

# PERSONNEL POLICY

**Rationale:** Sound personnel procedures are critical components of quality early childhood education.

**Purpose:** To ensure the implementation of prudent employment practices and the appointment and retention of competent, capable and committed staff.

## Policy Statement:

1. The Board of Directors (BoD) recognizes that a prudent employer ensures good management of people, therefore clear personnel procedures are in place to help accomplish this.
2. The Board is responsible for the employment of staff. Any staff appointments must be approved by the Board and ratified at the following Board meeting.
3. The BoD has overall responsibility for the management of staff, but delegates responsibility to the Centre Manager for all matters relating to the management of staff in the expectation that they will be managed in a sound, fair and respectful manner.

## Centre Manager Responsibilities

1. The **Centre Manager** shall manage the appointment process according to the Staff Appointment procedures, and will ensure that employees:
  - a) Are provided with an individual **Employment Agreement**, their employment records are maintained, and current employment legislation requirements are met.
  - b) Leave is effectively managed and reported so that the risk of financial liability is minimised, operational needs are met, and the needs of the employee are considered.
  - c) Are mentored throughout the year and have an annual appraisal based on performance objectives.
  - d) Are included in the **Professional Development Plan**.
  - e) Are treated fairly, in good faith, and in accordance with the employee's **Employment Agreement** and the processes in the **Personnel Policy**, when action is taken by the employer or the employee.
  - f) Are supported to maintain their Provisional Certification or Fully Certified Teacher Registration.
  - g) Are provided with a safe and healthy environment. (See **Health & Safety Policy**)
  - h) Privacy is safe-guarded. (See **Privacy Policy**)

## PROCEDURES

1. Equal Employment Opportunities
2. Staff Appointments
3. Children's Workers Safety Sheets
4. Induction Process
5. Staff Appraisal
6. Professional Development/Learning
7. Concerns Complaints Related to Staff Performance
8. Expressions of Concern from a Staff Member
9. Bullying, Harassment or Discrimination
10. Personal Grievance
11. Discipline and Dismissal
12. Misconduct
13. Serious Misconduct
14. Teacher Registration
15. Dress & Presentation
16. Staff Leave

## PROCEDURES

### Equal Employment Opportunity

1. Board of Directors (BoD) is committed to being a 'good employer' by appointing the best candidate to each position without discrimination on the grounds of gender, age, ethnic group or disability.
2. Applicants will be considered according to their skills, qualifications and abilities.
3. The **Centre Manager/Supervisor** will be the **Equal Employment Opportunity Officer** (EEO Officer) for the Centre and will implement an **EEO Programme** which is developed and reported on annually in consultation between the BoD, staff and parents.

### Staff Appointments

The Centre will use the following processes when employing staff:

1. Consult with staff regarding future staff appointments.
2. Advertise for staff in the Centre, in local newspapers, on its website and other media platforms such as the CECEAA website, Seek, Trademe and the Education Gazette as appropriate to the position.
3. Send out **Job Descriptions** and **Application Forms** to interested applicants, requesting 2 professional referees and a character reference from the applicant's current Pastor/Elder/Mentor.
4. Assemble an Appointments Committee that consists of at least 2 members of the BoD and the Centre Manager/Supervisor as appropriate which will
  - Receive applications and make a short list according to the qualities and attributes required for the position.
  - Prepare an interview format and interview applicants on a short list.

- The interview will include questions that encourage applicants to talk about their experience, attitudes, values and beliefs about teaching and learning, working with families/whanau, contribution to a team and child safety.
  - Select the most suitable applicant for the position
5. Complete referee checks for shortlisted or preferred applicants prior to the offer of employment. The referee check will include questions related to the person's commitment to child protection.
  6. Complete safety checking process.
  7. Provide a letter offering employment before commencement, and negotiate and sign with the successful applicant an **Employment Agreement**.
  8. Contact all other applicants advising them that they have been unsuccessful, and destroy their Applications and CVs.
  9. If no suitable applicants apply the position will be re-advertised.
  10. BoD is committed to seeking and employing applicants willing to comply with the Christian philosophy of the Centre.

## Children's Worker Safety Checks

1. See **Children's Worker Safety Checks Procedures** in the **Child Protection Policy - Appendix D**.

## Induction Process

Staff employed will be inducted into the Centre using the following process:

1. They will receive a warm and friendly welcome into the Centre and be introduced to all staff, children and parents.
2. They will be given an **Induction Guide** which will include an induction program, relevant parent/child information (eg. name, age, special requirements), key policies & procedures, **Code of Conduct**, rosters & other relevant information.
3. They will be inducted into the ICT systems and provided with passwords.
4. They will work alongside another staff member or the Centre Manager/Supervisor for the first few days to become familiar with the routines, programme and other information about the children for whom they will be responsible.
5. They will have the opportunity to discuss policies and procedures with the Centre Manager/Supervisor.
6. They will, after 2 weeks, review with the Centre Manager/Supervisor the induction process and address any concerns.

## Staff Appraisal

1. The Centre Manager/Supervisor will be responsible for co-ordinating the appraisal process and will work collaboratively with all employees to develop a robust and rigorous appraisal process that will focus on growing and improving practice, and support teachers to gain and maintain their Teaching Practice Certificate (See **Appraisal Process**).
2. The Centre Manager/Supervisor will be appraised by a person appointed by the BoD, who must be an Early Childhood registered teacher.
3. The appraisal process is seen as a year-long on-going process consisting of **Mentoring Meetings** each term and an annual **Appraisal Meeting**. Teachers will participate in the Centre's **Internal Evaluation Question** where they will be required to research their own **Inquiry Question** over a year, which will form part of their appraisal.
4. Appraisals will be based on performance objectives set out in **Job Description**, with job improvement objectives and agreed on goals forming the basis of future **Mentoring & Appraisal Meetings**.
5. The **Mentoring & Appraisal Meetings** will be confidential to the appraiser and the employee, unless the employee chooses to share their job improvement objectives and agreed goals with others.

6. Competency issues will be dealt with outside of the appraisal process.

### Professional Development/Learning

1. A **Professional Development Plan** for the Centre will be developed, based on needs identified through the Centre **Strategic Plan**, Performance Development Review and self-review.
2. All employees will be actively encouraged to participate in on-going professional learning.
3. The Centre Manager/Supervisor will access information from professional development providers to ensure employees are informed of relevant courses. All relevant course fliers will be put in the **Professional Development Course Folder** for all employees to view.
4. The **Application for Professional Development Leave Form** will be completed by employees when applying to attend professional learning courses.
5. Professional development will be provided for in the Centre's Annual Budget.
6. As appropriate employees will be required to report back to the other staff members and if necessary the BoD.

### Concerns/Complaints Related to Staff Performance

1. Any concerns regarding the non-performance of an employee will be addressed informally by the Centre Manager/Supervisor or Chairperson of the BoD with that employee where appropriate, when the matter arises and discussion recorded. If this concern continues to be an issue, competency proceedings will be enacted
2. The employee will be made aware of the concerns and a plan developed to assist the employee to improve their practice ('Warning').
3. If the plan for assistance and improvement is not successful the following actions should be taken:  
The employee be advised in writing of
  - a) the specific matters causing concerns,
  - b) the process the employer will follow to address the concerns,
  - c) the corrective action required by the employee to address the concerns,
  - d) a timeframe for undertaking the actions and addressing the concerns,
  - e) the right to have a support person.
4. Any action taken by the employer must be fair and in accordance with the employee's **Employment Agreement**.

### Expression of Concerns from a Staff Member

1. The Centre Manager/Supervisor will receive all complaints about a staff member or a child's behavior, and the Chairperson of the BoD will receive all complaints about management, using the **Complaints Procedure** (See **Complaints Policy**), unless the complaint is covered by the **Bullying, Harassment or Discrimination Procedure**, **Personal Grievance Procedure** or **Discipline and Dismissal Procedure**.

### Bullying, Harassment or Discrimination

1. Bullying, Harassment or discrimination is not acceptable at any level and all employees are expected to show respect to each other.
2. A complainant (person who the behaviour/actions have been directed at or person who saw or heard the behaviour/actions) should express verbally or in writing to either the Centre Manager/Supervisor or the Chairperson of the BoD as soon as possible, the unacceptable behaviour/actions of bullying, harassment or discrimination and whether they would prefer the matter to be dealt with formally or informally.
3. The person handling the complaint will:

- a) Decide whether the complainant's request to handle matters informally (having a word with the person, telling them their behaviour was inappropriate) is suitable. To deal with matters informally the person handling the complaint must be clear on what actually happened because they saw or heard it themselves, otherwise a proper investigation is needed.
  - b) Complete a fair and proper investigation following the **Discipline and Dismissal Procedures**.
  - c) Support the complainant and person complained about throughout the process offering them both access to support services or counselling (as appropriate) and keeping them both fully informed of each stage of the investigation process.
  - d) Seek to protect the complainant. If the behaviour is serious (but not enough to suspend the person) and the complainant's job means they are coming into contact with the person complained about, then it may be appropriate to move the person to another area during the investigation (unless the complainant themselves wish to be moved). In some instances it may be appropriate to give the complainant time off work (on discretionary leave) if that is what they want, during the investigation.
4. The BoD, if not directly handling the complaint, will be kept fully informed of any complaints made.
  5. Confidentiality will be maintained by all parties involved.

### Personal Grievance

1. The employee should first try to resolve employment issues by way of informal discussion (as appropriate) with the Centre Manager/Supervisor or Chairperson of the BoD as soon as possible so that a solution can be reached.
  2. If the matter is not resolved by informal discussion, the employee should clearly state in writing to the employer:
    - a) What their grievance is
    - b) The facts and reasons why they believe they have a grievance
    - c) What remedies they seek
- Any grievance must be brought to the employer's attention within 90 days of the event giving rise to the grievance, or the employee becomes aware of the grievance, or after further time allowed by the employer or where Employer Relations Authority grants an extension of time.
3. The employer and employee will formally discuss and attempt to resolve the issue.
  4. If the matter is not resolved by formal discussion, either party can seek mediation from an agreed Christian dispute resolution service.
  5. If the matter is not resolved at mediation, either party can seek assistance from the Employment Relations Authority.
  6. Resolution of the issue will be documented and signed by those concerned, including when an independent mediator is involved.
  7. All parties will deal with each other in good faith and follow a fair process.

### **Complaints giving rise to Personal Grievance:**

- Unjustifiable dismissal (unless the dismissal took place while the employee was on a valid 90 day trial period).
- Unjustifiable action which disadvantages the employee.
- Discrimination.
- Sexual or Racial Harassment
- Duress over membership of a union or other employee organization.
- An employer's failure to comply with obligations relating to continuity of employment for employees affected by restructuring.

- Disadvantage to an employee due to the employment agreement not meeting legal requirements for: agreed hours of work; availability provisions; reasonable notice periods to be given before cancellation of a shift; reasonable compensation to be paid if a shift is cancelled; secondary employment provisions.
- Unfair treatment of an employee who has lawfully refused work in certain circumstances.
- Where an employer engages in adverse conduct for a prohibited health and safety reason in relation to an employee or tries to force or persuade an employee not to perform a function, exercise a power or undertake a role under the Health & Safety at Work Act 2015.
- Where an employer, or former employer, takes retaliatory action against an employee who has made a protected disclosure of information.
- Where an employer does not agree to protecting an employee's employment while the employee is participating in Reserve Forces service or training.

## Discipline and Dismissal

1. All parties will deal with each other in good faith and follow a fair process.
2. The employer will inform the employee of the problem/concern and possible consequences they are facing eg. Warning, Corrective Action, Suspension, Dismissal.
3. The employer will conduct a fair and proper investigation of the problem/concern before taking any action against the employee.
4. The employer will send a letter to the employee:
  - a) Identifying the misconduct together with copies of all of the evidence gathered.
  - b) Requesting and setting a time for a formal meeting to hear the employee's explanation and feedback.
  - c) Advising the potential outcomes if the problems/concerns are established.
  - d) Reminding that they should consider bringing a support person or representative.
5. The employer will offer some form of counselling support to the employee.
6. A formal meeting will be held giving the employee and/or their representative the opportunity to respond to the problem/concern.
7. If necessary, due to the employee raising an explanation not previously considered, the employer will conduct further investigations and a second formal meeting.
8. The employer will provide the employee with a Preliminary Decision which includes details of any proposed disciplinary action, which the employee may comment on.
9. After considering the employee's comments (if any) the employer will meet with the employee and/or their representative to give the Final Decision in writing.
10. In all discipline and dismissal cases consideration will be given as to whether:
  - a) The employment relationship of trust and confidence has been damaged;
  - b) The misconduct has brought the employer into disrepute; or
  - c) The conduct was such that the employee cannot do their job properly.

## Misconduct

### **Criteria for Misconduct shall include but not be limited to:**

- Failure to comply with time recording procedures.
- Failure to report lateness, sickness or absence from work to the Centre Manager/Supervisor by the required time.
- Persistent lateness or absences from work.
- Failure to attend to rostered and/or prescribed duties.
- Failure to keep information confidential.
- Continually exceeding the time allocation for morning, afternoon or lunch breaks.

- Acts of negligence, which adversely affects hygiene, quality or safety of children or staff.
- Failure to observe safety rules and report accidents in the accident form and register.
- Using abusive or threatening language on Centre premises or while on Centre business.
- Failure to meet professional dress and hygiene standards (See **Dress & Presentation Procedures** below)
- Sleeping during working hours.
- Non-compliance with the Centre policies and procedures.

## Serious Misconduct

### **Criteria for Serious Misconduct shall include but not be limited to:**

- Arriving to work under the influence of drugs or alcohol.
- Mistreating children, including isolation, corporal punishment, deprivation of food, etc.
- Physical violence towards staff, children and visitors to the Centre.
- Verbal abuse towards staff, children and visitors to the Centre.
- Theft of the Centre, staff, children's or parent's belongings.
- Intentionally damaging the Centre's property.
- Displaying inappropriate behaviour towards the Centre or Management in public.
- Refusal to obey a lawful order or walking off the job.
- Acts of negligence, which seriously affect the quality of care and education or safety of the children or staff.
- Sexual harassment.
- Conviction of a serious criminal offence while being employed by the Centre.
- Falsifying documentation.
- Failure to follow cash handling procedures.

## Teacher Registration

1. Provisionally Certificated Teachers (PCT) undergoing the support and mentoring programme for Teacher Registration will be allocated a support person to oversee this programme.
2. Time may be allocated during normal rostered hours for meetings, observations and any other relevant activity connected with the PCT process. This will be decided in consultation with Management.
3. It is the responsibility of a teacher, Provisionally Certificated or Fully Certificated, to maintain their registration. If they fail to maintain their registration their employment may be terminated. The Centre Manager/Supervisor will be available for support if required.
4. The Centre will provide a 50% subsidy towards the cost of Teacher Registration as a goodwill gesture, with the expectation that the employee will remain in the Centre's employ for at least 6 months from the date of that payment.

## Dress & Presentation

1. Staff are to dress and present themselves in a professional way that reflects the Centre's Christian philosophy and should be appropriate to the role of the staff member.
2. Attire should be:
  - **Clean and tidy**
  - **Professional** – No thin shoulder straps, jeans that are ripped, patched or frayed or beach attire
  - **Appropriate** – Allows for freedom of movement; Does not reveal midriff, cleavage or underwear
  - **Modest** – Nothing see-through; Appropriate length skirts and dresses
  - **Include footwear** for safety
  - **Include sun-safe hats** during Terms 1 & 4

3. Presentation also includes:
  - **Jewellery** should be suitable for interactions with children (worn at teacher's own risk)
  - **Nails** should be trimmed and rounded to prevent injury to children
  - **Tattoos** are to be covered and not seen

### **Staff Leave**

1. All staff leave will be provided as stated in each teacher's **Employment Agreement**.
2. Relevant leave entitlements are to be used up before leave without pay can be taken.
3. The **Induction Guide** will provide employees with the process required to inform the Centre Manager/Supervisor when they take sick, bereavement or discretionary leave, or apply for Annual or Parental Leave.
4. Management will ensure accurate records are kept.