

Personal Relationships Policy

Scope and Purpose

Principles

Definitions

General Expectations of Behaviour from Staff with Students.

Relationships between Staff and Students.

Relationships with Students or Staff under the age of 18 or who are an 'Adult at Risk'

Relationships between members of staff

Inappropriate Conduct

Declaration

Breach of Policy

Existing or previous relationships

Historical Complaints

Issued by: Human Resources (HR)

Effective from: 21 December 2022

Review Date: 21 December 2023

Scope and purpose of the policy

This policy sets out the University's expectations and obligations regarding close personal relationships between members of the University community. It is designed to safeguard professional behaviour and assure that all in the University community are confident that relationships will be conducted with integrity. It supports our commitment to create an environment within which the University can exercise its duty of care to all staff and students and ensure a positive and supportive working environment where all are treated fairly.

The University seeks to maintain the integrity of all its processes, to protect students and staff from allegations of actual or perceived conflicts of interest and to limit circumstances where a position of power may be abused and to avoid harassment, grievance, and disciplinary action. The University is committed to ensuring all staff, including those working on behalf of the University, demonstrate high standards of professional conduct.

The University recognises that socialising on a friendship basis between colleagues and staff and students is often a positive aspect of being an active member of the University community, however the nature of staff/student and staff/staff relationships imposes particular responsibilities and duties on staff. This policy is intended to ensure that appropriate safeguards and processes are in place to prevent abuses of power and sexual misconduct.

As a University we respect individual's right to privacy and freedom to have adult consensual relationships, including the reality that relationships can go wrong, be unequal or unhappy. This policy covers the boundaries that all staff and students need to be aware of, examples of behaviours that are considered unacceptable, how to report inappropriate behaviour and contact details for advice and support.

This policy prohibits intimate relationships with staff or students who are under the age of 18 or who are an adult at risk (see Section 5); and prohibits close personal or intimate relationships between staff/ staff and staff/ students where there is direct supervision.

1. Principles

The University is underpinned by the Nolan Principles of Public Life¹ and the CUC Code² and core values, and all staff are expected to adhere to them. Members of the university 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 university business.

This procedure aims to:

- Provide a framework that recognises that relationships may occur with the expectation that staff, and students receive fair treatment, equity, and reasonableness during their working or academic life, without concern that relationships may influence conduct or behaviour in the workplace.
- Avoid any conflict of interest or accusation of bias, favouritism or prejudice which may arise because of an intimate or other personal relationship at work
- Ensure all staff and students feel supported and able to maintain their expected standards of study and high performance at work without concern over current or prior personal relationships that have broken down.
- Help deter any negative or unintended impact on other members of staff, students, stakeholders, partners, or service users which may arise from a potentially divisive break down in personal relationships.

2. Definitions

For this policy, the following definitions apply:

Staff: refers to any individual either employed or engaged by the University to carry out work for the University. It includes Undergraduates, Postgraduates and Researchers who work as staff.

Student: Student refers to any individual studying or undertaking research at the University, including:

¹ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

² <https://www.universitychairs.ac.uk/wp-content/uploads/2020/09/CUC-HE-Code-of-Governance-publication-final.pdf>

- Undergraduates, Postgraduates and Researchers
- Students who have accepted an offer of a place at university 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.
- Students studying for an award of the University who spend any time off campus (such as work placement, year abroad, or summer school)
- Students who are registered as visiting postgraduate researchers.
- Potential students who attend University open days

Close personal relationship: this includes a romantic, intimate, sexual and/or exclusive relationship; a family relationship; a business/commercial or financial relationship; or a relationship which involves an emotional attachment. This definition is not exhaustive and therefore anyone who considers that they may be in a potential conflict of interest situation should declare this following the procedures outlined in the policy

Intimate relationships: An intimate relationship is a consensual romantic or sexual relationship which goes beyond the bounds of a platonic or working relationship. An intimate relationship could be brief and includes a one-off occurrence.

Consent to an intimate relationship: Consent is agreeing by choice and having the freedom and capacity to make that choice. The person seeking consent should always take steps to ensure that consent is freely given, that it is informed and recognises that it can be withdrawn at any time.

Freedom to consent: a person is free to make a choice if nothing negative would happen to them if they said no. For example, a person is not free to choose if:

- they believe that the continuation or assessment of their studies, or progression or advancement of their career, will be at risk, if they refused.
- they are being blackmailed.
- there is a significant power imbalance and the party without power feels pressured to continue in the relationship against their will
- they are being threatened with violence.
- they are being threatened with humiliation

Capacity to consent: Capacity is about whether someone is physically and/or mentally able to make a choice and to understand the consequences of that choice. For example, a person does not have the capacity to give consent if they are asleep or unconscious. A person's capacity to consent may be inhibited by the influence of drugs or alcohol or the presence of a cognitive or learning difficulty, or mental health condition.

Professional relationship: an assessing, supervising, tutoring, mentoring, managing, or teaching role; a pastoral or welfare role; or a professional administrative or technical support role.

Abuse of power: Abuse of power is where someone uses their position of power or authority in an unacceptable manner. Abuse of power can take various forms and may include, but is not limited to, grooming, manipulation, coercion, putting pressure on others to engage in conduct they do not feel comfortable with.

Adult at risk: An adult at risk is someone over the age of 18 who receives or may need community care services by reason of disability or illness and as a result of those needs is unable to protect himself or herself against significant harm or exploitation. This can relate to physical, mental, or psychological wellbeing or the potential to be drawn into sexual or criminal exploitation and activity.

Grooming: Grooming can be defined as a gradual process that someone in a position of power uses to manipulate someone to do things, they may not be comfortable with and to make them less likely to reject or report abusive behaviour. Grooming will initially start as befriending someone and making them feel special and may result in sexual abuse and/or exploitation.

3. General Expectations of Behaviour from Staff with Students.

To maintain appropriate relationships with students, and to help reduce the risk of sexual misconduct, abuse of power or conflict of interest, staff should:

- Maintain an appropriate physical and emotional distance from students and perform their university duties in the best interests of the University without favour towards any individual student over another student.
- Avoid creating special friendships with students as this may be seen as grooming.
- Use a university email account, University telephone, University software and applications and internet access for communications with students where possible, avoiding personal messaging (such as through Messenger, WhatsApp, Instagram, or Twitter).
- Set an example by writing and communicating with students in a professional and business style.
- Staff should give careful consideration before giving their personal mobile phone number to a student. Sometimes it may be unavoidable, for example when they are arranging and taking part in conferences or organising field trips. Kingston communication channels such as Kingston email or Microsoft Teams could be used as an alternative but may not always be practicable.
- Staff should use their work telephone numbers which may be diverted to the staff member's personal mobile.
- Adhere to the same guidelines, where logistically possible, when participating in fieldwork with a student, attending conferences and any other University activities whilst away from the usual workplace.
- not seek personal information from a student except as relevant to a university process (e.g., medical information for special consideration, or personal circumstances information as part of an academic progress process)

Where staff have a primary role of providing supervision, teaching, or pastoral care to students (including personal tutors), staff should:

- Where possible, ensure that meetings and discussions occur on campus or other University-approved premises. Where not possible, ensure the meeting occurs in a public venue, such as a library or a café.
- Refer students with support needs to a relevant University support service (add to page) and limit your role in providing personal support to a student where this is not part of your employment duties.
- refrain from contacting students outside of reasonable working hours; not seek personal information from a student except as relevant to a university process (e.g., medical information for special consideration, or personal circumstances information as part of an academic progress process)
- Avoid commenting on personal appearance as this could be misinterpreted.
- Avoid physical contact with students or other members of staff. If necessary, under special circumstances, ask for their consent (e.g., for medical reasons)
- Paying undue special attention to a particular student which may be seen as grooming
- Accepting gifts from a student unless it is following final assessment completion and deemed to be a minor token of thanks. ³
- Inviting an individual student to your private home or room without others present, or visiting their home or room, including while at conferences, overseas trips, or on placement.
- Asking a student to care for your child, or to house sit whilst on holidays, or perform any other personal services or work-related duties when not formally employed or engaged by KU to do so

³ [The Bribery Act 2010](#)

4. Relationships between Staff and Students

Kingston University prohibits close personal and intimate relationships between staff and students where the staff member has a direct responsibility for, or involvement in that student's academic studies and/or personal welfare. PhD students and researchers are included as staffing. Staff will recognise that there is often a power differential in a professional context e.g., staff/student, senior staff/junior staff, manager/staff member, PhD supervisor/PGR. A member of staff should not put themselves in a position where it could be perceived that their power is abused

The staff-student relationship is one that is founded on mutual trust, confidence, and respect. The professional relationship between a student and a member of staff is a central part of the student's educational experience at the university. To maintain a professional relationship with students based on trust, confidence and equal treatment, staff must not suggest or enter an intimate relationship with a student.

All our students are entitled to equality of treatment; therefore, it is important a personal relationship between a member of staff and a student does not in any way prejudice that equality, either in reality or perception. It is important to protect the integrity of this relationship by maintaining equality of treatment and avoiding allegations of misconduct which may arise when personal and/or family relationships compromise, or are perceived to compromise, that professional relationship.

Responsibility for a student is to be interpreted broadly to include any teaching, professional, pastoral, or administrative responsibility, whether temporary or permanent. This includes but is not limited to lecturing, supervising, mentoring, overseeing, or advising on projects, work or laboratory experience, fieldwork, internships or vacation study placements, and the setting or marking of examinations or other assessments of any type.

Where a member of staff has a professional role in relation to a student with whom they have a relationship, the member of staff must inform their Head of Department/ Dean or HR in order that teaching, tutoring, assessment, administrative or any other arrangements can be adjusted, where necessary, and monitored appropriately. Heads of Department should choose to end, modify, or reduce the professional relationship between parties to maintain integrity

Staff have an obligation to declare an intimate or close personal relationship with any student, for whom they do not have direct supervision, (whether new or existing), to enable Kingston University to assess whether any potential or actual conflict of interest exists, and to safeguard both the student and the staff member.

5. Relationships with Students or Staff under the age of 18 or who are an "adult at risk"

Members of staff must not be in, or enter into, a close personal or intimate relationship with a student or staff member under the age of 18, or an adult known or suspected to be at risk, for whom they have any responsibility for, or involvement in, that person's academic studies and/or personal welfare.

An 'adult at risk' includes is someone aged 18 or over who:

- receives or may need community care services because of a disability, age, or illness
- has special educational needs and/or disabilities
- are young carers
- are care leavers
- have English as an additional language,
- are known to be in difficult situations

Staff must not engage in sexual behaviour with someone with whom they are in a position of trust. Whilst 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.

Anyone suspecting a member of staff of acting inappropriately towards a student or staff member under the age of 18 or an adult at risk should refer to the [Safeguarding Policy](#) and contact the [Safeguarding Lead or Officer](#).

6. Relationships between members of staff:

The existence of a personal relationship between staff members will not generally pose a conflict of interest. However, staff are reminded of possible power imbalances within intimate and close personal relationships, for example between a supervisor and a team member, an actual or perceived conflict of interest may arise.

In order to prevent potential abuse of power or perceived or real conflict of interest, staff must declare to their line manager and/ or HR close personal or intimate relationships in either of the following situations

- Where a relationship begins that may give rise to a real or perceived conflict of interest, exploitation, favouritism, or bias
- Where a relationship already exists, and a new situation arises that may give rise to a real or perceived conflict of interest, exploitation, favouritism, or bias.

Where staff are in an intimate or close personal relationship, consideration will be given on how to prevent conflict of interest, breach of confidentiality or unfair advantage gained (or perceived to be gained) from the overlap of a personal and professional relationship. This may include finding alternative line management arrangements.

In order to maintain appropriate relationships with colleagues/peers, and help reduce the risk of abuse of power or conflict of interest, staff should:

- maintain an appropriate physical and emotional distance from other staff while working.
- perform your University duties in the best interests of the University without favour towards any individual staff member over another.
- avoid paying undue special attention to a particular member of staff
- where possible staff should use their University email account, telephone (including Microsoft Teams) and internet access for work-related communications with staff and maintain professional communications.
- Be aware that any email sent to a staff member about a colleague may be disclosed to them or their advocate under the General Data Protection Regulations. All emails and work-related instant messages should be written in a professional manner.
- establish boundaries between professional and non-professional communication with colleagues.
- adhere to the same guidelines, where logistically possible, when you and the staff member are participating in fieldwork, conferences, and other University activities away from your usual workplace.
- Where possible, ensure that meetings and discussions about University matters occur on campus or other appropriate premises.
- Refer colleagues with support needs to a relevant University support service, such as occupational health or our employee assistance programme and be mindful to limit your role in providing personal support to a staff member where this is not part of your employment duties.

Where an intimate relationship ends it is expected that all parties will continue to conduct themselves in a professional manner in the University and avoid personal disputes which impact on the working environment or other colleagues and students. It may also be appropriate for some of the actions, put in place by the University during the relationship, to continue for a period of time following the end of the relationship. The staff members involved will be consulted and required to comply with reasonable actions.

The line manager will only inform other relevant members of staff about the relationship (e.g., in order to explain a change in management arrangements), if the individuals concerned agree.

Inappropriate Conduct

Inappropriate and unprofessional conduct towards a student or staff member is not acceptable and will be dealt with under the relevant procedures. Misconduct may breach Bullying & Harassment, Disciplinary, and other University policies, and procedures.

A student should seek advice immediately if they feel they have been subject to unprofessional or inappropriate conduct or unwanted advances and other unwelcome behaviour either from a student or a member of staff. Students should raise the issue with Student Support and Wellbeing Team, their personal tutor, Head of department, or report it via [Report and Support](#). This will enable the University to provide appropriate support, ensure action is taken and safeguards are put into place

Members of staff should seek advice immediately if they feel they have been subject to unprofessional or inappropriate conduct or unwanted advances and other unwelcome behaviour from a colleague or a student. Staff should raise the issue with either their Head of Department, their manager or HR to ensure appropriate action is taken and safeguards are put into place. Please refer to the [Bullying & Harassment](#), [Grievance](#) and [Disciplinary Policies](#) for further information.

If the accused person is a student, the General Student Regulations (GR1 Section 2) and related procedures will apply. Depending on the seriousness of the complaint, the Faculty or Academic Registry will initiate investigation procedures.

If the accused person is both a member of staff and a student, both staff and student disciplinary procedures may be used. The circumstances of the allegation will determine the appropriate route for investigation in consultation with the Directorate of Human Resources

7. Declaration

All close personal relationships (intimate, close friendship, or family) must be disclosed by the member of staff involved. Staff must advise their line manager, Head of Department/ Faculty or HR, as appropriate.

To prevent potential abuse of power or perceived or real conflict of interest, staff must declare close personal or intimate relationships in the following situations:

- Where a relationship begins that may give rise to a real or perceived conflict of interest, exploitation, favouritism, or bias
- Recruiting a prospective staff member
- Where a staff member is promoted into a supervisory/ leadership role and this leads to them line managing their partner, or someone they have a personal relationship with, alternative line management must be agreed by all parties.
- Relationship with a student/ colleague and being involved in decision making in relation to the other person (e.g. Selection/PDR/Promotion/Funding application).

Staff who are unsure whether they have a close personal or intimate relationship with a student or staff member, should seek advice from their line manager, Head of Department/ Faculty or HR. Staff are particularly encouraged to seek advice from HR if the other party expressly does not wish the relationship to be reported.

Students who are unsure whether they have a close personal or intimate relationship with a staff member should seek advice from the Student Support and Wellbeing Team, their personal tutor, Head of Department, or report it via [Report and Support](#).

Students are encouraged to declare involvement in a relationship with a staff member as soon as possible whether this is at any point during the relationship or after a relationship has ended.

8. Breach of Policy

An intimate relationship between a staff member and student/ colleague with direct supervision is a breach of this policy and will be investigated under the disciplinary procedure. Failure to disclose a close personal or intimate relationship with a student, or with a colleague where there is a real or perceived conflict of

interest, breach of trust or confidentiality, will be investigated. Failure by a member of staff to declare a personal relationship with a colleague or a student could result in disciplinary action being taken.

If someone subsequently experiences harassment and/or bullying due to a previous undeclared relationship, staff/ students should declare these issues via the relevant procedures and the university will take action. Staff/ students should not avoid reporting bullying or harassment for fear of disciplinary action being taken for non-disclosure of a close personal relationship.

Failure on the part of a member of staff to promptly declare the existence of a personal relationship with a student in accordance with the requirements of this policy and which results in the academic, administrative, or institutional activities of the university being brought into question will result in disciplinary action being taken.

9. Historical complaints

We recognise that individuals may take time to reflect on previous events and feel able to raise a complaint. We will investigate historic complaints, and to be fair to those accused of wrongdoing we need to consider allegations in the light of the disciplinary rules in place at that time and give them the right of reply.

The potential outcomes from considering historic complaints may be limited to learning for the future or concluding that the allegation cannot be substantiated by the evidence available. Evidence of non-consensual or criminal activity will be reported to the police, who have greater investigatory powers.