

Agenda Item No: 5 **Report No:** 105/15

Report Title: Close Personal Relationships Policy

Report To: Employment Committee **Date:**
14
September
2015

Cabinet Member: Councillor Elayne Merry

Ward(s) Affected: All

Report By: Helen Knight

Contact Officer(s)- Helen Knight

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Purpose of Report:

To update the Councils' HR policy on Personal Relationships at Work.

Officers Recommendation(s):

- 1 To note the report and agree the implementation of this revised policy within the organisation.

Reasons for Recommendations

- 2 The Council have always had guidance on its intranet for managers and staff regarding Personal Relationships in the Workplace.

This revised policy and associated form is intended to eliminate any possible perceptions or accusation of bias, favouritism or prejudice towards those who may have a close personal relationship. It is to protect the employee from potential allegations and also for the organisation to put in place any appropriate safeguards depending on the situation.

Information

- 3 This policy has been written following consultation with the HR provision in our neighbouring authorities, with consideration to ACAS guidance regarding best practice and has been approved by Corporate Management Team. Unison were approached for their comments on this new policy on 5 August 2015 and

as of the date on which this report was submitted (17 August 2015) none have been received.

Financial Appraisal

4 There are no financial implications of this report.

Legal Implications

5 The Legal Services Department have not been asked for comments,

Sustainability Implications

6 I have not completed the Sustainability Implications Questionnaire as this Report is exempt from the requirement because it is a progress report/budget monitoring report/development control report

Equality Screening

7 These policy has been subject to an Equality Impact Initial Assessment undertaken by one of the HR Officers.

Background Papers

Close Personal Relationships at Work Policy and Declaration Form.



**CLOSE PERSONAL RELATIONSHIP –
DECLARATION FORM**

Lewes District Council

This form is to be completed on appointment and thereafter annually either to confirm there is no change or to register any new interest that has arisen. Please note employees should not await the annual review to update their record and discuss with their line manager any new declaration.

For guidance in the completion of the form reference should be made to Lewes District Council’s Code of Conduct.

Name	
Job Title	
Department	
Manager	

**Part 1 (to be completed by Employee)
The Declaration**

Please outline your declaration. It is then your responsibility to pass this form to your line manager for his or her comments.

Employee’s Signature:

.....

Date:

.....
.....

Part 2 (To be completed by line manager)

Please detail any supporting information with regard to your member of staff’s declaration. This should include your views and comments, what involvement you anticipate having and detailing any safeguards that could be installed. Please also include the views of your manager. If you are uncertain please see the advice of your HR Advisor.

Manager's Signature:

.....

Date:

.....
.....

Part 3 (authorisation by member of CMT)

This form will be given to the appropriate member of CMT who will need to be satisfied, in giving his or her consent that the declaration would neither interfere with the employee's performance or duties nor lead to any suspicion of improper influence. Each set of circumstances will be considered on an individual basis, taking into account the mitigation and safeguards detailed in part 2.

Approved / Not Approved

CMT Member signature:

.....

Date:

.....
.....

Additional Comments:

Please forward the completed form to Human Resources.



Close Personal Relationships at Work

1. Introduction

This policy covers all staff employed by the Council and it is intended:

- to provide guidance in areas where family and other types of personal relationships overlap with working relationships.
- to help avoid difficulties that may arise from these relationships at work.
- to help ensure that individual members of staff do not commit or lay themselves open to allegations of impropriety, abuse of authority, conflict of interest, nepotism or bias / inequality in dealing with colleagues / applicants.
- to reach a balance between meeting the needs of the Council and respecting the rights of staff to a private life.

2. Close Personal Relationships

2.1 The Council values and relies upon the professional integrity of working relations between members of staff. In order that the Council business is conducted in a transparent, professional and proper manner it is necessary to take account of personal relationships which overlap with professional ones.

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

- employees or applicants who are married, in a civil partnership, cohabiting arrangement or intimate relationship.
- Relative means parent, parent in law, step parent, son, daughter, step-child, child of partner, brother, sister, grandparent, grandchild, uncle, aunt, niece, nephew, cousin or the spouse or partner of any of the preceding persons.
- Close personal relationship includes a close friendship outside of work or a previous relationship where there could be a degree of bias either for or against an applicant or another employee.

3. Recruitment & Selection

3.1 There is an existing requirement for applicants to any Lewes District Council post to declare relationship i.e. a relative, partner or friend with any employee of the Council. Failure to do so could result in disciplinary action if the omission comes to light.

3.2 Where an employee involved in shortlisting for a post identifies that they are related to or could be perceived as having a close personal relationship with an applicant they should take no further part in the recruitment process and inform their line manager of the situation.

3.3 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. Each case will be considered individually.

4. Managing Close Relationships

- 4.1 Wherever possible alternative management arrangements will be put in place and documented to ensure compliance with the Code of Conduct and address other potential issues, enabling both employees to remain in their posts. Where this is not practicable the resolution of the situation will be discussed with the employees concerned. The Council reserves the right to reallocate responsibility for certain procedures (for example, appraisals, disciplinary or grievance issues).
- 4.2 Employees involved in a personal relationship are reminded of the rules regarding confidentiality of information as set out in the Council's Code of Conduct.

5. Disclosure of Close Relationships

- 5.1 Any relationship that either exists at the start or develops during the course of employment, between employees must be declared by both parties in writing, using the Close Personal Relationships Declaration Form, to the respective line managers and recorded on their personnel file. Failure to do so may result in disciplinary action.
- 5.2 Where a relationship, as defined, is formed between members of the same team, service or department whilst in post, this should be disclosed to their line manager. This disclosure should be recorded on the employee's personnel file.
- 5.3 Employees who are uncertain about whether they should make a declaration regarding a personal relationship are invited to seek guidance in confidence, from a Human Resources Advisor.
- 5.4 Staff who are no longer in a personal relationship covered by this policy may request that any disclosure made be removed from the personal file and handed back to them.