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**Safeguarding and Welfare Requirement: Suitable People**

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

**2 Employment**

**Policy statement**

We meet the Safeguarding and Welfare Requirements of the Early Years Foundation Stage, ensuring that our staff and volunteers are appropriately qualified, and we carry out checks for criminal and other records through the Disclosure and Barring Service (DBS) in accordance with statutory requirements.

**Procedures**

***Vetting and staff selection***

* We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.
* All our staff have job descriptions, which set out their roles and responsibilities.
* We welcome applications from all sections of the community. Applicants will be considered on the basis of their suitability for the post, regardless of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation, sex, age, marriage or civil partnership. Applicants will not be placed at a disadvantage by our imposing conditions or requirements that are not justifiable.
* We follow the requirements of the Early Years Foundation Stage and Ofsted guidance on checking the suitability of all staff and volunteers who will have unsupervised access to children. This includes obtaining references and ensuring they have a satisfactory enhanced criminal records check with barred list(s) check through the DBS. This is in accordance with requirements under the Safeguarding Vulnerable Groups Act (2006) and the Protection of Freedoms Act (2012) for the vetting and barring scheme.
* Where an individual is subscribed to the DBS Update Service we carry out a status check of their DBS certificate, after checking their identity and viewing their original enhanced DBS certificate to ensure that it does not reveal any information that would affect their suitability for the post.
* We keep all records relating to the employment of our staff and volunteers; in particular those demonstrating that suitability checks have been done, including the date of issue, name, type of DBS check and unique reference number from the DBS certificate, along with details of our suitability decision.
* We require that all our staff and volunteers keep their DBS check up-to-date by subscribing to the DBS Update Service throughout the duration of their employment with us.
* Our staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children – whether received before, or at any time during, their employment with us.
* We obtain consent from our staff and volunteers to carry out on-going status checks of the Update Service to establish that their DBS certificate is up-to-date for the duration of their employment with us.
* Where we become aware of any relevant information which may lead to the disqualification of an employee, we will take appropriate action to ensure the safety of children. In the event of disqualification, that person’s employment with us will be terminated.

***Notifying Ofsted of changes***

* We inform Ofsted of any changes to our Registered Person (trustees/director(s)/owner(s) our provision) and/or our manager.

***Training and staff development***

* Howden Pre-School - The Manager holds a BA Hon Early Childhood Studies and the Deputy holds a CACHE Level 3 Diploma in Pre-school Practice and Level 4 in Leadership and Management. At least half of the other staff members hold the CACHE Level 3 Certificate for the Children and Young People’s Workforce or an equivalent or are working to gain this.
* Newport Pre-School – The Manager holds a NVQ Level 3 in Children’s Care, Learning and Development and the Deputy holds a Level 4 Early Years Educator qualification. At least half of our other staff members hold the CACHE Level 2 Certificate for the Children and Young People’s Workforce or an equivalent or a higher qualification or are working to gain these.
* 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.
* Staff medication on the premises will be stored securely and kept out of reach of the children at all times.
* If we have reason to believe that a member of our staff is under the influence of alcohol or any other substance that may affect their ability to care for children, they will not be allowed to work directly with the children and further action will be taken.

**Monitoring staff Absences**

We use the The Bradford Factor to monitor staff absences. See separate document in staff policies.

***Staff Well-being***

We will provide a healthy employment environment which promotes the wellbeing of all employees and reduces levels of absence, thereby ensuring effective service planning and delivery. We recognise the hard work of our employees and will assist those who have been absent to return to work as

quickly and fully as possible. We will make sure our managers have the

information necessary to monitor and manage sickness absence effectively.

We will take appropriate actions to ensure each employee is able to contribute

fully and will encourage employees to adopt a healthy work-life balance.

***Early Explorers Trustees responsibilities***

• to maintain the policy and update as appropriate to reflect legislative changes,

best practice etc

• to ensure employees and managers understand their responsibilities in the

context of the policy

• to provide managers with training and guidance in delivering return to work

interviews, information, counselling etc

***Manager responsibilities***

• to ensure that all employees are treated with respect and receive fair and

consistent treatment

• to ensure employees feel valued during periods of sickness absence and in

the way their return to work is managed

• to ensure employees are aware and observe their responsibilities regarding

sickness notification and reporting procedures and when recording self

certified sickness absence.

• to ensure that trustees are notified of any long term sickness immediately and appropriate paper work is forwarded (i.e. doctor's certificate etc)

• to maintain contact with the employee during their absence; during long term

absence it is recommended that the manager arrange a visit or meeting with the employee

• to be aware of the impact on remaining employees of long term absence and

take action accordingly

• to establish whether there is any work-based contributory cause to the

absence and to consider taking any appropriate action to enable the

employee to return to work (e.g. flexible working arrangements, temporary or

permanent)

• to ensure records are made of any sickness or action surrounding sickness

and are kept up to date

• to conduct return to work interviews as appropriate

• to ensure that employees are not discriminated against under the Disability

Discrimination Act

***Employee responsibilities***

* to comply with health and safety regulations and policies
* to care for their health and seek medical help as appropriate
* to understand and observe their responsibilities in respect of deeming themselves capable of carrying out their job role.
* to understand and observe their responsibilities in respect of the sickness

notification and recording procedures

* to submit a doctor's certificate for periods of sickness absence exceeding
* seven consecutive days from the date of notification (including
* weekends/days not normally worked)
* to attend a return to work interview as appropriate and provide his/her
* manager with an explanation of each sickness absence.

***Notification of absence***

* Employees must ensure they have notified their manager within one hour of

their usual start time (or as soon as is reasonable to do so) on the first day of

sickness absence, providing the reason for absence and the likely date of

return.

* Personal contact must be made either by the employee or an appropriate

person on their behalf. The most appropriate method of communication is via

telephone, and, whenever possible, to the manager. (Sending a text message

via a mobile phone or an email is not an acceptable method of notifying a

period of absence).

* If an employee is unable to return to work when indicated, they should repeat

the above process.

* If an employee is absent due to sickness for more than seven consecutive days

(including weekends/days not normally worked) they must send a doctor’s

certificate from their own GP/medical advisor directly to the manager.

* It is important that employees maintain regular contact with their manager

throughout the period of absence.

* For extended periods of sickness absence, the employee should notify their

manager each time a new medical certificate is issued. All medical

certificates should run consecutively to ensure that there are no days during

the period of absence when there is no certification.

***Return to work interview with manager***

* All employees should be asked by their manager, informally, how they are

feeling and if they feel able to do their job, on their return to work following any

period of sickness.

* Once the number and days of absence has reached the BF score of 27 or

over, the employee’s manager will carry out a formal return to work interview.

This should be done on the employee's first day back at work.

*The aim of the return to work interview is to:*

* show interest/concern regarding for the employee’s welfare
* confirm/establish the cause of absence
* ascertain whether the employee's work environment was a contributing

factor in the sickness absence

* allow discussion of the general attendance record of the employee
* provide the opportunity to discuss ways in which the employee can be

further supported by their colleagues, manager and the organisation

* ascertain whether the employee’s return to work can be aided by different

duties in the immediate short term

* any actions identified at the return to work interview should be acted on

without delay.

***Long term absence***

* Regular contact will be maintained with an employee on long term sickness

absence to ensure communication is working both ways. The manager

should ascertain the employee’s expectations of when they will return to work.

* If there is no satisfactory indication of a return to work in the foreseeable

future, and the team is being put under strain because of the employee’s

absence, consideration may then need to be given to whether continued

employment is reasonable in the circumstances.

* Taking the employee’s views into account and examining all the available
* evidence, the manager will have a number of options:

• allow more time for improvement

• offer alternative employment (if possible)

• if an employee is or has become disabled then new working methods

should be explored

***Returning to work after long term absence***

* Every employee is valued for their contribution and so Early Explorers aim to

make an employee’s return to work after long term sickness as smooth as

possible.

* If an employee has been absent from work for over 28 consecutive calendar

days in one episode due to sickness, and where appropriate, the manager will discuss a suitable return to work plan. This may include returning to work on reduced hours or with reduced responsibilities.

***Disciplinary action whilst signed off sick***

* Any medical certificate or statement, including those containing diagnoses of

‘stress’, ‘anxiety’, ‘depression’ or a similar term will not normally be accepted

as a reason for refusing to attend an ongoing investigation, disciplinary, capability or

grievance hearing unless a certificate or other medical evidence is provided

by an appropriate specialist and states that the employee is too ill to

participate in any such hearing.

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

* Our manager organises our staff annual leave so that ratios are not compromised.
* Where our staff are unwell and take sick leave in accordance with their contract of employment, we organise cover to ensure ratios are maintained.
* Sick leave is monitored and action is taken where necessary, in accordance with the individual’s contract of employment.
* We have contingency plans to cover staff absences, as follows:

1. Employee contacts manager as soon as possible.

2. Manager contacts staff on relief list, kept in the staff file.

3. If no relief staff available manager contacts Early Explorers team EE

4. EE will contact another setting to see if they have any available staff.

5. If staff from another setting are unavailable, manager may reduce numbers in order to cover ratios.

*In the event of manager sick, the manager will contact the assistant manager and they will complete actions above.*

*In the event of both managers sick, EE will be informed and EE will complete actions above.*

**Other useful Pre-school Learning Alliance publications**

* Employee Handbook (2012)
* Recruiting and Managing Employees (2011)