




SCHOLARS ACADEMY TRUST

**CLOSE RELATIONSHIPS AT WORK
AND CONFLICTS OF INTEREST POLICY**

(This policy must be read in conjunction with the conflict of interest and related parties)

June 2020
Review June 2023

Signed..... 
Date..... 3/7/20

INTRODUCTION

The Scholars Trust is committed to promoting and maintaining high standards of conduct and integrity amongst all staff. As part of this it is necessary to distinguish between personal relationships and professional ones, and to have arrangements in place that safeguard all parties in circumstances where these have the potential to overlap. It is good practice to manage close working relationships and potential conflicts of interest so that they can be mitigated and / managed.

The Trustees will delegate authority to the Executive Headteacher to take action under the procedure outlined below and will monitor the use of this procedure for effectiveness and fairness.

THE POLICY

An employee must declare to the Scholars Trust any close personal relationship that could involve a potential conflict of interest for the employee or otherwise conflict with the employee's responsibilities at work. In the area of close personal relationships at work, we aim not to interfere in employees' private lives, but take legitimate action when such relationships have an actual or potential impact on the Scholars Trust. Issues involving such relationships will be dealt with promptly, effectively, fairly and lawfully, maintaining confidentiality where possible.

The Scholars Trust will act upon such a declaration to ensure that any potential conflict of interest is avoided and/or to ensure that the employee is not compromised in their work with the Scholars Trust.

The Close Personal Relationships at Work Policy applies to all employees, Governors and Trustees at the Scholars Trust.

An employee who does not declare a close personal relationship at work in accordance with the requirements of the policy may be subject to appropriate action in accordance with the Scholars Trust's Discipline Policy for Staff.

OPERATION OF THE POLICY

For the purposes of this policy, a "close personal relationship" includes spouse/partner, parent, child and sibling, although this list is not exhaustive. It can be with an existing or prospective employee; a contractor; a Governor or Trustee (if the employee works at the Scholars Trust); or a child/young person whom an employee meets as a result of their employment. Examples of close personal relationships that could involve a potential conflict of interest for an employee or otherwise conflict with the employee's responsibilities at work include but are not limited to:

- Family relationships.
- Sexual or other intimate relationships.
- Business, financial and commercial relationships.

The circumstances in which personal relationships at work must be declared, include, but are not limited to:

- any close personal relationship between an interview panel member and an applicant for employment with the Scholars Trust;
- any close personal relationship between Senior Leaders or a Senior Leader and an employee responsible to that Senior Leader or to a Senior Leader on the same management line;
- any close personal relationship between a Trustee and an employee of the Scholars

Trust;

- any close personal relationship between an employee and an existing or potential (i.e. through the operation of the Scholars Trust tendering processes) supplier of goods or services to the Trust;
- any other circumstances which may cause a conflict of interest as a result of the relationship.

The Scholars Trust regards as wholly unacceptable any close personal relationship between an employee and a child/young person who is under the age of 18 whom they meet as a result of their employment. If this type of relationship exists/develops, it represents an abuse of the employee's position of trust, a breach of the standards of propriety expected in the post and a compromise of professional standards. The Executive Headteacher must invoke the Scholars Trust's safeguarding procedure immediately, before taking action under the disciplinary procedure for alleged gross misconduct.

The Trustees will delegate authority to the Executive Headteacher to take action under the procedure outlined below, and will monitor the use of this procedure for effectiveness and fairness.

If the close personal relationship involves a child/young person whom the employee met as a result of their employment, the Scholars Trust's separate safeguarding procedure must be invoked immediately.

In addition to the particular cases set out above, it is the responsibility of the employee to assess any other circumstances in which there could be a requirement in accordance with this policy to declare a personal relationship at work.

If an employee is in any doubt about the circumstances when a close personal relationship should be disclosed, they must seek guidance from a Head teacher or the Educative Headteacher. The expectation is that if an employee is in doubt about the requirement to declare a close personal relationship at work, the employee should declare the relationship in accordance with this policy.

An employee who needs to declare a personal relationship at work should set out the relevant circumstances in writing to the Executive Headteacher. In respect of the Executive Headteacher, the declaration should be provided to the Chair of Trustees (see appendix 1).

Upon receipt of a declaration, the Executive Headteacher (Chair of Trustees or other Head teacher as appropriate) will make note of the relationship and agree the actions that are necessary to avoid any potential conflict of interest and/or to ensure that the employee is not compromised in their work with the Scholars Trust. If it is considered unavoidable to inform other members of staff about the relationship in order to explain a change in management arrangements, this will be discussed with the individuals concerned, before it is disclosed.

If the circumstances of the personal relationship change, the employee must so advise the Executive Headteacher, or Head teacher as appropriate.

PROCEDURE

This policy is informal. If the situation cannot be resolved on an informal and voluntary basis by using this procedure, it will be necessary to invoke the Discipline Policy for Staff. This could result in an employee being required to accept redeployment. However, if no suitable alternative post can be found and no other suitable alternative courses of action can be identified; or the employee(s) refuse(s) to accept redeployment, it may ultimately be

necessary to dismiss the employee(s). Every opportunity would be taken to resolve the matter without recourse to dismissal.

Head teachers considering redeployment and/or disciplinary action are advised to seek advice from the Scholars Trust's HR provider.

If an employee feels they are being victimised and/or unfairly treated they have recourse to the Scholars Trust's Grievance Policy (unless disciplinary proceedings have begun, as the Disciplinary Policy for Staff includes the right of appeal).

GUIDANCE NOTES

Close personal relationships between employees where there is no line management relationship.

This type of close personal relationship at work does not of 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.

Exceptionally, a close personal relationship, particularly between two employees working in the same team, may begin to have an adverse effect on their own and/or their colleagues' work. The following list is not exhaustive but includes some examples of this:

- neglecting work;
- communicating confidential or intimate 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.

It is any negative impact on work that would cause the Discipline Policy for Staff to be implemented, not the relationship itself.

Close personal relationships between an employee and a contractor.

As above, this type of relationship does not necessarily create a difficulty in itself. However, a close personal relationship between an employee and a contractor can create the potential for conflict of interests, and particular concern about divulging confidential and/or commercial information. A close personal relationship between an employee and a contractor is not acceptable if it involves:

- an abuse of the employee's position of trust;
- a breach of the standards of propriety expected in the post;
- a compromise of professional standards;
- a conflict of interests.

Any close relationship between a member of staff/Governor/Trustee and a supplier or contractor should be declared on the Declaration of Business Interests form available from the school offices.

Close personal relationships between employees with a line management relationship, or between an employee and a Governor/Trustee, or between Governors/Trustees.

New appointments.

There is an existing requirement for applicants for any post to declare any relationship with any Scholars Trust employee or Governor/Trustee. Where an employee or a Governor/Trustee involved in short-listing for a post identifies that they have or could be perceived as having a close personal relationship with an applicant then they should take no further part in the recruitment process and should inform their Head teacher/Executive Headteacher /Chair of Trustees of the situation.

There is no general bar on the appointment of anyone to a post where they would manage, or be managed by, someone with whom they have a close personal relationship. It is important to ensure that any approach or actions are not unfair or discriminatory and that all the issues that may arise are explored widely so that they can be managed effectively. Wherever

possible, alternative management arrangements will be put in place to address potential problems and to ensure that there is no conflict of interests. Only if the Executive Headteacher considers it is not practicable to make all necessary alternative management arrangements will such an appointment not be allowed. It is important that the rationale for such a decision is clear and in writing in case a challenge is made to that decision.

If the appointment is made, all alternative management arrangements should be documented.

Relationships which develop during the course of employment

Any relationship which develops during the course of employment between an employee and his/her line manager, or a Senior Teacher higher up the same management line, or a Head teacher or a Governor or Trustee, must be declared by both parties, in writing, to the Executive Headteacher and details recorded on their personal files. Failure to do so will result in disciplinary action.

Where such a relationship develops between a direct line Senior Teacher/ Head teacher and a team member, the Head teacher or Executive Headteacher, in discussion with both employees:

- make alternative supervision/line management arrangements for issues involving a potential conflict of interest. These include matters related to pay, promotion, job opportunity, discipline and grievance. They also include more specific operational issues in relation to finance and procurement roles and responsibilities which are governed by financial regulations, procedures or procurement rules;
- communicate any agreed adjustment to other colleagues in the team to manage any concerns

Governor/Trustees

Any Governor or Trustee who has, or develops, a close personal relationship with an employee of the Scholars Trust will not be eligible to be a member of the Resources/Personnel Committee in order to avoid potential conflicts of interest which could cause significant problems with employee management (e.g. salary issues, appraisal, grievance, disciplinary etc.).

If two Governors/Trustees on the Trust Board / Local Governing Body have a close personal relationship, they will not be eligible to serve on the same committee(s).

It is important to ensure that any approach or actions are not unfair or discriminatory.

Close personal relationships between an employee and their child/grandchild.

This type of close relationship at work does not of itself constitute a difficulty. However, employees are expected to conduct themselves in a professional, sensitive and confidential manner. Exceptionally, a close personal relationship between an employee and their child/grandchild may begin to have an adverse effect on their own work and/or that of others working in the school. The following is not exhaustive but includes some examples of this:

- communicating confidential information;
- behaving in a way that may cause difficulty or embarrassment to others;
- a breach of the employee's position of trust;
- a compromise of professional standards;
- a conflict of interests.

If there is any negative impact on work or breach in confidentiality that would cause the Discipline Policy for Staff to be implemented, not the relationship itself.

**CLOSE RELATIONSHIPS AT WORK
AND CONFLICTS OF INTEREST**

Name:

Close personal relationship with:

Nature of relationship:

Potential conflict of interest:

Mitigation:

Agreed actions:

Signed:

Date:

Signed:

Date: