
Relationships at work Policy

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Purpose of Agreement	This policy provides managers and employees with guidance on the process to follow when managing close personal relationships at work.
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Review Log

Include details of when the document was last reviewed.

Version Number	Review Date	Lead Name	Ratification Process	Reason for amendments
1	17/09/19	H West	Joint Consultation Committee, Policy Steering Group, Clinical Executive Group	New policy

SUMMARY OF POLICY

The Relationships at work 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**.

It is recognised that employees may sometimes be in close personal relationships with:

- other employees (including prospective employees)
- suppliers, customers and service users

The policy provides guidance on how to manage situations such as these, balancing people's right to privacy and a personal life with the need to protect the interests of the organisation, its service users and other employees.

The policy recognises that, whilst on many occasions employees can work together with individuals' they have close personal relationships with, without problems arising, in certain circumstances consideration will need to be given to the appropriateness of this arrangement. Concerns may arise when:

- the personal relationship has an adverse impact on the workplace
- where there is a line management relationship
- where there is involvement in an HR or recruitment process

In these such circumstances, this policy provides guidance on steps to be taken to address concerns, specifically:

- Section 5.2 provides guidance on **relationships between employees where there is no line management relationship**. This type of relationship at work does not of itself constitute a difficulty, however difficulties may arise where the relationship is having a negative impact on work.
- Section 5.3 provides guidance on **relationships between employees with a line management relationship**. The Trust does not find relationships at work acceptable where there is a management relationship, due to potential conflict of interest.
- Section 5.4 provides guidance on **Personal Relationships with Contractors**. Any such relationships should be declared to the Head of Procurement and a formal written declaration should be made to the Corporate Affairs team in line with the Managing Conflicts of Interest Policy.
- Section 5.5 provides guidance on **Personal Relationships with Service Users**. Employees must not engage in personal relationships with patients/ service users whom they meet as a result of their employment. In cases where a close friend, partner/spouse or relative is, or becomes, a service user/patient, it is the responsibility of the employee to inform their Line Manager that such a relationship exists.
- Section 6 outlines **how to manage situations when a personal relationship adversely affects the workplace**. Initially this situation should be addressed and resolved informally. Formal action up to dismissal would always be a last resort. Where further action is necessary, options may include:
 - re-arrangement of the work or working patterns
 - changing the reporting line
 - re-deployment of one or both employees
 - mediation

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RELATIONSHIPS AT WORK POLICY

1. INTRODUCTION, AIM AND PURPOSE OF POLICY

- 1.1 The aim of this policy is to provide guidance on the professional and personal boundaries employees within the Trust are expected to adhere to.
- 1.2 The Trust wishes to ensure that our people behave in an appropriate, professional and responsible manner at work and they fulfil their job duties diligently and effectively. Close personal relationships at work have the potential to jeopardise this. This policy provides advice and guidance to managers when dealing with such situations. The policy seeks to strike a balance between an employees' right to a private life and the Trust's right to protect its interests.
- 1.3 It is recognised that situations will arise where related persons or individuals with a close personal relationship are employed within the Trust. Employees may sometimes be in personal relationships with other employees (including prospective employees), customers, suppliers and service users. Such relationships can give rise to challenges about professionalism, integrity and to suggestions of favouritism.
- 1.4 It is not suggested that individual employees would allow themselves to be influenced by personal relationships, however, it is sound operational policy to avoid circumstances in which such practice might be alleged or inferred.
- 1.5 Whilst the Trust respects the right of employees to privacy and a personal life and will not interfere unduly in an employee's private life, the Trust has a legitimate right to protect the interest of the organisation, service users and our people and to take action when close personal relationships either have the potential to, or do, impact upon the Trust's services.
- 1.6 This policy outlines the principles and processes in place to ensure that where close personal relationships exist there is no possibility of a lack of professionalism, probity or favouritism within the working environment and that all actions are open and transparent.

2. SCOPE

- 2.1 This policy applies to bank, locum, permanent and fixed term contract employees (including apprentices) who hold a contract of employment or engagement with the Trust, and secondees (including students), volunteers (including Associate Hospital Managers), Non-Executive Directors and those undertaking research working within Solent NHS Trust, in line with Solent NHS Trust's Equality, Diversity and Human Rights Policy. It also applies to external contractors, Agency workers, and other workers who are assigned to Solent NHS Trust.
- 2.2 Solent NHS Trust is committed to the principles of Equality and Diversity and will strive to eliminate unlawful discrimination in all its forms.
- 2.3 The policy is concerned with relationships between colleagues. Relationships with patients / service users must not be entered into and would constitute a breach of professional boundaries. Such matters would therefore be dealt with using professional body guidance and the Trust's disciplinary process. This policy does, however, give guidance on situations where pre-existing relations (as defined in section 3) become patients/users of Trust services, thereby leading to potential conflicts of interests.

3. DEFINITIONS

- 3.1 Close personal relationships for the purpose of this policy refers to people who are close friends or relatives or individuals who are in a romantic or intimate relationship. Close friends refers to colleagues who know each other personally and meet socially. Relatives for the purposes of this policy refers to people who are related by blood, marriage or civil partnership, or who co-habit, or dependents of such people.

4. ROLES & RESPONSIBILITIES

4.1 Employees

4.1.1 The Employee is responsible for:

- Ensuring that any close personal relationships at work do not interfere with their duties and responsibilities
- Declaring the existence of close personal relationships, or when they develop, to the relevant manager as required under this policy
- Taking active steps that are reasonable and practical to ensure any close personal relationships at work does not interfere with or prejudice their employment thereby impairing their judgement
- Remaining professional in the workplace and ensuring that any close personal relationships do not have a negative impact on their colleagues
- Ensuring they comply with all Trust policies and procedures including the Managing Conflicts of Interest Policy

4.2 Managers

4.2.1 The Manager is responsible for:

- Dealing promptly and sensitively with issues involving close personal relationships at work
- Managing matters involving close personal relationships at work in a consistent, fair and reasonable manner
- Declaring any relationships formed with a direct report employee
- Ensuring employees are aware of and understand the Policy
- Ensuring employees and patients are treated fairly and equitably
- Ensuring that Trust policies and procedures are complied with
- Maintaining confidentiality during and after the application of this policy

4.3 HR Consultancy

4.3.1 HR Consultancy are responsible for:

- Providing appropriate advice and support to managers in the application of this policy
- Ensuring the policy is followed in a fair and equitable manner

- 4.4 All employees and managers are responsible for excusing themselves from interviewing, treating, providing any sort of healthcare service, management act or HR process for an individual they have a close personal relationship with, even if the individual is agreeable.

5. PERSONAL RELATIONSHIPS AT WORK

5.1 Personal Relationships with colleagues

- 5.1.0 It is recognised that it is likely that some employees will be related to one another or develop close personal relationships, and, if they are in a close working relationship, the potential for conflict between personal/family loyalty and work responsibilities may arise.
- 5.1.1 Line managers should not seek to prevent or deter all personal relationships at work. Where two employees do not work together on a regular basis, for example where their jobs are in different parts of the organisation there should be no barrier to their having a close personal relationship. Similarly, where two employees work together in the same department or service line, it does not follow that problems will inevitably arise and the line manager should not seek to interfere, except in circumstances where one of the two employees concerned has some sort of authority or influence over the other.
- 5.1.2 Whilst it is not the Trust's intention to interfere or infringe upon the private lives of employees, it is expected that individuals will conduct themselves in a manner which does not bring the Trust and its work into disrepute.
- 5.1.3 This Policy sets out some standards of conduct to assist and protect employees whilst at work and these are set out below:
- If you have a close personal relationship with a colleague who you manage or work closely with, you must inform your Line Manager immediately. This is for your own protection to prevent any unfounded allegations of favouritism, as well as to protect you from less favourable treatment. Where it is identified that the relationship has or could have an adverse effect on the work of one or both colleagues, a discussion should take place to attempt to work through an amicable, agreeable solution. This may include, for example, being relocated to a different area, unit or team in full discussion with you.
 - If you have a close personal relationship with a colleague, you must not display any obvious signs of affection in the presence of third parties. This is to prevent any apparent embarrassment to your colleagues and also to maintain a professional image with patients and employees with whom you have contact
 - Where close personal friendships exist with colleagues, you must ensure that this does not result in feelings of exclusion or create conflict within the team.
 - If your relationship or friendship breaks down, you should ensure that no acts that could be interpreted as arguments or disagreements occur at work. You may wish to discuss the situation with your Line Manager.
 - You should ensure that your relationship does not bring the reputation of the Trust into disrepute. An example of a breach of this would be if you deliberately damaged a former partner's property, even outside of working hours

5.2 Relationships between employees where there is no line management relationship

5.2.1 This type of 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. Employees are encouraged to bring to the attention of their Manager any difficulties they are experiencing which may not be apparent.

5.2.2 A relationship, particularly between two employees working in the same team, may begin to have an adverse effect on the care they provide, their own and / or their colleagues' work.

5.2.3 The following list is not exhaustive but 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

5.2.4 It is emphasised that this policy may be implemented where a relationship may be having a negative impact on work and not simply because of the relationship itself.

5.3 Relationships between employees with a line management relationship

5.3.1 The Trust does not find the following relationships acceptable where:

- There is a direct line management/supervisory relationship between the two individuals
- The Line Manager does not manage the employee directly but is the Manager's Manager

5.3.2 This is because of the potential conflict of interests, which could cause significant problems with employee management (e.g. appraisal, complaints, discipline, etc.) by creating the potential for claims of favouritism or unequal treatment.

5.3.3 Where there is a management relationship appropriate actions include allocating management responsibilities such as appraisals, signing of timesheets or expenses claim forms, annual leave, salary related documentation and any formal meetings etc., to another Manager.

5.3.4 It is Trust policy not to employ partners, relatives or close friends where there is a line management relationship between them relating to discipline, promotion or pay adjustments and/or where they will be employed together in the area of contracts or finance. This will ensure that our service users and employees feel confident that decisions made within the Trust are fair and equitable and based on the reasonable application of professional judgement.

5.3.5 If a close personal relationship develops where there is also a line management relationship, a more senior manager must investigate the situation and discuss the issues with both employees concerned. Where there is reason to believe that the working relationship will cause, or has the potential to cause, a conflict of interest, consideration must be given to whether the next line manager can take on the line management element of the role or be involved in decision making concerning the employee.

5.3.6 Where there is no alternative way of working, the manager must look for an alternative post for one of the employees involved (see section 6 for guidance).

5.4 Personal Relationships with Contractors

5.4.1 As required by the GO10 Managing Conflicts of Interest Policy, if an employee is asked to participate in the tendering process, for example, by providing expert advice, they should declare any such relationships to the Head of Procurement and may be asked to remove themselves from the process. 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
- If a contract is subsequently awarded to a relative or other person who is considered to be in a close relationship in line with the Managing Conflicts of Interest Policy, a formal declaration must be completed annually and submitted to the Corporate Affairs team.

5.5 Personal Relationships with Service Users

5.5.1 Employees must not engage in personal relationships with patients/ service users whom they meet as a result of their employment. If this type of relationship exists or develops the situation can be regarded as:

- An abuse of the employees' position of trust
- A breach of the standards of propriety expected in the post
- A compromise of professional standards/Code of Conduct and, as such must be reported to the Associate Nurse Director and Operations Director/Associate Director of the relevant Service line for a recommendation on further action; advice from the Safeguarding Team may be needed if safeguarding procedures are compromised

5.5.2 In cases where a close friend, partner/spouse or relative is, or becomes, a service user/patient, it is the responsibility of the employee to inform their Line Manager that such a relationship exists. The Line Manager will discuss the situation with the employee and agree an appropriate course of action. It may be appropriate for the service user/patient to be treated by another clinician or team, or, in the case of an inpatient admission, for the employee to be moved to another area for the duration of the service users/patient's treatment. Employees must also not access service user records as this will be considered a breach of Trust Policy.

5.5.3 Where personal or business relationships precede the professional relationship, or where dual relationships exist e.g. where within a small community an employee may already be a personal friend of a service user, 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 their Line Manager and supervision should be used to regularly discuss and explore any potential boundary conflicts.

5.6 Job Evaluation/Promotion/Pay

5.6.1 Employees must not be involved in the authorisation or job evaluation (matching) 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 (matching) process. They must not be involved in any decisions relating to the promotion, banding arrangements or pay of another employee with whom they have a close personal relationship. Failure to declare an interest may result in action under the Trust's Disciplinary Procedures.

5.7 Resolution/Disciplinary/Grievance Issues

5.7.1 Employees must declare a potential or perceived conflict of interest as soon as they are approached to participate in such proceedings in any capacity (for example as a facilitator, witness, meeting chair). Employees must not be (save potentially as a witness with the caveat of impartiality) involved in any investigation, formal meeting or other decisions involving another employee with whom they have a close personal relationship. Failure to do so may result in action under the Trust's Improving & Managing Conduct Policy and SOP.

5.7.2 In situations when one employee in a relationship is subject to investigation under Trust procedures, consideration should be given to the temporary redeployment of the other employee in the relationship whilst the investigation takes place. This is both to ensure that a thorough and fair investigation is possible and also to protect that employee from false accusations that they might be impeding the investigation.

5.7.3 Where issues arise that involve one employee in a relationship, any discussions will remain confidential to that employee. The other employee in the relationship may attend any meetings to provide support but may not intervene, speak on behalf of or represent the other party.

5.8 Recruitment and Selection

5.8.1 Employees involved in the recruitment to internal and external vacancies must ensure that the decision to appoint is based on merit (see the Recruitment and Selection Policy for further guidance). An appointment that is based on anything other than the ability of the candidate to do the job may leave the Trust vulnerable to allegations of discrimination.

5.8.2 It is the Trusts normal policy to not employ partners, relatives or close friends in the same team, particularly where there is a line management relationship. As such, we are extremely unlikely to knowingly employ a close friend or relative into the same team or management line and such applications should be sensitively and respectfully discouraged.

5.8.3 Job applicants – including internal applicants – are required to declare any relationships with existing Trust employees on their Job Application Form

5.8.4 Senior employees must be conscious that when encouraging or promoting the employment of a close friend or relative, this can create an automatic conflict of interest for the recruiting

manager who may feel unable to fairly assess, appoint or supervise an individual without perceived fear of reprisal.

- 5.8.5 Any employee with a close personal relationship with an applicant must not be involved at any stage of the recruitment and selection process.
- 5.8.6 If an employee is involved in a recruitment and selection process and realises that there is an application from someone with whom they have a relationship as defined in Section 3 they must declare an interest to their Line Manager and withdraw from the process. Failure to declare any interests may result in disciplinary action.
- 5.8.7 It is not permissible for a relative, partner or individual in a close relationship to be involved in drawing up any documentation concerning the employment contract.
- 5.8.8 Similarly an employee who has a relationship with another should not act as a referee for that person for both internal and external positions.
- 5.8.9 It is the responsibility of the manager concerned to require agency workers and contractors to declare whether they are related to, or a partner of, any existing employee, before they commence their assignment within the Trust.

6. MANAGING SITUATIONS WHEN A PERSONAL RELATIONSHIP ADVERSLY AFFECTS THE WORKPLACE

- 6.1 In most cases where a personal relationship causes issues in the workplace these should initially be able to be addressed and resolved informally. Issues arising should be dealt with promptly and sensitively by the relevant Manager 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.
- 6.2 Where a close personal relationship has been identified through, for example, the resolution framework, a complaint or formal investigation, as adversely affecting the workplace due to a line management relationship, then options for resolution may include the re-arranging of work, the reporting line and/or re-deployment of one or both employees depending on the extent to which the functioning of the team has been affected. In these circumstances excess mileage will not be paid on redeployment.
- 6.3 Both employees will be consulted to identify who should be re-deployed if only one party is to be moved in the majority of cases their wishes will be honoured but consideration will be given to the knowledge, skills and experience of both employees, also the impact upon their careers and therefore the relative ease with which each might be redeployed.
- 6.4 If agreement cannot be reached between both employees as to which should be redeployed, for example, where a relationship has broken down then the Trust will make that decision based on the best interests of the service, patient care and relative impact upon each employee. Each case must be decided on its merits to ensure that the decision made is on objective and reasonable grounds and not unfairly discriminatory.
- 6.5 Where investigation has clearly identified a particular loss of trust from the team in one employee then the Trust will act in accordance with that finding and redeploy that employee in the interests of the team.
- 6.6 Consideration should also be given to the use of mediation if appropriate to the circumstances. Advice can be sought through HR Consultancy.

- 6.7 Any proposed changes must be based on an objective view of the impact of the relationship on the working arrangements and, in all cases, it is necessary to fully engage with the parties involved to seek to reach an agreement.
- 6.8 If it is not possible to effect a transfer - for example, if no suitable vacancies exist, or if the employee refuses to transfer - the Trust may elect to dismiss either one or both employees, with notice in accordance with their contracts of employment. Dismissal should, however, be undertaken only as a last resort in circumstances where no other course of action is reasonably open to the organisation and where it is felt that the situation justifies such action. It is anticipated that such situations would occur very infrequently.
- 6.9 The same principles apply to any employee who becomes involved in a close personal relationship with a client, customer, contractor or supplier. Where a close personal relationship develops with a patient, please refer to the Safeguarding Adults Management of Allegations (SAMA).
- 6.10 For matters relating to Medical and Dental employees, where any formal action is required to address concerns arising from a relationship at work, the Maintaining High Standards of Performance Policy should be referred to alongside this policy, and advice sought from HR if required.
- 6.11 In cases where concerns regarding a personal relationship at work cannot be resolved informally, advice should be taken from HR Consultancy.

7. RAISING CONCERNS

- 7.1 Any employee 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 with their Line Manager or more Senior Manager if they prefer, where an employee is not comfortable with either of these options they may consider raising their concerns under the Trust's Freedom to Speak Up Policy, via HR Consultancy or to their union representative. This also applies to employees in a close personal relationship who feel they are being disadvantaged because of the relationship.

8. CONFIDENTIALITY

- 8.1 Wherever possible confidentiality regarding the existence of a close personal relationship will not be disclosed. However, should this prove necessary then no disclosure will be made without consultation with the Line Manager and employees concerned. If alternate working practices or patterns are necessary, then it may be necessary to inform other members of the team regarding these arrangements and the reasons for them.

9. BREACHES OF POLICY

- 9.1 Alleged breaches of this Policy will be investigated under the relevant Trust Policy.
- 9.2 Any failure to disclose a relationship which leads to a potential or actual loss to the Trust may be referred to the Trusts Counter Fraud Specialist for consideration of further action in line with the Fraud Act 2006.
- 9.3 Employees have the right to appeal against any action taken under this Policy using the Trust's Appeals Standard Operating Procedure.

10. TRAINING

- 10.1 Policy awareness is the responsibility of the Service Line; it should be raised through local induction and identified as a training need where appropriate. All employees should be aware that the policy is available via the intranet and via their Line Manager.

11. EQUALITY AND DIVERSITY AND MENTAL CAPACITY ACT

- 11.1 An impact Needs/Requirements Assessment has been completed for this policy and no equality or diversity issues were identified, see appendix 1.

Solent NHS Trust is committed to safeguarding employees against discrimination in the workplace. Reasonable adjustments will be made to ensure employees with a disability, as defined by the Equality Act 2010, are not placed at a disadvantage throughout the investigation process.

12. SUCCESS CRITERIA / MONITORING EFFECTIVENESS

- 12.1 Solent NHS Trust strives to be a learning organisation and carry out regular, anonymised case reviews to continually improve.

Any learning points and trends will be identified by HR Consultancy who will make recommendations to the Chief People Officer about potential changes.

13. REVIEW OF POLICY

- 13.1 This document may be reviewed at any time at the request of either staff side or management but will automatically be reviewed 3 years from initial approval and thereafter on a triennial basis unless organisational changes, legislation, guidance or non-compliance prompt an earlier review.

14. LINKS TO OTHER POLICIES

- 14.1 This policy should be read in conjunction with the following policies and Standard Operating Procedures (SOP's):

- Managing Conflicts of Interest Policy
- Investigation SOP
- Serious Incidents Requiring Investigation (SI) Policy
- Improving and Managing Conduct Policy
- Anti-Fraud, Bribery and Corruption Policy
- Equality, Diversity and Human Rights Policy
- Resolution (Grievance) Policy
- Managing Concerns and Complaints Procedure
- Freedom to Speak Up: Raising Concerns Policy
- Performance Management Policy
- Managing Performance of Medical and Dental Staff
- Managing Attendance and Wellbeing Policy
- Safeguarding Children, Young People and Adults Policy
- Claims Management Policy
- Social Media Policy
- Equality, Diversity and Inclusion Policy

Appendix 1

Equality Analysis and Equality Impact Assessment

Equality Analysis is a way of considering the potential impact on different groups protected from discrimination by the Equality Act 2010. It is a legal requirement that places a duty on public sector organisations (The Public Sector Equality Duty) to integrate consideration of Equality, Diversity and Inclusion into their day-to-day business. The Equality Duty has 3 aims, it requires public bodies to have due regard to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and other conduct prohibited by the Equality Act of 2010;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not;
- **foster good relations** between people who share a protected characteristic and people who do not.

Equality Impact Assessment (EIA) is a tool for examining the main functions and policies of an organisation to see whether they have the potential to affect people differently. Their purpose is to identify and address existing or potential inequalities, resulting from policy and practice development. Ideally, EIAs should cover all the strands of diversity and Inclusion. It will help us better understand its functions and the way decisions are made by:

- **considering the current situation**
- **deciding the aims and intended outcomes of a function or policy**
- **considering what evidence there is to support the decision and identifying any gaps**
- **ensuring it is an informed decision**

Equality Impact Assessment (EIA)

Step 1: Scoping and Identifying the Aims	
Service Line / Department	People Services/HR Consultancy
Title of Change:	Relationships at Work Policy
What are you completing this EIA for? (Please select):	Policy <i>(If other please specify here)</i>
What are the main aims / objectives of the changes	Creation of a policy to provide guidance around the management of personal relationships at work.

Step 2: Assessing the Impact

Please use the drop-down feature to detail any positive or negative impacts of this document /policy on patients in the drop-down box below. If there is no impact, please select "not applicable":

Protected Characteristic	Positive Impact(s)	Negative Impact(s)	Not applicable	Action to address negative impact: <i>(e.g. adjustment to the policy)</i>
Sex			X	
Gender reassignment			X	
Disability			X	
Age			X	
Sexual Orientation			X	
Pregnancy and maternity			X	
Marriage and civil partnership			X	
Religion or belief			X	
Race			X	

If you answer yes to any of the following, you MUST complete the evidence column explaining what information you have considered which has led you to reach this decision.

Assessment Questions	Yes / No	Please document evidence / any mitigations
In consideration of your document development, did you consult with others, for example, external organisations, service users, carers or other voluntary sector groups?)	Yes	Unions via Staffside, D&I and POD leads
Have you taken into consideration any regulations, professional standards?	No	

Step 3: Review, Risk and Action Plans

How would you rate the overall level of impact / risk to the organisation if no action taken?	Low	Medium	High
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
What action needs to be taken to reduce or eliminate the negative impact?	Fair and consistent application of policy		
Who will be responsible for monitoring and regular review of the document / policy?	HR Consultancy		

Step 4: Authorisation and sign off

I am satisfied that all available evidence has been accurately assessed for any potential impact on patients and groups with protected characteristics in the scope of this project / change / policy / procedure / practice / activity. Mitigation, where appropriate has been identified and dealt with accordingly.

Equality Assessor: H. West **Date:** 09/10/2020

Additional guidance

Protected characteristic	Who to Consider	Example issues to consider	Further guidance
1. Disability	A person has a disability if they have a physical or mental impairment which has a substantial and long term effect on that person's ability to carry out normal day today activities. Includes mobility, sight, speech and language, mental health, HIV, multiple sclerosis, cancer	<ul style="list-style-type: none"> • Accessibility • Communication formats (visual & auditory) • Reasonable adjustments. • Vulnerable to harassment and hate crime. 	Further guidance can be sought from: Solent Disability Resource Group
2. Sex	A man or woman	<ul style="list-style-type: none"> • Caring responsibilities • Domestic Violence • Equal pay • Under (over) representation 	Further guidance can be sought from: Solent HR Team
3 Race	Refers to an individual or group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.	<ul style="list-style-type: none"> • Communication • Language • Cultural traditions • Customs • Harassment and hate crime • "Romany Gypsies and Irish Travellers", are protected from discrimination under the 'Race' protected characteristic 	Further guidance can be sought from: BAME Resource Group
4 Age	Refers to a person belonging to a particular age range of ages (eg, 18-30 year olds) Equality Act legislation defines age as 18 years and above	<ul style="list-style-type: none"> • Assumptions based on the age range • Capabilities & experience • Access to services technology skills/knowledge 	Further guidance can be sought from: Solent HR Team
5 Gender Reassignment	" The expression of gender characteristics that are not stereotypically associated with ones sex at birth" World Professional Association Transgender Health 2011	<ul style="list-style-type: none"> • Tran's people should be accommodated according to their presentation, the way they dress, the name or pronouns that they currently use. 	Further guidance can be sought from: Solent LGBT+ Resource Group
6 Sexual Orientation	Whether a person's attraction is towards their own sex, the opposite sex or both sexes.	<ul style="list-style-type: none"> • Lifestyle • Family • Partners • Vulnerable to harassment and hate crime 	Further guidance can be sought from: Solent LGBT+ Resource Group
7 Religion and/or belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs, including lack of belief (e.g Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition. (Excludes political beliefs)	<ul style="list-style-type: none"> • Disrespect and lack of awareness • Religious significance dates/events • Space for worship or reflection 	Further guidance can be sought from: Solent Multi-Faith Resource Group Solent Chaplain
8 Marriage	Marriage has the same effect in relation to same sex couples as it has in relation to opposite sex couples under English law.	<ul style="list-style-type: none"> • Pensions • Childcare • Flexible working • Adoption leave 	Further guidance can be sought from: Solent HR Team
9 Pregnancy and Maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In non-work context, protection against maternity discrimination is for 26 weeks after giving birth.	<ul style="list-style-type: none"> • Employment rights during pregnancy and post pregnancy • Treating a woman unfavourably because she is breastfeeding • Childcare responsibilities • Flexibility 	Further guidance can be sought from: Solent HR team