10 Staff Policy

# **10.09 Employment and Safer Recruitment Policy**

**Policy Statement**

Parley Community Pre-school will evaluate and review every vacancy and is committed to equality of opportunity and non-discrimination in its recruitment and employment practices and aims to ensure that employment and progression within its organisation are determined solely by application of objective criteria and personal merit.

We actively promote equality of opportunity for all, with the right mix of talent, skills and potential, and welcome applications from a wide range of candidates for interview, based on their skills, qualifications and experience.

No job applicant, trainee applicant, employee or trainee will be treated less favourably than another.

We will meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that our staff are appropriately qualified, and we carry out checks for criminal and other records through the Criminal Records Bureau in accordance with statutory requirements.

**Procedures**

# **Advertising Vacancies**

In the interests of equal opportunities, all job vacancies will be advertised in good time and in a variety of places to attract applications from the wider community. Examples include, social media, newsletter, childcarejobsdorset.co.uk

The advert will state clearly and concisely our organisation, location, and the pre-school’s specific requirements. The job title, qualifications required and key responsibilities will be listed. Details of how to apply and a closing date will be given. The advertisement will not use discriminatory language, unnecessary jargon or superfluous details.

**Vetting and Staff Selection**

* We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.
* All staff are given a Contract of Employment, a Disciplinary and Grievance Procedure and a job description (which sets out their staff roles and responsibilities), in accordance with relevant legislation.
* 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 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.
* 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.
* Parley Community Pre School follow the Safer Recruitment Procedures and regularly update their training on this.

**Interviewing Candidates**

We will shortlist those candidates who most meet the requirements of the job, inviting them for interview. The pre-school will endeavour to provide any special facilities requested by the candidate, prior to the interview, to prevent any discrimination. The interviewing team will be one member of the committee, and one/both of the Pre-school Managers. The candidates will also be asked to ‘meet and play’ with the children under the supervision of other staff members. Parley Community Pre-school will avoid making biased judgements and select the best candidate for the job, based on the recommendations from the interview panel and in discussion with the manager following the ‘meet and play’.

**Recruitment and Selection Procedure.**

* Assess the vacancy and compile a job description and person specification for the position.
* Advertise and shortlist applicants against the job description.
* Interview for the vacancy.
* Check applicant’s identity at the interview with appropriate documents, eg. Birth Certificate, Passport (ensuring that any photographs and dates of birth are consistent with the appearance of the applicant, and checking that expiry dates have not passed).
* Establish applicant’s identity if the name has changed, eg Marriage Certificate, divorce details, deed poll documentation.
* Ensure the applicant has the relevant training, qualifications (photocopying certificates) and experience.
* Arrange for a medical check where required, to be undertaken to ensure mental and physical suitability of candidate to carry out their role in childcare prior to their employment and into the future.
* Arrange for checks to be carried out through the Disclosure and Barring Service (DBS) using only the recommended providers and take up references.
* Notify OFSTED of the appointment of a new staff member and if appropriate, that an existing staff member has left.
* Confirm that the applicant is eligible to work in the UK by checking and photocopying original documents as per current guidelines.
* Check any gaps in employment.
* Await clearance from the Disclosure and Barring Service, receive confirmation of medical suitability and have copies of the relevant references, before setting the start date.
* Ensure the new employee is aware of the 12 week probationary period.
* Prepare an induction programme for the new staff member.

**Disqualification**

* 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.

**Changes to Staff**

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

**Training and Staff Development**

* The pre-school Manager(s) must hold at least a full and relevant level 3 qualification and at least half of all other staff must hold at least a full and relevant level 2 qualification. The Manager(s) should have at least two years' experience of working in an early years setting, or have at least two years' other suitable experience. There will always be one Manager on site when the Pre School is open with Children. In the event of both managers being off the setting will need to close for that time. As much notice as possible will be given to parents/carers.
* It is the aim of the pre-school to provide opportunities for training for all staff and volunteers. The pre-school aims to financially help and support all staff, in order that they may access training whenever possible. The training may be: -
* In house training, keeping current with information on a wide variety of issues.
* Informal workshops to update knowledge and skills.
* Working towards a recognised qualification, eg National Vocational Qualification.
* Other training.
* If a staff member decides that they would like to undertake training and needs to access financial support from the pre-school, then they are to approach management giving full details. The request should include all expected costs and be made before training commences. The managers will consider each application.
* Staff attending training courses will receive their normal rate of pay if the course is run during pre-school hours. Staff will be paid overtime at their normal rate of pay for mandatory training outside of pre-school hours for example First Aid, Food Hygiene and Safeguarding.
* Parley Community Pre-school must make staff aware that should an individual cease to offer their services or leave employment at the setting, then repayment of the sums paid towards training costs of an individual course may be required to an amount that keeps them above the National Minimum Wage. This will be discussed with the manager Rachel McDonald and Treasurer. This will take the form of a sliding scale as follows: -

Leaving the Pre-school: -

* Within 6 months of training Reimburse all costs met by the Pre-school
* Within 6 – 9 months of training Reimburse 60% of costs met by the Pre-school
* Within 9 – 12 months of training Reimburse 40% of costs met by the Pre-school
* Over 12 months of training No reimbursement necessary
* 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. All other policies and procedures will be introduced within the 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. Staff will only work directly with the children if medical advice confirms that the medication is unlikely to impair their ability to look after children properly.
* Staff medication on the premises will be stored securely and kept out of reach of the children at all times.
* If we have reason to believe that a member of staff is under the influence of alcohol or any other substance that may affect their ability to care for children, they will not be allowed to work directly with the children and further action will be taken.

**Managing Staff Absences and Contingency Plans for Emergencies**

* Parley Community Preschool is a term time only setting, staff take their holiday breaks when the setting is closed. 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.
* Sick leave is monitored and action is taken where necessary, in accordance with the contract of employment.
* Notification of absence from work due to illness or any other cause should be made on the first day that you are absent from work to the pre-school chair or leader. You are entitled to 4 days’ sick pay during the school calendar year.
* Keep in touch – leaders, chair and staff should keep in contact. We need to know how you are feeling and when you are likely to return to work. In some cases there may be the need for a return to work plan.
* Leaders will record and monitor all sickness absence. It is still important to know the cause of your sickness,
* When you return to work the leader will conduct a return to work interview. This in many cases will be a simple welcome back but the managers may need to discuss actions to help your performance at work or underlying issues if short-term absence is frequent.
* A Fit Note (or The Statement for Fitness for Work), is a Medical Statement that GPs issue and replaced the sick note several years ago. It aims to focus on what you may be able do at work rather than what they cannot do. You do not always need to be 100% ‘fit’ to be able to do some work – indeed, work can help your recovery from health problems.
* You must give one of the managers a doctor’s ‘**fit note**’ (sometimes called a ‘sick **note**’) if you are off sick for more than **7** **days** in a row (including non-working **days**).
* **MEDICAL APPOINTMENTS** - **Hospital, doctor, dental appointments**
* Hospital, doctor or dentist appointments if for part of a working day should not be counted as sick leave and therefore not counted for statutory sick pay. Such appointments should be arranged out of working hours if at all possible or so as to give minimal disruption to the working day. Time taken during working hours for the above appointments will be paid and the dates and times of the appointments should be recorded by the manager but not classified as sick leave. When requesting leave, the individual should provide their manager with appropriate documentation confirming the appointment where appropriate. When the appointment requires a whole mornings absence, this will be recorded as sickness absence. Appointments relating to surgery or dentistry for cosmetic purposes should be arranged outside working hours
* **Ante-Natal Care**
* An employee who is pregnant and is receiving ante-natal care on the advice of a registered practitioner has the right to paid time off with pay for the appointment. The individual should provide evidence of the appointment and (following the first appointment) produce a certificate stating that she is pregnant.
* Paid leave for parenthood classes is at the manager's discretion. If classes are not available out of normal working hours, requests for such leave should be considered favourably where possible. Post-natal care and fertility treatment should be treated the same as hospital, doctor and dental appointments.
* **Cancer screening**
* Members of staff will be granted time off for the purposes of cancer screening where they cannot make visits in their own time.
* **BEREAVEMENT LEAVE**
* Bereavement leave applies regardless of length of service. Employees may be granted up to a total of 5 days paid time off following the death of any of the people listed below:
* own child
* next-of-kin or nominated next-of-kin
* partners (including same-sex partners)
* parents
* parents of partner, if the employee is responsible for funeral arrangements
* Employees may be granted up to 2 days paid time off following the death of an immediate close relative not listed above.
* These provisions are not meant to limit the manager's discretion as each request for such leave will need to be judged on the circumstances of the cases. For example some people may have been raised by their grandparents, aunt/uncle, brother/sister and therefore a longer leave period would be in order.
* If the employee has to travel to another country (e.g. where the funeral is to take place or where their family is) this may be extended up to a further 5 days paid time off (i.e. a maximum total of 10 days). Such cases will be treated individually according to the distance to be travelled.
* Where appropriate, employees may be granted up to 1 day's paid leave to attend a funeral of a close friend or other relative. Managers will be sympathetic to individual requests for annual leave to cover other contingencies relating to a bereavement.
* **CARERS' LEAVE**
* **Legislative background**
* The Employment Rights Act 1999 (ERA) gives a right to every employee, regardless of length of service, to take a reasonable amount of unpaid time off work "to take action which is necessary" to help when a dependent gives birth, falls ill or is injured or assaulted. A "dependent" in this context means spouse or civil partner, partner (including same-sex partner), child or parent of the employee or any member of the employee's household who is not their employee, tenant, lodger or boarder. Where time off is to take necessary action to help when a dependent falls ill or is injured or assaulted, the definition extends to "any person who reasonably relies on the employee for assistance" on such an occasion. That means an individual for whom the employee is the only person who can help - for example, an elderly neighbour with no relatives or other neighbours, who is living alone and who falls and breaks a leg. In all cases, the right is limited to the amount of time that is reasonable in the circumstances of the particular case. In most cases, whatever the problem, one or two days will be the most that is needed to deal with the immediate issues and sort out longer-term arrangements if necessary.
* **Who is eligible for Carers' leave?**
* Carers' leave will be granted to all employees, regardless of length of service. The policy applies to all staff who have caring responsibilities for dependents such as
* employee's own child(ren)
* next of kin or nominated next-of-kin
* partners
* parents/parents of partners
* Staff may be granted up to 5 days Carer's leave with full pay within any 12 month period. They may be granted up to a further 5 days unpaid leave per year. This will not affect annual or sick leave provisions and staff are not required to exhaust their annual leave before special leave is granted.
* **When the Carer's Leave policy applies**
* Staff have a wide range of caring responsibilities and are entitled to receive Carers' leave for the following:
* Illness of anyone dependent on the employee where their situation requires the employee to look after them;
* Unforeseeable breakdown of normal caring arrangements for any of the above (e.g. sick childminder, closure of school, nursery, day centre or other regular form of provision);
* Accompaniment of a dependent to a GP, dentist, clinic or hospital;
* Attendance at appointments concerning the welfare and care of above (e.g. child guidance, making arrangements for resettlement of people in long-term sheltered accommodation/nursing home/psychiatric care etc.).

**Legal Framework**

* Health and Safety at Work Act (1974)
* Disability Discrimination Act (DDA)
* Employment Rights Act (1996)
* Employment Rights Act (2002) (dispute regulations) 2004
* General Data Protection Regulation (GDPR) (25th May 2018)