

# **POLICY ON CONSENSUAL RELATIONSHIPS**

Approved by the Board of Governors: 3 July 2007

## 1. Introduction

This policy is articulated in four parts: (i) introduction, (ii) staff relationships, (iii) staff-student relationships, (iv) how the policy will be implemented.

It is vital that trust and confidence exist between staff members, and staff and students, to ensure that students maximise their learning experience. For these reasons, the University has adopted a policy to promote better understanding of the difficult issues which may arise as a result of consensual relationships between members of the University community.

The University of Chichester does not wish to, nor can it, legislate against the development of personal relationships between staff and students, or staff members. However, two key principles below must govern any such relationships:

- a) There should be no abuse of a position of power
- b) all staff must be (and be seen to be) unbiased in their dealings with other staff as well as students.

This policy and these two key principles apply equally, irrespective of sexual orientation.

'Relationships' that are **not** consensual should be addressed through the University's Equality and Diversity policies or through the Harassment Policy and Procedure.

Relationships that pre-date this Policy remain subject to these guidelines.

## 2. Personal relationships between staff

Personal relationships (including familial ones) do exist or develop between members of staff and usually pose no problems. Where personal relationships occur between members of staff it is the responsibility of the individuals to deal appropriately with any potential conflicts of interest and ensure the two key principles are maintained.

In any process of recruitment, selection, appointment, appraisal, organisational change, salary review or promotion, three criteria must be met by those involved in the process to assist in complying with the two key principles above:

1. Any interest must be declared before the process commences.
2. The process must be transparent, and the relation/partner must not be involved.
3. Any process that causes a directly hierarchical relationship between the parties should be avoided so far as possible. Where such a relationship is unavoidable (e.g. through one of the parties being appointed a Head of Department), subsequent opportunities to achieve a hierarchical separation should be pursued, or mitigating action taken.

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

The University requires that, if such relationships arise, they must be conducted with the utmost discretion and entirely outside the professional environment.

### **3. Personal relationships between staff and students**

The staff-student relationship represents a special case because the integrity of this relationship is of such fundamental importance to the central mission of the University.

Staff are expected to maintain a professional relationship with all students at all times and to develop their students' abilities and safeguard students' welfare. Professional responsibilities of staff towards students may be academic (including assessment), administrative, or advisory.

It is essential that the conduct of staff should be based on the following which will help ensure compliance with the two key principles:

- Members of 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 sexual/romantic relationship with a student can involve 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 sexual/romantic 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 Harassment Policy.

### **4. Policy implementation**

No Policy can deal specifically with all relationships that can potentially arise and all cases will be considered on their own merits. The following minimum guidelines should be followed.

#### **4.1. Staff relationships**

Where sexual/romantic relationships occur between members of staff (which involve an actual, potential or perceived conflict of interest), the following should be noted and observed:

- 1) Should such relationships occur the members of staff affected are expected to inform their Manager(s) or HR to ensure that any actual, perceived or potential conflict of interest can be minimised.
- 2) The Manager or HR will, in consultation with the member(s) of staff, find ways in which conflicts of interest might be avoided.
- 3) If members of staff are working in the same department or section or are in a supervisory relationship, it may be necessary to explore the possibility of one party being moved to another area of work or work location, or for line management to be changed. The University is not obliged to provide different arrangements for those involved in consensual relationships.
- 4) If a member of staff has a close personal relationship with an applicant for employment it would normally be necessary for the member of staff to avoid any involvement in the appointment process, e.g. membership of an appointment panel or acting as a referee. External and internal applicants for posts are asked to declare relevant personal relationships on the application form for the post.

- 5) A member of staff who is, or who has been, involved in a sexual/romantic 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 Harassment Policy and Procedure.

#### **4.2. Staff-Student relationship**

Where a personal relationship occurs between a member of staff and a student, the following should be noted and observed:

- 1) Should such a relationship occur, the member of staff should inform their Manager immediately. This is particularly important if the student is someone to whom they have or are scheduled to have any responsibility. Failure to do so could make the member of staff open to charges of bias which may lead to disciplinary action.
- 2) Teaching and assessment arrangements will need careful consideration. The Manager should make arrangements to ensure impartial assessment by making sure that the member of staff does not directly assess the student's work.
- 3) The Manager may ask to see the member of staff and the student to discuss what needs to be done to minimise ethical or professional problems arising in such circumstances.
- 4) Students who have been involved in such a relationship with a member of staff, and who do not consider their involvement to be truly consensual, have the right of complaint under the University's Harassment Policy and Procedure.

#### **5. Conclusion**

Any member of the University community who has substantial reason to believe that a violation of the Consensual Relations Policy has occurred should discuss their concerns, in confidence, with their Manager or a member of Human Resources.

This policy should be widely publicised among staff and students. Such publicity should present the issue as one of professional conduct and safeguarding of students' and staff interests, not as an invasion of privacy.

Any breach of this Consensual Relations Policy is a potentially serious matter and could result in disciplinary action being taken.