

Date of Policy Review:	Reviewer:	Date Ratified by Governors:	Date Shared with Staff:	Date of Next Review:
April 2018	Mrs D. Byron	April 2018	May 2018	April 2019

**Article 3:** The best interest of the child must be a top priority in all actions concerning children.

**Article 19:** Children have the right to be protected from being hurt or mistreated, in body or mind

**Article 28:** Children have a right to a good quality education

### Rights Respecting Schools

As a Rights-Respecting School, we use children’s rights to underpin everything we do and learn. Marlborough Primary School has been working closely with [UNICEF](#), and is a 'Rights Respecting' School. The term is bestowed on those schools who, in the eyes of UNICEF, put the '[UN Convention on the Rights of the Child](#)', (UNCRC) at the heart of their planning, policies, practice and ethos.

UNCRC is a list of rights that all children, everywhere in the world, have. The rights are all the things that children and young people need to make sure they are healthy, happy and safe. A rights-respecting school not only teaches about children's rights, but also models rights and respect in all its relationships: between adults and children, between children themselves, and between adults themselves.

### Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy. All data will be handled in accordance with the school’s Data Protection Policy.

Data Audit for this Policy					
What?	Probable Content	Why?	Who?	Where?	When?
Application information	Name, DOB, Address, Gender, Ethnicity, Qualifications, PM Records, Monitoring and Evaluation Records, Personnel Files	To ensure a high standard of education for the children and families of Marlborough Primary School  To ensure a duty of care is maintained at all times	All those accessing the school premises  Accessible by HT, SBM	Personnel files Hard-copy in sealed envelope in HR files.  Electronic record secured with access only available to SBM/HT	Retained for as long as employed within the school, archived thereafter

As such, our assessment is that this policy:

Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level of Data Compliance Requirements
✓		



## **1. EMPLOYMENT OF RELATIVES, PARTNERS AND CLOSE FRIENDS**

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.

1.2 There is no attempt here to define "relatives", "partners" or "close friends" because of the obvious difficulty in doing so.

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.

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

1.5 The Headteacher/Governing Body must consider the implications if relatives / partners or close friends work together and must consider what action to take, if they do.

1.6 It will be the responsibility of the Headteacher/Governing Body to take any necessary action, in light of this procedure and on the basis of common sense and reasonableness.

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.

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

1.8 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.

1.9 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 Policy for School Staff)

1.10 It is the responsibility of the Headteacher to require agency workers, consultants & contractors to declare, before they begin their assignment within the school, whether they are related to, or are a partner or close friend of any existing employee or school staff.

1.11 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, the Headteacher/Governing Body 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 department
- The size of the work group
- Line management responsibilities
- Perception of others- colleagues / parents / pupils

1.12 The Chair of the Governing Body in consultation with the Full Governing Body endorse the decision made.

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

1.13 The school 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.

1.14 Where this happens, the Headteacher, needs to realistically consider the implications and any action that may need to be taken.

1.15 Depending upon the circumstances, this may involve the Headteacher/Governing Body considering one or more of the following that are not listed in order of importance:

- Re-arranging the work
- Re-arranging the reporting relationship

1.16 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.

1.17 In all cases it is necessary for the Headteacher 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.

## **2. AUTHORISATION / DOCUMENTATION / PROCESSES**

2.1 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 un-associated line manager should deal with such matters.

2.2 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, 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 Code of Conduct for school staff Policy).

## **3. GENERAL**

Attention is drawn to school'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 Headteacher/Governing Body. It also gives guidance on the rules and expectations which apply in relation to these matters.