

Beyond Limits Dumfries & Galloway provides policies and procedures to promote safe and consistent practice across the Organisation. The framework laid down within our policies and procedures lets everyone know how we work and reflects our values and mission statement. Our policies and procedures are written to help us, employees of Beyond Limits Dumfries & Galloway, to make good, safe decisions.

Beyond Limits Dumfries & Galloway expects all employees to be familiar with the contents of all policies and procedures relevant to their role and to understand how to apply them within their daily work.

None of these documents stand alone, all fit within the larger framework of the way we work and any associated policies which are particularly relevant will be directly referenced.

Personal Relationships at Work

Personal Relationships at Work Policy – what this means to Beyond Limits Dumfries & Galloway

This policy is to be read in association with the Equality and Diversity policy, Confidentiality Policy, Code of Conduct Policy, Employee and Friendship and the Employee Handbook.

Beyond Limits Dumfries & Galloway aims to provide a working environment that promotes mutual respect, dignity, trust and equality, and to enable constructive collaboration and professional conduct.

It is recognised that close personal relationships can and are sometimes formed at work and that situations will arise within the organisation where related persons or individuals with a close personal relationship are employed within the same team or work area. Employees may sometimes be in existing personal/family relationships with prospective employers, people we support, or other external stakeholders. Such relationships can give rise to challenges about professionalism, integrity to suggestions of favoritism.

Whilst Beyond Limits Dumfries & Galloway respects the right of employees to privacy and family life and will not interfere unduly in an employee's private life, Beyond Limits Dumfries & Galloway has a legitimate right to protect the interests of the organisation, people we support, and other employees and to take action when close personal relationships either have the potential to or do

impact upon the services we provide or any other business decision. Beyond Limits Dumfries & Galloway must ensure that its business decisions are based on objective and relevant criteria and that no subjective or irrelevant factors are considered. Beyond Limits Dumfries & Galloway expects that no favoritism is shown in business, management of employees or other decisions.

The purpose of this policy is to:

- Ensure that working relationships are harmonious
- Ensure that bias does not influence managerial decision's including recruitment and promotion or access to learning and development
- Prevent harassment at work (in particular stemming from the end of a relationship)
- Ensure that all employees feel confident of fair and consistent treatment
- Protect the health, safety and welfare of employees at work
- Ensure that those involved in relationships at work behave appropriately avoiding situations where there is potential for conflict of interest
- Eliminate the risk of personal relationships compromising any individuals or the delivery of high-quality care to people we support and that there is no adverse impact on support we provide at any level.
- Prevent the potential for fraudulent or dishonest activity
- Initially when Beyond Limits Dumfries & Galloway carries out a Service Design with a person we are going to support, the questions of capacity in all areas of their lives will be discussed and recorded in these documents for the person and their team to work to. Consent to be supported or receive treatment¹ will be captured as we work with the person, their circle of support and any legal representatives who have the jurisdiction to make decisions on their behalf and this will be recorded in the Working Policy and all decisions made will be reviewed on a regular basis.

Relationships for the purpose of this policy are deemed to include:

- Family relationships eg. brother, sister, daughter, son, mother, father and relationships by marriage or civil partnership eg. brother-in-law, mother-in-law, stepchildren etc.
- Married partners, co-habiting partners and civil union partnerships
- Sexual/intimate relationships

This policy applies to all employees of Beyond Limits Dumfries & Galloway and in addition to agency staff, volunteers, people attending for a work placement, contractors and employees of other organisations that provide services to Beyond Limits Dumfries & Galloway. It also applies to job applicants in the recruitment process. Job applicants will be required to declare on their application form any personal/work relationships as this may cause a conflict of interest.

Management Responsibilities

- Responsible for ensuring they comply with all the requirements of the policy; dealing with any matter requiring formal disciplinary action in accordance with the Disciplinary Policy
- Deal promptly and sensitively with issues involving close personal relationship at work
- Conduct matters involving close personal relationships at work in a consistent, fair and reasonable manner, maintaining confidentiality where possible. Where practical arrangements necessitate the need for sharing the information the individuals will be informed of this prior to the information being shared.
- Will declare any relationships formed with an employee
- Will not provide official organisational references for any employee with whom they have a close personal relationship
- Will ensure employees are aware of and understand the policy and ensure, where appropriate employees attend necessary training
- Will inform Human Resources of any changes in an employee's arrangements which result from the implementation of this policy

Employee's Responsibilities

- Will declare the existence of close personal relationships or when they develop as required under this policy to the relevant manager
- Employee's will be individually responsible for ensuring that any close personal relationships at work do not interfere with their duties and responsibilities
- Must familiarise themselves with the content of this policy and should speak to their line manager if they are unsure of any aspect of their responsibilities
- Will take active steps that are reasonable and practical to ensure that any close personal relationship at work does not interfere with or prejudice their employment thereby impairing their judgement
- Will ensure that any close personal relationship at work does not adversely impact on their work

Any conduct that could impact negatively on a person we support, an individual's work or the functioning of the team is not acceptable, including:

- Neglecting work
- Communicating confidential information to each other which is not associated with their employment
- Behaving in a way that may cause difficulty or embarrassment to others, for example, arguing in the workplace or open displays of affection
- Not communicating with each other as a result of a disagreement or the breakdown of the relationship
- Communicating in a way that excludes others
- Inflexibility in working arrangements, this may be of importance within small teams where cover is already difficult
- Reluctance to acknowledge and report inappropriate actions or behaviours within the work environment. This relates to any behaviour which has a negative impact on work that would cause this policy to be applied, not the relationship itself

Relationships between employees with a line management responsibility

Beyond Limits Dumfries & Galloway recognises that personal relationships between employees with a line management relationship can cause a potential conflict of interest, problems with employment management (e.g. appraisal, grievance, discipline etc.) by creating the potential for claims of favouritism or unequal treatment.

This policy sets out the principle standards of conduct to assist and protect employees whilst at work and these are set out below.

- If an employee has a personal/intimate/close relationship with a colleague whom they manage they must inform the Service Leader immediately. This is for their own protection to prevent any unfounded allegations of favouritism, as well as to protect the employee from less favourable treatment.
- Where possible to protect both parties, the direct line management arrangement should not continue. Each case will be judged on its own merits and alternative arrangements will be explored. Where this is not possible to ensure change of team other assurance measures will be put in place to protect parties involved and any potential impact on the service or other business.

Relationships between employees where there is no line management responsibility

This type of relationship at work does not in itself constitute a difficulty. However, employees are expected to conduct themselves in a professional manner and to deal sensitively with any confidential information which one or both individuals may possess. Employees are encouraged to bring to the attention of the Service Leader any difficulties they are experiencing which may not be apparent.

If the relationship breaks down, the employee should ensure that no acts that could be interpreted as arguments or disagreements occur at work. The employee must discuss the situation with the Service Leader.

The employee should ensure that their relationship does not bring the reputation of Beyond Limits Dumfries & Galloway into disrepute.

Personal relationships with people we support

Beyond Limits Dumfries & Galloway recognise that through the nature of our work, we build friendships between us and people we support, and this can be complicated due to the professional role we hold and the vulnerability of the people we support. Because of this, we need to think, and plan carefully should we wish to develop our relationship with any of the people we support. Read the Employee and Friendship Policy to make right decisions about:

- Recognising the power imbalance with the person you support
- Developing a friendship with the people we support
- What should happen for the friendship to develop safely
- What **must not** happen within a friendship with someone we support

Employees must not under any circumstances engage in sexual relationships with any of the people we support whom they meet as a result of their employment. This could be regarded as:

- An abuse of trust
- A compromise of professional standards/code of conduct and as such it will be reported to the Care Inspectorate. Advice from the Safeguarding team may be needed if safeguarding procedures are compromised
- A breach of the contract of employment and could be considered a criminal offence

In cases where a close friend, partner/spouse or relative is, or becomes, a person supported by Beyond Limits Dumfries & Galloway, it is the responsibility of the employee to inform the Service Leader that such a relationship exists.

The Service Leader will discuss the situation with the employee and agree an appropriate course of action.

Where personal or business relationships precede the professional relationship, or where dual relationships exist eg. where within a small community an employee may already be a personal friend of a person supported, it is the responsibility of the employee to maintain each relationship within its own appropriate boundary. Where such a relationship exists, the employee must inform the Service Leader and supervision should be used to regularly discuss and explore any potential boundary conflicts.

Job Evaluation/Promotion/Pay

Employees must not be involved in the authorisation or evaluation of any job description for another employee with whom they have a close personal relationship and are expected to declare any such interest immediately if they are approached to participate in the job evaluation process.

They should not be involved in any decisions relating to the promotion or pay of another employee with whom they have a close personal relationship. Failure to declare an interest may result in action under the Disciplinary Policy.

Disciplinary/Grievance Issues

Employees should declare a potential conflict of interest as soon as they are approached, and made aware of the circumstances and other employees involved, to participate in such proceedings as either a witness or investigating officer etc. Employees must not be (unless potentially as a witness with the caveat of impartiality) involved in any investigation, hearing or other decisions involving another employee with whom they have a relationship. To ensure this, consideration may be given to temporarily redeploy a person with whom they have a relationship. Failure to declare a potential conflict or any action that could compromise the investigation may result in action under the Disciplinary Policy.

Recruitment and Selection

If an employee is involved in the recruitment and selection process and realises that there is an application from someone with whom they have a relationship they must declare an interest to the Service Leader.

Similarly, an employee who has a relationship with another should not act as a referee for that person for both internal and external positions. This should not prevent someone from referring their family and friends to work for Beyond Limits Dumfries & Galloway, and indeed this is encouraged.

Managing situations where personal relationships adversely impact on the workplace

In most cases where a personal relationship causes issues in the workplace these should initially be addressed and resolved informally if possible.

Issues arising should be dealt with promptly and sensitively by the Service Leader and not allowed to continue unchecked. Where action is necessary, consideration should be given to re-arrangement of the work or working patterns if this is a viable first option. Beyond Limits Dumfries & Galloway will make that decision based on the best interests of the service, person supported and relative impact upon each employee.

Raising Concerns

Any employee who feels that the close personal relationship of other team members or colleagues is adversely affecting their employment, the functioning of the team or the provision of services is encouraged to share their concerns at the earliest opportunity with the Service Leader or Director or if they prefer, the Operations Co-Ordinator. This also applies to employees in a close personal relationship who feel they are being disadvantaged because of the relationship.

Confidentiality

Wherever possible confidentiality regarding the existence of a close personal relationship will not be disclosed, however, should this be necessary then a disclosure will be made following consultation with employees concerned and Human Resources Manager.

If alternate working practices or patterns are implemented, then it may be necessary to inform other members of the team regarding these arrangements and the reasons for them.

Breaches of Policy or alleged breaches of this policy will be investigated. Employees have the right to appeal against any action taken under this policy using the Beyond Limits Dumfries & Galloway Grievances policy.

Managers will need to be familiar with its contents as well as any other individual or group with a responsibility for implementing the contents of this policy. All employees need to be aware of the key points that the policy covers.