



GROWING AND LEARNING TOGETHER

Staffing and Employment Policy

Little Jesters recognises the need to meet the EYFS Safeguarding and Welfare Requirements in relation to appropriate qualifications of staff, ratios of staff to children and staff checks. We aim to provide children with high quality care and education and individual attention. We will:

- Ensure all staff and volunteers satisfy any DBS criteria and health checks
- Ensure that a check is made against the Disclosure and Barring Service (DBS) barred list before deploying new staff
- Any existing staff not giving consent to check the barred list will be lawfully dismissed. The disciplinary procedure will not be implemented as dismissal will be instant
- Undertake relevant recruitment processes to include a minimum of 2 reference checks including the last employer
- Ensure the recruitment processes work within an equal opportunities framework
- Provide a full induction within the first week of employment
- Ensure all staff members are provided with a job description and written statement of employment particulars, which will be supported by a staff handbook
- Ensure that we follow working time regulations for all staff, paying particular attention to those staff members who are aged between 16 to 18 years
- Provide relevant training and development opportunities identified through the supervision and appraisal processes
- Undertake regular staff meetings
- Ensure all staff members are given opportunity to participate in planning meetings
- Provide all staff with health and safety training
- Ensure that all staff are aware of the policies and procedures of **Little Jesters preschool** and adhere to them at all times
- Where an employee is taking strong medication that may affect their ability to care for children, staff must disclose this to the management team and medical advice will be sought. The employee will only work directly with the children if the medical advice is that the medication is unlikely to impair their ability to look after the children. This will be reviewed with management and where appropriate alternative duties will be allocated

- If under the new DBS scheme the employer is informed that an employee has been added to the barred list, the individual will be removed from regulated activities or dismissed. The individual will have no legal rights or claims for unfair dismissal. The disciplinary procedure will not be implemented as dismissal will be instant. Further information is available at www.DBS.gov.uk
- Where an employee becomes barred from 'regulated' activity, the employer will consider on an individual basis, if that individual is suitable for another activity. There will be no guarantees of a transfer to another activity and dismissal may still result. Where dismissal results, the disciplinary procedure will not be implemented as dismissal will be instant. Where an employee displays inappropriate behaviour towards a child, the DBS will be notified as part of the legal reporting duty. Further information is available at www.DBS.gov.uk with regard to referrals
- If a member of staff under investigation leaves the setting, the DBS will be notified
- At the end of the staff members employment an exit interview will take place

Staff ratios

Children will be supervised at all times, and we will meet the requirements for adult/child ratios as set out in the Early Year's Foundation Stage (EYFS 2017).

- Children under 2 = 1:3
- Children aged 2 = 1:4
- Children aged three to eight = 1:8

There will be at least two adults on duty at any time when the children are present.

We will ensure that the manager and deputy hold a full and relevant level 3 qualification (as defined by the Teaching Agency) and that at least 50% of staff hold a full and relevant level 2 childcare qualification (as defined by the Teaching Agency) in line with the requirements of the EYFS.

All staff will be expected to undertake training and continuous professional development, for some senior staff this may include qualifying to graduate level.

Staff, volunteers and students under the age 17 will not count towards the ratio and will be supervised at all times.

Volunteers

Little Jesters recognises the wealth of knowledge and expertise that volunteers can bring to our provision and therefore we welcome all volunteers and parent helpers:

- Volunteers can offer their help on a casual or regular basis
- Will be given full information and guidance on their role and responsibilities
- We will ensure that all regular volunteers satisfy checks made upon them and any volunteers that have not been DBS cleared will not be left alone with any child

- Regular volunteers will sign in on the daily register; casual volunteers will sign in the visitor's book
- Regular volunteers will be counted in the provisions child: staff ratio however we shall ensure there is at least two full members of staff on duty, at least one of whom holds an appropriate qualification
- Volunteers will be treated and respected as part of the team
- Volunteers will abide by the settings policies and procedures
- The opinion and input of volunteers will be respected and valued
- **Little Jesters preschool** will make all efforts to offer free training to volunteers
- Volunteers will follow the staff induction procedure
- All volunteers will be subject to the DBS criteria

Disciplinary procedure

Little Jesters preschool views any breach of discipline as extremely serious. Those involved with or responsible for breaches will be subject to disciplinary proceedings at an appropriate level and could result in summary dismissal on the grounds of misconduct.

- **Little Jesters preschool** requires rules and procedures to be complied with to ensure a good relationship between employees and their managers. It is hoped that there will be no need to use the disciplinary procedure. However, should such action be deemed necessary, the procedure laid down below should allow all relevant issues to be dealt with fairly and reasonably
- Employees will only be disciplined or dismissed after the manager has confirmed the decision to take disciplinary action with the management committee

An attempt should first be made to resolve the problem informally. Where a letter of complaint is given, you are entitled to 7 days notice of any disciplinary hearing. You will have the right to attend the hearing and to reply to the complaint. The statutory procedure, which is set out in full in schedule 2 of the Employment Act 2002, can be summarised as follows:

The following stages apply:

- **Step 1** The employee will be notified in writing of the alleged complaint – in terms of performance or conduct; and the basis for the allegations will be set out; the employee will be invited to a meeting to discuss the matter
- **Step 2** A meeting will be held to discuss to discuss the basis of the complaint – the employee has the right to be accompanied by a work colleague or union representative. The employee will be advised of the decision and the right to appeal

- **Step 3** An appeal meeting will be held (if the employee wishes to appeal) at which the employee has the right to be accompanied (as above) – the employee will be advised of the final decision

Unless the complaint is dismissed **Little Jesters preschool** will give you written notice as detailed above.

Verbal warning

- The employee will be interviewed by their immediate line-manager and given an opportunity to explain their case
- The employee will be given advice and help if possible and, if a disciplinary warning is deemed to be necessary, a verbal warning will be given and a record of this will be kept on the individual's personal file and will not be considered 'spent' until twelve months have elapsed
- This warning will detail the reason, the expected improvements, and the time scales within which the improvement should occur and the names of the persons present during the meeting
- Your manager will report any verbal warnings to the management committee

First written warning

- The employee will be interviewed by the manager concerned and given an opportunity to explain their case
Managers will have discussed their intended course of action with the management committee before proceeding
- If a disciplinary warning is deemed to be necessary, a first written warning will be given and a record of this will be kept on the individual's personal file and will not be considered spent until twelve months have elapsed
- This warning will detail the reason, the expected improvements, and the time scale within which the improvements should occur and the names of the persons present during the meeting

Final written warning

- The employee will be interviewed by the manager concerned and given an opportunity to explain their case.
Managers will have discussed their intended course of action with the management committee before proceeding
- If a disciplinary warning is deemed to be necessary, a final written warning will be given and a record of this will be kept on the individual's personal file and will not be considered 'spent' until twelve months have elapsed
- This warning will detail the reason, expected improvements, the time scale within which the member of staff has to make any improvements deemed necessary
- The warning will also confirm that further breaches of discipline may lead to termination of employment

Dismissal

- Any proposal for dismissal will be initially considered and approved by the management committee
- The manager accompanied by the chair or one other member of the management committee will interview the employee and give them the opportunity to explain their case and respond to any charges made
- If the proposal to dismiss is endorsed, the management committee will serve notice of termination of employment on the employee
- In cases of gross misconduct, such as physical violence, theft, improper personal behaviour, malicious damage to property or similar offences, employees may be summarily dismissed without notice and without issuing warnings as detailed above
- **Little Jesters preschool** reserves the right to use or omit any steps in the procedure should it consider it appropriate and also reserves the right to have a flexible yet fair standard of disciplining employees if required
- All employees have the right to be represented by a fellow employee or union representative at any disciplinary/dismissal meeting

Safeguarding children

Where an allegation of child abuse is made against a member of staff that causes concern, or that they have behaved in a way that has harmed a child, or may have harmed a child, possibly committed a criminal offence against or related to a child, or behaved towards a child or children in a way that indicates s/he is unsuitable to work with children, we will:

- Cooperate fully with any enquiry
- Detailed records will be taken
- The setting disciplinary procedure will be followed where necessary
- Ofsted will be informed
- We will contact the Local Authority Designated Officer for managing allegations through the Local Safeguarding Children's Board Customer Services Centre (Tel. 01522 782111)
- The setting may have to inform the DBS regarding any allegations
- Suspension will not be an automatic response to an allegation, but we will need to consider the seriousness and plausibility of the allegation, the risk of harm to children and the possibility of tampering with evidence, as well as the interests of the person concerned and the setting
- If the allegation is of a serious nature then the management/committee will decide if the employee should be suspended on pay, whilst investigations are being made
- Where a member of staff leaves our employment during an investigation or is dismissed as a consequence of an allegation being upheld a referral will be made to the Disclosure and Barring Service (DBS). Referral guidance and form:<http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/services/dbs-referrals/>

Grievance procedure

The following procedure applies should a member of staff or management have a grievance with a colleague. There is no definition for a grievance and only an individual can determine whether or not they feel aggrieved.

All staff have a right of appeal if they think they have been unfairly treated. The improvements should occur and the names of the persons present during the meeting.

Staff with a grievance should first inform their immediate line-manager, if that person is not the subject of the grievance, or the next higher level.

If the grievance is not satisfactorily dealt with at the first formal stage, staff should raise a formal appeal against the outcome of the first stage by putting their grievance in writing to the Chair of the management committee.

Little Jesters preschool encourages in the first instance to try and resolve the problem informally with the person with whom you have the grievance. If the issue cannot be resolved informally, staff should raise a formal grievance with their immediate line-manager (not involved in the grievance), the following stages apply:

Stage One:

If the matter is not resolved informally, the matter should be raised in writing with your supervisor. (If the grievance is with the supervisor you should refer to stage two of the grievance procedure).

The supervisor will deal with your grievance as quickly as possible and normally you should expect to receive a verbal and written response within 7 days.

Stage Two:

If the matter is not resolved at stage one or the grievance is about the supervisor, the matter should be raised in writing with the Chair of the management committee or the owner. You should expect to receive a written and verbal response within 7 days.

Stage Three:

If the matter has not been resolved at stage two you have the right to raise the matter with the whole committee. To do this you must inform the chair of the management committee in writing that this is your intention and formally request that your grievance is brought to the attention of the management.

A full meeting of the management committee will then take place within 28 days of receiving your written request. The grievance will be considered along with any supporting documentation submitted and any other relevant information/evidence brought to the attention of the chair/manager during the course of stage one and two.

You will be given the opportunity to present your grievance at this meeting and you have the right to be supported at the meeting by a work colleague or union representative, although you will not be able to remain during any deliberations that may take place following your presentation. You should expect to receive a written response within 7 days.