

17. Employment Probation periods

Most new employees, except those on short terms contracts, are placed on probation for a period of six months. The objectives of this probation period are to:

- set and assess performance with standards and targets;
- discuss future objectives, priorities and targets;
- determine training needs;
- discuss personal development; and
- ensure that you are capable of and willing to fulfil the requirements of the job.

During the probation period, and throughout any extension of the probationary period, employment may be terminated by either Cranmer Preschool or yourself giving one week's notice in writing. Thereafter, termination will be governed by the notice period detailed in your statement of terms and conditions of employment.

Probation periods can be extended. Regular performance reviews should continue during the extended period.

If your contract of employment has been terminated as a result of the probationary process, then you will have a right of appeal.

Induction

Through our induction practices we seek to ensure the effective integration of new employees into the organisation for the benefit of both new employees and the early years setting. Your induction programme will normally consist of physical and organisational orientation, health and safety information, an explanation of the terms and conditions of employment and a clear outline of the role and its requirements.

Your manager will arrange for you to have a comprehensive and useful induction.

Supervision

Supervision meetings are a two-way discussion between a staff member and the line manager. For these meetings to be effective, each person must take equal responsibility, for ensuring effective communication and co-operation, and recognition of the value of supervision.

Supervision meetings seek to ensure that you are clear about what your job involves, what the setting wants you to do, and for you to be supported to do your job well. The meetings are there to set and communicate standards and to ensure that you understand the standards that have been set and how you are expected to meet them.

You are expected to produce work to the expected standards and strive for continuous development. We also expect an open, non-defensive response from you when your work is being discussed. In return you will be supported to deliver excellent performance.

Appraisal

The appraisal meeting is a process of looking backwards to analyse past job performance, and looking forward with a view to improving future performance. The overall objective of the appraisal process is to help employees to maximise their job performance for the joint benefit of themselves and the early years setting.

Regular meetings will take place throughout the year to review the objectives set and progress made against them.

Managing sickness absence

It is Cranmer Pre-Schools practice to support employees who are genuinely sick and unable to come to work and to act reasonable at all times in its dealings with employees.

We manage attendance by encouraging all its employees to attend work regularly. To achieve this we will:

- review your sickness record to assess what action to take;
- consult with you;
- obtain up-to-date medical advice;
- advise you when your employment is at risk;
- meet with you to discuss the options and consider your views on continuing employment;
- review whether there are any other jobs that you could do prior to taking any decision on whether to dismiss;
- allow a right of appeal against any decision to dismiss you on grounds of long-term ill health; and
- if an appeal is requested, then to hold an appeal meeting.

Discipline

Disciplinary procedure

Our disciplinary procedure is designed to encourage all employees to achieve high standards of conduct, attendance and work performance. The procedure provides a fair, effective and consistent method of dealing with disciplinary matters.

You are expected to know the standard of conduct or work performance expected of you.

You will be allowed to respond to any alleged fault or failing.

You are always entitled to be accompanied by a work colleague or a recognised trade union representative at a disciplinary meeting.

For minor or isolated infringements of rules or expected behaviour, the early years setting may give you informal advice, coaching and guidance.

If your conduct or performance fails to improve as a result of this advice, coaching or counselling, or where the offence is more serious, then the disciplinary procedure will be applied.

We consider the following issues to constitute gross misconduct:

- a) theft or fraud;
- b) ill-treatment of children;
- c) assault;
- d) serious bullying or harassment;

- e) serious insubordination;
- f) serious failure to comply with policies, procedures and legal requirements that safeguard children;
- g) bringing the organisation into serious disrepute;
- h) malicious damage;
- i) gross carelessness which threatens the health and safety of others;
- j) deliberate damage to property;
- k) being unfit through use of drugs or alcohol;
- l) serious breach of the early years setting's and statutory policies; and
- m) bribery.

This is not an exhaustive list.

Overview of the disciplinary process

Prior to the disciplinary meeting the early years setting will send you written details of your alleged conduct or characteristics, or of the circumstances which have led to the contemplation of taking disciplinary action.

You will be invited to attend a disciplinary meeting to discuss the matter. You will also be informed of your right to be accompanied by a work colleague or trade union representative.

You will be given an appropriate amount of notice of the meeting in order to prepare your response.

At the meeting, the circumstances of the complaint against you will be fully discussed and you will be provided with an opportunity to respond to the management case. We will then decide whether or not to issue a disciplinary penalty. The outcome of the disciplinary meeting will be confirmed in writing, and will include information on the right of appeal and to whom to address any appeal letter.

If you wish to appeal you must inform us in writing, clearly setting out the grounds for appeal. An appeal meeting will then be arranged.

Capability procedure

Our capability procedure 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. The procedure seeks to establish whether a concern about work performance is a misconduct or capability issue. Performance concerns due to lack of knowledge or skills are normally addressed through the early years setting's capability procedure. For example, if you are incapable of working to required standards, through no fault of your own, then this will be

addressed via the setting's capability procedure. However concerns about work performance due to carelessness, neglect or lack of effort are dealt with through the disciplinary procedure as misconduct.

Grievances

If you have a complaint about your individual circumstances at work, then you are entitled to raise a grievance. The key steps for resolving a grievance are:

- Discuss ordinary day-to-day issues informally with your line manager through supervision meetings, or if necessary request a separate meeting. Where this is not possible, you should raise your concerns verbally with the next level of management, prior to raising a formal grievance.
- If after seeking to resolve your concerns informally you are not satisfied, then write to the early years setting, explaining your grievance.
- We will invite you to a meeting to discuss the grievance. You will have the right to be accompanied at the meeting by a work colleague or trade union representative. The outcome of the meeting will be confirmed to you in writing.

You will have the right of appeal. Following an appeal the final decision will be confirmed to you in writing.

Dignity at work

We are 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.

Our procedures provide a fair, effective and consistent method of dealing with matters relating to bullying and harassment. Examples of what we deem to be unacceptable behaviour include:

- unwanted physical contact;
- spreading offensive or malicious rumours, or insulting someone (particularly on the grounds of gender/age/religion or beliefs/race/disability/sexual orientation/marriage or civil partnership/pregnancy or maternity/gender reassignment);
- 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, display of offensive materials or jokes;

- offensive or suggestive literature or remarks;
- embarrassing, threatening, humiliating, patronising or intimidating remarks;
- deliberately undermining a competent worker;
- preventing individuals progressing by intentionally blocking promotion or training opportunities;
- using electronic means or social networks to bully, harass, demean or offend someone;
- physical or verbal assault; and
- 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 [a more senior manager /committee member].

Whistleblowing

It is important to Cranmer 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.

- Report any concerns to your line manager. If this is not possible, then report your concerns to a more senior manager/[the owner/the committee].
- 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.
- 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 qualified disclosure 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 a false allegation then this will be considered to be 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/[the owner/the committee].

In-house and External training

During the first year to 18 months, the following mandatory training must be undertaken.

<i>Training Area</i>	<i>Who Should Attend</i>
<i>By month 3</i>	
Child protection and safeguarding	All
Health and safety, inc. risk assessment/manual handling	All
Organisation induction/ supervision/ appraisal Statutory Requirements	All
EYFS	All
Keyperson role	
<i>By month 6</i>	
Paediatric First Aid	All
Safe guarding and The Prevent Duty	All
British Values	All
Food hygiene	All
<i>By month 12</i>	
Equality and diversity	All
Characteristics of Effective Learning	All
Safer recruitment	Admin/ Manager
Discipline and grievance [and capability]	Admin/ Manager
Absence management training	Admin/ Manager

Redundancies

We aim to manage our business in such a way that redundancies are unlikely to become necessary. However, in the unlikely event that our circumstances change and the result is that fewer employees are needed, then some redundancies may become necessary. In this case, we will take appropriate steps to keep the number of redundancies to a minimum, whilst taking into account the needs of the business.

Where it becomes necessary for us to consider redundancies, a genuine and thorough consultation process will take place. The objectives of consultation will be to:

- reach agreement with employees or their representatives on the above issues;
- avoid the need for redundancies wherever possible;
- reduce the number of employees who are to be made redundant to a minimum;
- determine the criteria to be used to select employees for redundancy; and
- lessen the consequences of any dismissals.

An employee who is made redundant will be eligible for a statutory redundancy payment provided that he or she has at least two years' continuous service.

The amount of any statutory redundancy payment is based on three factors: an employee's age, salary and length of service. An employee is entitled to receive:

- half a week's pay for each year of employment in which the employee was aged 21 or under;
- one week's pay for each year of employment in which the employee was aged between 22 and 40; and
- one and a half week's pay for each year of employment in which the employee was aged 41 or over.

The maximum number of years of employment that can be taken into account is 20. There is also a cap on a week's pay which is used to calculate a week's pay.

Drugs and alcohol

We aim to promote the general well-being of all employees, to avoid unnecessary illness, absences and accidents, to improve work performance and to provide a working environment which ensures, as far as possible, the health and safety of all employees.

If you suffer from an alcohol or drug addiction, then you are expected to notify your line manager. It is a disciplinary offence to attend work where the use of either alcohol or drugs impairs the safe and efficient running of the setting, or the health of our employees and service users.

Employees working for other employers

We recognise that employees may want to take up other employment in their spare time, whether paid or unpaid, and/or pursue outside business interests in their spare time, whilst still remaining in the employment of the setting. Although we have no wish to unreasonably restrict your external activities, we must protect our own interests and those of all our employees. For this reason, we require you to seek written permission from your line manager prior to undertaking any other paid or unpaid work.

We will not permit you to undertake any outside business activities, whether paid or unpaid, or take on any other work outside working hours, where we consider that this is in conflict with our interests.

Working hours

We expect you to work your full contractual hours each week. If you do not perform your full contractual hours, your salary payment will be adjusted accordingly.

Overtime

From time-to-time you may be required by Cranmer Pre school to be available to work overtime in excess of your normal working hours, although we do not guarantee that overtime will be available to you.

For details of the overtime rates, please contact your line manager.

Part-time employment

We recognise the benefits that can be gained from part-time working. It is appropriate where the workload/duties of a job can be undertaken in less than full-time hours, or when the workload or duties of a job allow job-sharing, and where initiatives are needed to attract and retain employees. Part-time employees, irrespective of hours worked, will be entitled to the same contractual benefits on a pro-rata basis as full-time employees doing the same job, unless there is an objective reason for offering a different level of benefits.

Claiming expenses

You are required to only claim expenses in line with Cranmer Pre-school expenses procedures. Normally expenses must be agreed in advance and a receipt for all expenses should be submitted with all claims. Expenses should only be incurred wholly and exclusively on business that relates to the early years setting.

Failure to follow this procedure could result in your claim being declined and disciplinary action being taken against you.

If you are unclear about the expenses procedure or need further guidance, please contact your line manager.

Change of personal details

If you change your address, contact details, next-of-kin details or bank account, you are required to

immediately inform us so that our records are up-to-date. If you change your name by marriage or deed poll, then the original relevant legal document must be presented to us for review e.g. marriage certificate.

Equality and diversity

Cranmer Pre school is committed to recognising, valuing and respecting the diversity of its employees, service users, volunteers and job applicants. We recognise that everyone has a contribution to make and we aim to ensure that all individuals with whom we have contact will be treated in a fair and consistent manner.

We recognise that certain people face discrimination based on factors such as their race, ethnic or national origins, religious and political beliefs, gender, disability, sexuality, age, marital status and linguistic ability. With this in mind, we will work within the current legislative framework and within the sphere of best practice in order to promote equality and value diversity, and work to address unfair treatment, discrimination and prejudice where found within the workplace.

It is expected that the principles of diversity and equality will underpin all of our work, and the work of our employees.

Data protection

The Data Protection Act 1998 is intended to protect people's privacy by controlling the use of personal information held on computer and filing systems. Cranmer Pre-school holds and processes the data it collects about you during your employment only for the following purposes:

- administration and management of employees;
- our business; and
- compliance with relevant procedures and laws.

All data is treated with absolute confidentiality and security measures are taken at all times.

If you are dealing with data relating to the early years setting or its users you must take adequate precautions to ensure confidentiality, and to protect Cranmer Pre-school and its employees from any liabilities.

We expect all employees to observe the Data Protection Act 1998 when collecting, processing and storing early years setting related data. For further guidance please contact your line manager.

Computers and electronic communications

E-mail and internet use

We encourage our employees to use e-mail and the internet at work where this can save time and

expense. However, we require that you ensure that your communication is well structured and professional, just as if a letter was being sent.

If you are unsure about whether something you propose to do might breach this e-mail and internet guidance, then you should seek advice from your line manager.

Personal blogs

You are free to set up personal weblogs or 'blogs' on the internet, provided that they do not breach the law; disclose any of the early years setting's confidential information; breach copyright; defame the company or its suppliers, customers or employees; bring the organisation into disrepute; or disclose personal data or information about any individual that could breach the Data Protection Act 1998.

Social networking websites

Cranmer pre-school respects employees' right to a private life. However, we must also ensure that confidentiality and our reputation are protected. If you use social networking websites, we therefore require you to:

- refrain from identifying yourselves as working for the early years setting;
- ensure that you do not conduct yourself in a way that is detrimental to the early years setting; and
- take care not to allow your interaction on these websites to damage working relationships between employees and service users of the early years setting.

Cyber bullying

We are committed to ensuring that all of our employees are treated with dignity and respect at work. Bullying and harassment of any kind will not be tolerated in the work place. We provide clear guidance on how bullying and harassment can be recognised. Cyber-bullying methods could include using text messages, mobile phone calls, instant messenger services, by circulating photos or video clips or by posting comments on web sites, blogs or in chat rooms. Personal blogs that refer to colleagues without their consent is also unacceptable. Employees who cyber-bully a colleague could also face criminal prosecution under various laws, including the Malicious Communications Act 1988.

Telephone use

We provide employees with access to the telephone for work-related purposes.

However, if there is an urgent personal call that you need to make, then you are able to use the early years setting's telephone or use your personal mobile, provided that this does not interfere with your work, nor take up an unreasonable amount of time. You will need the permission of your line manager.

Monitoring

Cranmer Preschool reserves the right, but not the duty, to monitor any and all aspects of its electronic resources. This includes: data, email and voice mail boxes, and other employer provided electronic storage systems. We reserve the right, for business and security purposes, to audit and monitor the information on all systems, electronic mail, telephone and information stored on computer systems or media, without advance notice. We also reserve the right to retrieve the contents of any employee communication in these systems.

This process is in place to maintain the integrity of Cranmer preschool's electronic systems, the rights of the other users, and to ensure compliance with the early years settings policies and obligations.

Copyright

Under the provision of the Copyright, Designs and Patents Act (1988), the copyright of any material (whether written, graphic or in any other medium) which is created by you in the course of your employment with the early years setting, is the property of Cranmer Pre-school

Anti-bribery

Cranmer Pre-school requires that all staff comply with the Bribery Act 2010. This means that you agree that you will not offer, promise, give, request, agree to receive, or accept any bribes:

- in the course of your employment;
- when conducting business on behalf of the setting; or
- when representing the organisation in any capacity.

A bribe means a financial payment or other form of reward or advantage, whether direct or indirect, that is intended to induce or influence, or has the effect of inducing or influencing, an individual, company or public body to perform their functions, including business and public duties, improperly. Improper performance includes:

- not acting in good faith;
- not acting impartially; and
- not acting in accordance with a position of trust.

Resignations

When resigning, it is important that your resignation is in writing to avoid confusion about your resignation date. Your required notice period is set out in your statement of terms and conditions of employment. As part of this process we will ask you for feedback on your decision to resign in order to improve our retention practices, where appropriate.

Notice periods

During your probation period, Cranmer Pre-school will give you one week's notice to terminate your contract of employment. Following the probationary period, Cranmer Pre-school will give you one month's notice to terminate your contract of employment, with an additional week's notice per completed year of service after two years' continuous service, up to a maximum of 12 weeks.

You are required to give Cranmer Pre-school one week's notice to terminate your contract of employment during your probationary period. Following the probationary period, you are required

to give one month's notice to terminate your contract of employment.
Cranmer Pre-school may agree to release you from the requirement to serve your full notice period. In these circumstances, we will not pay you for the portion of the notice period that you do not work. You will be asked to sign a letter confirming the agreement reached.

In the event of termination of the contract of employment by either party, the chair of Pre-school will confirm your final day of employment.

This policy was adopted by	Cranmer Pre-school
On	4 th December 2019
Date to be reviewed	December 2020
Signed on behalf of the provider	
Name of signatory	Rebecca Poole
Role of signatory (e.g. chair, director or owner)	Committee Chair