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CLOSE PERSONAL RELATIONSHIPS IN THE WORKPLACE POLICY

Executive Sponsor & Function	Executive Director of OD and Workforce
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Equality Impact Assessment Outcome:	Potential negative impact of the policy has been recognised in relation to equality and social economic impacts and potential disclosure of sensitive personal information. Options have been included in the policy to mitigate and to protect individuals' right to maintain privacy. The Policy will be reviewed after the first 6 months, to respond to any unforeseen implementation issues, if applicable
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1. Introduction

Velindre University NHS Trust (including hosted organisations) recognises that close personal relationships may exist or develop within the workplace. The Trusts' values rely upon the professionalism and integrity of its employees, and whilst it does not wish to interfere with these relationships, it is necessary to ensure that all employees behave in an appropriate and professional manner at work

It is expected that where a personal relationship exists, employees will behave responsibly and not put themselves into a situation where their relationship may impact adversely on their position, work or on the Trust.

2. Purpose

The purpose of the policy is:

- To provide guidance and protection to employees where close personal relationships overlap with working relationships, to ensure that employees cannot be accused of impropriety, bias, abuse or conflict of interest or be the subject of allegations.
- To ensure all employees understand the implications and requirement to inform the appropriate person/department of any close personal relationships which exist or have developed between employees. The employee should inform their line manager, department manager or workforce team as appropriate to the circumstances of the relationship and the individual.

3. Scope of Policy

This policy applies to all employees of Velindre NHS Trust and hosted organisations and to job applicants during the recruitment process.

The policy applies in the following circumstances:

- Pre-employment;
- Existing relationships between line manager and team member or between team members/co-workers in the same department;
- Relationships that develop between line manager and team member or between team members / co-workers in the same department;
- Relationships with Executives / Directors and very senior managers.

4. Definitions

4.1 Close Personal Relationship

In the context of this document, a close personal relationship is defined as;

- Current spouses, civil partners, those who are involved in a romantic,

emotional or physical relationship and or in a co-habiting arrangement, which previously existed outside of work, or where it has developed in work;

- Immediate family members, including stepparents, e.g. parent, child, sibling grandparent;
- Extended family members such as aunts, uncles, cousins, in laws (where the individual is aware of them being employed by the Trust).

4.2 Team / Department

For the purposes of this policy the team / department means employee's reporting directly to the same line manager.

5. Examples of Potential Conflict of Interest / Bias

Situations where a close personal relationship may expose employees to actual or perceived conflict of interest or bias include, but are not restricted to, the following:

- Perceived or alleged breaches of probity*;
- Unfair advantage / favouritism;
- Breach of confidentiality;
- Harassment or bullying;
- Employee relations issues

*In terms of the probity of those who may have a personal relationship with outside contractors or those bidding for contracts within the Trust, the [Standards of Business Conduct](#) apply and employees must declare any such interest.

6. Aim of the Policy

The aim of this policy is to:

- Enable managers to deal sensitively and effectively with situations of personal relationships at work whilst maintaining confidentiality;
- Ensure employees are aware of their responsibilities in respect of close personal relationships at work;
- Ensure that all employees feel confident that they will receive fair treatment and that no employee will receive more or less favourable treatment or advantage due to a close personal relationship in the workplace;
- To provide guidance to protect employees and managers from perceptions of favouritism and unfair advantage.

7. Responsibilities

To support individual rights to confidentiality any disclosures made under this policy can be made outside the immediate working environment to a member of the workforce team who will work with the staff involved to support them on an individual basis.

7.1 Managers

- To take the required action promptly and sensitively in situations involving close personal relationships in the workplace, in order to protect staff;
- To conduct matters involving close personal relationships at work in a fair and consistent way;
- To maintain the confidentiality of the parties at all times and agree with the individuals what information others in the team may need to know;
- To undertake risk assessments to ensure that such relationships are managed appropriately (**Appendix 1**).
- To seek workforce and wellbeing support from the workforce team if dealing with a matter under the disciplinary or grievance policies which relate to one member of a relationship whilst still managing the other person.

7.2 Employees;

- To bring to the attention of their manager, department manager or workforce team as appropriate to the circumstances of the relationship and the individual, any situations in which a close personal relationship exists or develops, whether or not they feel that it has a bearing on their work;
- To work with their manager, department manager or workforce team to identify suitable alternative working arrangements where appropriate to ensure that their close personal relationship does not interfere with or compromise their employment or put them at risk of being accused of impropriety, bias, abuse or conflict of interest or be the subject of allegations;
- To behave in an appropriate and professional manner at work.

8. Principles

Although the existence of a close personal relationship between employees does not necessarily constitute a bar to the employment or promotion of either party, employees must inform their manager, department manager or workforce team, of any close personal relationships which may give rise to an actual or perceived conflict of interest, breach of confidentiality or unfair advantage or disadvantage, in order that this can be considered in the context of the application. In particular, relationships between employees and those in very senior positions within the Trust may create such a perception with the public and thus it is imperative that such relationships are noted and managed with transparency.

- In all circumstances, where employees have a close personal relationship to an Executive Officer of the Board or to a Divisional Director, whether or not they work within the same functional area / department etc., both parties must inform their manager, department manager or workforce team as appropriate of this relationship.

- For employees within NWSSP, where employees have a close personal relationship to members of the Shared Service Committee, Senior Management Team or to Service Directors, whether or not they work within the same service area, both parties must inform their manager, department manager or workforce team as appropriate of this relationship.
- For employees within NWIS, where employees have a close personal relationship to a Director, Head of Department or senior manager, whether or not they work within the same Directorate, both parties must inform their manager, department manager or workforce team as appropriate of this relationship.

Where a personal relationship exists, a prospective member of staff will not be appointed into a post which results in a first or second tier line management relationship with someone with whom they have a close personal relationship (see also section 10).

- Employees who have a close personal relationship (as defined above) outside of work and who are working in the same team/department must inform their line manager, department manager or workforce team of the relationship and it will be handled in line with section 11 below.

Failure to inform the appropriate person/department of a close personal relationship in accordance with the requirements of this policy, may result in action being taken, in line with the Disciplinary Policy. Employees should also be aware that where a close personal relationship develops with a patient there may be serious consequences with the employee's Professional Code of Conduct guidelines (see section 14)

Employees who are involved in a close personal relationship with a work colleague, even outside the immediate team/department, must be aware at all times of their behaviour towards each other in the work environment and must ensure that they behave appropriately at all times. Inappropriate behaviour may result in disciplinary action.

9. Existing Relationships between Employees

Close personal relationships, between team members, within the line management chain at the first or second tier or with an Executive Officer or a Divisional Director, that already existed before the introduction of the policy must be notified to the appropriate person/department¹. Where such a close personal relationship is notified of, the appropriate manager must undertake a review and risk assessment and make any adjustments as described above, in discussion with the individuals involved seeking advice from the Workforce Team as appropriate.

¹ (NWSSP employees, Close personal relationships between team members, within the line management chain at the first or second tier or with a Shared Services Committee member, member of the Senior Management Team or a Service Director that already existed before the introduction of the policy must be declared.

NWIS employees, close personal relationships between team members, within the line management chain at the first or second tier or with a Director, Head of Department or senior manager, that already existed before the introduction of the policy must be declared.)

Employees, who are uncertain about whether they should inform of/report a close personal relationship that they are themselves involved in or where they are aware that such a relationship exists between colleagues, should seek advice in confidence from their relevant Workforce & OD team or trade union representative.

10. Pre-Employment, Recruitment and Appointment

Job applicants, including internal applicants, are required to identify on their application form whether they are related to any existing Trust (or hosted organisation) employees, including Executives, and Independent Members.

If an employee is involved in a recruitment and selection process and realises that one of the applications received is from someone with whom they have or have had a relationship as defined in section 4 above, they must inform their line manager, department manager or workforce team and withdraw from the process.

An employee who has a close personal relationship with another must not act as a referee for that person for either internal or external positions.

10.1 Line Management Chain

Where a close personal relationship develops or exists (and it comes to light) and it results in a direct management /supervisory relationship between the two individuals at either immediate line manager or next tier manager level, this situation will not be permitted to continue. In determining the most appropriate course of action a risk assessment should be undertaken to include the equality and social economic impact on the decisions or proposed changes in the working environment to ensure no disadvantage to either party.

In very exceptional circumstances, in particularly specialised or hard to recruit areas, and where the individual is the most suitable/only candidate for the role, an appointment can be made only;

- where all potential issues of concerns and or risks can be mitigated;
- this mitigation can be evidenced; and
- the appointment has been expressly agreed with the relevant Divisional Director (or where the Divisional Director is involved, with the express agreement of the Trust's Chief Executive Officer / NWSSP's Managing Director/ NWIS Director of Informatics Service.)

10.2 Team Members

Where the candidate is applying for a post in the same team / department as someone with whom they have, or have previously had a close personal relationship, the implications of such an appointment must be considered and discussed during the selection process, taking care to ensure matters considered are free from bias and would not result in discrimination, either direct or indirect. This is to ensure that if they are the most suitable candidate for the post, the appointment would be appropriate taking into account:

- Operational issues e.g. shift patterns, annual leave allocation etc.;
- any issues relating to financial regulations in terms of separation of duties;
- potential conflict of interest, confidentiality issues; and
- The impact on the rest of the team.

Where the candidate is subsequently appointed a formal risk assessment (**Appendix 1**) must be completed and held on the personal file of both parties for as long as required with a periodic review to ensure it is still relevant.

11. During Employment

When a manager is informed or becomes aware of a close personal relationship that has developed either:

- involving the direct line manager, or the manager above, and a member of their team;
- **or** between co-workers in the same team / department;
- **or** involving a Trust Executive Officer, Very Senior Managers, Independent Member, or a Divisional Director, / for NWSSP employees, involving a NWSSP Shared Services Committee Member, Senior Management Team Member or a Service Director / for NWIS employees involving a NWIS Director, Head of Department or Senior Management Team Member.

The appropriate senior manager within the team/service/department will, in consultation with their relevant Workforce Advisor, discuss with the employees involved the potential risks posed by and the implications of such a relationship taking into account the equality and social economic impact on the decisions or proposed changes in the working environment to ensure no disadvantage to either party.

11.1 Line Management Chain

Where a close personal relationship develops involving an employee and the direct line or next tier manager, the appropriate senior manager within the team/service/department will, in consultation with their relevant Workforce Advisor:

- Undertake a risk assessment to consider any operational issues that may occur and how these should be managed, and assess any impact on service users and the general public including issues relating to trust and confidence and the public image of the organisation;
- Make immediate alternative supervision / line management arrangements for employee where there is a potential conflict of interest. These include matters related to pay, promotion, job opportunities, appraisals and disciplinary action /capability matters. In these situations, this will require the subordinate employee to be supervised for these purposes by another manager with immediate effect. The day to day management of their work

will remain unchanged until such time as suitable alternative arrangements can be made and this may include the transfer of one or other of the parties to another team / department, which take into account the equality and social economic impact and in line with section 12 below;

- Where it is necessary for one of the employees to be moved into a different team / department this may result in a change of base or working arrangements. The decision about which employee will be moved will be based on service needs in conjunction with a discussion with the employees concerned taking into account the equality and social economic impact. The agreed arrangements will be communicated to other colleagues in the team/department only as deemed absolutely necessary.

11.2 Team Members

Close personal relationships that develop between team members must be identified to the manager, department manager or workforce team whether or not the employees themselves feel that it results in any impact on their work. Such relationships have the potential to have an adverse effect on their own and /or their colleagues work. Therefore, any associated risks must be mitigated at the earliest opportunity.

The line manager must undertake a risk assessment and discuss the relevant issues with the individuals concerned, including:

- Any general operational issues relating to shift or working patterns, annual leave requirements etc., which may affect cover arrangements;
- Any potential conflict of interest or confidentiality issues, including the impact on employee relations within the team;
- Any impact on patients, donors, service users or the general public, including issues relating to trust and confidence and the public image of the Trust;
- Equality and social economic impact.

11.3 Executives and Very Senior Officers of the Trust

Where an employee has a close personal relationship with an Executive Officer of the Board, a Very Senior Manager, Independent Member or with a Divisional Director, NWSSP Shared Services Committee, Senior Management Team or Service Director, whether or not they work within the same Division, both parties must inform their immediate manager or workforce advisor, of the relationship, who are required to report it to the Director of OD and Workforce. Where the Director of OD & Workforce is involved, the matter must be reported to the Trust's Chief Executive Officer / NWSSP's Managing Director, as appropriate. For NWIS, where an employee has a close personal relationship with a Director, Head of Department or Senior Manager, whether or not they work within the same Directorate, both parties must inform their immediate manager or workforce advisor of this this relationship, who must in turn report it to the Head of Workforce & OD.

The relevant Workforce & OD Department will maintain a central register of all such relationships.

11.4 Conduct and Behaviour

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 or have access to.

Employees are encouraged to bring to the attention of their manager, department manager or workforce team any difficulties they may be experiencing in relation to their working arrangements that the manager may not be aware of.

12. Transfer of Employees

Where a close personal relationship exists and a risk assessment highlights issues that cannot be managed effectively by allowing the employee to remain working in the same team / department, there will be a need to explore, in discussion with both individuals, alternative arrangements, taking into account the equality and social economic impact, which may include the transfer of one of the parties to another work team / area.

A transfer of one of the employees in the close personal relationship may come about for the following reasons:

- Where a relationship develops or exists between employees in a line management relationship at first or second tier;
- Where the employees are working within the same team or department and the risk assessment indicates that it is not possible to mitigate the potential risks to the individuals, the service, the Trust or to the trust and confidence of the public.

This must be managed by discussion with the employees concerned. The employees are expected to work with their manager, department manager or workforce team to identify suitable alternative working arrangements, to ensure that their close personal relationship does not interfere with or compromise their position or employment within the Trust.

When considering a move to a different team, department or location, there must be no assumptions made on gender, seniority, hours worked etc. when identifying which employee required to move. Any decision will be made based on the needs of the service. Care must be taken to avoid discrimination and ensure that the views of both employees involved are taken into account, alongside the equality and social economic impact and balancing this with the needs of the service and the issues that present or have the potential to present themselves.

Where, during the discussions, an employee suggests a solution in terms of a potential transfer to another department / location this should be given favourable consideration, if it is possible to do so within the existing structures. The matter

must be resolved in a timely manner and progress in relation to the resolution of the matter will be monitored by the relevant Workforce Advisor.

13. Relationship Break Down

There may be occasions when a close personal relationship breaks down and the employees remain in the same team, department or work area. Both parties are expected to conduct themselves appropriately, to avoid any impact on their working relationship, team relationships and service delivery. Inappropriate conduct at work will be managed under the appropriate Trust policy e.g. Dignity at Work Procedure or / and the Disciplinary Policy. Inappropriate behavior may result in the transfer of one or other of the employees, care must be taken to avoid discrimination and a decision to transfer employees will be in line with section 12

14. Relationships between a Patient, Donor, Service User and an Employee

Employees should not enter into a close personal relationship (including via social media) with a current patient / donor / service user attending their immediate place of work.

Where a relationship of this nature develops or already exists, including family members, the employee must immediately inform their line or departmental manager. The employee must not provide care or treatment to the patient / donor. This may require temporary redeployment of staff member e.g. to a different clinical setting if patient is an inpatient.

N.B. Relationships between an employee and a patient may have serious consequences with the employee's Professional Code of Conduct guidelines and possibly result in disqualification from practice.

15. Links with Grievance Policy and Dignity at Work Procedure

If an employee feels that they are being victimised and / or unfairly treated they have recourse to the Grievance Policy and Procedure and Dignity at Work Process.

16. Monitoring and Review

This policy will be monitored on a regular basis and will be reviewed as required but initially no later than 6 months after implementation. Managers will be required to maintain a record of personal relationships that they have been informed of and the declaration form and details of the risk assessment must be maintained on the individuals' personal files for as long as it is required and reviewed periodically to ensure it is still relevant.

17. Associated Policies

- Annual Declaration of Interest;
- Dignity at Work Procedure;
- Disciplinary Policy;
- Capability Policy;

- Grievance Policy;
- Information Security Policy;
- Social Media Policy;
- Standards of Behaviour Framework Policy;
- Standards of Business Conduct for Employees.

18. Equality

The Trust recognises and values the diversity of our workforce. The Trust aims to provide a healthy and safe environment for our staff, where they are all treated fairly, consistently and with dignity and respect. The Trust recognises that the promotion of equality and human rights is central to its work both as a provider of healthcare and related services and as an employer.

18.1 Equality Impact Assessment Statement

This policy has been screened for relevance to equality. Potential negative impact of the policy has been recognised in relation to equality and social economic impacts and potential disclosure of sensitive personal information. To address and mitigate this, options have been included in the policy to protect individuals' right to maintain privacy.

The application of this policy will be monitored and reviewed to ensure that any actions taken in line with the Policy have not resulted in and potential unfair treatment and/or discrimination, either direct or indirect.

Appendix 1 - Close Personal Relationship Risk Assessment Form

CONFIDENTIAL

Complete a separate form for each employee

Description of Risk	Presence/ Significance of Risk	Options available to control risk	Action agreed
Line Management e.g. PADR, discipline, capability etc.			
Team working e.g. Allocation of duties / annual leave / rostering / job sharing / overtime, flexible			
Patient /Donor care, service user contact (If appropriate).			
Financial Governance E.g. Sign off of expenditure.			
Other To be specified (e.g. relationship with Executive Officer, VSM etc.)			

A copy of the completed form must be signed by the employee and line manager and retained on the employee's personal file

Signed (employee)..... Signed (manager).....

Print name (employee).....Print name (manager).....

Date.....

Appendix 2 - Close Personal Relationships in the Workplace Declaration Form

In accordance with the Trust's Close Personal Relationships in the Workplace Policy employees are required to inform the appropriate person/department of any close personal relationships in the workplace with their line manager, department manager or workforce team as appropriate to the situation and individual circumstances.

In the context of this document, a close personal relationship is defined as;

- Current spouses, civil partners, those who are involved in a romantic, emotional or physical relationship and or in a co-habiting arrangement, which previously existed outside of work, or where it has developed in work;
- Immediate family members, including stepparents, e.g. parent, child, sibling, grandparent;
- Extended family members such as aunts, uncles, cousins, in laws (where the individual is aware of them being employed by the Trust).

You will need to inform the most appropriate person/department where any of those described above:

- work with you in the same team or department (i.e. where you are both reporting to the same line manager); or
- where you and the individual are in the same line reporting chain at either first or second tier; or
- are Executives, Very Senior Managers, or a Divisional Director, even if you don't work in the same Division / hosted organisation.

Name:		ESR Number:	
Post:			
Department:			
Division / Hosted Organisation Unit:			
Name of Line Manager:			

Name of person with whom you have a close personal relationship outside of work as detailed above.

Name:	
Post:	
Department:	
Nature of Relationship:	

Sign and date the section applicable:

Is the person named above in the same line management chain as you at either first or second tier?

Yes No

I understand that where a close personal relationship exists between me and another employee in the same line management chain, at first or second tier second tier that alternative line management arrangements must be made and this may result in one or other of us being moved to a different team / department or location, following discussion and based on service requirements.

Signed:

Dated:

Do you and the person named above work in the same team/department (i.e. report to the same line manager)?

Yes No

I understand that where I work in the same team or department as someone with whom I have a close personal relationship outside of work, a risk assessment must be undertaken to mitigate any possible risk to myself, my colleagues and the service. I understand that if it is not possible to mitigate the risk, it may be necessary to consider the transfer of one or other of us to another team / department or location following discussion.

Signed:

Dated:

Is the person named above an Executive, Very Senior Manager or a Divisional Director (even if you don't work in the same Division / hosted organisation) Or

a NWSSP Shared Services Committee Member or Senior Management Team Member or a Service Director Or

a NWIS Director, Head of Department or Senior Manager.

Yes No

I understand that where I have a close personal relationship outside of work, with an Executive, Very Senior Manager or a Divisional Director (even if you don't work in the same Division / hosted organisation) **Or**

a NWSSP Shared Services Committee Member or Senior Management Team Member or a Service Director **Or**

a NWIS Director, Head of Department or Senior Manager.

This must be advised of as appropriate and a register of this relationship will be maintained by the relevant Workforce & OD Department.

Signed:

Dated

This section to be completed by the line manager (or more senior manager in the case of section b above)

Line Manager:

Risk Assessment to be undertaken by:

Date:.....