

## HARROW SCHEME FOR PAY AND CONDITIONS OF SERVICE

<b>SUBJECT:</b>	<b>Employment of Relatives/Partners/Friends</b>	
<b>SECTION:</b>	<b>3: Employment Practices</b>	<b>REF: 3.39</b>
<b>SOURCE: &amp; DATE:</b>	<b>Corporate Joint Committee December 2001</b>	
	<b>Reviewed – Updated by HRD – February 2012</b>	
<b>APPLICABLE TO:</b>	<b>All Harrow Employees, Agency Workers, Consultants &amp; Contractors</b>	

### 1. SUMMARY

- The policy sets out procedures to ensure that employment decisions are not influenced by improper motives.
- It applies to all Harrow employees, agency workers and consultants. (with the exception of staff directly managed by school governors). School governing bodies are strongly recommended to adopt this policy.
- There must not be a line management relationship between relatives, partners or close friends, except in exceptional circumstances.
- If a line management relationship does exist specific rules are set down concerning authorisation and documentation processes.
- Where a relationship develops in the working environment, an assessment must be made of the possible implications and consideration given to any action which may need to be taken.

### 2. EMPLOYMENT OF RELATIVES, PARTNERS AND CLOSE FRIENDS

#### 2.1 Introduction

- 2.1.1 This policy has been developed in order to minimise the risk of problems arising through relatives, partners or close friends working together in the same working environment.
- 2.1.2 There is no attempt here to define "relatives", "partners" or "close friends" because of the obvious difficulty in doing so.
- 2.1.3 The aim of the policy is to put in place proper procedures to ensure that there can be no grounds for suspicion, no matter how ill founded, that employment decisions were in any way influenced by improper motives.

2.1.4 The policy will apply to:

- Permanent employees
- Temporary employees
- Casual workers- including students, holiday and work placements including work experience placements
- Agency workers
- Consultants & Contractors

2.1.5 Managers must consider the implications if relatives/partners or close friends work together and must consider what action to take, if they do.

2.1.6 It will be the responsibility of managers to take any necessary action, in light of this procedure and on the basis of common sense and reasonableness.

2.1.7 Broadly speaking, there will be two scenarios where this issue is likely to need particular consideration, i.e.,

- At the time of recruitment/appointment, and
- Where a relationship develops between two people whom currently work together.

## **2.2 At the Time of Recruitment/Appointment**

2.2.1 All candidates for appointment are required to disclose on the Council's application form, any relationship to a member of the council or officer within the authority.

2.2.2 Senior Officers (i.e. those graded H9 & above) are required to disclose to the Director/Head of Service of their department, any relationship known by the officer to exist between themselves and any candidate for appointment to the Council. (Code of Conduct for Employees Section 3.8.2.

2.2.3 Any employee should not be involved, at any stage, in an appointment where they are related to an applicant or have a personal relationship outside work with him/her (Code of Conduct, section 3.8.1)

2.2.4 It is the responsibility of the manager concerned to require agency workers, consultants & contractors to declare, before they begin their assignment within the council, whether they are related to, or are a partner or close friend of any existing employee or council members.

2.2.5 There must not be a line management relationship between relatives, partners or close friends. If, in exceptional circumstances, a decision is made to go ahead with such a working arrangement, departments will need to be able to demonstrate, by way of documentation, that they have made an assessment of the risks involved if the appointment is made. This assessment must include: -

- The type of personal relationship
- The working relationship

- The level and function of the posts
- The function of the section
- The size of the work group
- Perception of others- colleagues/clients/public

2.2.6 The relevant Director/Head of Service in consultation with the Divisional Director of HRD & Shared Services must endorse the decision made.

### **2.3 Where a Relationship develops Within the Working Environment**

2.3.1 The council realises that it is neither desirable nor possible to legislate against relationships developing within the working environment. This would also include relationships that develop between employees with business partners, suppliers and potential suppliers.

2.3.2 Where this happens, departments do, however, need to realistically consider the implications and any action that may need to be taken.

2.3.4 Depending upon the circumstances, this may involve the Director/Head of Service considering one or more of the following that are not listed in order of importance

- Re-arranging the work
- Re-arranging the reporting relationship
- Moving one of the partners to another office or establishment
- Voluntary redeployment to another department

2.3.5 Any proposed changes must be based on an objective view of the impact of the relationship on the working arrangements. The assessment should consider the factors contained within paragraph above.

2.3.6 In all cases it is necessary for the Director/Head of Service or his or her nominee to consult fully with the parties involved and seek to reach agreement. The affected individuals will have the right to be represented by their trade union or workplace colleague. Care must be taken to ensure that any change made is not contrary to the provisions of the employee's contract of employment.

### **3. AUTHORISATION/DOCUMENTATION/PROCESSES**

3.1 Both at the time of recruitment/appointment and subsequently, the line manager would normally authorise documentation related to salary, expenses, promotion arrangements, etc. However, in the exceptional circumstances of a line management relationship existing with a relative, partner or close friend, alternative arrangements must be made, for example a different and unassociated line manager should deal with such matters.

3.2 In any event, the following rules must always apply:

- It is not permissible for the relative, partner or close friend of an employee to be involved in drawing up any contractual documentation concerning the employment contract and other forms of contract such as the appointment of contractors.
- Employees should not be involved in decisions relating to discipline, complaints through Dignity at Work procedure, promotion, appraisal, financial claim (e.g. travel, subsistence and over time) or pay adjustments for any employee who is a relative, partner or close friend.
- Employees should not allow the impression to be created that an employment decision may have been taken for an improper reason. It is not sufficient that the employment decision was properly taken; the possible appearance of bias must be avoided (see para. 3.9 of Code of Conduct).

#### **4. GENERAL**

Attention is drawn to Council's Code of Conduct for Employees which points out that an employee has an obligation to declare any private interest where there is a possibility that it could conflict with their duty as an employee of the Council. Such interests should be declared by the employee to their Director/Head of Service. It also gives guidance on the rules and expectations which apply in relation to these matters.