



Office romances: HR guide

Description

Introduction

Office romances can cause quite a few headaches for employers. Intimate relationships often exist in the workplace, which is not really surprising when people spend a long time together. In what circumstances though can employers put an end to the romance?

Office romances and privacy

Although some employers would probably like to put a stop to **office romances**, it could be hard. Relationships between employees are personal and if bosses were to meddle it would usually be inconsistent with the right to privacy.

[The Human Rights Act](#) incorporates various human rights into UK law. One of those rights is the right to respect for private and family life. The right can only be limited in a few special cases such as for national security or preventing disorder or crime.

While the right can only be enforced directly against public institutions, it is applicable to all employers because our Courts have to interpret legislation consistently with the right.



Relationships between managers and subordinates

Personal relationships between managers and subordinates could potentially involve abuse of power and or conflict of interest. There may be favourable treatment, and even if team members are being treated consistently, staff may nevertheless perceive favouritism, with a negative effect on the workplace.

Often employers have a policy that compels employees to disclose a personal relationship where there is a direct or indirect reporting line or where the relationship involves manager/subordinate roles. The policy would normally state that any breach could entitle the employer to take disciplinary action, with dismissal being one possible sanction. A blanket policy, however, banning all personal relationships in the workplace would be likely to breach the right to respect for private and family life.

Where there are issues arising from personal relationships, such as when a personal relationship is disclosed or other staff complain, employers will need to find a solution. One option might be to arrange a different reporting line or different teams. Employers do, however, need to tread carefully to ensure that, for example, no one is being treated less favourably because of a [protected characteristic](#) (including age, sex and race).



Performance

Personal relationships could have a detrimental effect on performance. Performance may decline when the relationship is ensuing as well as if and when the relationship ends. If a relationship, for example,

ends badly there could be repercussions.

Employers are of course able to invoke poor performance procedures where appropriate. It is usually sensible though to have informal discussions with someone whose [performance](#) is sub standard before proceeding with any formal route.

Breaching confidentiality

Another issue is confidentiality.

Employees involved in **office romances** could disclose [confidential information](#), even if unintentionally. Supposing a manager conducted an appraisal of one of the members of the team? If the manager was having a personal relationship with another member of the team, the manager could inadvertently disclose confidential information. This would probably result in [disciplinary](#) action.



If one of two employees in a personal relationship resigned from the organisation to join a competitor this could be problematic too. There may well be a genuine concern about confidential information. Supposing, for instance, that the employee who is still in the business discloses sensitive information to the other person and the details were then passed on to the competitor? There could be serious consequences.

Where confidential issues arises (or could arise) or where there are problems (or perceived problems) in a team and matters cannot be resolved, it might be appropriate for the employer to have a [protected conversation](#) leading to a [settlement agreement](#). The employer needs though to be aware of the limitations regarding protected conversations.

This guide is intended for guidance only and should not be relied upon for specific advice.

If you need any advice on **office romances** or have queries relating to other employment law matters please do not hesitate to [contact](#) me on [020 3797 1264](tel:02037971264).

Do check mattgingell.com regularly for updated information.