

First Steps (Bath)

TERMS AND CONDITIONS OF EMPLOYMENT FOR FLEXIBLE STAFF

April 2024

The following terms and conditions apply to all flexible staff employed by First Steps

1. Pay

- 1.1. First Steps published pay scale is used for all appointments.
- 1.2. The Trustee Board will decide an appropriate level of any cost-of-living increase to its pay scale, annually, for implementation normally with effect from 1st April of that year.
- 1.3. Staff will normally be appointed on the lowest point of the pay scale unless they are employed to take on designated additional responsibilities.
- 1.4. Salaries are paid (after deductions for tax, NI etc.) monthly on the last business day of each month, by credit transfer to the employee's nominated account. Note payroll shutdown date.
- 1.5. First Steps will be entitled at any time during your employment and in any event when your employment ends to deduct from any other sums owed to you by First Steps (Bath) (or paid to you on the termination of your employment including but not limited to any payment instead of notice made to you) any monies from you including, but not limited to;
 - Outstanding loans
 - Advances
 - Overpayment of wages
 - Cost of repairing damage or loss to property caused by you
 - Cost of any training & development courses provided to you by First Steps (Bath) in the last 6 months
 - First Steps childcare fees.

2. Working hours

- 2.1. The standard working week is 37½ hours up to a maximum of 40 hours
- 2.2. The standard working day is 7½ hours (excluding ½ hour lunch break – see 3.1)
- 2.3. The hours will normally be worked at agreed times between 7.45 a.m. and 6.15 p.m. Monday to Friday, but evening or weekend work may be required on occasions
- 2.4. Flexible staff work irregular hours at times and days as requested by the service manager but will not be more than the maximum working week.

3. Meals and breaks

- 3.1. All staff working more than 6 hours **must** take an unpaid lunch break within their working period (i.e. not at the beginning or end of their working hours). Staff working six hours or less may take an unpaid lunch break if they wish to do so, with the agreement of their line manager.

- 3.2. The standard lunch break is 30 minutes. Staff who wish to have a longer (or exceptionally, shorter, subject to the statutory minimum of 20 minutes) unpaid lunch break may do so with the agreement of their line manager.
- 3.3. Staff who work long days (more than 8 hours) or who are having a challenging day may take a paid break of 10 minutes with agreement from the room lead to break up the long shift in addition to their unpaid lunch break. Planned well-being rest breaks as part of a well-being plan may be taken where ratios allow. As these breaks are in paid working time the following conditions apply:
 - The timing of the break is at the manager's/room lead's discretion.
 - A break cannot be carried over, accumulated, or added to lunchtime. Staff must remain on (or at the perimeter of) the premises, to enable them to be recalled to work in an emergency
 - Breaks can only be permitted where ratios allow. See 5m Appendix 3.
- 3.4. Staff can buy a cooked lunch at First Steps provided they have ordered it from the Meal Service the day before. Lunches ordered must be recorded and payment will be collected through payroll the following month.
- 3.5. Staff will not be charged for tea, coffee or squash purchased by First Steps and consumed at work.

4. Expenses and uniform

- 4.1. Necessary expenses incurred in the course of work, e.g., fares, mileage, parking etc. may be claimed on the appropriate form with receipts attached, at HMRC rates.
- 4.2. Staff wishing to claim mileage must have insurance cover for business use
- 4.3. The expenditure must be authorised by the line manager in advance and must be claimed by the end of the month after the expense was incurred. Reimbursement will be made by bank transfer.
- 4.4. The first two items of uniform will be provided free to Flexible staff – additional items will be charged at cost. After a year's service, one free replacement item of uniform will be provided to Flexible staff each April at the manager's discretion.

5. Annual leave

- 5.1 Flexible staff are entitled to 5.6 weeks of paid holiday which is based on roll-up hours.
- 5.2 Holiday pay is calculated at the rate of 12.07% of the hours worked which equates to just over 7 minutes for each hour worked.
- 5.3 Holiday pay will be paid at the end of each month based on the hours worked in that month which will be shown as holiday pay.

6. Staff Lateness

- 6.1 Employees should report to their line Manager or most Senior staff member on-site if they are going to be late, this should be done as soon as possible via telephone and then in person when they arrive on site.
- 6.2 Staff lateness will be managed through the 'Staff Attendance Policy'

7. Sick leave

- 7.1. Flexible staff who are ill must phone the service manager to whom they are assigned to work, at least ½ an hour before the time they are due to start work (or before 9 am, whichever is the earliest) and on each subsequent day if on the rota to work. (Please note that Environmental Health require that staff who have had sickness and/or diarrhoea are not permitted to handle food for 48 hours after their last episode)
- 7.2. Flexible staff may be entitled to Statutory Sick Pay in accordance with current regulations.

8. Team Meetings and Staff Training (Inset) days

- 8.1 Flexible staff may be invited to attend team meetings and First Steps staff training days.
- 8.2 Flexible staff will be paid when requested to attend team meetings or staff training days. They may also claim childcare costs with a registered childcare provider, on the production of a receipt.
- 8.3 Flexible staff may also need to attend other training courses as required by the service and as part of their own professional development. This will be agreed with their line manager as part of their supervision.
- 8.4 Flexible staff are required to attend Safeguarding Training as an essential part of their job.

9. Staff childcare places

- 9.1 Flexible staff who require childcare places to enable them to work will be given priority for a place by First Steps (Bath).
- 9.2 Flexible staff children will be accepted, though staff are expected to work in a different setting or room than their child wherever possible.
- 9.3 Flexibility of provision will be offered to staff when occupancy permits, where staffing is short – e.g., to increase their place to work additional hours, or to have different session times when their child is settling into school. To allow Managers to plan for staff around busy times, staff children may occasionally be allowed to attend sessions outside normal sessions.
- 9.4 A staff childcare discount of 50% is available for one named child only, for a child the staff member is the parent or legal guardian up to a maximum of 37.5 hours per week. Flexible staff are required to work a minimum of **10 hours a month** to qualify failure to work the 10 hours will result in the discount being removed for that month. If a staff member is off on long-term sick for more than 4 weeks the discount will be removed from week 5, this does not form part of statutory rights. Staff who go on parental leave will continue to receive this discount for the period of maternity leave there is no qualifying period for this discount. The discount does not apply to meals or resource charges if applicable or any other charges.
- 9.5 Staff can request payment for childcare to be deducted from pay in agreement with finance – this has the effect of fees being exempt from tax and national insurance. The exception is if the deduction means the employee's earnings are reduced to below the National Living Wage or their weekly earnings fall below the Lower Earnings Limit after the deduction. If staff do not keep up to date with their childcare payments any debt can be recovered through a deduction from earnings following an arrears agreement.
- 9.6 Flexible staff will be supported to claim their full entitlements through Working Tax credits or other benefits.

- 9.7 Flexible staff may apply for a subsidised meal through the same application process as other parents
- 9.8 Flexible staff who work regular hours over several weeks will be offered a fixed-term contract

10. Policies and Procedures

- 10.1 Flexible staff are required to familiarise themselves with and adhere to First Steps policies and procedures currently in force and contained within the staff handbook as part of the induction process. These include:

Personnel policies

- Staff Employment policy and procedure
- Code of conduct for staff
- Grievance procedure
- Disciplinary procedure

Operational policies

- Safeguarding & Child Protection policy and procedure
- Equal opportunities and Anti-Discrimination policy and procedure
- Fire alarm and evacuation procedure
- Health and Safety policy and procedure
- Confidentiality policy and procedure
- Complaint procedure
- Environmental Sustainability policy
- Storage and disposal of records procedure
- Induction of students or volunteers, policy, and procedure

11. Notice Periods

- 11.1 The notice required from Flexible staff leaving First Steps (Bath) is 1 calendar month.
- 11.2 Flexible staff who are not available for work for more than 4 weeks (except paid holidays) will be taken off the payroll and issued a P45.

12. Disclosure Barring Service

- 12.1 All staff are required to have a Disclosure Barring check
- A copy of the DBS must be held on their HR file
 - On receipt of a new DBS staff must sign up to the update service which will allow First Steps to complete checks annually during employment (Appendix 2DBS Consent Form), the cost of which can be reclaimed through expenses.

Approved by the Board of Trustees, 21st January 2014

Last updated: 28/02/2014

By: Roz Lambert, Chief Executive, First Steps (Bath)

Updated by SMT November 2015

Updated by SMT November 2016

Reviewed by Trustees February 2018

Reviewed by SMT November 2018

Reviewed by SMT November 2019

Reviewed by SMT November 2020

Reviewed by SMT November 2021

Reviewed by SMT November 2022
Reviewed by SMT April 2023
Reviewed by SMT December 2023
Reviewed by SMT February 2024 after staff consultation
Reviewed April 2024 after Working Time Regulations reform
Reviewed by SMT November 2024

Staff Name.....

Staff Signature

Dated.....