



## Personal Relationships at Work and Professional Boundaries Policy

### Contents

1	Aims and Objectives.....	2
2	Scope.....	2
3	Definitions .....	2
4	Principles.....	3
5	Roles and Responsibilities .....	3
6	Raising Concerns.....	4
7	Professional Boundaries.....	5
8	Personal Relationships at Work.....	6
9	When a Personal Relationship Affects the Workplace.....	8
10	Fraud and Corruption .....	9
11	Monitoring & Compliance .....	9
12	Audit and Review (evaluating effectiveness) .....	9
13	Associated Trust Documents .....	9
14	Financial Checkpoint .....	10
15	Equality Analysis .....	10

## **1 Aims and Objectives**

- 1.1. The Trust wishes to ensure that our people behave in an appropriate manner to reduce the risk of professional or personal relationships compromising the interests of the Trust, its service users and its colleagues. Whilst it is not the Trust's intention to infringe upon the private lives of its employees, it does expect that all employees (and others within the scope of this policy) should conduct themselves in ways that are consistent with Trust values where this may impact the Trust, colleagues or service users.
- 1.2. This Policy sets out the expectations of our people in respect of professional and personal boundaries, providing guidance on the management of personal relationships at work.

## **2 Scope**

- 2.1. This policy is applicable to all colleagues including Non-Executive Directors, bank workers, apprentices, students, trainees, volunteers and those on honorary contracts, placements or secondment. It will also include an employee of a related organisation with whom a colleague interacts regularly as a result of their employment/ placement.
- 2.2. Where a personal relationship exists or develops between a Practice Educator and a learner it must be declared immediately to the practice education team.

## **3 Definitions**

- 3.1. For the purposes of this policy a close personal relationship, either past or present, is defined as:
  - Family relationship (refers to people who are related by blood, marriage or civil partnership, or who co-habit, or dependents of such people whether an existing or new family relationship).
  - Business / commercial / financial relationship. (Also see Declaration of Interests Policy).
  - Sexual or romantic relationships
  - Close personal friendship (refers to colleagues who know each other personally and meet socially).

This list is not exhaustive

## **4 Principles**

- 4.1. The Trust respects the rights of individuals to privacy in personal relationships and will not interfere unless a concern or conflict is raised.
- 4.2. Alleged breaches of this policy will be reviewed in accordance with the Trust's Disciplinary or Capability Policy, as applicable and where appropriate, professional body guidance/ policy and safeguarding policy and processes.
- 4.3. Colleagues who are uncertain about whether they need to declare a personal relationship may discuss the matter in confidence with their line manager, Professional Standards, HR, wellbeing hub, Freedom to Speak Up or Union Representative. They will be advised to declare the relationship where there is likely to be any risk of a conflict of interest.
- 4.4. All declarations of close personal relationships should be treated in confidence, unless all the individuals involved in the personal relationship agree to disclosure.
- 4.5. Employees who have a close personal relationship with another workplace colleague must ensure that they behave appropriately at all times at work.
- 4.6. Job applicants will be required to declare within their application if they are related to a director or have a relationship with a director or employee of the Trust.
- 4.7. Where a mentor and student develop or have a personal relationship, this needs to be declared and the professional mentor/mentee relationship ceased.

## **5 Roles and Responsibilities**

### **5.1. Colleagues at all levels in the Trust**

- Declare a personal relationship as set out in this policy.
- Are expected to always act in line with the Trust's Values and Behaviours.
- Are required to maintain appropriate professional and workplace boundaries.
- Are asked to work positively with the Trust to accommodate any reasonable changes to their work arrangements that are required to avoid actual or potential conflicts.
- Raise concerns in accordance with Section 6.

## 5.2. Managers

- Managing matters involving close personal relationships in a prompt, sensitive, consistent, fair and reasonable manner.
- Discussion with Human Resources should take place to establish a suitable approach.
- Dealing with any matter requiring action using the appropriate Trust policy.
- Maintaining confidentiality during and after the application of this policy.

## 5.3. HR Employee Relations

- Providing appropriate advice and support in the application of this policy. When breaches of professional boundaries are reported, Employee Relations will liaise with professional standards and/or other relevant managers / Professional Leads.
- Ensuring the policy is followed in a fair and equitable manner.

## 6 Raising Concerns

- 6.1. Any colleague who feels that a close personal relationship 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. This also applies to colleagues who have a close personal relationship who feel they are being disadvantaged because of the relationship.
- 6.2. Concerns should be raised with their line manager or other appropriate manager if they prefer. Where a colleague is not comfortable with either of these options, they may consider raising their concerns to HR Employee Relations or a Freedom to Speak Up Guardian. Colleagues can also ask their Trade Union representative for advice or support. Alternatively, they may raise matters under the associated Trust's policies.
- 6.3. Where there are sexual safety concerns the [Sexual Safety Policy](#) sets out the Trust's commitment to provide a safe environment free from sexual harassment and violence.

## **7 Professional Boundaries**

### **7.1 Professional Boundaries - Between Colleagues and People Currently Using Trust Services**

7.1.1. The only appropriate relationship between a person using Trust services and a colleague is a professional one that focuses upon the assessed, legitimate needs of that person. Colleagues should be aware of the potential imbalance of power in this relationship. It is the responsibility of each colleague to always maintain appropriate professional boundaries.

7.1.2. Colleagues should not behave in a way either inside or outside of the workplace which may call into question their professional conduct or endanger the confidence of people using Trust services, their relatives or carers.

7.1.3. Examples of inappropriate actions or relationships with current patients, relatives or carers include:

- Breaching sexual boundaries including acts, words or behaviours of a sexual nature ([Sexual Safety Policy](#))
- Friendships including friendships via texting, the internet and social networking sites
- Divulging personal details to people using Trust services about themselves or colleagues, including personal contact details (this includes via the use of internet social networking sites)
- Accepting significant gifts or favours (See Declaration of Interests Policy)
- Entering into a financial relationship
- Any other type of personal relationship

7.1.4. Failure to maintain professional boundaries with people using Trust services may lead to disciplinary action being taken up to and including dismissal and dependant on the circumstances, a referral to the police, professional registration bodies, NHS Counter Fraud, Disclosure and Barring Service referral for investigation under safeguarding procedures.

7.1.5. If a close friend, partner or family member of a colleague accesses services provided by the Trust it is the responsibility of that colleague to maintain each relationship within its own appropriate boundary.

### **7.2 Professional Boundaries - Between Colleagues and People who have previously used Trust Services**

7.2.1. People who have previously used Trust services may be harmed as a result of a personal relationship with a healthcare professional who has been involved in their treatment, although circumstances can clearly differ. An example relationship between a healthcare professional and a person

who had previously used Trust services which would almost never be appropriate would be:

- If the colleague arranged to provide personal long term emotional or psychological follow up support to the user
- Where the person who previously used Trust services was a vulnerable person or aged under 18 years at the time of treatment from the healthcare professional.

7.2.2. If a colleague thinks that a relationship with a person who previously used Trust services might develop, they must seriously consider the possible future harm which could be caused and the potential impact on their own professional status. They must use their professional judgment and give careful consideration to the following:

- When the professional relationship ended and how long it lasted
- The nature of the previous professional relationship and whether it involved an imbalance of power
- Whether the patient was particularly vulnerable at the time of the professional relationship and whether they are still vulnerable

7.2.3. A relationship with a carer or relative of a person who previously used Trust services will often be inappropriate for the same reasons.

7.2.4. A personal relationship with a person who previously used Trust services, their carers /or relatives is only ever likely to be acceptable where contact was minimal or was a considerable amount of time ago.

## **8 Personal Relationships at Work**

8.1. Personal Relationships at Work- involving line management, a training, mentoring or supervisory role, a position with direct influence on that work area or workers closely linked by the provision of a business support services.

8.1.1. To avoid any actual or potential conflict of interest, abuse of power or favouritism, colleagues should not be involved in HR or Financial process for those with whom they have a personal relationship, including:

- Practice supervision at any level
- Selection for appointment or promotion
- When undertaking an assessment of competence or skills
- Appraisal
- Job evaluation
- Employment references

- Selection for awards, training or development
- Project, research, training or dissertation supervision
- Employee relations matters such as disciplinary and grievance
- Management of sickness or other absence
- Determining access to resources
- Access to confidential information
- Rostering, flexible working or approval of time off
- Allocation of work or allocation of opportunity
- Financial transactions including approving expenses, overtime, pay incentives, salary changes and any other benefits/payments or allocation of funds
- Contracts, procurement, supply of personnel

The list is representative, but not exhaustive.

8.1.2. Where a conflict of interest is declared (Conflict of Interest Declaration), the appropriate manager in consultation with the colleague(s), will review actions which need to be taken. Wherever possible an agreement should be reached in relation to the expectations and arrangement in the workplace to mitigate possible conflicts of interest. These may include, but are not limited to:

- No action necessary.
- Change to the reporting structure to ensure one party does not directly report to the other for HR or financial processes.
- Change in work duties / pattern for one or both of the parties in the relationship
- Cessation of supervisory role (eg. Mentor and mentee)
- Consider any other issues that might occur and how these might be mitigated.
- Where a conflict of interest cannot be managed effectively through the above provisions there may be the need to explore voluntary or compulsory transfer.

All of the above must be objectively justifiable in terms of service need and the risks being considered.

8.1.3. Arrangements must be documented as to how to respond to any potential or actual conflict of interest. It is recommended that any declaration is reviewed if circumstances change.

## **8.2. Personal Relationships at Work - Where There is no Line Management Relationship**

8.2.1 There may be occasions when a close personal relationship has or is perceived to have an adverse impact within SECAMB. The following list includes some examples of this:

- Neglecting work
- Communicating confidential information to each other
- Behaving in a way which may cause difficulty or embarrassment to others, e.g. arguing in the workplace
- Not communicating with each other as the result of a disagreement or the break-up of a relationship
- Inflexibility in working arrangements
- Reluctance to acknowledge and report inappropriate actions or behaviours within the work environment
- Behaviour or actions which bring the Trust into disrepute.
- Acts of fraud, corruption or collusion

## **9 When a Personal Relationship Affects the Workplace**

9.1. In most cases where a close personal relationship causes issues in the workplace these should be addressed sensitively in informal discussion with the individuals. Efforts should be made to facilitate a professional working relationship where possible.

9.2. Where any issues identified cannot be managed effectively or the individuals within the close relationship feel uncomfortable remaining within the same team, there will be the need to explore, in discussion with all parties, whether a move to another team, shift line or location might be the most appropriate way forward.

9.3. When discussing such an issue there should be no assumptions made, on gender, status/grade etc as who might be the most appropriate individual to move. Care should be taken to avoid discrimination and ensure that the views of the individuals involved are taken into account, balancing this with the needs of the service and the issues that present themselves.

9.4. Where a close personal relationship has been proven as adversely affecting the workplace and where informal resolutions have been explored, it will be necessary to allow formal Trust procedures to be concluded fairly and to the satisfaction of the Trust.

9.5. The same principles apply to any colleague who becomes involved in a close personal relationship with a client, contractor or supplier.



## **10 Fraud and Corruption**

- 10.1. If colleagues have any concerns that fraud, corruption or collusion has taken place, these concerns can be referred to the Trust Counter Fraud Specialist, in confidence, in line with the [Anti-Fraud and Bribery Policy](#).
- 10.2. Any failure to disclose a relationship which leads to a potential or actual loss to the Trust may be referred to the Trust's Counter Fraud Specialist for consideration of further action in line with the [Fraud Act 2006](#).

## **11 Monitoring & Compliance**

- 11.1. The Human Resources (HR) Senior Leadership Team is responsible for monitoring compliance with this policy. HR will monitor the application of the policy and procedure through feedback from staff and managers. Feedback, legislature and changes to terms and conditions will be used to inform and improve policies, as well as provide recommendations for improving working practices. HR will provide relevant reports, based on this data, as required.

## **12 Audit and Review (evaluating effectiveness)**

- 12.1 This policy will have its effectiveness audited by the HR SLT at regular intervals, and initially six months after a new policy is approved and disseminated.
- 12.2 Effectiveness will be reviewed using the tools set out in the Trust's Policy and [Policy and Procedure for the Development and Management of Trust Policies](#) (also known as the Policy on Policies).
- 12.3 This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.
- 12.4 All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

## **13 Associated Trust Documents**

- [Disciplinary Policy and Procedure](#)
- [Sexual Safety Policy](#)
- [Dignity at Work Policy](#)
- [Domestic Abuse Workforce Policy](#)
- [Managing Safeguarding Allegations Policy](#)
- [Declaration of Interests, Gifts, Hospitality and Inducements Policy](#)
- [Managing Concerns about Medical Staff Policy and Procedure](#)

- [Grievance Policy and Procedure](#)
- [Pay Protection Policy](#)
- [Anti-Fraud and Bribery Policy](#)
- [Flexible Working Policy](#)
- [Social and Digital Media Policy](#)

## **14 Financial Checkpoint**

- 14.1 This document has been confirmed by Finance to have financial implications and the relevant Trust processes have been followed to ensure adequate funds are available.

## **15 Equality Analysis**

- 15.1 The Trust believes in fairness and equality, and values diversity in its role as both a provider of and as an employer. The Trust aims to provide accessible services that respect the needs of each individual and exclude no-one. It is committed to comply with the Human Rights Act and to meeting the Equality Act 2010, which identifies the following nine protected characteristics: Age, Disability, Race, Religion and Belief, Gender Reassignment, Sexual Orientation, Sex, Marriage and Civil Partnership and Pregnancy and Maternity.
- 15.2 Compliance with the Public Sector Equality Duty: If a contractor carries out functions of a public nature then for the duration of the contract, the contractor or supplier would itself be considered a public authority and have the duty to comply with the equalities duties when carrying out those functions.