

Consensual Relationships Policy

1. Introduction

The University values and relies upon the professional integrity of relationships between staff members and in the staff/student relationship. In order that University business is conducted and is perceived to be conducted in a professional and proper manner it is necessary to distinguish between, and take account of, consensual/personal relationships which overlap with professional ones. It recognises that there may be occasions when staff members or students (or prospective students) are related or become close or romantically involved with another member of staff. They may be faced with situations where personal interest may conflict with their duties and may be uncertain about how to deal with them. This policy seeks to establish acceptable treatment and guide behaviour in such situations.

In the context of this document a **consensual/personal** relationship is defined as:

- A family relationship
- A business/commercial/financial relationship or
- A sexual/romantic relationship

2. Purpose

The purpose of this policy is to ensure that the correct procedure is followed so that members of staff are not open to allegations of impropriety, bias, abuse of authority, discrimination, conflict of interest or favouritism.

3. Aims

The aim of the policy is to set out some principles to help staff avoid conferring, or being perceived as conferring, unfair advantage or disadvantage on students, staff or other individuals because of personal relationships i.e. friendships of different types where one party may be in a position to secure advantage for the other in areas of employment and/or academic life.

All staff should adhere to the 'Seven Principles of Public Life' drawn up by the Committee on Standards in Public Life. (Appendix A)

4. Roles and Responsibilities

4.1 Relationships between Staff and Students

The University is committed to an environment for staff and undergraduate and postgraduate students (or prospective students) where decisions about assessment, selection and access to resources are based on merit.

The University values good professional relationships between staff and students. These relationships are heavily reliant on mutual trust and confidence and can be jeopardised when a member of staff enters into a romantic/sexual liaison with a student. At the extreme these liaisons may jeopardise professional relationships and can result in an abuse of power. Problems may also occur if a consensual relationship later becomes non-consensual or a case of harassment. The University does not wish to prevent liaisons between staff and students and it relies upon the integrity of both parties to ensure that abuses of power do not occur.

The professional responsibilities of staff towards students may be academic (including assessment), administrative or advisory. If a member of staff has a romantic/sexual relationship with a student to whom they have, or are scheduled to have, any such responsibility, then the member of staff must inform their Head of School/Director who will be responsible for ensuring that the member of staff will have no involvement in the student's assessment and, as far as practical, will separate the member of staff from other responsibilities in respect of the student. Failure to do so may leave the member of staff open to charges of bias and may lead to disciplinary action.

The conduct of staff should be based on the following principles:-

- Staff should recognise a professional and ethical responsibility to protect the interests of students, to respect the trust involved in the staff/student relationship and to accept the constraints and obligations inherent in that responsibility.
- To embark on a romantic/sexual relationship with a student involves serious difficulties rooted in unequal power, and hence choice, of the parties concerned, as well as real problems in maintaining the boundaries of professional and personal life. Such relationships can also disrupt the teaching and learning environment for other students and for colleagues.
- Students who are, or who have been, involved in a romantic/sexual relationship with a member of staff and who do not consider their involvement to be truly consensual will have the right of complaint under the University's Dignity at Work and Study Policy.

- The establishment of an academic relationship with family members or with friends or associates who become students also raises ethical and/or professional issues.
- Under the Sexual Offences Act 2003 it is an offence for anyone over the age of 18 working with young people (for example teachers, student mentors, academic staff etc.) to have a sexual relationship with a young person under the age of 18 who is in full time education. This is applicable even if the relationship is consensual and the person does not teach the young person but works in the same institution where the young person is studying. This is because the member of staff is in a position of trust and the young person may be vulnerable to exploitation.

4.2 Relationships between Members of Staff

Where romantic/sexual relationships occur between staff, it is the responsibility of both individuals to deal appropriately with any potential conflicts of interest. It may be necessary to review the relevant reporting structure if the relationship is between a line manager and a member of their team. Any staff needing advice should approach his/her own Head of Faculty/Manager or a senior member of the Human Resources Department.

Staff should take care that any financial, familial or personal relationships entered into on a consensual basis do not unfairly advantage or disadvantage any member of staff, or other individual e.g. job applicants or service providers.

The following should be noted and observed:-

- Should such relationships occur then the staff affected will be expected to inform the Head of Faculty Manager as soon as possible to ensure that the potential effects can be considered.
- The Head of Faculty/Manager must treat these matters in confidence at all times and will, in consultation with the staff, find ways in which actual, perceived or potential conflicts of interest might be avoided.
- If staff are working in the same Faculty/School or are in a supervisory relationship and the actual or perceived conflict of interest cannot be resolved by any other means and is interfering with the effectiveness of work, then it may be necessary to explore the possibility of moving one party to another area of work or location.
- If a member of staff has a close personal or familial relationship with a job applicant it would normally be necessary for them to avoid any involvement in the recruitment/selection process e.g. as a member of an interview panel or acting as a referee.

- If a member of staff has a close personal or familial relationship with another member of staff they should have no involvement in decisions relating to pay, reward or promotion / appointments.
- External and internal applicants for posts are asked to declare relevant personal relationships on appointment.
- A member of staff who is, or who has been, involved in a romantic/sexual relationship with another member of staff and who does not consider their involvement to be truly consensual will have the right of complaint under the University's Dignity at Work and Study Policy.

4.3 Declaration of personal relationships where they overlap with professional roles.

Staff who are uncertain about whether they should take action regarding a consensual relationship are invited to seek guidance, in confidence, from the Director of Human Resources, a senior member of the Human Resources Department or their trade union representative.

A case whereby any consensual relationship, as defined in this code, is not declared will be considered a serious matter and may lead to disciplinary action.

5. Consequences of non-compliance

Staff should be aware that a breach of this Policy could lead to action under the Disciplinary Policy.

6. Harassment and Bullying at Work

The University will not tolerate harassment and bullying at work or in the study environment and the Dignity at Work and Study Policy can be found on the intranet or a copy can be obtained from the Human Resources Department.

Staff and students may also make use of the 'Report and Support' service led by the University Equality and Diversity service.

7. Review of Policy

This policy will be reviewed bi-annually in consultation with the campus trade unions.

The Seven Principles of Public Life

- SELFLESSNESS:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official duties.
- OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

[Extracted from the “First Report of the Committee on Standards of Public Life”, UK May 1995]

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