**2.1 Employment**

**Policy statement**

We meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that our 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 our 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 our 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 our 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.
* Our 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 our 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 trustees/ nursery coordinator and our manager.

*Training and staff development*

* Our nursery coordinator holds the CACHE Level 3 Diploma for the Children and Young People’s Workforce or an equivalent qualification and the deputy holds the Level 4 equivalent, 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 our staff - whether paid staff or volunteers - through the Early Years Alliance and external agencies.
* Our budget allocates resources to training.
* We provide our staff with induction training in the first week of their employment. This induction includes our Health and Safety Policy and Safeguarding Children and Child Protection Policy. Other policies and procedures are introduced within an induction plan.
* We support the work of our 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. Our 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 our 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*

* Our manager organises our staff annual leave so that ratios are not compromised.
* Where our 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, as follows: Part time staff will cover sickness.

**Further information**

* The New Early Years Employee Handbook (Pre-school Learning Alliance 2019)
* Recruiting Early Years Staff (Pre-school Learning Alliance 2016)
* People Management in the Early Years (2016)

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| This policy was adopted by | **Stepping Stones Play and Learn Group** |  |
| On | **10th September 2013** |  |
| Date to be reviewed | **Annually or where deemed necessary** |  |
| Signed on behalf of the management committee | **Carol Nice** |
| Name of signatory | **Carol Nice** |
| Role of signatory (e.g. **chair,** director or owner) | **Chair** |
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| Date checked and updated when required. | Date to be reviewed. | Reviewed by | Date checked and updated when required. | Date to be reviewed. | Reviewed by |
| September 2014 | September 2015 |  |  |  |  |
| September 2015 | September 2016 |  |  |  |  |
| October 2016 | October 2017 | J Stephens |  |  |  |
| October 2017 | November 2018 | S Townsend |  |  |  |
| November 2019 | November 2020 | S Townsend |  |  |  |
| September 2020 | September 2021 | J Stephens |  |  |  |

**Safeguarding and Welfare Requirement: Suitable People**

Providers must ensure that adults looking after children are suitable to fulfil the requirements of their roles.

**2.2 Student placements**

**Policy statement**

We recognise that qualifications and training make an important contribution to the quality of the care and education we provide. As part of our commitment to quality, we offer placements to students undertaking early years qualifications and training. We also offer placements for school pupils on work experience.

We aim to provide for students on placement with us, experiences that contribute to the successful completion of their studies and that provide examples of quality practice in early years care and education.

**Procedures**

* We require students on qualification courses to meet the Suitable Person requirements of the Early Years Foundation Stage and have a satisfactory enhanced DBS check with barred list check(s).
* We require students in our setting to have a sufficient understanding and use of English to contribute to the well-being of children in our care.
* We/ require schools, colleges or universities placing students under the age of 17 years with us to vouch for their good character.
* We supervise students under the age of 17 years at all times and do not allow them to have unsupervised access to children.
* Students undertaking qualification courses who are placed in our setting on a short term basis are not counted in our staffing ratios.
* We take out employers' liability insurance and public liability insurance, which covers both students and voluntary helpers.
* We require students to keep to our Confidentiality and Client Access to Records Policy.
* We co-operate with students' tutors in order to help students to fulfil the requirements of their course of study.
* We provide students, at the first session of their placement, with a short induction on how our setting is managed, how our sessions are organised and our policies and procedures.
* We communicate a positive message to students about the value of qualifications and training.
* We make the needs of the children paramount by not admitting students in numbers that hinder the essential work of the setting.
* We ensure that trainees and students placed with us are engaged in bona fide early years training, which provides the necessary background understanding of children's development and activities.

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| Signed on behalf of the management committee | **Carol Nice** |
| Name of signatory | **Carol Nice** |
| Role of signatory (e.g. **chair,** director or owner) | **Chair** |
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**Safeguarding and Welfare Requirement: Suitable People**

Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles.

**2.3 Uniform Policy**

**Policy statement**

This policy sets out the expectations of Stepping Stones Play and Learn Group in relation to staff uniforms and the wearing of staff uniforms. This policy applies to all childcare staff. The policy is not exhaustive in defining acceptable and unacceptable standards of dress and appearance and staff should use common sense in adhering to the principles underpinning the policy.

**Procedures**

* The staff uniform policy is necessary in order to: Convey a professional and efficient image of the nursery and its staff, give parents/carers/visitors a clear means of identifying staff, support health and safety considerations for staff.
* The uniform should be worn in a clean and presentable fashion.
* Employees are expected to ensure that the polo shirts and hoodies are cleaned as regularly as is necessary to maintain an appropriate appearance.
* Staff must not wear polo shirts outside of work other than travel to or from the work place, during breaks or on work related trips/outings.
* Staff must not alter the style or appearance of the polo shirts.
* Staff who smoke are to ensure that smoke odour should not be detected on their breath or clothes.
* Flat shoes only, sandals must have a back to them and are worn at own risk.
* Nails should be kept at a reasonable length and clean.
* Hair should be worn in a “tidy” manner.
* PPE is provided when staff are preparing meals, changing nappies or administering medication.
* Jewellery should be minimal, no large hooped earrings or costume jewellery, watches to be a sensible size at management discretion and no camera able watches.
* Cultural Identity/Special Situations - Members of staff and students from an ethnic minority group should be permitted to wear such items as appropriate to maintain their cultural identity or religious beliefs.
* Encases of extreme heat, management will advise on appropriate alternative clothing. Lanyards must be worn.

**When the employee leaves Stepping Stones Play and Learn Group**

* She/he must return all polo shirts supplied to his/her manager.

**The following items of dress are considered unacceptable and advice should be sought from the nursery management if the wearer has no alternative.**

* Mini skirts
* Skintight clothing
* Low cut T- shirts
* Short shorts
* Baggy jogging bottoms
* Jewellery other than that permitted
* Backless sandals

**Further guidance**

* The New Early Years Employee Handbook (Pre-school Learning Alliance 2019)

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| On | **September 2019** |  |
| Date to be reviewed | **Annually or where deemed necessary** |  |
| Signed on behalf of the management committee | **Donna McWilliams** |
| Name of signatory | **Donna McWilliams** |
| Role of signatory (e.g. **chair,** director or owner) | **Secretary** |
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**Safeguarding and Welfare Requirement: Suitable People**

Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles.

**2.4**

**Capability Procedure**

**Policy statement**

This procedure applies to all employees who have successfully completed their probation period and establishes guidelines for managers and employees in relation to the management of unsatisfactory performance. It is designed to ensure that cases of unsatisfactory performance are dealt with similarly and fairly, with the prime objective of improving an employee’s performance to the required level.

**Procedures**

* The first step is to establish whether it is a misconduct or capability issue, as only concerns about work performance due to lack of knowledge or skills should be addressed through the capability procedure. For example, an individual incapable of working to required standards through no fault of their own should be taken through the capability procedure, whereas concerns about work performance due to carelessness, neglect or lack of effort should be dealt with through the disciplinary procedure as misconduct.
* Managers have a responsibility for setting realistic and measurable standards of performance, for explaining these standards to employees and for supporting employees to achieve the standards set.
* Managers also have a responsibility for making employees aware of the standards expected of them and where expectations change and develop over time, informing employees of these changes.
* All employees have a contractual responsibility to perform their duties to an acceptable standard and are expected to be proactive in terms of ensuring that they are clear and understand the standards of performance required of them

**Informal stage**

* When there is evidence that an employee is not performing at an acceptable level, the manager should investigate the circumstances without delay and make every effort to establish the reasons for the unsatisfactory performance.
* If, following this assessment, the manager considers that the employee’s performance is poor due to capability then an informal discussion with the employee will be arranged.
* At this meeting the key points to be covered by the manager will be to make clear the areas in which the employee’s performance is below expectations (explaining the grounds/evidence for this view) with the aim of identifying any problems or reasons for the unsatisfactory performance, which could be resolved. Solutions to the problem could include closer supervision, additional guidance, advice, training, coaching or some other kind of ongoing support tithe individual.
* Give the employee the opportunity to explain their unsatisfactory performance and to raise any concerns they may have about the job, or the support and guidance they have been given to do it.
* Ensure that the employee is aware of the level of performance required in relation to each element of the duties about which there is a concern.
* Set a reasonable time frame within which improvement is expected and arrange a further meeting at the end of this time to review the situation.
* The content and outcome of this meeting will be confirmed by the manager in writing to the employee, including the type of improvement required, any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review. The manager should also make the employee aware of the consequence of failing to reach the expected standard of performance.
* When discussing unsatisfactory performance, managers must be specific about their concerns and demonstrate evidence and/or give examples to support their assertions.
* At the end of the informal review period the line manager will need to write to the employee to confirm the outcome of the informal review period, stating either that performance targets have been reached, ending the process or performance targets have not been reached, requiring a formal stage 1 meeting under the capability procedure.
* If there is an improvement in the performance which is not sufficient, then the, informal review period can be extended to allow the employee to reach the required level and demonstrate they can maintain the improvement over a sustained period of time.

**Formal stages**

* Where an employee’s performance fails to improve as a result of having being given relevant support, for example, guidance, advice, coaching or training, and performance remains below the required standard, then the formal stages of this procedure will apply.
* It is important to make it clear to the employee, the outcomes of the various stages potentially resulting in the following sanctions:
* **Stage 1 – First Written Warning (12months on file)**
* **Stage 2 – Final Written Warning (18months on file)**
* **Stage 3 – Dismissal**
* If an employee’s unsatisfactory performance is sufficiently serious or gross negligence is alleged, it may be appropriate to move directly to stage 2 or 3.This might occur where the employee’s actions have had, or are likely to have, a serious or harmful impact on a setting, a service user or person. Alliance members can use their free 24-hour legal advice line prior to taking the decision to move to a higher stage.
* At any stage during the formal stages of the procedure, if the employee’s performance meets the required standard and this is sustained, the process ends.

**Stage1 – Potential misuse of First Written Warning**

* If there is continued unsatisfactory performance, the employee should be invited to a formal meeting to discuss the matter. The meeting will normally be conducted by the manager who will be accompanied by a Trustee / committee member. At this meeting the employee will have the opportunity to explain their unsatisfactory performance.
* At the stage1 meeting, the employee will be reminded of the earlier informal discussions and the steps taken to support an improvement in their performance. They will be told as precisely as possible, the reasons for the manager’s continued concerns about their performance.
* If, having heard any explanations offered by the employee, the manager remains concerned and an extension is not appropriate, the manager will write to the employee issuing them with a First Written Warning normally within 10 working days.

The letter will indicate:

* 1. the unsatisfactory performance
* 2. the performance required
* 3. the improvement required
* 4. the timescale for improvement
* 5. any review date
* 6. any support that can be offered to assist the employee to improve their performance
* 7. the consequence of not meeting the performance targets
* 8. the right to appeal
* This warning will be placed on the employee’s personnel file and will be removed as spent after a period of 12 months.
* At this meeting further consideration should be given to any additional training or support that could reasonably be provided to the employee to enable them to reach the required standard of performance.
* A reasonable time period (immediately or within a reasonable timescale) will be set within which improvement is expected and a further meeting arranged at the end of this time to review the situation.
* If there is improvement in the performance which is not sufficient, then the first written warning can be extended to allow the employee to reach the required level and demonstrate that they can maintain the improvement over a sustained period of time.

**Stage2 – Potential issue of a Final Written Warning**

* If the problem is more serious, or if there has been a failure to meet the performance targets set at the stage1 meeting, the employee shall be invited in writing to a stage 2 meeting, normally with at least ten working days’ notice. The letter inviting the employee to the meeting shall set out the issues to be considered.
* The meeting will normally be conducted by the manager who will be accompanied by a Trustee / committee member, as at the stage 1 meeting. At this meeting the manager will review the history of the case including the steps that have been taken to support the employee to achieve the required level of performance.
* If no satisfactory explanation is given for the failure to meet the required standard of performance, the manager will write to the employee issuing them with a Final Written Warning normally within 10 working days. The letter will indicate:
* 1. the unsatisfactory performance
* 2. the performance required
* 3. the improvement required
* 4. the timescale for improvement
* 5. any review date
* 6. any support that can be offered to assist the employee to improve their performance
* 7. the consequence of not meeting the performance targets, for instance, that the employee may be dismissed if no acceptable improvement in performance is achieved within the given timescale
* 8. the right to appeal as outlined in section 10 will apply (see below)
* This formal and final written warning will be placed on the individual’s personnel file and will be removed as spent after a period of 18 months.
* Further consideration should be given to any additional training or support that could reasonably be provided to the employee to enable them to reach the required standard of performance. A review period (immediately or within a reasonable timescale) will be set within which improvement is expected and a further meeting arranged at the end of this time to review the situation.

**Stage3 – Potential dismissal**

* If the employee does not improve as specified in the final written warning issued under stage 2, or where serious performance issues arise or gross negligence is alleged (and after such investigations is appropriate in the circumstances),the employee will be invited to a stage 3 meeting. Where practical the panel (who will decide the outcome) should consist of a minimum of two people not previously involved in stage 1 and 2.
* A letter will be sent to the employee, normally ten working days before a stage 3 meeting, detailing the purpose of the meeting, and the circumstances that have led the employer to consider dismissing the employee. The employee will be invited to make any written submissions. The employee will also be advised that one consequence of the meeting may be the termination of employment. Prior to the meeting the employee will be provided with copies of the papers that will be considered at the meeting.
* At the stage 3 meeting, the manager normally will present the history of the case, including the steps that have been taken to support the employee to achieve the required level of performance. The employee’s explanation will be heard and considered.
* The person conducting and hearing the case will consider the facts of the case and any representations made.
* On the basis of the information presented the chair may decide on the following outcomes:
* 1. that there are insufficient grounds to dismiss the employee under this procedure
* 2. extension or renewal of a warning or final written warning issued under this procedure
* 3. that the employee should be dismissed on grounds of capability(with appropriate notice)

The above list is not exhaustive and the outcome may vary according to the circumstances of the case.

* The decision will be confirmed in writing within10workingdays of the meeting and will notify the employee of her or his right to appeal against any sanction. In the event that the decision taken is to dismiss the employee, the letter will include the reasons for the dismissal and the date that her or his employment will terminate together with details of any notice arrangements.

**Representation**

* The employee has the right, if they wish, to be accompanied by a work place colleague or trade union representative at all formal (stage 1, 2 and 3) meetings.
* It should be noted that the representative/companion has no right to answer questions on behalf of the employee, to address the meeting if the employee does not wish him or her to do so, or to prevent the employer explaining its case.

**Timescales**

* An employee will receive a minimum of 48 hours advanced notice in writing of any stage1 ,2 or 3 meetings arranged under this policy from receipt of the letter to the addressee. This letter will include a statement which sets out the areas of unsatisfactory performance and any other relevant circumstances. Where witnesses are to be called by the manager or the individual ,prior notice of this should be given.
* Employees are required to take all reasonable steps to attend meetings. The employee will be given at least 48 hours' notice of any meeting. They must take all reasonable steps to attend any meeting arranged under this procedure. If the employee (or their companion) fails to attend the meeting or gives notice that they cannot attend through circumstances beyond their control, a new date should be set. If the employee fails to attend on a second occasion the meeting may proceed in their absence.
* Time limits may be extended by mutual agreement

**Right of appeal**

* An employee has the right to appeal against any formal action taken against them in line with this procedure and must do so in writing to the identified person in their outcome letter, within seven working days of the date of the outcome letter, stating their grounds for appeal.
* Normally for appeals, the Chair of the appeal meeting will not have had any prior involvement in the process.
* Normally an appeal meeting will be arranged with the employee together with the line manager of the manager who issued the sanction (e.g. a Trustee).This should happen within15working days of the employee’s request.
* The appeal meeting will take into account any new evidence that either party may present and consider its relevance to the sanction imposed.
* Where an appeal is upheld, reference to the warning or dismissal will be removed from file. Alternatively, the outcome of the appeal hearing may be to impose a lesser penalty, for example, a final warning instead of dismissal. The outcome of the appeal will be set out in a letter to the employee.
* A letter detailing the outcome of the appeal should be issued within10 working days of the appeal meeting.

**Further information**

* The New Early Years Employee Handbook (Pre-school Learning Alliance 2019)
* Recruiting Early Years Staff (Pre-school Learning Alliance 2016)
* People Management in the Early Years (2016)

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| Signed on behalf of the management committee | **Carol Nice** |
| Name of signatory | **Carol Nice** |
| Role of signatory (e.g. **chair,** director or owner) | **Chair** |
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