

# PROFESSIONAL RELATIONSHIPS BETWEEN EMPLOYEES AND OTHERS (INCLUDING STUDENTS, OTHER EMPLOYEES AND THIRD PARTIES) POLICY

## Human Resources Service

***NB. This policy is available on the University of Cumbria website and it should be noted that any printed copies are uncontrolled and cannot be guaranteed to constitute the current version of the policy.***

POLICY SCHEDULE	
Policy title	Professional Relationships Between Employees and Others (Including Students, Other Employees and Third Parties) Policy
Policy owner	Human Resources Service
Policy lead contact	Human Resources Service
Approving body	Employment Policy Committee
Date of approval	16 June 2016
Date of implementation	1 August 2016
Version no.	V03 010816
Related Guidelines, Procedures, Codes of Practice etc.	Code of Conduct, Safeguarding Children and Working with Vulnerable Groups Policy, Bullying and Harassment Policy, Disciplinary Policy, Public Interest Disclosure Policy and Grievance Policy
Review interval	2017/18

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## **2. Introduction**

- 2.1 The University recognises the importance of promoting and preserving the integrity of professional relationships between employees as well as with students, and third parties.
- 2.2 Professional relationships are essential in assisting the University to conduct its activities in a spirit of openness, fairness, consistency of treatment, mutual trust and respect. They also support the effectiveness of day to day business, the reputation of the University and the performance of employees and/or students.
- 2.3 This policy should be read in conjunction with the following policies/documents: Safeguarding Children and Working with Vulnerable Groups, Bullying and Harassment, Public Interest Disclosure (Whistle Blowing), Diversity, Equality and Inclusion, Grievance, Disciplinary, Academic Regulations and Code of Conduct.
- 2.4 This policy aims to provide clear guidance to all employees on the University's approach and expectations regarding personal and professional relationships connected with their work. Good standards of professional practice should be followed and applied in all circumstances to minimise any potential conflict.
- 2.5 This policy provides clarification on potentially problematic relationships including:
- Employee / student relationships (including relationships with non-UoC students if the contact is connected to the employee's work)
  - Employee / employee relationships
  - Employee / third party relationships

- 2.6 The policy also seeks to encourage employees to consider any direct conflict, or apparent conflict of interest, arising out of a relationship and to consider whether or not it should be declared both in line with this policy and in the interests of probity, transparency and openness. If an employee is in any doubt about declaring a relationship they should discuss the relationship in confidence with their line manager (or other appropriate manager) or a member of the Human Resources Service, further guidance is also available in the table at section 5.14.

### **3. Equality, Diversity and Inclusion Statement**

The University values equality and diversity and is committed to maintaining an environment where its employees, students and visitors are treated fairly and with respect at all times. It aims to ensure that its actions and working practices comply with both the spirit and intention of the Human Rights Act (1998) and the Equality Act (2010) which relates to the protected characteristics of age, disability, gender reassignment, marriage & civil partnerships, pregnancy & maternity, race, religion or belief, sex and sexual orientation.

### **4. Scope**

- 4.1 This policy applies to all permanent, temporary and casual employees, who work under a contract of employment, excluding students of the University who take up employment as temporary casually employed employees, eg student ambassadors, student rovers and student mentors. However, in such circumstances the possible impact of any relationships on service delivery needs to be considered and appropriate conduct should be determined in accordance with the duties and responsibilities of the post.

- 4.2 Relationships covered by these guidelines include:

- Contractual
- Commercial
- Family
- Financial
- Sexual
- Social/Close Friendship
- Romantic

**This list is not exhaustive and the policy applies to relationships that are conducted face to face as well as virtually, i.e. via social media.**

- 4.3 This policy covers any issues where such relationships raise concerns or potential concerns about conflict of interest, trust, confidentiality and/or bias. Potential areas of concern include: management and supervision of employees including career progression and development opportunities, financial gain, all aspects of teaching, learning and assessment, assignment of work, access to services, contractual matters including employment, career opportunities, selection of providers, access to confidential information and academic vocational guidance.

## 5. Policy Principles

### A. RELATIONSHIPS WHICH ARE PROHIBITED

- 5.1 The University policy is that it does not allow employees to begin a personal relationship with a **student under the age of 18 years or a vulnerable adult**. Entering into intimate or sexual relationships is an abuse of trust and in the case of students under the age of 16 years is a criminal offence.

### B. RELATIONSHIPS WHICH ARE STRONGLY DISCOURAGED AND MUST BE DECLARED

#### Employee / Student Relationships

- 5.2 The University **strongly discourages** employees entering into a relationship as defined 4.2 with a **student, even where they are over the age of 18 and are not categorised as a vulnerable adult**, especially one of a sexual/romantic nature, and particularly with those for whom they have a responsibility, eg line manager, Lecturer etc. The University recognises that a restriction on all such relationships would be unsustainable in practice, as it would encourage secrecy and offer less protection to the student and staff.
- 5.3 The establishment of an academic relationship with family members or friends who become students also raises ethical and professional issues. In addition, the existence of relationships with a student's family members may also give rise to similar professional and ethical issues.
- 5.4 The University's policy is therefore that employees who do have a relationship other than a professional working relationship with a student or their family members are required, in the interests of probity, transparency and openness, to declare that relationship in confidence.
- 5.5 Employees who feel a student is developing an inappropriate relationship with them, another employee or vice versa, should raise this in confidence with their line manager (or other appropriate manager) or a member of the Human Resources Service.
- 5.6 Additionally, employees who have concerns about a potentially inappropriate relationships of other employees are expected to raise the issue in confidence with their line manager (or other appropriate manager) or a member of the Human Resources Service for further clarification to seek probity, transparency and openness. Employees should be aware that this information may lead to a formal process.

**C. OTHER RELATIONSHIPS WHICH EMPLOYEES ARE REQUIRED / ENCOURAGED TO DECLARE**

**Employee / Employee Relationships**

- 5.7 Employees who have a relationship, other than a professional working relationship, with another employee should consider whether or not, in the interests of probity, transparency and openness, they should declare that relationship. If an employee is in any doubt about declaring a relationship they should discuss the relationship in confidence with their line manager (or other appropriate manager) or a member of the Human Resources Service, further guidance is also available in the table at section 5.14.
- 5.8 Where the employees start to develop a romantic/sexual relationship and there is, or may be a conflict of interest (either direct or apparent – refer section 4.3 above), then the employees must declare the relationship in confidence to ensure that they remain both impartial and credible in exercising that impartiality.
- 5.9 An example is where the personal relationship exists between employees who also have a line management or supervisory relationship. Such a situation potentially gives rise to issues to do with approval of leave, appraisals, capability, expenses or other financial dealings. Therefore, in such instances, it is suggested that alternative arrangements are put in place, where possible. An employee must not be involved in any activity whereby unfair advantage may be gained, or could be perceived by others to be gained, over another employee or where a conflict of interest may exist. Action and arrangements must be seen to be fair to all parties and so alternative approval arrangements may have to be put into place for reasons of transparency (especially where partners report through to each other).
- 5.10 Employees who have a relationship, other than a professional working relationship, with another employee, that haven't previously declared this due to there being no conflicts of interest, who are then included in an organisational restructure or other situation that may result in future potential conflict of interest are expected to declare their relationship in confidence to their line manager (or other appropriate manager) or a member of the Human Resources Service when the situation first arises.

**Employee / Third Party Relationships**

- 5.11 Where an employee has a relationship, other than a professional working relationship, outside work (eg with a third party connected with work) that may result in their objectivity or integrity being challenged, then the employee should, in the interests of probity, transparency and openness, declare the relationship.
- 5.12 An example of where it would be appropriate to declare the relationship include where an employee is on a selection panel and one of the applicants/interviewees is a relative/good friend, or where a relative/good friend is tendering for services with the University.

- 5.13 Employees should also seek advice from their line manager before becoming involved in any areas of activity, which may be deemed as a potential conflict of interest, trust and/or confidentiality.

#### **D. SUMMARY TABLE**

- 5.14 A summary table of the policy requirements:

<b>Employees Relationship with:</b>	<b>Status</b>	<b>To be declared</b>
1. Student under the age of 18 years or a vulnerable adult	Prohibited (unless family or guardian relationship. See point 2)	N/a
2. Student who is over the age of 18 and is not categorised as a vulnerable adult	Strongly discouraged	Yes
3. Family members or friends who become students	n/a	Yes
4. Other employee	n/a	Yes where there is a conflict of interest. Encouraged to declare
5. Third party (including University Business Partner)	n/a	Encouraged to declare

#### **E. DECLARATIONS**

- 5.15 Before a formal declaration is made an employee is encouraged to discuss a situation/potentially problematic relationship in confidence with their line manager (or other appropriate manager) or a member of the Human Resources Service for further advice and guidance.
- 5.16 When a declaration is made to a line manager (or other appropriate manager) or a member of the Human Resources Service a discussion will be held with the individual(s) to consider good practice and what action, if any, may be appropriate.
- 5.17 A declaration of a relationship should be made in writing to the employee's line manager (or other appropriate manager) or a member of the Human Resources Service. The declaration should include the names of the parties involved in the relationship, the type of relationship, and any potential conflicts of interest, and be dated and signed.
- 5.18 Such a declaration will be treated as confidential by the University. The information given, would only be disclosed on a 'need-to-know' basis (and normally with the employee's or student's consent) eg where alternative arrangements have to be made (which may cover for example the tutoring, supervision and assessment of a student). This may include sharing the information with the Human Resources Service.

- 5.19 Where an employee is required under this policy to make a declaration but fails to declare it may be regarded as misconduct and could leave the employee open to disciplinary action.

## **6. Roles and Responsibilities**

- 6.1 In order to support the implementation of this policy, it is the responsibility of:

### **6.1.1 All Employees**

- To ensure they are conducting themselves professionally and appropriately in line with good practice.
- To ensure they have an understanding and awareness of the policy and if not seek clarification at the earliest opportunity.
- To comply with the policy where appropriate in particular to declare relationships in line with the policy requirements.
- To raise concerns about problematic or potentially problematic relationships with their line manager (or other appropriate manager) or a member of the Human Resources Service.
- The University's Public Interest Disclosure (Whistleblowing) Policy may be used for this purpose if appropriate and employees raising issues are assured of protection if they raise issues in good faith and a genuine belief that there may be an issue.

### **6.1.2 Leaders and Managers**

- To ensure employees are made aware of this policy.
- To ensure employees understand the policy.
- To comply with the policy themselves.
- To deal with relationship issues sensitively.
- As a duty of care, to take action on concerns raised by employees.
- To ensure any declarations made to them, are considered in terms of impact and actions are implemented as appropriate.
- To ensure such declarations / actions are documented and forwarded to the HR Service for retention on the individual's personal file.

### **6.1.3 Human Resources Service**

- To ensure that the policy is readily available and understood such that employees are aware of the standards of professional relationships.
- To provide training, support and guidance to managers on its application.
- To review and monitor the operation and effectiveness of the policy.
- To ensure compliance with legal obligations.

#### 6.1.4 Learning Information & Student Services

- To provide support and guidance to students with concerns about professional relationships as defined in the policy.
- To provide advice where issues of safeguarding children young people or vulnerable adults are raised in relation to this policy.
- To ensure nominated Safeguarding Officers are aware of the standards of professional relationships and can advise and/or act accordingly.

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#### **UNIVERSITY OF CUMBRIA POLICY DOCUMENT CONTROL SCHEDULE**

*All University of Cumbria Policies must include a completed Policy Document Control Schedule consisting of the Policy Schedule (see front cover) and Review Schedule and (see below) which should be completed as appropriate.*

<b>REVIEW SCHEDULE</b>				
Version no.	Review interval	Reviewed by	Approved by	Date of Approval
31/03/2010	2010/11	HR	EPC	June 2009
14/10/2010	2010/11	Cosmetic Changes		
V01-150811	2010/11	Cosmetic Changes	CAB	August 2011
V02 – 010812	2013/14	Sam Fryers	EPC/JNCC	14 June 2012
V03 - 010816	2017/18	David Owens/Vikki Thomas	EPC	16 June 2016
V04 -				