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PROTOCOL FOR MANAGING PERSONAL RELATIONSHIPS AT WORK

Introduction and Aim

It is recognised that a significant proportion of close personal relationships/friendships are formed at work. Situations arise where partners, spouses, parent and child, grandparent, siblings or other relatives or friends may be employed in the same department or areas of Public Health Wales.

This protocol sets out the arrangements that Public Health Wales has in place to assist managers to manage personal relationships in the workplace. It also provides guidance to employees about their responsibility with regards to declaring personal relationships.

Linked Policies, Procedures and Written Control Documents

Disciplinary Policy & Procedure; Grievance Policy; Redeployment Policy; Pay Protection Policy; Data Protection Policy; Annual Leave Policy; Employment Reference Guidance Notes; Raising Concerns - Procedure for NHS Wales Staff; Records Management Policy, Dignity at Work Policy, Declarations of Interest, Gifts, Hospitality and Sponsorship Policy, Standing Financial Instructions

Scope

This policy applies to all staff employed by Public Health Wales.

Equality and Health Impact Assessment	Integrated Assessment Tool (EHIA) completed.
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Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Corporate Governance](#).

Summary of reviews/amendments

Version number	Date of Review	Date of Approval	Date published	Summary of Amendments
1	19 March 2020	19 March 2018	16 May 2018	New Policy.

1. Introduction

Public Health Wales recognises the importance of preserving the integrity of professional relationships between members of staff as well as with partners, consultants, contractors, patients, and/or suppliers. Whilst most social and personal relationships need not present a difficulty, and can be entirely beneficial in that they promote good working relationships, it is recognised that there will be particular circumstances where the staff member(s) concerned will need to withdraw from certain decisions or from undertaking certain roles, in order to protect themselves and Public Health Wales from any possible criticism of unfair bias.

Whilst not all such situations raise issues of conflict of interest, there may be implications of social and personal relationships at work. These can include:

- Effect on the trust and confidence of colleagues in relation to a conflict of interest, fair treatment, their own ability to discuss issues openly within a team or with their line manager;
- Perception of partners, stakeholders, suppliers, contractors, clients or the general public in relation to the professionalism and fairness of Public Health Wales and its employees;
- Operational issues affecting the ability to deliver the service effectively;
- Conflicting loyalties and breach of confidentiality.

The purpose of this guidance is, therefore, to assist employees, line managers and People & OD staff in dealing sensitively, but effectively, with situations where employees have, or form a social and/or personal relationship with someone with whom they work.

Its provisions are intended to:

- Ensure that all employees feel confident of fair treatment without the fear that a close personal relationship will influence their or other employees treatment or broader working relationships;

- Avoid any possible conflict of interest or accusation of bias, favouritism or prejudice;
- Ensure members of staff feel able to speak openly and honestly in the presence of one partner in a relationship;
- Ensure staff feel supported and able to maintain the standards of job performance required should a relationship break down occur;
- Avoid any adverse impact on staff, stakeholders, partners or service users resulting from a potentially divisive situation.

2. Definition of personal relationships at work

Personal relationships at work can be defined as:

- Friendships, social and personal relationships;
- A family relationship, including in-laws;
- A romantic/sexual relationship;
- A business/commercial/financial relationship.

The above definitions are examples of social and/or personal relationships which may give rise to conflicts of interest in the workplace, however personal relationships are not restricted to these examples and anyone who considers that they are in a relationship which they consider may pose a potential conflict of interest should declare it as outlined in the guidance below.

Through out the guidance the term 'personal relationship' will refer to this definition.

3. Principles for managing personal relationships at work

3.1 Declaration

Although the existence of a social and/or personal relationship between members of staff does not constitute a bar to the employment or promotion of either party, staff must declare to their line manager or

equivalent any personal relationships which may give rise to a conflict of interest, or breach of confidentiality.

The disclosure should be made to the appropriate manager who will carry out a risk assessment. It may not be necessary to alter working arrangements if there is no risk to health and safety, conflict/breach of confidentiality or unfair advantage.

3.2 Direct reporting line

Where a personal relationship exists or develops between members of staff who are in a line management or supervisory relationship with one another at work, they must not be involved in recruitment, selection, appraisal, promotion, or other management activity or process involving the other party. Alternative line management arrangements will be put in place for the staff member.

3.3 Behaviour when in a personal relationship at work

Staff should conduct themselves at all times in ways that are consistent with their role and duties, and within all organisational policies (including those relating to equal opportunity, harassment and any professional codes of conduct for particular occupational groups).

Staff involved in personal relationships at work do need to be aware, at all times, of their behaviour towards each other, and the impact of this on their colleagues, particularly in the work environment.

Where personal relationships exist between members of staff or third parties linked with Public Health Wales it is the responsibility of both individuals to declare any actual or potential conflicts of interest.

4. Roles and Responsibilities

All staff have a responsibility to adhere to this policy and declare any personal relationships which they consider may pose a potential conflict of interest to their line manager.

Managers have a responsibility to ensure that relationships are dealt with in a professional and consistent manner and that the necessary risk assessments are undertaken in line with the procedure below.

5. Procedure

5.1 Identifying and declaring a personal relationship at work

Staff should declare to their line manager any existing or new personal relationship they have with other members of staff, stakeholders, partners or patients which may give rise to an actual or potential conflict of interest, trust or breach of confidentiality. The line manager will treat these matters in confidence and, in consultation with the member(s) of staff, find ways in which potential conflicts of interest can be avoided.

All declarations should be treated in confidence, and any risk assessment placed on the employees personal file. Should the risk assessment no longer be applicable the document should be removed from the file and destroyed.

Staff who are uncertain about whether there is likely to be any risk of a potential conflict of interest as a consequence of a personal relationship at work, should discuss the matter with their line manager in the first instance (or a manager higher within the management structure Where the issue may involve the immediate line manager staff should approach a more senior manager within the structure). If such conflicts are not declared, and give rise to an unfair advantage or disadvantage, then such situations will be fully investigated in line with the organisation's policies.

5.2 Recruitment and appointment of employees

The recruitment, selection, transfer and promotion, of staff should be based solely on evidence and not be in any way affected by personal relationships at work.

To avoid any accusation of bias, employees must not be involved in any appointment where they have a personal relationship with the individual being considered for appointment.

Where an applicant, when appointed, would work in the same team with an employee with whom they have a personal relationship, the manager will need to give consideration to the following;:

- General operational issues relating to shift or working patterns, annual leave requirements etc.
- More specific operational issues e.g. in relation to finance and procurement roles and responsibilities within a job which are governed by Financial Regulations.
- Potential conflict of interest and confidentiality issues including the impact on employee relations within the team.

5.3 Staff already in employment

Staff who are uncertain about whether they should take action regarding a personal relationship which they consider may pose a potential conflict of interest should seek guidance in confidence from their Line Manager, People & OD team or their trade union representative.

5.3.1 Relationships between a line manager and team member

Where a personal relationship involves the direct line manager or senior reporting manager and a team member, the appropriate senior manager

within the team, in consultation with People & OD, will in discussion with both employees:

- Make alternative supervision/line management arrangement of the team member for issues involving a potential conflict of interest. These include matters related to pay, promotion, job opportunity and discipline issues. This will normally mean a change to this aspect of the line management arrangement whereby the team member is supervised by another manager but management of work related functions remains unaltered;
- Undertake a risk assessment to consider any other operational issues that might occur and how these might 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 Public Health Wales;
- Consider if it is appropriate to communicate such agreed adjustments etc to other colleagues in the team/workplace.

5.3.2 Relationships between team members

Where a personal relationship between two team members (with no line management or supervisory relationship) has been declared, or identified by a line manager as a potential conflict of interest, the line manager should explore 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 and confidentiality issues including the impact on

- the perceptions and employee relations within the team;
- Any impact on service users or the general public, including issues relating to trust and confidence and the public image of Public Health Wales.

5.4 Managing identified risks

Having been informed of the relationship the line manager will work with the individuals concerned to identify any potential risks to themselves or conflicts of interest within the team, by means of a risk assessment. Wherever possible an agreement will be reached with the individuals on how to respond to any potential risks. It may be necessary for the manager to make alternative arrangements for line management in some circumstances

Where relationships have been disclosed, the following principles of management will apply:

- No changes will be undertaken unless detailed discussions have taken place with the individuals affected;
- Agreement will be sought between the individuals and the manager about the reason for any move or change necessitated as a consequence of a personal relationship;
- Information disclosed will remain confidential and will not be disclosed to other parties without the express permission of those involved where possible;
- In cases involving relationships with service users, advice must be sought from the manager or People & OD.

5.5 When issues cannot be managed effectively

Where suitable alternative arrangements within the team cannot be reached alternative arrangements may have to

be considered, for example moving to a new team, department or location.

In doing this no assumptions will be made on gender, status/grade etc. as to who might be the most appropriate member of staff to move. Care must be taken to avoid discrimination and ensure that the views of the individuals involved are taken into account, balancing this with the needs of the service and the issues that present themselves.

5.6 When a relationship breaks down

There may be occasions when a personal relationship breaks down and the individuals concerned remain in the same team. In such circumstances it is expected that professional standards will be maintained. However it is recognised that there may be circumstances where there may be an adverse impact on team relationships and service delivery.

If it becomes apparent that the breakdown of the personal relationship is causing or will cause ongoing workplace issues, these must be addressed sensitively in discussion with the employees with a view to the issues being resolved, where possible.

The People & OD team will assist with this process where required. This may, ultimately, in some cases need to involve exploring with the parties the scope for transfer of one or both of the staff members.

Staff will also be offered the support of Occupational Health and the Employee Assistance Programme.

5.7 Transfer of employees

Should it be necessary to consider the transfer of an employee, every effort must be made to ensure that they are moved to comparable alternative employment in

consultation with the employee(s) and the People & OD team.

Where alternative employment is not available on a comparable grade, the People & OD Team will be able to advise based on the individual circumstances of the case, whether or not it would be reasonable to apply the Pay Protection policy.

5.8 Other colleagues affected by a Personal relationship

Employees who feel they are affected by a personal relationship at work involving other colleagues, should at all times feel that they can approach without prejudice, their line/senior manager and/or People & OD to explain their concerns.

5.9 Relationships with Clients, Service Users, Consultants and Contractors

No special favour should be shown in the tendering process to a business run by, for example, friends, partners or relatives. Staff should at all times ensure that they follow the agreed Public Health Wales procurement processes.

Employees who engage or supervise clients and/or consultants/contractors or have any other work relationship with these parties and have previously had or currently have a personal relationship with someone who works for them, must declare that relationship to their line manager in the first instance.