

CLOSE PERSONAL RELATIONSHIPS AT WORK POLICY

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1. INTRODUCTION

- 1.1 Within this policy 'we' and 'us' means the Federation.
- 1.2 We are committed to promoting and maintaining high standards of conduct and integrity amongst all staff. As part of this it is necessary to distinguish between personal relationships and professional ones, and to have arrangements in place that safeguard all parties in circumstances where they have the potential to overlap.
- 1.3 Trustees will delegate authority to the Executive Principal to take action under the procedure outlined below, and will monitor the use of this procedure for effectiveness and fairness.

2. THE POLICY

- 2.1 An employee must declare to us any close personal relationship that could involve a potential conflict of interest for the employee or otherwise conflict with the employee's responsibilities at work. In the area of close personal relationships at work, we aim not to interfere in employees' private lives, but take legitimate action when such relationships have an actual or potential impact on the Federation. Issues involving such relationships will be dealt with promptly, effectively, fairly and lawfully, maintaining confidentiality where possible.
- 2.2 We will act upon such a declaration to ensure that any potential conflict of interest is avoided and/or to ensure that the employee is not compromised in their work with the Federation.
- 2.3 The Close Personal Relationships at Work Policy applies to all adults including but not limited to: employees, governors, casual workers, agency workers, apprentices, and volunteers at the Federation.
- 2.4 An employee who does not declare a close personal relationship at work in accordance with the requirements of the policy may be subject to appropriate action in accordance with the Federation Staff Disciplinary Policy.
- 2.5 Trustees, governors, casual workers, agency workers, apprentices and volunteers who do not declare a close personal relationship at work in accordance with the requirements of the policy may be relieved of their position within the Federation.

3. OPERATION OF THE POLICY

- 3.1 For the purposes of this policy, a 'close personal relationship' includes spouse/partner, parent, child and sibling, although this list is not exhaustive. It can be with an existing or prospective employee, a contractor, a governor (if the employee works at the Federation), or a child/young person whom an employee meets as a result of their employment.

- 3.2 Examples of close personal relationships that could involve a potential conflict of interest for our employee or otherwise conflict with the employee's responsibilities at work include but are not limited to:
- Family relationships.
 - Sexual or other intimate relationships.
 - Business, financial and commercial relationships.
- 3.3 The circumstances in which personal relationships at work must be declared include (but are not limited to):
- any close personal relationship between an interview panel member and an applicant for employment with the Federation;
 - any close personal relationship between senior leaders or a senior leader and an employee responsible to that senior leader or to a senior leader on the same management line;
 - any close personal relationship between a trustee/governor and an employee of the Federation;
 - any close personal relationship between two team members;
 - any close personal relationship between casual workers, volunteers, governors, and employees of the Federation;
 - any close personal relationship between an employee and an existing or potential (i.e. through the operation of the Federation tendering processes) supplier of goods or services to the Federation;
 - any other circumstances which may cause a conflict of interest as a result of the relationship.
- 3.4 The Federation regards as wholly unacceptable any close personal relationship between an employee and a child/young person who is under the age of 18 (19 if still at the Federation) whom they meet as a result of their employment. If this type of relationship exists/develops, it represents an abuse of the employee's position of trust, a breach of the standards of propriety expected in the post, and a compromise of professional standards. The Executive Principal must invoke the Federation's safeguarding procedure immediately, before taking action under the disciplinary procedure for alleged gross misconduct.
- 3.5 The trustees will delegate authority to the Executive Principal (or his/her representative) to take action under the procedure outlined below, and will monitor the use of this procedure for effectiveness and fairness.
- 3.6 If the close personal relationship involves a child/young person whom the employee met as a result of their employment, the Federation's separate safeguarding procedure must be invoked immediately.
- 3.7 In addition to the particular cases set out above, it is the responsibility of the employee to assess any other circumstances in which there could be a requirement in accordance with this policy to declare a personal relationship at work.

- 3.8 If an employee is in any doubt about the circumstances when a close personal relationship should be disclosed, they must seek guidance from a senior leader or the Executive Principal. The expectation is that if an employee is in doubt about the requirement to declare a close personal relationship at work, the employee should declare the relationship in accordance with this policy.
- 3.9 An employee who needs to declare a personal relationship at work should set out the relevant circumstances in writing to the Executive Principal. In respect of the Executive Principal, the declaration should be provided to the Chair of Trustees.
- 3.10 Upon receipt of a declaration, the Executive Principal (Chair of Trustees or other senior leader as appropriate) will make note of the relationship and agree the actions that are necessary to avoid any potential conflict of interest and/or to ensure that the employee is not compromised in their work with the Federation. If it is considered unavoidable to inform other members of staff about the relationship in order to explain a change in management arrangements, this will be discussed with the individuals concerned, before it is disclosed.
- 3.11 If the circumstances of the personal relationship change, the employee must so advise the Executive Principal, or other senior leader as appropriate.

4. PROCEDURE

- 4.1 This policy is informal. If the situation cannot be resolved on an informal and voluntary basis by using this procedure, it will be necessary to invoke the Federation Staff Disciplinary Policy. This could result in an employee being required to accept redeployment. However, if no suitable alternative post can be found and no other suitable alternative courses of action can be identified; or the employee(s) refuse(s) to accept redeployment, it may ultimately be necessary to dismiss the employee(s). Every opportunity would be taken to resolve the matter without recourse to dismissal.
- 4.2 Senior leaders considering redeployment and/or disciplinary action are advised to seek advice from the Federation's HR provider.
- 4.3 If an employee feels they are being victimised and/or unfairly treated they have recourse to the Federation Staff Grievance Policy (unless disciplinary proceedings have begun, as the Federation Staff Disciplinary Policy includes the right of appeal).
- 4.4 For the purposes of this document, the term "senior leader" will mean the Executive Principal or the formally nominated senior employee. Alternatively, where a close personal relationship involves the Executive Principal, this term will mean the Chair of Trustees or their nominated representative who is not an employee in the Federation. No person implementing this procedure shall be a party to the close personal relationship concerned.

5. GUIDANCE NOTES

5.1 Close personal relationships between employees where there is no line management relationship.

5.1.1 This type of close personal relationship at work does not of itself constitute a difficulty. However, employees are expected to conduct themselves in a professional manner and to deal sensitively with any confidential information which one or both individuals may possess.

5.1.2 Exceptionally, a close personal relationship, particularly between two employees working in the same team, may begin to have an adverse effect on their own and/or their colleagues' work. The following list is not exhaustive but includes some examples of this:

- neglecting work;
- communicating confidential or intimate information to each other;
- behaving in a way which may cause difficulty or embarrassment to others, e.g. arguing in the workplace;
- not communicating with each other as the result of a disagreement or the break-up of a relationship.

5.1.3 It is any negative impact on work or breach in confidentiality that would cause the Federation Staff Discipline Policy to be implemented, not the relationship itself.

5.2 Close personal relationships between an employee and a contractor.

5.2.1 As above, this type of relationship does not necessarily create a difficulty in itself. However, a close personal relationship between an employee and a contractor can create the potential for conflict of interests, and particular concern about divulging confidential and/or commercial information. A close personal relationship between an employee and a contractor is not acceptable if it involves:

- an abuse of the employee's position of trust;
- a breach of the standards of propriety expected in the post;
- a compromise of professional standards;
- a conflict of interests.

5.2.2 Any close relationship between a member of staff/trustee and a supplier or contractor should be declared on the Declaration of Business Interests form available from the Chief Finance Officer.

5.3 Close personal relationships between employees with a line management relationship, or between an employee and a trustee at the Federation, or between trustees at the Federation.

5.3.1 New appointments.

5.3.1.1 There is an existing requirement for applicants for any post to declare any relationship with any Federation employee or trustee. Where an employee or a trustee involved in shortlisting for a post identifies that they have or could be perceived as having a close personal relationship with an applicant then they should take no further part in the recruitment process and should inform their line senior leader/Chair of Trustees of the situation.

- 5.3.1.2 There is no general bar on the appointment of anyone to a post where they would manage, or be managed by, someone with whom they have a close personal relationship. It is important to ensure that any approach or actions are not unfair or discriminatory and that all the issues that may arise are explored widely so that they can be managed effectively. Wherever possible, alternative management arrangements will be put in place to address potential problems and to ensure that there is no conflict of interests.
- 5.3.1.3 Only if the Executive Principal considers it is not practicable to make all necessary alternative management arrangements will such an appointment not be allowed. It is important that the rationale for such a decision is clear and in writing in case a challenge is made to that decision.
- 5.3.1.4 If the appointment is made, all alternative management arrangements should be documented.
- 5.3.2 Relationships which develop during the course of employment
- 5.3.2.1 Any relationship which develops during the course of employment between an employee and his/her senior leader, or a senior leader higher up the same management line, or a trustee, must be declared by both parties, in writing, to the Executive Principal and details recorded on their personal files. Failure to do so will result in disciplinary action.
- 5.3.2.2 Where such a relationship develops between a direct line senior leader and a team member, the appropriate senior leader should, in discussion with both employees:
- make alternative supervision/line management arrangements for issues involving a potential conflict of interest. These include matters related to pay, promotion, job opportunity, discipline and grievance. They also include more specific operational issues in relation to finance and procurement roles and responsibilities which are governed by financial regulations, procedures or procurement rules;
 - communicate any agreed adjustment to other colleagues in the team to manage any concerns.
- 5.3.3 Trustees
- 5.3.3.1 In order to avoid potential conflicts of interest which could cause significant problems with employee management (e.g. salary issues, appraisal, grievance, disciplinary etc.), any trustee who has, or develops, a close personal relationship with an employee of the Federation, will not be eligible to be a member of the resources committee.
- 5.3.3.2 If two trustees have a close personal relationship, they will not be eligible to serve on the same committee(s).
- 5.3.3.3 It is important to ensure that any approach or actions are not unfair or discriminatory.

- 5.4 Close personal relationships between an employee and their child/grandchild.
- 5.4.1 This type of close relationship at work does not of itself constitute a difficulty. However, employees are expected to conduct themselves in a professional, sensitive and confidential manner.
- 5.4.2 Exceptionally, a close personal relationship between an employee and their child/grandchild may begin to have an adverse effect on their own work and/or that of others working in the Federation. The following is not exhaustive but includes some examples of this:
- communicating confidential information;
 - behaving in a way that may cause difficulty or embarrassment to others;
 - a breach of the employee's position of trust;
 - a compromise of professional standards;
 - a conflict of interests.
- 5.4.3 It is any negative impact on work or breach in confidentiality that would cause the Federation Staff Disciplinary Policy to be implemented, not the relationship itself.