



BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891



Personal Relationships at Work

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Purpose

- 1 This policy is about creating and maintaining a safe inclusive place for everyone to thrive. Buckinghamshire New University (BNU) recognises the value of mutually rewarding relationships and friendships within our community, that contribute to a dynamic and diverse environment.

Applicability and Scope

- 2 It is important to emphasise that in some circumstances personal relationships are strongly discouraged however, they must not be automatically conflated with misconduct or sexual misconduct. Where personal relationships overlap (or are perceived to overlap) with professional/working relationships, this document sets out appropriate safeguards to avoid harm, protect the integrity of individuals and the University's reputation. This can occur at the outset, during or at the end of a relationship. Therefore, this document reflects key findings and recommended principles concerning sexual misconduct that is well documented and published by Universities UK.
- 3 BNU takes the safety and wellbeing of students and colleagues seriously and works hard to continually develop a culture that embeds safety, equality, diversity and inclusion. Personal relationships can be complex and can involve power differentials. We expect collective responsibility to tackle risks and endorse our zero-tolerance approach to harassment and abuse. BNU colleagues should play their part in helping to create a culture of trust and must always consider what is appropriate conduct. In addition, we encourage people to report concerns and will support people to speak out about breaches of this policy. We recognise the significant negative impact of sexual misconduct and will support members of our community affected by it. When in need of further advice, please contact your HR Business Partner for more information.
- 4 Definitions of sexual misconduct, staff-to-student sexual misconduct, personal relationships and other relevant terms have been set out in the definitions section. They are informed by statutory or best practice publications.

Policy

Relationships between staff and students

- 5 BNU recognises recommendations that aim to prevent and tackle sexual misconduct within universities based on a growing understanding of the nature and scale of the issue. Staff must not compromise their professional or ethical responsibilities and BNU expects everyone associated with the University to maintain high professional standards. Accordingly, we acknowledge power differentials between staff and students and strongly discourage personal relationships.
- 6 Personal relationships are prohibited with staff or students who are under the age of 18, or who are over 18 and are vulnerable or 'at risk'. Personal relationships are not permitted where there is a direct professional or supervision responsibility, or involvement in that

student's academic studies or welfare. Staff should not enter a financial or business relationship that could compromise or be perceived to compromise their professionalism.

- 7 PhD students who are employed temporarily or permanently as staff (including as demonstrators) are included as staff.
- 8 Staff must confidentially declare a personal relationship with any student, (whether new or existing), to enable an assessment of potential, perceived or actual conflict of interest, breach of trust or confidentiality. This should happen in all circumstances, including if there is a pre-existing relationship or if one develops after enrolment. The assessment will identify actions needed to mitigate any risks.

Relationships between staff

- 9 Personal relationships between staff in workplaces aren't uncommon and in many cases are unlikely to cause a perceived or actual conflict of interest or involve power differentials. However, staff and prospective staff must declare a personal relationship in circumstances or occasions that could cause a perceived or actual conflict of interest. This includes existing relationships, ones that develop, or when changes occur. For example, when one party changes department and now works directly with the other party.
- 10 Once declared, consideration will be given to actions needed to mitigate any risks, such as alternative line management arrangements or ensuring a staff member can't make decisions that affect the other staff member's employment. Where relevant, consent to share details with colleagues affected by changes made, will be sensitively discussed.

Declaration of personal relationships

- 11 To protect all parties, declarations should be made as soon as reasonably practicable and always within 3 months. A relationship should be declared even if it was previously declared on a job or course application form. Failure to make a declaration may result in disciplinary action being taken.
- 12 As a declaration contains sensitive personal data it will be stored confidentially and securely in line with data protection legislation. The wishes of both parties will be respected as far as is reasonably possible. This includes relationships where the parties may not be "out" publicly or in the workplace.
- 13 Staff and students must advise their Personal Tutor, Line Manager, Head of School or Directorate or HR Business Partner as appropriate. Others may be involved dependent on circumstances e.g. the relevant member of the University Executive Team (UET) or Council Member. If there is any uncertainty this should be discussed with a relevant person.
- 14 If a personal relationship ends, all parties should continue to conduct themselves professionally in the University and avoid personal disputes which impact the working

environment or other colleagues and students. For help and support please contact your HR Business Partner, our Employee Assistance Programme (EAP) or student support services.

Guidance on maintaining professional relationships

15 To create and maintain a safe, inclusive and professional environment and reduce risks, we expect people to:

- use a University email account, University telephone, University software and applications and internet access for communications, avoiding personal messaging (such as through Social Media platforms, X, Facebook, Instagram and TikTok) and maintain professionalism in all communications when conducting business and matters relating to the university;
- do not provide personal phone numbers to students, make alternative arrangements and avoid contact with students outside of reasonable working hours;
- treat offsite University activities as an extension of the University premises and ensure that University matters are discussed on campus or other appropriate premises;
- refer colleagues or students with personal support needs to a relevant University support service, such as our Employee Assistance Programme or student counselling. Be mindful to limit your role in providing personal support where this is not part of your duties;
- avoid accepting gifts from students, unless it is following final assessment completion and deemed to be a minor token of thanks in accordance with the Code of Conduct policy.

This list is not exhaustive and for any doubts you should seek advice from a relevant staff or student contact, such as HR Business Partner or personal tutor.

Definitions

16 Sexual misconduct

- The [Office for Students](#) explains 'Sexual misconduct' means any unwanted or attempted unwanted conduct of a sexual nature.' This includes but is not limited to: *Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)*
- *Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)*
- *Assault (as defined by the Sexual Offences Act 2003)*
- *Rape (as defined by the Sexual Offences Act 2003)*
- *Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)*
- *Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)*
- *Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).*
- *It includes harassment and sexual misconduct through any medium, including, for example, online (OfS, 2020).*

17 Staff-to-student sexual misconduct

“All behaviour of a physically or emotionally intimate or sexual nature by a staff member that, reasonably considered, is inappropriate and/or unacceptable. This includes unwanted behaviour of a sexual nature that:

- 1. has the purpose, or may reasonably be considered to have the effect, of violating a student’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for a student; or*
- 2. is an abuse of power over a student; or*
- 3. is more or less favourable treatment of a student because the student has rejected or submitted to such behaviour – through any medium, including online.*

Even if the behaviour is not expressly unwanted, this would still be regarded as sexual misconduct if points 2 or 3 apply” (Universities UK, Changing the culture: tackling staff to student sexual misconduct, March 2022)

18 Personal relationship

It can be a: family relationship, a close family friend, a relationship where there is financial dependence (including commercial or business) and a previous or existing, one-off/brief, sexual, intimate, romantic relationship or marriage.

19 Adults at risk

An adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their need for care and or support. Further details are available in the *Care Act (2014)*



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