

Close Personal Relationships between Staff & Students Policy

1. Introduction

- 1.1. This Policy addresses relationships between a member of staff and a current University student of a sexual/intimate or romantic nature or a relationship in which one party has financial dependency on the other, herein after referred to as a 'close personal relationship'.
- 1.2. This Policy seeks to protect staff and students from allegations of actual or potentially perceived conflicts of interest or impropriety where there is a relationship and seeks to prevent a position where an imbalance of power may be abused.
- 1.3. Staff (as outlined at 2.2) have an obligation to declare to the University any close personal relationships which may give rise to an actual or potentially perceived conflict of interest. This would include, but is not limited to, any work place advantage, imbalance of power, influence of one person over another, decision making powers or responsibility for signing off requests.
- 1.4. Such declarations must be made at the earliest opportunity by following the process outlined in Section 4. If there is any doubt as to whether a relationship should be declared, staff can seek advice from the relevant line manager or HR Business Partner. In the case of individuals not directly employed by the University advice should be sought from the senior person they engage with in the University who can seek guidance from their HR Business Partner.
- 1.5. All relationships between University staff and students have the potential to give rise to a conflict of interest and therefore must be declared.
- 1.6. The Policy seeks to ensure that everyone is treated fairly. The Policy takes into account the University's legal, regulatory and ethical obligations towards our students.
- 1.7. The policy relating to other actual or perceived conflict of interests, including business, commercial, financial, and familial can be found in the Conflict of Interest Policy.

2. Principles

- 2.1. All relationships between University Staff and students have the potential to give rise to a conflict of interest and therefore must be declared.
- 2.2. The University prohibits close personal relationships between Staff and students where the member of staff has:
 - involvement or oversight of a student's academic studies; and/or
 - involvement or oversight of personal welfare; and/or
 - involvement or oversight of pastoral care; and/or
 - interaction with the student as part of their role, for example where a prospective student is applying for admission to the University, is discussing/administering the payment of fees or the member of staff has responsibility post study, such as writing references.
 - access to personal student data.
- 2.3. For the purpose of this Policy 'Staff' includes anyone employed by the University or engaged in work for the University, including contractors and casual workers. In the case of Staff who are not directly employed by the University, they should discuss any actual or potential conflict with their senior contact in the University for example contractors to either the person who oversees their work or to their Procurement contact. The Policy does not apply to students save for where they are engaged to carry out paid work for the University, for example PGRs engaged to provide teaching/related activity, who must declare a relationship with a student if there is an actual or potentially perceived conflict of interest.
- 2.4. Should the nature of a relationship change following an initial declaration, for example a relationship is no longer of a sexual/intimate or romantic nature but a party to the relationship becomes dependent upon another, the declaration should be updated to reflect this.

Relationships involving senior staff

- 2.5. The University prohibits close personal relationships between staff and students where the member of staff is member of UEC, Senate, Council or a Head of College or a Head of Department.

Relationships involving under 18 years or those suspected to be vulnerable/at risk

- 2.6. Staff must not be in, or enter into, a close personal relationship with a student under the age of 18, or an adult known or suspected to be at risk or vulnerable. It should be noted that while a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences Act (2003) makes it a criminal offence for a person to engage in sexual activity of any kind with a person under the age of 18, where the adult is in a position of trust.
- 2.7. Anyone suspecting a staff member of acting inappropriately towards a student under the age of 18 or a vulnerable adult should contact the Designated Safeguarding Officer (include contact details), who may contact the local authority designated officer and/or the police.

Consideration of disclosed close personal relationships

- 2.8. Any close personal relationship needs to be considered and where appropriate managed accordingly. This may mean making arrangements to ensure any conflict of interest is removed, for example by removing the staff member from any academic involvement relating to the student.
- 2.9. While the personal privacy of all parties will be protected as far as practicable, it may be necessary to share information with relevant parties. The principles within the policy aims to assist managers and staff to reconcile these potentially conflicting principles. The University is mindful that information on close personal relationships may be sensitive and personal to those involved but that does not preclude the need for the University to ensure that appropriate safeguards are in place to ensure no actual or potentially perceived conflict of interest. As a declaration may contain sensitive personal data it will be stored securely and managed in accordance with the University's data protection obligations. Such declarations will be treated respectfully, sensitively and confidentially, and the wishes of both parties respected as far as is possible.
- 2.10. Bias or impropriety arising from a close personal relationship, e.g. breach of confidentiality such as passing on of confidential information between conflicted parties, is considered a serious matter and may lead to disciplinary action under the University's Disciplinary Regulations.
- 2.11. If a close personal relationship is not declared this will be considered a serious matter and may lead to disciplinary action under the University's Disciplinary Regulations.

- 2.12. This policy applies to close personal relationships which are formed after the implementation date of this Policy. Any existing or previous relationships are referred to in Section 5.

3. Staff Responsibilities

- 3.1. All staff have an obligation to declare any close personal relationship which may give rise to an actual or potentially perceived conflict of interest or any work place advantage, perceived or otherwise. This will enable the University to assess whether any actual or perceived conflict exists. The process for making a declaration and how it will be reviewed is found in Section 4. Should Staff be in doubt about whether to declare a close personal relationship, they must seek advice from their line manager in the first instance or if this is not appropriate an HR Business Partner.
- 3.2. Staff members are in a position of trust and have a professional and ethical responsibility to protect the interests of students and to demonstrate our values of Respect. All Staff must therefore demonstrate professional behaviour at all times. This includes events outside of the University and the normal business hours of the University for example field trips, college events and formals and social media interaction. Further information is provided in section 6.
- 3.3. In cases where there is relationship between a member of Staff and student, the responsibility for declaring the conflict lies with the member of Staff. The student will be contacted to confirm the relationship has been declared.

4. Management of Declarations

- 4.1. All Staff directly employed by the University should complete the Close Personal Relationship Declaration Form (staff/student) via Oracle. The line manager should then complete the Manager Assessment form, again via Oracle, to assess whether there is a conflict of interest. Should the relationship involve the line manager, an alternative independent manager will be appointed to carry out the assessment.
- 4.2. For individuals not directly employed by the University, such as contractors the senior person to who the relationship is reported can seek advice from their HR Business Partner on how to take forward the declaration.
- 4.3. In establishing whether there is a conflict of interest, the line manager should consider the following (this checklist is not exhaustive):
- a) The extent of the power imbalance between the two individuals

- b) Does the member of staff have involvement or oversight in a student's academic studies?
- c) Does the member of staff have involvement or oversight of the personal welfare of the student?
- d) Is either party financially dependent upon the other.
- e) Is there interaction with the student as part of their role, for example where a prospective student is applying for admission to the University and/or onto a course where the member of staff has responsibility post study, such as writing references or the member of staff is involved in administration for example the payment of the student's fees?
- f) Does the relationship have, or could it have a potentially negative effect on the working of the Department, Faculty, Division or College or Professional Services team?
- g) Does the member of staff hold, or could be perceived to hold, a position of direct or indirect managerial or budgetary position of power in connection with the student with whom they have a close personal relationship?
- h) Are other parties likely to be made uncomfortable in their dealings with either of the two parties because of the existence of a known close personal relationship?
- i) Is any third party likely to use perceptions of a conflict of interest to disadvantage of University?
- j) Is the personal relationship perceived to be offering advantage to one party, for example, in a student's ability to access particular opportunities.

- 4.4. If a conflict of interest is identified or if the manager to whom the close personal relationship is declared has any other concerns, they should advise the member of staff and consult with their HR representative.
- 4.5. If after assessment it is deemed that a conflict of interest exists and a change in arrangements is deemed necessary and this means it is unavoidable to inform other members of staff about the relationship, this must be discussed with the individuals concerned before others are informed.
- 4.6. If after assessment there is evidence of any impropriety in the formation or timeliness of declaration of the relationship, further investigation under the University Disciplinary Procedure may be deemed appropriate. The Close Personal Relationship form and Manager Assessment form may be used should there be a subsequent disciplinary process. There may be the need for additional investigation, for example if there is evidence that the member of staff has acted inappropriately in the development of the relationship.

- 4.7. When a close personal relationship is declared, a number of actions may be taken to ensure that the actual or potential conflict is properly managed in an open and transparent manner, for example:
- By recording the conflict of interest appropriately in a register of interests and keeping an up-to-date record of the discussions and decisions made in relation to the management of the conflict.
 - By considering and, if appropriate, removing or adjusting the responsibilities the member of staff has in relation to the student.
 - By considering, and if appropriate, removing or adjusting decision-making powers in relation to the student.
 - By considering, and if appropriate, the continued employment in a particular role of a member of staff.
- 4.8. The Director of HROD maintains a confidential register of conflicts of interest involving close personal relationships. The register is kept up to date with the information provided by a staff member on the Close Personal Relationship Declaration Form (staff/student). Any updates to the conflict should be by way of submission of a new form. Access to and use of this information will be limited to what is required for the reasonable management of the University and its staff and students, for example the information may need to be shared with a new Head of Department. All data will be kept in accordance with University Data Protection Principles. Relationships recorded using the Close Personal Relationship Declaration Form (staff/student) and Manager Assessment form will be stored on the member of staff's electronic personal file within HR. If the personal relationship changes in the future, the member of staff can request the document is removed from the file.
- 4.9. Staff who are uncertain when, or if, to disclose a relationship may seek confidential guidance from HR.

5. Existing Relationships

- 5.1. Relationships that exist at the time of the publication of this policy must be declared within three months of this policy coming into effect by completing the Close Personal Relationship Declaration Form (staff/student) via Oracle.
- 5.2. There may be existing, consensual close personal relationships that are declared within three months of the launch, which are now prohibited under this procedure. In such cases, new practical arrangements will be found with advice from HR that fully resolve any potential conflicts of interest to the mutual agreement of both parties.

- 5.3. If a relationship is in place prior to either party becoming a staff member or student, this should be declared either during the application process, if the relationship would have a potential to have a bearing on any such process, or upon appointment.
- 5.4. If the conflict or perceived conflict involves the Vice-Chancellor, this should be reported to the University Secretary in the first instance.

6. Professional Boundaries

- 6.1. In order to maintain appropriate relationships with students and other colleagues, and to help reduce the risk of sexual misconduct, abuse of power or conflict of interest, staff should ensure appropriate professional boundaries at all times. All staff should:
- maintain an appropriate physical and emotional distance from students and colleagues and perform their University duties in the best interests of the University without favour towards any individual over another;
 - avoid creating close friendships with students;
 - use a University email account and appropriate University technology for communications with students where possible. The use of personal messaging (such as through What's App, Messenger or Twitter) should be avoided;
 - staff should not give their personal mobile phone number to a student unless absolutely necessary. Staff are encouraged to use their work telephone numbers which may be diverted to the staff member's personal mobile;
 - where possible, meetings and discussions should take place in University premises. Where this is not possible, meetings should occur in a public venue, such as a library or a café;
 - refrain from contacting students during unsociable working hours.
- 6.2. If a member of staff has any concerns with regards to maintaining professional boundaries they must report this to their line manager immediately.

7. Practical Considerations

- 7.1. Where a close personal relationship exists and the parties are members of the same decision making panel or process, for example interviews, this should be declared to the Chair of the panel.
- 7.2. The Chair of a panel has the authority to remove a member of staff from judging or participating in decision making because of possible bias or conflict

of interest, for example by removal from participation in short-listing or from membership of appointing panels.

8. Hub of Resources

8.1. For more information on this policy please visit the Hub of Resources.