

Personal Relationships at Work Policy

1. Purpose

- 1.1 The purpose of this policy is to ensure that DN Colleges Group and all of its subsidiaries (hereafter referred to as 'the College') provides a framework for managing personal relationships at work to ensure that appropriate safeguards and processes are in place.
- 1.2 This policy is written in line with the College's Strategy, Vision and Values which identify a commitment to safeguarding, health, safety and welfare, equality diversity and inclusion and data protection.
- 1.3 The purpose of this staff policy is to prevent harm and promote the wellbeing of all. The College has a responsibility to keep students, children, young people and vulnerable adults safe and to work in a way that protects them.

2 Scope

- 2.1 This policy applies to all staff, paid and non-paid, including agency workers, contractors, volunteers and Governors. A volunteer is someone not paid by us, other than expenses, but conducts work and activities at the College and/or on behalf of the College.
- 2.2 This policy applies to Senior Post Holders (SPH). Any issues raised in relation to SPH will be referred to the Corporation Board via the Clerk to the Corporation who will be supported through the process by the Chief Operating Officer – People and Information or Director of Human Resources (HR).
- 2.3 The policy applies to staff who are in a relationship to recognise where a conflict may be created. Staff will be supported to ensure this does not negatively impact on either party, and their work/studies. The policy seeks to protect students and staff from allegations of actual or perceived conflicts of interest and to reduce the circumstances where a position of trust may be abused.
- 2.4 There may be instances that staff feel they may be acting in the best interests of students by developing personal relationships, but it is imperative professional boundaries are adhered to at all times.
- 2.5 The scope of this policy refers to several situations including, but is not limited to, personal relationships in the following contexts:
 - A family relationship
 - A business/commercial/financial relationship
 - A romantic/sexual relationship
 - Friendships
 - Online relationships
- 2.6 The College values good professional relationships between staff and students and recognises this is vital for student's educational development. Staff will operate within the Safeguarding and Child Protection Policy.

- 2.7 The Director of HR and members of the Senior Leadership Team maintain absolute discretion to make interventions with any staff whom they consider to be a risk and subsequently may utilise other policies and/or procedures to take a pragmatic and supportive approach.
- 2.8 Reasonable adjustments of additional support with any College procedure may be agreed, at the discretion of the Director of HR, who may rely on Occupational Health advice.
- 2.9 The Chief Operating Officer – People & Information has ultimate discretion regarding this policy.

3 Responsibilities

- 3.1 All staff have a responsibility to behave in a way which promotes and maintains a safe, supportive and positive environment. Staff are responsible for their behaviour to ensure they contribute to a culture of respect, understanding and collaboration, where every member of the College community is valued and supported.
- 3.2 Staff must inform the Director of HR of any convictions, pending investigations and/or allegations which they, their spouse/partner, child or anyone living in the same home are subject to.
- 3.3 Staff must also inform the Director of HR of any involvement, their spouse/partner, child or anyone living in the same home has from any statutory services involved in support or interventions in the care for any child or vulnerable adult they are responsible for. Statutory services includes police and social care.
- 3.4 Staff must make these disclosures at the point where the staff member becomes aware of the matter. Disclosures will be managed with sensitivity.
- 3.5 The requirements of the Childcare Act 2006 and the regulations derived from it, namely, the Childcare (Disqualification) Regulations 2018, which place additional safeguarding requirements on them
- 3.6 All staff are responsible for adhering to this policy in an appropriate and professional manner to ensure its success. Leaders and managers have a specific responsibility to ensure that they, and their staff including their visitors and contractors they use, are fully aware of this policy and that it is fairly applied to ensure its success wherever possible.
- 3.7 Trade union colleagues have a responsibility to support the operation of College policies and procedures and support employees where required.
- 3.8 The Director of HR and members of the HR team will manage any process and offer welfare support where appropriate, primarily via the College's employee assistance programme.
- 3.9 Safeguarding colleagues are responsible for supporting students with any issues that arise from incidents in relation to this policy.

- 3.10 The Chief Operating Officer – People and Information has overall responsibility for the effective operation of this policy.

4 Definitions and/or Relevant Legislation

- 4.1 This policy is written in line with relevant legislation and guidance including, but is not limited to:

- Keeping Children Safe in Education (2023) and any subsequent amendments or updates
- Prevent Duty Guidance (2023) and any subsequent amendments or updates
- Working Together to Safeguard Children (2023)
- The Equality Act (2010)
- Professional Standards for Teachers and Trainers (2022)
- Sexual Offences Act (2003)
- Office for Students statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education (2021)
- Office for Students Prevent and address harassment and sexual misconduct guidance

This policy is compatible with the European Convention on Human Rights (1953) which states Article 8 protects the right to respect private life.

4.2 Personal Relationships

An initial definition is provided in the scope of this policy. In addition, a ‘personal relationship’ may include, but is not limited to:

- Friendships either online or in person, including one off contacts
- Favouritism or bias towards a particular person
- Power imbalances, real or perceived, including conflicts of interest
- Inappropriate out of hours contact

4.3 Register of relationships

The Director of HR holds a central register of conflict of interest relationships. All conflicts of interest must be disclosed and will be recorded. Staff are encouraged to declare any personal relationships at work so any potential conflicts of interest can be addressed, and this can be appropriately recorded.

4.4 Confidentiality

Personal relationships at work matters will be dealt with sensitively and with due respect for the privacy of the individuals involved. All information will be confidential except if it relates to a safeguarding matter.

4.5 Abuse of power

An abuse of power describes the process where someone uses their position of power

or authority in an unacceptable manner. Abuse of power can take various forms and may include, but is not limited to, grooming, manipulation, coercion or putting pressure on others to engage in conduct they do not feel comfortable with. An abuse of power can also relate to academic marking.

Grooming can be intentional or otherwise. Grooming could be for sexual gratification, but this is not always the case. Grooming can be allowing a relationship to develop where a student becomes emotionally dependent on staff, encouraging students to over share their personal information and/or making students emotionally over reliant on a member of staff. Staff can develop relationships where they feel they are helping the student, but these may be inappropriate and/or unwanted. This can also include comments about appearance or personal circumstances, even if these are intended to be complimentary and well-intended.

4.6 Position of trust

Any staff member working with children, young people or adults at risk, is in a position of trust as defined by the Working Together guidance, including any subsequent amendments and updates. Staff must not engage in a personal relationship and have sexual activity with someone with whom they are in a position of trust. Whilst a young person can legally 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.

5 The Policy

5.1 Relationships between staff and students

The College prohibits close, personal, romantic, sexual and intimate relationships between staff and students.

There may be instances where staff members have pre-existing relationships with students, which may include, but is not limited to, the following contexts:

- A dependant of a staff member becomes a student
- A relative of a staff member becomes a student
- A dependant of a staff member becomes a student and they have friends who are also students who has contact outside College with the staff member
- A friend of a staff members dependent, known to a staff member, becomes a student

The College recognises that we live in a small community and want to encourage staff to promote the benefits of joining the College. Staff must declare pre-existing close, personal or intimate relationships to prevent potential abuse of power and real or perceived conflict of interest.

5.2 Relationships between staff

Relationships between members of staff are not prohibited. However, to prevent potential abuse of power, real or perceived conflict of interest, staff must declare close personal or intimate relationships in either of the following situations:

- Where a relationship begins that may give rise to a real or perceived conflict of interest, exploitation, favouritism or bias. This may include situations regarding recruitment, selection, procurement processes and/or all academic processes.
- Where a relationship already exists, and a new situation arises that may give rise to a real or perceived conflict of interest, exploitation, favouritism or bias. For example, two staff members in a relationship who work in different departments who now work in the same department.

Where staff are in an intimate or close personal relationship, consideration will be given on how to prevent conflict of interest, breach of confidentiality and/or unfair advantage gained (or perceived to be gained) from the overlap of the personal and professional relationship.

5.3 Relationships between applicants and members of staff

The College wants to encourage staff to promote working and learning with us. Staff are required to declare if someone they are in a personal relationship with, a student who enrolls or a staff member who is appointed, applies to the College.

5.4 Declarations

Declarations must be made as soon as reasonably practicable and always within one month.

As a declaration contains sensitive personal data, they will be stored securely and confidentially. Such declarations will be treated respectfully, sensitively, and the wishes of both parties respected as far as is possible. This includes consideration to same-sex relationships where the parties may not be “out” publicly.

Once personal relationships have been declared then support and solutions will be found to manage and mitigate any real or perceived conflicts of interest.

This could include, but is not limited to:

- finding alternative line management arrangements
- finding alternatives for marking work
- arranging alternative interview panel members
- reviewing quality and performance management arrangements
- informing any relevant colleagues eg. Designated Safeguarding Lead
- restricting access to records and data

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. Staff may choose to self disclose to colleagues. Once the supportive solutions have been agreed, all parties will be treated with parity. Failure to declare

may result in disciplinary action and/or reporting to the Local Area Designated Officer for safeguarding concerns.

5.5 **Concerns about relationships at work**

Staff must be mindful of possible power imbalances within intimate and close personal relationships. Relationships between staff where one has direct or indirect authority over another are strongly discouraged.

Relationships between staff may not be reciprocal or wanted. Where relationships are unreciprocated staff must seek advice from their line manager and their HR Business Partner for support and advice

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 refer to the Safeguarding and Child Protection Policy and contact the Designated Safeguarding Officer, who may contact the Local Authority Designated Officer and/or the Police.

Staff who are unsure whether they have a close personal or intimate relationship with a student or staff member, should seek advice from their line manager or their HR Business Partner. Staff are particularly encouraged to seek advice if the other party expressly does not wish the relationship to be reported.

Students who are unsure whether they have a close personal or intimate relationship with a staff member should seek advice from their tutor or the Safeguarding Team. The Designated Safeguarding Lead (or DDSL) should be informed of any incidents where there is a disclosure of a personal relationship with a student, which will be recorded in the College safeguarding reporting system.

All staff must adhere to the guidance detailed in the Safeguarding and Child Protection Policy. Safeguarding is everyone's responsibility and if staff observe things they feel concerned about such as exchanging gifts or physical contact they must report this and seek advice from HR and/or the Designated Safeguarding Lead.

6 Relevant Policies and Procedures

6.1 Relevant Policies include, but are not limited to:

- Data Protection Policy
- Equality, Diversity and Inclusion Policy
- Safeguarding and Child Protection Policy
- DNCG Behavioural Policies and procedures for students, staff and visitors including the Prevention from Bullying, Harassment and Victimisation Policy
- Staff Disciplinary Policy & Procedure
- Staff Grievance Policy & Procedure
- Staff Code of Conduct Policy

7 Who to Contact with Queries

7.1 For advice or guidance on any of the topics covered in this policy contact:

HR Team hr.group@dncolleges.ac.uk

7.2 It is recognised that managing disclosures, incidents or concerns may be stressful for staff. For additional support and guidance, staff may contact a member of the HR team or access the Employee Assistance Programme.

The policy and procedure will be monitored by the People Services Department.

7.3 If you require this information in another language or a different format, please contact Academic Services academic-services@dncolleges.ac.uk or hr.group@dncolleges.ac.uk.

8 Communication

8.1 The Personal Relationships at Work Policy will be made available via the Intranet site, website and from the HR Team.

9 Authorisation

Policy Holder:	Rachel Maguire, Chief Operating Officer – People & Information
Union Approval Date:	N/A
SLT Approval Date:	27 August 2024
Governor Committee/ Board Approval Date:	N/A
Next Review Date:	August 2027

*Policies will be reviewed every three years unless there is a specific requirement to undertake a review more frequently. If for any reason a review does not take place in the planned period, the policy will remain current until a review takes place.

The Equality Impact has been considered on this policy and procedure.