be granted pro-rata based on the period worked in the year of leaving. Annual leave will be granted when other members of staff are in attendance to ensure adhesion to childcare legislation. Staff members will not normally be able to take more than two consecutive weeks at any time. Special consideration may be given for special circumstances without recourse to precedent.

## **How does taking leave affect Manager?**

Nursery Managers and Deputy Managers must not be absent at the same time. Managers across the company must not be on leave at the same time. This will be co-ordinated across the settings.

## **Will Children-First give unpaid leave?**

All leave must be requested in writing. In certain personal circumstances unpaid leave can be requested and granted. The Nursery Manager and Nursery Director will give sympathetic consideration to such requests. Permission may be granted, with due consideration to the requirements of childcare legislation. Any request will be considered on its own merits without recourse to precedent. Alternatives to unpaid leave will be considered at the request of the employee may be granted without recourse to precedent.

## **Does Children-First allow emergency leave?**

There will be occasions when written or email requests for emergency leave will be considered by the Nursery Manager. The circumstances surrounding the request will be examined with the employee on their return to work. In the case of a possible reoccurrence a pro-active or contingency plan will be made with the employee. Emergency leave will be classed as annual leave or unpaid leave on the basis of a written request which will be decided on sole discretion of the Manager, on a case-by-case basis. Each request will be considered on its own merit without recourse to precedent.

## **What happens when a team member takes unauthorised absences?**

Unauthorised leave is a breach of contract and is therefore is a matter for investigation, disciplinary consideration and action. Failure to notify the nursery of absence is considered unauthorised, including failure to follow the Company sickness procedure.

## **Do team members receive time off in lieu (TOIL)?**

Overtime worked by an employee will be logged as Time off in Lieu (TOIL), and must be recorded on the



correct form. TOIL must be requested and agreed by the Manager on duty before it is worked. TOIL is taken at the convenience of the Nursery. Requests to the Nursery Manager for TOIL, will be considered in the light of statutory childcare requirements. Time in lieu cannot be accrued and taken as annual leave.

## **What happens when a team member is late?**

Absence due to lateness must be deducted from TOIL or breaks. Persistent lateness is a disciplinary matter. Where TOIL is not available deductions from pay will be made.

## **What is absence whilst performing Nursery duties?**

There are times when members of staff, particularly senior members of staff, are required to perform Nursery duties outside the nursery premises, such as shopping for food or resources. Staff must carry out these duties efficiently and return to the nursery as soon as these duties are complete. Absence from Nursery premises in such circumstances is not considered absence from work.

## **Is there any other leave that can be taken by team members?**

Requests must be made in writing. Leave will be considered in the light of current statute. Any other leave considered by the Nursery Manager and not covered directly by this policy will be considered as a unique request. Any leave granted whether paid or unpaid will be made without recourse to precedent. All such requests must be referred to the Company Director.

## **Are team members allowed to carry over annual leave?**

Carrying over leave presents problems in coordinating staffing in the Nursery and maintaining continuity for the children. Nursery Managers and Deputies coordinate their leave through the Nursery Coordinator to ensure that only one Nursery Manager or Deputy is absent at one time. For Team members who have 28 days leave, this must be taken during the year as 28 days is the statutory minimum, which is pro-rata for part time staff.

## **Can team members take time off during working hours for medical appointments?**

Hospital and medical appointments in connection with a current pregnancy can be taken and will be paid according to legal requirements. For appointments for IVF treatment, legal advice must be sought. Proof of appointments must be given to the Nursery Manager before the appointment is attended, such as an appointment card, text or letter. All appointments for other treatment should be made outside working hours. Unpaid leave or TOIL may be allowed for other medical appointments. Requests for leave to attend appointments can also be made to the Nursery Manager for consideration. A decision will be made without recourse to precedent. Notice must be given where possible so that the company can arrange cover staff for ratios. Occasionally shift changes may be required to enable staff to attend medical appointments.

## **Can team members take dependents leave?**

Team members must request this in writing. Dependents leave will be granted according to statute.

## **Are there additional sources of information?**

Maternity rights - A guide for employers and employees URN 99/1191

Time off for dependants URN99/1186

Your guide to the working time regulations March 2000

ACAS telephone 08457 474 747 and FSB Legal help line 0870 513 3307

There are many on line Government websites which offer advice on line.

## **Section 6**

### **What are the staff conduct requirements and prohibitions?**

#### **What are the conduct requirements?**

Conduct standards, policies and procedures are written with regard to the ACAS code of practice, existing law and Children-First legal advice. They are subject to review as required. Throughout this document the term Nursery refers to Independent Place Nursery and Baby Nursery, Queens Pre School Day Nursery and Queens Baby Nursery. Staff members who have been employed by the Nursery for less than two years in any current continuous period of employment are not bound to be subject to disciplinary procedures. However the Nursery may, if it considers the situation appropriate, apply the procedures at its absolute discretion. The disciplinary procedures should not be confused with the required conduct requirements and standards which do automatically apply to staff at all times.

Nursery employees are required to:

## Attendance:

- Attend punctually during the hours required for them and have their attendance recorded and record their own attendance as required.
- Claim overtime or lieu time only on the basis that it outweighs time lost in unpunctuality.
- Obtain permission from their Manager, according to policy, if they wish to take leave, leave their workplace or activities during required hours of attendance.
- Take all breaks at the time designated by the member of staff responsible for arranging such breaks and return punctually.
- Provide appointment letters, cards, texts, or emails for all hospital or other health appointments.
- Give at least one working weeks request to attend any appointment including medical appointments, interviews or any other appointment unless submitted as an emergency request.
- Give an explanation or certificate for absence and late attendance as required,
- Inform the senior member of staff responsible for staffing as early as possible, according to policy, if they are unable to attend work through sickness and ill health.
- When away from work through ill health contact the member of staff responsible for staffing by 3.00 p.m. using the Nursery landline only if unable to attend work on the following day through ill health or other reason. Texts, or other social media messages and emails are not acceptable. If in hospital a relative may phone.
- Attend Parents' Evenings, Staff Meetings, open days, charity fund raising events, and other meetings which are contractual obligations including up to two Saturdays a year.

## Competence:

- Provide a caring relationship and a stimulating environment for children.
- Complete punctually all the activities required of them including Key Group, records, planning.
- Fulfil their job descriptions.
- Adhere to and put into practice Nursery Policies and procedures, especially those which affect the health safety and welfare of children, equal opportunities, OFSTED or any other law or requirements made in law or by the secretary of State for education or Social Services.
- Ensure that collection of children and entry to the building procedures are adhered to.
- Ensure that telephone calls and messages are logged in the log book, messages are passed on to the correct person, parents are informed of accidents, illness, medicine involving their child, activities that their child has been involved in and what their child has eaten.
- Establish and maintain positive working relationships with all members of the Nursery community and outside agencies.
- Must contribute to ensuring that they run the Nursery to an outstanding standard and continually improve the care given as defined by job descriptions, current law and policy.
- Actively engage in training offered by the Nursery when required to do so.
- Adhere to procedures and policies written in relation to equality laws.

## Keeping informed:

- Acquaint themselves with all policies and procedures relating to the Nursery and their particular responsibilities.
- Keep up to date and implement changes in policy and practice.
- Read and where required, contribute to the monthly Newsletter that is sent out to parents.
- Read all OFSTED documentation regarding outstanding practices.
- Read any requirements or changes in the EYFS, Ofsted requirements and in law as they are issued.

## Personal information:

- Ensure that their current details whether temporary or permanent are given in writing to the office as soon as there is any change, these details include name, address, telephone and mobile numbers, marital status, aliases, and their right to work.
- Staff must regularly complete declarations of suitability as required.
- Ensure that they contact Managers on Managers work phones and not on Managers personal phones.
- Ensure that policy is adhered to in terms of calling Managers on their work phones in terms of absence or sickness.
- Ensure that in the case of emergency in Nursery, staff only contact Managers on their work phones and

not their personal phone if the Manager is not on the Nursery premises.

- Staff must inform Managers immediately of any changes to medication which may adversely affect their performance and must clarify the suitability of such medication with a doctor.

### **Lost property:**

- Immediately hand over items of lost or found, property found on Nursery premises to the senior member of staff on duty.

### **Personal appearance and hazards:**

- Be clean, neat and tidy in appearance, clothing must be ironed.
- Adhere to the contractual uniform requirement of Nursery tops, plain black trousers or long shorts, black socks, trainers or slippers as required.
- Wear appropriate clothing, corporate clothing or protective clothing as required.
- Wear a minimum of jewellery and ensure that the design of such jewellery could not harm or injure young children, or themselves, even in an emergency, for example when catching a child who is tripping.
- Wear only gel nail varnish is allowed in a natural tone. The maximum length of 0.5 cm beyond the fingertip is allowed. The Manager on duty has absolute discretion in deciding if a Team members nails are appropriate or not. If in any doubt Team members must discuss with their Manager before having gel nails applied.
- Brush their teeth or take other appropriate action before resuming work with the children if they have been smoking cigarettes.
- Use a body spray after smoking and before resuming work with the children.

### **Contact with children:**

- Show affection to children in a sensitive, gentle, caring way that cannot be misinterpreted.
- Treat all children with respect, equality and inclusion.

### **Equality, diversity and inclusion:**

- Give all children equal access to curriculum, differentiate curriculum to ensure all children can take part equally, ensure all children have developmental observations on them.
- Implement the Nursery Equality Diversity and Inclusion Policy.
- Treat all job applicants, children, parents and visitors fairly and impartially regardless of race, sex, marital status, sexual orientation, religion, dietary needs, allergies or disability and work with inclusion in mind.
- Show equal respect all members of the Nursery Community.

### **Working time:**

- Dedicate all working time and attention during working hours to the care of the children and managing the work contained within individual job descriptions.
- Attend as required and claim wages and LIEU strictly for time worked.
- Ensure that personal mobile phones, or other personal technology, are kept with personal belongings in staff areas or in the lockers as required on each Nursery premises.
- Contribute to Children-First, social media, website or other relevant in a way which positively reflects and benefits the Nursery and the Nursery Community, whilst being mindful must be mindful of appropriate safeguards as social media is a public forum.

### **Nursery Premises:**

- Ensure that the Nursery premises are securely locked and all hand held electrical appliances are turned off and unplugged, child socket safety plugs replaced as appropriate.
- Ensure that the Nursery premises and equipment both indoor and outdoor including car parks are safe secure and present no hazards. Report immediately any concerns to the senior on duty.

### **Bonuses:**

- Claim bonuses which are rightfully theirs and for which work has been thoroughly and accurately completed.

### **Policies:**

- All team members must adhere to all Policies at all times within the Nursery.

## **Reputation of the Nursery and social media, phones and ICT devices:**

- Post positive comments about the Nursery and it's staff on social media.
- Refrain from discussing Nursery with friends on social media with parents, authorised collectors or carers.
- Be mindful of not posting anything which could affect the Nursery reputation, their own reputation, or colleagues reputation, especially when they state that they work at Nursery. This applies to all forms of social media.
- Ensure that notifications are off on watches and similar devices whilst working with the children in the Nursery or out of the Nursery. e.g. trips and training. Devices include Fitbits, Apple Watches and everything else similar.
- Ensure that all devices are placed in lockers during working time in Nursery other than watches. Tablets, iPads and other devices must be placed in staff lockers. Each Nursery has a phone locker and staff phones must be placed in the phone lockers which is monitored by CCTV.

## **Whistleblowing:**

- Whistle blow if there are any concerns about a member of the Nursery Community if there is an awareness of serious conduct issues, about quality of care of the children or any other serious concern or behaviour which could cause offence or if the reputation of the Nursery could be compromised.
- Whistle blow if there are any issues in relation to data or privacy being compromised.

## **What are conduct breaches and prohibitions?**

This is not intended as an exhaustive list but rather a demonstration of the types of behaviour that are unacceptable. Team members employed at the Nursery must not:

## **Physical contact and punishment of children:**

- Engage in any form of physical punishment of children at any time, even if the parent has said they would want this or threaten to do so (EYFS 3.53). In such a case the parent must be told that it is Nursery policy, EYFS regulations and that there is no physical punishment of children.
- Raise their voices, threaten, bully, or tease children in a way that is upsetting.
- Engage in any form of emotional or physical cruelty or abuse to children.
- Engage in any form of inappropriate physical play that is open to misinterpretation

## **Team member's medication:**

- Staff medication is not permitted in the nursery rooms under any circumstances unless it has been deemed an emergency medication by a GP or Consultant, written confirmation must then be submitted to the Manager who will sign it and log it in their staff file and inform the Nursery Director.
- All emergency medication must be clearly labelled and kept in the medicine cabinet.
- Paracetamol and all other medication must be kept in the staff lockers or bags in staff areas, and must never be placed in pockets.
- Where possible staff medication should be taken at home when a team member is not on duty.
- Medication must never be within reach of the children, or in the Nursery rooms which the children use.
- Failure to inform the Manager of medications required and failure to provide details on medication forms in the team members file.

## **Insubordination:**

- Engage in insubordination, obstructive or violent conduct.
- Refuse to obey reasonable and, or lawful instructions in relation to their contract or variation of contract.
- Work in a deliberately slow or dilatory manner.
- Deliberately working below the required standard,
- Behave in a obstructive provocative or disruptive way,
- Behave in an aggressive, bullying, violent or unruly way, including such things as name calling, ignoring other members of staff, coercive behaviour, or forming covert sub-groups.
- Misreport actions or statements by another member of staff or senior member of staff.
- Refuse to co-operate in an investigation concerning staff conduct in Nursery.
- Refuse to co-operate in an investigation of an accident or incident in Nursery.
- Confront another member of staff, senior staff, parent or visitor in an inappropriate way.
- Refusal to engage in any other aspect of work which is fair and reasonable to expect.

## **Loans:**

- Borrow any item of Nursery property without the written consent of the Manager.
- Borrow any money from the Nursery without the written consent of the Manager, this may any be agreed in an emergency without recourse to precedent.
- Fail to log and return any money or property to the Nursery within the date agreed at the time of the loan.
- Borrow or lend any property or money from another member of the team.

## **Nursery premises and resources:**

- Gain access to or attempt to gain access to Nursery premises whilst the Nursery is closed without the prior written consent of the Nursery Manager.
- Use any resources belonging to the Nursery without prior written consent of the Nursery Manager whilst the Nursery is closed.
- Not report any concerns or potential risks in relation to premises car parks and outdoor areas.

## **Notices:**

- Exhibit or display notices on Nursery premises which are inappropriate, or may jeopardise safeguarding children, e.g. an advert from an unknown baby-sitter offering services.
- Display any notices for services of parents, friends, relatives, local services, businesses, community groups without the consent of the Nursery Manager.

## **Smoking and alcohol:**

- Smoking within the Nursery buildings at any time, smoke in a place which is clearly visible to parents, other visitors arriving at the Nursery, or members of the local community.
- Smoke whilst uniform is on display.
- Smoke in a place from which smoke can drift into the Nursery building.
- Dispose of cigarette butts in an inappropriate way or place.
- Smell of cigarettes or have breath smelling of cigarettes.
- Drink alcohol or be hungover either before being on duty, whilst on duty, or during any parents event. (EYFS 3.19)

## **Safety:**

- Fail to comply with all health and safety policies and procedures.
- Give a child food or food containing an allergen that they are sensitive too.
- Give a child food or food containing something that their preferences do not allow, e.g. meat to a vegetarian child.

## **Gambling:**

- Bet or gamble whilst at work.

## **Personal use of Nursery property, resources, time, bonuses:**

- Use Nursery resources for personal use, or claim bonuses for which work has not been thoroughly and effectively completed recorded.
- Use the Nursery computer for personal use during working time.
- Use the Nursery phone for personal calls.
- Make personal calls during working time.
- Take food from the kitchen for their own enjoyment.

## **Welfare of the children:**

- Engage in any behaviour which adversely affects the welfare and education of the children.
- Call in sick, when engaged in any other inappropriate activity, therefore lying and affecting the safe and effective management of the Nursery and being absent from the children.
- Engage in activities which adversely affect the adult, child ratios or cause offence.

## **Reputation of the Nursery and social media, phones and ICT devices:**

- Engage in any activities whether lawful or unlawful which adversely affects the reputation of the Nursery Community including via social media.
- Team members should not be friends on social media with parents, authorised collectors or carers.



- Team members who decide to be friends of follow other team members and, or parents and carers, must be mindful of not posting anything which could affect the Nursery reputation, their own reputation, or colleagues reputation, especially when they state that they work at Nursery. This applies to all forms of social media.
- Receive any form of personal social media notifications on any devices whilst working in the Nursery or on duty out of Nursery, e.g. trips and training. Devices include Fitbits, Apple Watches and everything else similar.
- Have any personal devices such as phones, tablets, iPads or any other personal device in the rooms whilst working with the children, on trips or outings with the children.

## **Data protection and privacy:**

- Give any information relating to the children or any member of the Nursery community, to any other party including other parents, other than the child's own parent or carer.
- Divulge information relating to previous children, parents carers and staff to any other person or agency without the express consent of the Nursery Manager.
- Divulge any information concerning staff investigations, grievances and disciplinary actions to other members of the Nursery community.
- Access data which is not required in the normal course of their work
- Enter the office unaccompanied if they are a CF, Suitable Person.

## **Polices:**

- Not adhere to all Polices in Nursery.
- Not adhere to policies that apply which are relevant to life outside of the Nursery, these include activities on social media which may bring other Team Members or the Nursery into disrepute.
- Refuse to read Nursery Policies when required to or as part of their training or ongoing training.

## **Whistleblowing:**

- Not report or whistle blow if there are any concerns about a member of the Nursery Community if there is an awareness of serious conduct issues, about quality of care of the children or any other serious concern or behaviour which could cause offence or if the reputation of the Nursery could be compromised.
- Not report or whistle blow if there are any issues with a Team member in relation to data or privacy being compromised.

## **What conduct governs relations with the Nursery community?**

In all dealings with the public, parents, suppliers and any organisation with which the Nursery:

### **Impartiality:**

- Be fair and impartial.
- Respect all members of the Nursery Community fairly and as individuals.
- Adhere to the Equality, Diversity and Inclusion Policy.

### **Relationships:**

- Give a prompt and efficient service.
- Always have a helpful and courteous manner.
- Ensure that all relationships with members of the Nursery community are positive, professional and fair.
- Ensure that they do not borrow or lend any money or property from or to Nursery parents.
- Ensure that the handovers of each session are informative, relaxed and present a positive image of the Nursery and it's care, education, treatment of children and other staff, ensure that information shared is balanced.

### **Policy requirements with legal implications:**

Team members are required to comply with all legislation and common law requirements affecting their work and the Nursery reputation. Nursery staff who commit criminal offences against the Nursery are liable to prosecution as well as disciplinary action including dismissal. Team members must be mindful of all Policies with legal implications. Reports to Ofsted and the LADO may be required in some instances.

### **It follows for example that Nursery staff are not permitted to:**

## **Punishment.**

- Use physical punishment.
- Use the threat of physical punishment.
- Exclude of a child or other cruelty.

## **Illegal drugs and alcohol.**

- Be under the influence of alcohol or drunk whilst at work, this includes parent's evenings or any other function which involves parents.
- Possess or misuse, or be under the influence of any illegal drugs whilst on Nursery premises and/or on duty,

## **Lawful acts.**

- Breach any Policy with legal requirements or implications.
- Be engaged in any illegal activities.
- Breach any safeguarding requirements or Ofsted requirements.
- Be involved in any activities which breach obscenity, offence or harassment laws.

## **Equality, diversity and inclusion.**

- Behave, act or exhibit any form of stereotyping, sexism, racism and any other form of prejudice.

## **Bullying.**

- Behave in a bullying manner, exhibiting any form of exclusion by forming a sub group, malicious gossip, name calling, coercive behaviour or cruelty to any member of the Nursery Community.

## **References.**

- Provide references for any current or ex team member on behalf of the Nursery. (All references must be produced by the Nursery Manager, agreed by the Nursery Director, and contain a disclaimer. Student references will be produced by the Student Placement Officer, contain a disclaimer and be agreed by the Nursery Manager.)

## **Theft and damage.**

- Damage or steal Nursery property or fees, or any other money belonging to the nursery.
- Use the Nursery phone for any personal calls.
- Claim time for payment which has not been worked or claim overtime bonuses or time in lieu for which they are not due.
- Remove food from the kitchen for personal use either whilst working or to remove food from the Nursery for consumption elsewhere.
- Remove resources from the Nursery for use elsewhere.

## **Corruption and fraud.**

- Participate in fraud with regard to Nursery contracts, or Nursery clients.
- Corruptly solicit or accept gratuities or gifts.
- Falsify timesheets, attendance, sickness, LIEU time, holiday records or bonuses.
- Obtain an absence by falsifying illness.
- Falsify fee or petty cash receipts.
- Inform the Nursery that they are sick and then engage in work of any kind, go on holiday, or enjoy the day engaging in activities which would mean that they are fit for work. A claim for statutory sick pay in this situation is liable to prosecution by outside agencies.

## **Commercial confidentiality, data protection and privacy.**

- Divulge any information or data about the Nursery, staff, parents or it's children to any outside agencies, friends, parents, family, that may compromise the Company.
- Divulge any information or data that requires privacy.

## **It follows that nursery staff are required to:**

### **Child protection.**

- Be aware of the signs of child abuse. Report immediately to the Designated Safeguarding Lead or senior

member of staff on duty all concerns however minor.

- Adhere to the Nursery's Safeguarding Policy.
- Be aware and implement Policy relating to equality, Prevent Duty, special needs and data protection.

## **Equality, diversity and inclusion.**

- Required to actively support British Values, equality and diversity at all times in whilst in Nursery and during working times.
- Required to inform a Manager immediately if they have a concern regarding a member of the Nursery community in relation to equality and diversity, racism, discrimination or British Values.

## **Crime prevention.**

- Acquaint themselves with the locking up procedure and ensure it is completed effectively.
- Report to the senior member of staff on duty any instances of suspected, proposed and completed crime against the Nursery themselves.
- Report immediately any concern about other member of staff, this includes, safeguarding children, illegal drugs and being under the influence of alcohol or having a hangover.

## **Bullying.**

- Inform the Nursery Manager immediately if they become aware of any intimidating behaviour, name calling, ignoring, ostracising, coercive control or covert group forming.

## **Arrests, convictions and cautions.**

- Report to the Nursery Manager if cautioned, arrested by the Police, refused bail or convicted by a court of any criminal offence. The Nursery will report these to the LADO and inform OFSTED as they may affect a person's DBS. The Manager must report such instances to the Nursery Director.
- Report to the Nursery Manager if another Team member is if cautioned, arrested by the Police, refused bail or convicted by a court of any criminal offence.

The Nursery will report these to the LADO and inform OFSTED as they may affect a person's DBS. The Manager must report such instances to the Nursery Director.

## **Section 7**

### **What are disciplinary procedures and appeals?**

#### **What are the procedures?**

The Nursery procedure provides a consistent and fair method of dealing with alleged failures to observe the conduct standards and rules. It is based on the ACAS procedures and legal advice. Under this procedure and so far as practical bearing in mind they are internal Nursery procedures:

- All cases are fully and fairly investigated.
- Individuals are entitled to have their say before decisions are reached.
- Individuals are entitled to be accompanied by a work colleague or trade union official during formal meetings. That person may observe, take notes, or assist in the presentation of the individual's case in line with employee's statutory rights.
- A range of warnings and penalties will be used to deal with misconduct.
- Probationary reviews, appraisal and Supervisions and PIP's will be used to improve performance.
- In a case that involves alleged criminal activity the police will be involved.
- In an instance where a team member is involved, the Manager will report to Ofsted and the LADO.
- Disciplinary procedures are a last resort to attempt to change behaviour.

#### **What does the informal investigator have to do?**

The informal investigator is a Manager and is responsible for opening a case with our legal advisors. The Manager will investigate by interviewing the relevant parties or witnesses to the alleged misconduct as soon as possible after the alleged misconduct. In the case of suspected child abuse then an internal investigation must be overseen by the Local Authority Children's Social Care Team. LADO. Our Safeguarding Policy has the full procedure. Everybody who is interviewed must be instructed to record their part or observation in writing. This is for the purpose of fact finding. Written statements must be taken dated and signed. No decisions must be made. All interviewees should meet with the investigator individually, unless they object and wish to have a colleague with them. If no action is decided upon a supervision and Personal Improvement Plan, (PIP) may be appropriate.

## What is the informal investigators personal responsibility?

The Nursery is responsible for managing and conducting the procedures in a manner that it sees fit and it will be responsible for making all decisions and arrangements as to how the procedure is organised. Within the process the relevant decision maker has the responsibility to:

- Open a case with our legal advisors and discuss the concern.
- Review CCTV where possible.
- Follow procedures discussed with our legal support advisors at every stage.
- Interview all witnesses and those involved in the alleged breach of discipline in an impartial manner.
- Ensure that employees are aware whether the meeting is for the purposes of investigation.
- Liaise with the police where there is police involvement.
- Liaise with Ofsted if there is Ofsted involvement.
- Liaise with the LADO required for safeguarding.

## If disciplinary action is decided upon what happens?

- Evaluate carefully all the evidence at every stage, particularly at the Informal Investigator Interviews stage and be fully familiar with the facts and witness statements,
- Establish from the witnesses whether they accept that the member of staff involved in the alleged misconduct will be aware of who has written their statement. If they insist their name is withheld then a digest of the statement/s will be produced by a Manager. This digest will normally carry less weight than statements and must be avoided if possible.
- Consider the age, length of service, conduct record, health and welfare of the person who has committed the alleged misconduct.
- Consider any mitigating circumstances.
- Ensure that early use of these procedures will be designed to improve conduct, in order to avoid later more serious disciplinary action.
- Always act in accordance with legal advice.

## What happens if the investigator feels further action is required?

If on completion of the investigation there appears to be a case of misconduct, the investigator will refer back to our legal advisors. If disciplinary action is supported by Policy and/or Law the Manager will hand the case to another Manager and not be involved again unless further investigation is required. The Team member concerned will be informed of a disciplinary hearing in writing. They will be given the required written notice detailing the disciplinary offences, time, date, location and all documents or images the action relies upon. The letter will also give full details of the person chairing the meeting time date and location of the hearing. In certain cases if they are unable to attend in person, the hearing could be conducted over the phone.

## When does Children-First discipline or suspend an employee?

At any stage prior to, during or following the investigation, the employee may be suspended on a without prejudice basis, having sought legal advice first. This should occur if one or more of the following applies:

- The allegation is of abuse against a child Safeguarding Policy in consultation with the LADO must be followed and Ofsted must be informed.
- It is necessary for a proper investigation to take place.
- The continued presence of the employee at the Nursery may be prejudicial to a fair disciplinary hearing,
- The presence of the individual would potentially affect the wellbeing of any member of the Nursery Community.
- The allegations are serious enough for consideration of dismissal.
- There are other reasonable grounds for suspension.

It must be explained to the employee that suspension is not a disciplinary sanction in itself. The reason and length for suspension will be made in writing to the employee immediately. There is no right of appeal against this as it is without prejudice to any decision and is consequently not disciplinary action. The suspension will normally be made in writing and will be paid on full pay until complete.

## What rights do team members have at a disciplinary hearing?

The person or persons involved in a disciplinary may bring a work colleague or trade union representative of a union to which the staff member belongs, to the hearing. The person involved in the alleged disciplinary will be informed of all the witness statements, CCTV, images and evidence being relied upon at the hearing. A copy of these must be provided for the Team member. If the member of staff chooses they can

respond in writing or verbally. The Team member of staff also has the right not to respond or not to give an explanation, although this will not stop the Nursery proceeding with the disciplinary and making a decision based on all the other evidence. A record of any disciplinary action must be communicated to the Team member.

## **How does Children-First choose suitable disciplinary action?**

In cases of clear gross misconduct instant dismissal is appropriate. In other cases dismissal either summary or with notice may also be appropriate but it is the duty of the Company Director or Nursery Manager to bear in mind the principle that the action should improve conduct. An assessment must be made of the proposed disciplinary action and the consequences of such action. Under no circumstances must sarcasm, ridicule or bad language be used. The Nursery has the right to:

- Downgrade, reduce pay or transfer a member of staff, demote, or find another suitable role.
- Suspend without pay for between one and three days, (or longer in consultation with the LADO)
- Give a first written warning.
- Give a final written warning.
- Dismiss with or without notice for gross misconduct or as the result of a third warning.

In all cases the person must be clearly informed of the outcome of the disciplinary and a written record be kept by the Nursery Manager on file.

## **What is a first written warning?**

This will be used when it is concluded from the facts, that there has been a minor infringement of the Nursery Policies, or a breach of the Early Years Foundation Stage requirements. The aim of this is that through a Supervision and PIP standards and conduct will be improved. The meeting Supervision and a PIP will be worked on in privacy. A first written warning include the following:

- An opportunity for the individual to put forward an explanation.
- Constructive criticism on shortcomings.
- Information on what improvement is required in performance.
- Information on how this improvement can be achieved, and by when it should be achieved.
- An understanding that further misconduct of this nature or any other will lead to further disciplinary action.

A copy of the warning must be given to the employee concerned for retention, and a copy placed in the staff file.

## **What is a second written warning?**

This will be used when it is concluded from the facts, that there has been an infringement of the Nursery Policies, or a breach of the Early Years Foundation Stage requirements. The aim of this is that through a Supervision and PIP standards and conduct will be improved immediately. The meeting Supervision and a PIP will be worked on in privacy.

- An opportunity for the individual to put forward an explanation or explain about a lapse.
- Constructive criticism on shortcomings, or why they have occurred again.
- Information on what improvement is required in performance and be sustained.
- Information on how this improvement can be achieved immediately and not relapse.
- An understanding that further misconduct of this nature or any other will lead to more serious disciplinary action.

A copy of the warning must be given to the employee concerned for retention, and a copy placed in the staff file.

## **What is a final written warning?**

Further misconduct may warrant further written warnings or a final warning which will contain a statement that any further incidents may lead to dismissal. There may be occasions when misconduct is considered insufficiently serious to warrant dismissal but serious enough to justify only one warning i.e. a warning at this stage. A copy of the warning along with copies of the evidence from witnesses will be kept on file by the Nursery Manager for five years. There will be a Supervision and PIP, standards and conduct will be improved immediately. The meeting Supervision and a PIP will be worked on in privacy.

## **What is a dismissal?**

Other than for cases of gross misconduct an employee shall not be dismissed for a first breach of discipline. Gross misconduct is defined elsewhere in this document. Full records will be kept on file by the Nursery



Manager. If a team member has been dismissed, all uniform and keys must be returned immediately. Deduction of pay will be made for unreturned uniform or irreparable damage of uniform.

## **Do team members have the right to appeal?**

Employees have the right to appeal to the Manager who chaired the disciplinary meeting against any disciplinary action if they feel the outcome of the disciplinary is unjust or new evidence comes to light which could affect the outcome. Wherever possible appeals must be made within five working days. Employees must make appeals in writing. In cases where an appeal is made it will be heard by a different Manager than chaired the Disciplinary Hearing or investigated the matters.

## **What is the definition of gross misconduct?**

Gross misconduct is serious enough in the context of the Nursery's work to destroy the employment contract between the Nursery, Staff and the employee, and make any further working relationship and trust in the care of the children impossible. If after investigation it is confirmed that an employee has committed any of the following types of serious offence the normal consequence will be summary dismissal i.e. dismissal without notice, unless there are mitigating circumstances. This outlines potential definitions but is not exhaustive. This list includes:

- Serious breach of the conduct standards and or rules.
- Serious breach of the law.
- Use of physical punishment.
- Emotional, physical, sexual abuse of children.
- Cruelty to children.
- Bullying.
- Dishonesty.
- Being absent without Nursery Manager's consent, or on false pretext.
- Violence or aggression to any member of the Nursery community.
- Breach of safeguarding requirements including collection issues.
- Discrimination, racism, racial or sexual harassment, abuse or any other form of prejudice either verbally or in a written format.
- Abuse of time sheets, claiming undue overtime or LIEU, falsely claiming overtime above what is lost in unpunctuality, claiming of bonuses for which they are not eligible in terms of incomplete tasks or tasks not completed thoroughly.
- Theft of any kind from the Nursery or any member of the Nursery Community.
- Theft and fraud and deliberate falsification of records, corruption relating to fees or other financial aspects of the Nursery.
- Fighting, assault and deliberate provocation of a member of the Nursery Community.
- Incapability through illegal drugs or alcohol, or evidence of taking or possession of drugs or alcohol.
- Gross neglect of health and safety rules likely to endanger any member of the Nursery community.
- Serious criminal offence committed against the Nursery.
- Claiming wages for time worked, when the staff member has been absent, other than sick, holiday or other agreed absences.
- Criminal offence which may not arise from the employment but which make the person unsuitable for employment with children.
- Engaging in activities which may have a serious negative impact on the reputation of the Nursery.
- Unauthorised disclosure of information or data to any party.
- Accessing data in the Nursery which they are not entitled to access.
- Unauthorised access, or aiding and abetting unauthorised access to Nursery management system 'First Steps' for the purpose of theft, reading, modification or falsification.
- Refusal to co-operate in an investigation concerning misconduct.
- Wilful cases of giving unsubstantiated, misleading or inaccurate information about the Nursery or its competitors to members of the Nursery Community.
- Behave in a way which would or could seriously damage the reputation of the Nursery or any Nursery staff, including on social media.
- Have or use a personal phone in the room or on outings or trips with children.
- Wear or have any device which receives personal or social media notifications on their person which is active in receiving messages, emails or any other notifications.
- Refuse to work with a different age group or at a different Nursery, if required to do so.
- Fail to maintain existing high standards in terms of the EYFS.

- Fail to maintain positive working relationships with all members of the Nursery Community.
- Repeated failure to fulfil job descriptions.
- Lack of implementation of Policy and lack of implementing Policy development.
- Theft of intellectual property of the nursery such as the procurement of policies prospectus or manuals.
- Theft of intellectual property includes transmission, relaying or copying of any policy; handbook or manual documents to any third party without the advance express written permission of the Nursery Director.
- Gross breach of trust in relation to work in the Nursery.
- Gross breach of trust in relation in the relation with the Nursery or members of the Nursey Community.
- A combination of the factors outlined above.

## **What is the definition of misconduct?**

The following list is not exhaustive but provides examples of misconduct which are likely to result in one of the following penalties or warnings depending on the circumstances: dismissal with notice, serious offence dismissal warning, written warning, and informal warning.

- Breach or continuous minor breaches of the Nursery's conduct standards and policies.
- Disregard for safety rules, including smoking, body piercing and jewellery wearing.
- Lack of adequate care or education for the children.
- Not completing planning, key group work or children's records.
- Repeated blameworthy incidents and or accidents involving children.
- Repeated acts of minor misconduct.
- Not fulfilling job description.
- Unpunctuality,
- Falsifying illness in order to gain absence for any illegitimate reason such as, days out, interviews, driving tests or any other activity including those which may require a week's notice.
- Inability to maintain effective, positive working relationships with all members of the Nursery community, offensive behaviour or behaviour which contravenes the Nursery Equality Policy.
- Insubordination.
- Unauthorised personal use of Nursery resources including the phone, photocopier food or any other resources.
- Engaging in an unsuitable or unauthorised activity or employment outside of working hours.
- Engaging in any occupation, holiday, voluntary activity whilst on sickness leave, also liable to prosecution by outside agencies.
- Deliberate loss or damage to Nursery property.
- Failure to obey no smoking rules.
- Gambling at work.

## **What is a management search?**

The Company Director, Co-ordinators and the Nursery Manager have the right to search Nursery premises as part of an investigation. Individuals consent is needed to search any private property. Where such consent is given the search must be carried out in the presence of the owner of the property and a friend, if the owner wishes. CCTV can be reviewed at any time by a Senior Manager.

## **What happens if there is conflict between members of staff, or members of the Nursery Community?**

In these cases after establishing the facts through fact finding interviews, those involved will meet together with the Nursery Manager for a Supervision aiming to resolve the conflict. The team member will be given a PIP. If the conflict is not resolved or reoccurs, the Nursery Manager or Company Director will decide on further action and level of disciplinary action depending on the issues involved and gravity of the conflict. In all circumstances all staff are expected to adhere to professional code of conduct and behave in a professional manner

## **Section 8**

### **What are grievance investigations, hearings and appeals?**

#### **How is a grievance defined in employment law?**

A grievance is defined as, *"a complaint by an employee about action which the employer has taken or is contemplating taking in relation to them"*. It includes grievances about the actions of third parties and work colleagues where the employer could be held vicariously liable. A grievance is very different from whistleblowing and if in any doubt, the Whistleblowing Policy should be reviewed.

## What is a grievance in Nursery?

A grievance is a problem or complaint raised by an employee, employees or previous employees in relation to aspects of their work. This grievance procedure deals with grievances fairly, consistently and expeditiously. The intention of the Nursery procedure is to resolve all grievances as early as possible.

Some issues that may cause grievances to be raised by employees include:

- Terms and conditions of employment.
- Health and safety.
- New working practices.
- The working environment.
- Work relations.
- Bullying, coercive behaviour and harassment.
- Prejudice and discriminatory or racist behaviour.

This list is not exhaustive and any grievance raised must be investigated with the Team member, heard and responded to. If the grievance is not resolved after the investigation, a more formal procedure to hold a grievance meeting will be held.

## What are the forms of grievance?

There are two types of statutory grievance procedure these are:

1. The standard procedure applies in all cases where the employee is still employed and also in most cases where the employee is no longer employed.
2. The modified procedure applies in respect of former employees but only in certain circumstances i.e. where either the employer was not aware of the grievance before employment ended, or, if the employer was aware, the standard procedure had not started or had not been completed by the time employment ended and, in either case. Children-First and the Team member must agree in writing that the modified procedure will apply.

## How does a Team member or Team members raise their grievance or grievances?

An employee should normally raise a grievance with their Nursery Manager. If the grievance is against the line Manager, that Manager must pass the grievance on to another Manager. A Team member can also raise a grievance with a different Manager, Coordinator, or the Nursery Director. In some cases Team members can be given support to help them formulate their grievance before submitting it.

## How do we deal with grievances in the workplace?

Legal advice must always be sought by Nursery Managers as soon as a grievance is raised whether verbally or in writing. If a team member raises a grievance verbally an investigatory meeting with the Team member should be held and the meeting notes signed and dated by both the Manager and the Team member. The Manager may need to undertake further investigations. In the first instance, employees should aim to resolve their grievances informally with their Manager's support. In some instances Team members may need support from a Manager to assist them to formulate their written grievance.

## What happens if the grievance cannot be settled informally?

If a grievance cannot be settled informally, the next stage is for the employee to raise the grievance on a formal basis in writing or verbally with another Manager. A senior Manager must invite the employee to submit their grievance in writing. The grievance must be submitted within two weeks of the grievance being discussed with the Nursery Manager or the issue relating to the grievance having occurred. Efforts must be made by all parties to deal with and resolve grievances as quickly as possible so that they do not affect the smooth and effective running of the Nursery or the quality of care of the children. A grievance hearing will be held and the Team member will receive a written response.

## What happens if the grievance is not resolved after the grievance hearing?

Team members can appeal outcomes of grievances. The appeal must be dealt with by another Manager. In these circumstances, the relevant Manager must act as impartially as possible. On occasions Independent arbitration, using an external arbitration organisation, can be an appropriate means of resolving grievance issues if the Team member and/or Nursery request or agree to this.

## What are the three steps of the Nursery grievance procedure?

**Stage one** - The employee must raise their grievance verbally, in writing or by email to any member of the Senior Management Team. A verbal grievance may be resolved at the time of raising a grievance in an informal investigation meeting. However setting out of a grievance in writing or by email, is encouraged and should be given or sent by email to the Nursery Manager, a Nursery co-ordinator or the Nursery Director. At this time a case will be opened with our legal advisors and further advice sought at each stage of the grievance process.

**Stage two** - The Manager not involved in stage 1, must invite the employee to attend an investigation meeting to discuss the grievance. The meeting must not take place unless the Team member has informed the Manager of basis for the grievance was and the employer has had a reasonable opportunity to consider their response to that information. The Team member must take all reasonable steps to attend the meeting. There may be circumstances when the grievance could be heard over the phone. The employee may be accompanied by a work colleague or a trade union official of a relevant union of which they are a member. After the meeting, the employer must inform the employee of the decision in writing as to his response to the grievance and notify the employee of the right to appeal against it if they are not satisfied with it. This will be done within five working days.

**Stage three** - If the employee does wish to appeal, they should inform the Manager who chaired the grievance meeting in writing or by email. If the Team member informs the Manager of their wish to appeal the case should be handed to another Manager. An invitation to the appeal meeting will be sent to the Team member in writing. The appeal must explain the reasons why an appeal is being made. The Team member must take all reasonable steps to attend the meeting. The employee has a right to be accompanied by a work colleague or a trade union official. There may be circumstances when the appeal could be heard over the phone. After the appeal meeting, the employer must inform the employee of their final decision in writing.

## How are grievance meetings organised?

On receiving a formal grievance, a Manager should write to the employee inviting them to attend a formal grievance meeting as soon as possible. The letter should also advise the employee of their statutory right to be accompanied at the grievance meeting by either a work colleague or trade union representative (see below). It is good practice to agree the date and time of the grievance meeting with the employee. The timing and location of grievance meetings must also be reasonable. Grievances should be treated confidentially. The meeting should be conducted promptly. A requirement of the statutory grievance procedure is that each step and action under the procedure must be taken without unreasonable delay. The grievance meeting must take place before any decision is made on the grievance. At the grievance meeting, the Team member should be allowed to explain in detail their complaint and say how they think it should be resolved. There should be a meeting minute-taker present. Pages must be numbered and signed on each sheet by all those present at the meeting.

If it transpires during the meeting that further investigation is necessary, the grievance meeting should be adjourned to carry out that further investigation. Further investigation might include obtaining further statements from any available witnesses. Witness statements must be signed and dated by the person making the statement. If a witness does not want their name to be disclosed a digest which provides anonymity can be produced. However this does not have the same standing in law.

After the grievance meeting, the Manager chairing the meeting will respond with a written outcome to the Team member's grievance and inform the Team member that they can appeal against the decision if they are not satisfied with it. What is considered reasonable will vary from case to case but three to five working days is normally long enough. If it is not possible to respond within this timeframe, the Team member must be informed in writing with an explanation for the delay and informed when a response can be expected.

## What is the responsibility of the Chair?

The Chair must give the grievance careful consideration before responding and must not prejudge the situation. Examples of prejudgment are:

- Holding a grievance meeting only to hand a pre-written decision letter to the Team member at the end of the meeting.

- Handing down the decision at the end of the grievance meeting without going back to carefully consider and weigh up all the facts, statements or any other relevant data, CCTV or images.
- In all cases at least three working days must be given for careful consideration of the facts and for obtaining further legal advice.

After the grievance meeting, the Manager will respond in writing to the Team member's grievance within a reasonable time. The Manager should let the Team member know that they can appeal against the decision if they are not satisfied with it. What is considered reasonable varies from case to case three to five working days is normally long enough. If it is not possible to respond within this time frame, the Team member should be given an explanation for the delay and told when a response can be expected in writing.

## **What happens when the employee cannot attend the date and time for the grievance meeting?**

A meeting will be during Nursery opening times. Where arranging a meeting under the statutory grievance procedure and the Team member fails to turn up, or informs you in advance that they cannot make it, the question of what happens next depends on the reason for non-attendance.. The Nursery is expected to have taken all reasonable steps to secure the employee's attendance, or presented the employee with alternative options such as holding the grievance meeting on neutral territory, on the phone or permitting the employee to submit a more detailed written grievance statement.

## **What about appeals?**

If a Team member informs us that they wish to appeal against the grievance decision the case is passed to another Manager, who must not have been involved in the grievance. The Manager should arrange an appeal meeting. This ensures undue influence is not placed on that individual during the appeal process, allows the appeal to be decided entirely impartially and enables compliance with the statutory grievance procedure. At the same time as inviting the Team member to attend an appeal meeting in writing, they should remind the Team member of their right to be accompanied at the appeal meeting by a colleague or a trade union official. The invitation to the appeal hearing must be sent out in writing with a minimum of three days' notice for when the employee receives the letter of invite.

As with the original grievance meeting, Managers should write to the employee with a decision on their grievance appeal as soon as possible and within five days of hearing the appeal. At the Nursery the appeal decision is the final stage of the grievance procedure.

## **What is the statutory right to be accompanied?**

Team members have a statutory right to be accompanied at grievance meetings, including grievance appeal meetings. Where a Team member is invited to attend a grievance meeting and the Team reasonably requests to be accompanied, the Chair must allow this bearing in mind safeguarding requirements. That colleague or Trade Union Official of a relevant union must be selected by the Team member and permitted to address the meeting in order to do any or all of the following with the Team members permission:

- Put the case.
- Sum up the case.
- Respond on the Team members behalf to any view expressed at the meeting.
- Permitted to confer with the Team member during the meeting.

However, the companion has no right to answer questions on the Team members behalf.

The Nursery Manager hearing the grievance is free to select an initial date for a grievance meeting, but is required to re-schedule it where the employee's chosen companion is not available on the date proposed for the meeting. The employee must propose an alternative time which is reasonable and which falls within a period of five working days, excluding weekends and Bank Holidays, beginning with the first working day after the date proposed. If the employee's chosen companion is a Team member, they must be given time off work during working hours to accompany the Team member.



## **Section 7 – Self Employed Staff Agreement and Franchise Specialist Teachers Agreement.**

1. Invoices must be sent to the nursery by email on or before the 20<sup>th</sup> of each month. Delayed invoices will not be paid until the following month.
2. If invoices from self-employed teachers are not received by the 20<sup>th</sup>, or if the 20<sup>th</sup> falls on a weekend, then the invoice must be received by the last working day before this.
3. Nursery Managers confirm all invoices are correct when they email to the company accountant and Company Director. Invoices must be checked to ensure that they are correctly paid.
4. Payroll accountant will create payment schedule to be signed off by Company Director.
5. Self-employed staff to be paid by BACS on or around the first Friday of each month.
6. Self-employed staff to ensure that bank details for BACS payments are on every invoice that is presented, along with a detailed description of services rendered, dates, and any other charges.

Self-employed members of staff and franchise holders please sign below to ensure you have read, understood payment conditions as set out above and return to the Nursery Manager.

Sign:

Print Name:

Date:

## Section 5 – Staff Induction Training 1 Schedule

Start Date:

Name:

### Pre-Start

The following is to be sent by email to new staff members:

Task	Date completed	Signed
On line training emailed completed and certificates filed		
Staff contract, job description, new staff forms discussed and filed.		
Policy 1 – Staffing policy, questions and answers completed.		
Policy 2 – Organisation, questions and answers completed.		
Policy 3 - Care, learning and play, questions and answers completed.		
Policy 4 - Physical environment, questions and answers completed.		
Policy 5 - Toys, resources and equipment, questions and answers completed.		
Policy 6 – Safety, questions and answers completed.		
Policy 7 – Health, questions and answers completed.		
Policy 8 – Food, drink and Nutrition, questions and answers completed.		
Policy 9 - Equal opportunities, questions and answers completed.		
Policy 10 - Special needs, questions and answers completed.		
Policy 11 - Behavior management, questions and answers completed.		
Policy 12 - Working in partnership with parents, questions and answers completed.		
Policy 13 - Safeguarding, whistleblowing and E safety, questions and answers completed.		
Policy 14 - Documentation , questions and answers completed.		

Nursery visit show round and discussion noted and filed during pre-start. Including:

Task	Date completed	Signed
Uniform		
Plan of nursery including fire exits, phone locker and staff area.		
Nursery routines		
Capacity and ratios		
Specialist teachers		

# Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Holiday and TOIL		
Morning tasks		
Evening tasks		
Signing in and time sheets		
Staff meetings		
Supervisions, appraisals and reviews		

## Week 1

### Safeguarding

Task	Date completed	Signed
Safeguarding officers		
Safeguarding procedures		
Safeguarding forms		
Contact numbers		
Security including door entry and visitors book.		
Collection procedures		
Confidentiality		
Data protection and privacy		
Whistleblowing		
E Safety		
Prevent Duty and British Values		

## Week 2

### Health and Safety

Task	Date completed	Signed
Health and safety training		
Fire drill		
Accident forms and head bump		
Incident forms		

# Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Monthly audits		
First aid kits		
Medication and forms		
Health care plans		
Nappy changing procedures		
Cleaning rotas		
Preexisting injury forms		
Kitchen checks		
Health care plans		

## **Week 3**

### **Eylog, Profiles and Education**

Task	Date completed	Signed
Eylog login		
Observations and draft list		
Children's accounts		
Summative reports		
Tracking and cohorts		
Planning		
Key work		
Wow books		
Assessment books		
SEND		
EAL and DUAL		

### **Partnership with parents**

Task	Date completed	Signed
Weekly catch up email		
Newsletter		

## Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Events/stay and play		
Partnership coordinators		
Complaints procedure and concerns procedure		
Compliments procedure		
Open door policy		
Parents evening		
Parent consultations		
Daily reports		
New children		

### **Week 4**

Task	Date completed	Signed
First probationary review and PIP.		
Job description review and questions.		
Other discussions or questions about Nursery.		

Date of completion: \_\_\_\_\_

Staff signature: \_\_\_\_\_

Line Manager signature; \_\_\_\_\_



# Staffing Policy - Policy 1

Date updated: January 2019

## Section 5 – New Manager Induction and Training Schedule.

Start Date:

Name:

The following is to be sent by email to new Managers and Deputy Managers:

Task	Date completed	Signed
On line training emailed completed and certificates filed		
Staff contract, job description, new staff forms discussed and filed.		
Policy 1 – Staffing policy, questions and answers completed.		
Policy 2 – Organisation, questions and answers completed.		
Policy 3 - Care, learning and play, questions and answers completed.		
Policy 4 - Physical environment, questions and answers completed.		
Policy 5 - Toys, resources and equipment, questions and answers completed.		
Policy 6 – Safety, questions and answers completed.		
Policy 7 – Health, questions and answers completed.		
Policy 8 – Food, drink and Nutrition, questions and answers completed.		
Policy 9 - Equal opportunities, questions and answers completed.		
Policy 10 - Special needs, questions and answers completed.		
Policy 11 - Behavior management, questions and answers completed.		
Policy 12 - Working in partnership with parents, questions and answers completed.		
Policy 13 - Safeguarding, whistleblowing and E safety, questions and answers completed.		
Policy 14 - Documentation , questions and answers completed.		

Nursery visit show round and discussion noted and filed during pre-start. Including:

Task	Date completed	Signed
Uniform		
Plan of nursery (Fire exits)		
Nursery routines		
Capacity and ratios		
Specialist teachers		
Holiday and TOIL		

## Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Morning tasks		
Evening tasks		
Signing in and time sheets		
Staff meetings		
Supervisions, appraisals and reviews		

### Introduction:

Task	Date completed	Signed
Safeguarding officers		
Safeguarding procedures		
Safeguarding forms		
Contact numbers		
Security		
Collection procedures		
Confidentiality		
Data protection		
DBS		
References		
Reporting to Ofsted or the LADO		

### Management tasks:

Task	Date completed	Signed
Management schedule		
Weekly report		
Rota		
Probation review		
Shopping/budgets		
Team meetings		
Management meetings		

## Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Managers email account		
Supervisions		
Performance reviews		
Appraisals		
Holidays and TOIL		
Sickness policy		
SIF		
FSB		
Time sheets		
Birthday lists		
Future occupancy		
Dietary requirements		
Milk returns		
Archiving		
Disciplinary procedures		
SEF		
Evidencing and showcasing		
Action planning		
ENCO		
SCR		
Ihasco NDNA PSLA local authority training		

### Partnership with parents:

Task	Date completed	Signed
Weekly catch up email		
Newsletter		
Events/stay and play		
Partnership coordinators		
Complaints procedure		

## Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Compliments procedure		
Open door policy		
Parents evening		
Parent consultations		
Information to be displayed		
Daily reports		
New children - welcome packs		

### Financial:

Task	Date completed	Signed
First steps		
Log credits		
Fee's due list		
Invoicing		
Future fee's		
Creating fee's		
Late charges		
Funding		
Payroll		
Cash book		
Petty cash		
Credit card log		

### Health and safety:

Task	Date completed	Signed
Health and safety training		
Fire drill		
Accident forms		
Incident forms		

## Staffing Policy - Policy 1

Date updated: January 2019

Task	Date completed	Signed
Monthly audits		
First aid kits		
Medication		
Kitchen checks		
Use of electrical equipment		
Health care plans		

### Eylog, profiles and education

Task	Date completed	Signed
Eylog login		
Observations and draft list		
Children's accounts		
Adding parents		
Summative reports		
Tracking and cohorts		
Planning		
Key work		
Wow books		
Assessment books		
Observation tracker		
SEND		

Task	Date completed	Signed
First probationary review and PIP.		
Job description review and questions.		
Other discussions or questions about Nursery.		



## **Staffing Policy - Policy 1**

Date updated: January 2019

Date of completion: \_\_\_\_\_

Staff signature: \_\_\_\_\_

Line manager signature: \_\_\_\_\_

### **Probationary review:**

**Staff name:**

**Job title:**

**Manager conducting review:**

**Date of review:**

**Length of service:** 1 month / 3 month / 6 months / extension (please delete as appropriate)

Review of **attendance and punctuality:**

Detailed improvements to practice (if required):

## Staffing Policy - Policy 1

Date updated: January 2019

Conduct is currently rated as: satisfactory / unsatisfactory (please delete)

Review of **personal conduct and professionalism:**

Detailed improvements to practice (if required):

Conduct is currently rated as: satisfactory / unsatisfactory (please delete)

Review of **policy and EYFS compliance:**

Detailed improvements to practice (if required):

Conduct is currently rated as: satisfactory / unsatisfactory (please delete)

Review of **professionalism with parents:**

Detailed improvements to practice (if required):

Conduct is currently rated as: satisfactory / unsatisfactory (please delete)

Review of **conduct and relationships with children:**

Detailed improvements to practice (if required):

Conduct is currently rated as: satisfactory / unsatisfactory (please delete)

### **6 months' probation meeting only:**

🍏 Staff member has passed probation successfully on (date):

**OR (please delete)**

🍏 Probation to be extended for a further      months. Additional review to be completed at this point.

**Employee sign:**

**Manager sign:**

## Staffing Policy - Policy 1

Date updated: January 2019

### Return to work after sickness absence

To be completed on the employees first day back after returning from sick leave .

Name:		
Date of first day of absence:	Date of return to work	
Total number of days absent: (not including weekend/bank holidays)		
Reason for absence:		
Correct reporting procedure followed?	YES	NO
If no, please detail:		
Appropriate medical certificate required:	YES	NO
Additional notes:		

Staff member sign:

Nursery Manager sign:

Date:

## **Confidential health questionnaire**

All information will be treated in confidence and is required to assess the fitness of a person for working with children.

### **1. Personal details:**

Surname: ..... Forename(s): .....

Date of Birth: ..... Telephone: .....

Address: .....

Name and address of GP: .....

.....

### **2. Occupational history:**

Has your employment ever been terminated on the grounds of ill health?

☐ Yes ☐ No

Approximately how many days/weeks sickness absence did you have in the last twelve months?.....

On how many occasions.....

### **3. Medical history:**

Do you smoke?: .....

Are you currently taking prescribed medicine?: .....

Are you currently under the care of a doctor or other medical professional?:.....

Are you currently suffering from or have suffered from any of the illnesses listed below:

Heart problems

☐ Yes ☐ No

Lung disease

☐ Yes ☐ No

Stomach, bowel illness

☐ Yes ☐ No

Jaundice, hepatitis

☐ Yes ☐ No

Joint problems, arthritis

☐ Yes ☐ No

Headaches, migraines

☐ Yes ☐ No

Diabetes

☐ Yes ☐ No

Allergies

☐ Yes ☐ No

Stress, severe stress

☐ Yes ☐ No

Serious accident

☐ Yes ☐ No

High blood pressure

☐ Yes ☐ No

Asthma, lung issues

☐ Yes ☐ No

Hernia or rupture

☐ Yes ☐ No

Kidney, bladder disorder

☐ Yes ☐ No

Back, neck problems

☐ Yes ☐ No

Fits, blackouts, epilepsy

☐ Yes ☐ No

Depression, anxiety

☐ Yes ☐ No

Hearing, sight problems

☐ Yes ☐ No

Skin problems

☐ Yes ☐ No

Surgical operations

☐ Yes ☐ No

Mobility problems

☐ Yes ☐ No

Multiple Sclerosis <input type="checkbox"/> Yes <input type="checkbox"/> No	Cancer <input type="checkbox"/> Yes <input type="checkbox"/> No	Special needs, requirements <input type="checkbox"/> Yes <input type="checkbox"/> No
Mental health illness <input type="checkbox"/> Yes <input type="checkbox"/> No	Wellbeing concerns <input type="checkbox"/> Yes <input type="checkbox"/> No	Allergies, severe allergies or anaphylaxis <input type="checkbox"/> Yes <input type="checkbox"/> No

Cancer  
☐ Yes   ☐ No

All other illness, health concern or medical conditions requiring treatment or medication and conditions requiring monitoring and, or treatment.  
☐ Yes   ☐ No

Please provide details of all other physical or mental illness or wellbeing concerns in full below and continue on a separate sheet if necessary.

.....  
.....  
.....

If you have answered yes to any questions in section 2 or 3, or have any infectious diseases, please give details and approximate dates where relevant. Continue on a separate sheet if necessary.

.....  
.....  
.....

This is particularly important where you have a qualifying disability under both the **Disability Discrimination Act 1995** and the **Disability Discrimination Act 2005**, as it will enable us to identify what, if any, reasonable adjustments can be made.

.....  
.....  
.....

**Declarations:**

I hereby declare that the information given is full and true to the best of my knowledge. I understand that if, at a later date, it is discovered that I have knowingly withheld medical information, disciplinary action may be taken against me, which may include dismissal.

- 1) I give full consent for Children First Nurseries to seek medical information from any Doctor who has treated me.
- 2) I understand that I am required to obtain a medical from a General Practitioner or Consultant to ascertain my fitness for employment. The choice of the Doctor or the Consultant could be at the choice of the Nursery.
- 3) I understand that at any time during my employment I may be required to have a full medical examination and/or x ray to ascertain my fitness for work. This could be by a doctor nominated by the Nursery.



## **Staffing Policy - Policy 1**

Date updated: January 2019

4) I declare that all the information I have given is true to the best of my knowledge. I understand that if I have knowingly concealed any important illness or given any false answers, would be considered a gross breach of trust, and that my employment may be terminated by the Nursery.

I have read and understand the agreements and declarations above:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# Staffing Policy - Policy 1

Date updated: January 2019

1

## Employee disciplinary log

Name of employee:	
Job title and department:	

Date disciplinary sanction imposed	FSB number and link caseworker	Type of sanction*	Date of expiry**	Reason for disciplinary action***	Details of any appeal lodged

### Guidance notes for managers:

\* Set out the nature of the disciplinary sanction imposed – this could be a written warning, final written warning or dismissal.

\*\* State the date that the disciplinary sanction will expire – a first written warning should, generally, expire after six months and final written warnings after twelve months.

\*\*\* Explain the reasons why disciplinary action was taken e.g. poor timekeeping or attendance record, failure to follow a reasonable management instruction, etc.

1

Time in lieu must be recorded and countersigned by Nursery Manager. Please note that this time will be taken as part days and must be taken on quiet days in agreement with child and adult ratios. It cannot be accrued and then taken as annual leave. Nursery Managers must aim to repay lieu within the same working month. Nursery Manager's time in lieu must be countersigned by the company director.

[illegible]

Date:

The material contained in this Policy is Intellectual Property owned by Children-First. No transmission, copying or relaying to a third party of this Policy is permitted. The company reserves the right to bring a claim for damages against any person found to have unlawfully disclosed any of the information contained within this Policy or any Children-First documents or used by another setting.

## Staffing Policy - Policy 1

Date updated: January 2019

### Staff absence totals

This is to be reviewed annually by the Nursery Manager. This should be sent to the Company Director and used to inform any staff salary reviews.

Staff name	Start date	Total sick days taken	Number of occasions	Total unpaid leave taken, and reasons	Other comments

# Staffing Policy - Policy 1

Date updated: January 2019

## Employment application form

Position applied for		Date of application	
----------------------	--	---------------------	--

## Personal Details

First Name			
Surname			
Full Postal Address			
Home Phone Number		Mobile Number	
Email Address		N I Number	

## Right to work in UK

Do you have the right to work in the UK?	Yes    No
If you are not British or a European Union national, are you entitled to take up employment in the UK?	Yes    No

If you have answered yes:

<p>Do you hold at least one of the following documents:</p> <p>Please note: The nursery is required by law to photocopy the original copy of this document before you are able to start work.</p>	<p>A UK, European, or Swiss passport.</p> <p>A European, or Swiss national identity card</p> <p>A FULL birth or adoption certificate issued in the UK which includes the name of at least one parent, AND an additional document giving a permanent NI number and their name issued by a government agency or previous employer.</p> <p>If none of the above is provided, a further extensive list can be found from the Home Office website.</p>
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If you have answered no:

Do you have a work permit?	Yes    No
<p>If yes, please specify the terms of this permit/visa and expiry date:</p>	

# Staffing Policy - Policy 1

Date updated: January 2019

## Type of Work

Are you looking for full time or part time work?

What hours are you available to work?

	Monday	Tuesday	Wednesday	Thursday	Friday
AM					
PM					

## Education & Qualifications

Please use the boxes below to tell us about the qualifications you have obtained throughout your secondary education, further education and professional training. Please continue on a separate sheet if required. You will be required to bring original copies of certificates to interview.

Qualification Gained	Grade / Level	Name of School / College / Uni.	Date Achieved	Awarding Body

## Other Skills

(Please use this space to detail any other skills you have i.e. musical, languages, first aid, safeguarding etc.)



# Staffing Policy - Policy 1

Date updated: January 2019

## Employment History

Please give full details of all your previous employment. This should include all paid and unpaid employment, work experience and placements. Exact dates of employment must be given. If you have held different posts with the same employer please include these separately. Please indicate reasons for any substantial gaps in employment and full time study. Continue on a separate sheet if necessary. Please start with your present employer.

Name of current or most recent employer:	
Employers address:	Telephone no:
	Email:
Job title:	
Start date:	Leave date:
Main duties:	
Reason for leaving:	
Notice required:	Salary upon leaving:
Name of previous employer:	
Employers address:	Telephone no:
	Email:
Job title:	
Start date:	Leave date:
Main duties:	
Reason for leaving:	
Name of previous employer:	
Employers address:	Telephone no:
	Email:
Job title:	

## **Staffing Policy - Policy 1**

Date updated: January 2019

Start date:	Leave date:
Main duties:	
Reason for leaving:	

Please use this space to detail reasons for any gaps in your employment history.

### **Personal Statement**

Please give details and examples of the skills and aptitude you have relevant to this post. Continue on a separate sheet if necessary.

# Staffing Policy - Policy 1

Date updated: January 2019

## References

Please provide the names of three referees, one of whom must be your current or most recent employer and the others a previous employer or professional acquaintance. They must not be a friend or a member of your family.

1. Full name of referee:	<b>FOR OFFICE USE ONLY</b> REFERENCE 1: Date Applied for: Dates Followed up (if necessary)  Date Obtained: Date Checked for Authenticity: Nursery Manager Initials: Notes:
Job Title:	
Company Name:	
Address:	
Telephone Number:	
Email Address:	
Relationship to self:	
2. Full name of referee:	
Job Title:	
Company Name:	
Address:	
Telephone Number:	
Email Address:	
Relationship to self:	
3. Full name of referee:	<b>FOR OFFICE USE ONLY</b> REFERENCE 3: Date Applied for: Dates Followed up (if necessary)  Date Obtained: Date Checked for Authenticity: Nursery Manager Initials: Notes:
Job Title:	
Company Name:	
Address:	
Telephone Number:	
Email Address:	
Relationship to self:	

# Staffing Policy - Policy 1

Date updated: January 2019

## **Declaration for suitability:**

The job for which you are applying involves substantial access to children and is therefore exempt from the Rehabilitation of Offenders Act 1974. You are therefore required to declare any convictions or cautions you may have, even if they would otherwise be regarded as 'spent' under this act. The information you give will be treated in confidence and will only be taken into account in relation to an application where this exemption applies.

The disclosure of a criminal record will not debar you from appointment unless the company considers that the conviction renders you unsuitable for employment. In making this decision we will consider the nature of the offence, how long ago it occurred and what age you were when it was committed and any other factor which may be relevant. Failure to declare a conviction may however disqualify you from appointment or result in summary dismissal if a discrepancy is revealed after you have been appointed.

Have you ever received a caution, including conditional cautions, been convicted by a court of any offence, been reprimanded or given a final written warning?	YES	NO
If yes, please give details below, continue on a separate sheet if required.		

**All successful candidates will be subject to an enhanced Disclosure Barring Check (DBS).**

I confirm that the information given on this form is to the best of my knowledge accurate, true and complete. I understand that any false statements may be sufficient cause for rejection or if employed summary dismissal.

Please note: If successful in securing an interview you will be asked to provide proof of your eligibility to work in UK along with copies of qualifications relevant to the post to which you are applying.

<b>Signature:</b>	<b>Date:</b>
<b>Print Name:</b>	