



Policies

Practices & Procedures

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1. Governance Management and Administration.

Human Resources Practice.

6.1 Selection and Appointments policy and procedure

Last Reviewed 20/12/2022.

Next Review DUE

City Heights is committed to attracting excellent professional staff from New Zealand and/or from overseas in order to support its core mission of being a high quality education hub for our tamariki to gain the foundation for a successful, independent, and abundant life.

This policy applies to all managers and leaders involved in the process of hiring new staff members. We will always strive to use and promote best practices, and transparent and legally compliant recruitment practices to ensure that all appointments are made following the good faith requirements of the Employment Relations Act 2000 and that selection criteria are relevant to the position to cover.

City Heights values diversity and equality principals and outcomes in employment as it is signed in its educational programme.

Procedure:

1. Consider the type of vacancy and the range and limit of benefits (pay rate, holiday/sick days) suitable to the position and seek management approval.
2. Information should be prepared and available for intending applicants prior any advertisement is published. This should include job title, job specification (including performance expectations) and draft contract and benefits and conditions, term/status, start date etc.
3. Consideration should be given to inviting existing staff with specified qualities to apply for the position.
4. Vacancies for qualified and registered teachers would be advertised in the Education Gazette and Trademe or recruitment websites. Other positions for no teaching staff on Trademe and/or recruitment websites.
5. Essential and desirable qualities including experience, qualifications, philosophy, attitude, team compatibility to be used to eliminate unsuitable applicants. Use these qualities list to prepare easy questions for first contact on the phone.
6. If CVs are provided these are to be returned or destroyed unless applicant has given permission to keep them on file for relieving purposes.
7. If possible, up to 5 applicants will be interviewed, whose applications and phone interviews indicate they could be the most suitable for the position. Take notes of answers during interview, consider answers and if necessary, ring back to clarify. If none of these are suitable then the position will be re-advertised.
8. Interviews will be carried out in a comfortable, quiet, and private place. The person that will be working with the staff should be present if possible. The interview should include promotion of the Centre and benefits. Applicants should be shown around and

- introduced to other staff if time permits. All interview questions and any additional information gained from candidates must relate only to the requirements of the position.
9. Applicants should complete (prior to any consideration or offer of employment) and sign a standard application form which will include disclosures and declarations as to the applicant's suitability for the job, such as illness and accident status and history, employment and education history, complete job history.
 10. The best candidates should be selected based on their ability to perform in the position.
 11. Reference checking. No referee is to be contacted without the express permission of the candidate. Confidential references must be conducted prior to offering a candidate a position, or the offer must be made "subject to satisfactory references being obtained".
 12. Police and criminal records to be checked prior to offering a candidate a position or the offer must be made subject to satisfactory safety check.
 13. Confirmation obtained from the training provider of the applicant's qualification status if written evidence has not been sight.
 14. After the reference check and safety check has been satisfactorily conducted, we will send an offer of employment letter stating the main terms and conditions (position, start date, pay rate, holiday, and sick pay).
 15. If agreement is reached confirm the appointment/acceptance by letter and draft of contract.
 16. If no agreement is reached, then repeat the process for the next best candidate.
 17. All candidates (internal and external applicants) are to be treated with respect and receive information relating to their application in a timely and professional manner.
 18. Confidentiality of all information, including evaluation and discussion of candidates, is to be maintained at all times throughout the selection process.

6.2 Safety check and risk assessment policy and procedure.

Last Created 23/02/2023.

Next Review DUE

At our centre we strive to take all reasonable steps to promote the good health and safety of our children. We are responsible for ensuring that all workers employed at City Heights are safety checked before they have access to children and are re-checked every three years according to Vulnerable Children's Act 2014.

At City Heights every person having regular contact with children is considered a children worker, e.g., office staff, teaching team, service owner, cook and caretaker, hence everyone is subject to a satisfactory safety check.

A safety check is a pre-employment check to assess whether a person is suitable to fulfil a role as a children's worker based on whether they pose a risk to children. Its purpose is to reduce the risk of harm to children.

Safety Checking components

Safety checking includes the collection and consideration of a range of information about the person. A safety check is made up of 7 components:

1. verification of identity (including previous identities)
2. an interview
3. information about work history
4. referee information
5. information from any relevant professional organisation or registration body
6. a New Zealand police vet¹
7. a risk assessment.

A safety check of a **new children's worker** requires all 7 components to be completed. A safety check of an **existing children's worker**² requires the following 4 of the 7 components to be completed: 1, 5, 6 and 7.

Periodic rechecking (every 3 years) of all children's workers requires the following 4 of the 7 components to be completed:

1. that the person hasn't changed their name and if so reconfirmation of their identity,
- 5 information from any relevant professional organisation or registration body,
6. a New Zealand police vet, and
7. a risk assessment.

Risk Assessment

A risk assessment is the evaluation of all the information gathered to assess the risk the candidate would pose to the safety of children if employed. Is the person safe to work with children?

If the risk assessment determines a person suppose a risk to the safety of the children, we will not employ or engage with them any longer.

Workforce restriction

If a person has a conviction for a specified offence, you **must not** engage or employ them in a core children's worker role unless they have an exemption.

If you believe a person you're engaging, employing, or contracting as a core children's worker has a conviction for a specified offence, you **must** follow the steps set out in section 28 of the Children's Act.

6.2 Professional Development and Staff Training

Last Reviewed 01/12/2022.
Next review DUE

1. At City Heights we encourage our teachers to further their experience and qualifications.

¹ We do not request police vet for a teacher with a current practising certificate.

² An existing children's worker is someone you have continuously employed since before 1 July 2015.

2. The Centre's budget for professional development will be dependent on the financial performance of the centre and linked to strategic goals. Consideration of professional development opportunities for staff and management should be given during the preparation of the annual management plan. Major whole Centre objectives should be identified at that time.
3. Even for free courses of training opportunities the cost of relievers should be taken into consideration.
4. Invitations (brochures and letters) to attend or take part in seminars, workshops, conferences will be evaluated by the management person responsible and notified to staff to see who wants to attend.
5. Information from the staff appraisal systems will be used to identify areas in which each individual or group will best benefit from professional development. This data along with other assessment information on the operation of the Centre will be used to identify the best opportunities.
6. The decisions for support of staff taking up professional development will give priority to those opportunities which are available in the near future and have the potential for the biggest positive impact on those individuals and the operation of the Centre.
7. Management will take into account factors such as the person's interests as mentioned above, the numbers of courses that person has already attended or are booked to attend in the future, the appropriateness of the course to the age group and work the person is doing and whether the person is full or part-time, fully or provisionally registered. Staffing in the area needs to be checked to ensure sufficient coverage in their group during their absence, or arrangements able to be made for cover if the PD is such that a number of members of the same team would benefit from attending together.
8. Where financially and practically possible, management will ensure that there are professional development opportunities for all staff and management during the year. Allocation of professional development support should ensure that no employee is unlawfully discriminated against or unfairly advantaged. Staff will be encouraged and supported in doing PD in relation to health, nutrition and physical activity practices and procedures.
9. When any appropriate courses/ events relating to nutrition and/or physical activity or general wellbeing of the children, are available the necessary funds will be allocated to ensure staff can attend.
10. Financial Support for training (previously Staff Training Policy): The Centre may decide to support professional development by allowing time off (paid or unpaid); arrangement of relievers and or childcare; providing the Centre as a venue, organising; providing a subsidy on fees or resources; or by the provision of a loan; transport and/or accommodation costs.
11. A staff member wishing to gain a particular qualification, or do a course where fees are paid may apply to Management for assistance with fees and/or expenses as follows:
 - That the centre pays all or part of the fees
 - That the centre assist with additional course expenses
 - That the centre assist with time used for study.

12. When a verbal or written agreement has been entered into and management have paid fees, if the employee withdraws from or fails the course, fees and/or other costs paid by the centre in respect of the training will be reimbursed to the centre by the employee. If necessary, credit agencies will be used to recover any outstanding fees owed.
13. Subject to the centre's financial position at the time and considering the training needs for the centre as a whole, management may agree to the training assistance application subject to the applicant signing an Agreement Regarding Course Fees form which stipulates the following:
 14. The amount of financial or other assistance provided by management.
 15. The means by which the applicant will repay the centre for the agreed cost involved.
 16. An undertaking that the applicant will diligently complete the course requirements.
 17. An undertaking that if course costs are to be paid by management the applicant will remain working at the centre for an agreed period, namely for one year's full course fees two years of full-time equivalent employment on completion of the year paid for by management, and pro rata for lesser course outlays.
18. Records: A record will be kept of opportunities taken by management and staff in a professional development file and/or on their staff file and or in financial accounting reports.
19. Evaluation: When deciding to support professional development, management should determine and record the centre's objectives of the course/conference/workshop, on each occasion, for each person, and should evaluate (or request self-evaluations) to ensure objectives are achieved. Staff may be required to present an in-service presentation to share relevant information learned at training.
20. Management will consider All-centre contracts with training providers from time to time.
21. When planning professional development, priority should be given to upgrading first aid certificates where necessary and also what other professional training staff are doing such as NZCA or Montessori course.
22. Registration will be given priority until all staff are fully registered and thereafter keeping up to date will also be a high priority.

6.3 Professional Growth cycle and Performance Appraisal

Last Reviewed 01/12/2022.
Next Review DUE

The Professional Growth Cycle for teachers and kaiako has been implemented since 1 February 2021 by the Teaching council. A Professional Growth Cycle focuses on how teachers use and meet Our Code, Our Standards | Ngā Tikanga Matatika, Ngā Paerewa in their everyday practice.

Participation in a professional growth cycle designed using the elements below is required for all teachers, qualified and unqualified at City Heights.

1. CM and professional leader will facilitate a common understanding of the Standards or Paerewa in their own context and what meeting and using them in their practice looks like.
2. CM and professional leader will design with teachers an annual cycle of professional growth in their setting, using the Standards or Paerewa and support teachers to engage in it, fostering an environment for inclusive, collaborative teacher learning.
3. Every teacher will engage in professional learning using the Standards or Paerewa to advance their understanding of the relationship between their professional practice and outcomes for learners.
4. Every teacher will be given the opportunity to discuss and receive feedback on their practice including observation, particularly for teachers holding Tōmua practising certificates (provisionally certificated teachers).
5. CM and professional leader will confirm annually that each teacher has participated in the annual cycle and will also provide a statement to the teacher about whether they meet (Tūturu: Full Practising Certificate) or likely to meet (Pūmau: Subject to Confirmation) the Standards or Paerewa (but with no requirement to create evidential documents).

At the same time, all staff will undergo a performance appraisal against their job description at least once per year. Job descriptions are reviewed at least once per year and linked to the Teachers Code of Standards.

1. The appraisal process requires self-reflection and observations of teaching practice and professional practice by a member of the management team of City Heights.
2. The outcome of the appraisal meeting is the setting of goals for professional development. An individual plan for professional development is decided which has goals set by the staff member.
3. Progress towards achieving the specific goals will be monitored through observation, conversations, and ongoing feedback.
4. Professional development is appropriately resourced with a budget of no less than \$250 per full time teacher per year.

6.4 Teacher Registration Procedure

Last Reviewed 23/12/2023.

Next Review DUE

The Requirements for Teacher Registration, Practising Certificates and Limited Authority to Teach Policy by the Teaching Council supports quality teaching, learning and leadership. The Teaching Council recognises the expertise of professional leaders to be responsible when making judgements about individual teacher applications for practising certificates, while at the same time preserves the reputation of the profession and focuses on building capacity.

Of course, Our Code, Our Standards | Ngā Tikanga Matatika, Ngā Paerewa sits at the heart of it.

The Registered Teachers Criteria shall be used as a framework for teachers' ongoing professional practice and to guide professional learning. Teachers seeking to gain or maintain a full registration practising certificate will need to demonstrate that they meet each of the teachers' standards. Evidence of professional practice that meets the criteria will be assessed by the centres' Professional Leader who then makes final recommendation to the council.

Possible sources of evidence will include observations of teaching with structured feedback, discussions, appraisal meetings, critical self-reflection, and documentation in an evidence portfolio. Documentation should include records of planning for teaching and learning, assessment records including reflective analysis, appraisal and professional development records and analysis.

Provisionally registered teachers will undertake a two-year structured programme of "induction and mentoring" by a fully registered teacher. This teacher is a mentor approved by the Centres' Professional Leader and may be from within or outside the Centre. The induction and mentoring programme will be overseen by the Professional Leader. Regular meetings will be undertaken with PRT's, mentors and the Professional Leader as agreed each year.

The Professional Leader will be responsible for leading a learning culture that is supported by policies and systems to support the PRT's and mentor teachers and to ensure there are robust processes for making assessment decisions for full registration. Both mentors and PRT's are also responsible for ensuring this process occurs.

6.5 Induction of New Staff Procedure.

Last Reviewed 23/12/2022.
Next Review DUE

Our induction process is designed to promote a sense of belonging for all new staff members, a positive work environment, and clear expectations and practices required for the role and the centre.

Orientation of centre curriculum, values, routines, and practices create continuity of quality practice and clear responsibilities of new staff.

All new staff shall be inducted and welcomed by a member of the management team into the everyday matters they are required to be familiar with:

- Local curriculum, philosophy, and values.
- Curriculum delivery: Planning and learning assessment.
- Positive Guidance Policy.
- Child Protection Policy.
- Health and Safety Procedures.
- Opening/closing procedures if relevant
- Centre Policies and procedures
- Daily routines of the classrooms/centre
- Human resources processes (pay, leave taking, etc)
- Rosters
- use of EDUCA (assessment and planning),
- centre computers and printer

- staff meetings

Staff will be given a tour of the centre along with:

- an introduction to colleagues
- shown location of resources and equipment
- given time to get to know tamariki, kaiako, and whanau.
- space to store their belongings.

City Height's induction folder will be used as a guide for the induction process. This guide provides templates, information, and resources for new staff to be familiar with centre procedures to feel knowledgeable, welcomed, and supported in their role, the centre, and the work environment. (See 'Induction Folder' – located on the Management shelf).

6.6 Staff Changing Hours Procedure

Last Reviewed 12/12/2022.

Next Review DUE

1. Staff wanting a change of hours should always get an approval from centre manager. Note change of hours requests must be in writing. City Heights reserves the right to alter back work hours at any time to suit the operational needs of the Centre as states in individual employment agreement (Section 4, 4.5).
2. Staff wishing to take unpaid leave must request it a minimum of three weeks ahead. Unpaid leave can only be taken in absence of annual leave. This excludes bereavement leave when all other leave has been used.

6.7 Flexibility and Professionalism Policy.

Last Reviewed 12/12/2022.

Next Review DUE

Regulations prescribe physical and environmental requirements for the protection, safety, health, and well-being of children in an educational facility. Factors include room sizes, ages of children, numbers of children, staffing levels and staffing qualifications. Relocation of staff to a different class or age group may be necessary to ensure the welfare of children within the regulatory environment and curriculum delivery up to our quality standards.

Accommodating these factors requires considerable flexibility in the use of the premises and the deployment of staff members always to ensure children are in groups and spaces where their needs are met and their wellbeing protected. This requires a degree of elasticity within the team members to ensure their skills are utilised in the best manner possible to meet the best interests of the children, while ensuring the children remain in a settled environment.

Staff will support management in arranging their placement within and between teams and groups to meet children needs in a wholesome and cooperative spirit, recognising that from time to time such deployment may deviate from their personal preference.

6.8 Complaints Policy

Last Reviewed 15/02/2022.
Next review DUE

At City Heights, we are committed to ensure that any concern or complaint is dealt with and resolved quickly and fairly for all parties involved. We will always follow the most current employment legislation and best practices to ensure the combined benefit of the children, educators, parents, and community.

In responding to concerns or complaints, the welfare of the children will be considered as the top priority.

Definitions:

1. Concerns. A concern is a low-level statement presented by a parent/caregiver, employee, or other individual regarding an employee, teaching team member, practice, or policy.
2. Complaints. A complaint is a serious statement made by a parent/caregiver, employee, or other individuals regarding an employee, teaching team member, practice, or policy.

Procedure:

1. Any concerns or complaint is to be brought to the attention of the Centre management to determine its nature and what remedy is required.
2. Concerns should be resolved by discussions, coaching and/or professional development. The action/s taken will be disclosed to the person who presented the concern as quickly as possible, within 3 to 5 working days. No further documentation will be required.
3. Complaints must be put in writing, signed by the person raising the issue and addressed to the CM. The problem must be clearly identified by subject matter, date and time if appropriate.
4. The CM will discuss the complaint with the appropriate people to clarify the issue and agree the course of action to be taken. The CM might seek pertinent professional advice when the situation requires.
5. A record detailing the complaint will be shown to any person who might be affected by it and their response sought in writing. The person/s complaint against should be reminded that they can have support during any discussion. The CM might seek any advice pertinent and then consider it with all responses obtained.
6. All discussions, investigation, actions, and outcomes must be documented and confidentially preserved.

7. The response/outcome will be notified to all those affected, having the opportunity of commenting on the response before it becomes final.
8. For more information, see *Employee Disciplinary procedure*.
9. Complaints lodged after the child has left City Heights will not be dealt with in terms of this policy.

Notice for parent notice board. Any parent who wishes to make a complaint about non-compliance with licence conditions should contact the Centre Manager by phoning 03 477 45 32 or sending an email to admin@cityheights.ac.nz.

Parents may also contact the Ministry of Education, Private Bag 1971, Dunedin

6.9 Harassment, discrimination and bullying Policy.

Last Reviewed 19/01/2023.
Next review DUE

City Heights is committed to creating a place of work adhering to code of conduct and ethical behaviour to ensure a productive work environment free from bullying, discrimination, and harassment for all.

The purpose of this policy is to make sure our place of learning is safe, inclusive, and free of racism, discrimination, and bullying (NELP, 2022) and to ensure all employees know their rights and responsibilities in the matter. This policy applies to staff, management and educators of our service.

Harassment can affect workplace morale, performance, and service delivery. This policy is supported by City Heights mission statement and values. Harassment of any type is not acceptable and such behaviour will not be tolerated.

All employees are responsible for making themselves aware and adhering to the company's policy on all forms of personal harassment, discrimination and bullying.

Definitions:

Harassment can be defined as any unsolicited and unwelcome hostile or offensive act, expression or derogatory statement, including incitement to commit such behaviour, which causes distress or offence to an individual.

Harassment may be direct or may be imposed by indirect means. It may be overt or implied and may constitute language, visual material, or physical behaviour.

The behaviour may either be repeated or be a one-off incident which is significant enough to have a detrimental effect on an individual or group.

In most cases, harassment is an attempt by one person to inappropriately exert power over another person. However, harassment may be unconscious or stem from ignorance, but the intention or motive of the alleged harasser is not relevant when determining whether the behaviour was offensive and unwelcome.

Harassment can take place between:

- a worker and a manager
- co-workers
- a worker and a student
- a worker and another person in the workplace.

Sexual harassment is any unwanted, unwelcome, or uninvited behaviour of sexual nature, which makes a person feel frightened, humiliated, intimidated, or offended. Sexual harassment may take many forms including the following:

- Requests for sexual activity which carry overt or implied threats or promises regarding the employee's employment.
- Sex-orientated gestures or comments.
- Sex based insults, taunts, teasing, or name calling.
- Unwanted and deliberate physical contact.
- Persistent and unwelcome social invitations or telephone calls
- Leering and suggestive staring at a person or parts of their body
- Obscene phone calls
- Sending sexual material
- Displaying offensive material including that displayed by electronic means such as offensive screen savers.
- Innuendo, including sexually provocative remarks and suggestive or derogatory comments about a person's physical appearance.

Racial Harassment. Behaviours which express hostility against or bring into contempt or ridicule another person on the grounds of colour, race, language, ethnic or national origins of that person. Specific examples include:

- Jokes or songs of a racial nature.
- Mocking other's accents
- Deliberately mispronouncing names
- Racial or ethnic orientated jibes or abuse.
- Displaying offensive material.
- Distribution of racist material.

This list is not exhaustive, and City Heights recognises that behaviour that may be regarded as harmless, trivial, a joke or acceptable by one person, may be racial harassment to those that find it offensive.

Bullying. Bullying is persistent unwelcome behaviour, mostly using unwarranted or invalid criticism, nit-picking, fault-finding, also exclusion, isolation, being singled out and treated differently, being shouted at, humiliated, excessive monitoring or having verbal and written warnings imposed.

Specific examples include:

- Physical abuse.
- Verbal – psychological abuse.
- Unreasonable workloads.
- Unachievable deadlines.
- Meaningless tasks.
- Undermining work performance.

- Teasing, practical jokes.
- Inappropriate personal remarks.
- Denial of promotions or other entitlements.
- Constant and unreasonable criticism.
- Treated differently than other workers – including exclusion from social work-related gatherings.
- Threatening behaviour.
- Lack of peer or management support.
- Using fear to control others.
- Emotionally abusive.

Other forms of harassment. Other types of harassment can include the sort of behaviour such as physical assault to covert behaviour, such as continually undermining a colleague. The following are indications of types of behaviour that may constitute harassment and should not be considered an exhaustive list.

- Physical or verbal assault
- Embarrassing, threatening, humiliating, patronising or intimidating remarks
- Belittling opinions or constant criticism
- Spreading of malicious, unfounded rumour
- Subjecting a person in the workplace to unreasonable scrutiny
- Undermining another's authority/standing in the workplace.
- Setting menial or alternatively unattainable work targets/objectives
- Isolating or excluding a person in the workplace (eg dealing with him/her through a third party)
- Publicly insulting/humiliating a person in the workplace
- Engaging in favouritism (both overt and covert).
- Sabotaging or impeding work performance by deliberately withholding work – related information and/or resources or by supplying incorrect information.

Often a person accused of harassing behaviour may be unaware of the effect that their behaviour is having on particular persons. However, no behaviour which causes distress to another employee is acceptable. All employees need to consider their own behaviour and that of their colleagues and reflect whether it might be unacceptable or offensive.

Responsibility And Delegation.

Centre manager, Professional leader and team leaders need to ensure that the policy is fully implemented in areas under their control.

City Heights has obligations under the Employment Relations Act 2000 and Human Rights Act 1993 to actively address complaints of harassment made by or against staff.

All reported instances of harassment will be treated seriously and if substantiated may result in the disciplinary process being invoked.

Complaints will be investigated under the City Heights complaints process.

Managers and supervisors have responsibilities to manage and supervise their employees, particularly with regard to unsatisfactory performance of duties. Therefore, personal harassment must not be confused with advice and comment from managers and supervisors

regarding an individual's work performance. Such comment and advice may include critical statements and feedback, along with ongoing monitoring and review of performance.

Procedure for dealing with incidents of Harassment.

There are a number of different options available. Which option is taken depends on the seriousness of the incident/s and the ability of the individual to deal with the issue. Whilst employees are encouraged to resolve complaints at an informal level, employees may approach the situation from any of the four steps described below.

Step 1: Approach the Harasser

1. You may wish to confront the perpetrator. An individual who feels they have been harassed can tell the perpetrator that their behaviour is offensive to them and request that it stop. The individual should talk to, or write to, the harasser and
2. Explain that their behaviour is unacceptable.
3. Ask them to stop.
4. Refer to the harassment policy, which states that "harassment can be defined as any unsolicited and unwelcome hostile or offensive act, expression or derogatory statement including incitement to commit such behaviour, which causes distress or offence to the individual".
5. In some instances, however, it may be difficult or unsafe for this to take place.

Step 2: Informal Intervention

1. An individual can discuss the situation with their manager or someone who has been identified as a support person. Together they may decide to approach the perpetrator directly, write them a letter or request a meeting.
2. Managers and support team members must ensure that all discussions are held in confidence (with a support person present, if appropriate), with the complainant.
3. If the complainant wishes, the manager should contact the alleged harasser on an informal basis with a view to resolving the complaint without formal action. The alleged harasser should be advised that it is an informal meeting, but they may be accompanied by a support person or union representative.
4. Notes must be made of the meeting between the manager and the complainant and agreed by both. Notes must also be made of any meeting between the alleged harasser and the manager. The manager should retain these notes. If the outcome of the informal complaint is not satisfactory to the complainant, he or she should be informed of the process for taking formal action.

Step 3: Formal Complaint

An individual can make a formal complaint to City Heights. A formal complaint should be put in writing outlining specific details of the complaint and given to the CM.

City Heights will appoint an investigator who will conduct a preliminary inquiry. Following this inquiry, the investigator will determine whether the formal disciplinary policy is to be involved and an investigation is carried out. The complainant will be given opportunity to comment on the preliminary investigation and the decision to involve the investigation process.

Throughout the investigation process it is important that accurate records are kept and that the confidentiality of all people involved is maintained.

If as a result of the investigation process a complaint is substantiated, management will take appropriate steps to ensure that:

- Suitable disciplinary action is taken against the perpetrator.
- Suitable support is available to the complainant.
- The harassment is not repeated.
- Suitable education/training is provided to the perpetrator.

If as a result of the investigation process the harassment is deemed to constitute serious misconduct, the perpetrator may be dismissed. Refer to the Employee Discipline Procedures for further information.

Step 4: Formal Complaint to an external body

An individual has the right to make a formal complaint to the Human Rights Commission. The Human Rights Commission is a statutory body, which administers the Human Rights Act 1993. The commission's primary functions are to promote human rights through education of the public and to investigate and attempt to resolve complaints of discrimination. The Commission's website is www.hrc.co.nz and its toll-free number is 0800 496 877.

Making a False Complaint. It is defamatory to make a false statement about someone which is likely to harm his or her reputation. Complaints found to be false may result in disciplinary action being taken against the complainant.

If you are making a complaint, you should ensure that you:

- Provide a true and accurate description of events.
- Discuss the harassment only with those who need to know.
- Speak about the harassment in private.

An individual may seek support and guidance from a support person. The support person must be aware any information discussed with them is confidential.

6.10 Domestic violence policy and procedure

Last Reviewed 16/01/2023.

Next Review DUE

We are committed to doing all we reasonably can to support employees who are victims of family violence. Any staff member affected by family violence will not be discriminated against or treated unfairly. Where possible, we will protect the privacy of employees who are experiencing family violence.

At City Heights we define family violence as physical, sexual, or psychological abuse.

All requests for family violence leave or short-term safety measures at work will be considered urgently.

Leave. Our employees can take up to ten days of paid domestic violence leave if they are affected by family violence, in addition to annual leave and sick leave.

City Heights may ask for supporting information from the police, government departments, a health professional, or a family violence support service. This will be at the discretion of the centre manager.

Staff training. All of our staff will be trained to become aware of the support available for family violence issues. We will continue to reinforce training and awareness of family violence at our workplace.

Short term safety measures. A workplace safety plan will be developed between the employee who is concerned about their safety at work due to family violence and the centre manager.

An employee is entitled to short-term flexible working arrangements including:

- flexibility in work hours and days of work
- flexibility in duties at work

Short-term flexible working requests will be considered urgently (within 10 working days or sooner).

The plan might also cover areas like:

- stopping the perpetrator from contacting the victim at work
- re-routing payslips and changing bank accounts
- designating a person to monitor attendance and follow up in the event of unplanned absences, including an appropriate emergency contact or potential code word to use in the event of danger.

6.11 Personal Conflict Procedure

Last Reviewed 16/01/2023.
Next Review DUE

City Heights promotes and encourages harmonious staff relations and professional behaviour at all times to ensure a smoothly running of our programme for the benefit of children, families, and staff members.

The employment contract requires staff to be flexible as to where they work. Management may move teachers from one team to another as child or teacher demographics change from time to time. Moving teachers is not a desirable strategy for dealing with interpersonal conflict and should be considered only as a last resort.

When inter-personal conflict arises within a team it should be dealt with in the first instance by the teacher or teachers involved. They should give examples of the behaviour with which they have concerns and invite the other person to explain their actions and, if they are willing, to modify these actions so that they give their colleagues no further cause for concern. Each of them should determine whether there is anything in their own behaviour that may be contributing to the problem and work it out to solve the situation. We must be tolerant of others' s points of view and personality types.

If the person does not acknowledge that their behaviour has given cause for concern and/or does not show any willingness or ability to change their behaviour the person or persons having concerns may bring the matter to the attention of management. There may be

practical matters such of a rostering or resourcing nature management may be able to assist with to alleviate the problem.

If management deem that the behaviour is of a nature to constitute a breach of contract, misconduct, or serious misconduct, Clearly documented examples of the behaviour complained of must be supplied including names of any persons who voiced the complaints. This may include parents, other teachers, students, visitors to the centre as well as the person or persons who have tried to address the issue with the person complained of.

Management is required to follow the complaints procedure as set out in the Employment Contract. Management will speak to all parties concerned and will investigate as to whether there have been similar complaints in the past lodged by the complainant or complainants and whether similar complaints have been made about the person complained of, in the past. If the complaints are shown to have a basis in actions that constitute misconduct or serious misconduct appropriate disciplinary action may be taken.

If however the complaint is shown to be frivolous or vexatious management may take disciplinary action against those who, by making repeated or trivial complaints, are demonstrating that they themselves cannot work harmoniously and professionally with their colleagues.

At no time will management investigate or consider any complaint that is made anonymously. The laws of natural justice require that a person complained of shall know what the complaint is, who made it and be given the opportunity to explain themselves and put matters right.

6.12 Employee Discipline Procedure

*Last Reviewed 16/01/2023.
Next Review DUE*

This procedure aims to:

1. Identify, for employees, behaviour which is unacceptable.
2. Incorporate natural justice principles in dealing with disciplinary matters.
3. Ensure, where unacceptable behaviour persists, and disciplinary action is taken, that the action taken is both fair and reasonable in all the circumstances.
4. Ensure that legislative and employment contract requirements are complied with.
5. Ensure that appropriate guidance is available to managers and staff for dealing with staff misconduct (alleged or actual).

Behaviour that is unacceptable falls into three broad categories:

1. Poor performance

- 1.1. Failure to carry out work to the required standard is considered to be poor performance/incompetence.
- 1.2. The initial action would normally be a careful appraisal of the employee's performance and a discussion of the situation with the employee concerned.

2. Misconduct

Unacceptable behaviour by an employee that may result in disciplinary action.

Examples of misconduct are:

- Unauthorised absence from the workplace (AWOL) for other than City Heights business.
- The use of obscene, abusive, or threatening language to another person in the workplace.
- Failure to observe safety rules or comply with Smoking in the Workplace policy.
- Improper or unauthorised use or possession of City Heights property
- Sleeping during working hours
- Persistent absenteeism or abuse of sick leave or poor timekeeping
- Gambling on City Heights premises or during working hours.
- Disrupting the workplace by acts of undesirable behaviour.
- Failure to comply with the City Heights policies and procedures.

3. Serious Misconduct

Unacceptable behaviour by an employee may result in instant dismissal from employment.

Examples of serious misconduct are:

- Refusal to undertake the duties of an employee's position, or to carry out any proper and lawful instruction given by an employee's manager or any other person acting with the authority of the employer.
- Physical violence against any person on the employer's premises, or at a workplace where the employee works.
- Racial, sexual, or other improper harassment of any visitor or other employee.
- Being at work in such a state of intoxication (whether drugs or alcohol) as to prevent or impede the proper performance of duties (whether of the employee or of any other employee).
- Deliberate failure to declare a conflict of interest to employee's manager.
- Illegal activity, for example theft, fraud, using or trading in prohibited material, such as illicit drugs or material that is objectionable.
- Failure to comply with the City Heights policies and procedures.

Note: The above examples of unacceptable behaviour are not exhaustive and are intended as a guide only. In some cases, the same type of conduct may fall into either category or therefore the degree of seriousness will be a matter for judgement based on the pertinent facts of the case.

Available Disciplinary Action

The Centre Manager after giving consideration will select the most appropriate form of disciplinary action to be taken. Action may include the following:

- Formal oral warning
- Written warning.
- Dismissal on notice
- Instant dismissal

Procedure

If misconduct has or is suspected to have occurred, the following procedure shall apply within Steps 2 or 3 of the “Procedure for Resolving Employment Relationship Problems” in Employment contract:

1. The employee shall be advised that alleged misconduct is being investigated.
2. The employer may suspend the Employee from employment on pay for such period or periods as the Employer shall at its sole discretion determine.
3. The person(s) investigating the alleged misconduct shall ensure they do not prejudice the matter or prejudice its outcome.
4. If the investigation reveals that misconduct may have occurred, the employee shall be informed that they will be required to attend a meeting about the matter, and that they are entitled to have a support person or representative of their choice at the meeting. The employee shall be notified of the time, day, and place of the meeting, and advised that a possible outcome of that meeting may:
 - if serious misconduct is alleged, be dismissal or some action short of dismissal,
 - if less serious misconduct is alleged, be a warning or other action.
5. At the meeting, the alleged misconduct shall be put to the employee, and the employee shall be invited to explain the misconduct or to make representations about the matter.
6. Following that meeting, the person(s) investigating the matter shall decide the action to be taken if misconduct has occurred.
7. Actions that the Employer may take for established misconduct:

7.1 Serious Misconduct.

The Employer may summarily dismiss the Employee without payment of the notice period or impose any action provided for less serious misconduct.

7.2 Less serious misconduct.

The Employer may:

- Issue a final written warning clearly stating that a further breach or failure to perform to required standards will result in dismissal.
- Issue some lesser verbal or written warning.
- Impose a reduction in remuneration of the Employee’s ordinary wage for a specified period, providing that the reduction does not breach the Minimum Wage Act.
- Rearrange the employee’s responsibilities or duties or both.
- Demote the employee to a lesser position; and/or
- Suspend the employee without pay for a period of up to 10 working days.
- Take such other action as is appropriate in the circumstances.

None of the above actions shall constitute redundancy of the employee’s position.

8. Responsibilities

The responsibility for dealing with employee discipline in relation to misconduct is the direct line manager.

6.13 Dress and Grooming Code Practice

Last Reviewed 16/01/2023.

Next Review DUE

1. Clothing and shoes are to be clean, tidy, in good repair and suitable for work in our workplace.
2. Hair is to be clean, tidy, and well groomed.
3. The centre accepts no liability for injury that may arise due to jewellery, hair or unsuitable clothing or footwear.
4. The centre reserves the right to ask those arriving at the centre, be they staff, students or volunteers who are unsuitably dressed or groomed to go home and make necessary changes.

6.14 Social media Policy

Last Reviewed 16/01/2023.

Next review DUE

This policy includes (but is not limited to) the following specific technologies: Twitter, Facebook, Linked In, YouTube and includes all staff, relievers and students.

1. City Heights staff are personally responsible for the content they publish on-line or any other form of user-generated media. Staff will be responsible for protecting themselves, their privacy, and City Heights' confidential information.
2. Staff should be transparent using their real names and, when relevant, role at City Heights when City Heights or City Heights related matters are discussed. It should be made clear that staff are speaking for themselves and not on behalf of City Heights.
3. If staff publish content online relevant to City Heights in their personal capacity a disclaimer should be made, such as: "The postings on this site are my own and don't necessarily represent City Heights' positions, strategies or opinions".
4. Staff should make sure their efforts to be transparent don't violate City Heights' privacy, confidentiality, and legal guidelines for external commercial speech. City Heights' or another's confidential information should not be discussed nor City Heights' business performance or other sensitive matters publicly.
5. City Heights should be represented by true statements, and these should not be misleading; all claims must be substantiated.
6. Posted comments should be meaningful and respectful of the audience – in other words, no spam and no remarks that are off-topic or offensive. There should be no use of ethnic slurs, personal insults, obscenity, or any conduct that would not be acceptable in City Heights' workplace. Proper consideration for others' privacy should be shown for topics that may be considered objectionable or inflammatory (such as politics and religion).
8. When disagreeing with others' opinions, comments should be kept appropriate and polite. Staff are encouraged to ask the manager for advice and/or to disengage from the dialogue in a polite manner that reflects well on City Heights.
9. If writing about the competition, staff should be sure to behave diplomatically, have the facts straight and have the appropriate permissions.
10. Staff should never comment on anything related to legal matters, litigation, or any parties City Heights may be in litigation with.

11. Crisis situations should never be discussed in social media when the topic being discussed may be considered a crisis situation. All Social Media activity around crisis topics should be referred to the manager.

12. Copyright, fair use, and financial disclosure laws should be respected.

13. City Heights clients and contractors should not be cited or referenced without their approval.

14. Information provided should add value, including worthwhile information and perspective. The City Heights' brand is best represented by its people and what they publish may reflect on the City Heights' brand.

15. City Heights logos or trademarks should not be used unless approval has been sought to do so.

6.15 Person Responsible Procedure

Last Created 16/01/2023.

Next review DUE

All licensed early learning services are required to have a Person Responsible onsite at all times during opening hours. There must be at least one Person Responsible for every 50 children in attendance. Each Person Responsible must be nominated for the role by their service provider.

The Person Responsible is directly involved in and responsible for, the day-to-day education and care, comfort and health and safety of the children. They are also required to supervise children and other teaching staff in attendance.

At our service, due to its layout there will be one person responsible in each classroom during opening times. The person responsible will be the most senior teaching staff, such as room leader. We will also nominate as person responsible one of the teachers doing the opening (7.30am) and one of the teachers doing the closing (5.30pm) , always that most senior teaching staff are not onsite.

The purpose of this procedure is to ensure the person/s responsible is fit, able and aware of the job requirements and responsibilities and that they have the appropriate training to perform the tasks to the highest standards.

To be a Person responsible at City Heights a teacher must:

- hold a current practicing certificate.
- hold a current First aid certificate.
- Know City Heights health and safety policies and procedures.
- Know City Heights Emergency Plans.
- know NZ curriculum Te Whariki

- know all the tasks to complete when opening and closing the centre.

Person responsible will undergo training that involves:

- Health and Safety Procedures
- Emergency Plans
- Opening and closing tasks

At City Heights, all our qualified and registered teachers' members must comply with the above requirements and will be trained in the procedures described, to avoid issues when doing shifts rotation, taking annual and/or sick leave.