

# Personal Relationships Guidance

February 2020

Supporting materials:

- Personal Relationships Policy
- Online Personal Relationships Declaration form

You may also find the following helpful:

- Dignity at Work and Study Policy
- Dignity at Work and Study Guidance
- Safeguarding Policy

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#### How to use this guide:

- This guidance has been designed to support colleagues and managers
- Please use this guidance in conjunction with the Personal Relationships Policy which accompanies this document on the HR section of the Hub
- For further advice and guidance, please contact the designated HR Assistant for your area or email [hradvice@salford.ac.uk](mailto:hradvice@salford.ac.uk)

The University of Salford recognises the importance of promoting and preserving the integrity of professional relationships between colleagues as well as with students, and third parties.

In order to carry out university teaching and business in a professional manner, it is necessary to distinguish when personal relationships overlap with professional ones. There may be occasions when colleagues or students are related or become close, romantically involved or enter business/ commercial relationships. In such instances, colleagues may find a conflict in their duties and personal interests. This document along with the policy, offers guidance for managers and colleagues when dealing with such situations.

## Who does it cover?

The policy and this guidance is applicable to all University colleagues and students.

It applies to all personal relationships, including:

- Family relationships
- Business, commercial or financial relationships
- Sexual and/or romantic relationships (both current and former)
- Friendships
- Property sharing or any instances of cohabitation

It applies to relationships which are conducted face to face as well as virtually, e.g. via social media or any other electronic means e.g. text message.

## Purpose

The Personal Relationships policy seeks to ensure the welfare of all colleagues and students. Its purpose is to help colleagues act in the best interests of the University and our students whilst driving a culture where everyone demonstrates appropriate behaviours. It also aims to protect the integrity of everyone in our University community from allegations of actual or perceived conflicts of interest. This is particularly significant where there is an imbalance of power.

Such conflicts may arise in relation to the following areas:

- All aspects of teaching and learning
- Access to Student Services including financial assistance, counselling or any other services
- Management and supervision of colleagues
- Deployment of financial and other resource
- Access to confidential information
- Employment matters including recruitment, development opportunities, placements, complaints and discipline

For the avoidance of doubt, this is not an exhaustive list.



We recognise the inherent imbalance of power between many colleagues and students. Those who work for the University must not abuse their position in any way. This includes 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.

Relationships involving students under the age of eighteen or vulnerable adults fall within the scope of the Sexual Offences Act 2003 and are therefore prohibited. The member of staff does not need to be responsible for teaching or managing the student and it applies even where the relationship is considered consensual.

For clarity, vulnerability is defined as a person who is or may be in need of community care services by reason of mental or other disability, age or illness; who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation (Department of Health, 2018). It should be noted that a person can become vulnerable as a result of specific circumstances or situations which may increase the risk of exploitation.

In a university setting, factors which may indicate vulnerability include:

- Physical or mental disabilities
- Language or communication difficulties
- Learning differences
- Social isolation
- International or refugee status
- Health conditions, particularly those long term
- Drug or alcohol dependence
- Care leavers or estrangement
- Homelessness
- Permanent or temporary reduction in physical, mental or emotional capacity, brought on by significant life events

Full details of the University's approach to safeguarding young people and vulnerable adults can be found in the University's 'Safeguarding Policy'.

All forms of prohibited relationships and behaviours will be dealt with under the disciplinary policy and procedure and may be subject to criminal investigation. If anyone is made aware of or has concerns in relation to prohibited relationships please seek immediate advice from your Department Head and HR.



### Colleagues are responsible for:

- Recognising that they are in a position of trust, and that it is their professional and ethical responsibility to protect the interests of students.
- Reporting any concerns around inappropriate, coercive or predatory behaviour in confidence with their line manager (or other appropriate manager).
- Disclosing all relevant relationships as per the Personal Relationships Policy and the University procedure detailed in this guidance document.
- Ensuring they are familiar with the University's Personal Relationships, Safeguarding and Dignity at Work and Study Policies and have undertaken the 'Dignity at Work' training available via e-learning.

### Managers are responsible for:

- Addressing all relevant discussions sensitively and confidentially.
- Ensuring that if member of their team discloses a relationship where there is a potential conflict of interest that the University's policy and associated procedures are consistently applied, taking advice as appropriate.
- Acting promptly when allegations of abuse of power and trust, controlling/coercive and predatory behaviour, and sexual harassment are reported by colleagues and students in relation to their working and studying environment.
- Maintain confidential records of all actions or controls imposed, so that this can be referred to in case of future conflict.
- Ensuring that all colleagues for whom they have line management responsibility are familiar with the University's Personal Relationships, Safeguarding and Dignity at Work and Study Policies and have undertaken the 'Dignity at Work' training available via e-learning.

### The University is responsible for:

- Ensuring students and colleagues are protected from inappropriate behaviour which may include abuse of power and trust, controlling/coercive and predatory behaviour, and harassment.
- Treating all disclosures in a confidential and sensitive manner.
- Ensuring managers, colleagues and students are made aware of the Personal Relationships policy and guidance through the University's Hub, publications and general training, where appropriate.

Disclosures

Colleagues will need to consider whether a personal relationship should be disclosed to their line manager and also via the online disclosure form, referring to the Personal Relationships Policy and this Guidance document. If in doubt they can speak to their line manager in the first instance. A summary table is provided to aid in determining whether relationship should be disclosed:

Relationship	Prohibited or Discouraged?	Requirement for disclosure?
Employee/Student under the age of 18 or a vulnerable adult	Prohibited	N/A Please seek immediate advice from your Department Head and HR.
Employee/Employee	N/A	Yes where there is a conflict of interest. Otherwise encouraged to disclose.
Employee/Student over the age of 18 and not catagorised as vulnerable adult	Strongly discouraged	Yes
Employee/Family members or friends who become students	N/A	Yes
Employee/Job Applicant (where there is a pre-existing relationship)	N/A	Yes
Post Graduate/Undergraduate Students – where there are Supervisory responsibilities	Strongly discouraged	Yes – where there are supervisory responsibilities
Employee/Third party – Business or contractual	N/A	Yes where there is a conflict of interest. Otherwise encouraged to disclose.

If the University is made aware of a personal relationship to which this policy applies, management will consider appropriate action which will serve to protect the integrity and welfare of all involved. This will be dealt with in confidence as sensitively as possible.

Efforts to mitigate any conflict may include:

- Ensuring that the colleague does not have sole responsibility for aspects of the students work, especially where it is subject to assessment
- Ensuring the colleague is not the sole decision maker in respect to decisions which have a potential effect on the student
- Ensuring that the relationship has no adverse impact on other students and colleagues
- Ensuring that a colleague is not able to make decisions affecting the other person's employment Examples of this may include workload allocation, promotion, and career development

**Where the conflict of interest may not be adequately mitigated,** the University may seek to accommodate one individual elsewhere in the organisation if possible.

If a colleague becomes aware of a job applicant with whom they share a personal relationship, **disclosure is mandatory.** The colleague will be required to remove themselves from any involvement in the recruitment and selection process e.g. as a member of the recruitment and selection panel or acting as a referee for that person. Failure by a colleague to remove themselves from any involvement in the recruitment process and to declare the nature of their relationship with the candidate may result in disciplinary action being taken.

To protect the interests of all parties, a record of the disclosure and any action, if taken, will be made. Disclosures received will be considered without prejudice to either party.

Failure on the part of a colleague (including postgraduate students in pastoral and/or supervisory roles) to make a disclosure may result in disciplinary action being taken.

## Socialising with Students

It may be important in some limited situations that colleagues spend some social time with students. However, even when socialising with students, colleagues need to be aware that they must maintain professional standards and boundaries at all times. This applies to all forms of socialising including face to face or via electronic means.

In social situations, colleagues will need to consider how they might need to manage their own behaviour to maintain the boundaries of their relationships with students. It may be appropriate for the colleague to explicitly communicate these boundaries with students from the outset.

## Inappropriate Student Behaviour

Inappropriate behaviour towards a colleague by a student is not acceptable.

It is important to note that inappropriate behaviour also includes for example, unwanted attention from a student in the form of letters, gifts, emails, texts or social media messages.

A colleague who needs assistance in responding to any form of inappropriate behaviour that is initiated by a student is encouraged to speak to their manager in the first instance. The Dignity at Work and Study Policy and Procedure also provides further detailed guidance for colleagues and managers.

The following steps should be followed if it is determined that a disclosure is appropriate:

1

The colleague discloses the relationship via the confidential on-line 'Relationship Declaration' form. The disclosure will include the names of the parties involved in the relationship, the type of relationship, and any potential conflicts of interest. The form will be submitted to the People Team.

2

A HR Advisor will liaise with the appropriate manager to consider:

- Is there a conflict of interest? If yes, then a meeting will need to be convened with the colleague to discuss how any conflicts may be mitigated. Examples of how conflicts could be mitigated are given on page 6 of this guidance. Further support may be provided by colleagues in the People Team if required.

3

- A copy of the disclosure and any subsequent actions to mitigate conflicts of interest will be kept securely on the Personal Relationship Register held by the People Team. All data will be stored and managed in line with the University's data protection policy. Declarations and all associated information will be held on the register for 6 years from the date of the colleague's contract termination date.
- The manager will need regularly review whether actions to mitigate conflicts are still appropriate and effective. At the very least this review should take place each trimester.





## What are the legal requirements?

All information provided by colleagues will be handled in accordance with the University's obligations under the Data Protection Act 1998. All information provided under this Policy will be treated in the strictest confidence. It will only be seen by appropriate individuals who require this to undertake their duties.

Wherever possible data is stored electronically on secure servers so it can easily be accessed, maintained and deleted. The University has a robust approach to data protection and document retention, detail of which are available [online](#).

In the unlikely event that confidential information is lost, the University has a robust process in place for informing affected individuals of the breach. In accordance with the General Data Protection Act 2018 the University will notify the Information Commissioners Office of any breaches which are likely to pose a risk to the data subject within 72 hours.





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