



UNIVERSITY OF  
WINCHESTER

## RELATIONSHIPS POLICY

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<b>Responsible Person and Department:</b>	Director of Human Resources, Human Resources
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<b>Indicate whether the document is for public access or internal access only</b>  <b>Indicate whether the document applies to collaborative provision?</b>  <i>(Strikethrough text, as appropriate)</i>	<b>Public Access</b>  <b>Applies to Collaborative Provision</b>
<b>Summary:</b>  This policy provides guidance and process information in the event of personal relationships between staff, and staff and students. It also provides indications of conduct likely to be considered unprofessional in that context.	

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## **1. Introduction and Scope**

**1.1** This policy sets out the expectations and obligations of University of Winchester with respect to personal relationships between students and staff (as defined below) and between colleagues, regardless of sexual orientation and identity. For the purposes of this policy, we consider staff as broadly defined and to include employees and workers. Honorary and emeritus staff, external members of university committees, and staff at allied organisations such as the Students' Union are not required to declare their relationships, but the University may withdraw permissions related to their relationship with the University in situations where a breach of a position of trust is suspected or proven.

**1.2** University of Winchester staff are in a position of trust. It is important that they demonstrate exemplary behaviour. Someone else might misinterpret their actions, no matter how well intentioned. 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.

**1.3** We recognise that socialising on a friendship basis between colleagues and staff and students is often a positive aspect of being an active member of the University community, however the nature of staff/student and staff/staff relationships introduces particular responsibilities and duties on staff. This policy is intended to ensure that appropriate safeguards and processes are in place to prevent abuses of power and sexual misconduct.

**1.4** This policy seeks to protect students and staff from allegations of actual or perceived conflicts of interest, and to limit circumstances where a position of power may be abused or perceive to be abused. In doing so it seeks to ensure a positive and supportive working environment where all are treated fairly.

**1.5** This policy prohibits intimate relationships with staff or students who are under the age of 18 or who are an adult at risk.

**1.6** This policy prohibits close personal or intimate relationships between staff and students where there is direct supervision or direct responsibility for pastoral or welfare support.

**1.7** Where a close personal or intimate relationship exists between a staff member and student or between members of staff, there must be a clear declaration of the relationship, see section 9.

**1.8 Breach of this policy is a serious matter which may be considered under the disciplinary policy.**

## **2. Context**

**2.1** There is potential for abuse, or the perception of abuse, in any intimate relationships between individuals in inherently unequal positions. Such positions include, but are not limited to:

- a) a lecturer, tutor, practice mentor, or other member of staff and a student,
- b) a PHD supervisory team and their student,
- c) a manager and staff member they manage,
- d) junior staff and staff with greater seniority (including senior academic and junior academic) in the same department,
- e) mentor and mentee,
- f) Coach and coachee,
- g) principal investigator and postdoctoral scholar or research assistant in their research group, and
- h) student support and guidance practitioners and students.

**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 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 (also see 4.3 and 7.2). Shortlisting and interview panels are included within this context.

## **3. Definitions**

**Abuse of power**

Abuse of power means a situation where someone in a position of power in relation to another applies pressure in a way which:

- May result in the staff member or student doing something, or refraining from doing something, that they may not otherwise have done; and
- That action or inaction could reasonably result in something that falls within the scope of an intimate personal relationship.

**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 is defined further in our Safeguarding Policy. This can relate to physical, mental or psychological wellbeing or the potential to be drawn into sexual or criminal exploitation and activity.

**Close personal relationships**

A close personal relationship is a relative or close family friend, or a relationship where there is financial dependence. In the case of staff and student relationships, it includes a particular or close friendship above that enjoyed by the staff member and other students

**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.

**Intimate Personal relationships:** An intimate personal relationship is defined as a relationship that involves one or more of the following elements:

- Physical intimacy including isolated or repeated sexual activity; and/or
- romantic or emotional intimacy

**Position of Trust:** Any staff member working closely with children, young people or adults at risk, is in a position of trust.

#### **4. Relationships with Students 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 student 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 student or staff member under the age of 18 or an adult at risk should contact our Designated Safeguarding Officer: the Director of Student Support and Success, who may contact the local authority designated officer and/or the police. They will also look to the Human Resources team for advice regarding related University policies and procedures.

#### **5. Relationships between Staff and Students**

**5.1** University of Winchester prohibits close personal and intimate personal relationships between staff and students where the staff member has a direct responsibility for, or involvement in that student's academic studies and/or personal welfare. PhD students who are employed temporarily or permanently as staff are regarded as "staff" if their relationship is with a student, and as "student" if their relationship is with a member of staff, for the purposes of this aspect of the policy.

**5.2** Direct responsibility includes direct management, direct supervision, assessing students' work, welfare or pastoral roles.

**5.3** Staff have an obligation to declare an intimate or close personal relationship with any student, for whom they have or do not have direct supervision, (whether new or existing), to enable the University to assess whether any potential or actual conflict of interest exists. Please refer to section 9.

**5.4** If a staff member identifies that there is a potential situation where an intimate relationship as described under 5.1 might eventuate or has recently transpired, they should immediately seek advice from the Human Resources team and (if the relationship has recently transpired) declare the relationship in accordance with 5.6 and section 9.

**5.5** Once declared, a meeting will be sought as soon as practicable after the declaration of the relationship between the member of staff's Head of Department/School, a member of Student Services and the student. The student will be invited to bring a fellow student or Student Union officer with them if they wish. The purpose of the meeting will be to explain the procedure, to establish that the student acknowledges that there is a relationship, to ensure that the student has not felt pressured or coerced into agreeing to the relationship, to explain any potential changes in teaching or professional arrangements and to reassure the student of neutrality in the event of the ending of the relationship.

**5.6** Following the meeting at 5.5 a conflict-of-interest management plan will be made. This is detailed in section 9. If it is not possible to ensure a separation of professional responsibility, the relationship may not be compatible with continued employment at the University. **Entering a prohibited personal relationship could lead to action under the Disciplinary Policy.**

**5.7** In order to maintain appropriate relationships with students, and to help reduce the risk of sexual misconduct, abuse of power or conflict of interest, staff should:

- a) maintain an appropriate physical and emotional distance from students and perform their University duties in the best interests of the University without favour towards any individual student over another student
- b) avoid creating special friendships with students, as this may be seen as grooming or favouritism
- c) use a University email account, University telephone, University software and applications and internet access for communications with students where possible, avoiding personal messaging (such as through private emails, Messenger, WhatsApp, Twitter etc.). Communication should be professional at all times and within working hours unless there is a business or educational need.
- d) avoid giving their personal mobile phone number to a student



- e) adhere to the same guidelines, where logistically possible, when participating in fieldwork with a student, attending conferences and any other University activities whilst away from the usual workplace

**5.8** Where staff are within their role providing supervision, teaching, or pastoral care to students, they should:

- a) where possible, ensure that meetings and discussions occur on campus or other University-approved premises or through university approved virtual meeting spaces. Where not possible, ensure the meeting occurs in a public venue, such as a library or a café.
- b) refer students with support needs to a relevant University support service and limit their role in providing personal support to a student where this is not part of their employment duties;
- c) refrain from unsolicited communication with students outside of reasonable working hours;
- d) not seek personal information from a student except as relevant to a University process (e.g. medical information for special consideration, or personal circumstances information as part of an academic progress process).

**5.9** Guidance on behaviours towards students that can be problematic (Please note that the below is not an exhaustive list of examples):

- a) Physical touching, that could be construed as sexualised (e.g. touches of the shoulder or squeezes of the leg), or comments or questions reasonably construed as being of a sexual nature such as comments on someone's smile or appearance (whether verbally or electronically).
- b) Staff should be aware that a hug or similar physical act, intended as friendly, could be perceived as sexualised by a student because of the inherent power imbalance and the student's potential unwillingness to offend by voicing a refusal or disinclination. We therefore strongly advise staff to refrain from this type of act.
- c) Paying undue special attention to a particular student which may be experienced or perceived as grooming or favouritism
- d) Accepting gifts from a student, unless it is following final assessment completion and deemed to be a minor token of thanks. Please see also the Bribery and Accepting Gifts Policy.

- e) Giving gifts, as this may be perceived as indirectly coercive or grooming, even if well intentioned.
- f) Inviting an individual student to their private home or room without others present, or visiting their home or room, including while at conferences, overseas trips, or on placement.
- g) Asking a student to care for their 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 University of Winchester to do so.

**5.10** Any student who exerts sexual pressure over a member of staff, or who behaves in a coercive or predatory manner towards a member of staff, will be subject to the University's Student Disciplinary Procedures, the consequences of which can include expulsion from the University. Staff who witness or experience any such behaviour should report concerns about inappropriate behaviour of a sexual nature from students to their Head of Department or other relevant senior manager. Students who witness any such behaviour should report the matter to their Head of Department, Dean or through *Report and Support*.

## **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 always declare any family, close personal or intimate personal relationships.

**6.2** Where staff are in a family, an intimate or a close personal relationship, consideration will be given on how to prevent conflict of interest, breach of confidentiality or unfair advantage gained (or perceived to be gained) from the overlap of a personal and professional relationship. This may include finding alternative line management arrangements.

**6.3** The line manager will only inform other relevant members of staff about the relationship (e.g. in order to explain a change in management arrangements), if the individuals concerned agree.

**6.4** Staff are reminded of possible power imbalances within intimate and close personal relationships. Relationships between employees in which one has direct or indirect authority over another are strongly discouraged.

**6.5** In order to maintain appropriate relationships with colleagues/peers, and help reduce the risk of abuse of power or perception of the abuse of power, or conflict of interest, staff should:

- a) maintain an appropriate physical and emotional distance from other staff while working;
- b) perform your University duties in the best interests of the University without favour towards any individual staff member over another;
- c) avoid paying undue special attention to a particular member of staff which may be seen as grooming or favouritism;
- d) where possible staff should use their University email account, telephone and internet access for work-related communications with staff and maintain professional communications;
- e) be aware that any email sent to a staff member about another may be disclosed to them or their advocate under the General Data Protection Regulations. All emails and work-related instant messages should be written in a professional manner;
- f) establish boundaries between professional and non-professional communication with colleagues;
- g) adhere to the same guidelines, where logistically possible, when you and colleagues are participating in fieldwork, conferences and other University activities away from your usual workplace;
- h) refer colleagues with support needs to a relevant University support service, such as the Human Resources team.

**6.6** When a relationship has been declared, the ending of the relationship must also be declared to the relevant Head of Department and Dean or Director in writing, together with any difficulties arising from this that are relevant to the University, e.g. a continuing potential conflict of interest. If one of the parties is no longer a member of the university community, this requirement will no longer apply. Any mitigating action taken as a result of the relationship will normally continue for 3 months from the point of declaration of the ending of the relationship, but may be extended where necessary. It is expected that all parties will continue to conduct themselves in a professional manner in the University and avoid personal disputes which impact on the working environment or other colleagues and students.

## **7. Inappropriate conduct by students and staff members**

**7.1** Unprofessional or inappropriate conduct towards a student or staff member is not acceptable and may be grounds for a disciplinary or grievance process.

**7.2** Unprofessional or inappropriate conduct in close personal or intimate personal relationships (or where an intimate personal relationship has ended or been refused) may include, but is not limited to detrimental or favourable treatment such as:

- Not receiving a positive review or reference or receiving a negative review or reference
- Unfavourable treatment in assessments, for instance less access to support or feedback, less opportunity for extensions, lower grades or marks
- Not receiving funding for research
- Restricting access to resources or opportunities
- restricting participation in aspects of a student's education
- receiving positive review or reference
- favourable treatment on assessments, for example greater access to feedback or support, more opportunities for extensions, higher grades or marks
- being promised access to funding, resources or opportunities
- being promised introductions to others who can advance their academic or professional career

**7.3** A student or staff member should seek advice immediately if they feel they or another student or staff member have been subject to unprofessional or inappropriate conduct from a student or colleague, by speaking to one or more of the following, as appropriate: their line-manager, Faculty Wellbeing and Employability Advisor, Student Support and Success colleagues, the Head of Department, Faculty Dean, the Human Resources team or through *Report and Support* to ensure appropriate support is provided.

**7.4** Where concerns remain following being raised through the channels above, or if a safeguarding issue becomes apparent, the issue may be brought to a formal stage for investigation through the Staff Grievance Policy, Staff Disciplinary Policy, Investigation Policy, or Student Complaints process as appropriate.

## **8. External Organisations**

**8.1** From time to time an employee may be in a relationship with someone from an organisation with which the University does or wishes to do business. Where a potential conflict of interest may arise, the individual must advise their Dean or Director of this (or more senior manager where appropriate) as soon as the potential for conflict arises.

**8.2** Where a personal relationship is declared the University may put processes in place as per section 9. Where necessary the University may temporarily remove a member of staff from a committee, project, area of work or similar if a conflict of interest is identified.

## **9. Declaration of family, intimate or close personal relationships**

**9.1** All declarations are to be made as soon as reasonably practicable and always within one month of the commencement of any relationship or, in the instance of an existing relationship, of the staff member or student commencing work or studies at the University.

**9.2** 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.

**9.3** Staff are individually responsible for any failure to report a relevant relationship, including in situations where the other party to their relationship does not wish the relationship reported. Failure to report under this policy may be managed in line with the Disciplinary policy. Staff should seek advice from the Human Resources team if the other party expressly does not wish the relationship to be reported.

**9.4** Students who are unsure whether they have a close personal or intimate relationship with a staff member should seek advice from their Head of Department or Student Journey Team member. Students are not obliged to report such a relationship but may ask the relevant Head of Department or the Human Resources team whether their relationship has been declared.

**9.5** Staff must complete the Personal Relationship Declaration Form at Appendix 1. This form should be completed even if the relationship was previously declared on a job or course application form.

- a) Step 1 – Staff should submit the form to their Head of Department and Dean/Director and copy to the Human Resources team;
- b) Step 2 – The Head of Department with advice from the Human Resources team will review the form and will consult the parties and the Dean/Director 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. The Human Resources team will store the form securely on the member(s) of staff's central HR file;

- c) Step 3 – Any unresolved matter shall be referred to a member of the Executive Leadership Team (ELT);
- d) Where the disclosing party is a Head of Department – the disclosures (and the student's disclosure if relevant) should be made to their Dean/Director and the above steps followed;
- e) Where the disclosing party is a Dean/Director – the disclosures (and the student's disclosure if relevant) should be made to their ELT line manager and the above steps followed;
- f) Declarations from a member of ELT should be made to the Director of Human Resources or the Vice-Chancellor and will be actioned as per the above steps by The Human Resources Committee (which may, at this discretion of the Chair, exclude staff Governors when considering such matters, in the interests of confidentiality).

**9.6** In placing measures to manage any conflict of interest, the Dean/Director in consultation with the Human Resources team may consider the following:

- a) any known vulnerability of the student or staff member;
- b) the student's or colleague's personal circumstances at the time;
- c) whether there is a supervision or teaching arrangement in place at the time;
- d) the circumstances of the student when the close personal relationship commenced or was initiated (for example, if the personal relationship existed prior to the staff/student relationship);
- e) any special family, kinship and elder relationships (e.g. godparents, close religious community, mentorship)
- f) the nature of the two individuals' contact in study, research or employment;
- g) the potential for the staff member to influence the academic progress and outcomes or career progression of the student or colleague; and
- h) the extent of the power imbalance between the two individuals.

**9.7** Both the staff member and student or colleague will be notified of the conflict-of-interest management measures put in place. These measures may include, but are not limited to: removal of management responsibility, removal of marking, moderation, exam Board input, involvement in pay, progression and reward decisions.

## **10. Breach of Policy**

**10.1** An intimate personal relationship between a staff member and student with direct supervision is a breach of this policy and may be subject to management under the Disciplinary Procedure. Under such circumstances, the member of staff has a right to be represented by their recognised trade union.

**10.2** Failure to disclose a close personal or intimate personal relationship with a student, or with a staff member may be investigated under the Disciplinary Procedure.

**10.3** Student and staff who witness or are affected by harassment or sexual misconduct can seek support or report this behaviour even if the relationship has been permitted under this policy.

**10.4** Students will not be penalised or subject to a detriment for entering into or reporting a relationship covered under this policy without evidence of coercion on their part. Students who are also staff will be considered as staff where there is a direct academic or professional responsibility for another student in the relationship.

**10.5** Where a breach is alleged and the staff member leaves or has left the University, that staff member will be invited to engage with any investigation and outcomes or refusal/failure to engage will be disclosable in references under our civil law duty of care.

**10.6** Staff members who are temporary workers, emeriti, honorary or of similar status will be invited to engage with any investigation into alleged breaches and outcomes or refusal/failure to engage will be disclosable in references under our civil law duty of care.

## **11. Related Policies**

Staff Disciplinary Policy

Staff Grievance Policy

Investigation Policy

Student Complaints Policy

Bullying, Harassment and Sexual Misconduct Policy

## **12. Sources of University Support**

There are several sources of support available to staff and students:

Support for students includes:

- a) On-site Counsellors (bookable via Student Support and Success)
- b) Student Services
- c) Students' Union
- d) Academic Adviser (if it impacts on study)
- e) Faculty Wellbeing and Employability Adviser

Support for staff includes:

- a) Confidential external Employee Assistance Programme (details on the University's intranet)
- b) The Human Resources team [HR@winchester.ac.uk](mailto:HR@winchester.ac.uk)
- c) Recognised trade unions



## Appendix 1 Personal Relationships Declaration Form

**Staff:** Please complete this form and send it securely to your Head of Department.

<b>Your Details:</b>	
Name:	
Line Manager	
Your Position, Faculty/Division and Dept	
<b>Other party's details:</b>	
Name	
Are they a student or a member of staff?	
Position, Faculty/Division and Dept(if staff)	
<b>Nature of Relationship:</b> <i>(Please state whether the relationship is of a close personal nature (for example a close friend or relative, or an intimate/romantic relationship).</i>	
When did the relationship start (if relevant) (approximate month/year):	
<p><b>I understand the following:</b></p> <p>1. I have read and understood the <b>Staff Relationships Policy and Procedures</b> which apply to this declaration.</p> <p>2. This information will be stored securely and managed in compliance with data protection legislation.</p> <p>Signed;</p> <p>Print Name:</p> <p>Date:</p>	

**Staff to submit to your Head of Department**

**SECTION B: TO BE COMPLETED BY HEAD OF DEPARTMENT**

<b>Has this relationship been declared within one month</b>	Y/N
<b>If no, why not?</b>	
<b>Is action or a conflict of interest management plan required?</b>	Y/N
<b>Reasons for recommended plan</b>	
<b>Details of action / plan</b>	

**(please forward this form to your HR Business Partner and do not store a copy)**

Signature of Head of Department:

Print Name:

Job title:

Date:

<b>Equality Impact Assessment</b>	
Summary of process undertaken to determine equality impacts:	Consideration and input by Students' Union, UCU and UNISON representatives, Equality, Diversity and Inclusion Committee and People and Culture Committee
University Committee (name/ date) where equality impacts discussed (maybe Committee of approval, or another):	University Management Group
<b>Identified equality impact(s) on colleagues and students</b> (i.e. any specific impacts related to this policy that may cause disadvantage for people due to one or more particular protective characteristic)	
Protected Characteristic	Impact(s) identified and any action(s)/mitigation(s) to address these impact(s), as necessary.
Age	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic. Under 18yr olds particularly identified for specific and appropriate protection.
Disability	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic and particular vulnerabilities here.

Gender Identity	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic.
Marriage/Civil Partnership	Policy acts to protect all staff and students and has a positive benefit in relation to marriage and civil partnership as it protects from perception of abuse of position.
Pregnancy and Maternity	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic.
Race (incl. nationality)	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic.
Religion and Belief	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic.
Sex	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic.
Sexual Orientation	Policy acts to protect all staff and students and has a positive benefit in relation to this characteristic.