

EMPLOYMENT AND STAFF MANAGEMENT POLICY

(including Whistle-blowing)

Employment

We meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that staff and volunteers are appropriately qualified, and we carry out checks for criminal and other records through the Disclosure and Barring Service (DBS) in accordance with statutory requirements.

Procedures

Vetting and staff selection

- We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.
- All staff have job descriptions, which set out their roles and responsibilities.
- We welcome applications from all sections of the community. Applicants will be considered on the basis of their suitability for the post, regardless of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation, sex, age, marriage or civil partnership. Applicants will not be placed at a disadvantage by us imposing conditions or requirements that are not justifiable.
- We follow the requirements of the Early Years Foundation Stage and Ofsted guidance on checking the suitability of all staff and volunteers who will have unsupervised access to children. This includes obtaining references and ensuring they have a satisfactory enhanced criminal records check with barred list(s) check through the DBS. This is in accordance with requirements under the Safeguarding Vulnerable Groups Act (2006) and the Protection of Freedoms Act (2012) for the vetting and barring scheme.
- Where an individual is subscribed to the DBS Update Service we carry out a status check of their DBS certificate, after checking their identity and viewing their original enhanced DBS certificate to ensure that it does not reveal any information that would affect their suitability for the post.
- We keep all records relating to the employment of our staff and volunteers; in particular those demonstrating that suitability checks have been done, including the date of issue, name, type of DBS check and unique reference number from the DBS certificate, along with details of our suitability decision.
- We require that all staff and volunteers keep their DBS check up-to-date by subscribing to the DBS Update Service throughout the duration of their employment with us.
- Staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children – whether received before, or at any time during, their employment with us.
- We obtain consent from staff and volunteers to carry out on-going status checks of the Update Service to establish that their DBS certificate is up-to-date for the duration of their employment with us.
- Where we become aware of any relevant information which may lead to the disqualification of an employee, we will take appropriate action to ensure the safety of children. In the event of disqualification, that person's employment with us will be terminated.

Notifying Ofsted of changes

- We inform Ofsted of any changes to our Registered Person the Committee and the manager.

Training and staff development

- The Manager and Deputy hold the CACHE Level 3 Diploma for the Children and Young People's Workforce, or an equivalent qualification or a higher qualification and at least half of our other staff members hold the CACHE Level 2 Certificate for the Children and Young People's Workforce or an equivalent or higher qualification.
- We provide regular in-service training to all staff - whether paid staff or volunteers - through Kent County Council, the Pre-school Learning Alliance and other external agencies.
- Our budget allocates resources to training.
- We provide staff with induction training in the first week of their employment. This induction includes our Health and Safety Policy and Child Protection and Safeguarding Policy (including managing allegations of abuse against a member of staff). Other policies and procedures are introduced within

an induction plan.

- We support the work of staff by holding regular supervision meetings and appraisals.
- We are committed to recruiting, appointing and employing staff in accordance with all relevant legislation and best practice.

Staff taking medication/other substances

- If a member of staff is taking medication which may affect their ability to care for children, We ensure that they seek further medical advice. Staff will only work directly with the children if medical advice confirms that the medication is unlikely to impair their ability to look after children properly.
- Staff medication on the premises will be stored securely and kept out of reach of the children at all times.
- If we have reason to believe that a member of staff is under the influence of alcohol or any other substance that may affect their ability to care for children, they will not be allowed to work directly with the children and further action will be taken.

Managing staff absences and contingency plans for emergencies

- Staff take their holiday breaks when the setting is closed. Where a staff member may need to take time off for any reason other than sick leave or training, this is agreed with The Manager with sufficient notice.
- Where staff are unwell and take sick leave in accordance with their contract of employment, we organise cover to ensure ratios are maintained.
- Sick leave is monitored and action is taken where necessary, in accordance with the individual's contract of employment.
- We have contingency plans to cover staff absences, which include requesting staff to work additional hours or using relief staff

Induction of employees and volunteers

We provide an induction for all employees and volunteers in order to fully brief them about the setting, the families we serve, our policies and procedures, curriculum and daily practice.

- We have a written induction plan for all new staff, which includes the following:
 - Introductions to all employees and volunteers.
 - Familiarisation with the building, health and safety, and fire and evacuation procedures.
 - Ensuring our policies and procedures are read and adhered to.
 - Introduction to the parents, especially parents of allocated key children where appropriate.
 - Familiarisation with confidential information in relation to any key children where applicable.
 - Details of the tasks and daily routines to be completed.
- The induction period lasts at least two weeks. The Manager and/or Deputy inducts new employees and volunteers.
- During the induction period, the individual must demonstrate understanding of and compliance with policies, procedures, tasks and routines.
- Successful completion of the induction forms part of the probationary period.
- Following induction, we continue to support staff to deliver high quality performance through regular supervision and appraisal of their work.

Probationary Period

All new employees will be subject to a 24 week probationary period

During the probationary period, the member of staff will NEVER be left alone with children, nor allowed to take children to the toilet or change their clothes.

Confirmation of a permanent appointment to the pre-school staff will **only** be made if:

- The employee has successfully passed the probationary period and the management are happy with the employee's work record and practices
- The Disclosure & Barring Service have checked the employee and cleared him/her for working with children (An enhanced DBS check will be requested)
- Two satisfactory references have been received

Advice will be sought from the Pre-school Learning Alliance where necessary.

Staffing

We provide a staffing ratio in line with the Safeguarding and Welfare 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. To meet this aim:

- We use the following ratios of adult to children:
 - Children aged two years: 1 adult : 4 children:
 - Children aged three years and over: 1 adult : 8 children:
- at least one member of staff holds a full and relevant level 3 qualification and
- at least half of all other staff hold a full and relevant level 2 qualification
- We only include those aged 17 years or older within our ratios. Where they are competent and responsible, we may include students on long-term placements and regular volunteers.
- A minimum of two staff are on duty at any one time; one of whom holds a Level 3 qualification or above
- The Manager and/or Deputy deploys staff, students and volunteers to give adequate supervision of indoor and outdoor areas, ensuring that children are usually within sight and hearing of staff, and always within sight *or* hearing of staff at all times.
- Staff, students and volunteers inform their colleagues if they have to leave their area and tell colleagues where they are going.
- Staff, students and volunteers focus their attention on children at all times and do not spend time in social conversation with colleagues while they are working with children.
- We assign each child a key person to help the child become familiar with the setting from the outset and to ensure that each child has a named member of staff with whom to form a relationship. The key person 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 and offers support in guiding their development at home.
- We hold 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.

Disciplinary Procedure

For minor or isolated infringements of rules or expected behaviour the manager should give employees informal advice, coaching and counselling as part of their supervisory duties. Where an employee's conduct or performance fails to improve despite advice and coaching or where the offence is more serious then the disciplinary procedure will be applied.

Firstly there will be an investigation into the concerns and a written statement detailing concerns prior to a disciplinary meeting taking place. The employee will be informed as soon as possible that an investigation is taking place and sent a copy of the written statement when the investigation is completed. The employee has a right to be accompanied at the meeting. At the meeting it will be decided whether or not to issue a disciplinary penalty. The outcome of the meeting must be confirmed within 10 working days.. There are 5 disciplinary penalties - verbal warning, written warning, final written warning, dismissal with notice and summary dismissal.

For more information see our disciplinary procedure, which is issued to employees as part of their Terms & Conditions of employment.

Complaints & Grievance Procedure for Staff

If you are making a complaint, you are saying that you, or someone close to you, has personally been poorly treated. A grievance is when an employee has a dispute about their own employment.

In both instances the member of staff should first talk it over with the Manager to settle the matter informally. If the matter cannot be resolved, then the member of staff should put their complaint or grievance in writing to the Manager. If the matter is against the Manager, then the Chair of the Committee should be contacted. A meeting is then arranged to resolve the matter. The employee can appeal against the decision made. An appeal meeting is then held at which a final decision is made.

For further information see our grievance procedure, which is issued to employees as part of their Terms & Conditions of employment.

All complaints and grievances will be dealt with promptly and in the strictest confidence

Whistleblowing

Whistleblowing is very different from a **complaint** or a **grievance**. The term 'whistleblowing' generally applies when you are acting as a witness to misconduct or malpractice that you have observed and which threatens other people.

'Whistleblowing' is when a worker reports suspected wrongdoing at work. Officially this is called 'making a disclosure in the public interest'. A worker can report things that aren't right, are illegal or if anyone at work is neglecting their duties, including:

- someone's health and safety is in danger
- damage to the environment
- a criminal offence
- the company isn't obeying the law (like not having the right insurance)
- covering up wrongdoing

The staff (whistleblower) reporting the malpractice or illegal act should speak with the Manager or Chair of Committee so an investigation can be undertaken, and the matter resolved internally. If this is not appropriate or the whistleblower is not satisfied with the outcome of the investigation, then they should contact Ofsted's Whistleblower Hotline either by telephone or e-mail (see below).

If you are worried at any stage about how to raise your concern, you should always seek independent advice at the earliest opportunity. This may be to check who may be best placed to deal with your concern or simply to talk the matter through in confidence first and discuss how to raise your concern. You can do this through your union or professional body or the independent whistleblowing charity Public Concern at Work on 020 7404 6609, or by email at whistle@pcaw.org.uk.

If your concern is about an immediate or current risk to an individual child or children, it is important that you follow the child protection procedures

A staff member can't be dismissed because of whistleblowing. If they are, they can claim unfair dismissal - they'll be protected by law as long as certain criteria are met.

Useful Numbers

Ofsted's dedicated Whistleblowing Hotline 0300 1233155 (Monday to Friday 8am to 6pm) or by

e-mail whistleblowing@ofsted.gov.uk or by

post to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

Pre-school Learning Alliance National Centre Tel 020 7697 2500

Chair of Committee