

Personal Relationships Policy for Students

HARROW, RICHMOND AND UXBRIDGE COLLEGES POLICY AND PROCEDURES



Policy No:	C09
Subject:	Personal Relationships Policy – for Students
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Person responsible:	Group Safeguarding Lead
Approved by:	Curriculum and Quality Board
For action by:	All Staff and Students
For information to:	All Staff and Students

1 Background

- 1.1 The Policy sets out the expectations and obligations of HRUC employees and contractors ('staff') with respect to personal relationships with learners, irrespective of sexual orientation and identity.
- 1.2 HRUC staff are in a position of trust and must demonstrate exemplary behaviour. They should always give due consideration as to what is an appropriate environment and what is appropriate conduct in relation to the activities they are undertaking with learners.
- 1.3 **Zero tolerance** - HRUC prohibits all forms of harassment, sexual harassment and abuse of power. Staff must uphold a culture of respect, transparency and accountability to prevent any exploitation or misuse of authority.
- 1.4 HRUC recognises that socialising on a friendship basis between staff and learners is often a positive aspect of being an active member of the HRUC community, however the nature of staff/learner relationships imposes particular responsibilities and duties. This Policy seeks to safeguard learners and staff from actual or perceived conflicts of interest, ensuring a fair and supportive working environment.
- 1.5 This Policy seeks to protect learners and staff from allegations of actual or perceived conflicts of interest, and to limit circumstances where a position of power may be abused. In doing so it seeks to ensure a positive and supportive working environment where all are treated fairly.

- 1.6 HRUC prohibits intimate relationships between staff and learners who are under the age of 18 years old or who are an adult at risk.
- 1.7 This Policy prohibits close personal or intimate relationships between staff and learners where there is direct supervision.
- 1.8 Where a close personal or intimate relationship exists between a staff member and learner with no direct supervision, where the relationship may give rise to real or perceived conflict of interest, breach of trust or confidentiality, there must be a clear declaration of the relationship.
- 1.9 This policy meets the requirements of the Office for Students (OfS) conditions.

2 Purpose

- 2.1 There is potential for abuse or the perception of abuse in any intimate relationships between individuals in inherently unequal positions where one individual is expected to discharge their teaching or supervisory responsibility for the other, whether or not they are paid for their services (e.g. including honorary staff and emeriti). At HRUC, such positions include, but are not limited to, a teacher or staff member or Governor and the learner.
- 2.2 Due to the potential for conflict of interest, exploitation, favouritism or bias, such relationships may undermine the integrity of the supervision or evaluation provided or may have adverse effects on the working and learning environment for those directly involved, as well as for the broader team and departmental culture.
- 2.3 Relationships in which one party is in a position of power to evaluate the work or influence the career of the other, 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 these problems.
- 2.4 In line with HRUC policy, alcohol and illegal substances are not permitted on HRUC campuses or HRUC related events. There are designated smoking areas at all campuses.

3 Definitions

- 3.1 **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.
- 3.2 **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.
- 3.3 **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.

- 3.4 **Close Personal Relationships:** A close personal relationship is a relative or close family friend, or a relationship where there is financial dependence.
- 3.5 **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.
- 3.6 **Freedom of 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.
- 3.7 **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.
- 3.8 **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.
- 3.9 **Sexual Misconduct:** Unwanted sexual advances, coercion, sexually explicit communications, inappropriate physical contact, or any conduct that creates a hostile, degrading, or offensive environment.
- 3.10 **Position of trust:** Any staff member working closely with children, young people or adults at risk, is in a position of trust.
- 4 Prohibited Relationship with Learners or Staff Under the Age of 18 or Who are an “Adult at Risk”**
- 4.1 Members of staff must not be in, or enter into, a close personal or intimate relationship with a learner 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.
- 4.2 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.
- 4.3 Anyone suspecting a member of staff of acting inappropriately towards a learner or staff member under the age of 18 or an adult at risk should refer to the HRUC Safeguarding and Child Protection Policy and contact the Designated Safeguarding Officer, who may contact the local authority designated officer and/or the police.

5 Relationship Between staff and learners

- 5.1 HRUC prohibits close personal and intimate relationships between staff and learners where the staff member has a direct responsibility for or involvement in that learner's academic studies and/or personal welfare.
- 5.2 Direct responsibility includes direct management, direct supervision, assessing learners' work, welfare or pastoral roles.
- 5.3 Staff have an obligation to declare an intimate or close personal relationship with any other learner, for whom they do not have direct supervision, (whether new or existing), to enable HRUC to assess whether any potential or actual conflict of interest exists.
- 5.4 Once declared, a conflict of interest management plan will be made.
- 5.5 In order to maintain appropriate relationships with learners, 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 learners and perform their duties in the best interests of HRUC without favour towards any individual learner over another learner.
 - avoid creating special friendships with learners as this may be seen as grooming.
 - not give their personal mobile phone number or email address to a learner.
 - use a HRUC email account, HRUC telephone, HRUC software and applications such as Microsoft Teams or internet access for communications with learners, avoiding personal messaging (such as through Messenger or Twitter).
 - set an example by writing and communicating with learners in a professional and business style. Any email sent to a learner or a colleague about a learner may be disclosed to the learner or their legal representative, for example under data protection law.
 - adhere to the same guidelines, where logistically possible, when participating in fieldwork with a learner, attending conferences and any other HRUC activities whilst away from the usual workplace.
- 5.6 Where staff have a primary role of providing supervision, teaching, or pastoral care to learners (including personal tutors), staff should:
- where possible, ensure that meetings and discussions occur on campus or other College-approved premises. Where not possible, ensure the meeting occurs in a public venue, such as a library or a café.
 - refer learners with support needs to a relevant College support service and limit your role in providing personal support to a learner where this is not part of your employment duties.
 - refrain from contacting learners outside of reasonable working hours.
 - not seek personal information from a learner except as relevant to a College process (e.g. medical information for special consideration, or personal circumstances information as part of an academic progress process).
- 5.7 Guidance on unacceptable behaviour towards students:
- Please note that the below is not an exhaustive list of examples:
- 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 learner which may be seen as grooming.
- Accepting gifts from a learner, unless it is following final assessment completion and deemed to be a minor token of thanks.
- Inviting an individual learner 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 learner 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 HRUC to do so.

6 Relationships Between Members of Staff

- 6.1 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. For example, two staff members in a relationship who work in different departments who now work in the same department.

For more information on this section, please see the Personal Relationships Policy - For Staff.

7 Inappropriate Conduct by learners and Staff Members

- 7.1 Unprofessional or inappropriate conduct towards a learner or staff member is not acceptable.
- 7.2 A learner or staff member should seek advice immediately if they feel they have been subject to unprofessional or inappropriate conduct from a learner or member of staff, by speaking to their Tutor, the Head of Department or Personal Organisation Development (POD) department to ensure appropriate support is provided.

8 Declaration of Intimate or Close Personal Relationships

- 8.1 All declarations are to be made as soon as reasonably practicable and always within one month.
- 8.2 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.
- 8.3 Staff who are unsure whether they have a close personal or intimate relationship with a learner, should seek advice from their line manager, Head of Department or POD team. Staff are particularly encouraged to seek advice if the other party expressly does not wish the relationship to be reported.
- 8.4 Learners who are unsure whether they have a close personal or intimate relationship with a staff member should seek advice from their Tutor, Head of School or Learning Support Services.

- 8.5 Staff and learners must complete the Personal Relationship Declaration Form. This form should be completed even if the relationship was previously declared on a job or course application form.

Step 1:

Staff should submit the form to the POD department, who may need to discuss the detail with the staff member or with the Line Manager or Head of Department.

Learners should submit the form to their Tutor or Head of School who may need to discuss the details with the learners or with the staff member's Line Manager, HR, or Head of Department (where the relationship is between a learner and staff member).

Step 2:

POD or Head of Department will review the form and where appropriate and necessary, will consult the parties and the Line Manager/ Head of Department on what actions, if any, are required to remove any potential conflict. The actions will be documented on the form and copies provided to the relevant parties. HR will store the form securely on the member(s) of staff's HR file.

Step 3 - Any unresolved matter may be referred to the relevant Head of Department / Assistant Principal or Principal (or more senior leader depending on the circumstances).

- 8.6 In placing measures to manage any conflict of interest, the Head of Department may consider the following:

- any known vulnerability of the learner or staff member;
- the learner'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 learner when the close personal relationship commenced or was initiated (for example, if the personal relationship existed prior to the staff/learner relationship);
- any special family, kinship and elder relationships;
- the nature of the two individuals' contact in study, research or employment;
- the potential for the staff member to influence the academic progress and outcomes or career progression of the student or colleague; and
- the extent of the power imbalance between the two individuals.

- 8.7 Both the staff member and learner or colleague will be notified of the conflict of interest management measures put in place.

9 Breach of Policy

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

- 9.2 Failure to disclose a close personal or intimate relationship with a learner, or with a colleague where there is a real or perceived conflict of interest, breach of trust or confidentiality, may be investigated under the disciplinary procedure.

10 Review of Policy

This policy is not contractual and may be varied from time to time.

Appendix 1 - Personal Relationships Declaration Form

To be completed by the Learner:

This form should be completed in accordance with the Personal Relationships Policy.
Please complete this form and send it securely to the Tutor or Head of School.

Your Details:	
Learner name:	
Learner ID number:	
Campus:	
Other party details:	
Name:	
Line Manager (if staff):	
Position, Faculty/Division and Dept (if staff)	
Campus:	
Nature of Relationship: (Please state whether the relationship is of a close personal nature, for example a close friend or relative, or an intimate/ romantic relationship).	
Relationship of close personal nature (if relevant) for example cousin, mother, friend etc.	
When did the intimate/romantic relationship start (if relevant) (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. Signed (electronic signature): Print Name: Date:	

Learners to submit completed form to Tutor or Head of School who will discuss the form with the Assistant Principal / Principal or POD department, and with you if necessary.