

Personal Relationships Policy

1. Scope and Purpose

1.1 This policy sets out the expectations and obligations of staff of The Place with respect to personal relationships between staff and students, and between staff, regardless of sexual orientation and identity. The Policy uses a number of specific terms. (Definitions can be found at Appendix 1).

1.2. "Staff" at defined here as all contracted employees, casual staff (with the exception of those who are current LCDS students) and those engaged on freelance contracts for services.

1.3. The obligations of, and guidance to students is set out in the student handbook and LCDS VLE.

1.4 All staff are in a position of trust, and it is important that they demonstrate exemplary behaviour. In the context of their own relationships or those of others about which they are aware, they should always give due consideration as to what is an appropriate in the work environment.

1.5 The Place recognises that socialising on a friendship basis between staff and between staff and students is a positive aspect of being an active member of the community. However, the nature of staff/student and staff/staff relationships imposes particular responsibilities and duties on staff.

1.6. This policy is intended to ensure that appropriate safeguards and processes are in place to prevent abuses of those relationships. It seeks to protect staff and students from allegations of actual or perceived conflicts of interest, and to limit circumstances where a position of power may be abused.

1.6. The policy prohibits intimate staff/student and staff/staff relationships when one party is under the age of 18 or who is an adult at risk.

1.7. The policy also prohibits close personal or intimate relationships between staff and students where there is direct supervision; and close personal or intimate relationships between staff where there is a line management relationship (more re. commercial). Due to the potential for conflict of interest, exploitation, favouritism or bias, such relationships may undermine the integrity of the supervision or may have adverse effects on the working and learning environment for those directly involved, as well as for the broader team and organisational culture of The Place. Such relationships may also provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or simply creates a perception of that such issues exist.

1.8. Where a close personal or intimate relationship exists between a member of staff and a student where there is no direct supervision, or between members of staff where the relationship may give rise to a real or perceived conflict of interest, breach of trust or confidentiality, there must be a clear declaration of the relationship (see Section 5 below).

1.9 This policy is explained to permanent staff in the central induction process and to casual staff as part of the LCDS guest teacher induction. It is also available for all staff to refer to on The Place's SharePoint site or the webpage listing relevant policies for hourly paid staff. <https://www.theplace.org.uk/hourly-paid-staff-resources-policies>.

1.10. Unprofessional or inappropriate conduct towards a student or staff member is not acceptable. This may breach the Prevention of Bullying, Harassment and Sexual Misconduct Policy or the Safeguarding of Children and Adults at Risk Policy.

1.11. A student or member of staff should seek advice immediately if they feel they have been subject to unprofessional or inappropriate conduct from a student or another member of staff, by speaking to the HR or Student Support Teams.

2. Relationships with Students or Staff Under the Age of 18 or Who are an “Adult at Risk”

2.1 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 vulnerable, for whom they have any responsibility for, or involvement in, that person's academic studies and/or personal welfare.

2.2 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.

2.3 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 of Children and Adults at Risk Policy](#) and contact the Senior Safeguarding Officer, who may contact the local authority designated officer and/or the police.

3. Relationships Between Staff and Students

3.1 The Place/LCDS prohibits close personal and intimate relationships between staff and students where the staff member has a direct professional responsibility for, or involvement in that student's academic studies and/or personal welfare.

3.2 Direct professional responsibility includes programme management, year leadership, direct supervision, teaching, assessment of students' work, welfare or pastoral roles and involvement in student finance. All staff contracted to undertake these responsibilities but who may interact with particular students on a one-off or irregular basis will still be considered to be covered by this prohibition for the duration of the students' entire programme.

3.3 Staff have an obligation to declare an intimate or close personal relationship with a student for whom they do not have direct supervision to enable The Place to assess whether any potential or actual conflict of interest exists. This will include pre-existing relationships when a staff member or student commences at The Place.

3.4 Once declared, a conflict of interest plan will be made. This is detailed in paragraph 5.5 below.

3.5 In order 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 duties without favour towards any individual student over another student
- Avoid creating special friendships with students as this may be considered to be grooming. This could include special friendships with a view to establishing an intimate relationship following graduation
- Use their work email account, telephone, IT software and applications and internet access for communication with students. Where possible using personal messaging via social media should be avoided
- Set an example by writing and communicating with students in a professional and business style. All written communications that contain personal data may be required to be disclosed for legal reasons
- Adhere to The Place's Social Media policy and use any personal social media accounts with due care and attention to the points above
- 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 events outside The Place. Staff are encouraged to use their work telephone numbers which may then be diverted to the staff member's personal mobile. The IT Team can advise on how to do this

- Adhere to these guidelines, where logistically possible, when participating in events outside of the premises of The Place

3.6. 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 The Place premises; and 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 support service and limit their role in providing such support to a student where this is not part of employment duties
- Refrain from contacting students outside of reasonable working hours. These are normally 0800-1800 during weekdays unless there are planned performances or activities outside these hours.
- Not seek personal information from a student except where it is relevant to an academic process (e.g. medical information for special consideration, or personal circumstances information as part of an academic progress procedure)
- Remember that perceptions of a power relationship will persist for some time after graduation and bear this in mind when establishing future relationships with students

3.7. The following are considered examples of unacceptable behaviour towards students. (The list is not exhaustive):

- Physical touching, that could be construed as sexualised (e.g. touches of the shoulder or squeezes of the leg), or comments or questions of a sexual nature (whether verbally or electronically)
- 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 (see also the Employee Gifts and Hospitality Policy)
- Inviting an individual student to the staff member's private home or room without others present, or visiting the student's home or room, including while at external events

- Asking a student to care for their child, or to house sit whilst on holidays, or perform any other personal services when not formally employed or engaged by The Place to do so

4. Relationships Between Members of Staff

4.1. Relationships between members of staff are not prohibited. However, in order to prevent potential abuse of power or perceived or real conflict of interest, staff must declare 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 (e.g. two staff members in a relationship who work in different departments who now work in the same department)

4.2. Relationships between staff in which one has direct or indirect authority over another are strongly discouraged. Where staff are in such a situation, consideration must be given to 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.

4.3. 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 their duties without favour towards any individual staff member over another
- Avoid paying undue special attention to a particular member of staff which may be seen as grooming
- Use their work email account, telephone, IT software and applications, work related WhatsApp groups and internet access for communication where possible. The use of personal messaging via social media should be avoided if possible
- Ensure all emails and work-related messages are written in a professional manner. All written communications that contain personal data may be required to be disclosed for legal reasons

- Establish boundaries between professional and non-professional communication with colleagues
- Adhere to the same guidelines, where logistically possible, when they are at outside events with other members of staff
- Where possible, ensure that meetings and discussions occur in appropriate locations at The Place
- Refer staff with support needs to a relevant support service, via the HR Team and limit their role in providing personal support to a staff member where this is not part of employment duties

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

5. Declaration of Intimate or Close Personal Relationships

5.1 All declarations are to be made as soon as reasonably practicable and always within one month of the start of the relationship.

5.2 As the declaration contains sensitive personal data it will be stored securely and managed in compliance with data protection legislation. Such declarations will be treated respectfully, sensitively and confidentially, and the wishes of both parties respected as far as is possible. This includes same-sex relationships where the parties may not be “out” publicly.

5.3 Staff who are unsure whether they have a close personal or intimate relationship with a student or staff member, should seek advice from the Head of HR or Director of Registry and Student Wellbeing. Staff are particularly encouraged to seek advice if the other party expressly does not wish the relationship to be reported.

5.4 Staff must complete the Personal Relationship Declaration Form at Appendix 2 below.

- Step 1 – Staff should submit the form to the Head of HR who will review the form and where appropriate and necessary, consult with the parties and the Line Manager/ Department Director on what actions, if any, are required to remove any potential conflict.

- Step 2 - The actions will be documented on the form and copies provided to the relevant parties. The form will be stored securely on the member(s) of staff's HR file.
- Step 3 – Any unresolved matter may be referred to the relevant Department Director.

5.5. In putting in place measures to manage any conflict of interest, the following will be considered:

- Any known vulnerability of the student or staff member
- The student's or colleague's personal circumstances at the time
- Whether there is a supervision or teaching arrangement in place at the time
- The circumstances of the student when the close personal relationship commenced or was initiated (for example, if the personal relationship existed prior to the staff/student relationship)
- Any special family, kinship and elder relationships
- The nature of the two individuals' contact in study or employment
- The potential for the staff member to influence the academic progress and outcomes or career progression of the student or colleague
- The potential for the staff member to influence the nature of work, workload, or career of the other staff member
- The extent of the power imbalance between the two individuals
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5.6. Both the staff member and student or other staff member will be notified of the conflict of interest management measures put in place.

6. Breach of Policy

6.1 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 vulnerable is in breach of this policy and will be investigated under the disciplinary procedure.

6.2. An intimate relationship between a staff member and student with direct supervision is a breach of this policy and will be investigated under the disciplinary procedure.

6.3. Failure to disclose a close personal or intimate relationship with a student, or with another staff member where there is a real or perceived conflict of interest, breach of trust or confidentiality, is in breach of this policy and will be investigated under the disciplinary procedure.

Date Reviewed	February 2022
Next Review Due	February 2025
Committee	Finance and General Purposes

Appendix 1 Definitions

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.

Close Personal Relationships

A close personal relationship is a relative or close family friend, or a relationship where there is financial dependence.

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 are being threatened with violence (by the perpetrator and/or by someone else)
- They are being threatened with humiliation
- 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.

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.

Grooming: Grooming can be defined as a gradual process that someone in a position of power uses to manipulate someone to do things that 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.

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.

Position of Trust: Any staff member working closely with children, young people or adults at risk, is in a position of trust.

Appendix 2 Personal Relationships Declaration Form

SECTION A: TO BE COMPLETED BY STAFF / STUDENT

Students: Please complete this form and send it securely to the Director of Registry and Student Wellbeing. The member of staff will also need to complete their own form.

Staff: Please complete this form and send it securely to the Head of HR. Both parties must complete their own form.

Your Details:	
Name:	
Are you a student or member of staff?	
Line Manager/Personal Tutor's Name:	
Position and Department (If Staff):	
Programme (If Student):	
Other Party's Details:	
Name:	
Are they a student or a member of staff?	
Position and Department (If Staff):	
Programme (If Student):	
Nature of Relationship:	
Please state whether the relationship is of a close personal nature (e.g. a close friend or relative), or an intimate /romantic relationship.	
In the case of a close personal relationship, please specify your relationship to each other (e.g. cousin, parent, friend etc.).	
In the case of an intimate/romantic relationship, please specify when the intimate/romantic relationship started (approximate month/year):	

I understand the following:

1. It may be necessary for permanent or temporary adjustments to be made to any supervisory arrangements or other conditions, to remove any real or perceived conflict of interest arising from the relationship.
2. This information will be stored securely and managed in compliance with data protection legislation.
3. I have read and understood the **Personal Relationships Policy**

For intimate / romantic relationships:

I have read and understood The Place's policy on **Preventing Sexual Misconduct, Bullying and Harassment**.

Signed (electronic signature):

Print Name:

Date:

Staff should submit this form to the Head of HR who will discuss the form with their line manager and/or Department Director.

Students should submit this form to the Director of Registry and Student Wellbeing who will discuss the form with the staff member's line manager, Department Director and Head of HR.



SECTION B:

To be completed by the Head of HR in conjunction with line manager and staff member for staff declarations.

To be completed by the Director of Registry and Student Wellbeing in conjunction with the line manager and Head of HR for student declarations.

Has this relationship been declared within one month	Y/N
If no, why not?	
Is action or a conflict of interest management plan required?	Y/N
Reasons for recommended plan	
Details of action/plan	

Electronic Signature:

Print Name:

Job title:

Date: