

Title of Report:	Personal Relationships at Work
Report to be considered by:	Personnel
Date of Meeting:	28th May 2014
Forward Plan Ref:	PC2811

Purpose of Report: To propose the adoption of a policy which sets out how the Council will deal with close personal relationships at work which might involve, or be perceived to involve, conflicts of interest.

Recommended Action: To recommend that the policy at appendix A is submitted to Personnel Committee for approval

Reason for decision to be taken: To protect employees and the Council from allegations of conflict of interest arising from close personal relationships between colleagues or with contractors or suppliers

Other options considered: Not to have a policy

Key background documentation: Code of Conduct for Officers (Constitution 13.5)

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:
Ensuring that employees are aware of the potential for conflict of interest and are not put in a position where they could be perceived as having a conflict of interest, as a result of close personal relationships at work

Portfolio Member Details	
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Date Portfolio Member agreed report:	Jan 2014

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Implications

Policy: This is a new HR policy
Financial: none
Personnel: This is a new HR policy
Legal/Procurement: none
Property: none
Risk Management: none

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

Executive Summary and Report

1. Introduction

- 1.1 Corporate Board initially asked for a new Personal Relationships at Work Policy to be drafted in Spring 2013. After considering and rejecting the first draft, and suggesting alternative ways of addressing the issues, in Autumn 2013 Corporate Board asked HR to revise the original draft to take account of specific concerns. This was presented to Corporate Board in December 2013 and Management Board in January 2014. Delays in receiving a consultation response from the unions prevented it coming to Personnel Committee in February 2014.
- 1.2 Corporate Board wanted to ensure a balanced policy that enables employees to be clear about the potential impact of close personal relationships at work, and the steps they should take to ensure that relevant relationships were disclosed. It needed to provide managers with mechanisms for minimising the impact at work. The aim was to protect the Council and its employees from actual or perceived conflict of interest, or perception or accusation of bias, favouritism or prejudice. They were keen to include close personal friendships in the definition of 'close personal relationships' for particular areas, such as relationships with contractors or involvement in selection panels.
- 1.3 A balance has to be struck between intrusion into the personal lives of employees and the organisation's ability to address justified concerns. The trade unions were particularly concerned to ensure that this balance was achieved, and their comments have been taken into account in the final draft. They have recommended that guidance is provided, with examples, to help managers make fair and reasonable decisions.
- 1.4 The draft policy at appendix A is based on policies adopted by other local authorities, the Council's own Officer Code of Conduct (set out in 13.5 of the Constitution), and guidance from our on-line employment law provider (XpertHR).

2. Proposals

- 2.1 Personnel Committee is asked to approve this policy.

3. Equalities Impact Assessment Outcomes

- 3.1 The policy has been drafted to ensure that it complies with relevant equality legislation. It specifically includes civil partnerships and same-sex relationships, and notes that it applies equally to all employees whatever their seniority, gender or sexual orientation.

4. Conclusion

- 4.1 The Council should have a clear statement of its policy on the management of close personal relationships at work;
 - (1) To put mechanisms in place to prevent issues arising;
 - (2) To provide a transparent way of tackling any concerns that do arise;
and

- (3) To ensure that employees have a clear understanding of the expectations on them with regard to behaviour and disclosure of relationships.

Appendices

Appendix A - Draft Personal Relationships at Work Policy May 2014

Consultees

Local Stakeholders: n/a

Officers Consulted: CMT

Trade Union: Rosemary Culmer, Dave Pearson, Eddie Hunter