

HR14 Personal Relationships at Work Policy

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Owner:	Michael Catlin	Job Title:	Head of People & OD
To be issued to:			
<input type="checkbox"/> Board of Management <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input type="checkbox"/> Asset <input type="checkbox"/> ICT		<input type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input type="checkbox"/> C&S Managers (RM, OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input type="checkbox"/> Agency Staff <input checked="" type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other	
Method of Delivery:			
<input checked="" type="checkbox"/> LearnPro <input type="checkbox"/> Board Portal <input type="checkbox"/> Line Manager to Share (e.g. Agencies)		<input type="checkbox"/> Policy Owner to Notify (e.g. Contractors) <input type="checkbox"/> Other	
Stakeholder Consultation Completed			
<input type="checkbox"/> Board of Management <input type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input type="checkbox"/> Asset <input type="checkbox"/> ICT		<input checked="" type="checkbox"/> OD <input type="checkbox"/> Compliance <input checked="" type="checkbox"/> All Care & Support <input checked="" type="checkbox"/> C&S Managers (RM, OM, CSM) <input checked="" type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input type="checkbox"/> Agency Staff <input checked="" type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other:	

Version Control

Date	Owner	Version	Reason for Change
Feb 2024	Michael Catlin	1	Cyclical Review

Summary of Changes

Section	Change
1.0	Updated to reflect current values.
5.0	Updated to clarify that there are no specific UK laws relating to personal relationships at work and included SSSC Codes for relevant regulatory framework requirements.
7.0	Updated to include more examples of different types of relationships that could be considered under this policy. Added that the policy extends to family members and/or guardians of people that use Ark's services.
7.1	Updated process to reflect the connected person question on Arks new application form.
7.4	Clarified the difference in process for Manager involvement in recruitment stage of a connected person and Managers line managing a connected person.
9.0	Updated for fuller list of Policies and Procedures to be read in conjunction with HR14.

Contents

1.0 Ark's Values.....	4
2.0 Purpose	4
3.0 Policy Statement	4
4.0 Scope.....	5
5.0 Legal/Regulatory Framework.....	5
6.0 Responsibilities	5
6.1 Board of Management	5
6.2 Executive Team	5
6.3 Operational Management Team.....	5
6.4 Managers.....	5
6.5 All Staff	5
7.0 Personal Relationships at Work.....	5
7.1 Applicants.....	6
7.2 Service Users or Tenants	6
7.3 Board of Management	7
7.4 Line Management	7
7.5 Between Employees.....	7
7.6 Relationships with People who use Arks Services	8
8.0 Learning & Development Requirements	8
9.0 Related Policies & Procedures	8
10.0 Equality Impact Assessment (EIA).....	9
11.0 Data Protection Impact Assessment (DPIA)	9
12.0 Stakeholder Consultation	9
13.0 Monitoring and Review.....	9
13.1 Monitoring.....	9
13.2 Review	9

1.0 Ark's Values

Arks values are true to the core purpose of the organisation and the services we deliver. They determine our behaviours towards one another and what we should expect in our relationships with one another. Working within the following values will guide and help us deliver our vision and mission of Ark being an organisation where everyone is equal:

Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships and our customers will feel assured that they can rely on us to deliver.

Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

2.0 Purpose

The purpose of this policy is to ensure we are open and transparent in all our activities and to work in the best interests of all employees by outlining the position on personal relationships at work.

3.0 Policy Statement

This policy informs all Ark employees, agency staff and members of the Board of Management of their responsibilities regarding personal relationships that develop within Ark or relationships that become relevant to Ark when someone commences employment with Ark, starts using the services Ark provides or begins providing services to Ark.

4.0 Scope

This policy applies to all Ark employees, agency staff and members of the Board of Management.

5.0 Legal/Regulatory Framework

There are no specific UK laws relating to personal relationships at work. This policy complies with the requirements of the Scottish Social Services Council's (SSSC) Codes of Practice for Social Services Workers and Employers. Specifically, section 5.4 states Ark employees will not form inappropriate relationships with people who use Ark services.

6.0 Responsibilities

6.1 Board of Management

Ark's Board of Management is responsible for consideration and approval of this policy.

6.2 Executive Team

Ark's Executive Team is responsible for ensuring that this policy is reviewed in accordance with Ark's schedule for review of policies, or sooner if required.

6.3 Operational Management Team

Ark's Operational Management Team is responsible for review of the policy, and for ensuring that relevant measures are put in place in order to implement its requirements.

6.4 Managers

Ark Managers are responsible for the effective implementation of this policy and to adhere to this policy at all times during their employment with Ark.

6.5 All Staff

All staff are required to adhere to this policy at all times during their employment with Ark.

7.0 Personal Relationships at Work

A close personal relationship is defined as a regular & ongoing relationship that is romantic, familial (family) or financial.

The types of relationships that could be considered under this policy include:

- A romantic relationship between employees or a person that uses Arks services or provides services to Ark (under this policy this includes agency workers);

- A financial relationship between an employee and a person that uses Arks services or provides services to Ark i.e. a contractor who provides services to Ark such a cleaner or electrician.
- A familial relationship where members of the same family work both work for Ark or where a one family member works for Ark, and another uses Arks services or provides services to Ark.

This list is not exhaustive and extends to family members and/or guardians of people that use Ark's services.

We recognise that close personal relationships may develop over time or that existing relationships may impact on the work of Ark. Examples of this could include:

- Where one or more of the people in the close relationship works for Ark;
- Where one or more of the people in the close relationship uses Ark's services;
- Where one or more of the people in the close relationship provides services to Ark.

Close personal relationships therefore may be considered as a conflict of interest. To ensure transparency and to avoid any actual or perceived unfairness, close relationships must be disclosed as soon as they commence so that steps can be put in place to mitigate any risks.

7.1 Applicants

Where an applicant applying for a post is connected to an existing employee or a person who uses Ark's service this must be disclosed by the applicant at recruitment stage using the Entitlements Payments and Benefits Policy and Procedure. The applicant must also answer 'yes' to the connected person question on Ark's application form. A risk assessment will be carried out by the hiring manager and, in some circumstances, this will be sufficient for the recruitment to continue. In other situations, however, the recruitment may not be able to continue, and reasonable alternatives will be sought such as recruitment to another service or location. If no reasonable alternatives can be agreed, then the recruitment process will be unable to continue. All reasonable alternative options will be considered before bringing the recruitment process to an end.

Where an existing Ark employee is aware that someone with whom they have a close personal relationship has been offered a position with Ark they should also disclose this to their line manager at the recruitment stage.

Any failure to disclose personal relationships may lead to action taken under the Disciplinary Policy and Procedure.

7.2 Supported People or Tenants

Where a person wishes to use Ark's services or commence a tenancy with Ark, and they have a close personal relationship with an existing member of staff or Member of the Board this should be disclosed by the employee as soon as it is known, and a risk assessment will then be undertaken by the manager to mitigate any risks.

7.3 Board of Management

Where a Board of Management Member has a close personal relationship with an employee or a person who uses Ark's service, they must disclose this as soon as this becomes a conflict of interest. They will be withdrawn from any decisions that may involve or impact this person. This will be the case for up to 12 months after the relationship ceases.

7.4 Line Management

Anyone with management responsibility (either directly or indirectly) will not take part in any recruitment process with anyone with whom they have a close personal relationship. Any relationship that develops or already exists at recruitment stage must be disclosed as soon as it commences. In these circumstances Ark reserves the right to move the candidates applied service or location. If no suitable alternative can be found or change to another service or location is not suitable there may then be no alternative option but to cease the recruitment. Every effort will be made to resolve this issue and manage the risk without ceasing recruitment.

Anyone with management responsibility (either directly or indirectly) will not line manage anyone with whom they have a close personal relationship without a robust risk assessment in place. Any relationship that develops or already exists during Ark's employment must be disclosed as soon as it commences. In these circumstances Ark reserves the right to move one of the parties to another service or location. If no suitable alternative can be found or change to another service or location is refused or not suitable there may then be no option but to dismiss one or both of the parties. Every effort will be made to resolve this issue and manage the risk without dismissal.

Any failure to disclose personal relationships may lead to action taken under the Disciplinary Policy and Procedure.

7.5 Between Employees

Where a relationship is between two employees in the same service both employees must disclose this to their line manager when this commences. Where the relationship involves their line manager, they must report this to another suitable manager, and this will be dealt with under the section "Line Manager" above.

Where a personal relationship exists or develops between employees who work in different services or locations this should be disclosed by both parties in the same way as if they both worked in the same service. On this occasion a risk assessment will be conducted by both parties and their line managers in conjunction with each other.

Any failure to disclose personal relationships may lead to action taken under the Disciplinary Policy and Procedure.

7.6 Relationships with People who use Arks Services

Another type of relationship to consider is a close relationship between an employee and someone who uses Ark's services such as tenants or supported person. We appreciate that through providing services relationships between employees and tenants or supported people will develop, however when these relationships become too close or too personal both the tenants or supported people and employee are put at risk. Therefore, this type of relationship is unacceptable and if this relationship develops it may be treated under the Disciplinary Policy and Procedure.

Where an employee has concerns that a supported person may be breaching the boundaries between them, including agency staff, they must speak to their manager as a matter of urgency who will then take steps to re-establish boundaries.

If you have concerns about the relationship developing between a colleague and someone who uses our services, you have a duty to raise this with your line manager or another appropriate manager.

It is also unacceptable for any employee to use their position for financial gain for them or someone they are close to. An example of this would be an employee providing a cleaning service in return for money to someone who uses Ark's service. This may be treated under the Disciplinary Policy and Procedure.

8.0 Learning & Development Requirements

No learning & development requirements have been identified in relation to this policy.

9.0 Related Policies & Procedures

This policy should be read in conjunction with:

- G02 Code of Conduct for Board of Management Members Policy
- G03 Staff Code of Conduct Policy
- G11 Entitlements, Payments and Benefits Policy
- G11a Entitlements, Payments and Benefits Procedure
- G36 Keeping People Safe Policy
- G57c Professional Boundaries Procedure
- HR01 Recruitment & Selection Policy
- HR15 Whistleblowing Policy
- HR15a Whistleblowing Procedure
- HR18 Disciplinary Policy
- HR18a Disciplinary Procedure

10.0 Equality Impact Assessment (EIA)

No potential equalities issues have been identified in relation to the development of this policy, and consequently an EIA has not been completed.

11.0 Data Protection Impact Assessment (DPIA)

No potential data protection issues have been identified in relation to the development of this policy, and consequently an DPIA has not been completed.

12.0 Stakeholder Consultation

In developing this policy, the following groups were consulted:

- Ark Board of Management;
- Ark Executive Team;
- Ark Operational Management Team;
- Ark Policy and Procedure Review Group.
- Ark Care & Support Management Team;
- Ark Care & Support Staff;
- Unite the Union

13.0 Monitoring and Review

13.1 Monitoring

Ark's Executive and Operational Management Team will monitor implementation of this policy on an ongoing basis. The People & Organisational Development team will provide advice to all staff on Personal Relationships at Work and ensure the completion of relevant risk assessments when appropriate.

13.2 Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with Ark's policy review framework.