



Staff Policies & Procedures

March 2018

King Street Pre-School
Wesley Methodist Church
Christ's Pieces
Cambridge
CB1 1LG

07742 376299

www.kingstreetpreschool.org.uk

Registered Charity number: 1121482

Reviewed by: Slawomira Calleja, Acting Chair

Paulina Geller, Manager

Date: 15 March 2018

To be reviewed next: January 2019

Table of Contents

1. Appraisals Policy and Procedure	4
2. Disciplinary Procedure	11
3. Grievances Procedure	18
4. Whistle Blowing Policy	21
5. Staff Pay Review Policy	26
6. Retirement Policy	28
7. Annual Leave Policy	29
8. Maternity Leave	30
9. Adoption	34
10. Paternity Leave.....	36
11. Antenatal Rights for Fathers and Partners	39
12. Parental Leave and Dependants' Leave	40
12. Redundancies.....	42
14. Supervision Policy.....	45
15. Requests for Flexible Work	48

APPENDICES

King Street Pre-School Appraisal Form.....	50
King Street Pre-School Supervision Meeting Record – For managerial staff	54
King Street Pre-School Supervision Meeting Record – For non-managerial staff	58
King Street Pre-School Self-Certification of Sickness Form	61
King Street Pre-School Return to Work Form	62
King Street Pre-School Antenatal Appointment Declaration Form	64

1. Appraisals Policy and Procedure

Policy

To have an appraisal session for each member of staff annually.

Procedure

The following guidance notes must be looked at and followed by the people carrying out the appraisal. Two members of the committee, including the Chair, must participate in the appraisal of all pre-school members of staff. The employee must follow the guidance note for appraisee's section. An appraisal form must also be completed. **Appraisals must take place by the end of April, every year.**

Guidance notes for appraisers

Preparation

Make appropriate arrangements for the meeting i.e. plan adequate time (approximately 1.5 hours), in a quiet area with no interruptions. Give plenty of notice of the meeting to the appraisee in order to provide enough time for completion of the appraisal form. Locate the appraisee's job description and make sure they receive a copy, with their invitation to the meeting.

The various aspects of performance that will form the content of the discussion with the appraisee will clearly vary depending on the individual's job description, but for most staff are likely to include some or all of the following:

- Working relationships (internal and external).
- Communication (oral and written).
- Management of staff and other resources.
- Professional/technical knowledge and skills.
- Organisational skills.
- Procedures for processing information.
- Membership of committees, working parties.

Set aside time to think about the individual's performance since the last meeting to help structure your thoughts. Use the appraiser's checklist at the end of this section and fill in the 'manager's comments' sections of the appraisal form.

Conducting the appraisal discussion

Open the meeting by being suitably welcoming and putting the appraisee at their ease. Be positive and constructive from the very beginning and reassure the appraisee that this is her/his time. Clarify and agree the purpose of and agenda for the meeting. Obviously these should be negotiated and must be flexible enough to meet the needs of the individual, but each appraisal discussion must involve the following:

- Reviewing the past year.
- Planning for the year ahead.
- Identifying training and development needs.
- Support or guidance.

A discussion on reviewing the past year, may include:

- The job description and the extent to which it accurately reflects the postholder's current role and responsibilities.
- The extent to which last year's objectives were met.
- Major tasks and percentage of time spent on each.
- Major achievements.
- Areas of difficulty and possible ways of overcoming them.

Looking forward to the year ahead, the major task here is to agree on clear and achievable objectives. This is not easy and will require careful negotiation. Setting up unrealistic expectations will only result in a lowering of morale. The objectives set may range in scope e.g. to carry out planning, assessment and observations on the employee's key group of children or to hold regular briefing sessions for a particular team in order to review communication with parents. To be effective, objective setting must not only consist of clear identification of what activity is to be undertaken, it must also identify how it is going to be achieved, what standard of performance is expected and how, if possible, it will be measured. Objectives should contribute to the achievement of the business plan.

Possible ways of meeting identified training and development needs should be realistic, and as relevant as possible to the task in hand given the resource problems of time and money. They also need to be imaginative. An expensive conference or external training event may have much less demonstrable effect on performance than say, the operation of an effective mentor system, job shadowing, on the job training or guided reading. The more precisely the need is identified, the more likelihood of finding the most appropriate way of meeting it. Every effort must be made to ensure that action does actually follow from the identification

of such needs, and that some evaluation of the impact of training on future performance is attempted. Otherwise the appraisal process will not be seen to deliver any tangible benefits and will not establish the positive learning cycle intended.

Process

- An effective appraisal is a two-way discussion. You are there to listen to the comments and any concerns of the appraisee, rather than to give them a lecture on how to do their job.
- Do not try to do things in the meeting which are best done at another time and in a different way.
- Deal constructively with disagreement. In discussing past and future performance there will often be legitimate differences of opinion about what has happened and what needs to happen. A good appraisal will discuss such issues openly.
- Deal constructively with apathy. At all costs the appraiser must avoid colluding with appraisees who simply wish to dismiss the whole exercise as a waste of time, or who refuse to confront issues by apportioning all blame to others.
- Be systematic. Stick to the agreed agenda and the task in hand so that the discussion remains purposeful and positive.
- Make notes during the meeting – it is unlikely that you will remember enough detail to do so afterwards, particularly if you are conducting a number of appraisals. However, avoid making notes in an insensitive way.
- Listen carefully and concentrate on what the appraisee is saying. Resist talking at length yourself. Your task is to keep the discussion on track and to ensure that it achieves its stated aims.
- Let the appraisee finish what he or she is saying without interruption unless time is very short. If so, recognise the fact and agree to concentrate on specific issues.
- Carefully consider what type of questions you wish to ask to gather the information required, e.g. closed questions are useful for checking specific pieces of information, open questions will usually allow for long informative answers.
- Even 'open' questions need to be chosen carefully. Questions that begin with 'why?' may reveal less than those that begin with 'how?' or 'what?' The first tends to suggest that a justification is required; the second asks for an explanation or description of a process.
- Try to avoid questions which suggest that one answer is expected more than another:

Avoid 'Do you think that particular procedure is ineffective?' (Closed.)

'I am pleased with the new process for reviewing communications with parents, how do you think it's going?' (Leading.)

Ask 'What do you think about that particular procedure?' (Open.)

'Tell me about the new process for reviewing communications with parents.' (Open.)

- Ask only one question at a time.
- Multiple questions are confusing for everyone. Avoid multiple questions which confuse seeking information with making judgements: e.g. 'What arrangements do you have for liaising with other key departments, or don't you get on well with your colleagues?'
- Once you have asked a question, wait for an answer. Short silences are not necessarily a bad thing and can often be used to get a nervous appraisee talking.
- Try to avoid too much evaluation of answers by showing excessive approval, disapproval, scepticism or even surprise.

Ending the discussion

By the end of the meeting you should have fully commented on and agreed the points raised on both sides. Summarise the main points and agree a recommended plan of action to be taken by appraiser or appraisee or both of you. Agree a target date for the next appraisal meeting in a year's time. Make arrangements to provide support and receive regular feedback through the year as appropriate.

Throughout the year (and at least every quarter), you should hold a meeting with each member of staff to review the objectives set and the progress made against them.

Checklist for appraisers prior to appraisal discussion

Check that you do the following, to prepare for the appraisal discussion:

- Identify areas of current or growing strength where you can give praise.
- Think about evidence for any perceived areas of difficulty, so that you can identify examples where improvement may be possible.
- Consider the implication of possible areas of disagreement which may arise and how such disagreements may be avoided or minimised.
- Identify any areas for development which may be appropriate to discuss with the appraisee.
- Think about some approaches which could help the appraisee and any support which could be given to overcome any perceived difficulties.
- Identify possible targets which might be agreed after discussion.

Guidance notes for appraises

Preparation

Make sure that you know the date and time of the appraisal meeting well in advance. Ensure that you can give it your full attention, and expect it to last approximately 1.5 hours.

The various aspects of performance that will form the content of the discussion with your appraiser will clearly vary depending on your individual job description, but for most staff may include some or all of the following:

- Working relationships - internal and external.
- Communication - oral and written.
- Management of staff and other resources.
- Professional/technical knowledge and skills.
- Organisational skills.
- Procedures for processing information.
- Membership of committees, working parties.

Set aside time to think about your performance during the last year. Use the appraisal form to help you structure your thoughts.

The appraisal discussion

Make sure that you are clear about the aims of the meeting, and that the agenda is properly negotiated and agreed. Remember that this is your time to discuss any issues that impact on your work, ideas you have or to raise any concerns.

If both appraisee and appraiser have been properly prepared, and the purpose and procedures of the scheme are clear and agreed, there is no reason to approach the appraisal discussion with apprehension, distrust or disinterest. The extent to which the discussion is purposeful and useful depends on the commitment that both parties make to its success. If you approach the discussion in the frame of mind that it is all going to be a waste of time, it will hinder the benefits of the discussion.

Talk through the points you wish to raise as systematically and constructively as possible, using the headings on your appraisal form to help you.

Be open about any areas of difficulty or disagreement and actively seek ways of overcoming them. Stick to facts rather than emotions, and provide evidence for the points you want to raise. Problems will only be solved by negotiation, so there has to be 'give and take' on both sides.

Do not be tempted to try to do things in the appraisal discussion which are best done at another time and in another way. The appraisal discussion should not be the only time that you speak to your manager about issues which concern you.

In looking ahead at the coming year, try to agree objectives which are realistic and achievable. Setting up unrealistic expectations will only result in a lowering of morale. The objectives set may range in scope e.g. to carry out planning, assessment and observations on your key group of children or to hold regular briefing sessions for a particular team in order to review communication with parents.

To be effective, objective setting must not only consist of a clear identification of what activity is to be undertaken, it must also identify how it is going to be achieved, what standard performance is expected and how, if possible, it will be measured.

Similarly, when it comes to identifying training and development needs, every attempt must be made to suggest activities which really are relevant and useful (such as work shadowing, on the job training or mentoring) and therefore likely to have the greatest impact on your day-to-day work.

Outcomes of the discussion

By the end of the appraisal meeting you should have fully discussed and agreed the points raised by you and your appraiser. The appraiser should complete the appraisal report, action plan and agreed objectives within a week of your meeting and will forward the form to you for your approval and signature. This is your opportunity to raise any concerns or objections and to re-negotiate the final summary if necessary.

In the situation where your appraiser is not your line manager, it will be necessary to agree the way in which any issue requiring action at this level will be brought to your line manager's attention.

If you wish to record any areas of disagreement or make any comments about the appraisal process, you should do so in section 13 of the appraisal form.

Finally, agree a target date for the next meeting, which will take place in a year's time. However, you should meet with your manager throughout the year to discuss the progress you are making in achieving your objectives.

2. Disciplinary Procedure

1.0 Introduction

1.1 This procedure is designed to encourage all employees to achieve high standards of conduct and work performance and also aims to provide a fair, effective and consistent method of dealing with disciplinary matters.

2.0 Key principles

- Employees are expected to know the standard of conduct or work performance expected of them.
- Employees will be provided with a management statement of the case prior to any disciplinary meeting and will be allowed to respond to any alleged fault or failing at the meeting.
- An employee is entitled to be accompanied by a trade union representative or work colleague employed by the setting, to a disciplinary meeting and appeal. Other external representatives may not accompany an employee.
- For minor or isolated infringements of rules or expected behaviour, managers and supervisors should give employees informal advice, coaching and counselling as part of their supervisory duties.
- Where an employee's conduct or performance fails to improve as a result of advice, coaching or counselling, or where the offence is more serious, then the disciplinary procedure will be applied.
- A prompt and thorough investigation into the concerns will take place prior to a disciplinary meeting taking place. The employee will be informed that an investigation is taking place as soon as possible. The setting reserves the right to dispense with an investigation interview with the employee (suspected of contravening policies or rules), and to proceed directly to a formal disciplinary meeting.
- The employee must take all reasonable steps to attend the disciplinary meeting and any appeal.
- Except in cases of gross misconduct, no employee will be dismissed for a first offence.

3.0 Categories of gross misconduct

3.1 Gross misconduct is a category which can include:

- Theft, fraud and deliberate falsification of records, expenses, qualifications and other offences of dishonesty.
- Physical violence.
- Serious bullying or harassment.
- Deliberate damage to property.
- Conviction of a criminal offence relevant to the employee's role.

- Gross negligence.
- Serious insubordination.
- Misuse of the setting's property or name.
- Misuse of electronic communications which defames individuals or brings the organisation into disrepute.
- Bringing the organisation into serious disrepute.
- Serious incapability whilst on duty brought on by alcohol or illegal drugs.
- Serious negligence which causes or might cause unacceptable loss, damage or injury.
- Serious infringement of health and safety rules.
- Serious failure to comply with policies, procedures and legal requirements that safeguard children.
- Serious breach of the early years setting's and statutory policies.
- Serious breach of confidentiality (subject to the Public Interest (Disclosure) Act 1998).
- Defaming or bad mouthing the setting on social networking sites.
- Serious breaches of the Data Protection Act.
- Bribery and corruption.

This is not an exhaustive list.

4.0 Steps prior to deciding to take disciplinary action

- 4.1 When any incident of misconduct or negligence or poor performance is alleged to have occurred, the manager must establish the facts to decide whether there is a need for a disciplinary meeting.
- 4.2 Where appropriate/possible, signed written statements should be obtained as quickly as possible from the individual(s) concerned and should include where possible, dates, times, details of those present and the issues of concern.

5.0 Procedure

- 5.1 At the earliest opportunity the manager must inform the employee that an allegation/incident has occurred and that an investigation is to take place.
- 5.2 Following an appropriate investigation, the manager must prepare a written statement of the employee's alleged conduct or characteristics, or of the circumstance which have led to the contemplation of taking disciplinary action.

- 5.3 The manager or supervisor must send the statement and any witness statements to the employee including any evidence that will be relied upon at the meeting and, invite her/him to attend a disciplinary meeting to discuss the matter. The employee should also be informed of their right to be accompanied at the meeting. Employees should be given an appropriate amount of notice of the meeting in order to prepare their response and to contact any witnesses that he/she wishes to call to the meeting to give evidence.
- 5.4 A disciplinary meeting must take place before any disciplinary action is taken, (except where the action in question consists of suspension pending a disciplinary meeting). At the meeting, the manager or supervisor (investigation officer) should ensure that the circumstances of the complaint against the employee are presented to the disciplining manager and that the employee is provided with an opportunity to respond to the management case. The disciplining manager will then decide whether or not to issue a disciplinary penalty. The outcome of the disciplinary meeting must be confirmed in writing within [10] working days, to include the right of appeal and to whom to address any appeal letter.
- 5.5 Where practicable the investigating officer(s) will normally not sit on the disciplinary panel.
- 5.6 Where practicable the panel should consist of a minimum of two people not previously involved in the case.
- 6.0 Appeal**
- 6.1 Any employee who feels they have been disciplined unfairly may appeal in writing to the person named in the disciplinary letter. All appeals must be submitted in writing, clearly set out the grounds for appeal, within [7] working days of the date of the disciplinary meeting letter.
- 6.2 Normally an appeal meeting will be arranged with the employee together with the line manager of the manager e.g. the owner, who issued the disciplinary penalty, within [15] working days of the employee's request.
- 6.3 A letter detailing the outcome of the appeal should be issued within [10] working days of the appeal meeting.

7.0 Disciplinary penalties

7.1 Managers should not issue any disciplinary penalties without a formal meeting.

7.2 There are five disciplinary penalties, which may result from misconduct:

- Formal verbal warning (first formal warning).
- Written warning.
- Final written warning.
- Dismissal with notice.
- Summary dismissal.

7.3 The gravity of the offence will determine which disciplinary penalty is issued. All disciplinary penalties must be confirmed in writing.

8.0 Formal verbal warning

8.1 Minor breaches of organisational discipline, misconduct or time keeping, or failure to meet performance criteria, may result in a formal verbal warning given by the manager. The manager may give this at a disciplinary meeting with the employee. This warning should be confirmed in writing. If the warning relates to unsatisfactory performance then it should set out:

- The performance required.
- The improvement required.
- The timescale for improvement.
- Any review date.
- Any support that can be offered to assist the employee to improve their performance.

8.2 If the warning relates to conduct then the nature of the misconduct and the change in behaviour required should be set out in the warning letter.

8.3 The employee may be accompanied at the meeting by a work colleague or a trade union representative.

8.4 The warning will be placed on the employee's personnel file. After a period of [three months], if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

9.0 Written warnings

9.1 If the infringement is regarded as more serious, or the employee's work or conduct are considered unsatisfactory after they have received a formal verbal warning and after a period has elapsed in which the employee has had time to remedy their work or conduct, a disciplinary meeting conducted by the manager will be held.

The employee will be informed of the nature of the complaint and such evidence as may exist, and will be given an opportunity to respond. The employee will be told of the decision and given a letter of confirmation within [10] working days of the disciplinary meeting. The written confirmation will state:

- The date of the disciplinary meeting and those present.
- The penalty imposed.
- Details of the misconduct, poor performance or poor time keeping that has occasioned a warning and the performance required or the change in behaviour required.
- The timescales for performance improvement, where appropriate.
- Details of any necessary action to remedy the situation, any period of review, extra training or supervision etc., or the possibility for redeployment/demotion.
- That any further misconduct etc. will result in a further disciplinary meeting and will normally result in a confirmed final warning, which if unheeded will result in dismissal with appropriate notice.
- That there is a right of appeal.

9.2 After a period of [six months], if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

10.0 Final written warning

10.1 If the employee's work or conduct fails to improve, or where the infringement is sufficiently serious, the manager will follow the same procedures as for issuing a written warning. If proven, a final warning, which will be in writing, will be given to the employee warning that any further misconduct will result in dismissal with appropriate notice.

10.2 After a period of [twelve months], if no further disciplinary action has been found necessary and the breach has been resolved, the warning will expire.

11.0 Gross misconduct

- 11.1 Employees dismissed with notice will be paid for this notice period. An employee may be dismissed without notice if there has been an act of gross misconduct, or a major breach of duty or conduct that brings the organisation into disrepute. The employee will be suspended with pay while the circumstances of the alleged gross misconduct are investigated.
- 11.2 A dismissal must be confirmed in writing within [10] working days of the date of the disciplinary interview. As well as covering the points in paragraphs 9.1 and 9.2, the letter should also include details of any outstanding money owed to the employee, how and when it will be paid and the final date of employment.
- 11.3 In certain cases, where a member of staff is dismissed from the organisation or internally disciplined because of misconduct relating to a child, we inform the Disclosure and Barring Service.

12.0 Suspension

- 12.1 Suspension should be used sparingly in circumstances where the manager needs to conduct an investigation prior to a hearing where it is felt that the impact of not suspending the employee during the period would be likely to be more detrimental than suspending them.
- 12.2 Cases which involve potential gross misconduct will usually result in suspension - particularly when relationships have broken down or where the setting's property or responsibilities to other parties are involved, or where the employee's presence may prejudice the inquiry.
- 12.3 Suspension should be kept brief and reviewed to ensure that it is not unnecessarily protracted.
- 12.4 Where a member of staff is suspended because of alleged misconduct relating to a child, we inform Ofsted, social services and we may also contact the Police. We may also contact other relevant agencies.

13.0 Timescales

- 13.1 Employees are required to take all reasonable steps to attend the hearing. However, should, for a reasonably unforeseen reason, either the employee, the line manager or their companions be unable to attend the meeting, it must be rearranged.

- 13.2 Should an employee's companion be unable to attend then the employee should make contact within [5] days of the date of the letter to arrange an alternative date that falls within [10] days of the original date provided.
- 13.3 Time limits may be extended by mutual agreement.

3. Grievances Procedure

Introduction

The following procedure should be followed in order to settle all grievances concerning any employee(s) of King Street Pre-School.

Principles

The key objective of the procedure is to allow grievances to be settled quickly, fairly and at the lowest possible level within King Street Pre-School, whilst allowing employees the opportunity to appeal to a higher level if necessary.

The procedure covers all employed staff in King Street Pre-School who have a grievance.

It covers all matters which may become a source of grievance, excluding:

- Those concerned with disciplinary action unless the disciplinary action amounts to discrimination, or the action was not taken on the grounds of the employee's conduct or capability.
- Decisions on strategic business issues, which are taken by the trustees, but not excluding the operational impact of those decisions.

Employees are encouraged to raise concerns verbally with their manager (or employer) prior to raising a formal grievance.

Employees are entitled to be accompanied at a grievance meeting and appeal, by a trade union representative or by a work colleague.

Procedure

King Street Pre-School's policy is to encourage free interchange and communication between managers and the staff they manage. This ensures that questions and problems can be aired and resolved quickly and that grievances are settled informally.

Informal procedure

If an employee has a complaint about their individual circumstances at work, then they are entitled to raise a grievance. Employees are expected to discuss ordinary day-to-day issues informally with your line manager through supervision meetings or if necessary request a separate meeting. Where this is not possible

employees should raise their concerns verbally with the next level of management, prior to raising a formal grievance.

If after seeking to resolve concerns informally employees are not satisfied, then they should write to the early years setting, explaining their grievance.

Formal procedure

Employees must provide in writing, the nature of the alleged grievance and send the written complaint to their immediate manager.

Where the grievance is against the manager the matter should be raised with a more senior manager, i.e. normally the manager's manager e.g. the chair of trustees.

Normally within 5 working days of receiving a grievance, the manager will write to the employee, inviting them to attend a meeting where the alleged grievance can be discussed. The meeting should be scheduled to take place as soon as reasonably possible, and normally at least 48 hours' notice of this meeting should be provided to the employee.

Employees are required to take all reasonable steps to attend the meeting. However, should, for a reasonably unforeseen reason, either the employee, their companions, or the manager be unable to attend the meeting, it must be rearranged.

Should an employee's companion be unable to attend then the employee should make contact within 5 days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

At the meeting the employee must inform the manager hearing the grievance what the basis for the complaint is.

After the final meeting, the manager hearing the grievance must write to the employee informing them about any decision and offering the right of appeal. This letter should be sent within 10 working days of the grievance meeting and should include the details of how to appeal.

Should the employee consider that the grievance has not been satisfactorily resolved, then they must set out their grounds of appeal in writing within 7 working days, of receipt of the decision letter, confirming that they wish to appeal against the decision or failure to make a decision.

Within 5 working days of receiving an appeal letter, the employee should be written to inviting her/him to attend an appeal hearing where the alleged grievance can be discussed. The appeal meeting should be scheduled to take place as soon as reasonably possible.

Employees are required to take all reasonable steps to attend the appeal hearing. However, should, for a reasonably unforeseen reason, either the employee, the line manager or their companions be unable to attend the meeting, it must be rearranged.

Should an employee's companion be unable to attend then the employee should make contact within 5 days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

After the appeal meeting, the appeal hearing manager must write to the employee informing them of the employer's final decision. This letter should be sent within 10 working days of the appeal hearing.

This is the final stage of the procedure.

4. Whistle Blowing Policy

The whistle blowing procedure aims to help and protect both staff and children. By following the procedure you are acting to:

- prevent a problem getting worse,
- safeguard children and young people, and
- reduce the potential risks to others.

The earlier you raise a concern, the easier and sooner it is possible for the setting to take action.

Introduction

King Street Pre-School is committed to the highest possible standards and recognises that its staff, students and volunteers are often the first to realise that there may be something wrong within the setting. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or they may fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Public Interest Disclosure Act 1998 protects workers who raise concerns from victimisation or harassment. In accordance with that Act and its commitment to the highest standards of service delivery, the setting actively encourages its workers with serious concerns about any aspect of the setting's practice or any adult's, volunteer or student's conduct to come forward and voice those concerns, in confidence, within the setting rather than overlooking a problem.

Objective

The aim of this policy and associated procedures is to establish an internal procedure that will encourage and enable staff, students and volunteers to raise serious concerns about any aspect of the setting's practice, (which do not meet the criteria for being dealt with as a complaint or grievance), in confidence and without fear of reprisals, to ensure that the setting continues to work within best practice and safeguard children and young people.

Scope

Concerns that should be raised via the Whistle Blowing Policy may be in relation to the actions/behaviours of other staff, students or volunteers, or about something that is perceived as:

- unlawful

- failing to comply with the setting's policy and procedures
- poor practice
- improper conduct.

Principles

This policy is based on the following fundamental principles:

- All staff, students and volunteers have the right to raise concerns about perceived unacceptable practice or behaviour.
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, students and volunteers.
- The setting will not tolerate harassment or victimisation and will take action to protect workers when they raise a concern in good faith.
- The setting will do its best to protect a whistle blower's identity when he/she raises a concern and does not want his/her name to be disclosed. However, if the concern raised needs to be addressed through another procedure, e.g. disciplinary procedure, the worker may be required to provide a signed statement as part of the evidence.
- In some circumstances the setting may have to disclose the identity of the worker without his/her consent, although this will be discussed with the worker first.
- Appropriate advice and support will be made available to staff, students and volunteers who raise concerns.
- Those who raise concerns will be kept informed of the progress and outcome of any investigation.
- The setting will not tolerate malicious allegations, which may be considered a disciplinary offence.

Procedures

Procedures for reporting and investigating 'whistle blowing' concerns have been developed to ensure that:

- Staff or volunteers can raise concerns (no matter how small they may appear) internally as a matter of course, and receive feedback on any action taken.
- Concerns are taken seriously and dealt with quickly and appropriately.
- Staff and volunteers are reassured that they will be protected from reprisals or victimisation for whistle blowing in good faith.
- Staff and volunteers can take the matter further if they are dissatisfied with the setting response and seek external advice and guidance.

- Issues raised are addressed via other procedures and policies as appropriate, e.g. safeguarding policy, allegations against and adult working in a setting, grievance, disciplinary, health and safety.
- Appropriate records are maintained for monitoring purposes.

Raising a Concern

Staff should raise concerns with the manager or management committee. Concerns should be raised in writing and include:

- reference to the fact that it is a whistle blowing disclosure
- the background and history of the concerns
- names, dates and places (where possible)
- the reasons why the worker is concerned about the situation.

Staff who feel unable to put concerns in writing, can telephone or meet either the manager or a member of the management committee.

Whom should you contact?

You should contact one of the following people in confidence:

Paulina Geller (Manager) – 07742 376299/ info@kingstreetpreschool.org.uk

Slawomira Calleja (Chair) – 07971 169318 / cslawomira@yahoo.com

Investigation

The action taken will depend on the nature of the concern. All matters raised (with the exception of allegations of abuse against a staff member / volunteer, or criminal or unlawful activity) will be investigated internally.

The appropriate person/s will investigate the concerns thoroughly, ensuring that a written response can be provided within ten working days.

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the worker be unhappy with the response and wish to raise the matter.

If the investigation cannot be completed within the timescale above, the worker should receive a response that indicates:

- progress to date

- how the matter is being dealt with
- how long it will take to provide a final response.

In order to protect individuals, initial enquiries (usually involving a meeting with the individual raising the concern), will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that raise issues that fall within the scope of other policies/procedures, will be addressed under those procedures.

Some concerns may be resolved at this initial stage simply, by agreed action or an explanation regarding the concern, without the need for further investigation.

If you do not feel that the complaint has been dealt with effectively or you still have concerns, you have a right to refer your concerns to Ofsted.

Allegations of abuse against adults who work or volunteer in the setting

If an allegation is made against a staff member or volunteer, the following action will be taken (as per the 'Allegations of Abuse against Adults who Work or Volunteer in a Childcare Setting' flowchart and guidance):

- The setting will ensure the immediate safety of the children.
- The setting will immediately contact the Early Years Named Senior Officer (if the Early Years Named Senior Officer is not contactable, the Local Authority Designated Officer (LADO) should be contacted direct).
- The setting will notify Ofsted of a significant incident.
- The Early Years Named Senior Officer will notify the LADO, who will decide if it could be a child protection case.
- If the LADO decides the matter is a child protection case, external/internal agencies (e.g. police) will be informed by the LADO and the setting will act upon the advice given to ensure that any investigation is not jeopardised.
- It may be necessary for the employer to suspend the alleged perpetrator. Suspension is a neutral act to allow a thorough and fair investigation.
- If it is agreed that the matter is not a child protection case, the setting will investigate the matter and feed back the outcome of the investigation to the Early Years Named Senior Officer and Ofsted.

Useful contacts:

Early Years Named Senior Officer
(Gemma Hope)

01223 714760 or 07876
038762

Local Authority Designated officer (LADO)

01223 727967

Ofsted

0300 123 1231

Public Concern at Work (PCAW)

0207 404 6609

5. Staff Pay Review Policy

Basic principles

King Street Pre-school aims to apply a consistent and fair approach to reward, in line with the following principles:

- We will aim for consistency and fairness in the processes we use to manage reward, as appropriate to the business.
- We will ensure that our reward processes and policies are transparent and accessible to all employees.
- We will be mindful of the numbers of current, and predicted, children, in making decisions about pay and benefits.
- We will be clear about how we recognise and reward performance.
- We will retain a core set of benefits for all employees. In the future employee will be given flexibility within their total reward package to enable them to meet their differing personal needs and circumstances.

Base pay determination

Your basic pay is determined by:

- Your role and where it fits in King Street Pre-school.
- Reference to the external market, through regular participation in relevant pay surveys.
- Individual factors, including capability in the role demonstrated through growth in skills or role.
- Relevant internal pay comparisons.
- The amount available for the pay review process is also impacted by what King Street Pre-school can afford.

Pay on appointment

We are provided with relevant external pay data prior to any appointment. This enables a view to be taken about the pay range within which King Street Pre-school is prepared to appoint. Account is also taken of any internal pay relationships, with respect to staff doing the same or similar roles.

Pay review dates

King Street Pre-school focuses pay reviews on one main review each year, by 31st July. If any interim adjustments need to be made half way through the year, there is also the opportunity for a mid-year review. In addition some promotions and other job-related pay changes may need to take place at other points throughout the year where they cannot be tied into the pay review cycle. However, as far as possible the aim is

to minimise interim pay adjustments and keep to the main review dates. Pay increases will take effect from 1st September every year.

Reviewing individual pay

King Street Pre-school will research the current salary rate for pre-school staff prior to the pay review, at a committee meeting. Consideration will also be made for the current level of our funds. This will include guidelines on what the standard level of increase should be if no other factors apply.

In making individual pay decisions the following factors will impact on the level of increase:

Promotional moves to jobs that are linked to a different external or internal market rate.

Growth in the job where an individual has taken on additional responsibilities or a bigger role in agreement with the committee, but which do not warrant a promotional move.

Consistent contribution to King Street Pre-school at a high level, through development of skills, the way you have gone about doing your job or outstanding sustained performance.

It is also possible for a lower increase or no increase to be awarded where there are poor performance issues.

Significant changes in the external market rate for particular roles: this is likely to be rare, and will only be applied where there is evidence that the external shift is likely to be sustained over time.

6. Retirement Policy

Introduction

The Retirement Policy aims to clarify the obligations that the setting and its employees have in relation to retirement. The purpose of this policy is to set out the setting's approach to the retirement of employees.

This policy takes effect from 6 April 2011 and incorporates the statutes relating to the Employment Equality (Age) Regulations 2006.

King Street Pre-School does not operate a compulsory retirement age for its employees from 6 April 2011.

King Street Pre-School is committed to equality and diversity and recognises the contributions of a diverse workforce, including the skills and experience of older employees. It believes that employees should, wherever possible, be permitted to continue working for as long as they wish to do so. King Street Pre-School operates a flexible retirement policy and employees may voluntarily retire at a time of their choosing.

Procedure

If an employee has decided that he/she wishes to retire, he/she should inform their line manager in writing as far in advance as possible and, in any event, in accordance with his/her notice period as set out in his/her contract of employment. This will assist the setting with its succession planning.

King Street Pre-School will write to the employee acknowledging the employee's notice to retire and will arrange a meeting with the employee to discuss arrangements for retirement, including the intended retirement date, handover plans and pension details, if applicable.

7. Annual Leave Policy

King Street Pre-School operates on a term-time only basis and, as such, annual leave must be taken outside term time and is currently based upon a pro rata calculation of 16 days ie. (38 weeks term time + 4 weeks holiday) divided by 52 weeks = 16 days holiday per annum.

Holiday entitlement cannot be carried over into the next year.

On termination of employment employees will be entitled to accrued holiday pay for any holiday not taken.

8. Maternity Leave

Maternity

King Street Pre-School upholds the Equality Act (2010) and as such sets out the following policy for maternity leave and payments:

Maternity Pay

To qualify for Statutory Maternity Pay (SMP) the employee must:

- Have been continuously employed for at least 26 weeks continuing into the fifteenth week before the baby is due
- Have average weekly earnings of at least the lower earnings level (£107)
- Give medical evidence to King Street Pre-School at least 21 days before the maternity leave is due to start
- Have actually stopped working to have the baby
- Give written notice no later than the end of the 15th week before the expected week of confinement (EWC) to include:
 - The fact that she is pregnant
 - The expected week of childbirth
 - The date she intends to start maternity leave
- Give King Street Pre-School at least 28 days' notice of the date she wants her Statutory Maternity Pay to start

Statutory maternity pay is payable for 39 weeks, the first six weeks of which are paid at 90% of average weekly earnings and the remainder at the lower statutory level (£138.18) or at 90% of average weekly earning if this is lower.

Calculation of Average Weekly Earnings

The sum of two months' (i.e. eight weeks') actual salaries that fall within the eight weeks immediately preceding the qualifying week (QW) is divided by two, multiplied by 12 and divided by 52 to obtain the average weekly earnings.

Ordinary Maternity Leave (OML)

All female employees are entitled to 26 weeks' maternity leave, during which time the contract of employment continues. There is no qualifying period of employment for this leave, but a pregnant employee is required to

notify King Street Pre-School of her intention to take maternity leave by the 15th week before her expected week of confinement (EWC), if possible, and King Street Pre-School may request proof of the EWC.

The 26 week maternity leave may not commence before the 11th week before the EWC.

The woman has a right to return to employment before the end of the 26 week period, though not within the first 2 weeks of giving birth, and must give at least 28 days' notice of her intention to return.

Although the woman has a right to all of the ordinary contractual benefits during the 26 week period (e.g. holiday pay entitlement, continuous service, redundancy rights) she does not have to be paid her basic salary, though she may be entitled to Statutory Maternity Pay.

All women must take 2 weeks' compulsory maternity leave after the birth.

Additional Maternity Leave (AML)

All female employees are entitled to 26 weeks' Additional Maternity Leave, and the right to return to work. The employee is not required to give her employer notice of return. She may simply return to work on the first day after the end of the 52 week period.

Employees who wish to return to work before the expiry of Additional Maternity Leave must give 8 weeks' notice in writing of the intention to return.

Additional Maternity Leave must be taken immediately after Ordinary Maternity Leave, there cannot be a gap between the two types of maternity leave.

Time of for ante-natal care

All pregnant employees, regardless of their length of service or hours of work, are entitled to paid time off for ante-natal appointments. However, the timings of these appointments may be discussed with the pregnant employee to ensure that appropriate cover is maintained in the setting.

Return to work notice requirements/contact

A woman returning to work at the end of her 52 weeks of maternity leave who has not told her employer that she wishes to come back at any other time does not need to provide further notice of her return. She may simply return to work on the first day after the end of the 52 week period. If she wished to return to work before the end of the 52 week period then she must give eight weeks' notice of the date on which she intends to return (this does not have to be in writing). If the employee does not give notice the employer may postpone her return to the date that will secure the full notice. It cannot be postponed beyond the Ordinary Maternity Leave period.

During maternity leave the setting can make contact with the employee (and vice versa), as long as the type and amount of contact is not unreasonable, to discuss a range of issues e.g. to discuss her plans for returning to work, or keep her informed of important developments. It is good practice to keep the employee informed of any relevant promotion opportunities of job vacancies that arise during maternity leave.

Keeping in touch days

The employee may, by arrangement with King Street Pre-School, work up to 10 days – known as 'keeping in touch days' – under her contract of employment during the maternity leave period, as long as she and the setting manager or trustees have agreed for this to happen, and agree on what work is to be done and how much she will be paid for it. The type of work undertaken may be used for any activity which would ordinarily be classed under her contract of employment i.e. to attend a conference, undertake training or attend a team meeting.

Such days are different to the reasonable contact that the setting and employee may make with one another. The days worked may be taken at any stage during the maternity leave period, by agreement with the setting, with the following exception: during the first two weeks after the baby is born.

The setting may not require the employee to work during maternity leave if they do not wish to, nor does the employee have the right to work 'keeping in touch days' if the setting does not agree to them.

If the setting offers the employee the opportunity to work 'keeping in touch days', she is entitled to turn the opportunity down without suffering any consequences as a result. It is unlawful for an employee to suffer detriment for not agreeing to work 'keeping in touch days'.

Protection against unfair dismissal on maternity-related grounds

It is unlawful to dismiss an employee, or to select her for redundancy in preference to other employees, on the grounds that she is pregnant or has recently given birth. This right applies regardless of the employee's length of service or hours of work.

Other rights

Pregnant employees are also entitled to:

- Have a risk assessment during pregnancy
- Request alternative work so that any risks to the expectant mother and baby can be avoided
- To be paid whilst on suspension on maternity grounds, if health and safety measures cannot be complied with

9. Adoption

King Street Pre-School upholds the Equality Act (2010) and as such sets out the following policy for adoption leave and payments:

Adoption leave and pay will be available to

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

Eligibility for adoption leave

To qualify for adoption leave the employee must:

- Be newly matched with a child for adoption by an approved agency (adoption leave and pay are not available in circumstance where a child is not newly matched for adoption, for example, when a step-parent is adopting a partner's child)
- Have worked continuously for their employer for 26 weeks leading into the week in which they are notified of being matched with a child for adoption

Length of adoption leave

Adopters will be entitled to up to 26 weeks' Ordinary Adoption Leave (OAL), followed immediately by up to 26 weeks' Additional Adoption Leave (AAL), a total of 52 weeks' leave. Ordinary adoption leave will normally be paid. Leave can start on any day of the week and:

- From the date of the child's placement (whether this is earlier or later than expected)
- From a fixed date which can be up to 14 days before the expected date of placement

Only one period of leave will be available, irrespective of whether more than one child is placed for adoption as part of the same agreement. If the child's placement ends during the adoption leave period, the adopter will be able to continue leave for up to 8 weeks after the end of the placement.

Statutory Adoption Pay (SAP)

During the adoption leave, most employees will be entitled to Statutory Adoption Pay (SAP). The rate of SAP will be the same as the rate of Statutory Maternity Pay. Remaining leave is unpaid. Employees who average weekly earnings below the lower earnings limit for National Insurance purposes will not qualify for SAP. Employees who do not qualify for SAP, or who are normally low paid, may be able to get Income Support while on Adoption Leave. Information about additional financial support is available from your local Jobcentre Plus office.

Notice of intention to take leave

Adopters will be required to inform their employer of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child for adoption, unless this is not reasonable practical. They will need to tell their employers:

- When the child is expected to be placed with them
- When they want their adoption leave to start

Adopters will need to tell their employer the date they expect Statutory Adoption Pay to start at least 28 days in advance, unless this is not reasonably practical.

Matching certificate

Employees will have to give their employer documentary evidence – a matching certificate – from their adoption agency as evidence of their entitlement to Statutory Adoption Pay. Line managers can also ask for this certificate as proof of entitlement to adoption leave. It is the responsibility of employees to ask their adoption agency for a completed matching certificate.

Contractual Benefits

Employees are entitled to the benefit of their normal terms and conditions of employment, except for terms relating to wages, throughout adoption leave.

Returning to work

Adopters who intend to return to work at the end of their full adoption leave entitlement will not have to give any further notification to their employer. Adopters who wish to return to work before the end of their adoption leave period must give 28 days' notice of the date they intend to return.

10. Paternity Leave

King Street Pre-School upholds the Equality Act (2010) and as such sets out the following policy for paternity leave and payments:

Ordinary Paternity Leave (OPL)

Eligible employees are entitled to either one or two weeks' paternity leave paid at the Statutory Paternity Pay (SPP) flat rate during the weeks immediately following childbirth (£136.78 per week or 90% of normal weekly earnings if this is lower). Employees who have average weekly earnings below the lower earnings limit for National Insurance purposes will not qualify for SPP.

Employees will 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 or the mother's husband or partner
- Be the adopter's spouse or partner
- Have worked continuously for their employer for 26 weeks leading into the 15th week before the baby is due or the week in which the adopter is notified of being matched with a child
- Be taking time off to support the mother and/or care for the baby

Paternity leave must be completed within 56 days of the actual birth of the child or the child's placement. During their paternity leave, most employees will be entitled to SPP. The rate of SPP will be the same as the rate of Statutory Maternity Pay. Employees will be required to inform their line manager of their intention to take paternity leave by the 15th weeks before the baby is due or within 7 days of the adopter being notified by the adoption agency that they have been matched with a child (unless this is not reasonably practical).

Employees should be asked to provide a self-certificate as evidence that they meet these eligibility conditions. The self-certificate will include a declaration that the employee meets certain eligibility conditions and provides the information as part of the notice requirements (Government forms SC3 for parents and SC4 for adopters). By providing a completed self-certificate, employees will be able to satisfy both the notice and evidence conditions for paternity leave and pay.

Contractual benefits and returning to work

Employees are entitled to the benefit of their normal terms and conditions of employment, except for terms relating to wages, throughout their paternity leave. Employees will be entitled to return to the same job following paternity leave.

Additional Paternity Leave (APL)

Additional Paternity Leave entitles eligible employees, to take up to 26 weeks leave to care for their new baby. Employees can start their additional paternity leave any time from 20 weeks after the child is born or when the child starts living with the adopter. The leave must have finished by the child's first birthday. A minimum of two weeks and a maximum of 26 continuous weeks' leave can be taken.

Employees will need to satisfy the following conditions in order to qualify for Additional Paternity Leave. They must:

- Be the biological father of the child and/or the husband or partner of a women who is due on or after 3 April 2011.
- Be the adopter's husband, partner or civil partner.
- Have, or expect to have the main responsibility for the baby's upbringing, apart from any responsibility of the mother.
- Have worked continuously for their employer for 26 weeks leading into the 15th week before the baby is due or the week in which the adopter is notified of being matched with a child.
- Continue to be employed from the qualifying week into the week before the employee wishes to take additional paternity leave.
- Be taking the time off to care for the baby.
- The mother must be entitled to statutory maternity leave, statutory maternity pay or maternity allowance.
- Resume working at least two weeks after the child's birth.

A return to work means the mother or co-adopter has given notice and has resumed working, so that any entitlement to Statutory Maternity/ Adoption Pay or maternity/adoption allowance is stopped for that week and any maternity/adoption leave she is entitled to has ended. Once the mother has returned to work any subsequent period of leave does not affect entitlement to Additional Paternity Leave or Pay.

Notice of intention to take Additional Paternity Leave

Employees must give their employer notice, in writing, at least eight weeks before the start of the paternity leave. This may be provided on the form SC7 (for births), SC8 (for UK adoptions) or SC9 (for overseas adoptions) available on the HM Revenue & Customs (HMRC) website. By proving a completed form, employees will be able to satisfy both the notice and evidence conditions for additional paternity leave and pay.

Additional Statutory Paternity Pay (ASPP)

During Additional Statutory Paternity Leave, eligible employees will be entitled to Additional Statutory Paternity Pay. Eligibility for Additional Statutory Paternity Pay is payable to eligible employees who meet the qualification criteria for additional paternity leave and:

They are taking time off to care for their child during the 39 week period covered by their partner.

11. Antenatal Rights for Fathers and Partners

Employees (from day one of employment) and agency workers (after 12 weeks in the same role) who have a qualifying relationship with a pregnant woman or an expected child are entitled to take unpaid time off to accompany that pregnant woman at up to two antenatal appointments. The right to time off is capped at six-and-a-half hours on each occasion, although no more than half a day is normally needed for an antenatal appointment and individuals should take only the time that they need to attend the appointment. If longer is required this will need to be taken as annual leave. Anyone requesting time off will need to sign a declaration form (see appendix)

An employee or agency worker has a qualifying relationship with a pregnant woman or her expected child if he or she:

- is the husband or civil partner of the pregnant woman;
- lives with the pregnant woman in an enduring family relationship, although is not her parent, grandparent, sister, brother, aunt or uncle;
- is the father of the expected child;
- is an intended parent in a surrogacy situation who meets certain conditions (for example, is a potential applicant for a parental order in respect of the expected child).

12. Parental Leave and Dependants' Leave

King Street Pre-School sets out the following policies for Parental Leave and Dependants' Leave.

Parental Leave

An employee has the right to statutory parental leave if she/he has one year's continuous service with the employer and:

- Is named on the child's birth or adoption certificate.
- Has parental responsibility.
- The child is under five-years-old or, if the child qualified for Disability Living Allowance is under 18 years old; or if the child is adopted is either under 18 years old or it has been no longer than five years from the date on which the child was placed for adoption, whichever is the sooner.

Employees are entitled to receive 18 weeks per child. In the case of people who work part-time the leave will be in proportion to their normal working week. For employees who have irregular working weeks, the employer should calculate an average working week over a year.

An employee must give 21 days' notice of the exact day on which parental leave will start. Where circumstances do not allow such notice, e.g. a premature birth, as much notice as possible should be given. The leave should be taken in blocks of a week; with one or more weeks taken at a time, but no more than four weeks each year. Part of a week counts as a week, so if a full-time employee takes three days' parental leave and then returns to work, one week of the eighteen weeks' entitlement has been used. Exceptions should be made in certain circumstances, e.g. if required due to irregular needs of a disabled child.

The employer may ask for reasonable proof of a child's age. However, it will not be necessary each time leave is requested nor will the employer ask for documents other than the usual ones, such as the child's birth certificate, which the employee can easily get hold of. The employee will remain employed while on parental leave but need not be paid and will not be bound by any contractual terms except terms relating to good faith and confidentiality, which also bind the employer.

After taking parental leave the employee must be given her/his job back, or a job which has the same or better status and terms and conditions as the old job. The employer must not take away any of the seniority and pension rights which the employee has built up before taking the leave. If the employer is making people

redundant, the employee on parental leave must be treated as if he or she was working normally. Unused parental leave can be carried forward from one employer to another.

Dependants' Leave

Under the Employment Relations Act 1999, all employees 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 when an employee can take time off include:

- When the dependant is unexpectedly ill, gives birth or is injured or assaulted (including mental illness)
- To make care arrangements for a dependant who is ill or injured
- When a dependant dies
- When the school or nursery is unexpectedly closed
- When care arrangements are unexpectedly withdrawn

A dependant is a person (adult or child) who regularly and continuously relies on the employee to provide the sole or principal care required. The employee need not be related to the dependant and must live in the same household. In cases of illness or where arrangements break down, if the employee is the principle carer or is relied upon in an emergency, then the dependant need not live in the same household.

12. Redundancies

King Street Pre-School upholds the Employment Rights Act 1996 and as such sets out the following redundancies policy:

King Street Pre-School envisages two situations where redundancies could arise:

- On the closure of the entire business
- Where there is a reduced need for employees

Where an employee has been dismissed by reason of redundancy where one of the above conditions has been met, then this will be considered a potentially fair reason for dismissal under the Employment Rights Act 1996.

However, King Street Pre-School must show that it acted reasonably in deciding to dismiss an employee, including that it adopted a fair redundancy procedure. This means:

- Effective and meaningful consultation takes place to consider ways of avoiding redundancies
- Consideration of the appropriate pool of employees from which the selection for redundancy is to be made
- Ensuring that the selection criteria that are to be applied to the pool of employees at risk of redundancy are objective and applied in a fair and consistent way

Where redundancies are necessary, King Street Pre-School will seek to ensure that:

- A clear and lawful process is followed (although the ACAS Code of Practice on Disciplinary and Grievance Procedures does not strictly apply to dismissals due to redundancy, it is safest to follow the Code)
- The total number of redundancies made is kept to a minimum
- Employees, and, where appropriate, their representatives are fully consulted on any proposals and their implementation
- Selection for redundancy is based on clear criteria that will, as far as possible, be objectively and fairly applied
- Every effort is made to redeploy or find alternative work for employees selected for redundancy
- Support and advice is offered to employees selected for redundancy to help them find suitable work when their employment has come to an end
- The whole process is well documented so that there is good evidence to respond to any legal challenge

Consultation and selection process

Prior to making any employee redundant, King Street Pre-School is under an obligation to enter into a genuine and meaningful consultation process, which explores alternative possibilities to avoid or reduce the number of employees dismissed through redundancy. King Street Pre-School should also give as much notice as possible of impending redundancies.

King Street Pre-School must put in writing to employees affected and relevant representatives:

- The reason for the proposed redundancies
- The numbers and descriptions of the employees that the employer proposes to dismiss as redundant
- The total number of employees of any such description employed by King Street Pre-School
- The proposed method of carrying out the dismissals including the period over which the dismissals are to take effect
- The proposed method of selecting the employees who may be dismissed
- The proposed method of calculating the amount of any redundancy payments

Affected employees (and where relevant their representatives) should be consulted on:

- the reason why there is a need to make redundancies
- the proposed changes and their implications
- the process to be followed
- the best way in which redundancy can be implemented as fairly as possible
- the selection process
- the selection criteria for selecting which employees are to be made redundant (where the whole setting is not closing)
- ways of avoiding or reducing the number of redundancies
- details of suitable alternative employment
- details of the process for employees to apply for voluntary redundancy

Timescales

As King Street Pre-School has less than 19 employees, a two week consultation period is considered reasonable. Consultation should be completed before King Street Pre-School serves any notices of termination of employment.

Employees are entitled to reasonable time off with pay to look for another job or to make arrangements for retraining for further employment. An employee will not win a case of unfair dismissal if they are made redundant provided that they have been fairly selected for redundancy and the redundancy is genuine.

Redundancy entitlements

The minimum amount of redundancy pay an employee will receive after being dismissed for redundancy is subject to certain requirements and conditions. The factors that determine redundancy payment are as follows:

- the period, ending with the relevant date, during which the employee has been continuously employed
- the number of complete years of employment falling within that period
- The salary scale is the one in use at the time the post is declared redundant. The amount of weekly pay used in the calculations is subject to a statutory maximum

The appropriate amounts are:

- One and a half weeks' pay for each year of employment in which the employee was aged 41 or over
- One week's pay for each year of employment in which the employee was aged between 22 and 40
- Half a week's pay for each year of employment up to the age of 21
- The maximum number of years of employment that can be taken into account is 20. The maximum week's pay that can be taken into account is £400. This figure increases in line with the Retail Prices Index (RPI). The maximum payment that an employee could therefore receive under a statutory redundancy payment is £12,000m which is calculated as follows:

20 years' continuous employment, all accrued while the employee was aged 41 or over; in other words: $20 \times 1.5 \times £400 = £12,000$

The Age Regulations require that statutory redundancy payments are open to employees of all ages, including those over 35 who are still working.

Further information

ACAS Disciplinary and Grievance Code of Practice: www.acas.org.uk/CHttpHandler.ashx?id=1047&p=0

ACAS Redundancy Handling: www.acas.org.uk/CHttpHandler.ashx?id=877&p=0

Business Link Redundancy Pay Calculator: www.businesslink.gov.uk

14. Supervision Policy

Policy statement

Supervision is a formal and recorded process through which the professional actions of staff are examined and regularly reviewed. It provides a recorded system of decision making that is audited to improve practice and to improve the service that is provided to children and parents. These meetings do not replace the annual appraisal, but are in addition to it.

Supervision acts as a means for ensuring that members of staff have access to the support, training and procedures they require for professional growth and development.

Supervision enables supervisors and supervisees to examine and reflect on the quality of their practice and to facilitate discussion. Supervision meeting should provide opportunities for staff to:

- discuss any issues - particularly concerning children's development and well-being
- identify solutions to address issues as they arise; and
- receive coaching to improve their personal effectiveness
- discuss workload;
- discuss concerns or team issues;
- discuss relations with parents/carers;
- discuss setting performance;
- discuss training and development;
- discuss progress following previous supervision;
- discuss time management

Procedures

At King Street Pre-School all practitioners who work directly with children and families are supervised by their designated line manager.

Supervision meetings are held every half term for each staff member.

Supervision meetings are conducted in line with existing procedures and are held in a confidential space suitable for the task.

Supervision agreements are drawn up for all staff.

A copy of the supervision record is retained by the supervisor and a copy provided to the supervisee.

Each member of staff has a supervision file which holds a copy of the supervision agreement and their supervision record form. The supervision file is stored securely at all times.

All supervision meetings must include discussions concerning the development and well-being of each of the supervisee's key children.

Where concerns are raised, the supervisor and supervisee must seek to identify solutions and identify further actions that need to be taken - these are recorded on the child's file and may include support from external agencies.

All aspects of supervision must ultimately focus on promoting the interests of children.

During supervision meetings members of staff are able to discuss any concerns they have about inappropriate behaviour displayed by colleagues.

During supervision meetings staff are reminded of the need to disclose any convictions, cautions, court orders, reprimands and warnings relating to themselves (or anyone in their household) which may affect their suitability to work with children, that have occurred during their employment with the setting. Any new information is referred immediately to Ofsted.

Supervision links to the following Early Years Foundation Stage Safeguarding and Welfare Requirements:

- Child protection
- Information and records
- Staff qualifications, training, support and skills

Further guidance

The Early Years Foundation Stage (DfE 2012), states:

“3.19. Providers must put appropriate arrangements in place for the supervision of staff who have contact with children and families. Effective supervision provides support, coaching and training for the practitioner and promotes the interests of children. Supervision should foster a culture of mutual support, teamwork and continuous improvement which encourages the confidential discussion of sensitive issues.

“3.20. Supervision should provide opportunities for staff to:

- *discuss any issues – particularly concerning children’s;*
- *development or well-being;*
- *identify solutions to address issues as they arise; and*
- *receive coaching to improve their personal effectiveness.”*

Safeguarding through Effective Supervision (Pre-school Learning Alliance 2013) which provides an overview of the safeguarding and child protection systems, along with an exploration of the structure and content of the supervision process, which together will enable staff and managers to safeguard the children in their care.

15. Requests for Flexible Work

All employees who meet the criteria have the right to apply to work flexibly on a permanent basis, by making a considered application in writing. This excludes employees that have made another application to work flexibly within the previous 12 months.

Whilst there is no automatic right to a different shift or working routine, if a request to work flexibly is made, serious consideration must be given to whether or not this is feasible and a meeting arranged within 28 days to discuss the request. The employer must confirm within 14 days after the meeting whether they agree to the new working pattern and the date it will become effective from. If it is not agreed, the employer will need to provide clear business reasons with evidence as to why the application cannot be accepted; the request cannot be refused for any other reason. The time limit for coming to a decision on whether or not to grant a flexible working request can be extended, typically to allow for a trial period of the new arrangement. Employees will have the right to appeal the decision within 14 days of notification.



Appendices

King Street Pre-School Appraisal Form

Please read the guidance notes before completing the form.

1. Personal details

First name(s):

Surname(s):

Job title:

Employer:

2. Identify the areas of your work that you are pleased with and state why:

A. Appraisee's comments

B. Manager's comments

3. Identify the areas of your work you would like to improve and state why:

A. Appraisee's comments

B. Manager's comments

4. Identify any reasons which have prevented you from performing to your full potential:

A. Appraisee's comments

B. Manager's comments

5. Please give brief details of any personal development activities you have undertaken in the last year, and what impact this has had on your ability to carry out your job:

A. Appraisee's comments

B. Manager's comments

6. How would you like to develop your skills in the coming year?

A. Appraisee's comments

B. Manager's comments

7. Do you have any comments on your current job description?

A. Appraisee's comments

B. Manager's comments

8. Identify any actions you believe the setting needs to undertake to improve the quality of its provision and how you personally support this.

9. Review of objectives

Please list below your objectives. Make reference to objectives set at your last appraisal, or to the attached job description if none set.

Objectives	To what extent do you feel you have met your objectives set last year, or tasks contained within your job description?

What do you think your objectives should be for next year?

10. Appraisal meeting

Are there any topics you would particularly like to discuss during your appraisal meeting?

--

11. Report

Appraisal meeting summary (to be completed as a record of the discussion by the appraiser).

--

12. Action plan

--

13. Agreed objectives

Objectives set for the year	Deadline

14. Appraisee's comments

Signature of appraisee: Date:

Signature of appraiser: Date:

King Street Pre-School Supervision Meeting Record – For managerial staff

Employee name:

Name of person leading supervision meeting:

Date:

Progress on actions from previous meeting:

Name of key child:	Overview of development and well-being discussion:	Actions to be taken (and by who):	When:
--------------------	--	-----------------------------------	-------

•			
•			
•			
•			
•			
•			

[Insert further rows for additional children]

Workload (amount; time; duties; targets etc.):

--	--	--

Action to be taken:

When:

By who:

--	--	--

Concerns or team issues (worker relationships; rotas; areas of work etc.):

--	--	--

Action to be taken:

When:

By who:

--	--	--

Setting performance (occupancy rates; fee collection, safeguarding; EYFS; marketing etc.):

--	--	--

Action to be taken:

When:

By who:

--	--	--

Steps to be taken to retain/improve current Ofsted grade:

--	--	--

[Light blue header bar]

Action to be taken:	When:	By who:

Training/development (agree what will be put in place and when, for areas of development):

[Light blue text area]

Action to be taken:	When:	By who:

Any other areas for discussion:

[Light blue text area]

How have your recent *Continuing Professional Development* activities improved practice? (Please provide examples):

[Light blue text area]

Other achievements since last supervision (courses; qualifications; compliments; problem-solving; successes etc.):

[Light blue text area]

Time management (toil/annual leave/general attendance):

[Redacted area]

Number of days holiday outstanding for current leave year:

[Redacted area]

Planned dates for leave in the coming month:

[Redacted area]

Date of next meeting:

[Redacted area]

Employee signature:

[Redacted area]

Line manager signature:

[Redacted area]

King Street Pre-School Supervision Meeting Record – For non-managerial staff

Employee name:

Name of person leading supervision meeting:

Date:

Progress on actions from previous meeting:

Name of key child:	Overview of development and well-being discussion:	Actions to be taken (and by who):	When:
--------------------	--	-----------------------------------	-------

<ul style="list-style-type: none">••••••	
---	--

[Insert further rows for additional children]

Workload (amount; time; duties; targets etc.):

Action to be taken:

When:

By who:

--	--	--

Concerns or team issues (worker relationships; rotas; areas of work etc.):

--

Action to be taken:

When:

By who:

--	--	--

Room activity (safeguarding, relations with parents/carers, new ideas etc.):

--

Action to be taken:

When:

By who:

--	--	--

Training/development (agree what will be put in place and when, for areas of development):

--

Action to be taken:

When:

By who:

--	--	--

Any other areas for discussion:

[Redacted area for discussion]

How have your recent *Continuing Professional Development* activities improved practice? (Please provide examples):

[Redacted area for CPE activities]

Other achievements since last supervision (courses; qualifications; compliments; problem-solving; successes etc.):

[Redacted area for achievements]

Time Management (toil/annual leave/general attendance):

[Redacted area for time management]

Number of days holiday outstanding for current leave year:

[Redacted area for holiday days]

Planned dates for leave in the coming month:

[Redacted area for planned leave dates]

Date of next meeting:

[Redacted area for next meeting date]

Employee signature:

[Redacted area for employee signature]

Line manager signature:

[Redacted area for line manager signature]

King Street Pre-School Self-Certification of Sickness Form

Name of employee:

Position held:

I certify that I was absent due to sickness (state day(s) & date(s))

From:

To:

Due to:

And I returned to work on:

Taking a total of:

day's sickness

For sickness in excess of 7 days, you must obtain a doctor's fit note. Do not delay seeing your doctor if you need medical advice or treatment.

Signed:

Date:

To be completed by the line manager:

I accept the above self-certification of sickness.

The above employee is entitled to SSP only

Or SSP plus enhanced contractual sick pay

Signed:

Date:

Your line manager will now conduct a return to work interview.

King Street Pre-School Return to Work Form

Name of employee:

Date of interview:

Conducted by (line manager):

Date of return:

No. days absent:

1. Did the employee properly notify their line manager of her/his absence? Yes No

2. From today's date, how many day's absence have there been in the last year?

3. Over how many occasions?

4. If applicable, has the employee previously been informed that their absence record is of concern to [name of setting]? Yes No

5. When and how did the injury or illness occur?

6. How long was she/he ill?

7. Did she/he seek medical attention? Yes No

8. Is she/he taking any medication? Yes No

9. Is a medical report necessary? Yes No

10. Is there any part of the employee's job that may aggravate the condition? And what can be done to support the employee?

11. Is there anything the employee can do to improve their sickness record?

Yes No

12. Has employee been informed of the effect on the setting and colleagues of persistent short-term absence and that it may place continued employment at risk?

Yes No

13. Is further action necessary?

Yes No

If yes, refer to the managing sickness absence section for guidance.

Signed line manager:

Date:

Signed employee:

Date:

King Street Pre-School Antenatal Appointment Declaration Form

Request for time off to accompany pregnant woman at an antenatal appointment	
Individual's name:	
Individual's department/setting:	
Date and time of antenatal appointment:	
Section A: I have the following relationship with the pregnant woman I am accompanying to an antenatal appointment or her expected child (please tick as appropriate)	
I am the husband or civil partner of the pregnant woman	
I live with the pregnant woman in an enduring family relationship, although I am not her parent, grandparent, sister, brother, aunt or uncle	
I am the father of the expected child	
I am the intended parent in a surrogacy situation (for example, a potential applicant for a parental order in respect of the expected child)	
Section B: I declare the following to be true (please tick each box)	
My purpose in taking time off is to accompany the above pregnant woman at an antenatal appointment	
The antenatal appointment has been made on the advice of a registered medical practitioner, midwife or nurse	
Section C: signature	
Signed:	
Dated:	

