

PERSONAL RELATIONSHIPS POLICY

1. Principles

- 1.1 The College has a duty of care to protect students and staff from inappropriate behavior which may include violence, abuse of power and trust, controlling/coercive and predatory behaviour, and sexual harassment.
- 1.2 The College believes that the professional relationship of trust and confidence that exists between a student and a member of staff is a central and essential part of a student's educational development and pastoral care.
- 1.3 Staff are **required** to disclose any type of close personal relationship with a student, or any type of personal relationship with another member of staff which could be perceived as presenting a conflict of interest to the College (see Section 5.1). This will allow appropriate management of the situation and to avoid any actual or potential conflict of interest.
- 1.4 The College believes members of the College community have an obligation to act with professionalism, integrity and respect towards one another in all relationships. This includes staff/student social events which link to College business.
- 1.5 Those who work for the College must not abuse their position in any way, including by making any form of sexual advance towards students, pressurising students into intimate relationships, or through any form of sexual harassment, coercive/controlling or predatory behaviour.
- 1.6 All forms of non-consensual relationship are prohibited and may be subject to criminal investigation.
- 1.7 The College recognises the inherent imbalance of power between many staff and students, and therefore:
 - 1.7.1 Intimate relationships between staff and students under the age of 18 are **prohibited**.
 - 1.7.2 Where students are over the age of 18, intimate relationships between staff and students are **strongly discouraged** in cases where there is a professional connection

or proximity between the member of staff and the student; for example, where the member of staff teaches or supervises the student. It is recognised that in some cases, there is little, or no, power imbalance between a member of staff and student, and in such cases the College would not wish to prevent relationships.

2. Scope

2.1 This policy covers close personal relationships which can include:

- Intimate relationships: including all sexual or romantic contact, whether in person and/or online or via means of other electronic or written communication, one-off or longer-term.
- Close friendships: this covers personal relationships which extend beyond usual work, study or extracurricular/leisure activities through which individuals may be acquainted. It therefore involves close friendships where individuals are well-acquainted, and engage frequently in activities together which are unrelated to work or study. It does not cover work-related group activity such as Friday-night socialising with colleagues.
- Family relationships: including partners, spouses and children.

2.2 'Member of staff' refers to any individual either employed or engaged by the College to carry out work for the College. It includes Undergraduate and Postgraduate students who work as employees.

2.3 'Student' refers to any individual studying on any course of study at the College, including:

- Students who have accepted an offer of a place at the College who have arrived on campus to start their programme and have not yet completed the formal registration process.
- Student officials in elected positions.
- Students on short courses, including international students.
- Students studying for an award of the College who spend any time off campus (such as work placement, year abroad, or summer school)¹.

¹ This policy only covers staff and students working at the College, and not at other organisations.

3. Prohibited Behaviour

Inappropriate, coercive or predatory behaviour of a sexual nature (see Appendix A) is prohibited, and may be subject to criminal investigations.

3.1 For staff, such behaviour towards any other member of the College constitutes serious or gross misconduct and will be subject to the Disciplinary Procedure, the consequence of which can include dismissal from the College. This includes **but is not limited to** promising or alluding to rewards in return for sexual favours, or suggesting or threatening withdrawal of teaching or other forms of academic support if sexual access is not granted.

3.2 Any student who exerts sexual pressure over another student or a member of staff, or who behaves in a coercive, harassing or predatory manner towards another member of the College, will be subject to the College's Code of Student Conduct, the consequences of which can include expulsion from the College.

3.3 Reporting mechanisms are:

3.3.1 Staff who witness or experience any inappropriate, coercive, or predatory behaviour should report concerns to the Human Resources Manager.

3.3.2 Students who witness or experience any inappropriate, coercive, or predatory behaviour are encouraged to report it to the Co-Ordinator of Student Guidance and Support or another member of staff (such as their Programme Leader or Personal Tutor). Concerns about student behaviour may also be reported directly to the Board of Governors through the Secretary to the Board.

3.3.3 Staff and students may report inappropriate behaviour at local level if they prefer. However, staff and students are also free to take their concerns directly to the Secretary to the Board of Governors or the Human Resources Manager.

3.3.4 All reports made under Section 3.3 above will be treated in confidence.

4. Staff and Students - Personal Relationships

- 4.1 All close personal relationships (intimate, close friendship or family) **must be disclosed by the member of staff involved**. Staff must advise their line manager, as appropriate. Students who are working at the College in non-sensitive roles, where power imbalances do not exist, are not required to disclose relationships with other students under this policy.
- 4.2 Failure by a member of staff to declare a personal relationship with a student may result in disciplinary action being taken. However, the College recognises that not all relationships, particularly if they are intimate, will be reported. It is important that should someone subsequently experience harassment and/or bullying, that they do not feel impeded in reporting simply because a previous relationship has not been declared. Therefore, staff should not avoid reporting bullying or harassment for fear of disciplinary action being taken for non-disclosure of a close personal relationship.
- 4.3 Students are **encouraged** to declare involvement in a relationship with a staff member to another member of staff in the College (for example, the Coordinator of Student Guidance and Support Services, their Programme Leader or Personal Tutor) as soon as possible whether this is at any point during the relationship or after a relationship has ended. Students may approach any member of staff with this information. The above reporting routes allow students and staff to report at local level which they may prefer; however further advice on appropriate steps will be provided by the Secretary to the Board of Governors, or the Human Resources Manager.
- 4.4 Where a disclosure of a close personal relationship is made, the appropriate line manager and/or the Human Resources Manager, will ensure measures are put in place to prevent actual or potential conflicts of interest, while dealing with the matter in a manner that aims to protect the dignity and privacy of all parties. The following will apply:
- The member of staff will have no involvement in the student's assessment.
 - The member of staff will not take any direct individual responsibility for academic, administrative, and/or pastoral or other support responsibilities for the student.
 - A point of contact will be identified for the member of staff and student respectively.

- The member of staff and the student will be expected to comply with any reasonable decision or action.
- 4.5** If a member of the College becomes aware of a close personal relationship between a member of staff and a student and is uncertain about what action to take, advice should be sought from their line manager. If a member of staff becomes aware of an intimate relationship between a member of staff and a student, and has concerns that this relationship might involve coercion, predatory behaviour or constitute an abuse of power, they should report their concerns to the Co-Ordinator of Student Guidance and Support who will liaise with the Human Resources Manager to determine whether to initiate an independent investigation.
- 4.6** The person to whom the relationship is disclosed will report it to the Human Resources Office where details will be recorded, and appropriate action taken. This will be shared with the involved parties and held securely on file compliant with data protection requirements. Individuals will have the right for details to be changed, should circumstances alter. A Privacy Notice and appropriate security measures are in place to ensure the data is restricted/limited to authorised personnel only.
- 5. Personal Relationships between Members of Staff - where a conflict of interest exists**

The purpose of this part of the policy is to ensure that the College is able to exercise its duty of care to all staff in their relationships at work, to avoid conflicts of interest and ensure appropriate transparency of management processes. The College only requires relationships to be declared between staff where there is a potential conflict of interest.

- 5.1** A conflict of interest between staff, and in terms of this policy, would include:
- line manager/supervisory role.
 - recruiting a prospective staff member.
 - working in the same team (this could be at any level in the College, including interdisciplinary teams).
 - working on joint projects/partnerships. Or

- being involved in decision making in relation to the other person (i.e. Selection/Promotion/Funding application).
- 5.2** Close personal relationships between members of staff who have a supervisory or line management connection present a potential conflict of interest. Close personal relationships between members of staff where there is not a management connection, but where the nature of the roles undertaken results in close working relationships, may also present a conflict of interest and/or operational challenge.
- 5.3** All close personal relationships (intimate, close friendship or family), which create a conflict of interest, must be disclosed by the staff involved by reporting to their line manager.
- 5.4** Where a disclosure of a close personal relationship is made, the line manager(s) will consider, in consultation with the staff, ways in which any potential conflict of interest might be removed. For example, this might include the option to move one individual to another work team or location or removing an individual from inappropriate decision-making process. The line manager(s) will also talk to the staff involved about other/new colleagues who may need to be informed to guard against any perception of impropriety relating to the relationship. In responding to a declaration of a relationship between staff, care will be taken to avoid any potential impact on the career prospects of the individuals concerned. All reports of relationships will be recorded along with any agreed actions.
- 5.5** Failure to declare a personal relationship which creates a conflict of interest may result in disciplinary action. However, such disciplinary action would not be taken against a member of staff who also experienced harassment or bullying by someone with whom they had a previous or ongoing close personal relationship. Therefore, staff should not avoid reporting bullying or harassment for fear of disciplinary action being taken for non-disclosure of a close personal relationship.
- 5.6** Intimate relationships between members of staff can also give rise to situations where there is coercive or predatory behaviour. If intimate relationships arise between colleagues, and any person has concerns about any predatory or coercive element to such a relationship, they are encouraged to report or disclose this to the Human Resources Manager, who is obliged to ensure that such reports are recorded. An

investigation may be undertaken in accordance with the College's Disciplinary Procedure, as outlined in Section 3 above.

6. Student - Student Relationships

The College does not seek to regulate relationships between students. However, any student who exerts sexual pressure over another student, or who behaves in a coercive, harassing or predatory manner towards another student, will be subject to the College's Code of Disciplinary Procedure, the consequences of which can include expulsion from the College. Concerns about the nature of any relationship between students should be reported to the Co-Ordinator of Student Guidance and Support. It will be for the Co-Ordinator of Student Guidance and Support to determine whether any action will be required under the Code of Disciplinary Procedure. These reports shall be treated confidentially.

7. Gifts

7.1 The exchange of gifts from staff to students is strongly discouraged. If a staff member wants to give gifts to students, these should be consistent (i.e. all students should be treated in the same way), of modest value and appropriate. Where gifts given to student are of high value, or associated with a pattern of behaviour towards a particular student, or group of students, this may be subject to the Disciplinary Procedure.

7.2 If a student gives a gift to a member of staff, the staff member should demonstrate sound professional judgement when deciding to accept the gift. If the gift is inappropriate or of significant value then they should not accept the gift, and/or suggest an appropriate form of showing appreciation.

7.3 If a student or staff member is concerned about a gift offered to them, they can seek guidance from the Co-Ordinator of Student Guidance and Support or Human Resources Manager.

8. Complaints in relation to this policy

If a member of staff or student is unhappy with the way the College has responded to a disclosure of a relationship – prohibited, or otherwise:

- A student may raise a complaint about a staff member with the Co-Ordinator of Student Guidance and Support or via the complaints process.

- A staff member may raise the matter with a senior manager and/or the Human Resources Manager or initiate the Grievance Procedure.

Appendix A: Definitions

- The policy has used the term 'inappropriate relationship'; by this the College means any of the definitions below and any relationship with an under 18-year old, or a relationship which has a power imbalance where the relationship is undeclared.
- **Sexual violence** is a non-legal phrase used as an umbrella term to refer to, and include, different sexual offences.
- **Sexual harassment** is defined in the Equality Act 2010 as unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. The types of behaviours or conduct which make up sexual harassment are varied and may include: verbal harassment such as whistling, catcalling, sexual comments, sexual innuendo, telling sexual jokes and stories, spreading rumour about a person's sex life; non-verbal harassment such as looking someone up and down, displaying pictures of a sexual nature, sending emails containing sexual content, making sexual gestures, and asking for sexual favours.
- **Sexual assault** is a criminal offence² and includes, for example, physical unwanted sexual advances, kissing, touching, hugging, stroking, patting of someone's clothes, body, hair, and rubbing up against someone, where the touching is sexual.
- **Harassment and stalking**³ includes behaviour such as watching, spying, monitoring use of electronic communications, interfering with another's property, publishing material relating to a person or purporting to originate from a person. In addition the act of stalking which puts a person in fear of violence or causes serious alarm or distress which has a substantial adverse effect on their usual day-to-day activities.
- **Controlling and/or coercive behaviour** is defined as repeatedly or continuously engaging in controlling or coercive behaviour towards an intimate (or ex) partner or family member which has a serious effect on them. 'Serious effect' means that it causes them to fear that violence will be used against them, or it causes them serious alarm or distress which has a substantial adverse effect on their usual day-to-day activities (such as socialising, working patterns, mental or physical health deterioration).
- Further and more detailed definitions and relations to the legal system can be found in the [Changing the culture: Report of the Universities UK Taskforce examining violence](#)

² <https://www.legislation.gov.uk/asp/2009/9/section/3>

³ <https://www.legislation.gov.uk/asp/2010/13/section/39>

[against women, harassment and hate crime affecting College students](#). This includes definitions for domestic violence, revenge porn, rape and sexual assault by penetration.

Appendix B: College procedures where cases of inappropriate intimate relationships are disclosed

In all cases where an inappropriate relationship is reported, the student or member of staff will be offered guidance and support. The individual concerned will have the opportunity to consider their options as follows:

- (1) Refer the matter to the Police (where the case disclosed includes allegations of potentially criminal behaviour).
- (2) Not refer to the Police but request the College to investigate.
- (3) Take no formal action.

In the case of (1) above, formal College procedures will normally be suspended pending the conclusion of the criminal investigation. However, interim measures may be taken including the suspension of staff or students.

For (2) above, the matter may be investigated through the College's Complaints Procedure, or the Staff Disciplinary Procedure, or under the Code of Student Conduct. In all cases, the matter will be handled confidentially and sensitively, and only subject to one investigative process. In most cases, it will not be possible to preserve anonymity in the course of an investigation. However, the person reporting the inappropriate relationship will not be required to meet with the other party involved in the relationship and, while being given ample opportunity to present information to the investigation, will not be required to repeat sensitive information to multiple parties. Measures will also be taken to prevent, or limit, contact between the parties involved in the relationship.

In some cases the person involved in the relationship will choose not to take forward a formal complaint to the College, or to seek a formal investigation. In such cases, no investigation or action will be taken which reveals the identity of the person concerned. However, the College may take appropriate action relevant to the circumstances, such as staff development or awareness raising activity.

Subject to compliance with its obligations under applicable data protection legislation, the College may share information with respect to the outcome of internal procedures, and the events giving rise to the relevant procedure, to the police or other relevant third parties where it is deemed necessary by the College for reasons of public interest or safety or where it is obliged by law to do so.

