

# Staffing & Employment

## **12.1 Recruitment**

### **New Applicants**

All applicants will be required to complete an application and equal opportunities monitoring form.

As an equal opportunities employer, we welcome applications from all sections of the community. Applicants will be considered on the basis of their suitability for the post, regardless of marital status, age, gender, culture, religious belief, ethnic origin or sexual orientation. Applicants will not be placed at a disadvantage by us imposing conditions or requirements which are not justifiable

All staff have job descriptions which set out their roles and responsibilities, these are available from the Chairperson and will be made available to all applicants.

All applicants for work within the Pre-School, whether voluntary or paid, will be interviewed before an appointment is made and will be asked to provide at least two references. All references will be followed up. In the case of applicants with unexplained gaps in their employment history or who have moved rapidly from one job to another, explanations will be sought.

### **Interview Process**

- We ask applicants who are called for interview to provide the original certificate(s) of their relevant qualifications.
- We check that applicants know and understand the requirements of the National Standards, taking into account the role and responsibilities of the post
- We check that applicants understand the needs of children and that they have an understanding of equal opportunities issues
- Once we have chosen a successful candidate, and subject to satisfactory background and reference checks, we make a verbal offer of employment, and then follow this up with a written offer of the position.

All applicants' contracts will be issued subject to a satisfactory police and criminal records check and references. (Please refer to Safer Recruitment Information)

### **Suitability & background checks**

Broad Town Pre-School practices robust recruitment procedures in checking the suitability of staff, volunteers, and assistants to work with children. This will include regular DBS checks, health checks and references and follow guidance from the ISA [www.isa-org.uk](http://www.isa-org.uk) / 0300 123 1111 .

Safer recruitment means that all applicants will:

- complete an application form
- provide two referees, including at least one who can comment on the applicant's suitability to work with children
- provide evidence of identity and qualifications
- be checked through the Criminal Records Bureau as appropriate to their role and be registered with the Independent Safeguarding Authority (from 2010 onwards)
- be interviewed.

Broad Town Pre-School holds a Central Legal Record for Employment of Staff

The following practices are undertaken and documented in the relevant policies and procedures:

- Every appointment panel has at least one member who has undertaken the safer recruitment training (which is in date).
- Providers have a duty to make sure that any adult working in the setting (paid or unpaid) is not disqualified from working with children. This should also include disqualification by association.
- For most appointments, an enhanced DBS (disclosure and barring service) check with barred list information will be sought for all staff, including volunteers.
- Applications forms will be used (CVs will not be accepted in isolation).
- References will be obtained and scrutinised either prior to or following interview for all shortlisted candidates, including internal ones, and followed up with a telephone call.
- Checks will be accurately recorded on a single central record. The single central record is kept up-to-date with information about all staff and volunteers, including: identity checks, qualifications, employment references, DBS details and the right to work in the UK.

### **Disqualification, including by association**

The [Disqualification under the Childcare Act 2006 733KB](#) places a duty on childcare providers to ask whether an employee or person applying for a post at the setting lives or works in the same household as someone who is disqualified from working with children.

More information can be found in the following documents:

- [Disqualification including 'by association' new guidance letter 49KB](#)
- [Disqualification including 'by association' FAQs 86KB](#)
- [Declaration form \(current staff\) 22KB](#)
- [Declaration form \(applicants\) 23KB](#)

All new members of staff will undergo an induction that includes familiarisation with the setting's safeguarding and child protection policy and identification of their own safeguarding and child protection training needs.

All staff sign to confirm they have read and understood the child protection policy.

## **12.2 Induction**

Once a new member of staff or a permanent volunteer has been appointed, it is important for everybody's sake that they feel and act like part of the group as quickly as possible.

A designated management committee member or Supervisor will use a checklist of items to be covered with all new starters to ensure nothing is overlooked when the induction takes place. All new members of staff are also to be issued with a staff handbook.

Induction Training includes our Health & Safety and Child Protection Policies. Other policies and procedures will be introduced within an induction plan. A record of Induction training completed will be kept on the employees personnel file. All staff are informed of Broad Town Pre-School's code of conduct, and will sign to adhere to these conditions.

## **12.3 Training**

Our Supervisor and deputy should be suitably qualified, holding the minimum NVQ Level 3 or an equivalent qualification. If a member of staff is nearing the end of gaining their qualification and is appointed to such a position, the management committee will draw up an action plan with the member of staff, detailing how they intend to meet the qualification requirement and in what timescales this should be achieved. We recognise that qualifications alone, without experience, skills and ability, are not sufficient for someone to carry out the Supervisor role.

Our other staff are attending courses leading NVQ Level 2 or an equivalent qualification. We encourage all staff to obtain qualifications, starting with NVQ Level 2

We provide regular in-service training to all staff — whether paid staff or volunteers — through the Pre-School Learning Alliance and other training bodies. Staff can request to attend training by submitting a training request form to their line manager.

Our Pre-School budget allocates resources to training

All staff are required to sign registers at training courses to confirm their attendance. Financial penalties incurred, if staff fail to register their attendance, will be passed directly to the staff member.

All staff will be asked to complete a training feedback and evaluation form on their return from any training courses.

## **12.4 Appraisals & Performance Reviews**

The Pre-School recognises that its staff are its' most valuable resource. The success of the Pre-School in achieving the best environment, development and care for its children will be through the effort and work of its staff. Staff appraisal is one way of developing individuals and focusing their efforts on achieving the goals of the Pre-School.

The staff appraisal scheme ensures that employees have regular opportunities to discuss their individual training needs with the Supervisor / Management Committee:

- All staff will receive a formal annual appraisal prior to the AGM each year.
- Interim reviews, to monitor progress against goals, will be held throughout the year and conducted by the employee's line manager.
- Openness and self assessment are essential features of appraisal.
- Any pay rises proposed for staff will be related to their performance and will be agreed by the management committee. These will be in addition to 'standard of living' pay awards which are to be applied in April each year subject to committee approval.

The overall aim of appraisal is to help maintain and improve individual job performance, realise potential and increase the effectiveness and efficiency of the Pre-School. More specifically, to:

- assess past, establish current, and maintain and improve standards of job performance
- set targets for the future
- assist in planning objectives
- develop staff
- identify organisational or operational changes which will enable individuals to maintain and improve their performance and improve the effectiveness and efficiency with which the Pre-School is managed.

In order to achieve these aims it is important that appraisal takes place in a positive and supportive spirit which recognises good practice and acknowledges contributions individuals have made in the course of their work.

## **12.5 Children of Pre-School Staff**

We welcome the children of our staff into the setting and want them to benefit from the Pre-School environment. We ask our staff members to adhere to the following procedures:

- Pre-School staff must receive prior approval from the Management Committee before bringing their own children or guests during session time.

Once authorisation has been received, the following procedures must be adhered to:

- If non-registered children or other guests visit/attend a session their attendance must be recorded in both the visitors' book and the Pre-School register. They should not be given responsibilities or asked to supervise the children.
- Staff wanting to have their child attend the Pre-School must register and pay for their children via the normal payment procedures.

- Children of Pre-School staff attending the setting should not be key-worked by their family member.
- Children of Pre-School staff must not attend the setting if they would not be considered well enough to attend. (Please see Policy 8.2).

## **12.6 Maternity Rights**

### **Statutory Maternity Pay**

If you are to stop work because of pregnancy and have been employed by the Pre School for at least 26 weeks, ending with the Qualifying Week (QW), the 15<sup>th</sup> week before the expected week of childbirth (EWC), you will be entitled to receive Statutory Maternity Pay (SMP), provided your earnings are more than the lower earnings limit for the payment of National Insurance contributions. You must notify the Pre School of when you expect our liability to pay you SMP will commence. This notice must be given at least 28 days before that date or, if this is not reasonably practicable then as soon as is reasonably practicable.

You will be eligible to receive SMP for up to 39 weeks commencing at the start of maternity leave which can start any time after the 11<sup>th</sup> week before the EWC. The first six weeks will be paid at the higher rate, which is 90% of your weekly earnings (calculated at an average of the eight weeks preceding the Qualifying Week). The remaining 33 weeks will be paid at the lower rate of SMP as determined by the Department of Social Security, or 90% of your average earnings (calculated as above), whichever is the lower.

If you have under 26 weeks' service at the Qualifying Week (QW), you will be issued with a form SMP1, which you should forward to the local Social Security Office who will pay Maternity Allowance.

### **Statutory Maternity Leave**

Irrespective of service, you are entitled to take 52 weeks' maternity leave, two weeks of which must be taken immediately after the birth of your child. On or before the 15<sup>th</sup> week before your EWC you must notify the Pre School of:

- The fact of your pregnancy
- The expected week of childbirth, supported by a medical certificate
- Written notice of the date on which you wish to start your leave (if you subsequently wish to change the date on which you start your leave you must notify the Pre School at least 28 days before the amended date).

If you wish to return before the end of your maternity leave you must give 28 days' notice of your intention.

### **Statutory Paternity Leave (SPL) and Statutory Paternity Pay (SPP)**

#### **The Entitlement**

Employees are entitled to choose to take either one week or two consecutive weeks' paternity leave (not odd days), subject to the following conditions:

Employees must have 26 weeks continuous employment by the end of the 15<sup>th</sup> week before the expected week of childbirth (EWC).

Employees must be, or expected to be, responsible for the upbringing of the child.

Employees must be the child's biological father or married to or the partner of the child's mother.

In the case of adoption, the employee must be one of two parents jointly adopting a child or the partner of someone adopting a child individually. The employee must not be taking Statutory Adoption Leave or Pay.

The leave must be taken for the purpose of caring for the child and/or supporting the mother.

The leave, of either one week or two weeks, can start on any day of the week on or following the child's birth but, must be completed within a period of 56 days beginning with either the child's birth or the first day of the EWC, whichever is the later.

#### **Notice and Evidence Requirements**

Employees must give notice of intention to take paternity leave in or before the 15<sup>th</sup> week before the EWC (or, in cases where this is not reasonably practicable, as soon as is reasonably practicable). Note: If, after providing this notice, the employee has a change of mind as to the commencement date or the amount of leave to be taken, further notice of at least 28 days must be provided (or, in cases where this is not reasonably practicable, as soon as is reasonably practicable).

Employees must provide a self-certificate stating the EWC, the date upon which paternity leave is anticipated to begin and whether one or two weeks leave is to be taken.

As part of the above certificate the employee must sign a declaration that the conditions of entitlement to statutory paternity leave and statutory paternity pay are fulfilled.

#### **Statutory Paternity Pay (SPP)**

If employees are entitled to SPL they will also qualify for SPP provided that their normal weekly earnings are not below the lower earnings limit applying to NI contributions, and, they give at least 28 days' written notice of the date liability to pay SPP is expected to begin.

SPP will be at the rate determined by the Department of Social Security or 90% of the employee's weekly earnings (calculated at an average of the eight weeks preceding the Qualifying Week), whichever is the lower.

## **12.7 Statutory Adoption Leave and Statutory Adoption Pay**

Employees who adopt a child have a right to take Statutory Adoption Leave (SAL) and be paid Statutory Adoption Pay (SAP).

### **Statutory Adoption Leave**

An employee, who has been employed for a period of 26 weeks by the “Matching Week”, is entitled to 52 weeks’ Adoption Leave. Within the context of joint adoptions one parent must opt for Adoption Leave and the other is entitled to Statutory Paternity Leave as outlined above.

Adoption Leave commences either on the date on which the child is placed with the adopter or a date within 14 days before the expected date of placement.

Employee’s rights to return and to their contractual benefits are the same as for Maternity Leave.

### **Statutory Adoption Pay**

Statutory Adoption Pay will be paid for up to 39 weeks commencing at the start of adoption leave. SAP is payable at either the lower rate of SMP as determined by the Department of Social Security, or 90% of your average earnings (calculated as above), whichever is the lower.

## **12.8 Parental Leave**

### **The Entitlement**

Employees with a young or disabled child and who have completed one year’s continuous qualifying service by the time they want to take the leave are entitled to Parental Leave.

The objective of Parental Leave is to enable employees with parental responsibility time off to spend time with and to look after a child or to make arrangements for the child's welfare.

Parental Leave, which is unpaid, is for a maximum of 13 weeks for each child (18 weeks for each child with a disability), and can be taken by both mothers and fathers. Leave taken with a previous employer counts towards the maximum entitlement.

### **When Leave May Be Taken**

Leave must normally be taken in blocks of one week or more, up to a maximum of four weeks in a year for each child. However, parents of disabled children can take leave in blocks or multiples of one day.

Employees can choose to take Parental Leave at any time up until the child's 5th birthday, or in adoption cases within 5 years of the child being placed with the family for adoption (or until the child's 18th birthday if that comes first).

In the case of a child with a disability up until the child's 18th birthday.

### **Making Application for Leave**

Parents must give 21 days notice of their request for Parental Leave. Such an application should be addressed to the Management Committee.

If an employee wishes to take Parental Leave immediately after the birth or adoption of a child, the employee must give 21 days' notice before the beginning of the expected week of childbirth. In the case of adoption the employee must give 21 days notice of the expected week of placement, wherever possible.

### **Postponement of Leave**

Except in the circumstances set out in paragraph above - immediately above any leave requested may be postponed by the Pre School for up to six months from the date requested where it is considered that an employee's absence would unduly disrupt the business. Examples of such situations are:

- Seasonal peak requirements
- Where a significant proportion of the workforce applies for Parental Leave at the same time
- Where the absence of a key employee at a particular time would unduly harm the business

If, because of postponement, the period of Parental Leave falls after the child's 5th birthday then the employee would be entitled to take leave after this date.

### **Evidence of Entitlement**

The Pre School reserves the right to request sight of evidence that an employee is the parent of a child or has parental responsibility for the child. Examples of what might be suitable evidence are:

- Information contained on the child's birth certificate.
- Papers confirming a child's adoption or the date of placement in adoption cases.
- In the case of a disabled child, the award of disability living allowance for the child.

### **Right to Return to the Same or Similar Job**

At the end of up to four weeks Parental Leave, an employee is guaranteed the right to return to the same job as before.

If the leave is for a longer period than 4 weeks, the employee is entitled to return to the same job, or if that is not reasonably practical, to a similar job, with similar or better conditions.

If Parental Leave follows additional Maternity Leave and it would not have been reasonably practical for the woman to return to her previous job, and it is still not reasonably practical at the end of Parental Leave, she is entitled to return to a similar job which has the same or better status, terms and conditions as the old job.

### **Time Off for Dependants**

All employees have the right to take a reasonable amount of unpaid time off during their working hours to deal with unexpected or sudden problems affecting their dependants and to make any necessary longer term arrangements for their care.

It is expected that in most cases the amount of leave will be less than one day or one or two days at the most.

The situations where leave may be applicable are as follows:

- To care for a dependant who falls ill or has been involved in an accident or assaulted
- When a partner is having a baby
- To make longer term arrangements for a dependant who is ill or injured
- To deal with the death of a dependant
- To deal with an unexpected disruption or breakdown in care arrangements for a dependant; i.e. when the childminder or nurse fails to turn up
- To deal with an incident involving the employee's child during school hours

### **Advising the Pre School**

Employees must advise their line manager, or in the absence of their line manager then another member of Pre School staff, as soon as possible about their absence and how long they expect to be away from work. There may be occasions when an employee returns to work before it is possible to contact the Pre School – however on such occasions he or she must advise the Pre School of the reason for the absence immediately upon return to work.

### **Who is a Dependant**

For the purpose of the right to time off a dependant is defined as follows:

*"A partner, child or parent of the employee, or someone who lives with the employee as part of their family e.g. elderly aunt or grandparent."*

In cases of illness or injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

## **12.9 Compassionate Leave**

Employees may be able to take longer periods of leave under other arrangements with the Pre School in order to cope with serious and unexpected incidents in their family life.

At the discretion of the Chairperson/Staff Management Committee, this leave may be paid up to a maximum of 5 days per year pro rata in accordance with individual circumstances.

While it is inappropriate to provide a comprehensive list of circumstances, leave of absence, (paid or otherwise), may be given to help a member of staff deal with illness at home, bereavement of a close relative or for any other compassionate or domestic reason.

## **12.10 Disciplinary & Grievance Procedures**

### **Minor disagreements**

Minor disagreements among Pre-School staff, or between staff and committee, can usually be resolved at the regular staff management meeting or informally by discussion.

### **Disciplinary procedure**

It is Pre-School policy that the following procedure should be followed when an employee is being disciplined or dismissed. The procedure provides that in normal cases a series of warnings will be given before discipline or dismissal is contemplated. The stages of the procedure that apply when discipline or dismissal is being contemplated comply with the statutory dismissal and grievance procedures.

Matters which may be dealt with under this disciplinary and dismissal procedure include discipline and dismissal for the following reasons:

- misconduct
- sub-standard performance
- harassment or victimisation
- misuse of Pre-School facilities
- poor timekeeping
- unauthorised absences

Minor cases of misconduct and most cases of poor performance may be dealt with by informal advice, coaching and counselling. An informal oral warning may be given, which does not count as part of the formal (or statutory) disciplinary procedure. No formal record of this type of warning will be kept.

If there is no improvement or the matter is serious enough, the employee will be invited to a disciplinary meeting at which the matter can be properly discussed. The employee will be allowed to bring a work colleague or Trade Union representative to the meeting. The disciplinary panel should consist of the Pre-School chair and two nominated committee colleagues, who should ensure that confidentiality is maintained within the panel. The outcome of the meeting will be communicated to the employee.

There are the following possible outcomes:

### **Oral warning**

In the case of minor infringements the employee may be given a formal oral warning. A note of the oral warning will be kept in the employee file but will be disregarded for disciplinary purposes after a period of six months. The employee has the right to appeal against a formal oral warning within a limited time period (five days).

### **Written warning**

If the infringement is more serious or there is no improvement in conduct after a formal oral warning the employee will be given a formal written warning giving details of the complaint,

the improvement or change in behaviour required, the timescale allowed for this, the right of appeal (within 5 days) and the fact that a final written warning may be given if there is no sustained satisfactory improvement or change. A copy of the written warning will be kept on file but will be disregarded for disciplinary purposes after a period of 12 months.

### **Final written warning**

Where there is a failure to improve or change behaviour during the currency of a prior formal written warning, or where the infringement is sufficiently serious, the employee may be given a final written warning. This will give details of the complaint, warn that failure to improve will lead to dismissal and refer to the right of appeal (within 5 days). The final written warning will be kept on file but will normally be disregarded for disciplinary purposes after 12 months.

### **Dismissal**

If the employee's conduct or performance still fails to improve the final step will be to contemplate dismissal. If the Pre-School contemplates dismissing the employee it must follow the "Standard Disciplinary and Dismissal Procedure" which is a statutory requirement. Failure to do so will usually result in a finding of automatically unfair dismissal.

### **The Standard Disciplinary and Dismissal Procedure**

#### Step 1: Employer gives employee a written statement and calls a hearing

The employer will set out in writing the employee's alleged conduct, characteristics or other circumstances which lead them to contemplate dismissing or taking disciplinary action against the employee. The employer will inform the employee, in the written statement of the basis on which he has made the allegations against the employee. If possible the employer will provide the employee with copies of any relevant evidence against them. The employer will invite the employee to a hearing to discuss the matter.

#### Step 2: Meeting is held and employer informs employee of the outcome

The meeting will take place before any action, other than suspension on full pay, is taken. The meeting will be held without undue delay but only when the employee has had a reasonable opportunity to consider the employee's response to the employer's written statement and any further verbal explanation the employer has provided. The employee must take all reasonable steps to attend the meeting.

After the meeting the employer will inform the employee of their decision and notify the employee of their right to appeal against the decision if they are not satisfied with it.

#### Step 3: Appeal against the disciplinary decision if necessary

If the employee wishes to appeal, the appeal must be made in writing to the Pre-School chair within five days of the meeting. The appeal should be heard, if possible within 10 days of receipt of the appeal. Two or three committee members - not, if possible, those involved in the initial disciplinary procedures - will serve as an appeals committee.

If the employee does this the employer will invite the employee to attend a further meeting. The employee must take all reasonable steps to attend the meeting. The appeal hearing may take place before or after dismissal or disciplinary action has taken effect. After the appeal

hearing the employer will inform the employee of their final decision and will confirm it in writing as soon as practicable.

### **Gross misconduct**

While the alleged gross misconduct is being investigated and witness statements obtained, the employee may be suspended, during which time the employee will be paid. Any decision to dismiss will be taken by the employer only after a full investigation. If after investigation it is confirmed that the employee has committed one of the following offences (the list is not exhaustive), the employee will normally be dismissed:

- theft, fraud and deliberate falsification of records
- ill-treatment of children
- physical violence
- serious bullying or harassment
- deliberate damage to property
- serious insubordination
- misuse of the Pre-School's property or name
- bringing the Pre-School into serious disrepute
- incapability whilst on duty brought on by alcohol or illegal drugs
- serious negligence which causes or might cause unacceptable loss, damage or injury
- serious infringement of health and safety rules
- serious breach of confidence (subject to the Public Interest (Disclosure) Act 1998)

In such cases the Modified Dismissal Procedure can be followed:

### **Modified Dismissal Procedure**

#### Step 1: Employer gives written statement

The employer must give the employee a written statement setting out the conduct that has resulted in the dismissal and informing the employee of the right to appeal against the decision to dismiss. The employee must appeal to complete the statutory procedure.

#### Step 2: Appeal against the disciplinary decision

If the employee wishes to appeal, the appeal must be made in writing to the Pre-School chair within five days. The appeal should be heard, if possible within 10 days of receipt of the appeal. A meeting must be held (in accordance with the general principles set out above). The employer must inform the employee of his decision following the meeting.

### **General Principles**

The following principles apply to the Standard Dismissal and Disciplinary Procedure and the Modified Dismissal Procedure set out above:

1. The person who has authority to discipline the employee in accordance with this procedure is a designated member of the Pre-School Management Committee or Supervisor.
2. The employee has the right to be accompanied to any meeting by a Trade Union representative or a fellow employee.

3. Each step in the procedure will be taken without unreasonable delay and hearings will be held at reasonable times and locations.
4. Meetings will be conducted in a manner that enables both employer and employee to explain their cases.

Records will be kept detailing the nature of any breach of disciplinary rules or unsatisfactory performance, the employee's defence or mitigation, the action taken and the reasons for it, whether an appeal was lodged, its outcome and any subsequent developments. These records will be kept confidential.

### **Grievance Procedure**

It is Pre-School policy to ensure that any employee with a grievance has access to a procedure, which can lead to a speedy resolution of the grievance in a fair manner. Most routine complaints and grievances are best resolved informally in discussion with the employee's immediate line manager.

Where the grievance cannot be resolved informally it will be dealt with under the following procedure that complies with the statutory standard three-step grievance procedure.

### **The Standard Grievance Procedure**

#### Step 1: Employee gives written statement of grievance

The employee must put their grievance in a written statement of grievance and send a copy to their line manager. Where the grievance is against the line manager the matter should be raised with the Chairperson of the Pre-School.

#### Step 2: Meeting is held and employer informs employee of the outcome

The employer will invite the employee to attend a meeting to discuss the grievance. The meeting will only take place once the employee has informed the employer of the basis for the grievance they have set out in their written statement, and the employer has had a reasonable opportunity to consider what response to make. The employee must take all reasonable steps to attend the meeting.

After the meeting the employer must inform the employee of the decision taken in response to the grievance and notify the employee of their right to appeal if the employee is not satisfied with the employer's decision. The employee must appeal to complete the statutory procedure.

#### Step 3: Appeal if necessary

If the employee wishes to appeal they must inform the employer. The employer will then invite the employee to attend another meeting. The employee must take all reasonable steps to attend. If reasonably practicable, a more senior manager or committee member, who has not been involved in the grievance procedure so far will deal with the appeal. After the meeting the employer must inform the employee of the decision taken.

### **The Modified Grievance Procedure**

The Modified Grievance Procedure will apply in relation to the employee's grievance only if:

- the employee no longer works for the employer
- the employee has agreed with your employer in writing that it will apply
- the employee raised it before they left, but the standard procedure wasn't completed, or the employee didn't raise it until after they left

There are two steps within the Modified Grievance Procedure:

Step 1: Employee gives written statement of grievance

The employee must put their grievance in a written statement and send a copy to the employer.

Step 2: Employer gives written response

The employer must write back to the employee giving their response to the points which have been raised.

**Principles Applicable to the Standard and Modified Grievance Procedure**

1. Each step in the grievance procedure should be carried out without unreasonable delay. The times and locations of meetings should be reasonable.
2. Meetings must be conducted in a way that allows both parties to explain their case.
3. Records should be kept detailing the nature of the grievance raised, the employer's response, any action taken and the reasons for it. These records should be kept confidential.
4. The employee has the right to be accompanied to the hearing by a Trade Union representative or a fellow employee.
5. There are some cases in which the statutory procedure does not have to be followed or does not have to be followed in full, for example where the grievance is about the fact the employer intends to dismiss the employee. In these cases, the employer will not necessarily follow the statutory procedures set out above.

**12.11 Code of Conduct for Staff and Committee Members**

Pre-school staff and committee members are expected to perform their roles in a professional manner, maintaining the highest standards of integrity and acting in a spirit of mutual support. Staff and committee members are therefore expected to treat other staff, committee members, parents and children with respect and dignity at all times and in all places, remaining accountable for the impacts of their actions and decisions.

Staff and committee members should, therefore, be publicly supportive of Pre-school, its staff, committee members, parents and children.

Staff and committee members should not publicly criticise, threaten, or otherwise malign Pre-school staff, committee members, parents or children verbally or via any other medium including, but not limited to, social networking sites and other online media including email. Any genuine complaints or grievances should be pursued through the agreed procedures as outlined in *Policies and Procedures*.

Staff, committee members and parents should not feel at risk of, or be subject to, criticism or reprisal for voicing genuine concerns through the appropriate channels.

Staff and committee members should take care not to use language or publish images on social networking sites or other public forums which may, by association, damage the image of Pre-school or otherwise bring it into disrepute.

Any staff or committee members known to be breaking these conditions will be given a formal warning, followed by adherence to the Disciplinary Procedure outlined in section 12.10 above. Should such behaviour be proven, this could result in the member of staff being dismissed, or the committee member being asked to leave the committee.