



Registered Charity No: 1130840  
 School Mead, Abbots Langley, WD5 0LB  
 01923 274483

## Employment Policy

An employee's full terms and conditions of employment are outlined in their employment contract. The Employment Policy (Absence & Disciplinary) is in addition to this.

### Absence Policy Statement:

Breakspeare Community Preschool is committed to improving the health, wellbeing and attendance of its employees.

We aim to keep employee absence to a minimum of no more than 3 incidents of sickness a year:  
 A period of absence up to 5 working days per employee is classed as short term sickness.  
 A period of absence over one week is classed as long term sickness.

### EYFS Key Themes and Commitments:

<b>Positive Relationships</b>	<b>Enabling Environments</b>
2.1 Respecting each other  2.4 Key Person	3.4 The wider context

### Procedures:

**Notification of absence:** The employee should speak to their manager or deputy as soon as they know they will not be available to work, this should be at least an hour before their start time. Where possible this should be by phone. Employees should give a clear indication of why they are unable to work and a likely return date. The manager will keep in regular contact with the employee.

### Evidence of incapacity:

If the absence is for five working days or less an employee can self-certify. The employee is required to complete a self-certification form.

If the absence is for over six days a Statement of Fitness for Work is required from a Doctor.

If the statement is 'Maybe fit for work' a meeting between the manager and employee should be held to discuss way of helping the employee back to work. This meeting could be face-to-face or over the phone.

**Trigger points:** After 3 separate incidents of absence in a year a 'formal review' will be carried out by the setting manager and the employee.

If periods of absence exceed the 3 incidents a year the procedures for the Disciplinary and Grievance Policy will come into effect.

**Recording absence:** The manager of the setting records the absence using the on-line software package. Each session the employee is absent is highlighted in grey instead of the usual red/blue for sessions worked. The manager will keep a record of conversations/meetings held with the employee



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and monitor the absence and the procedures for covering the absent member of staff and helping the employee return to work.

**Health and safety:** Health and safety risk assessments will be carried out to prevent people being harmed and employees given information to prevent people being harmed. In this setting the risk from lifting has been identified. Should employees suffer injury or ill health making them more vulnerable these risk assessments will be reviewed.

**Adoptive Leave:** We follow government statutory guidelines for Statutory Adoptive Pay and Leave.

**Carers Leave:** Usually not more than one day, unpaid time off to care for dependants (eg: elder care, disability care, child care) for any emergency, unexpected or sudden problem with someone who depends on you for care or help. The employee will be granted time off to deal with the emergency and make any necessary arrangements. An emergency could be a dependant falling ill, injured, unexpected disruption of care arrangements, an incident involving your child during school hours, death of a dependant. Only leave taken to care for a dependant will qualify as carers leave. A dependant is considered husband, wife, partner, child, parent or anyone living in your household as a member of the family. It is expected that the employee will try to cause as little disruption to the Preschool as possible.

**Compassionate Leave:** Is unpaid. All employees are eligible to apply for compassionate leave. Leave will be granted in the event of a bereavement or serious illness and to attend funerals of an employee's immediate relative. Each case will be judged on its own merits and amount of leave awarded should be appropriate to the circumstances, length of service and previous attendance record.

**Disability Absence:** Under the Equality Act 2010 employers are required to make reasonable adjustments to enable an employee to continue working. We will make sure an employee is not disadvantaged because of their disability.

**Maternity Absence:** We follow government statutory guidelines for Statutory Maternity Pay and Leave.

**Paternity Leave:** We follow government statutory guidelines for Statutory Paternity Pay and Leave.

**Parental Leave:** Must be requested at least two weeks in advance for non-emergency care of dependants. For every child under the age of 14 an employee may request up to 4 weeks parental leave in any one year (pro-rata for part time) with a maximum of 13 weeks in any 5 year period. All contractual rights remain except for pay.

**Religious observations:** Absences will be authorised to cover specific religious observances.

**Holidays:** Employees are employed on a term-time only basis and as directed in the employee's contract of employment, holidays are to be taken when the preschool is closed.

**Long term sickness:** The setting manager and the employee will set up a return to work programme using the advice of external professionals such as counsellors, occupational health and medical

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advisors. Ask the individuals permission to keep the team informed on their condition. We will keep the employees absence record under review. We will advise the employee in writing if it is established that termination of employment has become a possibility. We will review if there are any other jobs that the employee could do prior to taking any decision on whether or not to dismiss. We will allow a right of appeal against any decision to dismiss the employee on grounds of long term ill health. In this instance a meeting will be held with the employee and following from this inform the employee of its final decision.

**Return to work interviews:** During the employees first session back at work a meeting will be held with the settings manager and/or committee chair to welcome the employee back, update them on changes, check fitness to work and discuss any work related issues that may have caused the absence.

**Sick Pay:** Staff earning more than £116 a week are entitled to statutory sick pay. Staff on salaries are entitled to five paid days sick a year after which only statutory sick pay will be paid.

**Appointments:** Staff are asked to take appointments out of hours as much as possible. Where this is not the case the setting manager will use their discretion. All meetings and documentation relating to staff absence will be held confidentially as per the Confidentiality Policy.

#### **Disciplinary & Grievance Policy Statement:**

Breakspeare Community Pre School asks all staff to agree to honour a code of conduct. Failure to follow the Code of Conduct may result in disciplinary action. This Disciplinary and Grievance policy sets out how the management and committee will deal with unacceptable behaviour.

**Minor Disagreements:** It is recognised that disagreements may arise when people are working together in a group or between groups. These can usually be resolved informally by discussion, if necessary, with the help of the Preschool Learning Alliance (PLA) advisor or local authority advisor, and are outside the disciplinary or grievance procedure.

**Gross Misconduct:** Instant dismissal is the normal consequence in cases of gross misconduct when an investigation confirms that the person has committed an offence.

Examples would be: theft or fraud, ill-treatment of children, damage to property, assault, incapacity to work due to being under the influence of alcohol or illegal drugs, physical violence, bullying, carelessness that threatens the health and safety of others.

While the alleged offence is being investigated the employee may be suspended, during which time they will receive their normal rate of pay.

The penalty will be dismissal without notice and without pay in lieu of notice.

**Disciplinary Procedure:** If a dispute cannot be resolved informally or the Committee is dissatisfied with the conduct or activities of an employee or Committee member the matter will be dealt with in three stages.

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1. Written Warning
2. Final Written Warning
3. Notice of dismissal

At any stage the employee may be accompanied by a friend or trade union official if he/she wishes, that friend/official may speak on behalf of the employee.

**Written Warning:**

1. The employee should be interviewed by the chair of the Preschool committee who will explain the complaint
2. The employee will be given full opportunity to state their case
3. If the warning is considered still appropriate the employee will be told what action is needed to rectify the conduct, what reasonable timescale is expected for the conduct to be corrected, that if this is not adhered to then further action will be taken, that an appeal can be made against the decision
4. A record of the meeting will be held on the employees file until satisfactory progress has been made to rectify matters, whereupon the record will be destroyed

**Final Written Warning:** If the employee/committee member fails to correct his/her conduct within a reasonable time then the next stage of action will be as follows:

1. The employee will be interviewed and given the opportunity to state their case as before
2. If the need for action is established a letter will be sent to the employee immediately accurately recording the warning given at the interview. The letter will contain a clear reprimand and the reason for it. Explain what corrective action is required and the timescale for this to happen. A warning that failure to improve will result in further action being taken and that the employee can appeal against the decision
3. A copy of the final warning will be held on the employees file for six months after the interview, whereupon the record will be destroyed

**Notice of Dismissal:** If the employee/committee member fails to correct his/her conduct within a reasonable time then the next stage of action will be as follows:

1. The employee will be interviewed and given opportunity to state their case as before
2. If the decision is to dismiss, the employee will be given notice of dismissal stating the reason and giving the right to appeal
3. The employee will be informed whether they are to receive notice or payment in lieu

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**Appeals:** At each stage of the disciplinary procedure the employee must be told he/she has the right to appeal against any disciplinary action. The appeal must be made in writing to the secretary of the preschool within five working days of a disciplinary interview. The preschool committee will hear the appeal as soon as possible. This will be done informally and the employee may have a friend/official with them or to speak for them.

The following will form the basis of an appeal meeting:

1. The employee will explain why she is dissatisfied and may be asked questions
2. The chair will put their point of view and may be asked questions
3. Witnesses may be heard and questioned by all present at the appeals meeting
4. The Committee will consider the matter and make known its decision

A written record of the meeting will be kept.

**Grievance Procedure:** The aim of the procedure is to settle the grievance as fairly and quickly as possible. It is meant to be simple and rapid in operation.

If an employee or committee member is dissatisfied he/she must have the opportunity for prompt and fair discussion with his/her immediate superior. For the Preschool leader, financial administrator and committee members this is usually the chairperson. For other staff it is usually the Preschool Leader.

If the grievance persists the grievance should be put in writing to your immediate supervisor who will set up a subcommittee of the preschool Committee for further discussion, at which the employee/Committee member may attend, accompanied if they wish. This will be done as soon as possible after the written grievance has been received.

The chair will give the decision of the committee to the employee/Committee member in writing as soon as possible.

The employee/Committee member has the right to appeal, usually to the full preschool committee, at which the employee may again be accompanied.

This policy was adopted at a meeting held in: .....

Signed on behalf of the management committee:

Name:..... Signature:.....

Signed on behalf of the Preschool:

Name:..... Signature:.....

This policy will be reviewed annually in September