



A member of the Pre-School Learning Alliance
Registered Charity 1027219

New Moreton Hall Pre-School
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11.0 – ADDITIONAL NEW MORETON HALL PRE-SCHOOL POLICIES AND PROCEDURES

Additional NMHPS policy and procedures relating to section 1.0 - SAFEGUARDING AND WELFARE REQUIREMENT: CHILD PROTECTION

11.1 e-Safety Policy

Policy Statement

As part of the 'Every Child Matters' agenda, set out by the government, the Education Act 2002 and the Children's Act 2004, New Moreton Hall Pre-school has a duty to ensure that the children and young people, in its care, are protected from potential harm within and beyond the setting. Therefore, the involvement of the staff, children, young people and parents/carers is vital for the safe and successful use of on-line technologies.

This policy aims to explain how the staff, parents/carers, children and young people, involved with the New Moreton Hall Pre-school, can be part of these safeguarding procedures. It also details how the children and young people are educated to be safe and responsible users capable of making good judgements about what they see, find and use. The term 'e-safety' is used to encompass the safe use of all technologies in order to protect children, young people and adults from potential and known risks.

Aims

- To educate our staff, parents/carers, children and young people about the safe and acceptable use of current and new technologies both within and outside the New Moreton Hall Pre-school setting.
- To provide safeguards and rules for acceptable use to guide our staff, parents/carers, children and young people in their online experiences.
- To ensure staff and parents/carers are clear about procedures for misuse of any technologies both within and beyond the New Moreton Hall Pre-school setting.
- To work with parents/carers, external bodies, local authorities and agencies and the wider community to ensure, with continued awareness, our policies and procedures are kept up to date regarding the benefits and potential issues related to technologies and their use.

Roles and Responsibilities

- It is the responsibility of the New Moreton Hall Pre-school Committee and the Setting Manager to ensure an up to date and effective e-Safety Policy is in place and that adequate resources are available to facilitate any training requirements of the staff. In addition, they are responsible for ensuring e-Safety is addressed in order to establish a safe ICT (Information Communication Technology) learning environment and that any misuse, incident or allegations are dealt with and reported appropriately in accordance with the settings policies and procedures. *(see policy 10.12 making a complaint)*



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- The Setting Manager is designated as the e-Safety Lead and has responsibility for ensuring all relevant policies and procedures are fully implemented, staff are aware of their responsibilities, in respect of them, and training is made available and undertaken as required.
- It is the responsibility of all staff members to ensure they follow the procedures in place. They must ensure the children in their care only use authorised equipment, in a safe and acceptable manner.
- It is the responsibility of the Management, staff and parents/carers to ensure the children and young people, in our care, are educated in the correct use of equipment provided, understand what is considered unacceptable or unsafe and to monitor their use.

Procedure

Equipment and Technology

- ❖ New Moreton Hall Pre-school provide (ICT) equipment for use by the staff and children/young people attending the setting.
- ❖ We use a combination of the following to increase safety:
 - Anti-virus/anti-spyware software,
 - Filters,
 - Remote storage,
 - Use of an accredited ISP (Internet Service Provider),
 - Monitoring of use,
 - Training on correct use and potential issues,
 - A clear policy on using personal devices.
- ❖ We do not allow personal devices to be used in the setting, except under exceptional circumstances and then only with prior consent of the Setting/Deputy Manager or Committee Chair, in the Setting/Deputy Managers absence. (*see also policy 1.6 use of mobile phones and cameras*)
- ❖ Tablets are provided and used by staff to record the 'Learning Journeys' and track the progress of their key children. This information is held on a secure internet based programme called 'Tapestry' which can also be accessed by parents. For security purposes:
 - 'Tapestry' is password protected,
 - Details of children attending the New Moreton Hall Pre-school can only be accessed and changed by authorised users from our setting,
 - Parents are given, authorised, access, to the 'Tapestry' site, by way of a unique pass code, which enables them to view the information/data in the 'Learning Journey' of their child only.
- ❖ Tablets are also used by the children and young people attending our setting to access educational and other authorised child friendly sites i.e. CBeebies.
- ❖ New Moreton Hall Pre-school have Acceptable Use Agreements and Rules, relating to the ICT equipment used on site, which are reviewed annually.



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Staff

- ❖ All staff members are issued with a copy of the 'Acceptable Use Agreement'; see *Appendix A*, which they are required to sign, to confirm their understanding of and compliance with the policy, and is held on file. Where it is necessary to change or amend the 'Acceptable Use Agreement' it will be re-issued to all members of staff for signing.
- ❖ Key workers are responsible for introducing their key children to the technology equipment available for their use within the Pre-school. This will include:
 - Explaining how the equipment works,
 - What they are authorised to use it for,
 - The 'Rules for Use' of technology equipment,
 - What to do if the equipment does not work the way they have been shown; and
 - What to do if they or someone else accidentally access something they are not authorised to.

In the absence of the child's key person the Manager/Deputy Manager will nominate another key person to carry this out.
- ❖ Regular checks shall be carried out by key workers to ensure the filtering levels are set to the correct levels, appropriate for the children in their care.
- ❖ Key workers shall monitor the use of technology by their key children to ensure there is no unacceptable or inappropriate access or use.
- ❖ In the event of unacceptable or inappropriate access or use, by a child or adult, being discovered or suspected this shall be reported to the Setting Manager, immediately, for investigation.
- ❖ In the event of allegations being made against the Setting Manager, of unacceptable or inappropriate access or use, these shall be reported to the Committee Chair or their deputy, in the Chairs absence, immediately.
- ❖ In the event that a member of staff finds themselves, another employee, child/young person or parent/carer associated with the New Moreton Hall Pre-school on an external website as a victim or there is information considered detrimental to the Pre-schools reputation, this should be reported to the Setting Manager/Deputy Manager or Committee Chair immediately to enable investigations to be carried out.
- ❖ Staff members are required to:
 - Make good judgements about their internet use and websites they access from the setting and/or on the equipment we provide.
 - Use appropriate tones when communicating via e-mail and ensure e-mails sent from the setting and/or from equipment we provide are work related and not of a personal nature.
 - Only use technology equipment provided by the New Moreton Hall Pre-school for work related use and not to remove equipment from the setting unless in exceptional circumstances and then only with prior consent of the Setting Manager/Deputy Manager or Committee Chair in their absence. Where this is



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necessary and agreed the request and agreement should be in writing.

- Highlight any new or arising issues and risks, they become aware of, that may need to be included within the settings policies and procedures, to the Setting Manager,
- Use anti-virus software and check for viruses on their work computers, tablets, laptops or memory sticks when transferring information from the internet on a regular basis.
- Use electronic communications in an appropriate way that does not breach the Data Protection Act 1998. Remember confidentiality and not disclose information from the setting, pass on security passwords or leave a station unattended when they or another user is logged in.
- Ensure that personal storage devices i.e. memory sticks, used to hold sensitive Information, are encrypted or password protected, to increase security, in the event they are lost or stolen.
- Ensure only work related, appropriate, material is printed from New Moreton Hall Pre-school equipment and only then by authorised personnel.

Children, young people and parents/carers

- ❖ The 'Rules for Use'; *see Appendix B*, are:
 - Explained to each child, by their key person, when they first start using any technology equipment in the setting.
 - Sent home with each child so they can be read by the parents/carers. We encourage parents/carers to read through and discuss these rules with their child and to return a signed copy to verify they understand and agree to them. Where it is necessary to make changes to the 'Rules for Use' they shall be re-issued.
- ❖ All children and young people attending our setting are:
 - Taught how to use the technology provided in a safe and acceptable way.
 - Taught to tell an adult, immediately, if they, or someone else, accidentally accesses inappropriate material so that appropriate action can be taken and the incident investigated.
- ❖ In the event of unacceptable or misuse by a child or young person, whilst in our setting, this shall be raised with the parents/carers and the child/young person's use may be restricted or suspended until the Setting Manager is happy that the child/young person understands the 'Rules for Use' and how to use the technology equipment in a safe and appropriate manner.

Social Networking

Staff and adults need to ensure they consider the risks and consequences of anything they or their children and young people may post on any web or social networking sites i.e. Facebook or Instagram, as inappropriate comments or images can reflect poorly on a company or an individual and can affect future careers.



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We do not permit information or images gathered at our setting, relating to the staff, parents/carers, children or young people connected with the New Moreton Hall Pre-school, to be posted on social networking sites. The exception is where information is used to promote the setting or activities being planned and then only with the prior consent of the Setting Manager/Deputy Manager or Committee Chair, in their absence, and that of the parents/carers where any information relates to a child or young person.

We encourage our staff and parents/carers to report any instances, they become aware of, where inappropriate information or comments are posted, on social networking sites, about the New Moreton Hall Pre-school, our staff, parents/carers, children or young people so that investigations can be carried out.

Legal framework

- The Children Act (Every Child Matters) (2004)
- Data Protection Act 1998

Further guidance

- Managing Allegations Procedure – SSCB (Suffolk Safeguarding Children Board)
- Independent Safeguarding Authority: www.isa.homeoffice.gov.uk

This policy was adopted at a meeting of **New Moreton Hall Pre-School**

Held on

Date to be reviewed

Signed on behalf of the management /committee

Name of signatory

Role of signatory (chair/manager)

APPENDIX A: Acceptable Use Agreement – for staff, committee members and visitors



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These principles apply to the use of all ICT equipment belonging to the New Moreton Hall Pre-school, whether used at or away from the setting, and the downloading or printing of material.

All staff employed by, or adults involved with, the New Moreton Hall Pre-school are required to be aware of their safeguarding responsibilities when using on-line technologies, such as the internet, e-mail or social networking sites. They are asked to sign these Acceptable Use Rules to confirm their acceptance and understanding of, and compliance with, them and to act as an example, to the children and young people in our care, regarding the safe and responsible use of on-line technologies. In addition, this will educate, inform and protect them so that they feel safeguarded from any potential allegations or inadvertent misuse themselves.

- I know that I must only use equipment provided by the New Moreton Hall Pre-school to carry-out my required activities, within the setting, in an appropriate manner and for professional uses.
- In the exceptional event that it is necessary for me to use my own personal devices I will not do so without first gaining the written permission of the Setting Manager/Deputy Manager or Committee Chair in their absence.
- I understand that I need to gain permission from the Setting Manager/Deputy Manager, or Committee Chair in their absence, before I upload images (video or photographs) to the internet or send them via email, other than those I am already authorised to as part of my normal activities i.e. Tapestry.
- I understand that I need to give permission to children and young people before they can upload images (video or photographs) to the internet or send them via email.
- I know that images should not be inappropriate or reveal any personal information of children and young people if uploading to the internet.
- I have read and understand the procedure to follow for Incidents and Misuse so that I can deal with any problems that may arise, effectively.
- I will report any accidental misuse.
- I will report any incidents of concern for a child or young person's safety to the e-Safety Lead in accordance with the procedures stated in the e-Safety Policy.
- I know that the designated e-Safety Lead, for the New Moreton Hall Pre-school, is the Setting Manager.
- I understand that, in the event of an incident, allegation or misuse being raised about the e-Safety Lead this must be raised with the Committee Chair or designate, immediately.
- I know that I am putting myself at risk of misinterpretation and allegation should I contact children and young people via personal technologies, including my personal e-mail. I understand that contact should only be made via the parents/carers from the settings e-mail address and phones.
- I know that I am not permitted to post information or images gathered at our setting or comments detrimental to the New Moreton Hall Pre-school, our staff, parents/carers,



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children or young people, on social networking sites. I understand that if I am found to be in breach of this rule I may be subject to disciplinary action being taken against me.

- I know that I should complete virus checks on portable equipment, memory sticks or other devices to ensure that I do not inadvertently transfer viruses, especially where I have downloaded resources.
- I will ensure that I follow the Data Protection Act 1998 and have checked that I know what this involves.
- I will ensure that I keep my password secure and not disclose any security information unless to appropriate personnel. If I feel someone inappropriate requests my password I will check with the e-Safety Lead prior to sharing this information.
- I will adhere to copyright and intellectual property rights.
- I will only install hardware and software I have been given permission for.
- I accept that the use of any technology designed to avoid or bypass the settings filtering system is forbidden. I understand that intentional violation of this rule may result in disciplinary procedures being initiated.
- I have been given a copy of the 'e-Safety Policy', which outlines acceptable use, to refer to about all e-safety issues and procedures that I should follow.

I have read, understood and agree with these Rules as I know that by following them I have a better understanding of e-Safety and my responsibilities to safeguard children and young people when using on-line technologies.

SIGNED: DATE:

NAME (printed):

APPENDIX B: Acceptable Use Agreement – for children and young people



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My e-Safety Rules for Use

These are our principles for using electronic equipment and the internet in a safe and acceptable way

- I will only use electronic equipment once I have been shown how to do so.
- I will only use the programmes, including those on the internet, that I am told I can, so that I can use them safely and responsibly.
- I will only use electronic equipment at the New Moreton Hall Pre-school that they have provided me with.
- I will use electronic equipment and the internet to help me learn.
- I will never give out passwords or personal information like my name, address or phone numbers.
- If I need help I will ask a member of staff.
- I will tell a member of staff immediately if:
 - I see anything in the programmes I use, or on the internet, that makes me feel uncomfortable,
 - I am asked to use programmes or the internet in a way that I have not been shown or am not comfortable with; or
 - I see someone else using programmes or the internet in a way that they have not been shown.
- If I do not feel comfortable telling a member of staff, about any issues I have, or things I have seen, I will tell my parent/carer so they can discuss this with a member of staff or the Setting Manager/Deputy Manager.
- I know that these rules are in place to help keep me safe and that I should follow them as part of the agreement with my parent/carer.

Childs name: Date:

Parent/Carers name (printed):

Parent/Carers signature:



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11.0 – ADDITIONAL NEW MORETON HALL PRE-SCHOOL POLICIES AND PROCEDURES

Additional NMHPS policy and procedures relating to section 2.0 – SUITABLE PEOPLE: 2.1 Employment

11.2 Grievance Procedure

Policy Statement

At New Moreton Hall Pre-School it is understood that there will be occasions when employees have issues relating to working conditions or relationships. It is expected that in most cases these will be resolved through informal discussions. However, where a problem remains unresolved the grievance procedure shall be followed.

The grievance procedure is designed to ensure that a fair and consistent method is employed when dealing with issues raised by employees. All grievances raised shall be dealt with in a confidential manner and the process progressed as quickly as possible.

Procedure

Raising an issue

- ❖ Where an employee has issues with a fellow employee, and feels able to, they should initially approach the person the issues relate to and try to discuss them informally to find a resolution.
- ❖ Where the employee does not feel able to approach the person the issues relate to, they have been unable to resolve the issues through informal one to one discussions or the issues relate to working conditions the employee should, in the first instance, raise them with the Setting Manager.
***NB:** where issues relate to the Setting Manager they should be raised with the Committee Chair or their deputy.*
- ❖ The Setting Manager/Committee Chair shall meet with the employee(s) involved to discuss the issues informally and try to find a mutual resolution.
- ❖ Where the issues relate to working conditions the Setting Manager shall discuss the issues with the employee (investigations relating to the issue may be required) to try and resolve them.
- ❖ A record shall be made of any informal discussions relating to issues raised by employees.

Raising and dealing with a formal grievance

- ❖ Where an issue cannot be resolved informally the employee should raise a formal grievance. This shall be in writing to the Setting Manager, or Committee Chair were the grievance relates to the Setting Manager, giving full details of the issues.



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- ❖ The Setting Manager/Committee Chair shall arrange a formal meeting with the employee, as soon as possible after receiving the grievance letter, to discuss the details of the grievance and try to find a resolution. Where possible this should be within 5 working days of receipt of the grievance letter.
- ❖ If a resolution is not possible, following this meeting, it may be necessary for the Setting Manager/Committee Chair to:
 - carry out an investigation into the issues raised;
 - hold a further meeting with the employee and other employees the issues concern;
 - discuss the issues with the committee.
- ❖ Once this process is complete the Setting Manager/Committee Chair shall arrange a further meeting, with the employee raising the grievance, to discuss their findings and try to find a mutual resolution.
- ❖ The Setting Manager/Committee Chair shall formally respond, in writing, to the employee raising the grievance, within 5 working days of this meeting, detailing the discussions, findings of any investigations and the agreed resolution, if one is found.
- ❖ Where the employee raising the grievance is unhappy with the outcome or an agreed resolution cannot be found, the grievance shall be referred to another member of the committee or an external adjudicator for an independent review.
- ❖ Following the independent review the reviewer shall respond within 5 working days of hearing the grievance with their findings/decision.

Records, confidentiality and support

- ❖ All information relating to a grievance shall be dealt with in a confidential manner and discussed only with those people necessary, with the consent of the employee raising the grievance.
- ❖ Records of discussions, investigations and meetings shall be made, signed and dated by all those involved and held on file.
- ❖ Copies of formal grievance letters and any responses shall be held on the employees personal file.
- ❖ Employees are entitled to be accompanied by a fellow employee or trade union representative at any stage of the process.

This policy was adopted at a meeting of **New Moreton Hall Pre-School**

Held on _____

Date to be reviewed _____

Signed on behalf of the
management /committee _____

Name of signatory _____

Role of signatory (chair/manager) _____



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11.0 – ADDITIONAL NEW MORETON HALL PRE-SCHOOL POLICIES AND PROCEDURES

Additional NMHPS policy and procedures relating to section 2.0–SUITABLE PEOPLE: 2.1 Employment

11.3 Disciplinary Procedure

Policy Statement

At New Moreton Hall Pre-School we endeavour to maintain a well-motivated, highly skilled and professional team. In order to facilitate this, it is essential that certain standards and levels of performance are maintained to ensure the smooth running of the organisation and for the well-being of its employees, the children attending the setting and their families. Our aim, always, is to support and encourage our employees to consistently achieve high standards of performance and to promote good employment relations.

The disciplinary procedure is designed to ensure that a fair, transparent and consistent method is employed when dealing with staff who are not performing to the required level or are involved in incidents which constitute a breach of discipline. All disciplinary matters and outcomes shall be dealt with in a confidential manner.

Depending on the seriousness of the case, the disciplinary procedure may be entered into at any of the stages outlined below. In general, where issues relate to an employee's poor/inadequate performance or conduct this will, initially, be brought to the employee's attention by their immediate manager, in informal conversations, accompanied by the offer of assistance to help the employee to achieve the level of performance expected. These conversations shall be recorded.

Issues which constitute a breach of discipline include, but are not limited to:

- Giving false information to gain employment or not proffering relevant information which may affect the employment decision.
- Not following the requirements set down in the settings policies and procedures or those outlined by OFSTED or in legislation.
- Not keeping required information, pertaining to the Pre-school, other members of staff (including members of the committee), the children attending or their families, confidential.
- Inappropriate use of information technology, either at, or away from the setting in relation to the Pre-school, other members of staff (including members of the committee), the children attending or their families.
- Not performing to the level required, as outlined in the job description and/or contract.
- Any incident which constitutes a safeguarding issue.



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Where it is felt necessary, to protect the employee, other members of staff (including members of the committee) the children attending, their families or the Pre-school, the employee may be suspended from their duties. This may be carried out in person but the details must be confirmed in writing. During any period of suspension, the employee shall remain on full pay until the matter is resolved.

Procedure

Investigations

- ❖ All incidents shall be fully investigated to establish the facts.
- ❖ Investigations shall normally be carried out by the employee's immediate manager. However, depending on the circumstances, another suitable person may be nominated by the Setting Manager or Committee Chair to conduct the investigation. The person conducting the investigation is the Investigating Officer.
- ❖ Investigations shall always be non-discriminatory.
- ❖ Where possible, investigatory meetings shall be carried out within 48 hours of the incident occurring, or as soon as is practically possible.
- ❖ During any investigation, all those involved in, or witness to the incident shall be interviewed and statements taken. Depending on the circumstances other people may be asked to provide statements, where their input is thought to have a relevance on the facts.
- ❖ The Investigating Officer may have the assistance of a note taker at the investigatory meetings.
- ❖ Statements shall record the date and time of the meeting, names of all attendees and questions, answers and comments made by all parties, during the investigatory meeting.
- ❖ At the end of an investigatory meeting all parties, in attendance, shall read through the statement, to ensure the facts are correct and true. Once happy with the content of the statement all attendees shall sign and date as confirmation of this.
- ❖ The Investigating Officer reserves the right to interview/re-interview persons to clarify information or answer further questions relating to information, which has come to light during any of the other investigatory meetings.

Investigatory out-come

- ❖ Once the Investigating Officer is satisfied that all relevant information has been obtained and the facts have been established he/she shall decide on the out-come. The out-come shall either be:
 - that the allegations are not substantiated, no further action is to be taken and no record of the investigation needs to be held on the employees personal file;
 - to take no further action at the current time due to mitigating circumstances being established, it being a very minor or first offence; or
 - to invoke the disciplinary procedure.
- ❖ Where the out-come is for no further action to be taken at the current time, all notes and statements shall be held in the employees personal file for a period of 6 months. If,



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during this time any further incidents, of a similar nature, occur this information may be reviewed and taken into account. Assuming no further incidents, of a similar nature, occur during this period all notes and statements, relating to the incident, shall be removed.

- ❖ Where the Investigating Officer deems it necessary to invoke the disciplinary procedure the process outlined below shall be entered into.

Disciplinary process

- ❖ Disciplinary hearings shall normally be carried out by the Setting Manager. However, depending on the circumstances, another suitable person may be nominated by the Setting Manager or Committee Chair to conduct the disciplinary hearing. The person conducting the disciplinary hearing is the Interviewing Officer.
- ❖ The employee shall be invited to the disciplinary hearing, in writing, with a minimum of 48 hours' notice. The invitation letter shall advise the employee:
 - of the date, time and venue the disciplinary hearing is planned to take place;
 - that they have the right to be accompanied, by a fellow employee or trade union representative;
 - the name of the Interviewing Officer and any other person(s) who may be in attendance i.e. a note taker/HR representative.
 - that they must inform the Interviewing Officer of the name of any person they choose to be accompanied by at least 24 hours before the disciplinary hearing takes place and by what means this should be done i.e. telephone call, email;
 - that they must confirm their attendance;
 - of the reason for the disciplinary hearing;
 - what to do if the date, time and/or venue planned are not convenient; and
 - the action which shall be taken should the employee fail to attend, without prior notice.
- ❖ Included with the invitation letter shall be:
 - copies of the investigatory statements/notes;
 - a copy of the disciplinary procedure;
 - copies of any other, relevant, policies or procedures;
 - copies of any other evidence the Interviewing Officer may have.
- ❖ The Interviewing Officer shall review the statements, notes and any other, relevant, information gained during the investigation. This information may be used in determining the out-come.
- ❖ During the disciplinary hearing the employee will be given ample opportunity to state his/her case. (All disciplinary hearings shall be carried out in respect of ACAS recommendations.)
- ❖ Disciplinary meetings shall be non-discriminatory. The Interviewing Officer shall keep an open mind and not pre-judge the out-come.
- ❖ The meeting may be adjourned at any point, by either side to take a short agreed break.



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- ❖ At the end of the disciplinary hearing the Interviewing Officer shall take time out to make his/her decision and decide either:
 - to carry out further interviews or check information which has come to light during the disciplinary meeting and reconvene at a mutually agreeable date, time and venue to conclude the process;
 - to conclude that the case does not warrant disciplinary action being taken; or
 - to conclude that disciplinary actions shall be taken and at what level.

Levels of disciplinary action

Level 1 – Caution

Where informal conversations, relating to an employee's poor/inadequate performance or conduct, have already taken place and the required improvements have not been achieved or for minor or first offences a caution may be awarded. A record of the caution, with required actions and timescales for improvement, shall be held on the employee's personal file for a minimum of 3 months*, at which point it shall be reviewed.

Level 2 – First Stage Written Warning

A first stage written warning may be awarded where the employee's performance or conduct remains less than satisfactory or for more serious or repeat offences. This shall remain on the employee's record for a minimum of 6 months*.

Level 3 – Final Stage Written Warning

A final stage written warning may be awarded where the employee's performance or conduct continues to remain less than satisfactory, following a previous, related, warning or for more serious offences. This shall remain on the employee's record for a minimum of 12 months*.

Level 4 – Dismissal

Where the required improvements have not been made in an employee's performance or conduct the decision may be taken to dismiss the employee. Where an employee is found to have committed an act of gross misconduct, dismissal without notice will also be the normal course of action taken. Acts of gross misconduct include, but are not limited to:

- Serious safeguarding issues including child abuse.
- Serious infringement of health and safety rules.
- Gross negligence that either causes or may cause injury, loss or damage to persons or property.
- Persistent bullying, sexual or racial harassment or assault on another person.
- Being unfit for work through alcohol or illegal drug use.
- Theft, fraud or deliberate falsification of the Pre-schools documents.
- Deliberate damage to Pre-school property.



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Confirmation of disciplinary out-comes

Following any disciplinary, the Interviewing Officer shall confirm the out-come, in writing, within 48 hours of the meeting, where practically possible. This letter shall include:

- details of the incident over which the action is being taken;
- the level of action/out-come which has been decided;
- the length of time any caution/warning will stay on the employee's record;
- any actions, for improvement, required, with time scales; and
- details of the appeal process.

Appeals against disciplinary action

- ❖ Appeals against a disciplinary decision, including dismissal, must be made in writing, to the Committee Chair, within 5 working days of the decision being communicated.
- ❖ The Appeals Officer role shall be carried out by the Committee Chair, however, where this is not practically possible or where there may be a conflict of interest, the Committee shall appoint another suitable, impartial, person to adjudicate the case.
- ❖ The appeal should state the reasons for non-acceptance of the decision and include any supporting evidence.
- ❖ The Appeals Officer shall carry out a full review of the facts, including notes from the investigatory and disciplinary meetings.
- ❖ The Appeals Officer may call further meetings with the employee, other employees involved in the process, the Investigating or Interviewing Officers.
- ❖ In carrying out an appeal the Appeals Officer has a right to reduce or increase any part of the disciplinary decision if they do not feel the decision is correct or just. This includes the level of action taken and/or the time it shall be held on the employee's personal file. **NB: The Appeals Officer may, with a majority agreement of the Committee, reduce the time disciplinary action is held on an employee's personal file to below the normal minimum time stated for each level above.*
- ❖ Once a decision has been made regarding the appeal, the Appeals Officer shall communicate the out-come in writing to the employee. Where practically possible, appeals should be dealt with within 15 days of receipt.

This policy was adopted at a meeting of **New Moreton Hall Pre-School**

Held on -----
Date to be reviewed -----
Signed on behalf of the -----
management /committee -----
Name of signatory -----
Role of signatory (chair/manager) -----



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11.0 – ADDITIONAL NEW MORETON HALL PRE-SCHOOL POLICIES AND PROCEDURES

11.5 Staff Expectations

Policy Statement

The success of the New Moreton Hall Pre-School depends upon the effective contributions and levels of standard maintained by all its employees. We recognise that the majority of our employees meet or exceed the demands of their respective roles, however problems with performance and reduced standards can and do arise. This procedure provides details of the standards we expect from our staff to ensure the pre-school operates in a consistent manner.

Procedure

Personal Hygiene & Dress Code

- ❖ Employees are expected to maintain a good level of personal hygiene and dress appropriately for their position. All employees are responsible for setting good examples to the children in the pre-schools care and in order to ensure consistency the following list of guidelines has been drawn up (*although this is not an exhaustive list*).
 - Tunics, where provided, shall be clean and worn with dark trousers. Fleeces are also provided and may be worn as required.
 - Where uniform is **not** provided the following applies:
 - dark trousers (including smart dark jeans) or skirts, on or below the knee, shall be worn. **Short shorts and jeans with ripped knees are not acceptable;**
 - tops shall be plain without bold colours, logos or motifs;
 - tops shall **not** be low cut, expose the midriff or be see through;
 - blouses shall secure correctly without gaping;
 - plain cardigans, jumpers or sweatshirts may be worn. **Hoodies are not acceptable;** and
 - clothes worn shall be clean and in a good state of repair.
 - Comfortable flat shoes, boots or trainers shall be worn, which are clean and dark in colour. Heels or bright coloured footwear are not appropriate.
 - Hair shall be clean and worn neatly. Long hair shall be worn so as not too obscure the face or vision.
 - Nails shall be kept short, clean and neatly manicured.
 - Make up and perfume shall be minimal.
 - Jewellery should be kept to a minimum. Small sleepers or studs may be worn (**no large hoops or dangling earrings**), necklaces shall **not** have large pendants and where possible shall be worn under the top, bracelets, large rings and large watches must be avoided.
 - Visual body piercings i.e. nose studs, tongue piercings, shall be discreet or removed during work hours.



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- Hands shall be kept clean and must be washed after:
 - going to the toilet;
 - changing a nappy or helping a child with going to the toilet;
 - blowing or wiping the nose or the nose of a child;
 - clearing up following an incident of child sickness;
 - being outside in the garden;
 - touching animals, insects, bugs or pets;
 - general clearing or washing up; or
 - before preparing food or drinks.

Communication

The New Moreton Hall Pre-school Committee realise that employees may have issues or questions they do not wish to raise or discuss with the Setting Manger or Deputy Manager or which the Setting Manager or Deputy Manager cannot resolve. In these case's the issues may need to be referred to the committee. The following is a guide to the correct chain of communication.

- ❖ Where employees feel they have issues they wish to raise with the committee they should initially bring them to the attention of the Setting Manager or Deputy Manager. The Manager or Deputy Manager will try to deal with the issues.
- ❖ If the employee feels the issue is not in need of immediate attention they may feel able to wait to speak to a committee member during one of the scheduled committee visit sessions.
- ❖ Where the employee feels the issue needs immediate attention or the Setting Manager or Deputy Manager are unable to resolve the issue they will inform the committee of the issue and request.
- ❖ The committee will nominate a committee member to deal with the issue.
- ❖ The nominated committee member will arrange a convenient time to meet with the employee.
- ❖ The nominated committee member will try to resolve the issue, however, if this is not possible they may need to consult the remaining committee members. Depending on the issue investigations may be required, the disciplinary process may need to be invoked or advice may need to be sort from other employees, committee members or external expertise.
- ❖ A response will be given by the nominated committee member.
- ❖ Where the employee does not feel able to raise their issue with the Setting Manager or Deputy Manager they should take their issue directly to the Committee Chair. This should be communicated in writing or may be raised directly via another committee member during one of the scheduled committee visit sessions. Contact details for all committee members are available to employees.



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Conduct & Capability

The New Moreton Hall Pre-school expects a certain standard of behaviour from its employees whilst carrying out their duties. The following is a guide to those expectations however this guide is not exhaustive and more details can be found within the individual, specific, policies and procedure in place.

- ❖ Employees are expected to carry out the duties involved with their role, as detailed in their job description and contract, to the best of their ability. Where an employee is having difficulties fulfilling their duties they shall highlight this to the pre-school management team as soon as possible.
- ❖ Employees are responsible for ensuring they are up to date with the pre-schools policies, procedures, rules and documentation and know where to locate them.
- ❖ Employees are responsible for notifying the pre-school management team of any areas of their role that they do not feel fully trained in or informed about.
- ❖ Employees are responsible for informing the pre-school management team of any changes to their circumstances which may affect their employment i.e. police conviction.
- ❖ Employees are required to keep confidential any issues relating to the children who attend and/or their parents/carers, other employees or committee members.
- ❖ Employees shall not use pre-school resources for their own personal use or gain.
- ❖ Employees are responsible for notifying the Pre-school Manager or Deputy Manager, in the Managers absence, if they are sick and/or are unable to cover their shift by 8am on the first day of absence.
- ❖ Employees are responsible for reporting any activity, either within the pre-school or outside of pre-school which relates to it, that they deem may be detrimental to the pre-schools name or reputation, or to that of other employees, committee members, children who attend or their parents/carers, to the pre-school management team as soon as possible.
- ❖ Employees shall not keep images relating to the pre-school, the children in its care, their parents or other employees unless officially authorised to do so by a member of the pre-school management team and/or a child's parent/carer, or the named individual, for their own use.
- ❖ Employees are expected to treat each other, the children who attend, their parents/carers and visitors to the pre-school with respect and work in a professional manner.
- ❖ Any form of bullying or intimidation either of or by an employee, child, parent, committee member or another associated person will not be tolerated and is regarded as gross misconduct. This includes, but is not limited to, face to face, on social media, by letter, telephone/text and gossiping with or inciting another person to bully or intimidate. Any issues of this nature should be reported to the management team immediately for investigation.



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Further, relevant, guidance can be found in the following:

- 1.6 Use of mobile phones and cameras procedure;
- 1.9 e.Safety Policy;
- 10.9 Confidentiality and client access to records procedure;
- 10.10 Information sharing procedure;
- 11.2 Grievance Procedure;
- 11.3 Disciplinary Procedure; and
- Individual contracts and job descriptions.

This procedure was adopted at a meeting of **New Moreton Hall Pre-School**

Held on -----

Date to be reviewed -----

Signed on behalf of the management /committee -----

Name of signatory -----

Role of signatory (chair/manager) -----



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11.0 – ADDITIONAL NEW MORETON HALL PRE-SCHOOL POLICIES AND PROCEDURES

11.6 Whistle-blowing Procedure

Policy Statement

New Moreton Hall Pre-School understand the importance of having a whistleblowing procedure that protects employees who report colleagues they believe are doing something wrong, illegal or who are neglecting their duties. We are committed to the highest possible standards of:

- Openness and inclusiveness
- Accountability
- Integrity in-line with that commitment

The aims of this procedure are to:

- Encourage our employees to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- Provide guidance on how to raise concerns.
- Reassure those raising concerns that they are able to raise genuine concerns “made in the public interest” without fear of reprisals, even if they turn out to be mistaken.

The New Moreton Hall Pre-school will provide all reasonable protection for those who raise concerns “made in the public interest”. We will be responsible for ensuring that appropriate personal support is offered both to an employee raising a concern and to any employee against whom allegations have been made under this procedure.

The definition of ‘Whistleblowing’

‘Whistleblowing’ is defined as ‘raising concerns about misconduct within an organisation or within an independent structure associated with it’ (Nolan Committee on Standards in Public Life). In the legislation it is called a protected disclosure. The Public Interest Disclosure Act 1998 protects employees from suffering a detriment in their employment or being dismissed by their employer if they make disclosures in accordance with the legislation.

An employee has certain common law confidentiality obligations to their employer. However, in a limited set of circumstances whistleblowing may override these obligations if an employee reveals information about their employment or the work of the pre-school. This guidance sets out the circumstances under which these disclosures may lawfully be made.

A concern must relate to something which:

1. is a breach of the pre-schools policies; or
2. falls below established standards or practice; or
3. amounts to improper conduct, including something that may be;



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- a breach of the law
- a failure to comply with a legal obligation
- a possible miscarriage of justice
- a Health & Safety risk
- damaging the environment
- misuse of funds
- corruption or unethical conduct
- abuse of children, students or other users
- deliberate concealment of any of these matters
- any other substantial and relevant concern

These issues could have arisen in the past, be currently happening or likely to happen in the future. The law does not protect an employee who would be breaking the law in making the disclosure.

Procedure

Raising a concern

All concerns will be treated sensitively and with due regard to confidentiality and where possible every effort will be made to protect your identity if you so wish. Nevertheless, information will need to be passed on to those with a legitimate need to have it and it may be necessary for you to provide a written statement or act as a witness in any subsequent disciplinary proceedings or enquiry. This will always be discussed with you first.

Step 1

Where employees have concerns they should aim to report them internally first before using an external prescribed body or person. Making a report to an external person may only be undertaken where the employee thinks the pre-school will cover it up, treat them unfairly if they complained or have raised the matter before but the concern hasn't been dealt with.

If you wish to raise a concern you should, normally, initially do so with the Setting Manager or Deputy Manager either in person or in writing.

The pre-school recognises that sometimes it may be inappropriate for you to approach the Deputy or Setting Managers with your concern. In these circumstances you should contact the Committee Chair or the Deputy Chair or one of the following alternatives, depending on the nature of your concern:

- Local Authority
- Union or Professional Association
- Prescribed Person or Body – Ofsted, Education Funding Agency, Children's Commissioner, NSPCC, Public Concern at Work (whistleblowing charity)

www.pcaw.org.uk



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Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable ground to raise them.

Step 2

The person with whom you have raised your concern will acknowledge its receipt as soon as possible and will write to you within 10 days to let you know how your concern will be dealt with. The information you can then expect to receive is:

- an indication of how the concern will be dealt with;
- an estimate of how long it will take to provide a final response;
- whether any initial enquiries have been made;
- whether further investigations will take place, and if not why not; and
- information about support available for you

The person with whom you have raised your concern will at the same time notify the New Moreton Hall Pre-school Committee that a whistleblowing allegation has been made.

Step 3

Initial enquiries will be made to decide whether an investigation is appropriate. Where an investigation is necessary, it may take the form of one or more of the following:

- an internal investigation by the Setting Manager, Deputy Manager or nominated committee member which may, for example, take the form of a disciplinary investigation;
- a referral to Ofsted or the Police; or
- the setting up of an external independent inquiry.

Step 4

You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law. If you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following as appropriate:

- your trade union;
- the Citizen's Advice Bureau;
- Ofsted;
- a relevant voluntary organisation;
- the Police;
- the Local Government Ombudsman;
- the Local Safeguarding Children Board; or
- the Equality and Human Rights Commission;

You must make a disclosure "in the public interest"; and in the circumstances it must be reasonable for you to make the disclosure. If there is an issue of an exceptionally serious nature which you believe to be substantially true, then you may disclose the issue to someone other than those listed above. In determining whether it is reasonable for you to have made a



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disclosure the identity of the person to whom the disclosure is made will be taken into account. Disclosures to anyone outside of the recognised bodies specified may not be protected disclosures under the Act.

You have a duty to the pre-school not to disclose confidential information. This does not prevent you from seeking independent advice at any stage or from discussing the issue with the charity Public Concern at Work on 020 7404 6609 and www.pcaw.co.uk in accordance with the provisions of the Public Interest Disclosure Act 1998.

This policy was adopted at a meeting of **New Moreton Hall Pre-School**

Held on -----

Date to be reviewed -----

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11.0 – ADDITIONAL NEW MORETON HALL PRE-SCHOOL POLICIES AND PROCEDURES

11.7 Dignity at Work Procedure

Policy Statement

New Moreton Hall Pre-school is committed to creating an environment free from bullying, harassment.

Bullying and harassment can have very serious consequences for the individuals involved, other employees and the pre-school community as a whole. It can affect an individual's health, their family, social relationships and have an adverse effect on their performance which may result in them raising a complaint, grievance or resigning from their job.

New Moreton Hall Pre-school will not tolerate bullying or harassment of any kind. Allegations will always be taken seriously, fully investigated and, if appropriate, disciplinary action will be taken. Victimisation of a person making an allegation of bullying or harassment in good faith or supporting someone making such a complaint will also not be tolerated. Bullying and harassment are regarded as misconduct and disciplinary offences which will be dealt with under the pre-schools disciplinary procedure.

Procedure

This procedure covers the bullying, harassment, intimidation and victimisation of and/or by committee members, managers, employees, children and/or their families, students, volunteers, visitors or any other person connected with the pre-school. It covers incidents within the pre-school setting and externally i.e. work related trips, training or social events and includes bullying, harassment, intimidation and victimisation in person, via social media or telephone/text/email.

Definition of bullying and harassment

Bullying is offensive, intimidation, malicious, insulting behaviour or an abuse or misuse of power which is meant to undermine, humiliate or injure the person on the receiving end.

Harassment is unwanted conduct related to sex, gender reassignment, race, ethnic or national origins, disability, sexual orientation, religion or belief, age or any other personal characteristic which:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating his/her dignity or of creating intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person



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responsible for the conduct.

The conduct may be harassment whether or not the person behaving in that way intend to offend. Something intended as a 'joke' may offend another person. It's important to remember that different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

Behaviour which any reasonable person would realise as likely to offend is considered harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them i.e. sexual touching. However, it may not always be clear, in advance, that some forms of behaviour would be unwelcome or could offend i.e. flirting or asking someone for a drink after work. In these cases, first time conduct which unintentionally causes offence is not harassment but will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

Examples of unacceptable behaviour which constitutes bullying and harassment (but not limited to them):

- physical conduct ranging from unwelcome touching to serious assault;
- unwelcome sexual advances, the offer of rewards for going along with sexual advances i.e. or threats for rejecting sexual advances;
- questions about a person's sex life;
- demeaning comments about a person's appearance;
- unwelcome jokes or comments of a sexual or racist nature or about a person's age;
- unwanted nicknames;
- the use of obscene gestures;
- the open display of pictures or objects with sexual or racial overtones, even if not directed at a particular person e.g. magazines or calendars;
- spreading malicious rumours or insulting someone;
- picking on someone or setting them up for a fall;
- making threats or comments about someone's job security without any good reason;
- ridiculing someone;
- isolating or non-cooperation at work; and
- excluding someone from social activities.

Definition of Victimisation

Victimisation is treating someone less favourably than others because they have, in good faith, complained that someone has been bullying or harassing them or someone else, supported someone to make a complaint or given evidence in relation to a complaint.



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Provided you act in good faith i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or ding anything in relation to a complaint of bullying or harassment and the pre-school will take appropriate action against anyone found to have victimised against you.

Making a complaint which you know to be untrue or giving false evidence may lead to disciplinary action being taken against you.

What should I do if I think I am being bullied or harassed?

- ❖ You may be able to sort the matter informally. The person may not realise their behaviour is unwelcome or upsetting and an informal discussion may help them to understand the effects of their behaviour and give them the opportunity to change it.
- ❖ If you do not feel able to approach the person yourself or on your own you may feel able to approach a colleague or manager to talk to the person with you or on your behalf.
- ❖ You should make it clear what behaviour you find offensive and unwelcome and say that you would like them to stop immediately. You may want to add that if the behaviour continues you intend to invoke the grievance procedure and make a formal complaint.
- ❖ Keep a note of the date and what was said and done. This can be used as evidence if the unacceptable behaviour continues and you wish to make a formal complaint.
- ❖ If an informal approach does not resolve matters or you think the situation is too serious to be dealt with informally you can invoke the grievance procedure and make a formal complaint.

What happens if I am accused of bullying or harassment?

- ❖ If someone approaches you informally about your behaviour do not dismiss the complaint out of hand because you were only joking or think the complainant is too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
- ❖ You may have offended someone without intending to and the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in the future not to behave in a way that you know may cause offence.
- ❖ Provided you do not repeat the behaviour, which caused the offence, it is likely that the matter will be resolved at this stage.
- ❖ If a formal complaint is made about your behaviour this will be fully investigated and the pre-school may invoke the disciplinary procedure, if appropriate.
- ❖ You will have the right to be informed of the allegations against you, to put your side of the story and be accompanied to any relevant meetings.
- ❖ The disciplinary procedure will be invoked at the appropriate stage and, where the claims are substantiated, may be dealt with as an act of gross misconduct which could



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result in dismissal.

Confidentiality

New Moreton Hall Pre-school will treat all complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigations of allegations will normally require limited disclosure on a 'need to know' basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about so they are able to respond to the allegations. Some details may also have to be given to potential witnesses but the importance of confidentiality will be emphasised to them.

Where a complaint is upheld, and a person who has been found to have harassed you remains employed by the pre-school, some information, where necessary, may need to be given to managers and session leaders for them to manage the risk of further harassment by that person against yourself or others.

Responsibilities

All employees have a responsibility to help create and maintain a work environment free of bullying and harassment. This can be achieved by:

- being aware of how your behaviour may affect others and changing it – remember you can still cause offence even if you are 'only joking';
- treat your colleagues with dignity and respect;
- take a stand if you think inappropriate jokes or comments are being made;
- make it clear to others when you find their behaviour unacceptable, unless it should be obvious in advance that this would be the case;
- intervene, if possible, to stop bullying or harassment and giving support to recipients;
- making it clear that you find bullying and harassment unacceptable;
- reporting bullying or harassment to your manager or a member of the pre-school committee and supporting them in the investigation of complaints; and
- if a complaint of bullying or harassment is made, do not prejudge or victimise the complainant or alleged harasser.

Managers have a responsibility to:

- set a good example by their own behaviour;
- ensure that there is a supportive working environment;
- make sure that employees know what standards of behaviour are expected of them;
- take positive steps to ensure that bullying or harassment does not occur; and
- report any complaint, or incident witnessed by them, of bullying or harassment, promptly, to the pre-school committee.



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Legislation relating to this procedure

- Disability Discrimination Act 1995
- Health & Safety at Work Act 1974
- Protection from Harassment Act 1997
- Race Relations Act 1976 - (Amendment) Regulations 2003
- Sex Discriminations Act 1975 – (Amendment) Regulations 2008
- Employment Equality Regulations (Religion or Belief) (Age) (Sexual Orientation) 2003, (Sex Discrimination) 2005
- Employment Equal Treatment Framework Directive 2000
- Equal Treatment Directive 2006

This policy was adopted at a meeting of **New Moreton Hall Pre-School**

Held on

Date to be reviewed

Signed on behalf of the management /committee

Name of signatory

Role of signatory (chair/manager)