NHS

Joint Policy for Cumbria Partnership Foundation Trust & North Cumbria University Hospital NHS Trust

Personal Relationships in the Workplace

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Accountable Director	Director Workforce and OD
Policy Author	HR Business Partners, HR Advisors

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Cumbria Partnership NHS Foundation Trust | North Cumbria University Hospitals NHS Trust

Data Protection Legislation

The Trust(s) are committed fully to compliance with the requirements of the General Data Protection Regulations (GDPR) 2016 and the Data Protection Act (DPA) 2018. The GDPR and DPA legislation aims to balance the requirements of organisations to collect, store and manage various types of personal data in order to provide their services, with the privacy rights of the individual about whom the data is held.

The GDPR and DPA legislation covers both manual and computerised records in any format, where the record contains details that can identify, directly or indirectly data on a natural person or persons. The DPA sets out principles which must be followed by those who process data; it gives rights to those whose data is being processed.

Policy On A Page

SUMMARY & AIM

The aim of this policy is to protect individuals in situations where a personal relationship exist or develop in the workplace, to ensure that no accusations of unprofessional or inappropriate behaviour, conflict of interest, bias, or be the subject of allegations from patients/service users or their relatives or carers, members of the public or other staff.

KEY REQUIREMENTS

- All employees of the Trusts are covered by this policy and procedure

- All staff are aware that any personal relationship between, staff, patients/service users and any potential member of staff is disclosed at the earliest to a line manager, including through a recruitment process.

TARGET AUDIENCE:

All Trust employees, as well as locums, agency staff, volunteers, students, contractors and employees of other organisations that provide services to the Trusts.

TRAINING:

- Managers to ensure they make all staff aware of the policy.
- Support and advice for managers regarding the application of the policy and procedure can be sought from the Human Resources Department.

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1.   **INTRODUCTION**

This policy applies to all staff employed at Cumbria Partnership NHS Foundation Trust (CPFT) and North Cumbria University Hospitals NHS Trust (NCUH), including locums, agency staff, volunteers, students and employees of other organisations that provide services to both CPFT and NCUH.

The reputation of CPFT and NCUH depends not only on the achievement of a high standard of care for patients, but also ensuring that the Trusts business is conducted and seen to be conducted in a professional and proper manner.

2.   **PURPOSE**

This policy sets out the factors that CPFT/NCUH considers are important in relation to managing personal relationships at work.

CPFT/NCUH has a duty to protect the interests of those to whom they provide a service and to the staff they employ. This includes respecting the rights of individuals to privacy in family life (Human Rights Act 2000).

Where an individual is required to be registered with a professional body they must also meet the standards set out in their professional code of conduct and set out in the Trust's Professional Codes of Conduct Policy.

3.   **POLICY DETAILS**

3.1   **Personal Relationships between Staff**

To prevent any conflict of interest from arising where a personal relationship exists or develops between two members of staff, the individuals involved are encouraged to disclose the relationship at the earliest opportunity to a line manager or a member of the Human Resources team. Any information disclosed will be treated in confidence. If it is necessary to disclose information about the relationship to other parties this requirement will be discussed with the individuals concerned.

In balancing the rights of individuals and the responsibilities of the Trusts the following guidance needs to be considered:

- It is expected that where a personal relationship exists, individuals will behave responsibly and not put themselves into a situation where their relationship may impact adversely on them, their work, their colleagues or bring the reputation of the Trusts into disrepute.

- That a manager should not line manage, supervise, mentor or act as educational or clinical supervisor to any member of staff where a close personal relationship exists or develops between them. It is not appropriate, for example, for an individual to investigate or hear a disciplinary or grievance issue, sign off expenses, carry out an appraisal or be making

recruitment or promotion decisions in relation to a member of staff with whom they have a personal relationship of any kind.

- A manager who has any form of personal relationship with a job applicant must declare this prior to either shortlisting or interview and an alternative recruiting manager appointed.

- there may be occasions when a relationship breaks down and it is expected that individuals will not put themselves into a situation where any conflict may impact adversely on them, their work, their colleagues or bring the reputation of the Trust into disrepute.

Any issue(s) arising from a personal relationship between members of staff which adversely affects their own or their colleagues work, or brings the reputation of the Trusts into disrepute, will be dealt with under the appropriate Trust policies.

3.2 Personal Relationships between Staff and Patients/Service Users

Members of staff must not engage in personal relationships with patients/service users whom they meet as a result of their employment. If a personal relationship exists/develops, the situation could be regarded as:

- an abuse of the member of staffs position of trust
- a breach of the standards of propriety expected in the post
- a compromise of professional standards/code of conduct and must be reported to the Head of Service and advice sought regarding Safeguarding procedures.

Concerns of this nature will be investigated under the Trust's Disciplinary Policy and may constitute Gross Misconduct which could result in dismissal of the member of staff from their post. It may also lead to a case of professional misconduct being considered by a professional body.

In cases where a close friend, partner/spouse or relative is, or becomes a patient/ service user, it is the responsibility of the staff member to inform their line manager that such a relationship exists. The line manager will discuss the situation with the member of staff and agree an appropriate course of action. It may be appropriate for the patient/service user to be treated by another clinician or team, or, in the case of an inpatient admission, for the member of staff to be moved to another area for the duration of the patient/service user's treatment.

4. TRAINING AND SUPPORT

There is no specific training required for this policy. Advice can be sought from the Human Resources department.

5.   PROCESS FOR MONITORING COMPLIANCE

The process for monitoring compliance with the effectiveness of this policy is as follows:

Aspect being monitored	Monitoring Methodology	Reporting		
		Presented by	Committee	Frequency
Cases of professional misconduct arising from personal relationships at work are dealt with effectively	Cases of professional misconduct arising from personal relationships will be monitored and reported from the ER tracker	Associate Director of Workforce	Board of Directors	Monthly

Wherever the above monitoring has identified deficiencies, the following must be in place:

- Action plan
- Progress of action plan monitored by the Board of Directors minutes
- Risks will be considered for inclusion in the appropriate risk registers

6.   ASSOCIATED DOCUMENTATION:

Disciplinary Policy
Grievance (Incorporating Dignity at Work) Policy
Standards of Business Conduct Policy
Professional Code of Conduct

7.   DUTIES (ROLES & RESPONSIBILITIES):

7.1   Chief Executive / Trust Board Responsibilities:

The Chief Executive and Trust Board jointly have overall responsibility for the strategic and operational management of the Trust, including ensuring that Trust policies comply with all legal, statutory and good practice requirements.

7.2   Executive Director Responsibilities:

All policies have a designated Executive Director and it is their responsibility to be involved in the development and sign off of the policies, this should ensure that Trust policies meet statutory legislation and guidance where appropriate. They must ensure the policies are kept up to date by the relevant author and approved at the appropriate committee.

7.3   Managers Responsibilities:

Managers are responsible for ensuring that individuals they manage are made aware of the policy. That they promptly and sensitively deal with issues involving personal relationships at work at that they are dealt with in a consistent, fair and reasonable way all the while maintaining confidentiality.

7.4   Staff Responsibilities:

 All staff are responsible for familiarising themselves with the policy and ensuring that any personal relationship at work does not interfere with or prejudice their employment or professional responsibilities where a personal relationship may exist or develop. Any personal relationship that may exist or develop in work must be discussed with the line manager or a member of the HR department so that appropriate support can be put in place and any other factors considered.

7.5   Joint Partnership Forum Responsibilities:

The Chair of the Joint Partnership Forum will ensure the policy approval is documented in the final section of the Checklist for Policy Changes.   The committee will agree the approval of the final draft of the policy.

8.   ABBREVIATIONS / DEFINITION OF TERMS USED

ABBREVIATION	DEFINITION
HR	Human Resources

TERM USED	DEFINITION
Service User	Patient

DOCUMENT CONTROL

Equality Impact Assessment Date	16th November 2018
Sub-Committee & Approval Date	Joint Partnership Forum 5th December 2018

History of previous published versions of this document:

Trust	Version	Ratified Date	Review Date	Date Published	Disposal Date
CPFT		June 2016	June 2019	June 2016	
NCUH	2.1	March 2017	March 2020	March 2017	

Statement of changes made from previous version

Version	Date	Section & Description of change
1	November 2018	• Format change in line with the Joint policy template
1	November 2018	• Front page GDPR guidance (new) included on page 2
1	November 2018	• Section 3.1 bullet point 4 new addition to CPFT
1	December 2018	• Section 5 – monitoring table amended to Board of Directors as responsible monitoring committee on a monthly basis
1	December 2018	• Section 7.5 – specify that responsible committee is the Joint Partnership Forum

List of Stakeholders who have reviewed the document

Name	Job Title	Date
CPFT Children and Families Care Group	Governance and Network Management Teams	October 2018
CPFT Mental Health Care Group	Senior Management Team	October 2018
CPFT Corporate Care Group	To all Heads of Services	October 2018
CPFT Community North Care Group	Senior Management Team	October 2018
CPFT Specialist Care Group	Senior Management Team	October 2018
NCUH	Senior Management Team across Care Groups and Corporate Functions	October 2018