

## **Staffing and Organisational Policies**



Little Companions Pre School  
Acorn Hall, Columbia Avenue, Eastcote HA4 8UG  
Mobile: 07957 398 476 • Email: [info@littlecompanions.org.uk](mailto:info@littlecompanions.org.uk)  
Website: [www.littlecompanions.org.uk](http://www.littlecompanions.org.uk)

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## **Allegations against Staff Policy and Procedure**

We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone working on the premises occupied by the setting, which may include allegations of abuse. We respond to any disclosure by children or staff that abuse by a member of staff or volunteer, or anyone working on the premises, may have taken place or is taking place.

- The first action to be taken is to record details of an alleged incident.
- We then refer any such complaint immediately to the local authority's social care department to investigate.
- We also report any alleged incident to Ofsted and what measures we have taken. We are aware that it is an offence not to do this.
- We cooperate entirely with any investigation carried out by the social care department in conjunction with the police.
- Where the management committee and the children's social care agree it is appropriate in the circumstances, the chairperson will suspend the member of staff on full pay, or volunteer, for the duration of the investigation. This is not an admission that the alleged incident has taken place, but is to protect the staff as well as children and families throughout the process.
- Where a member of staff or volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children and vulnerable adults, we will notify the Independent Safety Authority (ISA) of relevant information so that individuals who pose a threat to children (and vulnerable adults), can be identified and barred from working with these groups.

## **Bullying and Harassment policy (Staff)**

Little Companions has a zero tolerance to any sort of Bullying or Harassment within the workplace or linked to the workplace What are bullying and harassment?

These terms are used interchangeably by most people, and many definitions include bullying as a form of harassment.

### **Harassment as defined in the Equality Act 2010 is:**

Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

### **Bullying may be characterised as**

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual

### **Examples of bullying/harassing behaviour include:**

- spreading malicious rumours, or insulting someone by word or behaviour  
(copying memos that are critical about someone to others who do not need to know, ridiculing or demeaning someone – picking on them or setting them up to fail)
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation

- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment are not necessarily face to face. They may also occur in written communications, email, phone, and automatic supervision methods such as computer recording of downtime from work or the number of calls handled if these are not applied to all workers.

Bullying and harassment can make someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and relations in the workplace suffer.

Should a member of staff suffer any bullying or harassment with parent interactions, these must be reported to the manager and steps need to be taken to ensure the situation is dealt with as soon as possible. Staff should have any further discussions with the manager present and any unacceptable behaviour documented. A discussion can be held and if the situation is not resolved advice from extended agencies and local council support can be sought. Should however the situation not improve Little Companions can ask any parents to leave the setting and terminate their child's registration at the setting with immediate effect.

## **A GUIDE FOR EMPLOYEES FOR UNFAIR DISMISSAL**

Employers have a 'duty of care' for all their employees. If the mutual trust and confidence between employer and employee is broken – for example through bullying and harassment at work – then an employee can resign and claim constructive dismissal, at an Employment Tribunal, on the grounds of breach of contract (as long as they have worked for the employer for two years). Employers are usually responsible in law for the acts of their workers.

### **Health and safety**

Breach of contract may also include the failure to protect an employee's health and safety at work. Under the Health and Safety at Work Act 1974, employers are responsible for the health, safety and welfare at work of all employees.

## **Steps taken if staff member feels bullying/ harassment is taking place in the setting**

Practitioners who have any concerns of bullying and harassment in the workplace, should first consider discussions to resolve the situation- maybe involving a colleague/ co- manager for support. Maybe a change in workload and work environment can be discussed and steps taken to improve the circumstances. Any conversations/ situations must be documented Managers will support the staff in discussions with the 'bully' to resolve the situation. Staff meetings with team building will follow with clear workplace guidelines reminded.

Failing this, citizens advice bureau can provide extended support. The local Authority can also be contacted for support.

## **Harassment at work**

Let your manager or union or staff representative know of the problem, or seek advice elsewhere, perhaps from a Citizens Advice Bureau, the Acas helpline (0300 123 11 00 Open Monday – Friday 8am–8pm and Saturday 9am–1pm) or the Equality and Human Rights Commission (EHRC) at [www.equalityhumanrights.com](http://www.equalityhumanrights.com) Try to talk to colleagues to find out if anyone else is suffering, or if anyone has witnessed what has happened to you – avoid being alone with the bully or harasser.

If you are reluctant to make a complaint, go to see someone with whom you feel comfortable to discuss the problem. This may be your manager or someone in personnel (particularly if there is someone who specifically deals with equality issues), your trade union representative, or a counsellor if your organisation has suitably trained people available.

Keep a diary of all incidents – records of dates, times, any witnesses, your feelings, etc. Keep copies of anything that is relevant, for instance annual reports, letters, memos, notes of any meetings that relate to your ability to do your job. Bullying and harassment often reveal themselves through patterns of behaviour and frequency of incidents. Keep records and inform your employer of any medical help you seek.

Tell the person to stop whatever it is they are doing that is causing you distress, otherwise they may be unaware of the effect of their actions. If you find it difficult to tell the person yourself, you may wish to get someone else – a colleague, trade union official or confidential counsellor – to act on your behalf. If you cannot confront the bully, consider writing a memo to them to make it clear what it is you object to in their behaviour. Keep copies of this and any reply.

Be firm, not aggressive. Be positive and calm. Stick to the facts.

To find out more about Early Conciliation, go to  
[www.acas.org.uk/earlyconciliation](http://www.acas.org.uk/earlyconciliation)

To find out more about Employment Tribunal fees, go to  
[www.justice.gov.uk/tribunals/employment](http://www.justice.gov.uk/tribunals/employment)

## **Employment Policy**

### **Employment and Staffing**

We believe that we have a duty to ensure that all adults looking after children in the nursery, or have unsupervised access to the children, are suitable to do so. Therefore we carry out rigorous checks on all our staff to assess suitability. All adults looking after the children must have appropriate qualifications, training, skills and knowledge.

We ensure that staffing arrangements are organised to meet the needs of the children in our care and ensure their safety. We provide a staffing ratio in line with the Welfare requirements of the Early Years Foundation Stage to ensure that children have sufficient individual attention and to guarantee care and education of a high quality.

### **Procedures Ratios**

- To meet this aim we use the following ratios of adult to children: -
  - children under two years of age: 1 adult : 3 children;
  - children aged two years of age: 1 adult : 4 children; and -
  - children aged three to seven years of age: 1 adult : 8 children.
- A minimum of two staff/adults are on duty at any one time.
- We use a key person approach to ensure that each child has a named member of staff with whom to form a relationship and who plans with parents for the child's well-being and development in the setting. The key person meets regularly with the family for discussion and consultation on their child's progress.
- We hold regular staff meetings to undertake curriculum planning and to discuss children's progress, their achievements and any difficulties that may arise from time to time.

### **Vetting and staff selection**

- We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.

- All staff have job descriptions which set out their staff 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 marital status, age, gender, culture, religious belief or ethnic origin. Applicants will not be placed at a disadvantage by our imposing conditions or requirements that are not justifiable.
- We use Ofsted guidance on obtaining references and enhanced criminal record checks through the Disclosure and Barring Service for staff and volunteers who will have unsupervised access to children. This is in accordance with requirements under the Safeguarding Vulnerable Groups Act 2006 for the vetting and barring scheme.
- We keep all records relating to employment of staff and volunteers, in particular those demonstrating that checks have been done, including the date and number of the enhanced DBS check.

### **Changes to staff**

- We inform Ofsted of any changes in the person responsible for our setting.

### **Training and staff development**

- The nursery manager and deputy manager hold a full and relevant CACHE Level 3 qualification or an equivalent qualification and a minimum of half of our staff hold a full and relevant CACHE Level 2 qualification or an equivalent or higher qualification.
- We provide regular in-service training to all staff - whether paid staff or volunteers through external agencies.
- Our setting budget allocates resources to training.
- We provide staff induction training in the first week of employment. This induction includes our Health and Safety Policy and Safeguarding Children and Child Protection Policy. Other policies and procedures will be 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.

### **Managing staff absences and contingency plans for emergencies**

- Where staff may need to take time off for any reason other than sick leave or training, this is agreed with the manager with sufficient notice.
- Managers organise staff annual leave so that ratios are not compromised.
- Where staff are unwell and take sick leave in accordance with their contract of employment, we organise cover to ensure ratios are maintained.



- Sick leave is monitored and action is taken where necessary in accordance with the contract of employment.
- We have contingency plans to cover staff absences, as follows:
  - The co- Managers will cover each others absence
  - Bank staff will cover any other member of staff who is absent or on leave. Checks should be carried out for any cover staff working in the nursery.

## **Inclusion, Equality and Diversity Policy**

### **Statement of Intent**

We will ensure that our setting is fully inclusive in meeting the needs of all children, particularly those that arise from their ethnic heritage, social and economic background, gender, special educational needs, ability or disability, Our setting is committed to anti- discriminatory practice to promote equality of opportunity and valuing diversity for all children and families.

### **Aim**

- Provide a secure and accessible environment in which all our children can flourish and in which all contributions are considered and valued
- Include and value the contribution of all our families to our understanding of equality and diversity
- Provide positive non-stereotyping information about gender roles, diverse ethnic and cultural groups and disabled people
- Improve our knowledge and understanding of issues of antidiscriminatory practice, promoting equality and valuing diversity
- Make inclusion a thread that runs through all of the activities within the setting
- Due to the current PREVENT government legislation (2015) Practitioners are aware of promoting an ethos of mutual respect and community values. Any suspicion of radicalisation or extremism suspected of any form is reported to the child protection officer/ co managers ( Naazish and Reema).

### **Legal framework for this policy**

- The Equality Act 2006
- Disability Discrimination Act( DDA) 1995,2005
- Race Relation Act 1976
- Race relation Amendment Act 2000
- Sex Discrimination Act 1976, 1986
- Children Act 1989, 2004
- Special Educational Needs and Disability Act 2001

- Prevent 2015

### **Method**

- All the staff are responsible for implementing this policy with Reema and Naazish- Co-Managers overseeing the practice and providing relevant support and training

In order to meet our legal duties, promote equality and inclusion within the setting and value diversity we follow procedures for both **ADMISSIONS** , **EMPLOYMENT, CURRICULUM, CHILD PROTECTION** - please refer to these policies

## **Induction Policy**

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

### **Procedures**

- We have a written induction plan for all new staff, which includes the following:
  - Introductions to all staff and volunteers, including management committee members.
  - Familiarising with the building, health and safety and fire procedures.
  - Ensuring our policies and procedures have been read and are carried out.
  - Introduction to parents, especially parents of allocated key children where appropriate.
  - Familiarising them with confidential information where applicable in relation to any key children.
  - Details of the tasks and daily routines to be completed.
- The induction period lasts one week. The manager inducts new staff and volunteers.
- During the induction period, the individual must demonstrate understanding of and compliance with policies, procedures, tasks and routines.
- Successful completion of the induction forms part of the probationary period.

### **Induction Toolkit Guide**

## **Information of Staff breaks and maintaining suitable Staff ratio**

The following is guidance to staff about their breaks and the importance of maintaining the staff ratio during the time breaks are taken:

- Staff working up to 5 hour shifts will be allocated one 15 minute break.
- Staff working 6 hours plus will be allocated a 30 minute lunch break and one 15 minute break.

In order to ensure staff ratio is always in place Staff are advised to take their breaks during quiet periods in the Daily routine. Staff must also rotate breaks, so not all staff are on breaks at the same time. Suitable times may vary, but can be during circle time, nap time and during children's lunch time as long as sufficient staff are still available to maintain supervision. Staff must inform the team they are going on their break and pass on any relevant information if need be. This is especially important if staff are on break during pick up or drop off and if they need a parent to be advised in anyway, it is their responsibility to either delay their break or share the information with a fellow practitioner.

## **Information Sharing Policy and Procedure**

It is every parent's right to know that the information they share with us will be regarded as confidential and to be informed about circumstances and reasons, when we are obliged to share information.

We are obliged to share information without authorisation from the person who provided it or to whom it relates if it is to prevent a crime being committed, intervene when one may have been committed, to prevent harm to a child or when not sharing the information could be worse than the outcome of having shared it.

The decision to share information is never made by an individual but by management committee. The criteria for deciding to share information are three:

1. Where there is evidence that the child is suffering, is at risk of suffering significant harm.
2. Where there is reasonable cause to believe that a child may be suffering or at risk of suffering significant harm.

3. To prevent significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

### **Procedures**

Our procedures for information are based on the 7 golden rules for information sharing set out in *Information Sharing: Guidance for Practitioners and Managers (2008)*.

1. Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.

Our *Information Sharing Policy and Procedures* provide guidance to appropriate information sharing with other agencies.

2. Be open and honest. Explain to families how, when and why information will be shared about them and with whom. Seek consent to share information, unless it puts the child at risk or undermines a criminal investigation.

In the nursery we have a Safeguarding Children and Child Protection Policy which is available for parents to read, parents are encouraged to do this when registering children at the nursery. We provide information about our information sharing policy and parents sign a form to confirm that they understand circumstances when information may be shared without their consent. This is on our registration form. We inform parents about circumstances when information will be shared with external agencies, for example, with regards to special needs the child may have or transition to school.

3. Seek advice when there are doubts about possible significant harm to a child or others.

The nursery manager will contact children's social care for advice where they have doubts or are unsure.

4. Share with consent where appropriate. Respect the wishes of children and parents not to consent to share confidential information. However, in the interests of the child, know when it is reasonable to override their wish.

Judgements will be based on the facts of the case and all decisions to share information without consent will not be made by one individual but with the backing of management committee officers.

5. Consider the safety and welfare of the child when making a decision about sharing information- if there are concerns regarding 'significant harm' the child's well-being and safety is paramount.
6. Information shared should be accurate and up-to-date, necessary for the purpose it is being shared for, shared only with those who need to know and shared securely.

Concerns should be recorded and discussed with the designated person for child protection matters or the nursery manager, who will discuss concerns with the designated officer of the management committee. Any decisions should be recorded and the reasons why information will be shared and with whom. Procedures for reporting concerns and record keeping should be followed.

7. Reasons for decisions to share information, or not, are recorded.

This is set out in our *Record Keeping Procedure*.

Parents have a right to be informed that their consent to share information will be sought in most cases, as well as the kinds of circumstances when their consent may not be sought or their refusal to consent may be overridden. We do this verbally when a child starts and also by asking parents to sign a registration form to confirm they understand this.

## **Guidelines on the use of Restraint**

These guidelines are meant to assist staff in schools deal effectively with challenging behaviour. The objective is to ensure that all schools provide a safe working environment for all young people and staff. It is important that these guidelines are read in conjunction with the Brent Child Protection in the Education Service procedures.

### **1. Introduction**

- a. Occasionally, incidents may arise at school when staff members will be required to use restraint to protect children and young people from harming themselves, members of staff and/or property from damage. The use of force should, wherever possible, be avoided. When restraint

is necessary, it must be used in ways that maintain the safety and dignity of all concerned. There should be a planned strategy in place to deal with incidents of challenging behaviour. Section 550A of the Education Act 1996 allows teachers and other staff who are authorised by the Head teacher to have control or charge of pupils, to use such force as is reasonable in all the circumstances to prevent a pupil from doing (or continuing to do) any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);
- Causing injury to himself/herself or others, or causing damage to property, including the pupil's own property, or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

Restrictive physical interventions can be employed to achieve a number of different outcomes:

- to separate or disengage children and young people from engaging in dangerous or harmful physical behaviour;
- to separate children and young people from one another who are known to respond in physically aggressive ways towards each other;
- to protect a child or young person from a dangerous situation – for example, the hazard of a busy road

It is important, therefore, that, at all times, staff members operate within the guidelines described in this paper.

## **2. Definition**

- a. Restraint consists of 'containing' a child's behaviour. This may involve such strategies as:
  - rocking with or holding a child or may be of a non-physical nature such as talking in a soothing, calming manner;

- physically standing between a child or young person;
  - blocking a child's or young person's path;
  - holding a child or young person in non-confrontational way that doesn't create additional risk of harm to child or young person or adult (see 1e) ;
  - leading a pupil by the hand or arm;
  - shepherding a pupil away by placing a hand in the centre of the back
- b. The use of restraint should always be considered within the wider context of other measures to manage behaviour. These include establishing and maintaining good relationships with children and young people and using diversion, diffusion and negotiation to respond to difficult situations. Use of physical force that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering physical force, should be dealt with under school disciplinary procedures.
- c. All staff should adopt a positive approach to improving behaviour in order to reward effort and application and to build self-esteem. Schools should work in partnership with those who know the child or young person to help those concerned:
- Find out why this child or young person behaves as he or she does
  - Understand the factors that influence this child's or young person's behaviour
  - Identify early warning signs that indicate foreseeable behaviours are developing
- This approach will help to ensure that early and preventative intervention is the norm. It should reduce the incidence of extreme behaviours and make sure that the use of restraint is rare.
- d. School staff should refer to the school's behaviour policy when developing and implementing behaviour management plans. All behaviour management plans should be formally agreed and ratified before implementation. Plans should be formally recorded in accordance with school procedures and set out the action taken to:
- Meet the child's or young person's needs

- Encourage the child or young person to make positive choices and to develop self-control
  - Support the child or young person in difficult situations
  - Safely manage crises if and when they occur
- e. Restraint should be used only if it is clear that the risks associated with not using restraint are greater than when used. Under health and safety legislation, the school must assess risks<sup>1</sup> to both, employees and children and young people arising out of their work activities, including the use of physical interventions. The 'duty of care' legislation requires that reasonable measures are taken to prevent harm.
- (f) It is good practice to record and report incidents in which physical intervention has been used clearly and immediately after they occur in accordance with school procedures. All incidents requiring the use of physical intervention should be thoroughly and systematically documented within school records such as registers, logs and incident books {See Appendix A}. Parents should be informed on any occasion where restraint has been necessary, before the child goes home, and the reason for the action clearly explained.

### **3. Responding to complaints**

The use of restrictive physical intervention can lead to allegations of inappropriate or excessive use. In the event of a complaint being received by a school in relation to the use of force by staff, the matter should be dealt with in accordance with agreed procedures for handling allegations against members of staff. Revised guidance about such procedures, prepared jointly by the national Employers Organisation for School Teachers and the six teacher unions, was published in September 2002. The document "Education Staff and Child Protection: Staff Facing an Allegation of Abuse" can be accessed electronically at: <http://www.lg-employers.gov.uk/conditions/education/allegations/index.html>.

Guidance about dealing with allegations is also contained in DfEE circular 10/95 "Protecting Children from Abuse – the role of the Education Service". Schools should only take action to suspend staff subject to such allegations after careful consideration of whether this is the appropriate course of action.

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<sup>1</sup> A brief paper on Risk Assessment is attached as Appendix B.  
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#### **4. Staff training**

Training in methods of restraint that are acceptable within school is available and teachers and support staff should be encouraged to take up such opportunities. Please contact, Jean Cooper, Education Child Protection Adviser for further information. This training is intended to help staff to link meeting children's and young people's needs with positive behaviour management.

**Report of incident involving restraint**

1. Describe briefly the incident. [Include the reason for using restraint rather than another strategy, the physical intervention employed and whether the pupil or anyone else experienced injury or distress, stating what action was taken if that was so.]
  
2. Name of staff member/s involved in the use of restraint
  
3. Who were the witnesses? (If there were any, please attach their reports)
  
4. Was a statement from the subject (pupil) of restraint attached to the report?
  
5. When, where and at what time did the incident occur?
  
6. Was the incident reported to the designated teacher for child protection?  
When?
  
7. When were the parents informed?

8. Signature

Date

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**Copy to: Jean Cooper, Education Child Protection Adviser**

## **APPENDIX B**

### **Specimen Risk Assessment Proforma for assessing and managing foreseeable risks for children who present challenging behaviours**

Proforma for assessing and managing foreseeable risks for children who present  
challenging behaviours

Name of child .....

Class group .....

Name of teacher .....

School .....

### Identification of Risk

Describe the foreseeable risk

Is the risk potential or actual

List who is affected by the risk

### Assessment of Risk

In which situations does the risk usually occur?

How likely it is that the risk will arise?

If the risk arises, who is likely to be injured or hurt?

What kinds of injuries or harm are likely to occur?

How serious are the adverse outcomes?

### Risk Reduction Options

Measures	Possible options	Benefits	Drawbacks
Proactive interventions to prevent risk			
Early interventions to manage risk			
Reactive interventions to			

respond to adverse outcomes			
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<b>Agreed Behaviour Management Plan &amp; school Risk Management Strategy</b>		
Focus of measures	Measures to be employed	Level of risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		

Agreed by and date:

.....

Relationship to child:

.....

<b>Communication of Behaviour Management Plan &amp; School Risk Management Strategy</b>		
Plans and strategies shared with:	Communication Method	Date Actioned

Staff Training Issues		
Identified training needs	Training provided to meet needs	Date training completed

Evaluation of Behaviour Management Plan & School Risk Management Strategy		
Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		
<b>ACTIONS FOR THE FUTURE</b>		

Plans and strategies evaluated by  
date:

.....

Relationship to child: and

.....



## **Staff Appraisals and Professional Development**

At Little Companions we feel it is essential staff maintain reflective practice and continuously assess their work in order to achieve the highest standard in implementing the learning environment. The senior practitioners and Nursery manager will work to support staff in their professional development.

- On starting Little Companions there will be a 3 month trial period, whereby a staff appraisal will be carried when nearing the end of this period. On successful completion of the trial period, staff will be set out targets and objectives for them to achieve professionally. This is also the purpose of the beginning of year appraisal which all employees will have at the start of the year.
- Mid- year appraisal, will allow staff to reflect on their development in the targets set out at the beginning of the year as well as setting new objectives if need be. Staff will also have an opportunity to carry out a Personal Development Plan (PDP) in order to add any goals they would like to achieve as well as those set out by the manager.
- End of year appraisal will allow staff to go over their year's objectives and assess their completion of these targets with the Nursery Manager. They will be asked to fill in a self-evaluation form on their year and their practise. This will then be discussed with the Nursery manager.

The managers will carry out Staff appraisals for the junior practitioners and co-managers will evaluate their roles, responsibilities and professional development together. All feedback and targets and goals will be evaluated by the Nursery Manager for all staff. If areas of development are recognised whereby staff requires further training, Little Companions will ensure staff are booked onto the relevant courses for their professional development. Little Companions encourages staff to implement reflective practise in all areas of their work.

## **Staff behaviour and Code of Conduct**

All practitioners should ensure that at all times they:

- Treat all children and fellow colleagues with respect
- Set a good example by conducting themselves appropriately and as role models for the children remembering key ethos of five to thrive, responding appropriately to children's needs.
- Encourage safe and positive behaviour among children
- Are a good listener
- Are alert to changes in a child's behaviour
- Recognise that challenging behaviour might be an indicator of abuse

- Read and understand all of the preschool's safeguarding and guidance documents as well as wider safeguarding issues such as bullying, e-safety and information sharing
- Maintain professional standards and boundaries at all times on and off the preschool site
- Are aware that at all times, both during their time at preschool, and during social time they are expected to behave as professionals.

**For further guidance on Staff behaviour – key policies of reference are behaviour management, mobile phone and social media policy, confidentiality and information sharing policies, smoking policy, curriculum policy, technology and e-safety policy**

## **Staff Medication Policy**

Staff who may require specialised medication for conditions such as Diabetes, or allergic reaction medication must inform the Nursery managers and First aider in the Nursery as well storing their medication safely and out of reach of any children within the nursery. Where possible medication can be stored with staff's belongings in the office safely out of sight. On occasions where this is not possible for example storage of Insulin for diabetes in the fridge, all staff must be informed and the medication should be kept on a high shelf. Also in the case of anti- allergy medication such as Epipens , this should be similar to the children's medication signed for and a supply kept in the Nursery Office near the first aid box away from children access.

The first aider in the Nursery will be aware of these medications and have the relevant training if need be to support any staff with such conditions.

## **Staff Uniform and Lunch Guidelines**

We expect staff to be dressed appropriately for the nursery environment, both for interacting with children and parents. In line with the ethos of the nursery, staffs are to be seen as role models for the children and should behave and dress accordingly. Little Companions has formulated the following guidelines:-

- Wearing modest, loose clothing. We recommend plain black loose trousers and simple, long loose top.
- Flat shoes.
- No jewellery

- Staff who smoke must ensure that there is no lingering smell on their clothes before entering the Nursery.
- Those wearing a head scarf should ensure it is tied neatly and pins should be securely fastened so they do not pose a health and safety risk to the children.
- Staff must look neat and tidy and keep to a good level of hygiene.

We thank you for your cooperation.

### **Lunch Guidelines**

Staff will be allocated a half an hour lunch break. If staff bring in food from home we request that in line with our promoting healthy eating policy, they bring in food which meets this criteria. This is especially important if they are eating in vision of the children in order to set a positive example about a healthy lifestyle.

Staff can also leave the premises and have their lunch elsewhere as long as they return within half an hour.

The shorter breaks must be taken on the premises. Tea and coffee will be available and staff are welcome to bring in snacks and lunch from home.

There is a refrigerator and microwave available for storing and heating food.

## **Student Placement Policy**

Little Companions recognises that qualifications and training make an important contribution to the quality of the care and education provided by early years settings. 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 Ofsted and have DBS checks carried out.
- We require schools placing students under the age of 17 years with the setting 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 Nursery on a short term basis are not counted in our staffing ratios.
- Trainee staff employed by the Nursery may be included in the ratios if they are deemed competent.
- We take out employers' liability insurance and public liability insurance, which covers both trainees and voluntary helpers.
- We require students to keep to our confidentiality 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 Nursery.
- We ensure that trainees and students placed with us are provided with the necessary background understanding of children's development and activities.

## **Transfer of Records to School**

We recognise that children sometimes move to another early years setting before they go on to school although many will leave our setting to enter a nursery or reception class.

We prepare children for these transitions and involve parents and the receiving setting in this process. We prepare records about a child's development and learning in the EYFS in our setting; in order to enable smooth transitions we share appropriate information with the receiving setting or school at transfer.

Confidential records are shared where there have been child protection concerns according to the process required by our Hillingdon Safeguarding Children Partnership.

The procedure guides this process and determines what information we can and cannot share with a receiving school or setting.

### **Procedures**

*Transfer of development records for a child moving to another early years setting or school*

- Using the EYFS assessment of development and learning we will ensure the key person prepares a summary of achievements in the seven areas of learning.
- This record refers to any additional language spoken by the child and his or her progress in both languages.
- The record also refers to any additional needs that have been identified or addressed by the Nursery.
- The record also refers to any special needs or disability and whether a My Support Plan / Early Education Health Care Plan (EHCP) was raised in respect of special needs or disability, whether there is a Statement of Special Educational Needs and gives the name of the lead professional.
- The record contains a summary by the key person and a summary of the parent's view of the child.
- The document may be accompanied by other evidence such as photos or drawings that the child has made.
- For transfer to school, most local authorities provide an assessment summary format or a transition record for the setting to follow.
- If there have been any welfare or protection concerns a star is placed on the front of the assessment record.

#### *Transfer of confidential information*

- The receiving school or setting will need to have a record of concerns that were raised in the setting and what was done about them.
- A summary of the concerns will be made to send to the receiving setting or school along with the date of the last professional meeting or case conference. Some Local Safeguarding Children Boards will stipulate the forms to be used and provide these.
- Where a My Support Plan / Early Education Health Care Plan (EHCP) has been raised in respect of any welfare concerns the name and contact details of the lead professional will be passed on to the receiving setting or school.
- Where there has been a s47 investigation regarding a child protection concern the name and contact details of the child's social worker will be passed on to the receiving setting or school – regardless of the outcome of the investigation.
- This information is posted or taken to the school or setting, addressed to the setting or school's designated person for child protection and marked confidential.

#### **Legal framework**

- Data Protection Act 1998
- Freedom of Information Act 2000
- Human Rights Act 1998

- Children Act 1989

Please see in conjunction with GDPR Policy:

<http://www.littlecompanions.org.uk/downloads/Little-Companions-Privacy-Notice.pdf>

## **Whistle Blowing Policy**

### **Whistle blowing Legislation**

The Public Interest Disclosure Act 1998 protects workers who 'blow the whistle' about wrongdoing. It applies where a worker has a reasonable belief that their disclosure tends to show one or more of the following offences or breaches:

- a criminal offence;
- the breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of any individual;
- damage to the environment; or
- deliberate covering up of information tending to show any of the above

This means the law provides them with protection if they 'blow the whistle' on their colleague or employer.

Employees can report any concerns they have about incorrect workplace methods which they believe could put children at risk.

At Little Companions any member of staff with possible concerns about possible abuse involving a colleague or senior member of staff has the opportunity for 'whistle blowing', i.e. the circumvention of the normal channels of line management communication.

All staff are informed of how to contact Ofsted's whistleblower hotline on 0300 1233155 (9am to 5pm, Monday to Friday), email [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or write to WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

NSPCC whistleblowing advice line is available. Staff can call 0800 0280285 – 08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends. The email address is: [help@nspcc.org.uk](mailto:help@nspcc.org.uk). [For more information regarding NSPCC advice line- Please click.](#) Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH. • Ofsted provides guidance on how to make complaints

about a provider: Complaints procedure - Ofsted - GOV.UK ([www.gov.uk](https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure))  
<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>. • General guidance on whistleblowing can be found via:  
Whistleblowing for employees. <https://www.gov.uk/whistleblowing>

We have put in place a confidentiality file where a member of staff can record their concerns to protect anonymity

## **Working in partnership with other agencies**

We work in partnership with local and national agencies to promote the wellbeing of all children.

### **Procedures**

- We work in partnership with, local and national agencies to promote the well-being of children.
- Procedures are in place for sharing of information about children and families with other agencies. These are set out in the Information Sharing Policy, Safeguarding Children procedures and the Special Educational Needs procedures.
- Information shared by other agencies with us is regarded as third party information. This is also kept in confidence and not shared without consent from that agency.
- When working in partnership with staff from other agencies, we make those individuals welcome in the setting and their professional roles are respected.
- We follow the protocols for working with agencies, for example on child protection.
- Staff from other agencies do not have unsupervised access to the child they are visiting in the setting and do not have access to any other child(ren) during their visit.
- Our staff do not casually share information or seek informal advice about any named child/family.
- When necessary we consult with local and national agencies who offer a wealth of advice and information that help us develop understanding of

issues facing us and who can provide support and information for parents. For example, ethnic/cultural organisations, drug/alcohol agencies, welfare rights advisors or organisations promoting childcare and education, or adult education.

## **No-Smoking and No Vaping Policy**

Little Companions is a strictly no-smoking and no vaping environment, both indoor and outdoor.

### **Procedures**

- All staff, parents and volunteers are made aware of our no-smoking and no vaping policy.
- We display no-smoking signs.
- We actively encourage no-smoking and no vaping by providing information for parents and staff about effects of smoking on themselves and others and how to get help to stop smoking.
- Staff are not permitted to smoke or vape during working hours.
- Staff who smoke outside of the setting must make every effort to reduce the odour and lingering effects of passive smoking for children and colleagues. Additionally there should no smoking or vaping in the locality of the setting where staff can be connected to the setting.

## **Safer Recruitment Policy Procedure**

Little Companions is committed to provide the best possible care and education to its pupils and to safeguard and promote the welfare of children and young people. The Nursery is also committed to providing a supportive and flexible working environment to all members of staff. We recognise that in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the Nursery's Recruitment Policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that all applicants are considered equitably and consistently



- to ensure that no applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex, disability or age
- to ensure compliance with all relevant recommendations and guidance including the recommendations of Ofsted as stated in the *EYFS Statutory Framework 2012* [and the code of practice published by the Disclosure and Barring Service (**DBS**)]
- to ensure that the Nursery meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks

- to ensure all staff have a/ or equivalent qualification of GCSE Maths and GCSE English. If Staff are recruited without a suitable level of English, further training will be recommended.

The Nursery manager in partnership with the Education Project Manager is responsible for the recruitment of Nursery practitioners, Catering, General Assistant and Maintenance Staff. Both are responsible for familiarising themselves with and complying with the provisions of this policy.

## **Recruitment and Selection Procedure**

Applicants will receive a Job description, Person specification and Health declaration form for the role applied for.

All applicants for employment will be required to complete an **Application Form** containing questions about their academic and employment history and their suitability for the role.

Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. Curriculum vitae will not be accepted in place of the completed application form.

Successful applicants will then be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed in more detail.

If it is decided to make an offer of employment following the **formal interview**, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date and the signing of a contract incorporating the Nursery's standard terms and conditions of employment;
- The receipt of two satisfactory references (one of which must be from the applicant's most recent employer) which the Nursery considers to be satisfactory;
- The receipt of an enhanced disclosure from the DBS which the Nursery considers to be satisfactory;  
The applicant's medical fitness by completing a Health Declaration Form;
- Confirmation that the applicant is not barred from working with children (covered by DBS)

- check). In the event that an enhanced DBS disclosure cannot be obtained before employee starts, they may begin work in some circumstances as long as they are always accompanied by a member of staff and a risk assessment of the situation has been carried out.
- The Nursery is aware of its duties under the Disability Act 1995. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence, considering reasonable adjustment and suitable alternative employment.

***A member of new recruited staff must require 2 references prior to starting their role alongside all Disclosure and Barring Service checks must have been complete and in the absence of a DBS, a List 99 check is essential. Appropriate supervision will be put in place until all checks have been received. Therefore a Risk Assessment will be put in place and all relevant staff are made aware.***

## **Pre-employment Checks**

In accordance with the recommendations of Ofsted as stated in the *EYFS Statutory Framework 2012* the Nursery carries out a number of preemployment checks in respect of all prospective employees.

## **Verification of Identity and Address**

All applicants who are invited to an Interview will be required to bring the following evidence of identity, right to work in the UK, address and qualifications:

- Passport
- Two utility bills or statements (from different sources) showing their name, home address and no less than 3 months old from the interview date
- Documentation confirming their National Insurance Number (P45, P60 or national insurance card)  
Original documents confirming any educational and professional qualifications referred to in their application form

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

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The Nursery asks for the date of birth of all applicants (and proof of this) in accordance with the Ofsted as stated in the *EYFS Statutory Framework 2012*

Proof of date of birth is necessary so that we are able to verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The Nursery does not discriminate against applicants on the grounds of age.

## References

**PLEASE NOTE THESE MUST BE PROVIDED PRIOR TO STARTING AT THE SETTING ONCE RECRUITMENT HAS BEEN CONFIRMED FOR BOTH EMPLOYEES AND VOLUNTEERS**

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the Nursery. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve working with children, then the second referee should be from the employer with whom the applicant most recently worked with children. The applicant can also provide the course supervisor if they have a relevant childcare qualification as their referee, especially if newly qualified. Neither referee should be a relative or someone known to the applicant solely as a friend. **The preschool will contact the referees directly.**

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, job titles/duties, reason for leaving, performance, sickness and disciplinary record
- whether the applicant has ever been the subject of disciplinary procedures involving issues

- related to the safety and welfare of children (including any in which the disciplinary sanction has expired)
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of young people or behaviour towards children or young people

The Nursery will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

We will compare all references with any information given on the application form. Any

discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

### **The Preschool will:**

- Not accept open references e.g. to whom it may concern.
- Not rely on applicants to obtain their reference.
- Ensure any references are from the applicant's current employer, training provider or education setting and have been completed by a senior person with appropriate authority.
- Not accept references from a family member.
- Obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed.
- Secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children). If the applicant has never worked with children, then ensure a reference is from their current employer, training provider or education setting.
- Ensure electronic references originate from a legitimate source.
- Contact referees to clarify content where information is vague or insufficient information is provided.
- Compare the information on the application form with that in the reference and take up any discrepancies with the applicant.
- Establish the reason for the applicant leaving their current or most recent post, and ensure any concerns are resolved satisfactorily before appointment is confirmed.

References should be provided for previous employees upon request in a timely manner. When asked to provide references, providers should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts

- (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold. They should not include information about concerns/allegations which are unsubstantiated, unfounded, false, or malicious.

## **Criminal Records Check**

Due to the nature of the work, the Nursery applies for criminal record certificates from the Disclosure and Barring Service (**DBS**) in respect of all prospective staff members, and volunteers. For all positions, the School requests an enhanced disclosure from the DBS. An enhanced disclosure will contain details of all convictions on record (including those which are defined as “spent” under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure will also reveal whether an applicant is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the Independent Safeguarding Authority. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

DBS checks will be requested for applicants with recent periods of overseas residence and those

with little or no previous UK residence. These applicants will be required to provide further information, including the equivalent of a disclosure, if one is available in the relevant jurisdiction(s). Where such information is unavailable or not satisfactorily provided we will decline an offer of employment in line with our codes to ensure effective Child Protection procedures are in place and our Safe Recruitment procedures.

### **Assessment Criteria**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by the applicant during the recruitment process or obtained through a disclosure check, the Nursery will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question
- the seriousness of any offence or other matter revealed
- the length of time since the offence or other matter occurred
- whether the applicant has a pattern of offending behaviour or other relevant matters
- whether the applicants circumstances have changed since the offending behaviour or other relevant matters
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person

If the post involves regular contact with the children, it is the Nursery's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences:

- Murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence
- Serious class A drug related offences, robbery, burglary, theft, deception or fraud
- If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

**Any significant event which is likely to affect the suitability of any person who is in regular contact with children on the premises where childcare is provided for example the disqualification of an employee or a person living or working at domestic premises where childcare is provided could be an example of a significant event. The setting's registered person-Naazish must provide this information [grounds for disqualification] to Ofsted as soon as reasonably practicable, but, in any event within 14 days of the date the provider became aware of the information or should have reasonably become aware of it if they had made reasonable enquiries.**

### **Assessment Procedure**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the *NURSERY MANAGER* before a position is offered.

If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Nursery will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **Retention and Security of Disclosure Information**

The Nursery's policy is to observe the guidelines issued or supported by the DBS on the use of disclosure information.

In particular, we will:



- store disclosure information and other confidential documents issued by the DBS in locked cupboard, of which access is restricted to members of the Nursery's senior management team
- not retain disclosure information or any associated correspondence for longer than is necessary. Generally this will be for a maximum of six months.
- The Nursery will keep a record of the date of disclosure, the name of the subject, the type of disclosure, the position in question and the disclosure number
- ensure that any disclosure information is destroyed by suitable secure means such as shredding
- prohibit the photocopying or scanning of any disclosure information

The Nursery complies with the provision of the DBS code of practice.

### **Retention of Records**

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

### **Queries**

If any applicant has any queries on how to complete the application form or any relevant document or other matter they should contact the *Nursery Manager*.

## **Annual Leave and General Leave Entitlement Policy**

### **Permanent Employees**

The annual paid leave entitlement for permanent, full-time employees is 5.6 weeks equivalent to 20 working days per annum in addition to the 8 statutory public holidays. Annual paid leave entitlement for part-time permanent employees will be prorated. The 'holiday year' begins on 1st January and ends on 31st December. For our staff this will be (28 days – 8 days) = 20 days x 37/52 = 12 days.

### **Restrictions on Taking Annual**

Leave Restrictions on taking of annual leave, which apply to all employees, are as follows:

- All leave must be approved in advance by your manager.
- In order to schedule temporary staff cover the Company requires adequate notice of staff leave periods. Requests for two weeks leave must be made two months in advance and requests for up to one-week leave must be made two weeks in advance.
- It is of the utmost importance that leave is phased throughout the entire leave year so that the nursery is adequately manned to meet the child to supervisor ratio at all times. Apart from closedown periods only one member of staff per room may take leave at any one time.
- Employees must check the 'Diary' before submitting a request for leave.
- Calculating Annual Leave Entitlement for New Starters During their first holiday year, new employees have a prorated leave entitlement, calculated to the nearest half day, for the number of complete weeks remaining in the current holiday year.

- Employees terminating their contract are not permitted to take any leave entitlement while serving out their notice without the approval of their manager.
- Any leave taken in excess of the entitlement will be repaid to the Company. The Company reserves the right to make an appropriate deduction from an employee's final salary to reclaim overpayments.
- Annual leave is paid at the normal basic rate.
- Due to the nature of work and number of hours worked each week the annual leave must be used for medical appointments that are made last minute.

#### **Leave for Sickness and Bereavement**

- Sickness days will be normally taken from your annual leave; however, this will be assessed at manager discretion.
- 2 days bereavement will be additional to your annual leave, more than 2 days will be your taken from your annual leave allowance / any further support will be at the manager's discretion.

**Due to Covid 19 and the introduction of this policy in June 2020 this entitlement will with prorated for the rest of the year and will commence in January 2021.**

## **Staff Wellbeing Policy**

*Introduction:* Little Companions management and leadership has a duty to ensure the health, safety and welfare of its staff, as far as reasonably practicable. It is also required to have in place steps to manage those factors that could harm staff members' physical and mental wellbeing, which includes work related stress. This duty extends only to those factors which are work related and within the Preschool's control. We do however appreciate that unprecedented times such as Covid-19 will impact wellbeing both in and out the work place. It is therefore necessary to appreciate sociocultural contexts of our colleagues' circumstances and concerns.

This policy accepts the Health and Safety Executive definition of work-related stress as "the adverse reaction a person has to excessive pressure or other types of demand placed on them". There is an important distinction between 'reasonable pressures' which stimulate and motivate and 'stress' where an individual feels they are unable to cope with excessive pressures or demands placed upon them.

The Health and Safety Executive have developed a set of Management Standards which cover the primary sources of stress at work, and that if not properly managed, are associated with poor health and wellbeing, lower productivity and increased sickness absence. These are:

- **Demands.** Workload, work patterns and anything within the work environment that adds to the demands that staff face, including deadlines, children's behaviour and parents.
- **Control.** How much say a staff member has in what they do and how they are able to do their work.
- **Support.** Including the sponsorship and resources provided by the school, and encouragement of leaders, line managers and colleagues.

- **Relationships.** Including how positive working behaviours are promoted to avoid conflict and effectively dealing with unacceptable behaviour.
- **Role.** Including the extent to which staff understand their role within the school, how this fits with that of their department or function and the aims of the school and whether leaders ensure they do not have conflicting roles.
- **Change.** Includes how well organisational change (large or small) is managed and communicated within the school.

The preschool's performance on wellbeing and stress management will be assessed in the context of the HSE Management Standards.

## 2. Statement of Intent

Little Companions leadership team acknowledge the potential impact that work has on an individual's physical and mental health, and that there is a persuasive business case, as well as a moral and legal duty for taking steps to promote staff wellbeing as far as reasonably practicable.

We are committed to fostering a culture of co-operation, trust, empathy, mutual respect, care and consideration where all individuals are treated with fairness and dignity, and can work at their optimum level. We also recognise that work related stress has a negative impact on staff wellbeing, and that it can take many forms and so needs to be carefully analysed and addressed at an organisational level.

This *Staff Wellbeing Policy* expands upon the Preschool's Health and Safety policy, setting out how the preschool will promote the wellbeing of staff by:

- Creating a working environment where potential work related stressors are understood and mitigated as far as practically possible through good management practices, effective wellbeing and management policies and staff development.
- Increasing managers' and staff members' awareness of the causes and effects of stress.
- Developing a culture that is open and supportive of people experiencing stress or other forms of mental ill-health.
- Developing the competence of managers through introducing them to the competencies proven to prevent and reduce staff stress.
- Engaging with staff to create constructive and effective working partnerships, across the whole preschool community
- Establishing working arrangements whereby staff feel they are able to maintain an appropriate work life balance.
- Encouraging staff to take responsibility for their own health and wellbeing through effective health promotion programmes and initiatives.

- Encouraging staff to take responsibility for their own work effectiveness as a means of reducing their own stress and that of their colleagues.

### **3. Responsibilities for implementing the Staff Wellbeing Policy**

#### **3.1 The Little Companions leadership team (Naazish and Reema) will:**

- Support steps taken to develop a culture of co-operation, trust and mutual respect within the preschool.
- Champion good management behaviours as set out in the competencies proven to prevent and reduce staff stress. and the establishment of a work ethos within the preschool. This should discourage assumptions about long term commitment to working hours of a kind likely to cause stress and which enables staff to maintain a reasonable “work life balance”.
- Promote effective communication and ensure that there are procedures in place for consulting and supporting staff on any changes in the preschool, to management structures and working arrangements at both within the preschool and with external bodies, such as borough partnerships.

#### **3.2 Managers will:**

- Treat individuals reporting to them with consideration and will promote a culture of mutual respect in their management style. They will quickly and effectively deal with unacceptable behaviour and will take decisive action when issues are brought to their attention.
- Ensure that there is good communication within their team and there are opportunities for individuals to raise concerns about their work, seeking advice from Naazish and Reema at an early stage where concerns are raised.
- Adhere to the management principles set out in preschool policies and procedures, and the competencies proven to prevent or reduce staff stress.
- Ensure workload is distributed equitably and fairly among their team and that when work is delegated, team members have the necessary knowledge and skills to deliver it.
- Regularly check in with team members, thank and encourage them and offer praise when it is due.
- Take action in the interests of all team members, other colleagues and students to manage the underperformance of any individual staff member.
- Attend training as appropriate in order to increase their awareness of the causes and effects of work-related stress.
- Co-operate with Naazish and Reema to ensure that risk assessments are undertaken for roles or working practices that may give rise to work related stress and poor wellbeing.

- Encourage their staff to participate in activities undertaken by the preschool to promote wellbeing and more effective working.

### **3.3 Staff will:**

- Treat colleagues and others they interact with during the course of their work with fairness, consideration and respect.
- Co-operate with the preschool's efforts to implement the *Staff Wellbeing Policy*, attending briefings and raising their own awareness of the causes and effects of stress and poor wellbeing.
- Raise concerns with their managers if they feel there are work issues that are causing them stress and having a negative impact on their wellbeing.
- Be liable for their own health and wellbeing as far as is practically possible.
- Take ownership of setting out their own development plan and discussing this as appropriate with their line manager, as one of the means to enable them to work effectively in their team and reduce the risk of stress.
- Take responsibility for working effectively in their assigned roles, supporting others as appropriate and helping to avoid causing stress to their colleagues.

### **3.4 Further guidance for the managers:**

- Provide advice to staff members on best practice in relation to human resource management, developing policies and procedures as required.
- Ensure that there are arrangements in place for communicating the content of the preschool's procedures and toolkits to staff.
- Develop arrangements to enable staff to achieve the necessary competencies needed in relation to managing work-related stress and improving wellbeing.
- Ensure there are arrangements in place to support individuals experiencing stress, for example supporting their referral to external specialist support where appropriate and/or creating an internal plan to monitor wellbeing within the setting.
- Ensure there are arrangements in place to support managers experiencing problems with employee performance, including managing capability.
- Collate management information which will enable the preschool to measure its performance in relation to stress management and employee wellbeing, such as:
  - Sickness absence data
  - Staff turnover and exit interviews
  - Cover periods provided
  - Number of self-referrals for support
  - Number of referrals for specialist support

- Numbers of grievance and harassment cases.
- Seek the views of staff on the effectiveness of the School's *Staff Wellbeing Policy* and stress management arrangements via regular supervisions both formally arranged and informal.
- Determine the *Staff Wellbeing Policy* and recommend its adoption.
- Monitor the implementation of the *Staff Wellbeing Policy* and the operation of associated arrangements such as the staff counselling service.
- Ensure that the *Staff Wellbeing Policy* is kept under review and updated as appropriate.
- Develop a preschool-level risk assessment based on the Health and Safety Executive's "[Management Standards for Work-Related Stress](#)".
- Co-ordinate and deliver appropriate training and briefings to increase awareness of the causes and effects of work-related stress among managers and other staff.
- Assist and support managers to undertake local stress risk assessment where required.
- Organise appropriate activities to promote health and wellbeing.
- Consult with staff voice on the development and implementation of the *Staff Wellbeing Policy*.
- Act as the main focus group for consulting on the effectiveness of the Staff Wellbeing Policy and the measures taken to implement it, including organising staff feedback in relation to wellbeing and work related stress and validating findings of school-level risk assessments.
- Review the policy every two years following feedback from staff surveys, reviewing management information and the findings of stress risk assessments, and in consultation with the senior management team.

## **5. Arrangements for implementing the Staff Wellbeing Policy**

### **5.1 Risk Assessment**

- A risk assessment will be developed to establish whether the School's policies and procedures are sufficient to enable compliance with the HSE's "Management Standards" in relation to the management of work related stress. Where gaps in arrangements are identified, the Management Team will consult relevant support if needed so that the necessary action can be taken to address any gaps identified in the preschool's policies and procedures.
- When risk assessments are undertaken, the staff working in the area which is subject to the risk assessment will be consulted. Any safety representative appointed by recognised Trade Unions under the provisions of the Safety Representatives and Safety Committee Regulations 1977, representing staff working in the area covered by the risk assessment will also be consulted.



## **5.2 Arrangements for wellbeing and stress prevention through good management practices will include:**

- Having clear job descriptions and person specifications to ensure staff members are clear on what is expected in their role and the right person is recruited where vacancies exist.
- Ensuring training and development procedures are in place so individuals have the necessary skills and competencies to undertake the tasks and duties required of them.
- Ensuring managers are aware of those behaviours proven to prevent and reduce staff stress and providing opportunities for them to self-assess against them and undertake training where appropriate.
- Having effective processes and procedures for:
  - Promoting staff appropriately
  - Reward and recognition
  - Managing performance and capability
  - Absence management and return to work to ensure that individuals are supported following illness.
  - Harassment and anti-bullying.
  - Communicating with staff on the work of the preschool and issues affecting their work.
  - Seeking staff feedback, including use of anonymous staff surveys.
  - Flexible working arrangements and keep in touch days with staff on maternity leave.

Suitable adaptations should be made for disability and accessibility. These arrangements will be updated and augmented as required and when deemed necessary by the findings of stress risk assessments.

## **6. Consultation and Communication**

- The preschool will consult with staff on the *Staff Wellbeing Policy* and measures taken to implement the policy
- Staff feedback and supervisions and other tools will be used to gather feedback on staff wellbeing.
- The views of individuals will be sought in areas or teams subject to local stress risk assessments.
- The Staff Wellbeing Policy and measures taken by the preschool to manage work-related stress will be communicated and promoted in the preschool.
- The *Staff Wellbeing Policy* will be published on the Little Companions Website and shared with practitioners both in induction and throughout the term.
- For practitioners who do not have access to a computer a hard copy will be shared. The contents of the policy will be covered during general induction training sessions for staff and through specific

training on stress awareness as well as the regular staff meetings.

## **7. Monitoring and reviewing the Wellbeing Policy**

The *Staff Wellbeing Policy* will be reviewed every two years by the Little Companions management team. This will take into account all relevant feedback and risk assessments as outlined in this policy.

## **Menopause Policy**

Little Companions acknowledges that transitioning through the menopause can be a difficult and stressful time and employees can experience symptoms that can impact their work life and we are committed to supporting our staff in practical and reasonable ways. This policy sets out the support that Little Companions will provide when an employee is affected by the menopause or is experiencing menopause-related symptoms.

The aims of this policy are to:

- Support Managers- Naazish and Reema aware of their responsibility to understand the menopause and related issues and how they can affect employees and their work colleagues
- Educate managers about potential symptoms of the menopause and how they can support employees in the workplace
- raise wider awareness and understanding among employees
- encourage employees to talk about the menopause openly and confidently
- outline the support and reasonable adjustments that are available to employees
- reduce menopause-related sickness absence by supporting staff to remain in work.

Little Companions recognises that employees may need additional support and adjustments in the period before, during and after the menopause and it aims to help staff according to their individual needs and circumstances. Little Companions seeks to provide a work environment in which all employees are treated with respect and dignity and which protects employees' health, safety and welfare and we therefore actively encourage our employees to discuss their menopausal symptoms and to ask for additional support and adjustments.

It should be noted that people from the non-binary, transgender and intersex communities may also experience menopausal symptoms. Due to a variety of factors, the experience of the menopause may be different for those among these communities. Although the policy refers to women, please consider that 'people who menstruate' also require consideration. Experiences and perceptions of the menopause may also differ in relation to disability, age, race, religion, sexual orientation or marital/civil partnership status. It is important to recognise that for many reasons, people's individual experiences of

the menopause may differ greatly. The menopause can also affect partners and families too.

Anyone can be affected by hormonal changes during their lives for a number of reasons, including pregnancy, fertility treatment, gender transitioning, conditions needing hormone treatment, and menopause. These can bring about symptoms which could affect a colleague at work.

### **Definitions and symptoms**

The menopause is part of the natural ageing process for all women, although it can also be brought on as a result of other medical conditions or certain surgical interventions. It refers to the point in time when menstruation has ceased for twelve consecutive months, but it is best described as a “transition” rather than as a one-off event. After a woman has not had a period for a year, the time from that point is then considered to be the post-menopause, but this does not mean menopause symptoms cease. Menopause symptoms continue, on average, for four years from the last period and can continue for up to twelve years.

The perimenopause is the period of hormonal change leading up to the menopause and it can often last four to five years, although for some women it may continue for many more years or for others it may last only for a few months. During the time of the perimenopause, individuals may begin to experience symptoms due to changes in their hormone levels. These symptoms may vary in degree between different individuals. As individuals may still be having regular periods at the onset of these symptoms, many do not always realise that they are experiencing the perimenopause and may not understand what is causing their symptoms. This can be a barrier to accessing support.

The menopause usually occurs between the ages of 45 and 55. In the UK, the average age is 51, but it can happen much earlier. Many women experience the menopause before the age of 45 (early menopause) and some women experience the menopause before the age of 40 (premature menopause). Some women also experience a medical/surgical menopause which can occur suddenly when the ovaries are damaged or removed by specific treatments such as chemotherapy, radiotherapy or surgery. Individuals who are non-binary, transgender or intersex may also experience menopausal symptoms.

It is important to recognise that, for many reasons, the menopause affects women's physical and psychological health differently. Symptoms vary in type, amount, severity and length between individuals. The menopause can often also indirectly affect individuals' partners, families and work colleagues.

The symptoms of the menopause can include:

- hot flushes and daytime sweats
- palpitations and night sweats
- fatigue
- sleep disturbances and insomnia
- headaches
- skin irritation
- muscle and joint stiffness, aches and pains
- irritability and mood disturbances
- poor concentration levels
- forgetfulness and memory loss
- anxiety, depression, panic attacks
- weight gain
- loss of confidence
- changes in menstrual flow and regularity, including heavy bleeding
- recurrent urinary tract infections (UTIs), including cystitis
- the need for more regular and/or urgent toilet breaks.

These symptoms can adversely affect how employees work, their relationships with work colleagues and their performance and productivity levels.

Some individuals seek medical advice and treatment for the symptoms of the perimenopause and menopause and others may try self-help measures and alternative therapies to cope with the symptoms. A common form of treatment is known as hormone replacement therapy (HRT). Many women find these treatments helpful for alleviating symptoms, but HRT is not suitable or appropriate for everyone. Some women using HRT may experience side effects which may also require adjustments in the workplace.

### **Communication**

Little Companions aims to create an environment in which employees feel confident about raising issues about their menopausal symptoms and asking for additional support and adjustments at work. Many employees still see the menopause as a private and personal issue

and, for some, discussing the transition into menopause can be a difficult subject to be open about. Little Companions will therefore seek to promote a greater openness about, and understanding of the menopause among the team in order to create a supportive and understanding team culture that removes any barriers to employees disclosing information with colleagues and managers. We will do this by:

- recording sickness absences that are related to the menopause as an ongoing medical issue rather than as a series of short-term sickness absences
- providing training to managers so that they are knowledgeable to have open and sensitive conversations with employees about their menopausal symptoms (and how these might affect their work) and what they can do to support them
- treating the menopause in the same way as any other medical condition
- being accommodating to temporary flexible working requests that will help employees manage their symptoms, such as a later start and finish time
- putting in place measures to help employees to better manage their symptoms, leading to a reduction in sickness absence and an increase in wellbeing and productivity
- reminding staff to support their work colleagues, not to make inappropriate comments or jokes and to respect any adjustments put in place to help them with their symptoms.

### **Workplace adjustments**

Little Companions is committed to ensuring that conditions in the workplace do not make menopausal symptoms worse and that appropriate support and adjustments are put in place. We will therefore work proactively to make adjustments where necessary to support any employees who are transitioning through the menopause. Little Companions also recognises that the menopause is a very individual experience and that employees can be affected in different ways and to different degrees, and therefore different levels and types of support and adjustments may be needed. These may include:

- adjusting workplace temperatures
- improving ventilation
- providing fans
- providing easy access to cold drinking water, rest rooms and toilet/washroom facilities

- access to a quiet room or area (short break) to help manage the onset of severe symptoms such as hot flushes
- allowing temporary changes to work/shift patterns
- reviewing workload/duties
- making sure employees can take regular and flexible toilet breaks
- permitting time off for attendance at medical appointments
- being flexible when applying the performance management, attendance or disciplinary procedures
- signposting or referring the employee to the Employee Assistance Programme

Little Companions will also carry out risk assessments which take the specific needs of menopausal employees into consideration.

Managers should apply individual discretion when assessing an employee's particular needs and circumstances and should act accordingly. Information about an employee's menopausal symptoms should be treated as confidential and line managers should expressly agree with the employee which (if any) work colleagues should be informed, by whom and on what basis.

Managers should then record any agreed adjustments and review these at least annually. Symptoms of the menopause can fluctuate over time, so line managers should arrange regular follow-up discussions with the employee to ensure that the support and adjustments provided still meet their needs.

For many reasons, it may not be an easy time in a woman's life and so it is imperative that employees who require additional support during this time are treated with understanding, dignity and respect. The policy acknowledges that there is no 'one-size-fits-all' solution to the menopause and so it is intended as a support guide for all workers. Little Companions agrees to work proactively to make adjustments where necessary to support women experiencing the menopause and to ensure the workplace does not make their symptoms worse. Exclusionary or discriminatory practices will not be tolerated.

### **SUPPORTIVE ORGANISATIONS**

There are several specialist organisations who can offer support to individuals before, during and after the menopause, including the following:

- NHS Guidance on Menopause provides comprehensive advice on symptoms and treatment options available: [www.nhs.uk/conditions/menopause](http://www.nhs.uk/conditions/menopause)

- Menopause Exchange Helpline can be contacted on 020 8420 7245 and their newsletters provide information and advice: [www.menopause-exchange.co.uk](http://www.menopause-exchange.co.uk)
- Education Support provides support 24/7 at 08000 562561 or via text on 07909341229. Useful resources can be accessed at: <https://www.educationsupport.org.uk/blogs/teaching-and-menopause>
- British Menopause Society provides a wealth of information and guides on the menopause and all aspects of post reproductive health: [thebms.org.uk](http://thebms.org.uk). This is primarily aimed at healthcare professionals and the Women's Health Concern is the patient arm of the British Menopause Society providing factsheets, articles, FAQs and further reading links: [www.womens-health-concern.org](http://www.womens-health-concern.org)
- Daisy Network is a charitable organisation providing support and guidance for all experiencing premature menopause: [www.daisynetwork.org.uk](http://www.daisynetwork.org.uk)
- Menopause Matters provides easily accessible information about the menopause, including treatments available and what steps to take: [www.menopausematters.co.uk](http://www.menopausematters.co.uk)
- Menopause Café is a discussion group to gather to eat cake, drink tea and discuss the menopause in a friendly and easily accessible way: [www.menopausecafe.net](http://www.menopausecafe.net)
- Henpicked is an online community providing 'lunch and learn' videos with industry wide experts: [www.henpicked.net](http://www.henpicked.net)
- Simply Hormones provides blogs and articles about the menopause and the opportunity to sign up to receive a free menopause survival kit, newsletters and updates: [www.simplyhormones.com](http://www.simplyhormones.com) Simply Hormones – Menopause: A Guide for Men provides information and helpful hints to help men understand more about the menopause: [www.simplyhormones.com/men-andthemenopause](http://www.simplyhormones.com/men-andthemenopause)
- [www.theros.co.uk](http://www.theros.co.uk) – this is the Royal Osteoporosis Society, with information including factsheets and information regarding bone health, fitness and activity.
- [www.managemymenopause.co.uk](http://www.managemymenopause.co.uk) – this provides expert advice on the menopause.
- [www.thebms.org.uk](http://www.thebms.org.uk) – this is the British Menopause Society, and it has a range of information, including how to find a specialist.
- [www.themenopauseschool.com](http://www.themenopauseschool.com) – menstruation to menopause training support



# **Staff Disciplinary Policy and Procedure**

## **Purpose and scope**

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. This alongside the grievance procedure can be found within the signed employment contracts and apply to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.

## **Principles**

1. Informal action will be considered, where appropriate, to resolve problems.
2. No disciplinary action will be taken against an employee until the case has been fully investigated.
3. For formal action the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting.
4. Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
5. At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
6. No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.
7. An employee will have the right to appeal against any disciplinary action.
8. The procedure may be implemented at any stage if the employee's alleged misconduct warrants

## **The procedure**

### **First stage of formal procedure**

This will normally be either:

An improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for 6 months, but will then be considered spent – subject to achieving and sustaining satisfactory performance.

Or

A first written warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory

improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after a specified period (e.g. six months).

### **Final written warning**

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor and will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance.

### **Dismissal or other sanction**

If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). Dismissal decisions can only be taken by the appropriate senior manager, and the employee will be provided in writing with reasons for dismissal, the date on which employment will terminate, and the right of appeal.

If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A

copy of the written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after 12 months subject to achievement and sustainment of satisfactory conduct or performance.

### **Gross misconduct**

Examples of offences which are normally regarded as gross misconduct are:

1. Serious failure to comply with policies, procedures and legal requirements that safeguard children.
2. A serious breach of the confidentiality policy (subject to the Public Interest (Disclosure Act 1998).
3. Indecent or immoral behaviour
4. Theft, fraud and deliberate falsification of records, expenses, qualifications and other offences of dishonesty.
5. Intoxication, either caused by alcohol or drugs, dangerous behaviour, fighting or physical assault.
6. Infringement of health and safety rules, including smoking on the premises
7. Serious bullying, discrimination or harassment of employees, customers, clients or suppliers.
8. Deliberate damage to property.
9. Any criminal conduct that affects the ability or suitability for your continued employment
10. Gross negligence.
11. Any act of dishonesty.
12. Serious insubordination. Misuse of the setting's property or name.
13. Misuse of electronic communications which defames individuals or brings the setting into disrepute, has disparaging or derogatory comments or contains confidential information concerning the setting
14. Bringing the setting into serious disrepute.
15. Serious negligence which causes or might cause unacceptable loss, damage or injury.
16. Serious breach of the early years setting's and statutory policies.
17. Serious breach of confidentiality (subject to the Public Interest (Disclosure) Act 1998).
18. Serious breaches of the Data Protection Act.
19. Bribery and corruption.

### **This is not an exhaustive list of examples**

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

## **Appeals**

An employee who wishes to appeal against a disciplinary decision must do so within five working days. The senior manager will hear all appeals and his/her decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

This information is taken from the ACAS guide. For further information please follow the links below:

<http://www.acas.org.uk/index.aspx?articleid=2179>

<http://www.acas.org.uk/index.aspx?articleid=2174>

## **Staff personal safety**

### **General**

- Members of staff who are in the building early in the morning or late in the evening, ensure that doors and windows are locked.
- Where possible, the last two members of staff in the building leave together after dark and arrange to arrive together in the morning.
- Visitors are allowed access only with prior appointments and once identifications are verified.
- When taking cash to the bank, members of staff are aware of personal safety. The setting manager carries out a risk assessment and develops an agreed procedure appropriate to the setting, staff, and location.
- Staff make a note in the shared diary of meetings they are attending and when they are expected back.
- The setting manager liaises with local police for advice on any issues or concerns.

## **Home visits**

Home visits are done at the setting manager's discretion under the following health and safety considerations:

- Staff normally do home visits in pairs; usually manager or deputy and key person.
- Each home visit is recorded in the diary with the name and address of the family being visited, prior to the visit taking place.
- Staff alert a contact person in the setting when they are leaving to do the home visit and what time they are expected to return
- If there is reason for staff to feel concerned about entering premises on a visit, they do not do so, for example, if a parent appears drunk or under the influence of drugs.
- Members of staff carry work issued mobile phone when going out on a home visit.
- If staff do not return from the home visit at the expected time the contact person attempts to phone them and continues to do so until they make contact

If no contact is made after a reasonable amount of time has passed, the contact person rings the police.

## **Dealing with agitated parents/visitors in the setting**

- If a parent or visitor appears to be angry, mentally agitated, or possibly hostile, two members of staff will lead them away from the children to an area less open but will not shut the door behind them.
- If the person is standing, staff will remain standing.
- Staff will try to empathise, for example: 'I can see that you are feeling angry at this time'.
- Staff offer to discuss the issue of concern and show they recognise the concern.
- Staff will ensure that the language they use can be easily understood
- Staff will make it clear that they want to hear issues and seek solutions.
- If the person makes threats and continues to be angry, members of staff make it clear that they will be unable to discuss the issue until the person stops shouting or being abusive, avoiding expressions like 'calm down' or 'be reasonable'.

- If threats continue, members of staff will explain that the police will be called and emphasise the inappropriateness of such behaviour in front of the children.
- Threats and abuse towards staff and volunteers is implemented where staff feel threatened or intimidated.
- After the event, it is recorded in the child's file together with any decisions made with the parents to rectify the situation.
- Any situation involving threats to members of staff are reported to the line manager, following procedure Threats and abuse towards staff and volunteers.

Copies of correspondence regarding the incident will be kept in the relevant child's file.

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## **Threats and abuse towards staff and volunteers**

The setting is responsible for protecting the health and safety of all staff and volunteers in its services and has a duty of care in relation to their physical and emotional well-being. We believe that violence, threatening behaviour and abuse against staff are unacceptable and will not be tolerated. Where such behaviour occurs, we will take all reasonable and appropriate action in support of our staff and volunteers.

- Staff and volunteers have a right to expect that their workplace is a safe environment, and that prompt and appropriate action will be taken on their behalf if they are subjected to abuse, threats, violence or harassment by parents, service users and other adults as they carry out their duties.
- The most common example of unreasonable behaviour is abusive or intimidating and aggressive language. If this occurs, the ultimate sanction, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on the premises.
- Where a person recklessly or intentionally applies unlawful force on another or puts another in fear of an immediate attack, it is an offence in law which constitutes an assault. We would normally expect the police to be contacted immediately.

There are three categories of assault, based on the severity of the injury to the victim.

1. Common Assault - involving the threat of immediate violence or causing minor injury (such as a graze, reddening of the skin or minor bruise).
2. Actual Bodily Harm - causing an injury which interferes with the health or comfort of the victim (such as multiple bruising, broken tooth or temporary sensory loss).
3. Grievous Bodily Harm - causing serious injury (such as a broken bone or an injury requiring lengthy treatment).

There is also an aggravated form of assault based upon the victim's race, religion, disability or sexual orientation and other protected characteristics as defined in the Equality Act 2010 which carries higher maximum penalties.

It is important to note that no physical attack or injury needs to have occurred for a common assault to have taken place. It is sufficient for a person to have been threatened with immediate violence and put in fear of a physical attack for an offence to have been committed.

Any staff member or volunteer who feels under threat or has been threatened, assaulted, or intimidated in the course of their work must report this immediately to their manager who will follow the setting manager's procedures and guidance for responding.

999 should always be used when the immediate attendance of a police officer is required. The police support the use of 999 in all cases where:

- there is danger to life
- there is a likelihood of violence
- an assault is, or is believed to be, in progress
- the offender is on the premises
- the offence has just occurred, and an early arrest is likely

If it is not possible to speak when making a 999 call because it alerts an offender, cough quietly or make a noise on the line, then follow the prompts to dial 55 (mobiles only) for a silent call. Police may be able to trace the call and attend the premises.

### **Harassment and intimidation**

Staff may find themselves subject to a pattern of persistent unreasonable behaviour from individual parents or service users. This behaviour may not be abusive or

overtly aggressive but could be perceived as intimidating and oppressive. In these circumstances staff may face a barrage of constant demands or criticisms on an almost daily basis, in a variety of formats for instance, email or telephone. They may not be particularly taxing or serious when viewed in isolation but can have a cumulative effect over a period of undermining their confidence, well-being, and health. In extreme cases, the behaviour of the parent or other service user may constitute an offence under the Protection from Harassment Act 1997, whereby:

*A person must not pursue a course of conduct:*

*(a) which amounts to harassment of another, and*

*(b) which he knows or ought to know amounts to harassment of the other.*

If so, the police have powers to act against the offender. Such situations are rare but, when they do arise, they can have a damaging effect on staff and be very difficult to resolve. If the actions of a parent appear to be heading in this direction, staff should speak to their manager who will take appropriate action to support. This may include the manager sending a letter to the aggressor, warning them that their behaviour is unacceptable and may result in further action being taken against them. All incidents must be recorded and reported to the owners/directors/trustees..

### **Banning parents and other visitors from the premises**

- Parents and some other visitors normally have implied permission to be on the premises at certain times and for certain purposes, and they will not therefore be trespassers unless the implied permission is withdrawn.
- If a parent or other person continues to behave unreasonably on the premises a letter will be sent to them from the owners/directors/trustees, withdrawing the implied permission for them to be there.
- Further breaches may lead to prosecution of the person concerned by the police and they are treated as a trespasser.
- Full records are kept of each incident, in the Reportable Incident Record, including details of any person(s) who witnessed the behaviour of the trespasser(s), since evidence will need to be provided to the Court.

### **Dealing with an incident**

- We would normally expect all cases of assault, and all but the most minor of other incidents, to be regarded as serious matters which should be reported to



the setting manager and/or the police and followed up with due care and attention.

- A record of the incident must be made whether the police are involved or not.
- Whilst acknowledging that service users i.e. parents and families, may themselves be under severe stress, it is never acceptable for them to behave aggressively towards staff and volunteers. Individual circumstances along with the nature of the threat are considered before further action is taken.
- All parties involved should consider the needs, views, feelings and wishes of the victim at every stage. We will ensure sympathetic and practical help, support and counselling is available to the victim both at the time of the incident and subsequently.
- A range of support can be obtained:
  - from the setting manager, owners/directors/trustees and/or a staff colleague
  - from Victim Support on giving evidence in court
- In non-urgent cases, where the incident is not thought to be an emergency, but police involvement is required, all staff and volunteers are aware of the non-emergency police contact number for the area.
- 999 calls receive an immediate response. Unless agreed at the time, non-emergency calls are normally attended within 8 hours (24 hours at the latest).
- When they attend the setting or service, the police will take written statements from the victim (including a 'Victim Personal Statement') and obtain evidence to investigate the offence in the most appropriate and effective manner.
- The police will also consider any views expressed by the setting manager and owner/directors/trustees as to the action they would like to see taken. The manager should speak to the victim and be aware of his or her views before confirming with the police how they wish them to proceed.
- In some cases the victim may be asked by the police if he/she wishes to make a complaint or allegation against the alleged offender. It is important to ensure that the victim can discuss the matter with their line manager, a colleague or friend before deciding on their response. It is helpful for the victim to be assured that, if there is a need subsequently to give evidence in court, support can be provided if it is not already available from Victim Support.

- The decision regarding whether an individual is prosecuted is made by the police or Crown Prosecution Service (CPS) based on the evidence and with due regard to other factors.
- After the incident has been dealt with, a risk assessment is done to identify preventative measures that can be put in place to minimise or prevent the incident occurring again.

### **Harassment or intimidation of staff by parents/visitors**

- The manager can contact the local authority team for advice and support.
- Where the parent's behaviour merits it, the setting manager, with another member of staff present, should inform the parent clearly but sensitively that staff feel unduly harassed or intimidated and are considering making a complaint to the police if the behaviour does not desist or improve. The parent should be left in no doubt about the gravity of the situation and that this will be followed up with a letter drafted by the setting manager but sent to their line manager for approval before being issued.
- The setting manager and/or owners/directors/trustees might wish to consider advising the parent to make a formal complaint. Information about how to complain is clearly displayed for parents and service users.
- If the investigation concludes that the parent's expectations and demands are unreasonable, and that they are having a detrimental effect on staff, the findings can strengthen the setting manager's position in further discussions with the parent and subsequently, if necessary, with the police.

**Complaints relating to potential breaches of the EYFS Safeguarding and Welfare requirements will be managed according to the Complaints procedure for parents**

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### **Concerns and allegations of serious harm or abuse against staff, volunteers or agency staff**

Concerns may come from a parent, child, colleague, or the public. Allegations or concerns must be referred to the designated person

without delay - even if the person making the allegation later withdraws it.

### **What is a low-level concern?**

The NSPCC defines a low-level concern as *'any concern that an adult has acted in a way that:*

- *is inconsistent with the staff code of conduct, including inappropriate conduct outside of work*
- *doesn't meet the threshold of harm or is not considered serious enough...to refer to the local authority.*

*Low-level concerns are part of a spectrum of behaviour. This includes:*

- *inadvertent or thoughtless behaviour*
- *behaviour that might be considered inappropriate depending on the circumstances.*
- *behaviour which is intended to enable abuse.*

*Examples of such behaviour could include:*

- *being over friendly with children*
- *having favourites*
- *adults taking photographs of children on their mobile phone.*
- *engaging with a child on a one-to-one basis in a secluded area or behind a closed door*
- *using inappropriate sexualised, intimidating or offensive language'*

(NSPCC Responding to low-level concerns about adults working in education)

### **Responding to low-level concerns**

Any concerns about the conduct of staff, students or volunteers must be shared with the designated safeguarding lead and recorded. The designated safeguarding lead should be informed of all concerns, including those that may be considered 'low level' and make the final

decision on how to respond. Where appropriate this can be done in consultation with their line manager.

Reporting concerns about the conduct of a colleague, student or volunteer contributes towards a safeguarding culture of openness and trust. It ensures that adults consistently model the setting's values and helps keep children safe. It protects adults from potential false allegations or misunderstandings.

If it is not clear that a concern meets the local authority threshold, the designated safeguarding lead should contact the LADO for clarification.

In most instances, low-level concerns about staff conduct can be addressed through supervision, training, or disciplinary processes where an internal investigation may take place.

### **Identifying**

An allegation against a member of staff, volunteer or agency staff constitutes serious harm or abuse if they:

- behaved in a way that has harmed, or may have harmed a child
- possibly committed a criminal offence against, or related to, a child
- behaved towards a child in a way that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

### **Informing**

- All staff report allegations to the designated safeguarding lead- Reema Juttla/Naazish Haq
- The designated safeguarding lead alerts the designated officer for their setting. If the designated officer is unavailable the designated person contacts their equivalent until they get a response- which should be within 3-4 hours of the event. Together they should form a view about what immediate actions are taken to ensure the safety of the children and staff in the setting, and what is acceptable in terms of fact-finding.

- It is essential that no investigation occurs until and unless the LADO has expressly given consent for this to occur, however, the person responding to the allegation does need to have an understanding of what explicitly is being alleged.
- The designated safeguarding lead must take steps to ensure the immediate safety of children, parents, and staff on that day within the setting.
- The LADO is contacted as soon as possible and within one working day. If the LADO is on leave or cannot be contacted the LADO team manager is contacted and/or advice sought from the point of entry safeguarding team/mash/point of contact, according to local arrangements.
- A child protection referral is made if required. The LADO, line managers and local safeguarding children's services can advise on whether a child protection referral is required.
- The designated person asks for clarification from the LADO on the following areas:
  - what actions the designated person must take next and when and how the parents of the child are informed of the allegation
  - whether or not the LADO thinks a criminal offence may have occurred and whether the police should be informed and if so who will inform them
  - whether the LADO is happy for the setting to pursue an internal investigation without input from the LADO, or how the LADO wants to proceed
  - whether the LADO thinks the person concerned should be suspended, and whether they have any other suggestions about the actions the designated person has taken to ensure the safety of the children and staff attending the setting

- The designated person records details of discussions and liaison with the LADO including dates, type of contact, advice given, actions agreed and updates on the child's case file.
- Parents are not normally informed until discussion with the LADO has taken place, however in some circumstances the designated person may need to advise parents of an incident involving their child straight away, for example if the child has been injured and requires medical treatment.
- Staff do not investigate the matter unless the LADO has specifically advised them to investigate internally. Guidance should also be sought from the LADO regarding whether or not suspension should be considered. The person dealing with the allegation must take steps to ensure that the immediate safety of children, parents and staff is assured. It may be that in the short-term measures other than suspension, such as requiring a staff member to be office based for a day, or ensuring they do not work unsupervised, can be employed until contact is made with the LADO and advice given.
- The designated safeguarding lead ensures staff fill in 06.1b Safeguarding incident reporting form.
- If after discussion with the designated person, the LADO decides that the allegation is not obviously false, and there is cause to suspect that the child/ren is suffering or likely to suffer significant harm, then the LADO will normally refer the allegation to children's social care.
- If notification to Ofsted is required the designated person will inform Ofsted as soon as possible, but no later than 14 days after the event has occurred. The designated safeguarding lead will liaise with the designated officer about notifying Ofsted.
- The designated safeguarding lead ensures that the 06.1c Confidential safeguarding incident report form is completed and sent to the designated officer. If the designated officer is unavailable their equivalent must be contacted, for childminders who are registered with a childminding agency, this may be the named person within the agency.

- Avenues such as performance management or coaching and supervision of staff will also be used instead of disciplinary procedures where these are appropriate and proportionate. If an allegation is ultimately upheld the LADO may also offer a view about what would be a proportionate response in relation to the accused person.
- The designated safeguarding lead must consider revising or writing a new risk assessment where appropriate, for example if the incident related to an instance where a member of staff has physically intervened to ensure a child's safety, or if an incident relates to a difficulty with the environment such as where parents and staff are coming and going and doors are left open.
- All allegations are investigated even if the person involved resigns or ceases to be a volunteer.

#### **Allegations against agency staff**

Any allegations against agency staff must be responded to as detailed in this procedure. In addition, the designated person must contact the agency following advice from the LADO

#### **Allegations against the designated safeguarding lead.**

- If a member of staff has concerns that the designated person has behaved in a way that indicates they are not suitable to work with children as listed above, this is reported to the designated officer who will investigate further/LADO
- During the investigation, the designated officer will identify another suitably experienced person to take on the role of designated person.
- If an allegation is made against the designated officer, then the owners/directors/trustees are informed.

#### **Recording**

- A record is made of an allegation/concern, along with supporting information. This is then entered on the file of the child, and the, Child welfare and protection summary is completed and placed in the front of the child's file.

- If the allegation refers to more than one child, this is recorded in each child's file
- If relevant, a child protection referral is made, with details held on the child's file.

### **Disclosure and Barring Service**

- If a member of staff is dismissed because of a proven or strong likelihood of child abuse, inappropriate behaviour towards a child, or other behaviour that may indicate they are unsuitable to work with children such as drug or alcohol abuse, or other concerns raised during supervision when the staff suitability checks are done, a referral to the Disclosure and Barring Service is made.

### **Escalating concerns**

- If a member of staff believes at any time that children may be in danger due to the actions or otherwise of a member of staff or volunteer, they must discuss their concerns immediately with the designated person.
- If after discussions with the designated person, they still believe that appropriate action to protect children has not been taken they must speak to the designated officer.

If there are still concerns then the whistle blowing procedure must be followed.



