

POLICY

Title: PERSONAL RELATIONSHIPS AT WORK

POLICY HOLDER:	Director of People
APPROVAL BOARD:	College Leadership Team
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REVIEW PERIOD*:	3 Years

* The review period refers to our internal policy review process. The published policy is current and is the most recent approved version.

Summary: The aim of this policy is to provide guidance about reporting and managing personal relationships at work.

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Further information: If you have any queries about this policy or procedure, please contact the named policy holder.



1. Guidance statement

This guidance only relates to personal relationships between staff or personal relationships between staff and students who are over 18, where an adult is in an established, pre-existing relationship with a member of college staff at the point that they enrol with us.

Relationships with students under the age of 18 or students who are vulnerable adults are strictly prohibited

- 1.1 Positive professional relationships between members of staff and students are an essential part of supporting our students' educational development and ensuring their welfare whilst at the College.
- 1.2 The College values and aims to maintain appropriate professional relationships between staff and students. This depends on mutual trust and confidence, and on the boundaries of the professional role being respected and maintained by students and staff. It is primarily the responsibility of individual members of staff to ensure that these boundaries are respected and maintained.
- 1.3 The College acknowledges that, from time to time, personal relationships may form, or may pre-exist, between members of staff, or may pre-exist between members of staff and adult students (who are over 18). Often the existence of a personal relationship between staff members will not pose a conflict of interest. However, where personal relationships occur between a line manager or supervisor and a team member, or there is a pre-existing relationship between a member of staff and an adult student (over 18) before they enrol, a real or perceived conflict of interest may arise. Such situations bring with them the potential to attract allegations of bias or conflict of interest.
- 1.4 We recognise that working in a large organisation may mean that there are occasions or a period of time where staff will come into contact with students who are known to them personally, for example their own children or friends of their children, who enrol onto a course. In this circumstance, staff must be open and transparent with their line manager about the relationships and where they might come into contact with current students. This should be done through a conversation and then followed up in writing. We recommend that this openness is continued throughout the year, as staff become aware of young people, they know personally, who then go on to enrol at college. This mirrors the guidance in the Safeguarding Code of Conduct for Staff.
- 1.5 Appendix 1 outlines a glossary of definitions.

2. Students under the age of 18

- 2.1 Relationships with students under the age of 18 are strictly prohibited. There is never an acceptable circumstance for a member of staff to be in or form a personal relationship with a student under 18 (or vulnerable adult).
'Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.' ([Guidance for safer working practice for those working with children and young people in education settings, 2022](#))

2.2 Any violations will be dealt with via the disciplinary and child protection policies (and could be treated as a criminal offence) and the requirements of the Safeguarding Vulnerable Groups Act 2006. Following dismissal or similar, any person believed to have harmed a child or vulnerable adult will be referred to the Disclosure and Barring Service.

2.3 Young people who are CCN Apprentices and employed by the College, will be supported and given bespoke individual advice and guidance about how they should manage their personal friendships and relationships. We recognise that a 17-year-old apprentice may have existing friendships or relationships that are part of their natural wider social network, which may at times overlap with current College students. We will treat each case individually and support young people employed with us to map these friendships and help protect themselves and our students. This will be in the form of a risk assessment which will be monitored by their line manager and held within HR Services.

3. Relationships with students who are vulnerable adults

3.1 Members of staff who have responsibility for students must not enter into an intimate relationship with a student who is an adult at risk (a vulnerable adult), irrespective of whether the member of staff has any responsibility for that vulnerable adult. Vulnerable adults are those aged 18 or over who may not be able to care for themselves due to physical, mental or functional difficulties and need community care services.

3.2 These types of relationships will be viewed as an abuse of the employee's position of trust and a breach of the standards of professional conduct expected at the College. Any member of staff who enters into such a relationship will be subject to the process as outlined in section 2.2.

4. Defining a personal relationship

4.1 A personal relationship can broadly be defined as one where there is a romantic or sexual relationship, or a strong familiarity, between two individuals. It also includes relationships between family members.

4.2 Relationships for the purpose of this policy are deemed to include:

- family relationships, for example, brother, sister, daughter, son, mother, father and also being related by marriage or civil partnership, for example, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law and stepchildren
- married partners, co-habiting partners and civil union partnerships
- sexual or intimate relationships
- a close friend

5. Scope

5.1 This policy provides guidance on personal relationships between staff and personal relationships between staff and students who are over 18 where an adult is in an established, pre-existing relationship with a member of college staff at the point that they enrol with us. It should apply to all staff employed by the College, whatever their position, role or contractual arrangement.

5.2 Staff must be mindful of professional boundaries in all relationships with students and must act in a way which safeguards student welfare and ensures standards of academic integrity are upheld. Even where a staff member does not have and is not likely to have responsibility

for a student, staff should be very aware of and consider the potential for an actual or perceived imbalance of power or authority, accusations of bias or exploitation, and questions about the nature of consent.

- 5.3 It is impossible to cover every potential situation with regards to relationships at work, however, the purpose of this guidance is to ensure fairness and consistency in the management of personal relationships at work and in such circumstances, to protect the wellbeing and interests of students and staff. The framework:
- a) Provides guidance where personal relationships between staff members overlap with working relationships.
 - b) Articulates clear standards of behaviour regarding pre-existing relationships between staff and students (over 18).
- 5.4 The aim is to protect both staff and students, particularly where they are in personal relationships that might be seen by others to be either advantageous or disadvantageous to a particular staff member or student. It also aims to protect staff from the risk of false or misleading allegations and to ensure that appropriate safeguards and processes are in place to prevent abuses of power and sexual misconduct.
- 5.5 Managers and staff who are uncertain about whether they should take action regarding a personal relationship, may seek guidance from the Human Resources department.

6. Purpose

- 6.1 The purpose of this policy is as follows;
- ensure that working relationships are harmonious
 - ensure that bias does not influence managerial decisions including recruitment and promotion or access to learning and development
 - protect the operation of the College's services
 - ensure that issues relating to personal relationships at work are managed in a way that is as unobtrusive as possible to the private lives of those involved
 - prevent harassment at work (in particular stemming from the end of a relationship)
 - ensure that all employees or colleagues feel confident of fair and consistent treatment
 - protect the health, safety and welfare at work of colleagues
 - ensure that the College's facilities and buildings are not used inappropriately
 - ensure that those involved in relationships at work behave appropriately avoiding situations where there is potential for conflict of interest
 - ensure that situations do not develop where other colleagues feel unable to speak openly and honestly, or feel that a relationship is having an adverse impact on their own employment
 - eliminate the risk of professional or personal relationships compromising any individual(s) or the College's delivery of high-quality education services
 - facilitate and encourage the development of an organisational culture where employees feel confident to voluntarily declare personal relationships

7. Pre-existing relationships between staff and students over the age of 18

Staff must not enter into a personal relationship with any student, irrespective of age. In this section, we are only referring to an adult who is in a pre-existing relationship with a member of staff, at the point at which they enrol as a student. It is never acceptable to staff to form personal relationships with students.

- 7.1 Where there is a pre-existing personal relationship between a staff member and a student over 18 (for example, when a family member or romantic/sexual partner of a staff member becomes a student in the same department) that relationship should be declared before enrolment as a conflict of interest to the Head of Department (or nominated representative), in order that an assessment can be made and alternative arrangements put in place. Failure to comply with this guidance will be considered as a disciplinary matter.
- 7.2 Personal relationships between staff and students over 18, may raise questions of conflict of interest, of trust and confidence in working relationships and of equal treatment in teaching, learning, supervision, selection, assessment, research and pastoral support.
- 7.3 Relationships that are coercive, exploitative or sexualised are always unacceptable and must not occur. All staff have a duty to behave appropriately towards students, to act with integrity in their work and to avoid placing themselves in positions of actual or perceived conflict.
- 7.4 In such cases, the line manager should take steps to ensure that the member of staff is not involved in any relevant decision-making processes and that there are clear professional separation between the staff member and student where necessary. This may include making any changes in allocation or responsibility regarding teaching, assessing, counselling or supervising that are required. It may also involve disclosing the relationship in confidence to external examiners or moderators assessing the student's work in order to maintain the integrity of the assessment process. Once these changes have been made, the parties should be advised to continue their relationship entirely off College sites.

8. Relationships between members of staff

8.1 Overview

- 8.1.1 It is recognised that close personal relationships can and are sometimes formed at work and that as a large employer, situations will arise within the College where related persons or individuals with a close personal relationship are employed within the same team, department or work area. Employees may sometimes be in existing personal relationships with prospective employees. However, such relationships can give rise to challenges about professionalism, integrity and to suggestions of favouritism.
- 8.1.2 Whilst the College respects the right of employees to privacy and family life and will not interfere unduly in an employee's private life, the College has a legitimate right to protect the interest of the organisation and other employees and to take action when close personal relationships either have the potential to or do impact upon the College's services.
- 8.1.3 The College has no objection to employees forming personal relationships with other employees or employing other family members. However, the College must ensure that its business decisions are based on objective and relevant criteria and that no subjective or irrelevant factors are considered. The College expects that no favouritism is shown in business, management of employees or decision making.
- 8.1.4 Often the existence of a personal relationship or family relationship between staff members will not pose a conflict of interest. However, where personal or family relationships occur between a line manager or supervisor and a team member, a real or perceived conflict of interest may arise.

8.1.5 Accordingly:

- a) members of staff should not line-manage, or be line-managed by, (directly or indirectly) anyone with whom they have a personal or family relationship as defined in this policy.
- b) members of staff should ensure that they are not involved in any decision-making processes relating to the conduct, employment or performance management of those with whom they have a personal or family relationship.
- c) members of staff should ensure that they are not involved in any practices within the College which could be viewed as canvassing for a person with whom they have a personal or family relationship, e.g. through recruitment or promotion processes.

8.2 Relationships with line management

- 8.2.1 The relevant reporting structure must be reviewed if a personal relationship develops between a line manager and a member of their staff. In this case the relationship should be reported to the appropriate senior manager, who should identify another senior colleague who will perform 'line management' functions in respect of the relative or partner. Relevant arrangements should be made as soon as the situation arises. Substantive alternative line management arrangements should be made. Under no circumstances will the direct line management arrangements continue, in order to protect both parties; alternative arrangements will be explored.

8.3 Relationships between employees where there is no line management relationship

- 8.3.1 This type of relationship at work does not itself constitute a difficulty. However, employees are expected to conduct themselves in a professional manner and to deal sensitively with any confidential information which one or both individuals may possess. Employees are encouraged to bring to the attention of their manager any difficulties they are experiencing which may not be apparent.
- 8.3.2 A relationship, particularly between two employees working in the same team, may begin to have an adverse effect on the care they provide, their own and or their colleagues' work.
- 8.3.3 The following list is not exhaustive but includes some examples of this:
- neglecting work
 - communicating confidential information to each other which is not a necessary part of their work
 - behaving in a way which may cause difficulty or embarrassment to others, for example, arguing in the workplace, ignoring, excluding, "cold shouldering" colleagues
 - not communicating with each other as the result of a disagreement or the break-up of a relationship
 - inflexibility in working arrangements
 - reluctance to acknowledge and report inappropriate actions or behaviours within the work environment

In any of the above situations, where the behaviour has a negative impact on work, not the relationship itself, it can cause this policy to be applied.

8.4 Personal relationships with contractors

- 8.4.1 No special favour should be shown in the tendering process to businesses run by or employing, friends, partners or relatives. If an employee is asked to participate in the tendering process, for example, by providing expert advice, they should declare any such

relationships. A close personal relationship between an employee and a contractor is not acceptable if it involves:

- an abuse of the employee's position of trust
- a breach of the standards of propriety expected in the post
- a compromise of professional standards
- a conflict of interests

8.5 Recruitment and selection

- 8.5.1 Job applicants, including internal applicants should declare during any recruitment/selection process any existing personal relationships or family connections they have at the College so that any perceived bias can be managed during the selection process. If an employee is involved in a recruitment and selection process and realises that there is an application from someone with whom they have a relationship they must declare an interest to their line manager and withdraw from the process to make sure all our recruitment is done fairly and consistently.

8.6 Job evaluation, promotion or pay

- 8.6.1 Employees must not be involved in the authorisation or evaluation of any job description for another employee with whom they have a close personal relationship and they are expected to declare any such interest immediately if they are approached to participate in the job evaluation process. They should not be involved in any decisions relating the promotion or pay of another employee with whom they have a close personal relationship. Failure to declare an interest may result in action under the disciplinary policy.

8.7 Disciplinary or grievance issues

- 8.7.1 Employees should declare a potential conflict of interest as soon as they are approached if they are participating in such proceedings as either a witness or investigating officer, hearing officer etc.
- 8.7.2 Employees must not be (unless potentially as a witness with the caveat of impartiality) involved in any investigation, hearing or other decisions involving another employee with whom they have a relationship. Failure to do so may result in action under the disciplinary policy.
- 8.7.3 In situations when one employee in a relationship (in the same team) is subject to investigation under college procedures such as a disciplinary or grievance, consideration should be given to the temporary redeployment of the other employee in the relationship whilst the investigation takes place. This is both to ensure that a thorough and fair investigation is possible and to protect that employee from false accusations that they might be impeding the investigation.

9. Declaring personal relationships

- 9.1 Personal relationships between members of staff, should be reported to the line manager without delay where the relationship is with a colleague you work closely with, or if it is with someone whom you manage. It should also include any relationship with a colleague that means you have a conflict of interest. If you are not sure whether a new relationship or a change in an existing relationship is significant enough to tell your manager about, it is best to err on the side of caution and seek advice from your line manager or the HR team.

9.2 The line manager will treat these matters in confidence, and in consultation with the member(s) of staff, will find ways in which a potential conflict of interest can be avoided.

10. Managing situations when a personal relationship adversely affects the workplace

10.1 In most cases where a personal relationship causes issues in the workplace these should initially be capable of being addressed and resolved informally. Issues arising should be dealt with promptly and sensitively by the relevant manager and not allowed to continue unchecked.

10.2 Where a personal relationship has been disclosed, and poses a conflict of interest, the line manager will need to consider any necessary steps to facilitate the re-organisation of the member of staff's working patterns to ensure that any risk of a real or perceived conflict of interest is eliminated or minimised.

10.3 For relationships involving line management responsibilities this will include making changes to the management line or considering alternative roles. Both employees will be consulted to identify who should or will be re-deployed if this is required. If only one party is to be moved, where possible, their wishes will be taken into account, but consideration will be given to the knowledge, skills and experience of employees, the impact upon their careers and the relative ease with which each might be redeployed. If agreement cannot be reached between both employees as to who should be redeployed, for example where a relationship has broken down, then the College will make that decision based on the best interests of the College and relative impact upon each employee. Where investigation has clearly identified a particular loss of trust from the team in one employee then the College will act in accordance with that finding and redeploy that employee in the interests of the team.

11. Recording personal relationships (staff)

11.1 Where staff have declared personal relationships, the line manager will identify and mitigate any potential for conflict of interest as outlined under section 9. The HR team may keep a record on the relevant staff personnel files.

12. Raising concerns

12.1 Any employee who feels that the close personal relationship of other team members or colleagues is adversely affecting their employment, the functioning of the team or the provision of services is encouraged to share their concerns at the earliest opportunity with their line manager or more senior manager if they prefer.

12.2 Where an employee is not comfortable with either of these options they may consider raising their concerns under the College's whistleblowing policy. This also applies to employees in a close personal relationship who feel they are being disadvantaged because of the relationship.

13. Noncompliance

13.1 If a member of staff fails to disclose the existence of a pre-existing relationship with a student over 18 (as outlined in section 6) or a personal relationship with a colleague (as

outlined in section 11), disciplinary action will be considered in line with our disciplinary procedures.

14. Confidentiality

- 14.1 Concerns raised under this guidance should be treated in confidence as far as is reasonably possible and should be consistent with safeguarding the welfare of students.
- 14.2 Wherever possible confidentiality regarding the existence of a close personal relationship will not be disclosed, however, should this prove necessary then a disclosure will be made following consultation with the line manager, employees concerned and the HR team.
- 14.3 Communications regarding measures put in place as a result of this guidance should, as far as possible, be neutral, limited to essential facts, and without details published of the situation that gave rise to them.
- 14.4 Records will be treated as confidential and be kept no longer than necessary in accordance with relevant data protection principles.

15. Malicious or vexatious complaints

- 15.1 A malicious complaint is one that is made with the intention to intimidate, to lower the reputation of, or otherwise injure or harm a person, through knowingly providing false or misleading information or withholding information about an incident or issue.
- 15.2 A vexatious complaint is either one that is made with the sole or main intention to harass, annoy or subdue somebody, or one that is unreasonable, without foundation, frivolous, repetitive, deliberately burdensome or unwarranted. If it is found that a person has made a complaint that is malicious or vexatious, the college may instigate a disciplinary process against them.

16. Failure to comply with this guidance

- 16.1 Any breach of this guidance will be considered through the disciplinary and grievance procedures.
- 16.2 Employees have the right to appeal against any action taken under this policy using the College's grievance policy.

17. Review, approval and publication

- 17.1 As a general principle, the guidance will be reviewed by the HR Department, in consultation with recognised Trade Unions, after three years or where operational and/or legislative requirements change.

18. Links to any other associated documents / policies

- Contract of employment
- Code of Conduct for staff
- Disciplinary policy
- Grievance policy

19. Relevant legislation

- Human Rights Act 1998
- Equality Act 2010
- Sexual Offences 2003
- Safeguarding Vulnerable Groups Act 2006

Appendix 1

Definitions

Abuse of power is where a position of power or authority is used in an unacceptable manner. This can take various forms and may include, but is not limited to, grooming, manipulation, coercion and pressurising others to engage in conduct they do not feel comfortable with.

Adult at risk is someone aged 18 years or over who may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation.

Close personal relationship excludes intimate relationships, but means a relationship where the nature, content, involvement and/or frequency of interactions and/or communications between a staff member and a student transgress the boundaries of professional conduct or may be reasonably perceived to do so.

Grooming is when a person builds a relationship with a child, young person or an adult who is at risk so they can abuse them and manipulate them into doing things. The abuse is usually sexual or financial, but it can also include other illegal acts.

Intimate relationship is a consensual relationship characterised by emotional, physical, and/or sexual intimacy, which may be conducted in person and/or online and/or via electronic or any other form of communication. This includes brief relationships and one-off occurrences, through to marriage or life partnerships, regardless of gender, gender identity or sexual orientation.

Student includes any person over 18 currently studying for an undergraduate or postgraduate qualification, or on any course arranged by or through the College, including visiting and exchange students, applicants, and offer-holders. It includes students from other Higher Education providers who are completing placements at the College and apprentices. It covers all students who are registered for a course even if their status is suspended but does not include former students who have finished their courses, unless they are current applicants or offer holders for another College course.