
Title of Policy/Procedure	Relationships at Work Policy and Risk Assessment
Reviewer(s):	Created by the CEO Future reviews to be undertaken by the Director of Operations
To be read in conjunction with the following policies:	Code of Conduct Disciplinary Safeguarding Policy Safer Working Guidelines Grievance
Consultation Process	A consultation has taken place with KJ (Local Governor) and PH (Director) and the Finance, Personnel and Resources Committee
Policy Date:	November 2017
Review Date:	November 2019
This policy has been ratified by (please delete as appropriate):	<ul style="list-style-type: none">Local Governing BodyBoard of Directors

Introduction

It is not uncommon for people who work for the same Blue Kite Trust to have a close personal relationship, on either a permanent or short-term basis. While this will not usually raise any issues for the Blue Kite Trust, there will be certain situations where the Blue Kite Trust benefits from having a clear policy for avoiding difficulties that may arise from close personal relationships at work.

Personal relationships could affect, or be perceived by others to affect, the credibility or objectivity of our operations and we therefore need to have guiding principles in place. We must constantly live up to the Blue Kite Trust's values of treating – and being seen to treat – everyone fairly.

A personal relationship in itself will not advantage or disadvantage any employee.

This policy focuses on close personal relationships between employees. For information regarding close personal relationships between employees and students, please refer to the Blue Kite Trust's Safeguarding Policy and Safer Working Guidelines.

2.0 Relevant Legislation

Whilst there is no legislation that requires an employee to declare a close personal relationship with another employee, all employees should be aware of legislation that could have an impact on this area.

2.1 Human Rights Act 1998

Employees have the right to respect for private and family life, under Article 8 of the Human Rights Act 1998. This includes a right to be able to form personal relationships. However, the rights under Article 8 may be limited in certain circumstances, such as for the purposes of protecting the rights and freedoms of others, which could include the Blue Kite Trust and other employees. The Trust has the right to expect employees to fulfil their duties and to behave in a professional manner at work, and employees have the right to work without being disturbed or distracted by inappropriate behaviour at work.

2.2 Equality Act 2010

The Trust will not make assumptions on the basis of gender or grade as to who might be the most appropriate employee to redeploy.

The Blue Kite Trust will not assume that married couples or civil partners will not be able to work together. If any changes are made to an employee's role because they are in a close personal relationship with a colleague, this must be done with clear, objective reasons and not automatically based on their marital or civil partnership status.

The Blue Kite Trust will ensure that this policy will not have an adverse impact on employees in same-sex relationships.

The Blue Kite Trust will not make assumptions that an older employee is taking advantage of a younger employee, or vice versa. If the Blue Kite Trust decides that an employee needs

to be redeployed (and if there is a compelling justification for such a move), the selection as to who to move will not be on the grounds of age.

2.3 Implied Contractual Terms

All employees' contracts have an implied "duty of faithful service", which means that they should not act in a way that knowingly damages the Blue Kite Trust's interests. In this way, they are encouraged to declare potential conflicts of interest, such as certain close personal relationships (such as where there is a line management link, financial or employment links).

3.0 Definitions

Close personal relationships referred to in this policy cover:

- Romantic / sexual relationships
- Family relationships
- Business / financial / commercial relationships

And include:

- Spouse / partner
- Dating couples
- Parents / in-laws / step-parents
- Children / step-children
- Siblings
- Grandparents and grandchildren
- Aunts, uncles and cousins

These lists are not exhaustive and the Blue Kite Trust encourages employees who are uncertain of what is covered to contact the Director of Operations / Governing Body.

4.0 Aims of the policy

It is important to note that the existence of a close personal relationship between employees would not automatically lead to action being taken, but a possible negative impact on work may require intervention by the Blue Kite Trust.

The aims of the Blue Kite Trust are to provide an open and equitable workplace free from bias, where employees can perform their roles without unnecessary distraction from colleagues.

The Blue Kite Trust will consider the risks that relationships at work could have, where those risks are most likely to occur and the level of impact that they could have. A risk assessment to help the Blue Kite Trust identify the situations in which it would wish to be informed of a relationship in order to be able to then put in place measures to minimise the potential negative impact can be found at Appendix I.

The Blue Kite Trust aims to create a culture of openness where employees are willing to disclose their relationship. The Blue Kite Trust will handle declarations of close personal relationships in a manner that is sensitive and proportionate.

If an employee is in any doubt as to whether their relationship should be disclosed, they should seek advice from the Director of Operations / Head Teacher / Governing Body.

5.0 Issues that can arise

Line management responsibility includes appraisal and assessment of the employee, as well as decisions in relation to disciplinaries, grievances, allocation of work, the structure of the team and the authorisation of expense claims. A close personal relationship could cause a conflict of interest with those duties and it is likely that other employees would question a manager's decision in relation to a direct report with whom he or she has such a relationship.

A close personal relationship that exists between two colleagues could cause problems for other team members if it interferes with team dynamics or if the two employees bring personal discussions or disagreements to work. There could also be risks of the employees communicating confidential information to each other.

There could be a conflict of interest when an employee is involved in a recruitment or promotion process and they are in a close personal relationship with one of the applicants.

Consideration will be given in a risk assessment process to specific roles where a conflict of interest could occur.

Where there is a close personal relationship of a romantic or sexual nature between employees, there is a risk that public displays of affection at work could cause discomfort for their colleagues. This should be conducted entirely off campus. Intimate contact on work premises could lead to disciplinary action being considered.

Different issues could arise if a relationship breaks up: there is a risk of complaints of unfavourable treatment, reprisals or even harassment. This policy should be read in line with the Blue Kite Trust's Code of Conduct.

Employees are also reminded that the Blue Kite Trust email system is for business purposes and should not be used to conduct personal relations with colleagues or to send inappropriate material. This policy should also be read in line with the Blue Kite Trust's policy on the use of email and internet.

6.0 Procedures for dealing with close personal relationships

If one employee from a close personal relationship is in a position of authority over the other, disclosure is expected. The same is expected where there are issues relating to confidentiality, operational issues and financial implications. This is in order that the Blue Kite Trust can put in place appropriate measures to prevent problems from occurring.

It is the employee's responsibility to inform their line manager or the Head Teacher / Governing Body, in confidence, if they are in a close personal relationship with another employee. If an employee is in any doubt as to whether their relationship should be disclosed, they should seek advice from the Head Teacher / Governing Body.

It is not generally necessary to declare a personal relationship between two individuals who have little or no professional contact (for example, in unrelated roles or in two separate academies).

This requirement applies equally to relationships that existed prior to employment and to relationships that develop at the Blue Kite Trust.

Managers are responsible for dealing with these matters sensitively and effectively. For example, they should discuss matters with the parties concerned before taking any action in line with the policy. Managers should take all reasonable steps to avoid actual and perceived conflicts of interest. Managers are expected to maintain confidentiality, where appropriate, and should not disclose any information about personal relationships without first informing the staff member/s concerned. Advice should be sought from HR as necessary.

Although the line manager / Head Teacher / Governing Body will treat the disclosure sensitively and in confidence, it is likely that other members of staff will need to be informed. This will be on a strictly need-to-know basis and this will be discussed with the employees first.

The line manager, in consultation with the Director of Operations / Governing Body, will be responsible for making appropriate alternative arrangements in relation to recruitment, selection, appraisal, promotion or other situations or processes where there may be a conflict of interest or where unfair advantage may be gained, or perceived to be gained over other employees. An individual risk assessment will be conducted.

In some cases, it may be necessary to consider moving an employee to another department, or line manager, if the actual or perceived risk of conflict of interest cannot be avoided by other means. This will be discussed with the employees concerned before it is commenced.

Failure to disclose the existence of such a relationship will result in disciplinary action being considered.

Any employee involved in a recruitment and selection process is required to declare a close personal relationship with any of the applicants.

If a close personal relationship ends, the employee should inform their line manager or the Head Teacher / Governing Body. Having this knowledge allows the Blue Kite Trust to put in place measures to ensure it does not impact on the working environment. Further support will be offered through the Blue Kite Trust's Employee Assistance Programme.

This policy also applies to casual workers.

7.0 Appeals

7.1 Employees who wish to appeal against any disciplinary action arising from a breach of this policy should use the disciplinary appeals procedure.

7.2 Where employees consider themselves to have been treated unfairly as a result of their personal relationship with another member of staff, they should initially raise this informally with their manager. If this is not appropriate or does not result in a satisfactory outcome, they should raise it formally by making use of the grievance procedure.

7.3 If an employee has a concern about potential conflict of interest arising from personal relationships, they should in the first instance raise this with a senior manager in the academy or with the Director of Operations / HR.

8.0 Summary:

1. Recruitment: Employees involved with the recruitment process should declare any personal relationship with any applicant. If such a declaration is made, consideration will be made to whether there is any potential conflict of interest and the employee may /may not remain part of the process. Successful applicants for employment with Blue Kite Trust will be asked to declare if they have any family members or close relationships to an existing Blue Kite Trust employee. This will not impact on the offer of employment, where the applicant is successfully appointed.
2. Existing staff members should declare to their heads of department or line managers any personal relationships that exist or develop with another member of staff or third party where:
 - a) Both parties are required to co-operate over work matters where one party is seen or required to make/influence a judgement during the course of their duties which affects the other
 - b) Where there is a line management relationship between the parties
 - c) Where a change of role, promotion or transfer means that either of the above will happen
3. Examples of potential conflicts of interest include: (This is not intended to be an exhaustive list)
 - a) The processes of recruitment and promotion;
 - b) Authorisation of expenses, overtime or other financial gains;
 - c) Discipline and Grievance proceedings;
 - d) Line Management;
 - e) Procurement and Contract Management;
 - f) Appraisal and / or assessment;
 - g) Pay recommendations.
4. Disciplinary action may be taken as a result of the following:
 - a) Where a personal relationship has not been declared and results in unfair advantage or disadvantage to either party
 - b) Where a staff member abuses their authority or influence to bring benefit or detriment to another individual
 - c) Where a personal relationship has not been declared and brings Blue Kite Schools into disrepute
 - d) Where there has been a breach in confidentiality
 - e) Where the conduct or behaviour of a staff member (or members) is inappropriate or breaches professional standards
 - f) The above list should not be considered exhaustive and if, as a result of an existing or previous personal relationship, an employee's actions are perceived or have been shown to be unacceptable, formal action may be taken.

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Potential Area of Risk / conflict	Specific Concern	Risk Management
The processes of recruitment and promotion	Promotion to Head of School	Post will be advertised internally across the trust Interviews will be held CEO will not be on the panel unless there are other candidates All members of the interviewing board will be aware of the connection. The board will be made up of experienced headteachers as well as experienced Gov/ Directors to ensure best person gets the job and no conflict of interest.
Authorisation of expenses, overtime or other financial gains		Director of Operations / Trust Business Manager /Local Governors / Directors would handle these claims directly Handled by trust central staff and several checks and authorisations are in place with different levels of authority.
Discipline and Grievance proceedings	Specific staffing issues Parental complaints	This would work as in maintained schools with the process being passed through Governors and to Directors. If the CEO were to be involved procedures would be monitored carefully and done alongside the Director of Operations / HR manager.
Line Management		As the trust grow Line management is passed onto another serving experienced headteacher on the leadership team (or a serving Director who is an experienced Head)
Procurement and Contract Management		Handled by the Trust Central team
Appraisal and / or assessment	Headteacher Performance Management	Assessed by External SIP and Governors / Directors
Pay recommendations	Headteacher Performance Management	Informed by External SIP and Governors / Directors