

Staff Handbook Westnewton Pre-school



Section 1: Employee rights

Welcome to Westnewton Pre-school, the employee's handbook will guide you through your rights and entitlements, the employee's code of conduct, Policies and procedures, health and safety procedures, standards and team working.

Our philosophy is for you as the employee to understand our working practices and feel secure in the knowledge that the Pre-school values your input and enables all employees to feel supported by the committee and Leader to work as part of a high performing team.

Booking annual leave

Your annual leave entitlement

. Employees will be required to take annual leave during school holidays

The amount of leave that you may take at any time during your first year of employment is limited to the amount that you have accrued at that time. Entitlement during your first year is calculated monthly in advance at the rate of one-twelfth of the full statutory annual entitlement of paid holiday.

There will be no carry-over of unused holiday entitlement from one holiday year to the next in any circumstances.

Sickness absence

Sickness reporting

It is your responsibility to:

- attend work at the expected time;
- inform your line manager, in accordance with agreed arrangements, prior to any absence, or as soon as is reasonably practicable;
- provide a reason for all absences and if possible the anticipated length of absence, plus details of any work which needs to be covered urgently;
- keep your line manager informed of progress and the likely date of return, if the period of sickness continues;
- comply with health and safety requirements;
- comply with certification arrangements outlined below:

<i>Length of sickness absence</i>	<i>Responsibility of employee</i>
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For sickness up to 7 days	Complete a self-certification on the first day of your return to work.
If sickness extends beyond 7 days	Provide a fit note promptly and continue to provide fit notes promptly if the period of sickness continues.

- give as much notice as possible of the date and time of return, and report directly to your line manager on return from sick leave; and
- comply with your line manager's request to take care of your health generally.

It is important that you follow the sickness reporting responsibilities. If you do not, we may have to take disciplinary action against you. As part of the normal managerial process for managing sickness absence the early years setting has put in place a number of interventions including:

- return to work interviews and appropriate sickness absence meetings, to establish causes and agree remedies for absences; and
- sickness reporting systems.

We may request a fit note which confirms fitness to work following sickness absence in cases where the prognosis is unclear or where there has been a protracted or repeated period of sickness absence.

Serious illness

In order to meet our obligations under Food Safety and Health and Safety Legislation, it is very important to let your line manager know if you are suffering from or have been in contact with a carrier of any serious illness, if it is:

- contagious;
- infectious; or
- likely to cause food poisoning.

Medical and dental appointments

We prefer you to make appointments with your doctor, dentist or hospital outside working hours.

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Where this is not possible, agree a mutually convenient time with your line manager and give at least 48 hours notice.

Maternity benefits

In order to claim the right to any level of maternity leave and/or pay, you are required to:

- advise the early years setting of the fact that you are pregnant;
- provide medical evidence from a registered medical practitioner or midwife stating the Expected Week of Confinement (EWC), such as your MATB1 (this will be required for the purpose of claiming Statutory Maternity Pay); and
- provide written notice by at least the 15th week before the EWC of when you intend to start taking maternity leave and/or pay.

Your line manager can provide full details of what you are required to do and your entitlements. To ensure you are safe if you decide to work past your 6th week before your EWC, we will ask you to obtain a fit note from your GP.

You must take at least 2 weeks maternity leave following the birth of your child.

We request that you notify your line manager of your pregnancy as early as possible. Following notification, your line manager will confirm full maternity entitlements including paid and unpaid leave, and time off for antenatal care. This will also enable us to make any necessary arrangements for your safety at work during the pregnancy.

Keeping in touch days

You may carry out up to 10 days' work for the early years setting during your statutory maternity leave period without bringing your maternity leave to an end. The purpose of this provision is to allow you to 'keep in touch' with the workplace. Work includes any work done under the contract of employment and may include training or any activity aimed at keeping in touch. Any work carried out on a day constitutes one day's work.

Ordinary paternity leave

Eligible employees are entitled to either one or two consecutive weeks' paternity leave, paid at the Statutory Paternity Pay (SPP) flat rate, during the weeks immediately following their child's

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birth. If you have average weekly earnings below the lower earnings limit for National Insurance purposes, you will not qualify for Statutory Paternity Pay.

You will need to satisfy the following conditions in order to qualify for ordinary paternity leave.

You must:

- have, or expect to have, responsibility for the child's upbringing;
- be the biological father of the child, and/or the mother's husband or partner;
- be the adopter's spouse or partner;
- have worked continuously for the setting for 26 weeks leading into the 15th week before the baby is due, or the week in which you are notified of being matched with a child; and
- be taking the time off to support the mother and/or care for the baby.

Ordinary paternity leave must be completed within 56 days of the actual date of birth of the child or the child's placement. You will be required to inform your line manager of your intention to take paternity leave by the 15th week before the baby is expected, or within seven days of you being notified by your adoption agency that you have been matched with a child (unless this is not reasonably practical).

You are required to provide a self-certificate as evidence that you meet these eligibility conditions. By providing a completed self-certificate, you will be able to satisfy both the notice and evidence conditions for paternity leave and pay.

Additional paternity leave

Additional paternity leave entitles eligible employees, to take up to 26 weeks leave to care for their new baby.

You can start your additional paternity leave any time from 20 weeks after the child is born or starts living with you. The leave must have finished by the child's first birthday. A minimum of two weeks and a maximum of 26 continuous weeks' leave can be taken.

You will need to satisfy the following conditions in order to qualify for additional paternity leave.

You must:

- be the biological father of the child and/or the husband or partner of a woman who is due to give birth on or after 3 April 2011;

- be the adopter's husband, partner or civil partner;
- have, or expect to have, the main responsibility for the baby's upbringing, apart from any responsibility of the mother;
- have worked continuously for the setting for 26 weeks leading into the 15th week before the baby is due, or the week in which you are notified of being matched with a child;
- continue to be employed from the qualifying week into the week before you wish to take additional paternity leave;
- be taking the time off to care for the baby;
- the mother must be entitled to statutory maternity leave, statutory maternity pay or maternity allowance;
- resume working at least two weeks after the child's birth.

You must give the early years setting notice, in writing, at least eight weeks before the start of the paternity leave.

Adoption leave and pay

Adoption leave and pay will be available to:

- eligible employees that adopt;
- one member of a couple where a couple adopt jointly (the couple may choose which partner takes adoption leave);
- the partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to paternity leave and pay; and
- paid adoption leave and paid paternity leave are available where an approved adoption agency notifies the adopter to a match with a child.

To qualify for adoption leave, you must:

- be newly matched with a child for adoption by an approved agency. Adoption leave and pay are not available in circumstances where a child is not newly matched for adoption, for example, when a step-parent is adopting a partner's child; and
- have worked continuously for the early years setting for 26 weeks leading into the week in which you are notified of being matched with a child for adoption.

During your adoption leave, you may be entitled to Statutory Adoption Pay. If you have average

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weekly earnings below the lower earnings limit, for National Insurance purposes, you will not qualify for Statutory Adoption Pay. Those that do not qualify can obtain information about additional financial support from the local Jobcentre Plus office or Social Security office.

You will be required to inform the early years setting of your intention to take adoption leave within seven days of being notified by the adoption agency that you have been matched with a child for adoption; unless this is not reasonably practical. You will need to inform the early years setting as to:

- when the child is expected to be placed with you;
- when you want your adoption leave to start; and
- the date you expect payments of Statutory Adoption Pay to start; at least 28 days in advance, unless this is not reasonably feasible.

You are also required to provide the early years setting with documentary evidence – a matching certificate – from your adoption agency as evidence of your entitlement to Statutory Adoption Pay. Your line managers can also ask for this certificate as proof of entitlement to adoption leave. It is your responsibility to ask the adoption agency for a completed matching certificate.

Dependants leave (emergency leave)

You have the right to take a reasonable period of time off to deal with an emergency involving a dependant, and not to be dismissed or victimised for doing so. Circumstances where you can take time off include:

- when the dependant is unexpectedly ill (including mental illness), gives birth or is injured or assaulted;
- to make care arrangements for a dependant who is ill or injured;
- when a dependant dies;
- when their school or nursery is unexpectedly closed; and
- when care arrangements are unexpectedly withdrawn.

A dependant is a person (adult or child), who regularly and continuously relies on the carer to provide the sole or principal care required. Dependency leave cannot be granted where an

employee normally provides care only on an ad hoc basis.

Dependency leave cannot be granted where it would be reasonable to expect the carer to have made appropriate arrangements to cover the situation that has arisen. It must be sufficiently serious to require care as an essential necessity, not as a preference. Dependency leave will not be granted where:

- the childminder is on holiday or is not available for any reason where advance notice would be expected to be provided;
- the school or nursery is closed for the holidays; and
- appointments with the hospital, doctor or dentist are planned (i.e. known in advance).

This list is not exhaustive.

Parental leave

If you are a parent then you are entitled to take up to 13 weeks' unpaid parental leave during the first five years of your child's life. That same right extends to the parents of an adopted child. Adoptive parents must take the parental leave due to them by the fifth anniversary of the adoption or by the child's 18th birthday, whichever occurs sooner. Should a child in either of those categories have been awarded Disability Living Allowance, the amount of unpaid parental leave available to you is 18 weeks, to be taken at any time until the child's 18th birthday.

To qualify for parental leave, you must have completed one year's continuous service with the early years setting.

If you have taken part of your parental leave with a previous employer then you may only take the balance of the parental leave due. In this case, we may request evidence of the amount of parental leave already taken with one or more previous employers.

The right to a period of unpaid parental leave is available in respect of each child.

Flexible working

All employees are able to make one request in a year to work flexibly. You will need to satisfy the following conditions in order to make a flexible working request. You must meet one of Westnewton Policies and procedures for the EYFS

the following criteria:

- Have at least six months' continuous service and be the parent, adoptive parent, foster parent or guardian of a child 16 years of age or younger, or a disabled child under the age of 18.
- Have at least 26 weeks' continuous service and be the spouse, civil partner or live-in partner of a parent, adoptive parent, foster parent or guardian of a child 16 years of age or younger, or a disabled child under the age of 18.
- Have at least 26 weeks' continuous service and have caring responsibilities for an adult aged 18 or over who is your spouse, civil partner or partner, a relative, or someone living at the same address as you.

When submitting a flexible working request you must state:

- the effect(s) that you think the change(s) will have on the early years setting; and
- how you think that any such effect(s) might be dealt with.

If you meet the criteria above, we will follow the statutory procedure, which involves the following steps:

- We will hold a meeting with you within 28 days of the request being submitted. You will be granted the right to be accompanied at the meeting by a work colleague.
- Within 14 days of the meeting, we will write to you, either agreeing to the request and specifying the contract variation and when it is to take effect, or explaining why the request has been rejected. If your request is refused, the reply will state the specific business grounds for the refusal and why these are relevant in your particular case.
- We will grant you the right of appeal against any refusal of a flexible working request.

Retirement

Westnewton Pre-school is committed to equality and diversity and recognises the contributions of a diverse workforce, including the skills and experience of older employees. We believe that employees should, wherever possible, be permitted to continue working for as long as they wish to do so. We operate a flexible retirement policy and you may voluntarily retire at a time of your choosing.

Your line manager is able to provide further details of all your leave and pay entitlements.

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Section 2: Policies and procedures

Probation periods

Most new employees, except those on short terms contracts, are placed on probation for a period of six months. The objectives of this probation period are to:

- set and assess performance with standards and targets;
- discuss future objectives, priorities and targets;
- determine training needs;
- discuss personal development; and
- ensure that you are capable of and willing to fulfil the requirements of the job.

During the probation period, and throughout any extension of the probationary period, employment may be terminated by either [name of early years setting] or yourself giving one week's notice in writing. Thereafter, termination will be governed by the notice period detailed in your statement of terms and conditions of employment.

Probation periods can be extended. Regular performance reviews should continue during the extended period.

If your contract of employment has been terminated as a result of the probationary process, then you will have a right of appeal.

Induction

Through our induction practices we seek to ensure the effective integration of new employees into the organisation for the benefit of both new employees and the early years setting. Your induction programme will normally consist of physical and organisational orientation, health and safety information, an explanation of the terms and conditions of employment and a clear outline of the role and its requirements.

Your line manager will arrange for you to have a comprehensive and useful induction.

Supervision

Supervision meetings are a two-way discussion between a staff member and the line manager.

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For these meetings to be effective, each person must take equal responsibility, for ensuring effective communication and co-operation, and recognition of the value of supervision.

Supervision meetings seek to ensure that you are clear about what your job involves, what the setting wants you to do, and for you to be supported to do your job well. The meetings are there to set and communicate standards and to ensure that you understand the standards that have been set and how you are expected to meet them.

You are expected to produce work to the expected standards and strive for continuous development. We also expect an open, non-defensive response from you when your work is being discussed. In return you will be supported to deliver excellent performance.

Appraisal

The appraisal meeting is a process of looking backwards to analyse past job performance, and looking forward with a view to improving future performance. The overall objective of the appraisal process is to help employees to maximise their job performance for the joint benefit of the appraisee and the early years setting.

Regular meetings will take place throughout the year to review the objectives set and progress made against them.

Managing sickness absence

It is Westnewton Pre-school's practice to support employees who are genuinely sick and unable to come to work and to act reasonable at all times in its dealings with employees.

Fit for Work

If an employee has been off work sick for four weeks, or their GP thinks they are likely to be off work that long, they can refer them to Fit for Work, though a fit note may be required to cover the first two weeks of sickness absence.

The employee will get an assessment that will provide advice on interventions and steps on a Return to Work Plan to help support them back to work.

The Return to Work Plan will be shared with their GP and employer, subject to the employee's consent.

A Return to Work Plan can be used in place of a fit note..

As an employer we (Westnewton pre-school) make a referral to a Fit for Work assessment if the GP has not already done so after 4 weeks.

We manage attendance by encouraging all its employees to attend work regularly. To achieve this we will:

- review your sickness record to assess what action to take;
- consult with you; renew enhanced DBS checks when a staff member has had a break in service of more than 3 months
- obtain up-to-date medical advice before return to work interview
- advise you when your employment is at risk;
- meet with you to discuss the options and consider your views on continuing employment;
- review whether there are any other jobs that you could do prior to taking any decision on whether to dismiss;
- allow a right of appeal against any decision to dismiss you on grounds of long-term ill health; and
- if an appeal is requested, then to hold an appeal meeting.

Discipline

Disciplinary procedure

Our disciplinary procedure is designed to encourage all employees to achieve high standards of conduct, attendance and work performance. The procedure provides a fair, effective and consistent method of dealing with disciplinary matters.

You are expected to know the standard of conduct or work performance expected of you. You will be allowed to respond to any alleged fault or failing.

You are always entitled to be accompanied by a work colleague or a recognised trade union representative at a disciplinary meeting.

For minor or isolated infringements of rules or expected behaviour, the early years setting may give you informal advice, coaching and guidance.

If your conduct or performance fails to improve as a result of this advice, coaching or counselling, or where the offence is more serious, then the disciplinary procedure will be applied.

We consider the following issues to constitute gross misconduct:

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- a) theft or fraud;
- b) ill-treatment of children;
- c) assault;
- d) serious bullying or harassment;
- e) serious insubordination;
- f) serious failure to comply with policies, procedures and legal requirements that safeguard children;
- g) bringing the organisation into serious disrepute;
- h) malicious damage;
- i) gross carelessness which threatens the health and safety of others;
- j) deliberate damage to property;
- k) being unfit through use of drugs or alcohol;
- l) serious breach of the early years setting's and statutory policies; and
- m) bribery.

This is not an exhaustive list.

Overview of the disciplinary process

Prior to the disciplinary meeting the early years setting will send you written details of your alleged conduct or characteristics, or of the circumstances which have led to the contemplation of taking disciplinary action.

You will be invited to attend a disciplinary meeting to discuss the matter. You will also be informed of your right to be accompanied by a work colleague or trade union representative.

You will be given an appropriate amount of notice of the meeting in order to prepare your response.

At the meeting, the circumstances of the complaint against you will be fully discussed and you will be provided with an opportunity to respond to the management case. We will then decide whether or not to issue a disciplinary penalty. The outcome of the disciplinary meeting will be confirmed in writing, and will include information on the right of appeal and to whom to address any appeal letter.

If you wish to appeal you must inform us in writing, clearly setting out the grounds for appeal. An
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appeal meeting will then be arranged.

Westnewton Pre-school Capability procedure

Our capability procedure is designed to ensure that cases of unsatisfactory performance are dealt with similarly and fairly, with the prime objective of improving an employee's performance to the required level. The procedure seeks to establish whether a concern about work performance is a misconduct or capability issue. Performance concerns due to lack of knowledge or skills are normally addressed through the early years setting's capability procedure. For example, if you are incapable of working to required standards, through no fault of your own, then this will be addressed via the setting's capability procedure. Whereas concerns about work performance due to carelessness, neglect or lack of effort are dealt with through the disciplinary procedure as misconduct.

Grievances

1. Grievance

The Grievance procedure is intended to assist all employees to resolve difficulties within the workplace and to support employees who wish to raise concerns about their work, working environment or relationships with colleagues. All grievances will be managed under this procedure and managers and employees should raise and deal with issues promptly and not unreasonably delay meetings, decisions or confirmation of those decisions. The grievance procedure will not apply to issues where other more specific procedures apply.

The following procedure will be applied fairly in all instances where a grievance has been raised however the pre-school reserves the right not to pursue grievances that are malicious or vexatious, or which repeat complaints which have already been dealt with.

Managers and employees should attempt to resolve grievances informally in the first instance. The employee is entitled to be accompanied by a trade union representative or work colleague at every stage.

The pre-school has a duty to support its employees with any concerns, or grievances that they wish to raise.

This procedure will ensure that:

- lawful, non-discriminatory and effective arrangements exist for dealing with employee concerns and grievances
- employees are aware of their responsibilities to raise any problems

- managers are aware of their responsibilities with the aim of resolving issues as soon as possible
1. Where an employee has a grievance they should discuss it with their manager. The manager and employee should both try and resolve the grievance informally together, normally within 10 working days.
 2. Where the grievance concerns the line manager, employees should discuss the matter with the next line of management the Chair of the Committee.
 3. If the informal approach does not resolve the concern then the employee should raise the matter formally in writing stating the nature of their grievance and the expected resolution.
 4. Within 10 working days of receipt of the letter the manager will arrange a formal meeting during which the grievance will be considered.
 5. Within 10 working days of the formal meeting the manager will write to the employee advising them of the outcome of the meeting and outlining the next step including their right of appeal against the decision. Appeals are to be lodged within 20 working days.
 6. Within 14 working days of receiving the appeal letter an appeal meeting will take place.
 7. The outcome of the appeal meeting will be formally notified to the employee in writing within 10 working days.
 8. There is no further right of appeal.

Introduction

Anybody working in the pre-school may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with their manager. They want the grievance to be addressed, and if possible, resolved as soon as possible. It is also clearly in the pre-school's interests to resolve problems before they can develop into major difficulties for all concerned.

Issues that may cause grievances include:

- Health and Safety
- Work relations
- Working environment and conditions
- Discrimination

Grievances may occur at all levels and this guidance applies equally to managers and employees. Employees might raise matters not entirely within the control of the pre-school, such as client or customer relationships. The pre-school will take third party grievances seriously and action will be taken to support the employee.

The pre-school will aim to resolve grievances as quickly as possible to the satisfaction of the individual(s) concerned. Where this is not possible every effort will be made to explain the

reasons for the decision and where employees are not satisfied with the outcome they have the right to pursue their grievance to the next stage of the procedure.

Employees who raise grievances will be treated fairly at all times throughout this procedure. However, if a grievance is found to be malicious or to have been made in bad faith the employee may be subject to the Disciplinary Procedure.

When thinking about what action to take managers should consider if they need any further advice from their Committee.

Informal Discussions

Employees should aim to settle most grievances informally with their line manager. The pre-school encourages open communication between managers and employees. Many problems can be settled quickly during the course of everyday working relationships.

Where the problem concerns the immediate line manager, employees should discuss the matter with the next line of management the chair of the committee.

A record should be kept of the meeting and the outcome of the informal discussion.

Mediation/Facilitated Discussion

In some cases it can be helpful to involve an independent third party or mediator, to help resolve problems by way of mediation; sometimes referred to as a facilitated discussion. Mediation is a voluntary process where an impartial third party helps two or more people in dispute to attempt to reach an agreement. Mediation cannot be imposed on anyone and does not prevent an employee from pursuing the formal route. The pre-school will encourage all parties to participate in some form of mediation/facilitated discussion. Mediators may be formally trained and accredited and will carry out this role in addition to their usual committee roles. The mediator is in charge of the process of seeking to resolve the problem but not the outcome. Whilst there is no formal right to be accompanied during mediation, and both parties are generally unaccompanied, an employee may wish to be accompanied by a trade union representative or co-worker.

Mediation distinguishes itself from other approaches to conflict resolution as it is:

- Less formal
- Flexible
- Voluntary
- Voluntarily binding, but normally has no legal status
- (generally) unaccompanied
- Owned by the parties

If the informal approach does not resolve the concern, the employee may raise the issue formally.
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Formal Grievance Meeting

Where a grievance is serious or an employee has attempted to raise a problem informally without success, the employee should raise it formally in writing with the appropriate line manager

If the grievance is about their manager, it should be addressed to their manager's immediate line manager the chair of the committee.

If a conflict of interest is declared by any party involved responsibilities can be delegated by the chair of the committee to one or more committee members as deemed appropriate by the chair.

When stating their grievance, the employee should clearly state:

- a) *Why they are raising a formal grievance, and the nature of the grievance.*
- b) *The outcome or resolution they are looking for. This needs to be reasonably achievable.*

If the above is not clear the manager/chair should contact the employee to request this information prior to a meeting being arranged.

Receipt of the formal grievance should be acknowledged by the manager/chair in writing within 10 working days. The manager/chair will arrange a meeting with the employee within 10 working days and confirm this in writing advising them of their right to be accompanied by a trade union representative or work colleague.

The purpose of the meeting will be to consider the grievance with a view to resolving the matter. Managers/chair should remember that a grievance meeting is not the same as a disciplinary meeting, and is an occasion when discussion and dialogue may lead to an amicable resolution

The following should be considered:

- Arranging, where possible, for someone who is not involved in the grievance to take a note of the meeting
- whether it is necessary for a manager/chair to attend to provide further information
- whether similar grievances have been raised before, how they have been resolved, and any follow-up action that has been necessary. This allows consistency of treatment
- In complex cases, the Manager/Chair should consider whether it is necessary to appoint an investigation officer.

The meeting will be adjourned before a decision is taken about how to deal with an employee's grievance. This allows time for reflection and proper consideration. It also allows for any further checking of any matters raised, if required. If it is possible to reach a decision within a short timescale, the meeting will be reconvened and the decision given.

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Should further checking be required the manager/chair on behalf of the Committee must give this the highest priority and it should be carried out without undue delay whilst ensuring that the facts are investigated thoroughly.

Once additional checking has been completed the meeting should be reconvened and the employee advised of the outcome.

As a result of the meeting it may be decided that it is appropriate to move onto a different procedure and if this is the case the employee must be advised of this, given a copy of the relevant procedure and kept informed of progress.

After the meeting the manager/the Committee must within 10 working days set out clearly in writing their decision in response to the grievance, any action that is to be taken, and the employee's right of appeal. The letter should:

- state who the appeal should be made to
- explain that it should be in writing
- explain that it should set out the specific grounds of appeal
- give the time limit for appealing (10 working days)
- include a copy of the notes of the key points from the grievance meeting

Where an employee's grievance is not upheld the reasons must be carefully explained. If the grievance highlights any issues concerning policies, procedures or conduct (even if not sufficiently serious to merit separate disciplinary procedures) they should be addressed as soon as possible.

The manager/chair must ensure that any action taken is monitored and reviewed, as appropriate, so that it deals effectively with the issues.

Appeal

Where an employee feels that their grievance has not been satisfactorily resolved they have the right of appeal to another senior manager who was not involved in the original meeting or decision, and who will have the authority to overturn the original decision. Appeals should be lodged in writing within 5 working days of receipt of the outcome letter, clearly stating

- (a) Why they do not accept the original decision*
- (b) What outcome or resolution they are looking for. This needs to be reasonably achievable.*

Receipt of the letter of appeal should be acknowledged within 10 working days and a meeting arranged between the committee member dealing with the appeal and the aggrieved employee, as soon as possible.

If it is felt appropriate they can request the attendance of the manager/committee member who originally dealt with the grievance at the appeal meeting. Examples of where this may be appropriate include the requirement for the original manager to put the grievance into context with regards to operational issues, team dynamics, implications of decisions etc.

They should take the same steps that were, or should have been, taken when the grievance was first heard. For example, witnesses who gave evidence at the meeting will be required to give evidence again, the employee who raised the grievance will need to put their points forward and all the original documentation should be reconsidered. In complex cases, the Manager/Committee should consider whether it is necessary to appoint an investigation officer.

Appeals will be dealt with speedily whilst still allowing the employee reasonable time to prepare their case.

After the appeal meeting the manager/committee must inform the employee of their final decision, within 10 working days.

There is no further right of appeal.

Keeping written records

Notes should be taken of all key points raised at grievance meetings and appeals and a copy given to the employee. This information may be required at an Employment Tribunal.

Managers are advised to keep a record of all grievance cases. This record should include:

- the complaint made by the employee
- findings made and actions taken
- the reason for actions taken
- whether an appeal was lodged
- the outcome of the appeal
- any subsequent developments
- notes of any formal meetings

These records are to be kept confidential and retained in accordance with this procedure and the Data Protection Act 1998.

The records will need to be made available to Ofsted on request. EYFS 3.74

Dignity at work

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We are committed to ensuring that you are treated with dignity and respect at work. Bullying and harassment of any kind will not be tolerated in the work place.

Our procedures provide a fair, effective and consistent method of dealing with matters relating to bullying and harassment. Examples of what we deem to be unacceptable behaviour include:

- unwanted physical contact;
- spreading offensive or malicious rumours, or insulting someone (particularly on the grounds of gender/age/religion or beliefs/race/disability/sexual orientation/marriage or civil partnership/pregnancy or maternity/gender reassignment);
- ridiculing or demeaning someone, setting them up to fail;
- insulting behaviour or gestures;
- deliberate exclusion from conversations or social activities;
- unfair treatment;
- misuse of power or position;
- unwelcome sexual advances e.g. touching, display of offensive materials or jokes;
- offensive or suggestive literature or remarks;
- embarrassing, threatening, humiliating, patronising or intimidating remarks;
- deliberately undermining a competent worker;
- preventing individuals progressing by intentionally blocking promotion or training opportunities;
- using electronic means or social networks to bully, harass, demean or offend someone;
- physical or verbal assault; and
- damage to property.

If you feel you have been treated in a way you find unacceptable, please speak to your line manager in the first instance or [a more senior manager or owner/committee member].

Whistleblowing

It is important to Westnewton Preschool that any fraud, misconduct or wrongdoing by employees, or people engaged in the organisation's business, is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the early years setting or the way in which the early years setting is run.

We recognise that effective and honest communication is essential if malpractice is to be effectively dealt with and the organisation's success ensured.

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Whistleblowing relates to all those who work with, or within, the early years setting, who may from time-to-time think that they need to raise with someone in confidence certain issues relating to the organisation.

Whistleblowing is separate from the grievance procedure. If you have a complaint about your own personal circumstances, you should use the normal grievance procedure. If you have a concern about malpractice within the organisation, then you should use the procedure outlined below.

- Report any concerns to your line manager. If this is not possible, then report your concerns to a more senior manager/the committee.
- All employees and those involved with the early years setting should be aware of the importance of preventing and eliminating wrongdoing within the organisation. You should be watchful for illegal, inappropriate or unethical conduct and report anything of that nature that you become aware of.
- Any matter you raise under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to you.
- You will not be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the early years setting's disciplinary procedure will be used, in addition to any appropriate external measures.
- If you make a malicious, vexatious or a false allegation then this will be considered to be a disciplinary offence and disciplinary action will be taken against you.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If you are told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. In this event you should report the matter to a more senior manager/the committee.

Westnewton Pre-school Mandatory training

During the first year to 18 months, the following mandatory training must be undertaken.

<i>Training Area</i>	<i>Who Should Attend</i>
<i>By month 3</i>	
Child protection and safeguarding	All
Health and safety, inc. risk assessment/manual handling	All
Organisation induction	All
EYFS	All
<i>By month 6</i>	
Effective team working	All
Food hygiene	[All]
<i>By month 12</i>	
Equality and diversity	All
Safer recruitment	Line Managers
Discipline and grievance [and capability]	Line Managers
Absence management training	Line Managers
<i>By month 18</i>	
Working with parents	All
<i>As necessary for renewal</i>	
Paediatric first aid	First aiders

Redundancies

We aim to manage our business in such a way that redundancies are unlikely to become necessary. However, in the unlikely event that our circumstances change and the result is that fewer employees are needed, then some redundancies may become necessary. In this case, we will take appropriate steps to keep the number of redundancies to a minimum, whilst taking into account the needs of the business.

Where it becomes necessary for us to consider redundancies, a genuine and thorough consultation process will take place. The objectives of consultation will be to:

- reach agreement with employees or their representatives on the above issues;
- avoid the need for redundancies wherever possible;
- reduce the number of employees who are to be made redundant to a minimum;
- determine the criteria to be used to select employees for redundancy; and
- lessen the consequences of any dismissals.

An employee who is made redundant will be eligible for a statutory redundancy payment provided that he or she has at least two years' continuous service.

The amount of any statutory redundancy payment is based on three factors: an employee's age, salary and length of service. An employee is entitled to receive:

- half a week's pay for each year of employment in which the employee was aged 21 or under;
- one week's pay for each year of employment in which the employee was aged between 22 and 40; and
- one and a half week's pay for each year of employment in which the employee was aged 41 or over.

The maximum number of years of employment that can be taken into account is 20. There is also a cap on a week's pay which is used to calculate a week's pay.

Drugs and alcohol

We aim to promote the general well-being of all employees, to avoid unnecessary illness, absences and accidents, to improve work performance and to provide a working environment

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which ensures, as far as possible, the health and safety of all employees.

If you suffer from an alcohol or drug addiction, then you are expected to notify your line manager. It is a disciplinary offence to attend work where the use of either alcohol or drugs impairs the safe and efficient running of the setting, or the health of our employees and service users.

Employees working for other employers

We recognise that employees may want to take up other employment in their spare time, whether paid or unpaid, and/or pursue outside business interests in their spare time, whilst still remaining in the employment of the setting. Although we have no wish to unreasonably restrict your external activities, we must protect our own interests and those of all our employees. For this reason, we require you to seek written permission from your line manager prior to undertaking any other paid or unpaid work.

We will not permit you to undertake any outside business activities, whether paid or unpaid, or take on any other work outside working hours, where we consider that this is in conflict with our interests.

Working hours

We expect you to work your full contractual hours each week. If you do not perform your full contractual hours, your salary payment will be adjusted accordingly.

Overtime

From time-to-time you may be required by Westnewton Pre-school to be available to work overtime in excess of your normal working hours, although we do not guarantee that overtime will be available to you.

For details of the overtime rates, please contact your line manager.

Part-time employment

We recognise the benefits that can be gained from part-time working. It is appropriate where the workload/duties of a job can be undertaken in less than full-time hours, or when the workload or duties of a job allow job-sharing, and where initiatives are needed to attract and retain employees.

Part-time employees, irrespective of hours worked, will be entitled to the same contractual

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benefits on a pro-rata basis as full-time employees doing the same job, unless there is an objective reason for offering a different level of benefits.

Claiming expenses

You are required to only claim expenses in line with Westnewton Pre-school expenses procedures. Normally expenses must be agreed in advance and a receipt for all expenses should be submitted with all claims. Expenses should only be incurred wholly and exclusively on business that relates to the early years setting.

Failure to follow this procedure could result in your claim being declined and disciplinary action being taken against you.

If you are unclear about the expenses procedure or need further guidance, please contact your line manager.

Change of personal details

If you change your address, contact details, next-of-kin details or bank account, you are required to immediately inform us so that our records are up-to-date. If you change your name by marriage or deed poll, then the original relevant legal document must be presented to us for review e.g. marriage certificate.

Equality and diversity

Westnewton Pre-school is committed to recognising, valuing and respecting the diversity of its employees, service users, volunteers and job applicants. We recognise that everyone has a contribution to make and we aim to ensure that all individuals with whom we have contact will be treated in a fair and consistent manner.

We recognise that certain people face discrimination based on factors such as their race, ethnic or national origins, religious and political beliefs, gender, disability, sexuality, age, marital status and linguistic ability. With this in mind, we will work within the current legislative framework and within the sphere of best practice in order to promote equality and value diversity, and work to address unfair treatment, discrimination and prejudice where found within the workplace.

It is expected that the principles of diversity and equality will underpin all of our work, and the Westnewton Policies and procedures for the EYFS

work of our employees.

Data protection

The Data Protection Act 1998 is intended to protect people's privacy by controlling the use of personal information held on computer and filing systems. Westnewton Pre-school holds and processes the data it collects about you during your employment only for the following purposes:

- administration and management of employees;
- our business; and
- compliance with relevant procedures and laws.

All data is treated with absolute confidentiality and security measures are taken at all times.

If you are dealing with data relating to the early years setting or its users you must take adequate precautions to ensure confidentiality, and to protect [name of early years setting] and its employees from any liabilities.

We expect all employees to observe the Data Protection Act 1998 when collecting, processing and storing early years setting related data. For further guidance please contact your line manager.

Computers and electronic communications

E-mail and internet use

We encourage our employees to use e-mail and the internet at work where this can save time and expense. However, we require that you ensure that your communication is well structured and professional, just as if a letter was being sent.

If you are unsure about whether something you propose to do might breach this e-mail and internet guidance, then you should seek advice from your line manager.

Personal blogs

You are free to set up personal weblogs or 'blogs' on the internet, provided that they do not breach the law; disclose any of the early years setting's confidential information; breach Westnewton Policies and procedures for the EYFS

copyright; defame the company or its suppliers, customers or employees; bring the organisation into disrepute; or disclose personal data or information about any individual that could breach the Data Protection Act 1998.

Social networking websites

Westnewton Pre-school respects employees' right to a private life. However, we must also ensure that confidentiality and our reputation are protected. If you use social networking websites, we therefore require you to: read and understand the following policy-

Social Networking

This social media policy applies to parents, members of staff, students, committee members and volunteers at Westnewton Pre-school.

This policy includes (but is not limited to) the following technologies:

Social networking sites (e.g. Facebook, Twitter, Snap Chat)

Blogs

Discussion forums

Media Sharing services (i.e. You Tube)

As part of our duty to safeguard children it is essential to maintain the privacy and security of all our families. We therefore require that:

No photographs taken within the Pre-School setting or at Pre-School special events and outings with the children, are to be posted for public viewing.

No public discussions are to be held or comments made on social media sites regarding the Pre-school children, staff or committee business (except appropriate use for marketing fund raising events) or that could be construed to have any impact on the Pre-School's reputation or that would offend any member of staff or parent using the Pre-School.

Social media

Staff are advised to manage their personal security settings to ensure that their information is only available to people they choose to share information with.

Staff should not accept service users, children, staff and parents as friends due to it being a breach of expected professional. Staff should avoid personal communication, including on social networking sites, with parents/carers with whom they act in a professional capacity.

In the event that staff names the organisation or workplace in any social media they do so in a way that is not detrimental to the organisation or its service users.

Staffs observe confidentiality and refrain from discussing any issues relating to work

Staff should not share information they would not want parents or colleagues to view.

Staff should report any concerns or breaches to the designated person in their setting.

Any member of staff, student or volunteer found to be posting remarks or comments that breach confidentiality, bring the Pre-School into disrepute or that are deemed to be of a detrimental nature to the Pre-School or other employees, or posting/publishing photographs of the setting, children or staff may face disciplinary action in line with the Pre-School disciplinary procedures.

Any comment deemed to be inappropriate is to be reported to the Chair and Manager and any action taken will be at their discretion.

General guidelines for using social media:

Personal security settings should be managed to ensure that information is only available to people you choose to share information with.

Remember that no information sent over the web is totally secure and as such if you do not wish the information to be made public refrain from sending it through social media.

Maintain professionalism, honesty and respect.

Apply a “good judgement” test for every social media post you make.

Disciplinary action could result if the pre-school is brought into disrepute.

Cyber bullying

We are committed to ensuring that all of our employees are treated with dignity and respect at work. Bullying and harassment of any kind will not be tolerated in the work place. We provide clear guidance on how bullying and harassment can be recognised. Cyber-bullying methods could include using text messages, mobile phone calls, instant messenger services, by circulating photos or video clips or by posting comments on web sites, blogs or in chat rooms. Personal blogs that refer to colleagues without their consent is also unacceptable. Employees who cyber-bully a colleague could also face criminal prosecution under various laws, including the Malicious Communications Act 1988.

Telephone use

We provide employees with access to the telephone for work-related purposes.

Optional clause

[However, if there is an urgent personal call that you need to make, then you are able to use the early years setting's telephone. You will need the permission of your line manager.]

Monitoring

Westnewton Pre-school reserves the right, but not the duty, to monitor any and all aspects of its electronic resources. This includes: data, email and voice mail boxes, and other employer provided electronic storage systems. We reserve the right, for business and security purposes, to audit and monitor the information on all systems, electronic mail, telephone and information stored on computer systems or media, without advance notice. We also reserve the right to retrieve the contents of any employee communication in these systems.

This process is in place to maintain the integrity of [name of early years setting]'s electronic systems, the rights of the other users, and to ensure compliance with the early years settings policies and obligations.

Copyright

Under the provision of the Copyright, Designs and Patents Act (1988), the copyright of any material (whether written, graphic or in any other medium) which is created by you in the course of your employment with the early years setting, is the property of Westnewton Pre-school.

Anti-bribery

Westnewton Pre-school requires that all staff comply with the Bribery Act 2010. This means that you agree that you will not offer, promise, give, request, agree to receive, or accept any bribes:

- in the course of your employment;
- when conducting business on behalf of the setting; or
- when representing the organisation in any capacity.

A bribe means a financial payment or other form of reward or advantage, whether direct or

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indirect, that is intended to induce or influence, or has the effect of inducing or influencing, an individual, company or public body to perform their functions, including business and public duties, improperly. Improper performance includes:

- not acting in good faith;
- not acting impartially; and
- not acting in accordance with a position of trust.

Resignations

When resigning, it is important that your resignation is in writing to avoid confusion about your resignation date. Your required notice period is set out in your statement of terms and conditions of employment. As part of this process we will ask you for feedback on your decision to resign in order to improve our retention practices, where appropriate.

Notice periods

Statutory minimum notice periods are 4 weeks, however these are subject to terms and conditions of employment, which may set out longer notice periods.

During your probation period, Westnewton Pre-school will give you one weeks' notice to terminate your contract of employment. Following the probationary period Westnewton Pre-school will give you one month's notice to terminate your contract of employment, with [an additional week's notice] per completed year of service after two years' continuous service, up to a maximum of 12 weeks.

You are required to give Westnewton Pre-school one week's notice to terminate your contract of employment during your probationary period. Following the probationary period, you are required to give [one month's] notice to terminate your contract of employment.

Westnewton Pre-school may agree to release you from the requirement to serve your full notice period. In these circumstances, we will not pay you for the portion of the notice period that you do not work. You will be asked to sign a letter confirming the agreement reached.

In the event of termination of the contract of employment by either party, [your line manager] will confirm your final day of employment.

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Section 3: Safeguarding children

Safeguarding regulations that protect children

Safeguarding regulations introduced in October 2009 include the following:

- a person who is barred by the Independent Safeguarding Authority from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with those groups;
- any setting that knowingly employs a barred individual to work with children or vulnerable adults will also be breaking the law; and
- as Westnewton Pre-school works with children, if you are dismissed because you have harmed a child, or you would have done so if you had not left, then your name and the relevant information will be given to the Independent Safeguarding Authority.

The Disclosure and Barring Service- DBS is responsible for the disclosure of criminal records and for the barring function

Vetting employees

Checks undertaken by the early years setting will include:

- an explanation from you for any gaps in your employment;
- references, with at least one being from your current/most recent employer;
- a satisfactory enhanced criminal records check (having a conviction will not automatically prevent you from taking up employment);
- proof of essential qualifications and registration;
- Ofsted approval, where relevant;
- [completion of a medical questionnaire which is satisfactory to the setting];
- proof of your identity (via the production of documents on an approved list); and
- proof of the right to work in the UK (via the production of documents on an approved list).

If you provide false information then your continued employment will be at risk.

Mobile phone use

You must ensure that you do not have in your possession a personal mobile phone during working hours. Personal mobile phones must be switched off [and kept in the staff room] during working hours, although can be used in staff rooms or outside of the premises during lunch or rest breaks. You may give the setting's telephone number as an emergency contact.

Where trips are taken outside of the setting (either outings or home visits) and mobile phones are not provided by the setting, employees may use a personal mobile, which is fully charged and switched on for the duration of the trip. This number is recorded in the outings book [and you will be reimbursed for any use associated with the trip accordingly].

Camera and video phones

Camera and video phones and their use in the setting, especially to photograph children in the setting or on trips, are subject to the same restrictions as mobile phones. They may not be used at work for the purpose of photography unless express permission has been granted.

Employees found to be in breach of this policy will be subject to an investigation, which may lead to disciplinary action. Employees who breach this policy could also face criminal prosecution under various laws.

The early years setting will make appropriate arrangements for photographs to be taken when necessary, which ensures that permission is obtained from the parent/carer to ensure compliance with the Data Protection Act.

Reporting concerns

You have an obligation to report any concerns relating to the health, safety or welfare of children within the early years setting. If you have any concerns these should be communicated using the line management or whistleblowing arrangements.

Police investigation, caution or charge

You have an obligation to report any incident, which you are subject to, which leads to a police investigation, caution or charge, which is related to your employment (e.g. a child related offence). If you are uncertain as to whether to report being subject to police investigation, Westnewton Policies and procedures for the EYFS

caution or charge you must speak to your line manager.

Other investigations

You have an obligation to report any incident, which you are subject to, which leads to investigation, which is related to your employment. If you are uncertain as to whether to report being subject to an investigation by a government department or statutory body, you must speak to your line manager.

Section 4: Standards

Early Years Foundation Stage

The Early Years Foundation Stage (EYFS) framework defines the legal requirements and standards for promoting the welfare, learning and development of children from birth to five years in childcare. All employees must meet these requirements.

Ofsted registered providers are required to use the EYFS to ensure that whatever early years setting parents choose, they can be confident that their child will receive a quality experience that supports their development and learning. Therefore you are required to understand the EYFS as it applies to your role and implement it in your work

Team work

Westnewton Pre-school considers team work to be essential, if it is to achieve its goals. We consider that the more effective the team, the greater the benefit to the organisation. For this reason, you are required to always consider how you can support and give your best to the setting's team.

Section 5: Health and safety

Health and safety

Your health and safety is of prime importance to us, therefore:

- we will ensure as far as reasonably practicable, the health, safety and welfare at work of all our employees;
- we aim to conduct our work in such a way that children, carers and employees are not exposed to risks to their health and safety; and
- we will communicate with you on health and safety matters.

We also expect you to:

- work safely and efficiently in accordance with our instructions;
- know the rules relating to health and safety and follow these;
- report and record any accidents as soon as possible after they happen;
- take reasonable care of your own health and safety and that of others who may be affected by your actions;
- know the fire and evacuation procedures; and
- co-operate with your line manager to ensure that the highest standards of safety are maintained at all times.

Accidents

If an accident or injury happens to you as an employee:

- let your line manager know;
- let a first aider know in case treatment is needed; and
- make sure the accident has been recorded in the accident record book.

Risk assessments for new and expectant mothers

Westnewton Pre-school is concerned to protect the health and safety of all its employees. In particular, employees who are pregnant or breastfeeding or who have recently given birth must be protected against any risks to their health or safety that might occur as a result of their job duties or working environment. For this reason, in the event of us receiving written notification from you that you are pregnant, have given birth within the previous six months, or are breastfeeding, we will carry out a specific risk assessment. If you fall into one of these categories, you are expected to request a meeting and agree a date with your line manager at the earliest opportunity to discuss

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the risk assessment.

Display screen equipment

A display screen equipment user is defined as an operator who habitually uses display screen equipment as a significant part of their normal work. Managers and employees should ensure that display screen equipment is appropriately used and discuss where appropriate adjusting the workplace to suit their particular needs before commencing work. You should ensure that you vary your work and undertake different duties to ensure that you have regular breaks from the screen.

Smoking

Smoking is banned within the early years setting and its outdoor space and public walkways.

If you breach [this/these rules] you are likely to face disciplinary action through the organisation's disciplinary procedure.

Fire

Make sure you know the procedure for evacuating the building, which you were taken through in your induction. Familiarise yourself with the fire exists and fire alarm call points. Your line manager will advise you what the procedures are in your area. Please ensure that you:

- never block the fire exists or the routes leading to them;
- raise the alarm by breaking the glass on the nearest alarm point;
- leave by the nearest exit, if you have heard the alarm; and
- only fight the fire if it is safe to do so and with the right fire extinguisher.

Food handling

We need to make sure that we maintain the highest standards of hygiene. During your induction, you will have been introduced to our hygiene procedures and, if necessary, you will receive further training.

Lifting and manual handling

Lifting and handling equipment is a common activity in early years settings. If it is done incorrectly it can lead to problems. Guidance will have been provided during your induction.

Dress code

If you work directly with children you are required to dress appropriately for your role when in the setting. This includes:

- Hair and nails are neat and tidy
- removing all earrings, nose and lip rings (apart from small studs) prior to commencing work;
- removing all unsecure jewellery; and
- ensuring that you have no loose fastenings or buttons prior to commencing work.

This is not an exhaustive list.

Stress at work

Westnewton Pre-school will take reasonable steps to reduce health and safety risks from stress in the workplace to as low a level as reasonably practicable. Causes of stress (stressors) will be identified and managed. A suitable and sufficient assessment of the risk of these stressors will be undertaken. Identified risks will be reduced to as low as is reasonably practicable through safe systems of work, suitable equipment and information and training.

You are expected to:

- inform your line manager if you are suffering from excessive pressure or stress at work; and
- follow appropriate systems for work laid down for your safety.

Any reports of stress at work will be investigated and individuals will be provided with appropriate support.

Section 6: Employee benefits

Westnewton Pre-school provides the following benefits to its employees:

Well-structured career path

Modern Apprentice programmes

Training and development

Flexible working

Section 7: Nine quick questions

1. Do you understand the aims and mission of Westnewton Pre-school?
2. Do you understand what your work responsibilities are?
3. Do you know how to apply the EYFS as it is relevant to your role?
4. Do you understand health and safety rules?
5. Do you know the procedure for recording and reporting safeguarding concerns?
6. Do you know the whistleblowing arrangements for reporting concerns?
7. Do you know what information you are, and are not, able to share?
8. Do you know the requirements for reporting sickness?
9. Do you know where to seek further support?

If you cannot answer yes to any of these questions, then you must contact your line manager.

Employee's Hand book

I have read and understood my role from the Induction process in the employee's hand book my role as an employee in the Westnewton Pre-school staff team.

Name.....

Signature.....

Date.....

Signature of the Chair of the committee.....

Date.....