

POLLYANNA PRE-SCHOOL STAFF POLICY

STATEMENT OF INTENT

Our staff are the Pre-School's most valuable resource, as it is only through their commitment and effort that good quality provision can be both established and maintained. We are therefore committed to providing good training and development opportunities for staff so that they can perform their roles both efficiently and effectively.

We are an equal opportunities employer and are committed to the principle of equality regardless of race, ethnic or national origin, religious belief, political opinion or affiliation, gender, marital status, sexual orientation, gender reassignment, age, or disability. We will apply employment policies that are fair, equitable and consistent with the skills and abilities of our employees and the needs of the Pre-School.

We ensure that staff are aware of our policies and procedures regarding:

- Absence
- Disciplinary
- Grievance
- Capability
- Data protection and confidentiality

We provide all staff with a staff handbook outlining all of our procedures and guidelines.

ANNUAL LEAVE

Annual leave entitlement is outlined in staff contracts. The annual leave year runs from 1st September to 31st August.

Annual leave must be taken outside of term time, unless in exceptional circumstances, and at the discretion of the management.

Annual leave during term time must be authorised prior to leave being taken and is granted at the discretion of Pollyanna Pre-School. A request for annual leave may be refused, for example, where other employee(s) have already applied to take the same period off, or where the time requested is during a peak period.

If you wish to apply for annual leave please complete the Holiday Request form and provide it to your manager as far in advance as possible, however, at least providing notice of twice the number of days' leave that you wish to take as annual leave.

SICKNESS ABSENCE

Sickness reporting

Staff will be expected to:

- attend work at the expected time;
- inform their 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 their 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:

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<i>Length of sickness absence</i>	<i>Responsibility of employee</i>
For sickness over 4 days, but up to 7 days	Complete a self-certification and return to work form 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 their manager on return from sick leave; and
- comply with their manager's request to take care of their health generally.

It is important that staff follow the sickness reporting responsibilities. If they do not, Pollyanna may have to take disciplinary action. As part of the normal managerial process for managing sickness absence, Pollyanna 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.

Pollyanna 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 Pollyanna's obligations under Food Safety and Health and Safety Legislation, it is very important for staff to let their manager know if they 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

Pollyanna prefers staff to make appointments with their doctor, dentist or hospital outside working hours or at the beginning or the end of the working day. Where this is not possible, staff are asked to agree a mutually convenient time with their manager and give at least 48 hours' notice.

Managing long-term sickness absence

It is Pollyanna'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.

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

- review staff sickness records to assess what action to take;
- consult with staff;
- obtain up-to-date medical advice;
- advise staff when their employment is at risk;
- meet with staff to discuss the options and consider their views on continuing employment;
- review whether there are any other jobs that staff could do prior to taking any decision on whether to dismiss;
- allow a right of appeal against any decision to dismiss staff on grounds of long-term ill health and if an appeal is requested, then to hold an appeal meeting.

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Sick Pay

Employees are entitled to be paid for sick leave between September and July each year, as follows: 1 week's contracted hours over 38 weeks (pro rata for new employees). In exceptional circumstances and at the discretion of the Management Committee regular non contracted hours may be considered.

Thereafter, Statutory Sick Pay will operate where appropriate and will only be paid if a self-certification form is fully completed or a Fit to Work note is received from a GP.

There will be no carryover of unclaimed sick pay from one academic year to the next in any circumstances.

STAFF DISCOUNT

Staff are entitled to a 15% discount of fees for their children/dependents.

MATERNITY BENEFITS

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

- advise the Pollyanna of the fact that they are pregnant;
- provide medical evidence from a registered medical practitioner or midwife stating the Expected Week of Confinement (EWC), such as a 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 they intend to start taking maternity leave and/or pay.

Pollyanna will provide details to staff of what they are required to do and their entitlements. To ensure staff are safe if they decide to work past their 6th week before their EWC, Pollyanna will ask them to obtain a fit note from their GP.

Staff must take at least 2 weeks maternity leave following the birth of their child.

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

Keeping in touch days

Staff may carry out up to 10 days' work for the early years setting during their statutory maternity leave period without bringing their maternity leave to an end. The purpose of this provision is to allow staff 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, but will be paid hourly.

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

Employees need to satisfy the following conditions in order to qualify for ordinary paternity leave. They 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 (including same sex relationships);
- be the adopter's spouse or partner;

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- have worked continuously for Pollyanna 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. Staff will be required to inform their manager of their 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).

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

SHARED PARENTAL LEAVE

Shared Parental Leave (SPL) gives more choice in how 2 parents can care for their child.

Eligible parents who are sharing responsibility for a child can get SPL in the first year after:

- the birth of their child
- adopting a child
- getting a parental order if they had the child through surrogacy

Eligible parents can get:

- up to 50 weeks of SPL
- up to 37 weeks of Shared Parental Pay (ShPP)

How much SPL or ShPP eligible parents get depends on how much:

- maternity entitlement the birth parent has taken
- adoption entitlement the primary adopter has taken

It's the same amount even if the parents have more than one:

- baby, for example twins
- child in the same adoption placement

If the birth parent or primary adopter is not entitled to maternity or adoption leave, they will not be eligible to take SPL themselves, but if they're getting maternity pay, adoption pay or Maternity Allowance, they can end ('curtail') this to create SPL or ShPP for the other parent.

Ways eligible parents could use SPL include:

- the birth parent or primary adopter returns to work early from maternity or adoption leave and takes SPL at a later date

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- the birth parent or primary adopter returns to work and their partner takes SPL
- both parents are off at the same time
- the parents share SPL evenly and are off at different times

To be eligible for Shared Parental Leave (SPL), there must be 2 parents sharing responsibility for a child. For either parent to get SPL, the birth parent or primary adopter must do one of the following:

- end their maternity or adoption leave and return to work
- give their employer notice to end ('curtail') their maternity or adoption leave early

The birth parent must still take at least 2 weeks' maternity leave (4 weeks if they work in a factory), by law.

The parent who is to take SPL must:

- be sharing responsibility with the other parent from the day of the child's birth or adoption placement
- be [legally classed as an employee](#)
- pass the 'continuity of employment test' and their partner must pass the 'employment and earnings test'

They then have to give Pollyanna Notice of SPL Entitlement.

The parent who is to take SPL must:

- have worked for Pollyanna for at least 26 weeks by the end of the 15th week before their baby is due or their adoption match date
- still be working for Pollyanna at the start of each block of leave they take

Up to the expected birth date or adoption match date, the other parent must have:

- worked for at least 26 of 66 weeks
- earned the qualifying average earnings in any 13 weeks

Non-eligibility for Shared Parental Leave

- Workers, including agency, contract and zero-hours workers, are not entitled to SPL but might be able to get [Shared Parental Pay](#).
- **If the parent stops having responsibility for the child**
- If the employee taking SPL stops sharing responsibility for the child, they must tell their Pollyanna straight away. Their entitlement to SPL or ShPP will end and Pollyanna can require them to return to work.
- If it's not practical for Pollyanna to have the employee back at work straight away, they can still be required to be off for any SPL they had booked for up to 8 weeks.

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During SPL, the employee is still entitled to all of the terms and conditions of their employment contract. This is except for the employee's usual salary and other payments ('remuneration'), as they'll be on ShPP.

SHARED PARENTAL PAY

Employees and workers can claim statutory Shared Parental Pay (ShPP) for any remaining weeks after the birth parent or primary adopter stops their:

- maternity pay
- adoption pay
- Maternity Allowance

For example, if a mother stops their maternity pay after 30 weeks, they or their partner could get ShPP for the remaining 9 weeks.

To do this, the employee or worker must tell Pollyanna in writing.

DEPENDANTS LEAVE (EMERGENCY LEAVE)

Staff 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 staff 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

Staff that are parents are entitled to 18 weeks' leave for each child and adopted child, up to their 18th birthday.

Eligible employees can take unpaid parental leave to look after their child's welfare, eg to:

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- spend more time with their children
- look at new schools
- settle children into new childcare arrangements
- spend more time with family, such as visiting grandparents

Their employment rights (like the right to pay, holidays and returning to a job) are protected during parental leave.

Parental leave is unpaid.

The limit on how much parental leave each parent can take in a year is 4 weeks for each child (unless the employer agrees otherwise).

You must take parental leave as whole weeks (eg 1 week or 2 weeks) rather than individual days, unless Pollyanna agrees otherwise or if your child is disabled. You don't have to take all the leave at once.

A 'week' equals the length of time an employee normally works over 7 days.

Employees qualify if all of these apply:

- They've been working at Pollyanna for more than a year
- they're named on the child's birth or adoption certificate or they have or expect to have parental responsibility
- they're not self-employed or a 'worker', eg an agency worker or contractor
- they're not a foster parent (unless they've secured parental responsibility through the courts)
- the child is under 18

Pollyanna can ask for proof (like a birth certificate) as long as it's reasonable to do so, eg we can't ask for proof each time an employee requests leave.

Employees must give 21 days' notice before their intended start date. If they or their partner are having a baby or adopting, it's 21 days before the week the baby or child is expected.

Employees must confirm the start and end dates in their notice. Unless an employer requests it, this doesn't have to be in writing.

Leave can't be postponed (delayed) if:

- the employer doesn't have a 'significant reason', e.g. it would cause serious disruption to the business
- it's being taken by the father or partner immediately after the birth or adoption of a child
- it means an employee would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday

If it's postponed, the preschool:

- must write explaining why within 7 days of the original request
- suggest a new start date - this must be within 6 months of the requested start date
- can't change the amount of leave being requested

Pollyanna may refuse leave in some circumstances. For more information, please see www.gov.uk/parental-leave

FLEXIBLE WORKING

All employees are able to make one request in a year to work flexibly. They will need to satisfy the one of the following conditions in order to make a flexible working request:

- 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,

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- 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 staff must state:

- the effect(s) that they think the change(s) will have on Pollyanna; and
- how they think that any such effect(s) might be dealt with.

If staff meet the criteria above, Pollyanna will follow the statutory procedure, which involves the following steps:

- Pollyanna will hold a meeting with the employee within 28 days of the request being submitted. They will be granted the right to be accompanied at the meeting by a work colleague.
- Within 14 days of the meeting, Pollyanna will write to the employee, 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 the request is refused, the reply will state the specific business grounds for the refusal and why these are relevant in the particular case.
- Pollyanna will grant the right of appeal against any refusal of a flexible working request.

RETIREMENT

Pollyanna is committed to equality and diversity and recognises the contributions of a diverse workforce, including the skills and experience of older employees. Pollyanna believes that employees should, wherever possible, be permitted to continue working for as long as they wish to do so, and may voluntarily retire at a time of their choosing.

Pollyanna will provide further details of leave and pay entitlements.

BEREAVEMENT/COMPASSIONATE LEAVE

In exceptional circumstances and at the discretion of the Management Committee the Pre-School will offer up to 3 days paid compassionate leave. Any additional compassionate leave will be at the discretion of the Management Committee and will be unpaid.

PROBATION PERIODS

All new employees, are placed on a probation period, as detailed in their contract. 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 employees 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 Pollyanna or the employee by giving one week's notice in writing. Thereafter, termination will be governed by the notice period detailed in the employee's Contract.

Probation periods can be extended, and regular performance reviews will continue during the extended period.

If an employee's contract of employment is terminated as a result of the probationary process, then the employee will have the right of appeal.

INDUCTION

Pollyanna seeks to ensure the effective integration of new employees, through an induction

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procedure for the benefit of both parties. The induction program 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.

All employees will be given a comprehensive induction.

SUPERVISION

Supervision meetings are a two-way discussion between a staff member and the manager. 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 employees are clear about what their job involves, what the setting wants them to do, and for staff to be supported to do their job well. The meetings are there to set and communicate standards and to ensure that employees understand the standards that have been set and how they are expected to meet them.

Staff are expected to produce work to the expected standards and strive for continuous development. Pollyanna also expect an open, non-defensive response from staff when their work is being discussed. In return staff 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 Pollyanna.

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

PERSONAL DEVELOPMENT PLANNING

Personal Development Planning is a continuous process to ensure that staff needs are both identified and acted upon as they arise. It is the joint responsibility of both the staff member and the Manager to ensure that the plan is kept up-to-date and that all decisions are followed through. The appraisal and supervision process will be used to build up this plan for each staff member.

The Manager will keep a copy of this plan, but each staff member may have a copy of their own plan if they request.

TRAINING

During the first year to 18 months, the following mandatory training must be undertaken, if not up to date:

<i>Training Area</i>	<i>Who Should Attend</i>
Child protection and safeguarding	All
Designated Safeguarding Training for the Officer	DSOs
Health and safety, inc. risk assessment	H&S officer
manual handling	All
Organisation induction	All
EYFS	All (if required)
Prevent	All
FGM	All
CSE	All
SEND	SENDco
Food hygiene	All staff doing snack

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Safer recruitment
Paediatric first aid

Managers / Chair
All

There will be further opportunities for additional training throughout your employment. These will be discussed at supervision meetings and appraisals.

Pollyanna Pre-School will do all it can to support staff who are working towards improving their qualifications and training experience. All staff are encouraged to take up training opportunities to expand their professional development and ensure an up-to-date knowledge of childcare issues.

It is the responsibility of the Manager to identify and promote suitable training courses for staff and strongly encourage them to take advantage of these. Staff will be expected to attend training and update skills as and when requested by the Manager. Staff will not suffer financially for any training that they are required to undertake.

Specific training courses in food hygiene, equal opportunities, safeguarding children, special educational needs and health and safety are obligatory and staff members must always attend such courses when requested. It is the Manager's responsibility to keep staff up to date with recent legislation.

Payment for Course/s

Staff will be paid for the time the course runs; however, they will not be paid for their travel time to or from courses.

Pollyanna Pre-school will provide for fully funded training courses as required for its employees throughout their employment. A portion of the training course fees may be reclaimed should the employee leave the Pre-School shortly after completion of the training course. The table below demonstrates the level of fees chargeable based on the service completed following the training:

>3 months service	75% of training fees chargeable
>6 months service	50% of training fees chargeable
>9 months service	25% of training fees chargeable
>1 year service	0% of training fees chargeable

A decision to waive such charges may only be made by Pollyanna Pre-School Management Committee.

RATIOS

Pollyanna provides a staffing ratio in line with the statutory requirements of the Early Years Foundation Stage to ensure that children have sufficient individual attention and to guarantee care and education of a high quality.

- We use the following ratios of adult to child:
 - children aged two years of age: 1 adult: 4 children
 - children aged three - five years of age: 1 adult: 8 children
- Our setting Manager holds a Level 4 advanced Practitioner in Early Years. Our Deputy holds the CACHE level 3 Diploma in Pre-school Practice or an equivalent qualification.
- At least half of the staff working are qualified to Level 2 or above, with a Level 3 staff member in contact with the children at all times.
- Pollyanna uses a key person approach to ensure that each child has a named member of staff with whom to form a relationship and who plans with parents for the child's well-being and development in the setting. The key person meets regularly with the family for discussion and consultation on their child's progress.

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- Pollyanna holds regular staff meetings to undertake curriculum planning and to discuss children's progress, their achievements and any difficulties that may arise from time to time.

RECRUITMENT

General Principles

Staff / committee involved in the recruitment process should be aware of their responsibilities under the relevant legislation. The Pre-School aims to secure equality of opportunity in all its activities and employment.

If a member of staff / committee involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare this as soon as they are aware of the individuals' application. It would normally be necessary for the member of staff / committee to avoid any involvement in the recruitment and selection process.

Documentation relating to applicants will be treated with the utmost confidentiality and in accordance to the General Data Protection Regulations (GDPR). Applicants will have the right to feedback and to access any documentation held on them in accordance with the GDPR

The recruitment and selection process should not commence until a full evaluation of the need for the role has been agreed with the committee.

Advertising

The Pre-School will ensure that all job vacancies are advertised in a wide range of places e.g. local press, Bucks Early Years Recruitment website, local notice boards, to attract applicants from all areas of the community.

Job Description/Person Specification

- Includes reference to our safeguarding statement.
- Includes a statement that successful applicants will need to undertake an
- Enhanced Disclosure via DBS (Disclosure and Barring Service) check.
- All job descriptions and person specifications will clearly describe the role, responsibilities, accountabilities, knowledge, skills and experience required.

Application Form

- Applications are only accepted on the Pre-School application form.
- Includes a statement that applicants will need to undertake an Enhanced Disclosure via DBS (Disclosure and Barring Scheme) check.
- Includes a section if the role is exempt from the 'Rehabilitation of Offenders Act 1974 and all convictions, cautions and bind-overs, including those regarded as 'spent', must be declared.
- The application form requests information following guidance from Ofsted.
- The application form includes a declaration to state that the information given is true, and can be treated as part of any subsequent contract of employment.

Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.

A copy Ofsted's Safeguarding Children and Safer Recruitment document is held in the setting at all times for reference and to ensure that we comply with current legislation.

Short Listing

Short listing must be undertaken by at least two individuals who will also be involved in the interviews. Candidates will be shortlisted against the person specification and invited to attend an interview. Information given on an application form is fully scrutinized to ensure that it has been fully and

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properly completed and that the information provided is consistent and does not contain any discrepancies.

Any gaps in employment are highlighted to ensure that this is explored and verified with the applicant at interview and with referees. Frequent changes in employment that do not show any clear career or salary progression, or a move from higher paid permanent employment to temporary or supply work is explored and verified with the applicant at interview and with referees.

The Pre-School will do all in its power to provide any special facilities at interview that are requested by the candidate. Candidates will be notified of the details of any skills tests when they are invited for interview.

Interview

Candidates will be asked to bring documents to the interview to confirm their identity and their right to work in the UK. These documents include passport and photographic driving licence.

Interviews will normally be conducted by at least two people, and all interviews for one post must be conducted by the same people. Interviews will be conducted by face to face and not over the telephone. In rare circumstances, interviews will take place via electronic means (e.g., Zoom, MS teams) if face to face interviews are not possible.

The interview will be a standard set of questions and scenarios in an evidence-based process. Candidates will be assessed against an agreed selection criteria based on relevant knowledge, skills, competencies, experience and qualifications. Any information required following scrutiny of the application form is highlighted for further questioning.

Written notes will be taken during the interviews.

At least 1 member of the interview panel is knowledgeable in safeguarding issues and has completed the Safer Recruitment Training.

The Pre-School will avoid making biased judgments and select the best candidate for the job based on the recommendation from the interview panel.

At the end of the recruitment process all application documents will be retained by the pre-school for one year. The successful candidate's paperwork will be held in their personal file for the duration of their employment.

Offer of Employment

Any conditional offer of employment is made subject to all the relevant pre-employment checks being made before taking up the position. Please see appendix A for the Recruitment Checklist. Offers of employment are also conditional upon receipt of satisfactory Disclosure and Barring Service disclosure, at least two references or any other appropriate checks.

All references are sought and obtained directly from the referee. Questions which have not been answered fully or are vague or unspecific, the referee will be contacted and asked to provide written answers or further information as requested. Testimonials are not accepted. An applicant who is not currently working with children, but has done so in the past, a reference will be sought from that former employer.

DISCIPLINE

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Disciplinary procedure

Pollyanna's 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.

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

Staff 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, Pollyanna may give them informal advice, coaching and guidance.

If 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.

Pollyanna consider the following issues to constitute gross misconduct:

- 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.

Other reasons for disciplinary action may include, but are not limited to:

- a) breach of confidentiality;
- b) negligent use, misuse or unauthorised use of the Pollyanna's property, including equipment, materials and information;
- c) abusive behaviour, offensive or obscene language or gestures directed at employees, members of the Management Committee, parent/carers, members of the public;
- d) smoking in any areas;
- e) serious neglect of duty which undermines the organisation;
- f) failure over a period of time to perform work to satisfactory standards;
- g) refusal to carry out a reasonable order of a manager;
- h) persistent lateness;
- i) excessive sickness absences with no appropriate certificates or authorisation;

This is not an exhaustive list.

In cases of minor misconduct or unacceptable behaviour, the Manager (or nominated person) should exhaust all other means of achieving the required standards before formal disciplinary action is taken. This will include a disciplinary meeting, where the staff member will be set clearly defined objectives and standards. These will be monitored over a reasonable time period and Pollyanna may provide additional coaching or training. In some cases this may also include reference to other appropriate sources of counselling and assistance such as mediation.

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

Prior to the disciplinary meeting Pollyanna will send the employee written details of their alleged conduct or characteristics, or of the circumstances which have led to the contemplation of taking disciplinary action.

The employee will be given an appropriate amount of notice of the meeting in order to prepare their response.

At the meeting, the circumstances of the complaint against the employee will be fully discussed and they will be provided with an opportunity to respond to the management case. Pollyanna will then decide whether or not to continue the disciplinary procedure. 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 the employee wishes to appeal they must inform Pollyanna in writing, clearly setting out the grounds for appeal. An appeal meeting will then be arranged.

Verbal Warning

If the required standards are not reached, the employee will be given a verbal warning that will remain in their staff file.

Written Warning

If conduct does still not meet acceptable standards the employee will be given a written warning by the Chairperson. They will be advised of the reason for the warning, that it is the first written stage of the disciplinary procedure and their right of appeal. A copy of this written warning detailing the complaint; the change in behaviour required; and dates for review will be kept in their staff file.

Final Written Warning

If performance is still unsatisfactory or if a further misconduct occurs, or if the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify immediate dismissal the employee will be given a final written warning. This will give details of the complaint; the improvement required; the set timescale for improvement; and dates for review. It will warn that dismissal may result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept in their staff file.

Dismissal

If conduct is still unsatisfactory and the employee fails to reach the required standards, or if the offence constitutes gross misconduct, dismissal will normally result. The employee will be provided as soon as reasonably practicable with written reasons for dismissal, the date on which their employment will terminate and be advised of the right of appeal.

Suspension

Suspension is not a disciplinary action and shall be on full pay. It will only take place where the allegation being investigated would, if substantiated, constitute gross misconduct or where it was considered in the best interest of all parties if the employee does not remain at work. Such suspension will only be imposed after careful consideration and will be reviewed to ensure it is not unnecessarily protracted.

Normally the employee will be informed of their suspension at an interview with the Manager and/or Chairperson. They will be entitled to have a union representative or work colleague present at the meeting. In any case, the Chairperson will inform them in writing that they are suspended

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immediately: stating the nature of the alleged offence, the purpose of suspension, and its anticipated duration. A copy of this letter will be provided to the employee's representative if required.

Suspension in these circumstances should normally be for a period of no more than five working days. However, in exceptional circumstances, the period may be extended. They will be informed in writing specifying the duration of the extension and the reasons for it. In cases of alleged gross misconduct suspension may continue until the appeal process, if pursued, has been concluded.

If, on completion of the investigation and the full disciplinary procedure, Pollyanna is satisfied that gross misconduct has occurred, the result will normally be immediate dismissal without notice or payment in lieu of notice.

Criminal Offence

Staff will not be dismissed or otherwise disciplined simply because they have been charged with or convicted of a criminal offence. The consideration will be whether the conduct warrants action because of its employment implications. However, where the conduct requires the Pollyanna's prompt attention, there will be no need to await the outcome of the prosecution before taking reasonable action.

Where the police are called in, they will not be asked to conduct any investigation on Pollyanna's behalf; nor will they be present at any disciplinary hearing or interview.

Probationary Employees

This full procedure does not apply to probationary employees. In the case of gross misconduct the employee will be immediately dismissed. In the case of normal misconduct, they will be given a written warning, and if conduct is still unsatisfactory and they fail to reach the required standards, dismissal will normally result.

At any disciplinary meetings, the employee will also be informed of their right to be accompanied by a work colleague or trade union representative.

Prior to the disciplinary meeting Pollyanna will send the employee written details of their alleged conduct or characteristics, or of the circumstances which have led to the contemplation of taking disciplinary action.

The employee 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 the employee will be fully discussed and they will be provided with an opportunity to respond to the management case. 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 the employee wishes to appeal they must inform Pollyanna in writing, clearly setting out the grounds for appeal. An appeal meeting will then be arranged.

Failure to Attend a Disciplinary Hearing

If the employee is unable to or decides not to take part in any of the meetings under this procedure, they must notify the Chairperson in writing, specifying the reasons for non-attendance. This must be done 48 hours in advance of the meeting.

If sickness prevents the employee from attending, then normal procedures for informing sickness absence apply.

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If they do not attend a disciplinary hearing and do not provide prior written explanation giving reasonable justification of non-attendance, the Chairperson (or nominated person) will send the employee a recorded delivery letter. The letter will instruct the employee to attend a hearing at a new date, which may include an additional charge of failure to attend and inform.

If the employee does not attend the disciplinary hearing at this new date and time and does not provide prior written explanation giving reasonable justification for non-attendance, the Chairperson will proceed to hold the hearing at the set date inviting the employee's representative to be present. Such a hearing will normally include the additional charge of failure to attend and inform.

Appeal

The employee may appeal against any formal disciplinary action taken under this procedure to the Chairperson. An appeal may be lodged against the decisions of the disciplinary hearing as regard to the finding and/or outcome. It may also be lodged against failure to follow this procedure adequately.

If the employee wishes to appeal against a disciplinary decision, they must do so in writing to the Chairperson within ten working days of receiving written notification of the disciplinary action, stating the reasons for the appeal. Any documents submitted in support of the appeal must be attached.

Arrangements for the appeal hearing will be made by another Officer of the Management Committee. The employee may be accompanied at the appeal hearing by a trade union representative or work colleague.

Employment Tribunal

Nothing in this procedure shall affect a worker's right to make a complaint to an Employment Tribunal in accordance with relevant employment legislation. It is recommended that before taking such action the employee seeks appropriate legal advice.

CAPABILITY PROCEDURE

Pollyanna's 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.

This capability procedure is intended to:

- Secure the required improvement in cases where performance falls short of that expected of a member of staff in a particular post
- Help poorly performing staff to become more effective
- Provide a fair and effective means of securing redeployment to a more appropriate position or, where this is not practicable, dismissal.

It should be noted from the outset that a capability issue is not necessarily a disciplinary issue (and should not be treated as such). However, as with any meeting which could result in a formal warning or some other action, the individual will have the right to be accompanied by a work colleague or a trade union representative. At each review stage the employee should be advised of the consequences of a failure to reach the required level of performance, or the necessary improvement required, or of not being able to return to work or maintain a satisfactory level of performance through capability.

1. Procedure:

Stage 1 - Informal Procedure:

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When an individual's performance becomes a matter of concern, the Manager will keep informal notes of the way in which their performance falls below acceptable standards, and the occasions on which this is noted.

The Manager should consider whether cultural, disability or other equal opportunity issues might be a factor in managing a capability issue. The Manager can monitor this for up to three months, at which stage they need to decide whether further action is required.

The Manager will meet with the member of staff informally and explain how their performance falls short of the expected standards of someone in their position. The Manager should consider any possible staff development or training opportunities which may enable the member of staff to meet the required standard of performance. Considerations may be given to on the job training or a formal training course. The member of staff should be set clear, written performance targets and a realistic timescale for improvement. These should be jointly agreed in writing. His/her performance should be regularly reviewed until the performance targets are met.

Where an informal process has been followed and there continues to be a significant performance issue, considered to be concerned with capability, the Manager will move onto the next stage.

Stage Two – Formal Process – First Review Meeting

The Manager should meet the employee to discuss the employee's performance. The employee should be given the opportunity to be accompanied by a work colleague or trade union representative. The meeting should be structured, examining the cause of the problem, the job requirements and the employee's knowledge, skills and ability, and any shortfall.

The Manager should consider what might be done to improve the situation and help the employee. This could include further training or development needs, changes in the employee's duties which might improve performance, or assistance from other colleagues.

Ideally the plan for improvement should be agreed at this meeting. However, if it cannot be agreed at this time, the Manager and employee should then reconvene to agree the plan for improvement, clarify any questions, and ensure that they are comfortable with the proposed solutions. This should then be documented by the Manager, detailing the areas and level of improvement required, the timescales and an appropriate review date. However, as with any review, it should be ongoing. The employee must be advised that, should the necessary improvements not be achieved, their continuing employment may, in due course, be at risk.

Two copies of the above should be made and signed by both the Manager and the employee to demonstrate they seek to agree the targets for improvement. One copy should be kept on the employee's file, and the other given to the employee.

Stage Three – Formal Process – Second Review meeting with the Manager

At this stage, any meeting should involve The Manager, the employee and their work colleague or trade union representative (if they require one).

The meeting will cover the Manager's concerns about the review period and what has taken place, and the employee's viewpoint of the situation.

If the performance is in line with the targets, and no further action is required, then this should be acknowledged and noted in writing by the Manager. If there has been a marked improvement, but the employee's performance has still not reached the required level, then the period for improvement should be extended with a new review date set. If no adequate improvement has been made, the Manager should progress to the next stage of the process.

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Following this meeting, the current plan for improvements will be maintained with an extended timescale. Alternatively, a new plan may be issued, taking into account the employee's response, or consideration will be given to redeployment to a suitable position, if possible, where it is felt by the Manager that this would be appropriate for the employee. The Manager should again make it clear to the employee that their job is now seriously at risk if the required level of improvement is not achieved and sustained.

Stage Four – Formal Process – Final Review Meeting

This final stage should be conducted as stage three but led by the Chairperson of the Pre-School Management Committee, with the additional possible outcome of dismissal on the grounds of capability, advising the employee of their contractual period of notice of termination of employment, and the right to appeal against the decision.

Appeals

An employee who wishes to appeal against a capability decision, other than dismissal, should inform the Manager within ten working days. Another Officer of the Pre-School Management Committee will hear any appeal and their decision is final. At the appeal, any capability target agreed will be reviewed but it cannot be decreased.

Appeal against dismissal

Any employee who is dismissed shall receive a formal letter of dismissal stating the reasons for the dismissal. If the employee wishes to appeal against their dismissal, they should write to the Manager within ten working days of the date of the dismissal letter, indicating the reasons for the appeal. An appeal will be heard by another officer of the Pre-School Management Committee, within fourteen days of the Manager's receipt of the appeal letter. The appeal may confirm, alter or reject the original decision.

GRIEVANCES

If an employee has a complaint about their individual circumstances at work, then they are entitled to raise a grievance. The key steps for resolving a grievance are:

The employee must advise the Manager of the nature of the grievance.

If it is not possible to resolve a grievance informally, the employee should raise the matter formally and without unreasonable delay with the Manager or the Chair who is not the subject of the grievance. This should be done in writing and should set out the nature of the grievance. Pollyanna will then hold a meeting with the employee to discuss the grievance

Pollyanna will arrange for a formal meeting to be held without unreasonable delay after a grievance is received.

All involved parties should make every effort to attend the meeting. The employee will be allowed to explain their grievance and how they think it should be resolved. Consideration will be given to adjourning the meeting for any investigation that may be necessary. Pollyanna will allow the employee to be accompanied at the meeting

The employee has a statutory right to be accompanied by a companion at a grievance meeting which deals with a complaint about a duty owed by Pollyanna to them. For example, this would apply where the complaint is that Pollyanna is not honouring their contract, or is in breach of legislation.

The statutory right is to be accompanied by a fellow worker, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker. Pollyanna

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must agree to the employee's request to be accompanied by any companion from one of these categories. The employee may also alter their choice of companion if they wish.

If your chosen companion will not be available at the time proposed for the hearing by Pollyanna, Pollyanna will postpone the hearing to a time proposed by the employee provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.

The companion should be allowed to address the hearing to put and sum up the employee's case, respond on the employee's behalf to any views expressed at the meeting and confer with them during the hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employee from explaining their case.

Following the meeting, Pollyanna will decide on what action, if any, to take. Decisions will be communicated to the employee, in writing, without unreasonable delay and, where appropriate, will set out what action Pollyanna intends to take to resolve the grievance.

The employee will be informed that they can appeal if they are not content with the action taken. If they decide to appeal, they should let Pollyanna know the grounds for the appeal without unreasonable delay and in writing.

Appeals will be heard without unreasonable delay and at a time and place which should be notified to the employee in advance.

The appeal will be dealt with impartially and wherever possible by the Manager or Chair who has not previously been involved in the case. The employee has the statutory right to be accompanied at any such appeal hearing. The outcome of the appeal will be communicated to the employee in writing without unreasonable delay.

If the employee raises grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

DIGNITY AT WORK

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

Pollyanna's procedures provide a fair, effective and consistent method of dealing with matters relating to bullying and harassment. Examples of what Pollyanna 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 fellow worker;

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- 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 an employee feels that they have been treated in a way that they find unacceptable, they should speak to their manager in the first instance or a nominated person.

WHISTLEBLOWING

See Whistleblowing Policy

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. Should this situation arise, staff will be informed of the process by the Management Committee.

DRUGS AND ALCOHOL

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

Employees that suffer from an alcohol or drug addiction, are expected to notify their manager. It is a disciplinary offence to attend work where the use of either alcohol or drugs (including prescribed medication) impairs your ability to work safely or affects the health and safety of the children, other colleagues and service users.

EMPLOYEES WORKING FOR OTHER EMPLOYERS

Pollyanna recognises 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 Pollyanna has no wish to unreasonably restrict an employee's external activities, Pollyanna must protect their own interests and those of all their employees. For this reason, Pollyanna requires staff to inform their manager prior to starting at Pollyanna or prior to undertaking any other paid or unpaid work.

Pollyanna will not permit staff to undertake any outside business activities, whether paid or unpaid, or take on any other work outside working hours, where they consider that this is in conflict with their interests.

If an employee decides to babysit for any children (including children attending Pollyanna) outside of their working hours, they do this at their own risk and they must advise the parents that they are not representing or affiliated to Pollyanna at any time during such work.

Failure to make parents aware of this or if their work is considered a conflict of interest that would affect Pollyanna as a business, it may result in disciplinary action.

Staff must ensure they always abide by Pollyanna's confidentiality agreement.

CLAIMING EXPENSES

Staff are required to only claim expenses in line with Pollyanna's expenses procedures. Normally

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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 Pollyanna.

Failure to follow this procedure could result in the employee's claim being declined and disciplinary action being taken.

ANTI-BRIBERY

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

- in the course of their employment.
- when conducting business on behalf Pollyanna; or
- when representing Pollyanna any capacity.

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

SAFEGUARDING

Please refer to our Safeguarding Policy

HEALTH AND SAFETY

Please refer to our Health and Safety Policy

Review and Approval

This policy was adopted on **10th October 2022**

This policy is due for review in **September 2024**

Signed on behalf of the Management Committee: _____



Print Name: Carl Sautereau



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APPENDIX A

Pollyanna Pre-School Recruitment Checklist

Name:	
Application Form received	Date:
Job Description sent	Date:
Appointment for Interview	Date:
Employment History-check gaps	Reasons for gaps (if any)
Staff attending interview	1. 2.
Qualifications Copies of certificates taken	List: verified by: (full name)
Staff Disqualification Declaration Childcare (Disqualification) Regulations 2009	
Outcome of interview: Proceed: Decline:	Reasons for hiring/declining:
Session Trial booked & Outcome	Date:
ID verification (If Successful candidate) Passport Driving Licence Birth Certificate Address verification(no older than 3m/utility, bank or build societies/ment or similar) Eligibility check for Right to Work In The UK	Original documents checked and copies taken verified by (full name)

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References:	Applied for:	Date received:
1)	1)	1)
2)	2)	2)
Has the applicant got a portable DBS?	Y/N If yes, date checked:	
DBS applied for	Date:	
DBS received	Date:	
Offer letter sent	Date:	
Contract of Employment	Date:	
Employee Handbook	Date:	
Uniform – size Name badge		
Induction date & time	Date:	
P45/P46 Tax Form	Date:	
Bank Account No.& Sort Code for wages	Received: Y/N	

Review and Approval

This policy was adopted on: _____

Signed by Management Committee: _____

Print Name: _____

Date of Renewal: ___ September 2024 _____