Willaston Pre-school

# Willaston Pre-school

# Staff

# Policy Document

***(Safeguarding Policy, Special Educational Needs and Disability (SEND) policy and General policies are now in Separate Documents)***

**Revised May 2016, June 2020**

Reviewed Sept 2020

Next Review Due – Sept 2021

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## Code of Conduct for Staff and Other Adults working in the

## Pre-school

All staff and other adults within the Pre-school are in a position of trust and therefore owe a duty of care to the children for whom they are responsible. They are required to:-

- Treat all children equally, fairly and with respect.
- Speak to every child in a warm and caring manner.
- Never shout at a child unless they are in imminent danger of hurting themselves or others.
- Speak professionally to colleagues at all times.
- Engage every child in purposeful, developmentally appropriate play activities which follow their interests.
- Set a good example to children and adults in manner, appearance and attitude.
- Report incidents and concerns immediately.
- Not use personal mobile phones in the vicinity of the children.
- Ensure areas are supervised appropriately.
- Ensure they are not left alone with children or out of sight/hearing of another adult.
- Make sure they are aware of the Safeguarding Children Policy and Procedures and report any concerns appropriately.
- Be aware of confidentiality and information sharing policies. We respect Parents rights to privacy and confidentiality. We will not share information unless we have parental permission or it is necessary in order to protect the child.

All staff and adults within the Pre-school must **refrain** from

- Smacking, hitting or slapping children.
- Showing favouritism.

**Physical Contact**

There may be times when physical contact is necessary for example;-

- To reassure a child.
- Help a child to use apparatus or other play equipment.

Physical restraint falls into three categories:-

1. Action is necessary in self-defence or because there is an imminent risk of injury.
2. There is a developing risk of injury or significant damage to property.
3. A child is behaving in a way that is compromising good order and discipline.

Examples of this are;-

- Children are fighting.
- A child is engaged in deliberate vandalism.
- A child is causing or at risk of causing, injury or damage by accident or rough play or by misuse of dangerous materials or objects.
- A child is running in an area which is inappropriate and might injure themselves or others.
- A child attempts to abscond from a designated safe area.

**Reasonable Force**

Physical intervention can take many forms such as;-

- Physically interposing between children.
- Blocking a child's path.
- Holding.
- Pushing.
- Leading a child by the hand or arm.
- Shepherding a child away by placing a hand in the centre of the back.
- In exceptional circumstances a member of staff may need to use any necessary action to avoid an immediate risk or injury for example to prevent a child from hitting someone or throwing someone or preventing a child from running off the pavement.

This document refers to the requirement of the Children Act 1989, Section 550A of the Education Act 1996, DfEE Circular 10/98 and the Conditions of Employment of School Teachers.

**E Safety – see separate Online safety policy in general document**

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| Held on | May 2016 | *(date)* |
| Date reviewed | June 2019, Sept 2020 | *(date)* |
| Date to be reviewed | Sept 2021 | |
| Signed on behalf of the provider | *J Piaf* | |
| Name of signatory | Jacqueline Piaf | |
| Role of signatory (e.g. chair, director or owner) | Manager | |

## Employment

**Policy statement**

Willaston Pre-school is committed to following safe recruitment procedures when seeking to employ new members of staff. We meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that our staff and volunteers are appropriately qualified, and we carry out checks for criminal and other records through the Disclosure and Barring Service (DBS) in accordance with statutory requirements.

**Procedures**

*Vetting and staff selection*

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

- We require that all our staff and volunteers keep their DBS check up-to-date by subscribing to the DBS Update Service throughout the duration of their employment with us.
- Our staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children – whether received before, or at any time during, their employment with us.
- We obtain consent from our staff and volunteers to carry out on-going status checks of the Update Service to establish that their DBS certificate is up-to-date for the duration of their employment with us.
- Where we become aware of any relevant information which may lead to the disqualification of an employee, we will take appropriate action to ensure the safety of children. In the event of disqualification, that person's employment with us will be terminated.

*Notifying Ofsted of changes*

- We inform Ofsted of any changes to our Registered Person, trustees, our provision and our manager.

*Training and staff development*

- Our manager holds a Level 6 BA (Hons) in Childhood Studies and has Early Years Professional status. Our deputy holds the NNEB Level 3 and at least half of our other staff members are qualified to either Level 2 or 3 standard.
- We provide regular in-service training to all our staff - whether paid staff or volunteers - through the Pre-school Learning Alliance and external agencies.
- Our budget allocates resources to training.
- We provide our staff with induction training in the first week of their employment. This induction includes our Health and Safety Policy and Safeguarding Children and Child Protection Policy. Other policies and procedures are introduced within an induction plan.
- We support the work of our staff by holding regular supervision meetings and appraisals.
- We are committed to recruiting, appointing and employing staff in accordance with all relevant legislation and best practice.

*Staff taking medication/other substances*

- If a member of staff is taking medication which may affect their ability to care for children, we ensure that they seek further medical advice. Our staff will only work directly with the children if

medical advice confirms that the medication is unlikely to impair their ability to look after children properly. On arrival staff sign in and declare themselves fit for work.

- Staff medication on the premises will be stored securely and kept out of reach of the children at all times. Staff inform the manager of any prescribed medication which may be necessary to take in an emergency for chronic/long term conditions e.g asthma, epilepsy, epi-pens for allergic reactions etc.
- If we have reason to believe that a member of our staff is under the influence of alcohol or any other substance that may affect their ability to care for children, they will not be allowed to work directly with the children and further action will be taken.

*Managing staff absences and contingency plans for emergencies*

- Our staff take their holiday breaks when the setting is closed. Where a staff member may need to take time off for any reason other than sick leave or training, this is agreed with our manager with sufficient notice.
- Where our staff are unwell and take sick leave in accordance with their contract of employment, we organise cover to ensure ratios are maintained.
- Sick leave is monitored and action is taken where necessary, in accordance with the individual's contract of employment.
- We have contingency plans to cover staff absences, as follows:

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| We have a list of volunteers, who have been DBS checked and can be called upon to cover staff absences when necessary. |

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| Date to be reviewed | Sept 2021 | |
| Signed on behalf of the provider | *J Piaf* | |
| Name of signatory | Jacqueline Piaf | |
| Role of signatory (e.g. chair, director or owner) | Manager | |

## Induction of staff, volunteers and managers

**Policy statement**

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 where appropriate.
  - Familiarising with the building, health and safety, and fire and evacuation 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 at least two weeks. The manager inducts new staff and volunteers. The chairperson or senior manager inducts new managers.
- 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.

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| Name and Role of signatory | Jacqueline Piaf | |
| | Manager | |

## Staff personal safety including home visits

**Policy statement**

This setting believes that the health and safety of all staff is of paramount importance and that all staff have the right to work in a safe environment. We support safe working both on and off the premises, acknowledging the needs and diversity of children and their family.

**Procedures**

*General*

- All staff in the building early in the morning, or late in the evening, ensure doors and windows are locked.
- Where possible, at least the first two members of staff to arrive in the building arrive together, and the last two members of staff in the building leave together.
- Visitors are generally only allowed access with prior appointments and only admitted once their identity has been verified.
- Minimal petty cash is kept on the premises.
- When taking cash to the bank, members of staff are aware of personal safety. Managers carry out a risk assessment and develop an agreed procedure appropriate to the setting, staff and location.
- Members of staff make a note in the diary of meetings they are attending, who they are meeting and when they are expected back.
- Managers have good liaison with local police and ask for advice on safe practice where there are issues or concerns.

*Dealing with agitated parents in the setting*

- If a parent appears to be angry, mentally agitated or possibly hostile, two members of staff will lead the parent away from the children to a less open area, but will not shut the door behind them.
- If the person is standing, staff will remain standing.
- Members of staff will try to empathise and ensure that the language they use can be easily understood.
- Staff will speak in low, even tones, below the voice level of the parent.

- Members of staff will make it clear that they want to listen 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, while avoiding potentially inflammatory expressions such as 'calm down' or 'be reasonable'.
- If threats or abuse continues, members of staff will explain that the police will be called and emphasise the inappropriateness of such behaviour in front of children.
- After the event, details are recorded in the child's personal file together with any decisions made with the parents to rectify the situation and any correspondence regarding the incident.

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| Signed on behalf of the management committee | *J Piaf* | |
| Name of signatory | Jacqueline Piaf | |
| Role of signatory (e.g. chair/owner) | Manager | |

## Staff Supervision Policy

Willaston Pre-school is committed to ensuring that every member of staff receives effective supervision on a regular basis. It is the principal way to review your work, to ensure that you fully understand your roles and responsibilities and are properly supported as well as providing opportunities for you to continue to develop your skills. Willaston Pre-school values the importance of providing continuity and the opportunity to build relationships between Supervisor and Supervisee. It is also a requirement of our Safeguarding and welfare policy to provide regular opportunities for all staff to discuss any concerns they may have with a senior member of staff or the safeguarding representative of our committee.

Functions of Supervision:-

1. Management
2. Learning and Development
3. Support
4. Negotiation.

1. **Management**

   Discussion will include overall quality of supervisees performance; ensure that policies and procedures are understood and followed; roles and responsibilities are clearly understood and to develop and monitor action plan targets.

2. **Learning and Development**

   Provides an opportunity for staff to reflect on their own performance; to identify learning and development needs and develop plans to address any weaknesses.

3. **Support**

   This recognises that from time to time supervisees may require support to carry out their role, perhaps because of specific incidents or personal issues that may temporarily impact on their work performance. By offering support and providing supervisees time to reflect, in order to prevent issues adversely affecting them and their work.

4. **Negotiation**

   This ensures that the relationship between supervisees, their team, the organisation and other agencies is effective and can be achieved by;-

   - Briefing senior managers about key issues.
   - Dealing sensitively and clearly with concerns and complaints about colleagues and others with whom they work.
   - Consulting and briefing staff on changes and developments which affect their work.

Willaston Pre-school understands that staff supervision is an on-going process but will also make available opportunities for regular one-to-one discussions. The following format will be used:-

- Planned/Formal Supervision - A half termly meeting between supervisor and supervisee in order to discuss organisational, professional and personal objectives as well as an opportunity for staff to raise issues with their manager in confidence. They will also provide opportunities to discuss the Key Person role and any issues regarding children's development or well-being.
- Informal/Unplanned Supervision – A response to an event, when it is inappropriate to wait for the next planned supervision meeting.
- Annual Appraisal (Reviewed 6 monthly) –
    1. To identify what has gone well and reflect on recent training.
    2. Set measurable objectives and/or targets.
    3. Have an opportunity to identify future learning and development needs

Dates and times of meetings will be pre-arranged and this arrangement will be honoured unless changed by mutual agreement.

Discussions will be recorded and will form part of the appraisal process. The record will be agreed and signed by both parties to show that it is a true reflection of the discussion. A copy of this record will be given to the staff member and a second copy will be kept in a confidential file at the Pre-school.

Willaston Pre-school understands that staff supervision is a private but not a confidential process. However, access to records will be controlled and will only be made available to those who have a legitimate right to see them.

Confidentiality cannot be guaranteed as the Supervisor may need to discuss the content with the Pre-school Chairperson or other agencies, in the case of a Safeguarding issue. Any actions arising from the discussion may need to be included at staff meetings in order to improve and develop practice for the benefit of all the staff and children in the Pre-school.

This policy was compiled with reference to the following document – CWDC (2007) *Providing effective supervision; A workforce development tool, including unit of competence and supporting guidance.*

Effective Supervision is important in improving good standards of practice and Supervisors should be available to practitioners as an important source of advice and expertise.

*Working Together to Safeguard Children March 2010*

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| | Manager | |

# Grievance Procedure

## 1. Introduction

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

## 2. Principles

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

- The procedure covers all employed staff in Willaston Pre-school who have a grievance.

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

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

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

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

## 3. Procedure

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

## 4. Informal Procedure

- If an employee has a complaint about their individual circumstances at work, then they are entitled to raise a grievance. Employees are expected to discuss ordinary day-to-day issues informally with their line manager through supervision meetings or if necessary request a separate meeting. Where this is not possible employees should raise their concerns verbally with the next level of management, prior to raising a formal grievance.

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

## 5. Formal procedure

- Employees must state in writing the nature of the alleged grievance and send the written complaint to their line manager.
- Where the grievance is against their line manager, the matter should be raised with a more senior manager or trustee.

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

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

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

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

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

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

- Within five working days of receiving an appeal letter, the employee should be invited to attend an appeal hearing where the alleged grievance can be discussed. The appeal meeting should be scheduled to take place as soon as reasonably possible.

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

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

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

- This is the final stage of the procedure.

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| Name and role of signatory | Jacqueline Piaf<br>Manager |

**Dignity at work**

Willaston Pre-school is committed to ensuring that you are treated with dignity and respect at work. Bullying and harassment of any kind will not be tolerated in the work place.

Willaston Pre-school's procedures provide a fair, effective and consistent method of dealing with matters relating to bullying and harassment. Examples of what Willaston Pre-school deems to be unacceptable behaviour include:

- Unwanted physical contact.
- Spreading offensive or malicious rumours or insulting someone (particularly on race, gender or disability grounds).
- Ridiculing or demeaning someone, setting them up to fail.
- Insulting behaviour or gestures.
- Deliberate exclusion from conversations or social activities.
- Unfair treatment.
- Misuse of power or position.
- Unwelcome sexual advances e.g., touching, offensive jokes or materials.
- Embarrassing, threatening, humiliating, patronising or intimidating remarks.
- Deliberately undermining a competent worker.
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.
- Physical or verbal assault.
- Damage to property.

If you feel you have been treated in a way you find unacceptable, please speak to your line manager in the first instance or the Chairperson and the above procedure will be followed. You will not be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.

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| Name and role of signatory | Jacqueline Piaf<br>Manager |

# Disciplinary procedure

## 1. Introduction

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

## 2. Key principles

- Employees are expected to know the standard of conduct or work performance expected of them.
- Employees will be provided with a management statement of the case prior to any disciplinary meeting and will be allowed to respond to any alleged fault or failing at the meeting.
- At a disciplinary meeting and appeal, an employee is entitled to be accompanied by a recognised trade union representative or work colleague employed by the setting. Other external representatives may not accompany an employee.
- For minor or isolated infringements of rules or expected behaviour, managers and supervisors should give employees informal advice, coaching and counselling as part of their supervisory duties.
- Where an employee's conduct or performance fails to improve as a result of advice, coaching or counselling, or where the offence is more serious, then the disciplinary procedure will be applied.
- A prompt and thorough investigation into the concerns will take place prior to a disciplinary meeting taking place. The employee will be informed that an investigation is taking place as soon as possible. The setting reserves the right to dispense with an investigation interview with the employee (suspected of contravening policies or rules), and to proceed directly to a formal disciplinary meeting.

The employee must take all reasonable steps to attend the disciplinary meeting and any appeal. Except in cases of gross misconduct, no employee will be dismissed for a first offence.

## 3. Categories of gross misconduct

Gross misconduct can include:

- theft, fraud and deliberate falsification of records, expenses, qualifications and other offences

of dishonesty

- physical violence
- serious bullying or harassment
- deliberate damage to property
- conviction of a criminal offence relevant to the employee's role
- gross negligence
- serious insubordination
- misuse of the setting's property or name
- misuse of electronic communications which defames individuals or brings the organisation into disrepute
- bringing the organisation into serious disrepute
- serious incapability whilst on duty brought on by alcohol, illegal drugs or legal highs
- serious negligence which causes or might cause unacceptable loss, damage or injury
- serious infringement of health and safety rules
- serious failure to comply with policies, procedures and legal requirements that safeguard children
- serious breach of the early years setting's and statutory policies
- serious breach of confidentiality (subject to the Public Interest (Disclosure) Act 1998)
- defaming or bad mouthing the setting on social networking sites
- serious breaches of the Data Protection Act

- bribery and corruption

This provides the main categories of gross misconduct but is not an exhaustive list.

## 4. Steps prior to deciding to take disciplinary action

- When any incident of misconduct or negligence or poor performance is alleged to have occurred, the manager must establish the facts to decide whether there is a need for a disciplinary meeting.

- Where appropriate/possible, signed written statements should be obtained as quickly as possible from the individual(s) concerned and should include where possible, dates, times, details of those present and the issues of concern.

## 5. Procedure

- At the earliest opportunity the manager must inform the employee that an allegation/incident has occurred and that an investigation is to take place.

- Following an appropriate investigation, the manager must prepare a written statement of the employee's alleged conduct or characteristics, or of the circumstance which have led to the contemplation of taking disciplinary action.

- The manager must send the statement and any witness statements to the employee, including any evidence that will be relied upon at the meeting and invite her/him to attend a disciplinary meeting to discuss the matter. The employee should also be informed of their right to be accompanied at the meeting. Employees should be given an appropriate amount of notice of the meeting in order to prepare their response and to contact any witnesses that she/he wishes to call to the meeting to give evidence.

- A disciplinary meeting must take place before any disciplinary action is taken, (except where the action in question consists of suspension pending a disciplinary meeting). At the disciplinary meeting, the manager (investigation officer) should ensure that the circumstances of the complaint against the employee are presented to the disciplinary panel and that the employee is provided with an opportunity to respond to the management case. The disciplinary panel will then decide whether or not to issue a disciplinary penalty. The outcome of the disciplinary meeting must be confirmed in writing within [10] working days, include the right of appeal and the name of the person to whom any appeal letter should be addressed.

- Where practicable the investigating officer(s) will normally not sit on the disciplinary panel.

- Where practicable the disciplinary panel should consist of a minimum of two people not previously involved in the case.

## 6. Appeal

- Any employee who feels they have been disciplined unfairly may appeal in writing to the person named in the disciplinary letter. All appeals must be submitted in writing, clearly setting out the grounds for appeal, within seven working days of the date of the disciplinary meeting letter.

- Normally an appeal meeting will be arranged with the employee together with the line manager of the manager, for example, the owner, who issued the disciplinary penalty, within 15 working days of the employee's request.

- A letter detailing the outcome of the appeal should be issued within 10 working days of the appeal meeting.

## 7. Disciplinary penalties

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

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

  - formal verbal warning (first formal warning)
  - written warning
  - final written warning
  - dismissal with notice
  - summary dismissal (dismissal without notice on the grounds of gross misconduct)

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

## 8. Formal verbal warning

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

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

- If the warning relates to conduct, then the nature of the misconduct and the change in behaviour required should be set out in the warning letter.
- The employee may be accompanied at the meeting by a work colleague or a recognised trade union representative.
- The warning will be placed on the employee's personnel file. After a period of [three months], if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

## 9. Written warnings

- If the infringement is regarded as more serious, or the employee's work or conduct are considered unsatisfactory after they have received a formal verbal warning and after a period has elapsed in which the employee has had time to remedy their work or conduct, a disciplinary meeting conducted by the line manager will be held.
- The employee will be informed of the nature of the complaint and such evidence as may exist, and will be given an opportunity to respond. The employee will be told of the decision and given a letter of confirmation within 10 working days of the disciplinary meeting. The written confirmation will state:
  - the date of the disciplinary meeting and those present
  - the penalty imposed
  - details of the misconduct, poor performance or poor time keeping that has occasioned a warning and the performance required or the change in behaviour required
  - the timescales for performance improvement, where appropriate
  - details of any necessary action to remedy the situation, any period of review, extra training

or supervision etc., or the possibility for redeployment/demotion

- that any further misconduct etc. will result in a further disciplinary meeting and will normally result in a confirmed final warning, which if unheeded will result in dismissal with appropriate notice

- that there is a right of appeal

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

## 10 Final Written Warning

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

- After a period of [12 months], if no further disciplinary action has been found necessary and the breach has been resolved, the warning will expire.

## 11. Gross misconduct

- Employees dismissed with notice will be paid for this notice period. An employee may be dismissed without notice if there has been an act of gross misconduct, or a major breach of duty or conduct that brings the organisation into disrepute. The employee will be suspended with pay while the circumstances of the alleged gross misconduct are investigated.

- A dismissal must be confirmed in writing within [10] working days of the date of the disciplinary interview. As well as covering the points stated in section 9 above, the letter should also include details of any outstanding money owed to the employee, how and when it will be paid and the final date of employment.

- In certain cases, where a member of staff is dismissed from the organisation or internally disciplined because of misconduct relating to a child, the setting informs the Disclosure and Barring Service.

## 12. Suspension

- Suspension should be used in circumstances where the line manager needs to conduct an investigation prior to a hearing where it is felt that the impact of not suspending the employee, during the period, is more likely to be detrimental than suspending them.

- Cases which involve potential gross misconduct will usually result in suspension, particularly when relationships have broken down or where the setting's property or responsibilities to other parties are involved, or where the employee's presence may prejudice the inquiry.

- Suspension should be kept brief and reviewed to ensure that it is not unnecessarily protracted.

- Where a member of staff is suspended because of alleged misconduct relating to a child, the setting informs Ofsted, social services and may also contact the Police and other relevant agencies.

## 13. Timescales

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

- Should an employee's companion be unable to attend, then the employee should make contact within [five] days of the date of the letter to arrange an alternative date that falls within [10] days of the original date provided.

- Time limits may be extended by mutual agreement.

| | | |
|---|---|---|
| This policy was adopted at a meeting of | Willaston Pre-school | *(name of provider)* |
| Held on | 11th May 2016 | *(date)* |
| Date reviewed | June 2019, Sept 2020 | *(date)* |
| Date to be reviewed | Sept 2021 | |
| Signed on behalf of the provider | *J Piaf* | |
| Name and role of signatory | Jacqueline Piaf | |
| | Manager | |

## Whistleblowing policy

It is important to Willaston Pre-school that any fraud, misconduct or wrongdoing by employees, or people engaged in the organisation's business, is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the early years setting or the way in which the early years setting is run.

We recognise that effective and honest communication is essential if malpractice is to be effectively dealt with and the organisation's success ensured.

Whistleblowing relates to all those who work with, or within, the early years setting, who may from time-to-time think that they need to raise with someone in confidence certain issues relating to the organisation.

Whistleblowing is separate from the grievance procedure. If you have a complaint about your own personal circumstances, you should use the normal grievance procedure. If you have a concern about malpractice within the organisation, then you should use the procedure outlined below.

**Procedure**

- Report any concerns to your line manager. If this is not possible, then report your concerns to a more senior manager or trustee.
- All employees and those involved with the early years setting should be aware of the importance of preventing and eliminating wrongdoing within the organisation. You should be watchful for illegal, inappropriate or unethical conduct and report anything of that nature that you become aware of.
- You should be watchful and report any wrongdoing. Wrongdoing could include:
  - abuse of a child or vulnerable person
  - a child, parent, employee or volunteer being put at risk of harm
  - unsafe working practices
  - a failure to comply with statutory or legal obligations
  - a criminal offence which has or is about to be committed
  - the use of unsafe equipment

- falsification of financial records
- bribery and/or corruption which has taken or is about to take place
- covering up wrongdoing or malpractice

- Any matter you raise under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to you.
- You will not be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
- Victimisation of an individual for raising a qualifying disclosure (something that it is in the public interest to disclose) will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the early years setting's disciplinary procedure will be used, in addition to any appropriate external measures.
- If you make a malicious, vexatious or false allegation then this will be considered a disciplinary offence and disciplinary action will be taken against you.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If you are told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. In this event you should report the matter to a more senior manager or a trustee.

| | | |
|---|---|---|
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| Held on | 11th May 2016 | *(date)* |
| Date reviewed | June 2019, Sept 2020 | *(date)* |
| Date to be reviewed | Sept 2021 | |
| Signed on behalf of the provider | *J Piaf* | |
| Name and role of signatory | Jacqueline Piaf<br>Manager | |

## Capability procedure

### 1. Introduction

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

### 2. Principles

- The first step is to establish whether it is a misconduct or capability issue, as only concerns about work performance due to lack of knowledge or skills should be addressed through the capability procedure. For example, an individual incapable of working to required standards through no fault of their own should be taken through the capability procedure, whereas concerns about work performance due to carelessness, neglect or lack of effort should be dealt with through the disciplinary procedure as misconduct.

- Managers have a responsibility for setting realistic and measurable standards of performance, for explaining these standards to employees and for supporting employees to achieve the standards set.

- Managers also have a responsibility for making employees aware of the standards expected of them and where expectations change and develop over time, informing employees of these changes.

- All employees have a contractual responsibility to perform their duties to an acceptable standard and are expected to be proactive in terms of ensuring that they are clear and understand the standards of performance required of them.

### 3. Informal stage

- When there is evidence that an employee is not performing at an acceptable level, the line manager should investigate the circumstances without delay and make every effort to establish the reasons for the unsatisfactory performance.

- If, following this assessment, the line manager considers that the employee's performance is poor due to capability then an informal discussion with the employee will be arranged.

- At this meeting the key points to be covered by the line manager will be to make clear the areas in which the employee's performance is below expectations (explaining the grounds/evidence for this view) with the aim of identifying any problems or reasons for the unsatisfactory performance, which could be resolved. Solutions to the problem could include closer supervision, additional guidance, advice, training, coaching or some other kind of ongoing support to the individual.

- Give the employee the opportunity to explain their unsatisfactory performance and to raise any concerns they may have about the job, or the support and guidance they have been given to do it.

- Ensure that the employee is aware of the level of performance required in relation to each element of the duties about which there is a concern.

- Set a reasonable time frame within which improvement is expected and arrange a further meeting at the end of this time to review the situation.

- The content and outcome of this meeting will be confirmed by the line manager in writing to the employee, including the type of improvement required, any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review. The line manager should also make the employee aware of the consequence of failing to reach the expected standard of performance.

- When discussing unsatisfactory performance, line managers must be specific about their concerns and demonstrate evidence and/or give examples to support their assertions.

- At the end of the informal review period the line manager will need to write to the employee to confirm the outcome of the informal review period, stating either that performance targets have been reached, ending the process, or performance targets have not been reached, requiring a formal stage 1 meeting under the capability procedure.

- If there is an improvement in the performance which is not sufficient, then the informal review period can be extended to allow the employee to reach the required level and demonstrate they can maintain the improvement over a sustained period of time.

## 4. Formal stages

- Where an employee's performance fails to improve as a result of having being given relevant support, for example, guidance, advice, coaching or training, and performance remains below the required standard, then the formal stages of this procedure will apply.

- It is important to make it clear to the employee, the outcomes of the various stages potentially resulting in the following sanctions:

  Stage 1 – First Written Warning (12 months on file)
  Stage 2 – Final Written Warning (18 months on file)
  Stage 3 – Dismissal

- If an employee's unsatisfactory performance is sufficiently serious or gross negligence is alleged, it

may be appropriate to move directly to stage 2 or 3. This might occur where the employee's actions have had, or are likely to have, a serious or harmful impact on a setting, a service user or person. Alliance members can use their free 24-hour legal advice line prior to taking the decision to move to a higher stage.

- At any stage during the formal stages of the procedure, if the employee's performance meets the required standard and this is sustained, the process ends.

## 5. Stage 1 – Potential issue of First Written Warning

- If there is continued unsatisfactory performance, the employee should be invited to a formal meeting to discuss the matter. The meeting will normally be conducted by the line manager who will be accompanied by a trustee. At this meeting the employee will have the opportunity to explain their unsatisfactory performance.

- At the stage 1 meeting the employee will be reminded of the earlier informal discussions and the steps taken to support an improvement in their performance. They will be told as precisely as possible, the reasons for the manager's continued concerns about their performance.

- If, having heard any explanations offered by the employee, the line manager remains concerned and an extension is not appropriate, the line manager will write to the employee issuing them with a **First Written Warning** normally within 10 working days. The letter will indicate:

  1. the unsatisfactory performance
  2. the performance required
  3. the improvement required
  4. the timescale for improvement
  5. any review date
  6. any support that can be offered to assist the employee to improve their performance
  7. the consequence of not meeting the performance targets
  8. the right to appeal

- This warning will be placed on the employee's personnel file and will be removed as spent after a period of 12 months.

- At this meeting further consideration should be given to any additional training or support that

could reasonably be provided to the employee to enable them to reach the required standard of performance.

- A reasonable time period (immediately or within a reasonable timescale) will be set within which improvement is expected and a further meeting arranged at the end of this time to review the situation.

- If there is improvement in the performance which is not sufficient, then the first written warning can be extended to allow the employee to reach the required level and demonstrate that they can maintain the improvement over a sustained period of time.

## 6. Stage 2 – Potential issue of a Final Written Warning

- If the problem is more serious, or if there has been a failure to meet the performance targets set at the stage 1 meeting, the employee shall be invited in writing to a stage 2 meeting, normally with at least ten working days' notice. The letter inviting the employee to the meeting shall set out the issues to be considered.

- The meeting will normally be conducted by the line manager who will be accompanied by a trustee, as at the stage 1 meeting. At this meeting the manager will review the history of the case, including the steps that have been taken to support the employee to achieve the required level of performance.

- If no satisfactory explanation is given for the failure to meet the required standard of performance, the manager will write to the employee issuing them with a **Final Written Warning** normally within 10 working days**.** The letter will indicate:

1. the unsatisfactory performance
2. the performance required
3. the improvement required
4. the timescale for improvement
5. any review date
6. any support that can be offered to assist the employee to improve their performance
7. the consequence of not meeting the performance targets, for instance, that the employee may be dismissed if no acceptable improvement in performance is achieved within the given

timescale

8. the right to appeal as outlined in section 10 will apply (see below)

- This formal and final written warning will be placed on the individual's personnel file and will be removed as spent after a period of 18 months.

- Further consideration should be given to any additional training or support that could reasonably be provided to the employee to enable them to reach the required standard of performance. A review period (immediately or within a reasonable time scale) will be set within which improvement is expected and a further meeting arranged at the end of this time to review the situation.

## 7. Stage 3 – Potential dismissal

- If the employee does not improve as specified in the final written warning issued under stage 2, or where serious performance issues arise or gross negligence is alleged (and after such investigation as is appropriate in the circumstances), the employee will be invited to a stage 3 meeting. Where practicable the panel (who will decide the outcome) should consist of a minimum of two people not previously involved in stage 1 and 2.

- A letter will be sent to the employee, normally ten working days before a stage 3 meeting, detailing the purpose of the meeting, and the circumstances that have led the employer to consider dismissing the employee. The employee will be invited to make any written submissions. The employee will also be advised that one consequence of the meeting may be the termination of employment. Prior to the meeting the employee will be provided with copies of the papers that will be considered at the meeting.

- At the stage 3 meeting, the line manager normally will present the history of the case, including the steps that have been taken to support the employee to achieve the required level of performance. The employee's explanation will be heard and considered.

- The person conducting and hearing the case will consider the facts of the case and any representations made. On the basis of the information presented the chair may decide on the following outcomes:

1. that there are insufficient grounds to dismiss the employee under this procedure

2. extension or renewal of a warning or final written warning issued under this procedure

3. that the employee should be dismissed on grounds of capability (with

appropriate notice)

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

- The decision will be confirmed in writing within 10 working days of the meeting and will notify the employee of her or his right to appeal against any sanction. In the event that the decision taken is to dismiss the employee, the letter will include the reasons for the dismissal and the date that her or his employment will terminate together with details of any notice arrangements.

## 8. Representation

- The employee has the right, if they wish, to be accompanied by a workplace colleague or trade union representative at all formal (stage 1, 2 and 3) meetings.

- It should be noted that the representative/companion has no right to answer questions on behalf of the employee, to address the meeting if the employee does not wish him or her to do so, or to prevent the employer explaining its case.

## 9. Timescales

- Employees are required to take all reasonable steps to attend the meetings. However, should, for an unforeseen reason, either the employee, the line manager or their companion be unable to attend the meeting, it must be rearranged.

- An employee will receive a minimum of 48 hours advanced notice in writing of any stage 1, 2 or 3 meetings arranged under this policy from receipt of the letter to the addressee. This letter will include a statement which sets out the areas of unsatisfactory performance and any other relevant circumstances. Where witnesses are to be called by the manager or the individual, prior notice of this should be given.

- Should an employee's companion be unable to attend then the employee should make contact within 5 days of the date of the letter to arrange an alternative date that falls within 10 working days of the original date provided.

- Time limits may be extended by mutual agreement.

## 10. Right of appeal

- An employee has the right to appeal against any formal action taken against them in line with this procedure and must do so in writing to the identified person in their outcome letter, within

seven working days of the date of the outcome letter, stating their grounds for appeal.

- Normally for appeals, the Chair of the appeal meeting will not have had any prior involvement in the process.

- Normally an appeal meeting will be arranged with the employee together with the line manager of the manager who issued the sanction e.g. a trustee. This should happen within 15 working days of the employee's request.

- The appeal meeting will take into account any new evidence that either party may present and consider its relevance to the sanction imposed.

- Where an appeal is upheld, reference to the warning or dismissal will be removed from file. Alternatively, the outcome of the appeal hearing may be to impose a lesser penalty, for example, a final warning instead of dismissal. The outcome of the appeal will be set out in a letter to the employee.

- A letter detailing the outcome of the appeal should be issued within 10 working days of the appeal meeting.

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|---|---|---|
| This policy was adopted at a meeting of | Willaston Pre-school | *(name of provider)* |
| Held on | 11th May 2016 | *(date)* |
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| Signed on behalf of the provider | *J Piaf* | |
| Name and role of signatory | Jacqueline Piaf | |
| | Manager | |

## Sickness absence policy and procedure

## Key principles

Willaston Pre-school is committed to promoting the health, safety and wellbeing of it's staff by:

- providing appropriate support to facilitate staff retention and return to work after illness, for example through a phased return, flexible working and making reasonable adjustments
- tackling issues which may result in absence due to work related stress
- encouraging attendance, monitoring absence and the cost of sickness absence;
- working with unions and health and safety representatives to identify actions and preventative measures to promote the health, safety and well being of staff

The sickness absence policy aims to ensure that absence is managed in a consistent, supportive and effective way so that operational and service levels are maintained. This policy applies to all staff with a contract of employment.

This policy explains:

- keys steps for effectively managing absence
- procedures to be followed by staff
- how the setting works with employees to keep absence levels to a minimum

**Types of sickness absence**

Not all patterns of absence fall neatly into one of the following groups and/or the pattern may change over a period of time, so some flexibility of approach may be needed.

*Frequent short-term sickness absence*

This is when an employee has been absent from work through sickness or injury on a number of occasions within a defined time frame, or absences which fall into a pattern over the same period.

*Long-term sickness absence*

This is when an employee has been, or is expected to be, absent from work for more than four consecutive weeks.

**Managing short-term and frequent intermittent absences**
The procedures relating to sickness absence reporting and management are set out below.

*Notification*

If you are absent due to sickness on a normal working day, you must notify your manager, or other designated member of staff:

- by telephone - speaking to the manager or deputy as soon as possible and no later than 7:30 am on the day you are unable to work
- you will need to state the reason for your absence and the expected duration of your sickness absence where known. If we do not hear from you within an hour of your normal start time your manager will endeavour to contact you at home. If you are unable to call yourself you may ask someone to make contact on your behalf. However, you must ensure you speak with your manager later the same day or as soon as practicable thereafter. If you are off for more than 3 consecutive working days, you must contact your manager by the fourth day (or next working day). Your manager may ask that you contact them before this where, for example, cover arrangements may need to be put in place. For longer periods of absence, you should maintain regular contact with your manager, normally weekly (longer by agreement with your manager).

We acknowledge that there may be exceptional circumstances which prevent the member of staff from meeting the reporting and certification requirements, for example, in the case of a severe injury / hospitalisation.

- Employees must have ceased to experience diarrhoea and vomiting for 48 hours before returning to work.

*Record keeping and certification*

**Days 1 - 7 of sickness absence**

For the first 7 calendar days of continuous sickness absence (i.e. including non working days), you do not need to obtain a note from your G.P. to cover your absence. When you contact your manager to inform them about your absence and the reasons for this, your manager or other designated person will record this information. On your first day back at work you must notify your manager or another designated person to confirm the dates of your sickness absence and the reasons for absence. Where practicable, you will receive a back to work interview. This process gives you the opportunity to check and confirm your absence record and ensure the information held is correct. It is your responsibility to inform your manager if you think your sickness absence record is incorrect when you have your back to work interview.

**Sickness absence that exceeds 7 days**

For absences that exceed 7 continuous calendar days (including non-working days) you must provide a Med 3 form which is a 'Statement of fitness for work' or evidence of a doctors appointment and or prescription.

You are responsible for ensuring your medical Statements reach your manager promptly. Periods of absence that are not covered by a Statement will not qualify for occupational nor statutory sick pay, however, each case will be considered on its merits before occupational sick pay is withheld. If your G.P. provides advice that you may be fit for work you should notify your manager as soon as practicable. You should send your Statements to your manager or other designated person who will arrange for this to be logged electronically and passed to the payroll team for processing. If the Statement is not received by the twelfth consecutive day of sickness, you may not be entitled to occupational sick pay.

**Sickness absence that occurs because of dependents**

Willaston Pre-school is aware that it's staff have families that are sometimes needing extra support; either due to illness or accidents. Appointments with dependents will be considered and can be taken without pay or a swap of hours with an agreeable member of staff. Illnesses of dependents, either children or aging parents- 1 day will be given then the staff member must either swap with an agreeable member of staff or take the time without pay.

**Managing absence**

In order to manage sickness absence effectively and consistently we will seek to support staff during periods of illness and use the following interventions and procedures to facilitate a return to work, retain staff in employment and improve attendance:

- Return to work discussions and/or interviews
- Staff to keep in touch during absence
- Monitoring and recording absence
- Carrying out sickness review meetings
- Providing management support
- Seeking medical reports
- Managing absence through the procedures detailed below or through the disciplinary procedure where appropriate

**Return to Work Discussions**

All staff will have a return to work discussion with their manager, normally on their first day back at work.

Absence is monitored over a 12 month rolling period. So current absence will be calculated from the date of review for the previous 12 month period. If a period or pattern of absence continues beyond 12 months, such previous absence may be considered as part of the ongoing absence review. The content of return to work discussions will vary depending upon the length, type of absence and concerns in relation to your sickness record. It is likely to be a brief conversation about your health and offer of support; however, it may be a more detailed discussion or meeting depending upon the issues.

**Your manager will**:

- acknowledge and welcome you back to work;
- find out the reason and cause of absence if this is not known;
- make sure you are well and fully fit to return to work, taking into account any recommendations from your G.P. where relevant
- bring you up to date with any changes or news.
- Sickness information will be held confidentially and access restricted to authorised personnel within Willaston Pre-school.

**Short Term Sickness**

If your attendance, due to short term or intermittent absence, becomes a matter of concern, for example, persistent short term absences or a pattern such as Monday/Friday absences before/after Bank Holidays and preschool closures, your manager will discuss this with you informally with a view to resolving issues and improving attendance. Poor attendance and reliability issues may have a negative impact upon colleagues, workloads and team effectiveness.

The following procedure aims to provide a consistent approach to managing short term absence initially through informal interventions and where attendance does not improve / attendance targets are not met and concerns continue, through a formal process. If attendance has not improved and there is no underlying medical condition, poor attendance may become a disciplinary matter. Ongoing absence issues will be managed through the long term sickness and capability process if it becomes clear that the sickness absence is:

- long term (likely to exceed 20 consecutive working days); and/or
- related to a disability; or
- related to a known underlying medical condition.

**Informal Stage:**

Initial sickness review meeting-You will be required to attend an initial sickness review meeting with your manager if you have:

- more than 10 self certificated working days sickness within a 12 month period (pro rata for part time staff); or
- 4 periods of absence within a 6 month period or;
- a pattern of absence that is of concern (e.g. Mondays / Fridays or absence following bank holidays).

**Purpose of meeting**

The initial sickness review meeting should aim to:

- identify any contributing issues and how these may be resolved;
- establish whether there is an underlying medical condition or disability (this may involve seeking further medical advice)
- consider what other support may be needed; and
- encourage a member of staff to improve their attendance at work through agreed attendance targets.

**Formal Stage**:

**Formal sickness review meeting**

A formal review meeting will be held with you if your attendance remains of concern and there is no underlying medical condition.

**Reasons for a formal meeting may be that**:

- attendance targets have not been met; or
- there has been no sustained improvement; or
- self certificated sickness absence has reached 20 working days (pro rata for part time staff) within a 12 month period; or
- the pattern of absence is a cause of concern.

You will be given at least 5 working days written notice to attend a meeting

**Purpose of meeting**

At this meeting, your manager will:

- review your attendance;
- discuss how this may be improved;
- review the improvement targets;
- discuss any management support or other needs.

**Ill Health Capability Review**

**Undertaking a Capability Review**

In some cases of long term continuous or intermittent sickness absence, Willaston Pre-school will need to consider your capability / fitness for work where:

- there is no predicted date of return;
- medical evidence indicates that an individual is permanently unfit for work;
- a return to work may be unlikely within a reasonable timescale;
- there is a high level of intermittent absence;
- the member of staff is not able to fulfil their job role effectively (after appropriate interventions to facilitate their return or improve their attendance).

**A capability review will consider whether**:

- Further investigation is required, for example, if recovery is taking longer than predicted or there has been a recent deterioration in relation to health or a disability. Further medical advice and relevant specialist reports may be requested to ensure any decision takes into account up to date medical information.
- Reasonable adjustments have been made where this is appropriate and whether there are any further reasonable adjustments.
- A phased return, alternative duties, or flexible working have been discussed and considered where appropriate.

**Withholding occupational sick pay**

In some cases Willaston Pre-School may take a decision to withhold or suspend occupational sick pay where:

- the notification of sickness absence procedures and certification requirements are not adhered to;
- recommended treatment is not followed;
- self-certificated absence is persistent / short term and becomes a disciplinary matter;
- sickness absence follows notification of a disciplinary or capability hearing or investigation;
- there is a failure to cooperate with, or abuse of, the absence policy and procedure.

You will be given notice in writing that your occupational sick pay will be suspended or withheld. Occupational sick pay will cease if you do not adhere to the requirements stated within this policy.

*Update June 2020- Coronavirus*

If a child or staff member develops symptoms (coughing, temperature or change to sense of taste or smell) they will be isolated until they can be sent home (children will be isolated with the facilitator). Parents of the children who have been in contact with the person with symptoms will be notified that someone with symptoms has been sent home. The person with symptoms will be required to take a test to see if they have Coronavirus. If they are NOT testing positive they can return to Pre-school; if they do have the virus they will need to isolate for 7 days or until they symptoms have gone. Anyone who has been in contact with them will need to isolate for 14 days. The latest government guidance can be access from https://www.gov.uk/government/publications/coronavirus-covid-19-implementing-protective-measures-in-education-and-childcare-settings/coronavirus-covid-19-implementing-protective-measures-in-education-and-childcare-settings

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| This policy was adopted at a meeting of | Willaston Pre-school | *(name of provider)* |
| Held on | 2nd May 2019<br>Revised 3 June 2020 | *(date)* |
| Reviewed | Sept 2020 | |
| Date to be reviewed | Sept 2021 | *(date)* |
| Signed on behalf of the provider | *J Piaf* | |
| Name and role of signatory | Jacqueline Piaf<br>Manager | |

Other relevant staff policies e.g Confidentiality, Online safety and No Smoking.

Please refer to General policy document

**Employee rights under the Access to Medical Reports Act 1988**

1. You can ask to see the medical report before the setting receives it. This request for access can be made either:

    a) to the setting when you grant us permission to obtain it (in which case we will tell the doctor of your request and let you know when we apply for the report)

    b) direct to the doctor at a later date, but before the report is supplied to the setting

2. If you ask to see the report:

    a) you must contact the doctor to arrange access within 21 days of the setting applying for the report, otherwise the doctor can give the report to us without showing it to you and without your consent. (Under 1(b) above you must contact the doctor within 21 days of notifying that you wish to see the report)

    b) having seen the report, you can ask the doctor (in writing) to amend anything which you think is incorrect or misleading; if the doctor does not agree, a statement of your views will be attached to the report at your request

    c) provided you have seen it, the report will not be given to us unless you give the doctor your consent

3. You will not be entitled to see any part of the report which:

    a) the doctor believes could seriously harm your physical or mental health, or that of others

    b) indicates the doctor's intentions in respect of you

    c) reveals information about another person, or the identity of someone who has given the doctor information about you (unless that person consents or is a health professional involved in your care)

4. The doctor will tell you why access to the whole or part of the report is refused. Your rights of amendment will apply only to the disclosed part of the report. The doctor will only give the report to the early years setting with your consent.

5. You do not have to give the setting permission to obtain a medical report. (However, the inability to obtain up-to-date medical information may affect decisions made about your

employment with the setting).

6. You may ask to see any medical report relating to you which the doctor has provided for employment purposes in the last six months (if prepared on or after 1 January 1989). Such a request should be made to your doctor.

| | | |
|---|---|---|
| This policy was adopted at a meeting of | Willaston Pre-school | *(name of provider)* |
| Held on | 10th May 2018 | *(date)* |
| Reviewed | June 2019, Sept 2020 | |
| Date to be reviewed | Sept 2021 | *(date)* |
| Signed on behalf of the provider | *J Piaf* | |
| Name and role of signatory | Jacqueline Piaf<br>Manager | |

Please sign to confirm you have read and understood our Policies and Procedures.

Name

……..…….....

Your signature

……..…….....

Date ……..……..……..