

Health and Hygiene

Health

Outdoor Play

- Children have plenty of opportunity to play in the fresh air through outdoor play and organised outings outside the nursery.

Free Flow Play

- Implement guidance under movement and space within physical development section of the EYFS to give as much opportunity as possible for children to move freely between indoors and outdoors. We do this by giving the children the choice during free play whether they play indoors or outdoors.

Food

- We regard snack and meal times as an important part of the setting's day. Eating represents a social time for children and adults and helps children to learn about healthy eating.
- At snack and meal times we aim to provide nutritious and well-balanced meals for all children. Where possible we try to meet individual dietary needs and requirements. Children are not permitted to bring their own food into the nursery.
- Before a child starts to attend the setting we find out from parents via the enrolment form their child's dietary needs and preferences, including any allergies.
- We display, on a notice board in the child's room, current information about individual children's dietary needs so that all staff are fully informed about them.
- Our cook plans menus in advance and parents are encouraged to contribute ideas for meals and snacks through parent questionnaires.
- We display the menus of snacks/meals for the information of parents.
- We include a variety of foods from the four main food groups:
 - ▶ meat, fish and protein alternatives
 - ▶ dairy foods
 - ▶ grains, cereals and starch vegetables; and

▶ fruit and vegetables.

- We include foods from the diet of each of the children's cultural backgrounds where possible, providing children with familiar foods and introducing them to new ones.
- We take care not to provide food containing nuts or nut products and are especially vigilant where we have a child who has a known allergy to nuts.
- We provide a vegetarian alternative on days when meat or fish are offered.
- We require staff to show sensitivity in providing for children's diets and allergies. Staff do not use a child's diet or allergy as a label for the child or make a child feel singled out because of his/her allergy.
- We organise meal and snack times so that they are social occasions in which children and staff participate.
- We use meal and snack times to help children to develop independence through making choices and where possible serving food and drink and feeding themselves, depending on age.
- We provide children with utensils that are appropriate for their age and stage of development.
- We have fresh drinking water available for the children at all times throughout the day. We inform the children about how to obtain the water and that they can ask for water at any time during the day.

Hygiene

Hand hygiene

Regular and effective hand washing among both staff and children is one of the most effective ways of controlling the spread of germs.

- Tissues are readily available to adults and children at the nursery. We encourage children to blow and wipe their noses and discard tissues in bins provided.
- All children are encouraged to wash their hands before and after meals/snacks.
- Tabletops must be cleaned before handling food. All children must wash their hands before they participate in cooking or preparing food activities.

- All children are encouraged to cover their mouths when sneezing or coughing and then to wash their hands.
- Hands should always be washed after using the toilet and playing with animals.

Cleaning and clearing

- Disposable gloves are provided and must be worn by staff when clearing up vomit, blood or any bodily fluids. All affected areas must be cleaned with paper towels and disinfected immediately. Contaminated clothing must be removed from the child, placed in plastic bags provided and given to the parents to take home.
- Soiled clothes are rinsed in hot water and placed in bags provided.
- Spare clothes are kept in case of accidents.

Illness

- If children appear unwell during the day – have a temperature, sickness, diarrhoea or pains, particularly in the head or stomach – the manager or a member of staff calls the parents and asks them to collect the child, or send a known carer to collect on their behalf.
- If a child has a temperature, they are kept cool by removing top clothing, sponging their heads with cool water but kept away from draughts.
- Temperature is taken using a fever scan.
- In extreme cases of emergency the child will be taken to the nearest hospital and the parent informed. Depending on parental consent.
- Parents can be asked to take their child to the doctor before returning them to nursery; the nursery can refuse admittance to children who have a temperature, sickness and diarrhoea or a contagious infection or disease. The nursery needs to be informed to monitor any other individuals who may become unwell on the premises.
- Where children have been prescribed antibiotics, parents can be asked to keep them at home for 48 hours before returning to the setting.
- After sickness or diarrhoea parents are required to keep children at home for 48 hours.

- If a child or an adult is diagnosed as suffering from a notifiable disease under the Public Health (Infectious Diseases) Regulations 1988, the GP will report this to the Health Protection Agency.
- When the setting becomes aware of or is formally informed of the notifiable disease, the manager informs Ofsted and acts on any advice given by the Health Protection Agency.
- The setting has a list of excludable diseases and current exclusion times:
 - Conjunctivitis** – need to stay away from the nursery for 24 hours after the first dose of eye drops
 - Head lice** – are not an excludable condition, although in exceptional cases a parent may be asked to keep their child away until the infestation has cleared. On identifying cases of head lice parents will be contacted or informed and asked to treat their child as soon as is possible and the rest of the family if they are found to have head lice.
 - Chickenpox** – children need to stay away from the nursery until spots have scabbed over.
 - Measles** – children need to stay away from the nursery until 5 days from onset of rash.
 - Impetigo** – children need to stay away from the nursery until lesions are crusted or healed.
 - German measles** – children need to stay away from the nursery until 5 days from onset of rash.
 - Scabies** – children need to stay away from the nursery until treated.
 - Sickness and diarrhoea** – children need to stay away from the nursery for 48 hours after the symptoms have gone.

Administering medicines

While it is not our policy to care for sick children, who should be at home until they are well enough to return to the setting, we will agree to administer medication as part of maintaining their health and well-being or when they are recovering from an illness.

- We will only administer prescribed medication that is in-date and prescribed for the current condition.

- NB Children's paracetamol (un-prescribed) is administered with prior written consent, and verbal consent, of the parents in the case of high temperature. This is to prevent febrile convulsions.
- Children's prescribed medicines are stored in their original containers, clearly labelled and must be handed to a member of staff by the parent so that they are inaccessible to the children.
- Before administration of medication, parents must complete a form giving full instructions and sign a consent for medication. Administration of medication will be recorded and then signed by the adult collecting the child.
- Pain relief such as teething gel may be administered but only when there is prior written consent from the parent.

Hygiene in the kitchen

- Before adults prepare or handle food they must wash their hands thoroughly and protective clothing must be worn i.e. apron, hair net.
- All food should be piping hot and served above 63 degrees.
- Staff must use the appropriate chopping boards when handling meat, fish, fruit and vegetables.
- All food should be kept covered and refrigerated where appropriate.
- All waste food should be disposed of in the appropriate bins and hands washed after use.
- Any adult with contagious infection or illness will not be allowed to prepare or handle food.
- Dishcloths and tea towels must be washed daily.

Animals in the setting

Children learn about the natural world, its animals and other living creatures as part of the Early Years Foundation Stage Curriculum. This may include contact with animals or other living creatures, either in the setting or on external visits. We aim to ensure that this is in accordance with sensible hygiene and safety controls.

- We take account of the views of parents and children when selecting an animal or creature to keep as a pet in the setting.
- We carry out a risk assessment with a knowledgeable person accounting for any hygiene or safety risks posed by the animal or creature.

- We provide suitable housing for the animal or creature and ensure that this is cleaned out regularly and is kept safely.
- We ensure the correct food is offered at the right times.
- All children and adults must wash their hands after being in contact with the animal or creature.
- Children are taught the correct method of handling and care of the animal or creature and are supervised.
- Staff wear disposable gloves when cleaning housing or handling soiled bedding.
- If animals or creatures are brought in by a visitor to show the children they are the responsibility of the owner.
- The chickens that we currently have in the setting have been registered with the Great Britain Poultry register.

Promoting health and hygiene

First Aid

In our setting staff are able to take action to apply first aid treatment in the event of an accident involving a child. At least two members of staff with current paediatric first aid training are on the premises or on an outing at any one time.

- The first aid boxes are easily accessible to adults and kept out of children's reach.
- At time of admission parents sign a consent form to give permission for emergency medical advice or treatment to be sought or for staff to take their child to the nearest Accident and Emergency department to be examined, treated or admitted as necessary on the understanding the parents will be contacted and informed with the intention that they meet us at hospital.

Managing children with allergies, or who are sick or infectious

We provide care for healthy children and promote health through identifying allergies and preventing contact with the allergenic substance and through preventing cross infection of viruses and bacterial infections.

Procedures for children with allergies

- When parents enrol their child at the setting they are asked if their child suffers from any known allergies. This is recorded on the registration form.
- This information is then passed onto staff in the room and is displayed where all staff can see it.
- Medical staff train staff how to administer special medication in the event of an allergic reaction.
- Generally no nuts or nut products are used in the setting.

Life saving medication & invasive treatments

- Adrenaline injections (Epipens) for anaphylactic shock reactions (caused by allergies to nuts, eggs etc) or invasive treatments such as rectal administration of Diazepam (for epilepsy).
- Written consent must be given from either the child's parents or child's doctor or consultant.

Nappy changing

- Key persons undertake changing young children in their key groups; other staff change them if their key person is absent.
- Changing areas are warm and there are safe areas to lay young children if they need their nappy changing.
- Gloves and aprons are put on before changing starts and the areas are prepared.
- All staff are familiar with the hygiene procedures and carry these out when changing nappies.
- In addition key persons ensure that nappy changing is relaxed and a time to promote independence in young children.
- Young children are encouraged to take an interest in using the toilet; they may want to sit on it when they have their nappy changed.
- Older children access the toilet when they have the need to and are encouraged to be independent.
- Children are encouraged to wash their hands once they have been to the toilet and have soap and towels to hand.
- Nappies and pull-ups are disposed of hygienically in a nappy bin.

Sun Safety

We regard Children's safety in the sun as a high priority and take a number of precautions to ensure children are safe on sunny/hot days.

- We apply sun cream (factor 25 or above) regularly to children throughout days where it is hot/ high U. V. index. Sun cream is provided by a child's parents and consent is given to apply it.
- We ensure all children wear suitable hats whenever playing outside.
- We encourage parents to dress their child appropriately for the weather.
- Drinking water is freely available at all times during the day. Staff encourage children to drink frequently in hot weather.
- Children are kept indoors when the weather is too hot outside and during the midday sun throughout the summer (11.00am-2.00pm)
- Air conditioning is available to control the room temperature on hot days.

Safeguarding children

Children's rights and entitlements

- We promote children's right to be strong, resilient and listened to by creating an environment in our setting that encourages children to develop a positive self image, which includes their heritage arising from their colour and ethnicity, their languages spoken at home, their religious beliefs, cultural traditions and home background.
- We promote children's right to be strong, resilient and listened to by encouraging children to develop a sense of autonomy and independence.
- We promote children's right to be strong, resilient and listened to by enabling children to have the self-confidence and the vocabulary to resist inappropriate approaches.

To be strong means to be:

- secure in their foremost attachments/relationships where they are loved and cared for by at least one person, their key person who is able to offer consistent, positive and unconditional regard and who can be relied on;
- safe and valued as individuals in their families and in relationships beyond the family, such as day care or school;

- self assured and form a positive sense of themselves – including all aspects of their identity and heritage;
- included equally and belong in early years settings and in community life;
- confident in abilities and proud of their achievements;
- progressing optimally in all aspects of their development and learning;
- to be part of a peer group in which to learn to negotiate, develop social skills and identity as global citizens, respecting the rights of others in a diverse world;
- to participate and be able to represent themselves in aspects of service delivery that affects them as well as aspects of key decisions that affect their lives.

To be resilient means to:

- be sure of their self worth and dignity;
- be able to be assertive and state their needs effectively;
- to be able to overcome difficulties and problems;
- be positive in their outlook on life;
- be able to cope with challenges and change;
- have a sense of justice towards self and others;
- to develop a sense of responsibility towards self and others;
- to be able to represent themselves and others in key decision making processes.

To be listened to means:

- adults who are close to children recognise their need and right to express and communicate their thoughts, feelings and ideas;
- adults who are close to children are able to tune in to their verbal, sign and body language in order to understand and interpret what is being expressed and communicated;
- adults who are close to children are able to respond appropriately and, when required, act upon their understanding of what children express and communicate;

- adults respect children's rights and facilitate children's participation and representation in imaginative and child centred ways in all aspects of core services.

Safeguarding children and child protection

Our setting will work with children, parents and the community to ensure the rights and safety of children and to give them the best start in life.

Our designated child protection co-ordinator is: **Debbie Aldridge**

- We provide adequate and appropriate staffing resources to meet the needs of children.
- Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Criminal Records Bureau before posts can be confirmed.
- Where applicants are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- We abide by Ofsted requirements in respect of references and Criminal Record Bureau checks for staff to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Students do not work unsupervised.
- We have procedures for recording the details of visitors to the setting.
- We take security steps to ensure that we have control over who comes into the setting so that no unauthorised person has unsupervised access to the children.

Responding to suspicions of abuse

- We acknowledge that abuse can take different forms – physical, emotional, sexual and neglect.
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through the things they say (direct or indirect disclosure) or through changes in their appearance, their behaviour or their play.
- Where such evidence is apparent the member of staff who the child makes a disclosure to makes a dated record of the details of the concern and discusses

what to do with the setting leader or manager who is acting as the 'designated person'. The information is stored to meet confidential requirements..

- We refer concerns to the local authority children's social care department and co-operate fully in any subsequent investigation. NB in some cases this may mean the police or another agency identified by the Local Safeguarding Children's Board.
- We take care not to influence the outcome either through the way we speak to the children or by asking questions of children.

Recording suspicions of abuse and disclosures

Where a child makes comments to a member of staff that gives cause for concern (disclosure) observes signs or signals that gives cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect that member of staff:

- listens to the child, offers reassurance and gives assurance that she or he will take action;
- does not question the child;
- makes a written record that forms an objective record of the observation or disclosure that includes:
 - ▶ the date and time of the observation or disclosure;
 - ▶ the exact words spoken by the child as far as possible
 - ▶ the name of the person to whom the concern was reported, with date and time; and
 - ▶ the names of any persons present at the time.
- These records are signed and dated and kept confidentially.

Informing parents

- Parents are normally the first point of contact.
- If a suspicion of abuse is recorded, parents are informed at the same time as the report is made, except where the guidance of the Local Safeguarding Board does not allow this.
- This will usually be the case where the parent is the likely abuser. In these cases the investigation officers will inform parents.

Liaison with other agencies

- We work within the Local Safeguarding Board guidelines.
- We have a copy of 'What to do if you're worried a child is being abused' for parents and staff and all staff are familiar with what to do if they have any concerns.
- We have procedures for contacting the local authority on child protection issues.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements which may affect the wellbeing of children.
- If a referral is to be made to the local authority social care department, we act within the area's Safeguarding Children and Child Protection guidance in deciding whether we must inform the child's parents at the same time.

Allegations against staff

- We ensure that all parents know how to complain about the behaviour or actions of staff within the setting, which may include an allegation of abuse.
- We follow the guidance of the Local Safeguarding Children Board when responding to any complaint that a member of staff within the setting has abused a child.
- We respond to any disclosure by children or staff that abuse by a member of staff within the setting, may have taken, or is taking place, by first recording the details of any such alleged incident.
- We refer any such complaint immediately to the local authority's social care department to investigate. We also report any such alleged incident to Ofsted and what measures we have taken. We are aware that it is an offence not to do this.
- We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.
- Where the management committee and children's social care agree it is appropriate in the circumstances, the Manager/Director will suspend the member of staff on full pay for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff as well as children and families throughout the process.

Capability Procedure

At all times we endeavour to ensure that employees achieve and maintain a high standard of performance in their work. It will ensure the standards are established, performance is monitored and employees are given appropriate training and support to meet these standards.

Procedure

1. Where the line manager first establishes that an employee's performance is below the standard required, an informal discussion will be held with the employee to try to establish the reason. Should this discussion result in a decision that the established standards are not reasonably attainable, the standards will be reviewed.
2. If it becomes apparent that the under-performance constitutes misconduct, the disciplinary procedure will be invoked.
3. If it is decided that the under-performance emanates from a change in our standards, those standards will be explained to the employee and consideration will be given to assist the employee achieve the standards required.
4. Should the employee show no (or insufficient) improvement over an agreed review period, the employee will be invited to a formal interview. The invitation will be in writing and will set out the respects in which it is considered that performance is below the standard required. The invitation will remind the employee of his or her right to be accompanied by a representative of a trade union or a work colleague.

The aims of this interview will be to:

- (a) identify the cause(s) of the under-performance and to determine what if any assistance (e.g. training, retraining, support, etc.) can be given;
- (b) explain clearly the shortfall between the employee's performance and the required standard;
- (c) obtain the employee's commitment to reaching that standard;
- (d) set a reasonable period for the employee to reach the standard and agree on a monitoring system during that period;
- (e) tell the employee what will happen if that standard is not met (which could

be dismissal, so long as the employee has been given all reasonable opportunity to improve, both during the informal and the formal stages of this procedure).

The outcome of this interview will be recorded in writing and a copy will be given to the employee. This written record will state:

- (a) the respects in which the employee is not meeting the required standards;
 - (b) the improvement sought;
 - (c) the time-scale within which improvement is to be achieved;
 - (d) the consequences of not achieving that improvement within the timescale.
5. At the end of the review period a further formal interview will be held (at which the employee may be accompanied by a colleague or representative of a trade union), at which time:
- (a) if the required improvement has been made, the employee will be told of this and encouraged to maintain the improvement;
 - (b) if some improvement has been made, but the required standard has not yet been met, the review period may be extended;
 - (c) if there has been no discernible or insufficient improvement, it will be explained to the employee that he or she has failed to meet the standard required. Consideration will be given to whether there are alternative vacancies which the employee would be competent to fill. If there are, the employee will be given the option of accepting such a vacancy or being dismissed;
 - (d) if such vacancies are available, the employee will be given full details of such vacancies before being required to make a decision;
 - (e) in the absence of suitable alternative vacancies, the employee will be invited to give his/her views. In the absence of exceptional circumstances, however, the employee may be dismissed.
6. employees may appeal against their dismissal following the Disciplinary Appeals Procedures.

Disciplinary Procedure

Introduction

The disciplinary procedure is there to help resolve problems created by a person's conduct or performance. The aim is improvement rather than punishment. Wherever possible, we try to resolve problems with a person's conduct or performance by informal discussion, but this disciplinary procedure may be used where the informal approach is unsuccessful.

This procedure may be used in cases of under-performance, in conjunction with capability procedure.

Investigation

It will normally be necessary to carry out an investigation into allegations of misconduct or under-performance. This will generally include interviewing witnesses and potential witnesses, including (in many cases) the person against whom the complaints are made. Witness statements or notes of interview will generally be prepared. Occasionally, witnesses may wish to remain anonymous. In that case, the wishes of those interviewed will be respected. Either the statement or interview notes will be 'redacted' to remove any information from which the identity of the interviewee could be determined or a summary of that person's evidence will be prepared – again ensuring that no information is contained in the summary from which the interviewee's identity could be determined. Any such statement, interview notes or summary should include a statement that the interviewee wishes to remain anonymous.

Interviewees will generally be asked to sign their statement or interview notes to ensure they agree the contents. The signature will be removed from any statement or notes given to the employee against whom the allegations are made.

Suspension

During the period of the investigation and/or pending any disciplinary hearing, the Company may suspend the employee against whom the allegations are made on full pay. This may be appropriate, for example, where relationships have broken down, or where there could be risks to individuals or property or responsibilities to others, or to allow any investigation to go on unhindered. Suspension should only be considered in the most serious cases – generally where the allegations are of gross

misconduct or involve bullying or intimidation. The period of suspension should be kept to a minimum – generally no longer than one month.

Notification

If the investigation suggests there is a case to answer, we will send the employee:

- a summary of the allegations;
- a copy of any statements by witnesses or notes of interviews with them or such information as the company considers appropriate in the circumstances;
- copies of any relevant documents – for example, in the case of time-keeping offences, records of attendance, arrival times and departure times;
- notification of the time, date and place for any disciplinary hearing;
- notification of the right to be accompanied.

Re-arranging time of disciplinary hearing

We will always attempt to find a date and time for the disciplinary hearing which is convenient for all parties. If the date for the hearing turns out to be inconvenient either for the employee concerned or the person the employee wishes to accompany them, then the employee should notify the person who arranged the meeting immediately and a new hearing will be arranged.

IT IS IMPORTANT THAT EMPLOYEES ATTEND THE DISCIPLINARY HEARING. IF AN EMPLOYEE FAILS TO ATTEND A DISCIPLINARY HEARING WITHOUT REASONABLE EXCUSE THE DISCIPLINARY HEARING MAY PROCEED IN THAT EMPLOYEE'S ABSENCE.

Occasionally, unforeseen circumstances may arise which prevents the employee attending. If this happens, the employee should notify the person who arranged the hearing at the earliest opportunity so that a mutually convenient date can be arranged. If this happens more than once, the point may be reached where the hearing will have to go ahead in the employee's absence. If this point is reached, alternatives to attendance at the hearing may be offered – for example, the employee may be invited to put his or her points in writing, or attendance could be via a representative who will be permitted telephone contact with the employee.

Disciplinary hearing

At the disciplinary hearing, the employee will have the right to be accompanied by a colleague or official of a trade union. The purpose of the hearing is to give the employee the opportunity to present his or her side of the story and any points he or she would like the disciplinary panel to take into account.

Notes of the disciplinary hearing should be taken.

Outcome

The employee will be notified of the outcome as soon as possible. The outcome may be:

- (a) in cases of under-performance, the employee may be offered, wherever practicable, assistance through training or coaching or otherwise, and given a reasonable period to reach the required standard (for details, see the Capability Procedure);
- (b) an oral warning for the purpose of improving future conduct or performance. In the case of warnings for poor performance, clear targets and time-scales will be set;
- (c) a written warning for under-performance or misconduct. In the case of warnings for under-performance, clear targets and time-scales will be set;
- (d) a final written warning for under-performance or misconduct following earlier warnings or for under-performance or misconduct which is regarded as serious enough to justify a final written warning. In the case of warnings for under-performance, clear targets and time-scales will be set.

Warnings generally remain on your record for 12 months unless otherwise stated.

- (a) dismissal for under-performance or misconduct following a final written warning or for under-performance or misconduct which is regarded as serious enough to justify dismissal;
- (b) summary dismissal without notice in the case of gross misconduct (see below).

The letter notifying the employee of the outcome should:

- state the outcome;
- generally enclose notes of the disciplinary hearing or, if there is likely to be any

- delay in preparing the notes, those notes should be sent as soon as practicable;
- inform the employee of his or her right to appeal.

Gross misconduct

The following will be regarded as gross misconduct which could lead to dismissal:

- (a) theft, fraud and deliberate falsification of records;
- (b) physical violence;
- (c) serious bullying or harassment;
- (d) deliberate damage to property;
- (e) serious insubordination;
- (f) misuse of our property or name;
- (g) bringing our business into serious disrepute;
- (h) deliberate rudeness;
- (i) serious incapability whilst on duty brought on by alcohol or illegal drugs;
- (j) serious negligence which causes or might cause unacceptable loss, damage or injury;
- (k) serious infringement of health and safety rules;
- (l) serious breach of confidence (subject to the Public Interest (Disclosure) Act 1998);
- (m) serious failure to comply with procedures that safeguard children.

This list is not intended to be exhaustive.

Appeals

If you disagree with a disciplinary decision you may appeal by writing to the Area Manager or, if the Area Manager was involved in the original disciplinary decision, a director, within seven days of the decision.

You have the right to be accompanied by a colleague or official of a trade union at any disciplinary or appeal hearing.

At the appeal hearing, witnesses will not generally be called as it will usually be sufficient to rely on the documents and statements produced to the disciplinary hearing and any notes of the disciplinary hearing.

Grievance Procedure

Informal stage

In most cases, any problems you are having with your employment are best resolved by informal discussions with the people involved. We encourage you, therefore, to discuss any concerns you may have with your Room Leader, Senior Nursery Practitioner, Deputy Manager or with the Proprietors.

If the matter is successfully resolved at this stage, then that fact will be noted in your file and you will be asked to sign the file note to confirm this. If it is not resolved, the formal procedure will be explained to you, in particular, the requirement to put your grievance in writing.

Formal stage

If you have a grievance about your employment and either:

- you have tried unsuccessfully to resolve the matter by discussion; or
- you do not think the problem can be resolved by discussion,

you should raise the matter in writing with Area Manager. You should set out in writing the basis of your complaint and suggestions about how you think the problem could be resolved.

NOTE that this procedure should NOT be used to challenge dismissals (for which you should use the right of appeal under the dismissal procedure). The grievance procedure can be used to challenge disciplinary warnings or suspensions (although in most cases the appropriate means of challenging a disciplinary warning or suspension will be through an appeal) but any such grievance may be dealt with at any hearing under the disciplinary procedure.

Meeting

The Manager will then set up a meeting to discuss your grievance.

You should make every effort to attend the meeting. Failure to attend without a reasonable explanation may result in the meeting going ahead in your absence.

Re-arranging time of meeting

We will always attempt to find a date and time for the meeting which is convenient for all parties. If the date for the meeting turns out to be inconvenient then you should notify the person who arranged the meeting immediately and a further meeting will be arranged.

Notification of outcome

The Manager will notify you as soon as possible of the outcome.

Appeals

If you disagree with that decision, you may appeal by writing to a director or, if that director was involved in the original decision, the other director, within seven days of the decision.

Right to be accompanied

You have a right to be accompanied by a colleague or official of a trade union at all meetings under this procedure, including the appeal meeting.

Grievances after termination of employment

Normally, we will continue to deal with your grievance even if your employment terminates. In some cases, however, this will not be possible, for example:

- where you have obtained other employment and do not have time to pursue your grievance;
- where you have relocated and do not wish to return to meetings with us to pursue your grievance.

If you do not wish us to continue to deal with your grievance after your employment has terminated, you should let us know either orally or in writing and you should give a brief explanation.

Alternatively, you may want us still to consider your grievance but without holding a meeting with you. If that is the case, again, please let us know (either orally or in writing) and we may agree to deal with your grievance in writing without a meeting.

Confidentially and client access to records

In our setting, staff and managers can be said to have a 'confidential relationship' with families. It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting. We aim to ensure that all parents and carers can share their information in the confidence that it will be used to enhance the welfare of their children.

- If parents share information with us we regard it as confidential to our setting.
- Some parents sometimes share information about themselves with other parents as well as staff; the setting cannot be held responsible if the information is shared beyond those parents whom then person has 'confided' in.
- Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it.
- We keep all records securely.

Uncollected child

In the event that a child is not collected by an authorised adult at the end of a session/day, the setting puts into practice agreed procedures. These ensure the child is cared for safely by an experienced and qualified practitioner who is known to the child. We will ensure that the child receives a high standard of care in order to cause as little distress as possible.

- Parents of children starting the setting are asked to provide the following specific information which is recorded on our Registration Form:
 - ▶ Home address and telephone number (if the parents do not have a telephone, an alternative number must be given, perhaps a close relative or neighbour).
 - ▶ Place of work and telephone number (if applicable).
 - ▶ Mobile telephone number (if applicable).
 - ▶ Names of adults who are authorised by the parents to collect their child from the setting, for example a child minder or grandparent.
 - ▶ Who has parental responsibility for the child and legal contact
 - ▶ Information about any person who does not have legal access to the child.
 - ▶ On occasions when parents are aware that they will not be at home or in their usual place of work they must inform us of how they can be contacted in writing.
 - ▶ On occasions when parents or the persons normally authorised to collect the child are not able to collect the child, they provide us with details of the person who will be collecting their child. We agree with the parents how to verify the identity of the person who is to collect their child.
 - ▶ Parents must inform us if they are not able to collect their child as planned.
 - ▶ If the child has not been collected within one hour after the end of the session/day by an authorised adult and there is no-one who can be contacted to collect the child we will be responsible to contact social services for advice.
 - ▶ We contact our local authority children's social services care team on: 01733 864180.

Missing child

Children's safety is maintained as the highest priority at all times both on and off the premises. Every attempt is made through carrying out the outings procedure and the exit/entrance procedure to ensure the security of children is maintained at all times. In the unlikely event of a child going missing, our missing child procedure is followed.

Child going missing on the premises

- As soon as it is noticed that a child is missing the key person/staff alerts the setting leader.
- The setting leader will carry out a through search of the building and garden.
- The register is checked to make sure no other child has gone astray and to check the child has not been collected.
- Doors and gates are checked to see if there has been a breach of security whereby a child could wander out.
- If the child is not found, the parent is contacted and the missing child is reported to the police.
- The setting leader talks to the staff to find out when and where the child was last seen and record this.
- The setting leader contacts the Directors and reports the incident.
- Notify OFSTED of incident

Child going missing on an outing

This describes what to do when staff have taken a small group on an outing, leaving the setting leader and/or other staff back in the setting. If the setting leader has accompanied children on the outing the procedures are adjusted accordingly.

What to do when a child goes missing from a whole room outing may be a little different as parents usually attend and are responsible for their own child.

- As soon as it is noticed that a child is missing staff on the outing ask children to stand with their designated person and carry out a headcount to ensure that no other child has gone astray. One member of staff searches the immediate vicinity but does not search beyond that.
- The setting manager is contacted immediately and the incident is reported.
- The setting leader contacts the police and reports the child as missing.

- The setting leader contacts the parent, who makes their way to either the setting or the venue.
- Staff keep the remaining children together and may take them back to the setting.
- In an indoor venue, the staff contact the venue's security who will handle the search and contact the police if the child is not found.
- The setting leader will contact the Directors to report the incident.
- The setting leader or designated staff member may be advised by the police to stay at the venue until they arrive.
- Notify OFSTED of incident

The investigation

- Staff keep clam and do not let the other children become anxious or worried.
- The setting leader along with the Directors speaks with the parents.
- The management team carry out a full investigation taking written statements from all staff who were on the outing.
- The key person/ staff member writes an incident report detailing:
 - The date and time of the report
 - What staff/children were in the group/outing and the name of the designated responsible for the missing child
 - When the child was last seen in the group/outing
 - What has taken place in the group or outing since the child went missing
 - The time it is estimated that the child went missing
- A conclusion is drawn as to how the breach of security happened.
- If the incident warrants a police investigation all staff co-operate fully.
- The insurance provider is informed.

Managing people

- Missing child incidents are very worrying for all concerned. Part of managing the incident is to try to keep everyone as calm as possible.
- The staff will feel worried about the child; especially the designated carer responsible for the safety of the child for the outing. They may blame themselves and their feelings of anxiety and distress will rise as the length of

time the child is missing increases. Setting leader should ensure that the staff feel supported while they are feeling vulnerable.

- The parents will feel angry and fraught. They may want to blame staff and single out one member over others; they may direct their anger at the setting leader. When dealing with a distraught and angry parent there should always be two members of staff. No matter how understandable the parent's anger may be, aggression or threats against staff are not tolerated and the police should be called.
- The other children are also sensitive to what is going on around them. They too may be worried. The remaining staff caring for them need to be focused on their needs and must not discuss the incident in front of them. They should answer children's questions honestly but also reassure them.
- Staff must not discuss any missing child incident with the press without taking advice.

Supervision of children on outings and visits

Children benefit from being taken out of the setting to go to local parks or other suitable venues for activities which enhance their learning experiences.

- Parents sign a general consent on registration for their children to be taken out as part of the daily activities of the setting.
- A risk assessment is carried out for each venue.
- Parents are always asked to sign specific consent forms before major outings.
- Our adult to child ratio is high, normally one adult to two children, depending on their age, sensibility and type of venue as well as how it is to be reached. For After Schools Club and Holiday Club our ratio is one adult to four children.
- Named children are assigned to individual staff to ensure each child is individually supervised, to ensure no child goes astray and there is no unauthorised access to children
- Staff take a mobile phone on outings, and supplies of tissues, wipes as well as mini first aid pack, snacks and water. The amount of equipment will vary and be consistent with the venue and the number of children as well as how long they will be out for.
- Staff take a list of children with them with contact numbers of parents/carers.
- A minimum of two staff should accompany children on outings.

Maintaining children's safety and security on premises

We maintain the highest possible security of our premises to ensure that each child is safely cared for during their time with us.

Children's personal safety

- We ensure all employed staff have been checked for criminal records by an enhanced disclosure from the Criminal Records Bureau.
- Adults do not normally supervise children on their own.
- All children are supervised by adults at all times.
- Whenever children are on the premises at least two adults are present.

Security

- Systems are in place for the safe arrival and departure of children.
- The times of the children's arrivals and departures are recorded.
- The arrival and departure times of adults – staff and visitors are recorded.
- Our systems prevent unauthorised access to our premises.
- Our systems prevent children from leaving our premises unnoticed.
- The personal possessions of staff and students are stored in the staff room or in the office during the day.

Making a complaint

Our setting believes that children and parents are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our setting and will give serious attention to any concerns about the running of the setting. We anticipate that most concerns will be resolved quickly by an informal approach to the appropriate member of staff. If this does not achieve the desired result we have a set of procedures for dealing with concerns. We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

Stage One

In the first instance parents/carers are encouraged to speak directly to the relevant member of staff, if deemed appropriate. If not the Room Leader should be approached and they will try to solve the problem. If a satisfactory resolution cannot be found then Stage Two of the procedure will formally come into operation.

Stage Two

If informal discussions of a complaint or problem have not produced a satisfactory resolution parents/carers should put their complaint to the Manager. This can be in writing or the Nursery will be happy to arrange a meeting at a mutually convenient time. Details will be entered in our confidential complaints record, including source of complaint, nature of complaint, how it was dealt with and the actions and outcome. This record will be shared with parents and Ofsted on request.

The matter will be fully investigated within 15 working days. If there is any delay the Nursery will advise the parent/carers of this and offer an explanation. The Manager will be responsible for sending them a full and formal response to the complaint.

If the Manager has good reason to believe that the situation has child protection implications they should inform the designated member of staff for Child Protection and ensure that the local social services department is contacted, according to the procedure set out in the Child Protection Policy. If any party involved in the complaint has no good reason to believe that a criminal offence has been committed, then they will contact the police. The formal response to the complaint from the Nursery will be sent to the parent/carer concerned and copied to all relevant members of staff if appropriate. The response will include recommendations for dealing with the

complaint and for any amendments to the Nursery's policies or procedures emerging from the investigation.

Stage Three

If the parent/carer remains dissatisfied after Stage Two then a meeting may be arranged with the owner of the nursery. Information about the complaint may be passed to Ofsted when the complaint is about the Statutory Framework or we may contact Early Years Dept for advice/guidance. If you are not happy with the outcome and feel you need to take the matter further then you are entitled to contact Ofsted.

Contact details for Ofsted are:

Ofsted Early Years

National Business Unit

Piccadilly Gate

Stone Street

Manchester

M1 2WD

Telephone number: 03001231231

Equal opportunities in employment

General statement

We are committed to providing equal opportunities in employment. This means that all job applicants and employees will receive equal treatment regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation. All job offers and promotions will be based on merit and suitability of the individual for the job in question.

Staff at all levels have a responsibility to see that this policy is observed.

Legislation

It is unlawful to discriminate against individuals either directly or indirectly in respect of one or more of the following protected characteristics: age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation. The relevant legislation is set out in the Equality Act 2010.

Useful guidance on the current law and policies to tackle discrimination can be obtained from the Equality and Human Rights Commission. Its website is at www.equalityhumanrights.com

Although deliberate acts of discrimination will generally be regarded as a disciplinary matter we encourage our employees to question their own actions and those of others to help to promote equality of opportunity and the absence of discrimination; and no adverse action, disciplinary or otherwise, will be taken against individuals who draw practices which may be discriminatory to our attention– even if those individuals were in part responsible for the discrimination.

Understanding some of the terms within the legislation

This is not intended to be a complete summary of the relevant legislation. We have tried to keep this fairly short and straightforward. However, unlawful discrimination can generate complex problems and may not always be recognised as unlawful – particularly by those responsible for the discrimination. Therefore if you are not sure about a particular situation or practice which you think may be discriminatory, we recommend you consult speak to your manager rather than relying on this. If there

are any discrepancies between the relevant legislation and this summary, the legislation will prevail.

Direct discrimination: This is where a person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favorably than A treats or would treat others. For example, it could include not putting somebody forward for training or promotion because of their race, sex or another protected characteristic.

Indirect discrimination: This is where a person (A) discriminates against another (B) if, A applies to B a provision, criterion or practice which is discriminatory in relation to the protected characteristic of B's.

The provision, criterion or practice in question is not indirect discrimination if it is a proportionate means of achieving a legitimate aim.

For example:

- excluding part-time workers from certain benefits probably amounts to indirect sex discrimination since generally more women than men seek to work part-time;
- refusing a request from a female employee to change her hours from full-time to part-time may amount to a provision criterion or practice which adversely affects women. However, if the employer can demonstrate that there were sound reasons for the refusal amounting to a proportionate means of achieving a legitimate aim, then there will be no indirect discrimination. For example, it may be that the Company justifiably believes that the job cannot be done on a part-time basis.

Disability: Where any feature of the an employer's premises or any arrangements the employer makes in relation to an employees working conditions places an employee at a disadvantage because of a disability that that person has, the employer is under an obligation to make such adjustments to the premises or working conditions as are reasonable to mitigate or eliminate that disadvantage.

For example, if it is practicable to do so, ramps will be provided for wheelchair users to ensure they have access to all areas of the premises they may wish to visit. Aids may be available for those who are visually impaired or have hearing difficulties. If you have a disability which you consider is putting you at a disadvantage in comparison with other employees, please discuss this with your manager who will

then find out what aids are available or what adjustments could be made to the premises or working conditions to reduce the impact of or eliminate the disadvantage.

Victimisation: This means treating a person in an unfavourable way because they have complained, given information or brought legal proceedings about discrimination.

Harassment: Pregnancy and maternity, and marriage and civil partnership are not protected characteristics in relation to harassment. Harassment can take three forms:

- (1) A harasses B if (i) A engages in unwanted conduct related to the relevant protected characteristic, and (ii) the conduct has the purpose or effect of violating B's dignity or creating an intimidating, hostile, degrading humiliating or offensive environment for B.
- (2) A harasses B if (i) A engages in unwanted conduct of a sexual nature, and (ii) the conduct has the purpose or effect of violating B's dignity or creating an intimidating, hostile, degrading humiliating or offensive environment for B.
- (3) Harassment also occurs where A or another person engages in unwanted conduct of a sexual nature or that is related to gender reassignment or sex. The conduct in question must have the purpose or effect of (i) violating B's dignity, or (ii) creating an intimidating, hostile, degrading humiliating or offensive environment for B. If so, the cause of action is complete if A has treated B less favourably than A would treat B if B had not rejected or submitted to the conduct because of B's rejection or submission to the conduct.

Victimisation: This means subjecting a person to a detriment because that person does a 'protected act' or because that person who is alleged to have victimised the other believes that the other has done or may do a protected act.

A 'protected act' is defined for this purpose as:

- a) bringing proceedings under the Equality Act 2010;
- b) giving evidence or information in connection with proceedings under the Equality Act 2010;

- c) doing any other thing for the purposes of or in connection with the Equality Act 2010;
- d) making an allegation (whether or not express) that A or another person has contravened the Equality Act 2010.

Equal opportunities training

Appropriate training will be provided to all employees about equal opportunities and the implementation of this policy. This policy will be explained to all employees at induction.

Recruitment, training and promotion

Recruitment and promotion are based on merit and suitability for the position in question, without regard to age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

To avoid indirect discrimination, all vacancies will generally be advertised internally and/or externally unless there is an obvious internal candidate or there is an urgent need for a temporary appointment pending a more rigorous selection process. We will not rely on 'word of mouth recruitment'.

Wherever possible, more than one person will be involved in short listing candidates, to reduce the chance of bias. Any marking or assessment system used will be determined beforehand and will be applied consistently. Each person involved in the process will assess candidates separately before meeting to agree a final mark or assessment for each candidate.

Short listing will then be on the basis of information provided in any job application forms, covering letters, CVs and, in the case of internal applicants, appraisal or assessment documents and disciplinary records.

Any tests used in the selection process will correspond to the levels of skill and the abilities required for the job.

Staff involved in interviews will receive equal opportunities training.

References will only be taken after selection for recruitment or promotion has been made, to avoid any risk of the selection process being influenced by the subjective views of third parties.

Monitoring and review

This policy will be monitored periodically to review its effectiveness. Any changes required will be made when and where reasonably practicable. Recruitment, promotion, transfer and training records will be periodically examined to ensure that our practices in relation to those matters are not prejudicing any particular protected characteristic group. If it is so found, such steps as are reasonably practicable shall be taken to remedy the situation.

Disciplinary procedure

Allegations of deliberate acts of discrimination or harassment on grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation by our employees will be taken seriously and where appropriate will result in the application of the disciplinary procedure. If such discrimination is found to have occurred, appropriate disciplinary action will be taken. The policy applies to all who are employed by us.

What to do if you consider you are the victim of discrimination or harassment

The grievance procedure is available but in the first instance, it may be preferable to seek advice from your manager. Sometimes an informal discussion with the person responsible may resolve the matter. If it does not, you should put your concerns in writing to the Proprietors who will investigate the complaint and attempt to reach a resolution of the matter.

We will treat seriously and take prompt action on any employee grievance concerning unlawful, unfair or unreasonable discrimination, victimisation or harassment on any prohibited ground. It will not be assumed that a person who complains on these grounds is being over-sensitive. We will then carry out such investigation or arrange for such investigation to be carried out as he or she considers appropriate, bearing in mind the need to keep such complaints confidential. If any individual employee is accused of discriminatory behavior or harassment on any prohibited ground, that employee may be suspended on full pay during the investigation. Full details of the complaint must be given to such employee, who must be given an opportunity to answer the complaint under the normal disciplinary procedure. Following such investigation, we may:

- if the complaint is against an employee, try to resolve the situation amicably,

bearing in mind that the complainant and employee may have to continue working together; and/or

- if satisfied that an employee is guilty of a deliberate act of discrimination, take appropriate disciplinary action.

Equality of Opportunity

Valuing diversity and promoting equality

We will ensure that our service is fully inclusive in meeting the needs of all children, particularly those that arise from their ethnic heritage, social and economic background, gender, ability or disability. Our setting is committed to anti-discriminatory practice to promote equality of opportunity and valuing diversity for all children and families. We aim to:

- provide a secure and assessable environment in which all our children can flourish and in which all contributions are considered and valued;
- include and value the contribution of all families to our understanding of equality and diversity;
- provide positive non-stereotyping information about gender roles, diverse ethnic and cultural groups and disabled people;
- improve our knowledge and understanding of issues of anti-discriminatory practice, promoting equality and valuing diversity; and
- make inclusion a thread that runs through all of the activities of the setting.

Admissions

Our setting is open to all members of the community.

- We advertise our service widely
- We base our admissions policy on a fair system.
- We ensure that our equal opportunities policy is on display on the main parent's notice board.
- We do not discriminate against a child or their family, or prevent entry to our setting, on the basis of colour, ethnicity, religion or social background, such as being a member of a Travelling Community or an Asylum Seeker.
- We do not discriminate against a child with a disability or refuse a child entry to our setting as long as it is possible for us to meet the child's needs.

- We take action against any discriminatory behaviour by staff or parents. Displaying of openly discriminatory and possibly offensive materials, name calling, or threatening behaviour are unacceptable on or around the premises and will be dealt with in the strongest manner.

Employment

- Posts are advertised and all applicants are judged against explicit and fair criteria.
- Applicants are welcome from all backgrounds and posts are open to all.
- We may use the exemption clauses in relevant legislation to enable the service to best meet the needs of the community.
- The applicant who best meets the criteria is offered the post, subject to references and checks by the Criminal Records Bureau. This ensures fairness in the selection process.
- We monitor our application process to ensure that it is fair and accessible.

Training

- We seek out training opportunities for staff to enable them to develop anti-discriminatory and inclusive practices, which enable all children to flourish.
- We ensure that staff are confident and fully trained in administering relevant medicines and performing invasive care procedures when these are required.
- We review our practices to ensure that we are fully implementing our policy for promoting equality, valuing diversity and inclusion.

Curriculum

The curriculum offered in the setting encourages children to develop positive attitudes about themselves as well as to people who are different from themselves. It encourages children to empathise with others and to begin to develop the skills of critical thinking.

Our environment is as accessible as possible for all visitors and service users. If access to the settings is found to treat disabled children or adults less favourably then we will make reasonable adjustments to accommodate the needs of disabled children and adults. We do this by:

- making children feel valued and good about themselves;
- ensuring that children have equality of access to learning;
- making adjustments to the environment and resources to accommodate a wide range of learning, physical and sensory impairments;
- making appropriate provision within the curriculum to ensure each child receives the widest possible opportunity to develop their skills and abilities, e.g. recognising the different learning styles of girls and boys;
- positively reflecting the widest possible range of communities in the choice of resources;
- avoiding stereotypes or derogatory images in the selection of books or other visual materials;
- celebrating a wide range of festivals;
- creating an environment of mutual respect and tolerance;
- differentiating the curriculum to meet children's additional educational needs
- helping children to understand that discriminatory behaviour and remarks are hurtful and unacceptable;
- ensuring the curriculum offered is inclusive of children with additional needs and children with disabilities;
- ensuring that children learning English as an additional language have full access to the curriculum and are supported as much as we can possibly in their learning.

Valuing diversity in families

- We welcome the diversity of family lifestyles and work with all families.
- We encourage children to contribute stories of their everyday life to the setting.
- We encourage parents/carers to take part in the life of the setting and to contribute fully.

Food

- We work in partnership with parents to ensure that the medical, cultural and dietary needs of children are met where possible.

- We help children to learn about a range of food, and of cultural approaches to mealtimes and eating, and to respect the differences among them. Monitoring and reviewing
- To ensure our policies and procedures remain effective we will monitor and review them regularly to ensure our strategies meets the overall aims to promote equality, inclusion and valuing diversity.

Supporting children with additional educational needs

We provide an environment in which all children, including those with additional educational needs are supported to reach their full potential.

- We have regard for the DFES Special Educational Needs Code of Practice (2001).
- We ensure our provision is inclusive to all children with additional educational needs.
- We support parents and children with additional educational needs (SEN).
- We identify the specific needs of children with additional educational needs and meet those needs through a range of SEN strategies.
- We work in partnership with parents and other agencies in meeting individual children's needs.
- We have at least one designated member of staff to be the Special Educational Needs Co-ordinator (SENCO) who's name is displayed in our entrance hall.
- We ensure that the provision for children with additional educational needs is the responsibility of all members of the setting.
- We ensure that our inclusive admissions practice ensures equality of access and opportunity.
- We use the graduated response system for identifying, assessing and responding to children's additional educational needs.
- We work closely with parents of children with additional educational needs to create and maintain a positive partnership.
- We ensure that parents are informed at all stages of the assessment, planning, provision and review of their child's education.

- We liaise with other professionals involved with children with additional educational needs and their families including transfer arrangements to other settings and schools.
- We use a system of planning, implementing, monitoring, evaluating and reviewing individual educational plans (IEPs) for children with additional educational needs.

Achieving positive behaviour

Our setting believes that children flourish best when their personal, social and emotional needs are met and where there are clear and developmentally appropriate expectations for their behaviour.

Children need to learn to consider the views and feelings, needs and rights of others and the impact that their behaviour has on people, places and objects. This is a developmental task that requires support, encouragement, teaching and setting the correct example. The principles that underpin how we achieve positive and considerate behaviour exist within the programme for promoting personal, social and emotional development. Positive and good behaviour from children is encouraged and always praised by the staff. Any form of bullying is not accepted at the nursery, whether it be physical, harassment or name calling.

If a child bullies another child Nursery staff will:

- intervene immediately and remove the child from the situation
- explain to the bullying child why his/her behaviour is unacceptable during time out
- encourage the child to play in another area.
- make sure if they have hurt the other child, the incident is reported in the incident book and if there are any marks on the other child it is reported in the accident book.
- give reassurance to the child that has been bullied.
- discuss unacceptable behaviour with parents and work out a plan to encourage and adopt more desirable behaviour.

Time out

If a child acts in an inappropriate way they should be removed from the situation and given 'time out' with an adult in the same vicinity of other staff members. Time out is time children spend on their own to reflect on their behaviour. After the appropriate time out, usually 1 minute for each year of the child's life the adult should explain to the child why the behaviour was unacceptable and then the child should be allowed back to participate in play.

Physical intervention should only be used in order to prevent injury to the child, other children or an adult to prevent serious damage to property. Any such intervention should be recorded and parents informed about it on the same day.

Responsibility of designated person for behaviour management:

- Keep up to date with legislation, research and thinking on handling children's behaviour
- Make available relevant sources of expertise on handling children's behaviour
- Make sure there is stability and consistency amongst all staff on behavioural issues
- Ensure and record staff have relevant in-service training on handling children's behaviour

Designated person for Behaviour Management: Debbie Aldridge

Employment

Employment and staffing

We provide a staffing ratio in line with the Welfare requirements of the Early Years Foundation Stage to ensure that children have sufficient individual attention and to guarantee care and education of a high quality. Our staff are appropriately qualified and we carry out checks for criminal records through the Criminal Records Bureau in accordance with statutory requirements.

Ratios

To meet this aim we use the following ratios of adults to children:

- children under two years of age: 1 adult : 3 children:
 - children aged two years of age: 1 adult : 4 children and
 - children aged three to seven years of age: 1 adult : 8 children
 - children aged seven to eleven years of age: 1 adult to 8 children
-
- A minimum of two staff/adults are on duty at any one time.
 - We use a key person approach to ensure that each child has a named member of staff with whom to form a relationship and who plans with parents for the child's well-being and development in the setting.

Vetting and staff selection

- We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.
- All staff have job descriptions which set out their staff roles and responsibilities.
- We welcome applications from all sections of the community. Applications 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.
- We use Ofsted guidance on obtaining references and enhanced criminal records checks through the Criminal Records Bureau for staff who have unsupervised access to children.

- We keep all records relating to employment of staff, in particular those demonstrating that checks have been done, including the date and number of the enhanced CRB check.

Changes to staff

We inform Ofsted of any changes in the person responsible for our setting.

Training and staff development

- The Manager of our setting holds a Level 3 NNEB Diploma in Nursery Nursing and is working towards a BA Hons in Early Childhood Studies.
- A minimum of half our staff hold a Level 3 in childcare qualification.
- Staff have access to regular training through courses provided by the Early Years and Childcare team at Peterborough City Council.
- We provide staff induction. Here staff are given a copy of our policies and other procedures are introduced within an induction plan.
- We support the work of our staff by holding staff meetings and appraisals.
- We are committed to recruiting, appointing and employing staff in accordance with all relevant legislation and best practice.
- The manager organises staff annual leave so that ratios are not compromised.
- Where staff are unwell and take sick leave in accordance with their contract of employment, we organise cover to ensure ratios are maintained.
- Sick leave is monitored and action taken where necessary.
- We have contingency plans to cover staff sickness such as a list of casual staff. We are a member of the Peterborough Staff Bank.

Induction of staff

We provide an induction for all staff in order to fully brief them about the setting, our policies and procedures and daily practice.

We have a written induction plan for all new staff which includes the following:

- Completion of all forms such as CRB, Dress Code, Health questionnaire, emergency contact details
- Copy of the policies to be given and member of staff to sign to say they received a copy, and understood and agree to abide by the policies.
- Staff to provide photographic I.D which is then photocopied and kept on file.

- Staff are made aware all information in the setting including that of children, parents and staff is strictly confidential and cannot be discussed outside of the setting.
- A job description is given
- Other information given such as no mobile telephones in the room, pay arrangements, sickness arrangements, fire evacuation procedures etc

Staff in the room make the new member of staff aware of routines within the room, dietary requirements etc.

Student Placements

This setting recognises that qualifications and training make an important contribution to the quality of the care and education provided by early years settings. As part of our commitment to quality we offer placements to students undertaking early year's qualifications and training. We also offer placements for school pupils on work experience.

We aim to provide for students on placements with us experiences that contribute to the successful completion of their studies. We provide examples of quality practice in early years care and education.

- We require students on qualification courses to meet the 'suitable person' requirements of Ofsted and have CRB checks carried out.
- We supervise all students at all times and do not allow them to have unsupervised access to children.
- Students undertaking qualification courses who are placed in our setting on a short term basis are not counted in our staffing ratios.
- Trainee staff employed by the setting may be included in the ratios if they are deemed competent.
- We require students to keep to our confidentiality policy.
- We co-operate with student's tutors in order to help students to fulfil the requirements of their course of study.
- We communicate a positive message to students about the value of qualifications and training.

- We make the needs of the children paramount by not admitting students in numbers that hinder the essential work of the setting.

Health and Safety

Health and safety general standards

This setting believes that the health and safety of children is of paramount importance. We make our setting a safe and healthy place for children, parents, staff and students.

- We aim to make children, parents and staff aware of health and safety issues and to minimise the hazards and risks to enable the children to thrive in a healthy and safe environment.
- Our member of staff responsible for health and safety is: **Debbie Aldridge**
- Our health and safety poster is displayed in the kitchen

Insurance cover

We have public liability insurance and employer's liability insurance. The certificate for public liability insurance is displayed in the entrance hall.

Awareness raising

- We operate a no smoking policy.
- Children are made aware of health and safety issues through discussions, planned activities and routines.

No-smoking

We comply with health and safety regulations and the Welfare Requirements of the EYFS in making our setting a no-smoking environment both indoors and outdoors.

- All staff and parents are made aware of our no-smoking policy.
- We display no-smoking signs.
- Staff who smoke do not do so during working hours unless on a break and away from the premises.

Policy Statement

We operate a no smoking policy

Procedures

- Staff do not smoke 30mins prior to coming into nursery (beginning of shift and at lunch times).
- It is recommended that staff do not smoke whilst in uniform.
- Staff are not permitted to smoke in sight of nursery premises.

Social networking sites

Staff are not permitted to discuss or comment, using any social network site, on any issues relating to staff, children, parents of any children within the nursery or that could be related to the nursery.

Remember that anything posted online could end up in the public domain and be read by anyone.

Treat your online conversations as if you were talking with people in a public place where you can be seen and overheard.

As an employee you need to be very careful as to what you post online. You must at all times ensure that it doesn't compromise your professional role. Think before you post your comments.

Any member of staff who is found to have made a comment that could be related to the nursery, staff, parents or children can face disciplinary procedures, including dismissal.

Doors

- We take precautions to prevent children's fingers from being trapped in the doors.

Floors

- All floor surfaces are checked daily to ensure they are clean and not uneven, wet or damaged.

Electrical/gas equipment

- All electrical/gas equipment conforms to safety requirements and is checked regularly.

- Our boiler/electrical switch gear/meter cupboard is not accessible to the children.
- Heaters and electrical sockets are properly guarded and the children are taught not to touch them.

Storage

- All resources and materials from which children select are stored safely.
- All equipment and resources are stored or stacked safely to prevent them from accidentally falling or collapsing.

Outdoor area

- Our outdoor area is securely fenced.
- Our outdoor area is checked for safety and cleared of rubbish before it is used.
- Our outdoor sand pit is covered when not in use and is cleaned regularly.
- All outdoor activities are supervised at all times.

Hygiene

- Our daily routines encourage the children to learn about personal hygiene.
- We have a daily cleaning routine for the setting which includes room, kitchen, rest area, toilets and nappy changing areas.
- The toilet area has a high standard of hygiene including hand washing and drying facilities and disposal of nappies.
- We implement good hygiene practices by:
 - ▶ cleaning tables regularly;
 - ▶ cleaning toilets regularly;
 - ▶ wearing protective clothing – such as aprons and disposable gloves as appropriate;
 - ▶ providing tissues and wipes

Activities and resources

- Before purchase or loan, equipment and resources are checked to ensure they are safe for all ages and stages of the children currently attending the setting.

- The layout of play equipment allows adults and children to move safely and freely between activities.
- All equipment is regularly checked for cleanliness and safety and any dangerous items are repaired or discarded.
- All materials, including glue and paint are non-toxic.
- Sand is clean and suitable for children's play.
- Physical play is constantly supervised.
- Children who are sleeping are checked regularly.
- Children learn about health, safety and personal hygiene through the activities we provide and the routines we follow.

Risk assessment

The basis of this policy is risk assessment. Our risk assessment process follows five steps which are as follows:

- Identification of risk: Where is it and what is it?
- Who is at risk: staff, children, parents, cooks, cleaners etc?
- Assessment as to the level of risk as high, medium, low. This is both the risk and the likelihood of it happening, as well as the possible impact if it did.
- Control measures to reduce/eliminate risk: What will you need to do, or ensure others will do, in order to reduce that risk?
- Monitoring and review: How do you know if what you have said is working, or is thorough enough? If it is not working, it will need to be amended, or maybe there is a better solution.

Procedures

Our risk assessment process covers adults and children and includes:

- Checking for and noting hazards and risks indoors and outside, and in our premises and for activities;
- Assessing the level of risk and who might be affected;
- Deciding which areas need attention;
- Developing an action plan that specifies the action required, the time-scales for action, the person responsible for the action and any funding required.
- Where more than five staff and volunteers are employed the risk assessment is written and is reviewed regularly.

- We maintain lists of health and safety issues, which are checked daily before the session begins as well as those that are checked on a weekly and termly basis when a full risk assessment is carried out.

Recording and reporting of accidents and incidents

(including procedure for reporting to HSE, RIDDOR)

Policy Statement

We follow the guidelines of the Reporting Injuries, Diseases and Dangerous Occurrences (RIDDOR) for the reporting of accidents and incidents. Child protection matters or behavioural incidents between children area NOT regarded as incidents and there are separate procedures for this.

Procedures

Our accident book:

- Is kept safely and accessible;
- Is accessible to all staff who know how to complete it;
- Is reviewed at least half termly to identify any potential or actual hazards.

Ofsted is notified of any injury requiring treatment by a general practitioner or hospital doctor, or the death of a child or adult.

When there is any injury requiring general practitioner or hospital treatment to a child, parent, or visitor or where there is a death of a child or adult on the premises, we make a report to the Health and Safety Executive using the format for the Reporting of Injuries, Diseases and Dangerous Occurrences.

Dealing with incidents

We meet our legal requirements for the safety of our employees by complying with RIDDOR (the Reporting of Injury, Disease and Dangerous Occurrences

Regulations). We report to the Health and Safety Executive:

- Any accident to a member of staff requiring treatment by a general practitioner or hospital: and
- Any dangerous occurrences. This may be an event that causes injury or fatalities or an event that does not cause an accident but could have done, such as a gas leak.

- Any dangerous occurrence is recorded in our incident book. See below.

Our incident book

We have ready access to telephone numbers for emergency services, including local police. Where we are responsible for the premises we have contact numbers for gas and electricity emergency services, carpenter and plumber.

We keep an incident book for recording incidents including those that are reportable to the Health and Safety Executive as above.

These incidents include:

- Break in, burglary, theft of personal or the setting's property;
- An intruder going unauthorised access to the premises;
- Fire, flood, gas leak or electrical failure;
- Attack on a member of staff or parent on the premises or nearby;
- Any racist incident involving staff or family on the centre's premises;
- Death of a child, and
- A terrorist attack or threat of one.

In the incident book we record the date and time of the incident, nature of the event, who was affected, what was done about it – or if it was reported to the police and if so a crime number. Any follow up, or insurance claim made, should also be recorded.

In the unlikely event of a terrorist attack we follow the advice of the emergency services with regard to evacuation, medical aid and contacting children's families. Our standard Fire Safety Policy will be followed and staff will take charge of their key children. The incident is recorded when the threat is averted.

In the unlikely event of a child dying on the premises, for example, through cot death in the case of a baby, or any other means involving an older child, the emergency services are called, and the advice of these services are followed.

The incident book is not for recording issues of concern involving a child. This is recorded in the child's own file.

Food hygiene

(including procedure for reporting food poisoning)

Policy statement

In our setting we provide and/or serve food for children on the following basis:

- Snacks
- Meals

We maintain the highest possible food hygiene standards with regard to the purchase, storage, preparation and serving of food.

We are registered as a food provider with the local authority Environmental Health Department.

- The person in charge and the person responsible for food preparation understands the principle of Hazard Analysis and Critical Control Point (HACCP) as it applies to their business. This is set out in Safer Food Better Business. The basis for this is risk assessment as it applies to the purchase, storage, preparation and serving of food to prevent growth of bacterial and food contamination.
- At least one person has an in-date Food Hygiene Certificate.
- The person responsible for food preparation and serving carries out daily checks on the kitchen to ensure standards are met consistently.
- We use reliable suppliers for the food we purchase.
- Food is stored at correct temperatures and is checked to ensure it is in-date and not subject to contamination by pests, rodents or mould.
- Food preparation areas are cleaned before and after use.
- There are separate facilities for hand washing and for washing up.
- All utensils, crockery etc are clean and stored appropriately.
- Waste food is disposed of daily.
- Cleaning materials and other dangerous materials are stored out of children's reach.
- Children do not have access to the kitchen.
- When children take part in cooking activities they:
 - ▶ Are supervised at all times
 - ▶ Understand the importance of hand washing and simple hygiene rules
 - ▶ Are kept away from hot surfaces and hot water, and
 - ▶ Do not have unsupervised access to electrical equipment such as blenders etc.

Reporting of food poisoning

- Food poisoning can occur for a number of reasons; not all cases of sickness and diarrhoea are as a result of food poisoning and not all cases of sickness or diarrhoea are reportable.
- Where children and/or adults have been diagnosed by a GP or hospital doctor to be suffering from food poisoning and where it seems possible that the source of the outbreak is within the setting, the manager will contact the Environmental Health Department and the Health Protection Agency to report the outbreak and will comply with any investigation.
- If the food poisoning is identified as a notifiable disease under the Public Health (Infectious Diseases) Regulations 1988 the setting will report the matter to Ofsted.

Fire safety and emergency evacuation

Policy statement

We ensure our premises present no risk of fire by ensuring the highest possible standard of fire precautions. Where necessary we seek the advice of a competent person, such as our Fire Officer or Fire Safety Consultant.

Procedures

- The basis of our fire safety procedures are risk assessments. These are carried out by a 'competent person'.
- The manager has received training in fire safety sufficient to be competent to carry out risk assessments; this will be written where there are more than five staff.
- Fire doors are clearly marked, never obstructed and easily opened from the inside. Smoke detectors/alarms and fire fighting appliances conform to BSEN standards, are fitted in appropriate high risk areas of the building and are checked as specified by the manufacturer.
- Our emergency evacuation procedures are approved by the Fire Safety Officer and are:
 - ▶ Clearly displayed in the premises.
 - ▶ Explained to new members of staff.

- ▶ Practised regularly.
- ▶ Records are kept of fire drills and the servicing of fire safety equipment.
- The fire drill record must contain:
 - ▶ Date and time of the drill.
 - ▶ Whether there were any problems that delayed evacuation.
 - ▶ Any further action taken to improve the drill procedure.

Administration

Admissions

Policy statements

It is our intention to make our setting accessible to children and families from all sections of the local community. We aim to ensure that all sections of our community have access to the setting through open, fair and clearly communicated procedures.

Procedures

- We ensure that the existence of our setting is widely advertised in places accessible to all section of the community.
- We ensure that information about our setting is accessible, in written form.

Child care practice

The role of the key person and settling-in

Policy statement

We believe that children settle best when they have a key person to relate to, who knows them and their parents well, and who can meet their individual needs.

Research shows that a key person approach benefits the child, the parents, the staff and the setting by providing secure relationships in which children thrive, parents have confidence, staff are committed and the setting is a happy and dedicated place to attend or work in.

We want children to feel safe, stimulated and happy in the setting and to feel secure and comfortable with staff. We also want parents to have confidence in both their children's well-being and their role as active partners with the setting.

We aim to make the setting a welcoming place where children settle quickly and easily because consideration has been given to the individual needs and circumstances of children and their families.

The key person role is set out in the Welfare Requirements of the Early Years Foundation Stage.

Procedures

- We allocate each child a key person before the child starts.
- The key person is responsible for the induction of the family and for settling the child into our setting.
- The key person offers unconditional regard for the child and is non-judgemental.
- The key person works with the parent to plan and deliver a personalised plan for the child's well-being, care and learning.
- The key person acts as the key contact for the parents and has links with other carers involved with the child, such as a childminder and co-ordinates the sharing of appropriate information about the child's development with those carers.
- A key person is responsible for developmental records and for sharing information on a regular basis with the child's parents to keep those records up-to-date, reflecting the full picture of the child in our setting and at home.
- The key person encourages positive relationships between children in her/his key group, spending time with them as a group each day.
- We provide a back-up key person so the child and the parents have a key contact in the absence of the child's key person.
- We promote the role of the key person as the child's primary carer in our setting and as the basis for establishing relationships with other staff and children.

Settling-in

- Before a child starts to attend the setting, we use a variety of ways to provide his/her parent with information. These include written information (including our prospectus and policies) and displays about activities available within the setting.
- We allocate a key person to each child and his/her family before she/he starts to attend; the key person welcomes and looks after the child at their first session and during the settling-in process.
- When a child starts to attend, we explain the process of settling-in with his/her parents.
- We recognise that some children will take longer to settle in than others.
- We judge a child to be settled when they have formed a relationship with their key person; for example the child looks for the key person when he/she arrives, goes to them for comfort and seems pleased to be with them. The child is also familiar with where things are and is pleased to see other children and participate in activities.
- When parents leave, we ask them to say goodbye to their child and explain that they will be coming back and when.
- We do not believe that leaving a child to cry will help them to settle any quicker. We believe that a child's distress will prevent them from learning and gaining the best from the setting.

Partnership

Parental involvement

Policy statement

We believe that children benefit most from early years education and care when parents and settings work together in partnership.

Our aim is to support parents as their children's first and most important educators by involving them in their children's education and in the full life of the setting. We also aim to support parents in their own continuing education and personal development.

Some parents are less well represented in early years setting; parents who live apart

from their children but who still play a part in their lives as well as working parents. In carrying out the following procedures, we will ensure all parents are included.

When we refer to 'parents' we mean both mothers and fathers; these include both natural or birth parents as well as step-parents and parents who do not live with their children, but have contact with them and play a part in their lives. 'Parents' also includes same sex parents as well as foster parents.

'Parental responsibility' is all the rights, duties, powers and responsibilities and authority which by law a parent of a child has in relation to the child and his property.

Procedures

- We have a means to ensure all parents are included – that may mean we have different strategies for involving fathers and mothers who work or live apart from their children.
- We consult with all parents to find out what works best for them.
- We ensure ongoing dialogue with parents to improve our knowledge of the needs of their children and to support their families.
- We inform all parents about how the setting is run and its policies through access to written information and through regular informal communication.
- We inform all parents on a regular basis about their children's progress.
- We involve parents in the shared record keeping about their children – either formally or informally – and ensure parents have access to their children's written developmental records.
- We consult with parents about the times of meetings to avoid excluding anyone.
- We welcome the contributions of parents, in whatever form these may take.
- We inform all parents of the systems for registering queries, complaints or suggestions. All parents have access to our written complaints procedure.
- We provide opportunities for parents to learn about the curriculum offered in the setting and about young children's learning, in the setting and at home.

In compliance with the Welfare Requirements, the following documentation is in place:

- Admissions policy
- Complaints procedure

- Record of complaints
- Developmental records of children

Transitions

We recognise the importance of supporting a child during transition periods in promoting a child's well-being and self-esteem. Transition periods in which we can help to support children at nursery include; the time that a child starts attending nursery, the time that a child moves rooms within our nursery, the time that a child moves to a different setting and the time that a child starts school.

The support we give a child who starts attending nursery is explained in our Key Person and Settling in Policy.

Supporting a child when moving between rooms

Staff from each room do their best to ensure a child is suitably supported when moving to another room within the setting.

- Parents are informed of the process, including timescales and what to expect.
- The child's Key Person completes summary 1 transition forms to inform the new Key Person of individual needs, interests and developmental levels.
- Each child is given trial sessions in the new room prior to starting.
- The Key Person that is allocated to a child within the new room greets the child as they first come into the room, where possible. They give individual support to the child as appropriate throughout the sessions. They work towards building good relationships with the child from day one.
- The child's familiar Key Person supports them during trial sessions, attending with them if needed.
- The number of trial sessions allocated to each child will vary depending on how the child adjusts in the new room.

Supporting a child who is moving to another setting

We recognise a child and their family needs support when leaving our setting and attending another setting.

- The child's Key Person talks to the parents about how they and their child are feeling about the change, supporting them if necessary.

- The child's ROA is given to their parents and it is explained by the child's Key Person. It is explained to the parents that this needs to be passed on to the new setting.
- The child's Key Person completes a summary 1 to provide the new setting with information on the child's development and interests.
- Where appropriate the child's Key Person will try to contact the new setting (with parental consent) and provide information about the child that is appropriate for the new setting.

Supporting a child who is moving to school

We recognise that starting school is a big step for a child and appropriate support for the child and their family is needed to ensure each child gets the best possible start at school.

- Parents are informed of the processes involved, including time scales and what to expect.
- We encourage parents to take part fully in any induction process instigated by the school.
- A child's Key Person completes a summary 2 report and sends it to the appropriate school towards the end of the term before they start. This gives the child's new teacher information on the child's needs, interests and development.
- The child's teacher is welcomed to visit them at nursery and talk to their Key Person.
- Practitioners provide support to their key children where possible by:
 - ▶ Providing items to support them, such as school uniforms in the dressing up area.
 - ▶ Providing small group time experiences which help prepare the child for the transition
 - ▶ Looking at books with children about the subject. We have made some books with photographs of areas of local schools.
 - ▶ Discussing the transition with individual or small groups of children.

Partnership

Working in partnership with other agencies

We work in partnership with local and national agencies to promote the well-being of all children.

- We work in partnership or in tandem with local and national agencies to promote the well-being of children.
- Procedures are in place for sharing of information about children and families with other agencies. These are set out in the Information Sharing Protocol, Safeguarding Children procedures and the Additional Educational Needs Procedures.
- Information shared by other agencies with us is regarded as third party information. This is also kept in confidence and not shared without consent from that agency.
- When working in partnership with staff from other agencies, we make those individuals welcome in the setting and their professional roles are respected.
- We follow the protocols for working with agencies, for example on child protection.
- Staff from other agencies do not have unsupervised access to the child they are visiting in the setting and do not have unsupervised access to any other child(ren) during their visit.
- Our staff do not casually share information or seek informal advice about any named child/family.

Record Keeping

Children's records

Policy statement

There are record keeping systems in place that meet legal requirements; means of storing and sharing information take place within the framework of the Data Protection Act and the Human Rights Act.

This policy and procedure is taken in conjunction with the Confidentiality Policy and our procedures for information sharing.

Procedures

We keep two kinds of records on children attending our setting:

Developmental records

- These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports
- These are usually kept in the playroom and can be freely accessed, and contributed to, by staff, the child and the child's parents.

Personal records

- These include registration and admission forms, signed consent forms, and correspondence concerning the child or family. Reports or minutes from meetings concerning the child from other agencies, and ongoing record of relevant contact with parents. Observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.
- These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitable safe place.
- Parents have access, in accordance with our Client Access to Records policy, to the files and records of their own children but do not have access to information about any other child.
- Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.
- We retain children's records for five years after they have left the setting. These are kept in a secure place.

Other records

- Issues relating to the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.

- Students undertaking recognised qualifications and training, when they are observing in the setting, are advised of our confidentiality policy and are required to respect it.

Data Protection Policy

Stars Day Nurseries Limited is required to collect, store and process information as part of its business activities. That information includes personal data about living individuals. The information also includes information relating to the company's business.

Stars Day Nurseries Limited recognises the importance of the correct and lawful treatment of personal data, maintaining confidence in the company and providing for successful operations.

Stars Day Nurseries Limited also recognises the importance of maintaining the security of the information it collects, stores and processes. The loss of or compromise to information can seriously affect the company's business, and create litigation and reputational risks.

This policy sets out the Company's approach to personal information and information security. It sets out the Company's rules on data protection and the eight data protection principles contained in it. These principles specify the legal conditions that must be satisfied in relation to the obtaining, handling, processing, transportation and storage of personal data.

Any employee who considers that the policy has not been followed in respect of personal data about themselves or others should raise the matter with their Manager or one of the Directors in the first instance.

This policy is for guidance only and does not form part of your contract of employment. The Company may amend it at any time. However, it is a condition of employment that employees and others who obtain, handle, process, transport and store personal data will adhere to the rules of the policy. Any breach of the policy will be taken seriously and may result in disciplinary action.

1. Legislative and regulatory framework

- 1.1 The law relating to information handling and security may be found in a number of sources.
- 1.2 Statutory sources include the Data Protection Act 1998 and the Freedom of Information Act 2000, and a number of statutory instruments made under those statutes. The Human Rights Act 1998 may also apply, in some circumstances. The Data Protection Directive 95/456/EC may also need to be considered. Some legislation may require disclosures of information, such as the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2007.
- 1.3 There are also obligations under the common law, including the law of confidence.
- 1.4 There may also be contractual rights and responsibilities at play, for example where there is a binding contractual duty of confidence or a contractual obligation of disclosure.
- 1.5 There is also guidance from the Information Commissioner's Office, including on what constitutes personal data, and recommended practices for data relating to employees. That professional guidance has also been taken into account in formulating this policy.

2. Personnel responsible for implementation of policy

- 2.1 The Directors have overall responsibility for the Company's policy on information security and data protection, but have delegated day-to-day responsibility for overseeing and implementing it to the Manager. Responsibility for monitoring and reviewing the operation of the policy and any recommendations for change within the organisation resulting from investigations into complaints under the policy lies with the Directors.
- 2.2 Managers have a specific responsibility to facilitate the operation of this policy. To facilitate this process, managers will be given training on the relevant legal and operational framework and best practice.

2.3 All workers are responsible for the success of this policy. If you have any questions about the content or application of this policy, you should contact the Manager.

3. Who is covered by the policy?

3.1 This policy applies to all individuals working for us at all levels and grades, whether they are Directors, Managers, employees, contractors, trainees, home workers or agency workers or volunteers (collectively known as 'workers' in this policy).

4. The Data Protection Act 1998

4.1 The Data Protection Act 1998 addresses two main issues:

- (a) anyone who records and uses "personal data" (data controllers) has to be open about how this information is used and must follow eight principles of "good information handling"; and
- (b) all individuals (data subjects) are given certain rights, including the right to see information that is held about us and to have it corrected if it is wrong.

5. Information and data

5.1 Information may include:

- (a) personal data;
- (b) other information.

5.2 "Data" is recorded information whether stored electronically, on a computer, or in certain paper-based filing systems.

5.3 All workers should be aware that whatever they write down whether on email, internal memo or other correspondence may be seen by the subject of that communication. There is no exemption for opinions being expressed in documents and therefore workers should ensure that any opinions are justifiable and based on fact.

6. Format of information

6.1 Information may be held in a number of formats, including:

- (a) permanent written form;
- (b) electronic form;
- (c) text;
- (d) images (still and moving);
- (e) sound.

6.2 The DPA applies to all paper based records as well as to electronic records, as long as they are included within a “relevant filing system” which is “structured by reference to individuals”.

7. Personal data

7.1 The DPA imposes restrictions on how the Company may process personal data. “Personal data”, which may be held electronically or on paper, is subject to certain legal safeguards set out in the Data Protection Act 1998 (“DPA”) and other regulations.

7.2 “Personal data” means data relating to a living individual who can be identified from that data (or from that data and other information in possession of the Company).

7.3 Personal data can be factual (such as a name, address or date of birth, a job title or a telephone number) or it can be an opinion (such as a performance appraisal). It can even include a simple e-mail address. It is important that the information has the data subject as its focus and affects the individual's privacy in some way. Mere mention of someone's name in a document does not constitute personal data, but personal details such as someone's contact details or salary would still fall within the scope of the Data Protection Act 1998.

7.4 Personal data need not be confidential information.

8. Sensitive personal data

- 8.1 A more rigorous set of regulations apply to “sensitive personal data” under the DPA. Sensitive personal data can only be processed under strict conditions, including a condition requiring the express permission of the person concerned.
- 8.2 “Sensitive personal data” is defined in section 2 of the DPA as including information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings.

9. Data subjects

- 9.1 The DPA gives certain rights to “data subjects”. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.
- 9.2 “Data subjects” for the purpose of this policy include all living individuals about whom the Company holds personal data or sensitive personal data.
- 9.3 The types of personal data that the Company may be required to handle include information about current, past and prospective employees, suppliers, clients and others with whom it communicates.

10. Data controllers, users and data processors

- 10.1 Some of the principles of the DPA regulate “data controllers”, “data users” and “data processors”.
- 10.2 “Data controllers” are the people or organisations who determine the purposes for which, and the manner in which, any personal data is processed. They have a responsibility to establish practices and policies in line with the DPA. The Company is the data controller of all personal data used in its business.

10.3 "Data users" include employees whose work involves using personal data. Data users have a duty to protect the information they handle by following the Company's data protection and security policies at all times.

10.4 "Data processors" include any person who processes personal data on behalf of a data controller. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on the Company's behalf, such as couriers, agents etc.

11. Data Protection Officer

11.1 The person responsible for ensuring the Company's compliance with the DPA is known as the "Data Protection Officer". In the Company, this is the Directors. They may, from time to time, delegate any or all of their responsibilities for data protection to another suitably qualified member of workers.

12. Processing data

12.1 Some of the principles of the DPA regulate "processing" of data.

12.2 "Processing" is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

12.3 In effect, any activity involving personal data will fall within the scope of "processing".

13. The data protection principles

13.1 The Company fully endorses and adheres to the 8 principles of the DPA. These principles specify the legal conditions that must be satisfied in relation to obtaining, handling, processing, transporting and storage of personal data.

13.2 Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:

- processed fairly and lawfully, and shall not be processed unless certain conditions are met;
- obtained for a specified and lawful purpose and shall be processed for limited purposes and in an appropriate way;
- adequate, relevant and not excessive for the purpose;
- accurate and, where necessary, kept up to date;
- not kept longer than necessary for the purpose;
- processed in line with data subjects' rights;
- kept secure from unauthorised or unlawful processing and protected against accidental loss, destruction or damage by using the appropriate technical and organisational measures;
- not transferred to people or organisations situated in countries outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

14. The Company's approach to data protection.

14.1 The Company fully endorses and adheres to the 8 principles of the DPA. In order to meet the requirements of the principles, the Company will:

- observe fully the conditions regarding the fair collection and use of personal data;
- meet its obligations to specify the purposes for which personal data is used;
- collect and process appropriate personal data only to the extent that it is needed to fulfil operational or any legal requirements;
- ensure the quality of the personal data used;
- apply strict checks to determine the length of time personal data is held;
- ensure that the rights of individuals about whom the personal data is held, can be fully exercised under the DPA;
- take the appropriate technical and organisational security measures to safeguard personal data;

- ensure that personal data is not transferred abroad without suitable safeguards

15. The first principle : fair and lawful processing

- 15.1 The DPA is intended not to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject.
- 15.2 The data subject must be told who the data controller is (in this case the Company), who the Company's representative is (in this case the Data Protection Officer), the purpose for which the data is to be processed by the Company, and the identities of anyone to whom the data may be disclosed or transferred.
- 15.3 For any data to be processed lawfully, certain specific conditions have to be met.
- (a) a "condition for processing" (for all personal data) must apply; and
 - (b) an additional "special condition for processing" (for sensitive personal data) must apply; and
 - (c) the data must be processed "fairly and lawfully".
- 15.4 "Conditions for processing" are set out in Schedule 6 of the DPA and include:
- (a) the data subject giving his/her consent to the processing (although that consent may be withdrawn at any time);
 - (b) the processing being necessary:
 - (i) for the performance of a contract to which the data subject is a party, or
 - (ii) for the taking of steps at the request of the data subject with a view to entering a contract (for example, where the Company holds details of an employee's bank account in order to pay his/her salary);
 - (iii) to comply with any legal obligation to which the Company is subject, other than an obligation imposed by contract (for

example, the Company is obliged to send details of an employee to HM Revenue and Customs);

- (iv) to protect the vital interests of the data subject (for example a life and death scenario where access is needed to the data subject's medical notes but his/her permission cannot be asked.);
- (v) for the administration of justice;
- (vi) for the exercise of any functions conferred on any person by or under any enactment;
- (vii) for the exercise of any functions of the Crown, a Minister of the Crown or a Government department, or
- (viii) for the exercise of any other functions of a public nature exercised in the public interest by any person;
- (ix) for the purposes of legitimate interests pursued by the Company or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

15.5 The simplest way for a “condition for processing” to apply is to ensure that the data subject’s consent to the processing of data is obtained. However, where this is not possible then one of the above conditions can normally be used, particularly the last one.

15.6 Where “sensitive personal data” is concerned, an additional “special condition for processing” must also apply. These include:

- (a) the data subject giving his/her explicit consent to the processing (although that consent may be withdrawn at any time.);
- (b) processing is in the vital interests of the data subject (life or death scenario);
- (c) the data relates to racial or ethnic origin and is processed in the context of equal opportunity monitoring;

- (d) obtaining legal advice, establishing or defending legal rights, or for the administration of justice or for the exercise of functions of a public nature; and
- (e) compliance with employment law obligations.

15.7 The third condition: “fairly and lawfully” must also be satisfied.

- (a) “fairly” : there is some assistance in the DPA (Paragraphs 1 to 3 in particular of Part II of Schedule 1) with the interpretation of fairness.
 - (i) particular reference will be had with regard to whether the data subject was misled or deceived when the data was obtained as to the purpose for which they would be used. Such deception may mean that any consent given is invalidated;
 - (ii) the following information must be provided to the data subject:
 - (A) the identity of the data controller; and
 - (B) if the data controller has nominated a representative for the purposes of the DPA, the identity of the representative; and
 - (C) the purposes for which the data are intended to be processed; and
 - (D) any further information necessary to ensure that the processing is fair. For example, this will include a description of any third party recipients to whom the Company intend to disclose personal data and the purposes for their processing.
 - (iii) In deciding what further information may be necessary data controllers should consider what processing they will carry out once the data has been obtained and whether the data subject is likely to understand the following:
 - (A) the purposes for which their personal data are going to be processed.

(B) the likely consequences of such processing so that the data subject can consider what will be the nature and extent of the processing due to take place.

(C) whether he/she can foresee particular disclosures. The general rule is that the more unforeseen the consequences of disclosure the more likely the data controller should provide more information. The Data Protection Tribunal (as it then was) has ruled that personal information will not be considered to have been fairly obtained unless the individual has been advised of the non-obvious purpose for which it is required before the data are obtained..

(b) “lawfully” : The DPA does not provide any guidance on the meaning of “lawful”. However, the courts have generally described “unlawful” as being “something which is contrary to some law or enactment or is done without lawful justification or excuse”. Consequently, a data controller must comply with all relevant rules of law concerning the processing of personal data.

15.8 If you believe that a notice is unsuitable for a particular processing activity you are undertaking, you should consult the Data Protection Officer.

16. The second principle : processing for limited purposes

16.1 Personal data may only be processed for the specific purposes notified to the data subject when the data was first collected or for any other purposes specifically permitted by the DPA.

16.2 This means that personal data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject must be informed of the new purpose before any processing occurs.

16.3 When the Company receives information about a third party and subsequently contacts them, then, if the purpose for which data will be processed is obvious, there is no need to spell out the purpose using a data protection notice. However, where the purpose is not obvious, for example credit checking, and there is no exemption from the lawful and fair processing requirement then the purpose should be explained using a data protection notice.

16.4 Part II of Schedule 1 of the DPA provides that there are two means by which a data controller can specify the purpose(s) for which data is to be used. The most common of these is the use of a notice given by the data controller to the data subject in accordance with the fair processing requirements as set out above.

17. The third principle : adequate, relevant and non-excessive processing

17.1 Personal data should only be collected to the extent that it is required for the specific purpose notified to the data subject. Any data which is not necessary for that purpose should not be collected in the first place.

18. The fourth principle : accurate data

18.1 Personal data must be accurate and kept up to date. Information which is incorrect or misleading is not accurate and steps should therefore be taken to check the accuracy of any personal data at the point of collection and at regular intervals afterwards. Inaccurate or out-of-date data should be destroyed.

18.2 All data subjects, including employees and clients, shall be responsible for ensuring that all personal data supplied to the Company is accurate and up to date. It is the responsibility of the data subject to inform the Company immediately of any change of details. The Company will not be held liable for any errors unless the data subject has informed us previously of a change in the personal data held by the Company.

18.3 Each employee shall be responsible for ensuring that any changes in the given details of a client, opponent or contact are amended on the Company's records as soon as possible.

19. The fifth principle : timely processing

19.1 Personal data should not be kept longer than is necessary for the purpose. This means that data should be destroyed or erased from the Company's systems when it is no longer required.

20. The sixth principle : processing in line with a data subject's rights

20.1 Data must be processed in line with data subjects' rights. Remember that employees, clients, suppliers and professional contacts are data subjects of the Company. Data subjects have rights which include:

- the right to data subject access;
- the right to be informed by the Company of the purpose or purposes for which the processing of the personal data is being undertaken;
- the right to prevent processing likely to cause damage or distress : an individual can exercise this right at any time by notice in writing to the Company, requesting that the Company stops processing data for a particular purpose or in a certain manner, within a period which is "reasonable in the circumstances";
- the right to prevent processing for the purposes of direct;
- the right not to be subject to a decision, which is based solely on automated decision making;
- the right to compensation (which may include damages for distress) if the data subject (an individual) suffers damage by any contravention of the DPA by the Company;
- the right to block, erase, rectify or destroy inaccurate data;
- the right to request that the Information Commissioner assesses whether any provision of the DPA has been contravened.

21. The seventh principle : security

- 21.1 The Company must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. Data subjects may apply to the courts for compensation if they have suffered damage from such a loss.
- 21.2 The DPA requires the Company to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data may only be transferred to a third-party data processor if he agrees to comply with those procedures and policies, or if he puts in place adequate measures himself.
- 21.3 All workers are responsible for ensuring that:
- (a) any personal data which they hold is kept securely;
 - (b) personal information is not disclosed either orally or in writing or otherwise to any unauthorised third party.

22. The eighth principle : transfers outside the EEA

- 22.1 “Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.”
- 22.2 The European Economic Area (EEA) covers Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Republic of Ireland, Spain, Sweden and the United Kingdom.
- 22.3 The purpose of this principle is to ensure that the interests of residents of the EEA are not prejudiced by their personal data being sent to countries where they do not have the same safeguards. Please note that the Channel Islands and the Isle of Man are considered to be outside the EEA.

22.4 Some countries outside the EEA have been designated as safe and these include Argentina, Switzerland, Guernsey and Canada. Transfers of data are permitted to these countries without the consent of the data subject.

22.5 Transfers of data to the United States are more complex. The USA is not considered to be safe as it has no standardised data protection laws. However, the concept of “safe harbor” has been developed in respect of certain US companies and these are listed at www.export.gov/safeharbor . If a company is not on this list then personal data cannot be transferred to them unless an exception is available, such as consent.

23. Employee information

23.1 The DPA does not contain any special rules relating to the processing of employee data (as distinct from other types of data). The Information Commissioner has published “The Employment Practices Code”, which provides recommendations or “benchmarks” for dealing with employee data. These reflect the Information Commissioner’s opinion as to how the DPA may be complied with. The Employment Practice Code itself does not have legal effect and compliance with its recommendations is not mandatory.

23.2 Employee records shall only be accessible to all Directors, the Manager (or their deputies) and any other personnel who are authorised from time to time by the Directors.

23.3 Employee records shall be reviewed by the Manager on a regular basis. However, employees should ensure that they advise the Company of any change in their personal details as soon as possible.

23.4 All employees are responsible for:

- (a) checking that any personal data that they provide to the Company is accurate and up to date;
- (b) informing the Company of any changes to information which they have provided, e.g. changes of address;

- (c) checking any information that the Company may send out from time to time, giving details of information that is kept and processed.

23.5 If, as part of their responsibilities, employees collect information about other people, they must comply with the policy.

24. Consequences of breaching obligations on information handling

24.1 There are a number of possible consequences of breaching this policy and the law on information handling found in the Data Protection Act and elsewhere:

- (a) certain breaches of the DPA can lead to personal criminal liability for you. The maximum fine imposed for a breach of the DPA is £5,000;
- (b) certain breaches of the DPA can lead to personal criminal liability for the Company. The Directors and other officers of a company can be held personally liable for breaches of the DPA. The maximum fine imposed for a breach of the DPA is £5,000;
- (c) breach of the DPA may expose the Company to enforcement action by the Information Commissioner. Enforcement will typically arise after a request from a Data Subject for assessment by the Information Commissioner. Section 40 of the DPA empowers the Information Commissioner to serve enforcement notices on a data controller where one of the data protection principles has been contravened. Such a notice will require the data controller to stop processing data in a certain way.
- (d) any breach could damage the Company's reputation and affect its ability to use personal data which would have serious consequences for the Company's business and other obligations;
- (e) failure to comply with the requirements in these guidelines shall be a disciplinary offence and could ultimately lead to an employee's dismissal;
- (f) data subjects may bring litigation against the Company in the civil courts, claiming damages and injunctions.

25. Monitoring and review of policy

- 25.1 This policy reflects the law and the Company's practice as at 01 December 2010. The Manager, in conjunction with the Directors will be responsible for reviewing this policy from a legislative and operational perspective on a regular basis.
- 25.2 This policy should also be reviewed in the event of any changes in relevant legislation, rules of professional conduct or guidance from statutory bodies. Workers will be informed of any significant changes in this policy.
- 25.3 Workers are invited to comment on this policy and suggest ways in which it might be improved by contacting the Manager.

26. Implementation

- 26.1 This policy will come into effect on the date it is published.