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# OWLS Academy Trust

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## Close Personal Relationships in the Work Place Policy and Procedure

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Date Detail June 25<sup>th</sup>, 2018

Original, based on Trust Policy 25.06.17

Reviewed annually

Approved by Jonathan Tedds, Chair of Governor

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Policy developed by



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This policy applies to all staff employed by the OWLS Academy Trust, including casual workers. Throughout this policy, unless indicated otherwise, all references to 'Head Teacher' include the headteachers at each academy and the CEO.

## Purpose

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The Local Government Code of Conduct states:

*“In order to avoid any possible accusations of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him/her. Similarly employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.”*

The purpose of this policy is to ensure compliance with the above provision and to prevent other problems which may arise from the employment of people in close personal relationships. The policy aims to promote an open and flexible approach to the management of such situations.

## Principles

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The Academy Trust's commitment to equality of opportunity will be observed at all times during the operation of this policy and procedure, to ensure that employees are treated fairly and without discrimination on the grounds of race, nationality, ethnic or national origins, sex, marital status, disability, age, sexual orientation, trade union membership or activity, political or religious belief and unrelated criminal conviction.

## Roles and Responsibilities

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Employees	Comply with all terms and conditions covered by this policy and procedure, including notifying any relationships.
Head Teacher / Manager	Manage and monitor relationship issues as denoted by this policy and procedure during employment at the school, including relationships arising and notified during the course of employment or identified prior to employment where recruitment activity is taking place.
HR Services	Advise Head Teachers / Managers on the application of this policy and procedure.

## Definition of Terms

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The following definitions are not exhaustive, and are meant as a guide:

Relative	Spouse, partner, parent, step-mother or father, son, daughter, step-child, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, cousin or the spouse / partner / in-law(s) of anyone falling within any of these categories.
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Close Personal Relationship	Includes categories listed above but can also include a close friendship out of work or a previous relationship (e.g. former spouse) as there could be a degree of bias either for or against an applicant or another employee. This includes any person living at the same address.
Manager	Immediate supervisor / direct line manager, indirect line manager, up to and including the Head Teacher, CEO, members of the Governing Body, members of the Academy Trust



## **New Appointments**

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There is an existing requirement for applicants for any post to declare any relationship with an employee of Academy Trust. Failure to do so could result in disciplinary action if the omission comes to light.

Where an employee involved in short-listing for a post identifies that they are related to 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 manager of the situation.

There is no general bar on the appointment of anyone to a post where they would manage, or be managed by, someone to whom they are related or with whom they have a close personal relationship. Wherever possible alternative management arrangements will be put in place to ensure compliance with the Code of Conduct and address other potential problems, thus facilitating the appointment. Only if the Head Teacher 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.

If the appointment is made then the Head Teacher should be informed in writing and any alternative management arrangements should be documented (see Appendix A).



## **Relationships which Develop During the Course of Employment**

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Any relationship which develops, during the course of employment, between an employee and his/her manager must be declared by both parties in writing to the Head Teacher and details recorded on their personal file. A pro-forma which must be used for such declaration can be found in Appendix A. Failure to do this will result in disciplinary action where the relationship falls under the category “relative” and may result in disciplinary action where the relationship falls under the category “close personal relationship” as defined above, if it is reasonable to consider that the employee(s) concerned should have recognised that the relationship warranted declaration.

Wherever possible alternative management arrangements (which will be documented – see Appendix A) will be put in place to ensure compliance with the Code of Conduct and address other potential issues, such as how the situation may affect team dynamics, thus enabling both employees to remain in their posts. In cases where this is not practicable the resolution of the situation will be discussed with the employees concerned.

Employees who wish to discuss a relationship within their team should be able to do so with a manager not involved, therefore in cases where the relationship involves the manager it is appropriate for employees to discuss matters with a more senior manager or the chair of the local governing body.



## **Monitoring**

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The managerial relationship will be monitored and, in the event of inappropriate conduct, disciplinary action will be taken.



## Appendix A – Close Personal Relationship Pro-Forma

**Part 1** To be completed by the employees making a declaration under the Close Personal Relationships in Employment Policy. In some cases more than one form may be required.

**Part 2** To be completed following discussion between the manager(s) of the employees declaring the relationship and the employees involved.

**Any adjustments made to working practices must be communicated to all involved in the work and should be reviewed and updated when necessary.**

**PART 1**

Date Notified: .....

Employee's Name: .....

Post Title: .....

Employee's Name: .....

Post Title: .....

Direct Line Management: YES / NO

Indirect Line Management: YES / NO

No. of Levels Between: .....

**PART 2**

Issues Identified:

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Adjustments identified (in cases where employees work within a team at different levels care should be taken to ensure that the Line Manager is not involved in any decisions in respect of promotion, gradings and any pay determination and does not sign any paperwork that is linked to pay. If this would be a normal part of the duties then alternative signatories need to be identified.

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Signed - Manager: .....

Date: .....

Signed - Head Teacher: .....

Date: .....

I understand and agree with the arrangements that have been put in place

Signed - Employee: .....

Date: .....