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Romance at work: Can you mix business with pleasure?



Matt Gingell asks whether businesses can interfere with workplace romance

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It all started with the twinkling of eyes in the lift. Then, a smile on the stairway, a flirt in the foyer, a lengthy lunch, and before you know, it's officially unofficial – you're together.

The office is fertile ground for the blossoming of intimate relationships; and this must be particularly so in the City with the long-hours culture and the amount of time that colleagues are spending in the company of each other. Are there circumstances though when employers can thwart romance in the office?

It is very difficult for employers to object to workplace relationships. Such matters are personal and any objections would probably be inconsistent with the right to respect for private and family life under Human Rights' law.

Should the relationship affect either of the employees' work performance including if and when, for instance, the relationship turns sour, the employer could instigate poor performance procedures. A dismissal though would only likely to be deemed fair if, in spite of an improvement plan being put in place and warnings being issued, an acceptable level of performance had not been reached.

In the case of workplace relationships between line managers and those employees that report to them, favouritism and perceived favouritism can be a genuine issue for employers.

In some situations it may be appropriate for employers to have policies requiring such a relationship to be disclosed, and breaching such policies could warrant disciplinary action.

Imposing a blanket requirement though on employees to disclose all relationships would again be likely to interfere with the right to respect for private and family life.

Confidentiality may also be a problem. Where, for example, two employees are intimately involved and one leaves the organisation to work for a competitor, there may be a real risk that the remaining employee could disclose confidential information to their partner.

If this information were to be passed on to the competitor, this could have serious consequences. It would though be hard for the employer to take action against the existing employee on the sole basis that there might be a chance of so called pillow talk.

Usually, therefore, employers aren't able to meddle with personal relationships at work. If your employer does try to frustrate a romantic tie, subject to any duty of disclosure, tell them politely to mind their own business!

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