# Staff Policy

## Recruitment / Induction

Our nursery is committed to providing the best possible care and learning to all children and safeguarding and promoting the welfare of children and young people. We are also committed to providing a happy and supportive working environment to all our members of staff. The nursery recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff who will share this commitment and we are confident they are safe to work with children.

The aims of safer recruitment are as follows:

* To ensure that the best possible staff are recruited on the basis of their qualifications, experience, abilities and suitability for the position
* To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age 
* To ensure compliance with all relevant recommendations and guidance
* To ensure that the nursery meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks

All of the candidate’s relevant information is recorded.

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. A Curriculum Vita will not be accepted in place of the completed application form but only in addition to. Applicants will receive a job description and person specification for the role applied for. The applicant may then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the receipt of two references (one of which must be from the applicant's most recent employer) which the nursery considers to be satisfactory.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for. The nursery owner's will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

We advise that anyone appointed to a post involving regular contact with children or young people must be medically fit. It is the Nursery’s responsibility to be satisfied that employees of the nursery have the appropriate level of physical and mental fitness before an appointment is confirmed. The nursery is aware of its duties under the Disability Discrimination Act 1995. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence, considering reasonable adjustments and suitable alternative employment.

All applicants who are invited to an Interview will be required to bring the following:

* Photo identification
* Proof of address
* The nursery asks for the date of birth of all applicants (and proof of this). Proof of date of birth is necessary so that the nursery may verify the identity. The nursery does not discriminate against applicants on the grounds of age.

The candidate must bring all relevant, original certificates to the interview. If certificates are not provided, the nursery manager will contact the awarding body for verification.

For all childcare positions, the nursery requests a DBS. A DBS will contain details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. A DBS may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

An induction procedure is followed whereby:

* The new member of staff will receive an Induction document to be read before starting.
* They will be asked to read and sign all policies and procedures.
* They will be shown all sample forms to be completed.
* In-house training will be provided on Child Protection / First Aid/risk assessments etc
* They will be given a discussion on fire / safety procedures.
* We will have a review after their 1st month where a 1-year contract will be signed, followed by reviews to discuss their work performance and next steps.
* The new member of staff is supervised and supported by Management / Room Leader in their room to role model, give guidance and to help enforce appropriate behaviour. The new staff member will be on a three months trial after this period if they are employed on a permanent basis then they will be put on courses such as first aid, child protection and food hygiene this would be within a three-month time scale.

If an applicant is appointed, the nursery will retain any relevant information provided on their application form (together with any attachments) on their personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.

## Qualifications and Registration of Employees

It is the responsibility of the manager to ensure that all staff including themselves, are in possession of or working towards first aid training, safeguarding training, a DBS on the update service and Ofsted registration. Food hygiene training is also required before preparing any food. All this training and documents need to be kept updated.

All staff are asked to provide copies of their qualification certificates at interview and upon recruitment, copies are taken. Priority is given to those who are most suitably qualified for the position.

## Staff Development and Training

The nursery highly values its staff. It is in the interests of the nursery, the children, families, and the individual, that each staff member is given the opportunity to develop their skills to their maximum and to broaden their knowledge and skills in caring for children.

Personal and professional development is essential to maintaining the quality and delivery of high quality care and education for young children in early years. It underpins all aspects of curriculum delivery and positive interactions. We strongly promote constant professional development and all staff will have individual training records and continued professional development plans to enhance their skills and expertise.

External training and support is sought as appropriate to the needs of the nursery and the children attending and to renew/update staff qualifications.

To facilitate the development of staff we:

1. Lead and role model with staff, and offer encouragement and support to achieve a high level of morale and motivation

2. Promote teamwork through ongoing communication, involvement to enhance nursery practice

3. Provide opportunities for delegation based on skills and expertise to offer recognition and stimulate staff

4. Encourage staff to contribute ideas for change within the nursery and hold regular staff meetings and team meetings to develop these ideas. Regular meetings are also held to discuss strategy, policy and curriculum planning

5. Encourage staff to further their experience and knowledge by attending relevant external training courses

6. Encourage staff to pass on their knowledge to those who are less experienced and disseminate knowledge from external training to small groups of staff within the nursery

7. Provide regular in-house training relevant to the needs of the nursery

8. Carry out ongoing supervision with all staff. Staff appraisals are carried where objectives and action plans for staff are set out, whilst also sourcing training according to their individual needs

9. Develop a continued professional development plan addressing both qualifications and continuous professional development needs of the setting and of individual staff

10. Promote a positive learning culture within the setting

11. Delegate responsibilities according to an individual’s expertise

12. Carry out training needs analysis for all individual staff, the team as a whole, and for the nursery

13. Carry out full evaluations of all training events and use these to evaluate the training against the aims set to enable the development of future training programmes to improve effectiveness and staff learning

14. Provide inductions to welcome all new staff and assign a senior member of staff to support new staff

15. Offer ongoing support and guidance

We also carry out regular in-house training with all staff covering a wide selection of child care aspects.

## Disciplinary

We ensure that employees who breach the rules of conduct are treated reasonably, consistently and fairly in every case but show we do not tolerate low standards or policy breaches. Disciplinary rules are important for the running of the nursery so that everyone understands what is expected of them and we operate safely and lawfully. We expect all of our staff to follow all of the rules, policies and procedures at all times. Disciplinary procedures are necessary so that employees who breach the rules of conduct expected by the nursery are also treated reasonably, consistently and fairly in every case.

The procedure in this document applies to all employees of the nursery including volunteers and work experience students. It does not apply to self-employed people or to individuals contracted by other companies who are covered by their own employer’s procedures.

Any conduct which adversely affects the nursery, its employees, workers, children, families, visitors or agents, such as negligence, breaches of work rules or unsafe practices may lead to disciplinary action.

**What we expect from employees:**

* To comply with the rules, policies and procedures at all times.
* To carry out your job to the rules and standards expected of your role.
* To behave appropriately and in line with all the rules, policies and procedures with colleagues, children, families, visitors and within the community at all times, understanding the impact of your behaviour on others.
* To maintain effective and professional work and study relationships with colleagues / fellow staff and children and treat all with dignity and respect.
* To clarify expectations, behaviours and rules with your manager if you are unsure about them.
* To co-operate if you are asked to be involved with a disciplinary case.
* To co-operate with those dealing with a potential disciplinary case concerning you.
* To treat those dealing with a disciplinary case with courtesy and respect at all times.

**What employees can expect from the nursery:**

* Consistent fair and reasonable treatment of disciplinary matters.
* To act promptly when potential disciplinary matters come to light.
* To deal with minor breaches of discipline informally.
* To investigate the facts as may be appropriate before taking action under the formal parts of this procedure.
* To advise you in writing at all stages of the formal procedure of the nature of the complaint and give you the opportunity to state your case, present any evidence, witnesses and mitigating factors before a decision is reached.
* The right to be accompanied by a ‘companion’ – a nursery work colleague or trade union representative - at each stage of the procedure except the informal stage.
* For the meeting to be rearranged (on one occasion) if you or your companion cannot attend a disciplinary hearing for a reason that was not reasonably foreseeable at the time the meeting was arranged.
* Not to dismiss you for a first breach of disciplinary rules except in the case of gross misconduct.
* To have the right of appeal against disciplinary penalties awarded.
* To be treated with courtesy and respect at all times throughout your case.
* To be given reasonable notice of any disciplinary hearing with hearings taking place at a reasonable time and location. All parties must take all reasonable steps to attend meetings punctually.
* To record all cases of disciplinary action taken under these procedures and to supply on request to you copies of any such records held which relate to you.

**Managers have a responsibility to:**

* Set an example to all staff through their own conduct and behaviour.
* Reinforce clear standards for the conduct of all staff that they manage and provide appropriate feedback to their staff in respect of their conduct.
* Manage the conduct of their staff, adhering to this policy and procedure at all times.
* Seek professional advice where they are unsure how to proceed.

**Offences under the disciplinary procedure fall into two categories:**

* Standard Misconduct
* Gross misconduct

**Standard Misconduct**

Standard misconduct is a less serious breach of the rules which would not normally result in dismissal for a first offence. The severity and frequency of the breach will be taken into account when determining the level of warning. The following list, which is neither exhaustive nor exclusive, gives some of the offences the nursery deems to be misconduct:

* Failure to disclose any potential conflicts of interest in personal life or that of a close family member.
* Unauthorised absences from work, which have no underlying chronic medical condition and are not disability related
* Minor breach of regulations
* Persistent minor breaches of rules
* Repeated lateness or persistent time wasting

**Gross Misconduct**

Gross misconduct is a breach of policies and/or disciplinary rules which is so serious that it amounts to fundamental breach of trust and confidence in your practice. You can be summarily dismissed for a first offence which is considered to constitute gross misconduct. If you are dismissed for gross misconduct, the dismissal is without notice or payment in lieu of notice.

The following are some of the offences the University considers to be gross misconduct. This list is not exhaustive or exclusive:

* Failure to report any criminal conviction or police caution.
* Failure to report that you or a person you live with or work with has been disqualified from working with children.
* Neglect of meeting a child’s needs.
* Safeguarding issues.
* Any form of assault or physical violence.
* Theft, deliberate malpractice, deception, cover up of deficiencies or falsification of documents or accounts.
* Serious breach of regulations.
* Bringing the nursery into serious disrepute.
* Deliberate unauthorised disclosures to a third party of any confidential information or intellectual property.
* Failure to comply with the law.
* Submission of falsified claims for overtime, expenses, advances or allowances or other fraudulent acts.
* Falsely reporting or recording sick absence.
* Acts of discrimination, bullying, harassment or victimisation of employees, children or visitors.
* Downloading or accessing of inappropriate material from the internet.
* Serious breach of health and safety procedures.
* Being under the influence of alcohol.
* Using or dealing in illegal substances.
* Wilful damage to property belonging to the nursery, the children, families, visitors or fellow employees.
* Serious insubordination.
* Abusive behaviour.
* Serious negligence.
* Serious abuse of ethics.
* Continued absence without leave.
* Covert recording of staff, meetings, data etc – i.e. without express consent.

For minor infringements of discipline, your manager/supervisor will make every effort to resolve the matter by informal discussions with you and may write to you confirming your discussions or may give you an informal verbal warning. With an informal verbal warning under this procedure, your manager will discuss the nature and circumstances of the misconduct and suggest a remedy and timeframe within which the misconduct should be rectified. No record of an informal verbal warning under this procedure will be kept on your personal file. Where this approach fails to resolve the issue, or repeated minor breaches of discipline occur, the formal disciplinary procedure will be implemented.

As soon as reasonably practicable after a suspected breach of disciplinary rules comes to light, your manager or other appropriate person will instigate an impartial investigation. The purpose of the investigation is to gather facts. You will be advised as soon as possible that an investigation is taking place and this will be confirmed to you in writing. You will normally be interviewed as part of the investigation, but there may be exceptional circumstances where the nursery will proceed directly to a formal disciplinary meeting.

We may inform and/or involve the Police and/or social services, and/or any other relevant statutory bodies where required at the appropriate point of the formal Disciplinary Procedure.

If considered appropriate you may be suspended from your duties while the investigation is undertaken although you will normally only be suspended if:

* 1. there is a significant health and safety or risk, or the potential for such risk and/or
  2. your continued presence in the workplace may hinder an investigation taking place.

You may be suspended at the beginning or at any time during the investigation depending on the circumstances. If you are suspended it will be confirmed to you in writing. Suspension is a precautionary measure only, pending the outcome of disciplinary proceedings and is not a punishment in itself. You will not be allowed onto the premises while suspended without the prior consent of your manager/supervisor. When suspended you are required to be available to attend meetings and respond to requests under this procedure. You must continue to report sickness in the normal way and request annual or other leave as required.

Having established the facts, if there is reasonable belief that you have committed a disciplinary offence, you will be invited to a disciplinary meeting. The meeting will normally be chaired by your manager. You have the right to be accompanied by a companion. You will be sent a copy of the evidence to be considered at the meeting and will have the opportunity to state your case fully. You should also give copies of any papers or witness statements that you intend to rely on at the meeting at least 2 working days in advance of the meeting to the person dealing with the meeting.

You will be given at least 5 working days’ notice to attend the meeting which you (and your companion) must make every effort to attend. The meeting will only be re-arranged if you provide a good reason why you are unable to attend, or your companion cannot make the arranged date.

If the meeting has to be rearranged, at least 2 working days notice of the rearranged date will be given. If you or your companion work on a rota / shift, these should be taken into account in re-arranging the meeting. You will be expected to attend the re-arranged meeting unless there are exceptional circumstances which mean that you are unable to be there in which case you must advise your manager in advance of the meeting. If you unreasonably fail to attend the rearranged meeting it will take place in your absence. If the re-arranged meeting is more than 5 working days from the date of the original meeting and your companion cannot make the re-arranged date, you must find a replacement.

Prior to making a decision the disciplinary meeting will be adjourned to consider all relevant information. The meeting may also be adjourned if necessary for the purpose of clarifying or gathering additional information. If new information is gathered or clarified you will be advised of the new information and given a reasonable time to consider it prior to the meeting being reconvened.

Following an adjournment and once the manager conducting the meeting is satisfied that all relevant information has been gathered and properly considered you will be advised of the decision and what, if any, disciplinary action is to be taken.

The decision and action will be confirmed to you in writing and you will receive a copy of the notes of the disciplinary hearing as requested. If you consider that the notes do not properly reflect the discussion you have the right to propose amendments to the record within 5 working days. Where these are agreed, the record will be duly amended. If your proposed amendments are not agreed, your comments will be attached to the record. You will also be advised of your right to appeal against the decision.

Depending on the severity and circumstances of the case, the nursery may apply at its discretion, either a First Written Warning or a Final Written Warning for misconduct offences. The nursery will take into account any active warnings that may apply to you at the time of the misconduct. The warning issued to you will state what the problem is, and if appropriate what is required to correct the problem and the time scale for achieving this. It will also confirm that further disciplinary action will follow if the problem is not satisfactorily rectified or there is further misconduct.

In cases where it is concluded that gross misconduct has taken place, the nursery may summarily dismiss you without notice or payment in lieu of notice. We will confirm the decision to dismiss you in writing, after the dismissal, setting out the nature of the misconduct that led to the dismissal and the right to appeal from the decision.

Gross misconduct cases may not always result in dismissal. Depending on the circumstances of the case and any mitigating factors, the nursery may issue the following disciplinary penalties:

* Monetary payments by way of restitution for culpable loss or damage caused by you, and/or
* Final written warning.
* Other appropriate actions to prevent the repetition of the misconduct.

Being under an active warning means that if you commit a further misconduct or gross misconduct offence, the nursery will take the current warning into account when deciding what action to take. Once the warning has expired it will not be taken into account for disciplinary purposes, but will remain on your personal file.

Following the completion of a disciplinary investigation, hearing or related issue all documents and letters relating to it will be stored confidentially in line with all Data Protection requirements.

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