



University of
St Andrews

Personal relationships at work

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Purpose	Provides guidance on managing personal relationships between members of the University community and University students

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1.1	Amendments to section 5.4	Published	Lisa Stewart HR	06/04/2020

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1. Policy statement

- 1.1 In order to maintain the University's academic integrity and reputation for inclusion, it is necessary to acknowledge when personal and professional relationships overlap. While most personal connections will be positive and will promote good team working and professional bonds, it is recognised that there will be some relationships that may require an employee to withdraw from undertaking certain duties or making some decisions in order to protect themselves and the University from any conflict of interest, misuse of power or unfair bias.

2. Purpose

- 2.1 The purpose of this policy is to provide guidance on managing personal relationships between members of the University community and students. The University definition of a personal, professional and working relationship is outlined in [Appendix A](#).
- 2.2 This policy aims to protect the integrity of employees and to recognise any power imbalance that may affect welfare and inclusion. It is not about prohibiting personal relationships at work, but to provide guidance to manage actual or potential conflicts of interest and to establish appropriate standards.

3. Scope

- 3.1 This policy applies to all members of the University community. For the purposes of this policy, employees, casual workers, agency workers, contractors and any third party engaged to work at the University, including students on work placements, visiting scholars and volunteers are included.
- 3.2 Where an individual has a student role that includes some employee responsibilities e.g. postgraduate research students who teach or have wardenial duties, then this policy shall apply.
- 3.3 This policy applies in the workplace and in any setting outside the workplace which involves individuals of the University community as outlined in 3.1 and University students.

4. Relationships between employees

- 4.1 Personal relationships between employees will normally pose no conflict of interest unless there is a [professional or working relationship](#) between those individuals.
- 4.2 It is understood that employees may develop close, personal friendships with individuals in the University community. If employees have a professional or working relationship with someone that they consider to be a close, personal friend, they must ensure that their friendship with the individual does not impact, or appear to impact, the ability to perform their role.
- 4.3 Where a personal relationship exists or develops between employees who are in a line management or supervisory relationship at work, they must avoid participating in decisions that might raise the appearance of a conflict such as recruitment and selection, allocation of research grants/funding, academic development/appraisal, disciplinary matters, sign off of expenses or in any other management activity or process involving the other party. This list is not exhaustive and is only intended to provide examples of conflict of interest activities.

5. Relationships between employees and students

- 5.1 While the University does not wish to interfere with employees' personal lives or relationships, it strongly advises employees against entering into personal relationships or developing close, personal friendships with students for whom they have a professional responsibility.
- 5.2 To embark on a romantic, intimate, sexual and/or exclusive relationship with a student involves serious difficulties rooted in unequal power, and therefore choice, as well as real problems in maintaining the boundaries of professional and personal life. Such relationships can also disrupt the teaching and learning environment for other students and employees.
- 5.3 Where a personal relationship exists or develops between an employee and a student, the employee must not be involved in any activities related to the teaching, assessing, supervising, tutoring, coaching, mentoring, invigilating, personal development, maintenance of personal data i.e. MMS records or in any other activity or process involving the student including the selection of course applicants. This list is not exhaustive and is only intended to provide examples of conflict of interest activities.
- 5.4 The University expects employees to display the highest professional standards at all times and maintain appropriate relationships with students to limit the risk of sexual misconduct, abuse of power or conflict of interest scenarios occurring. When dealing with students (in any capacity), employees should recognise that they are in a [position of trust](#), and that it is their professional and ethical responsibility to protect the interests of students. Employees therefore have an obligation to:
- Maintain appropriate physical and emotional distance from students. This includes avoiding creating special friendships with students, refraining from contacting students outside of reasonable working hours, ensuring that meetings/discussions with students take place on campus or in another University-approved and/or appropriate premises such as a public café or library and avoid using personal devices/social media channels to correspond with students.
 - Be clear with students that they are not able to offer complete confidentiality to a student who chooses to disclose personal information to them. Employees must also ensure that they avoid physically comforting/embracing a student who may appear upset or distressed during any communication with them. In circumstances where personal information shared raises concerns, the employee must declare this matter to Student Services.
 - Be mindful of students, in particular vulnerable students, who may appear to require extra assistance and support in their personal and academic lives. It is not appropriate to give a student a gift or lend money to or from a student. In addition, employees must not offer accommodation to a student, for instance, an employee should not reside/lodge in the same accommodation or rent accommodation to a student where there is a professional or working relationship between these parties. If an employee recognises a student requires support or assistance which would significantly change the employee/student relationship or go beyond their job remit, the employee must refer the student to Student Services who can assist the student appropriately.
 - Be aware that it is an offence under the Sexual Offences (Scotland) Act 2009 if an employee is aged 18 years or older and intentionally engages in a sexual activity with, or directed towards another person (i.e. student) who is under 18 and is in a position of trust as defined in [Appendix A](#).

5.5 Research students will not be accepted for study under the supervision of an employee with whom a personal relationship exists.

6. Procedures

6.1 Employee obligation

6.1.1 Employees must declare any existing or new personal relationships they have which involves a student or an individual of the University community as outlined in 3.1 and which may give rise to an actual or potential conflict of interest, misuse of power or unfair bias. If an employee has a personal relationship with an individual to whom they have, or are scheduled to have any such professional or working relationship as defined in [Appendix A](#), the employee must:

- Inform their Head of School/Unit of this relationship as soon as it becomes known. This notification should include the names of both individuals; the level of management/supervision the employee has with the individual or the level of interaction they have over work matters that could potentially become a legitimate concern for the University.
- Withdraw from any professional relationship or work-related tasks with the individual until the Head of School/Unit has taken the appropriate action.

6.1.2 If an individual suspects and/or witnesses that a personal relationship has overlapped with a professional or working relationship, the process outlined at 6.1.1 must be followed. The individual can request to remain anonymous if they wish. Any employee alleged to have made a vexatious complaint will be investigated and will face disciplinary action if the investigation concludes that there is a case to answer.

6.1.3 If the employee is unsure whether or not the personal relationship could give rise to an actual or potential conflict of interest, misuse of power or unfair bias situation, the employee should contact [Human Resources](#) in the first instance for advice and guidance.

6.2 Head of School/Unit obligation

6.2.1 Once the Head of School/Unit has been notified of the personal relationship they will assess the situation and identify if there is a conflict of interest. If there is, they must take immediate steps to ensure that the employee will have no direct involvement in the:

- Management of the other party as outlined in [4.3](#).
- Assessment and teaching or any other supporting role of the student as outlined in [5.3](#).

6.2.2 The Head of School/Unit will notify a member of the [HR Business Partner \(HRBP\) team](#). This notification should include the names of the individuals; the level of management/supervision the employee has with the individual or the level of interaction they have over work matters and outline why this relationship represents a conflict of interest, misuse of power or unfair bias situation.

6.2.3 The Head of School/Unit in collaboration with the HRBP will take appropriate action which will usually entail the identification of ways in which both parties can continue working/studying in the University albeit separately. This may include (but is not limited to):

- Moving one or both parties to another area of the University.
- Moving the individual to report/study under another employee unrelated to the situation.

- Amending the employee's duties so that they do not have sole responsibility for the individual's work or study.

6.2.4 Any action will be undertaken only after full consultation with the individuals concerned. However, should the situation be considered to raise legal concerns or constitute a disciplinary matter, then the University will take appropriate direct and immediate action.

6.2.5 If it is not possible to implement any of the options listed in 6.2.3 or equivalent other options e.g. due to no suitable open vacancies or alternative line managers/supervisors, or if the employee/s refuse to agree to the offered solutions, the University reserves the right to take disciplinary action up to and including dismissing the employee/s. Dismissal will only be taken as a last resort in circumstances where no other course of action is reasonably open to the University and where the situation justifies such action (see [section 7](#) below).

6.2.6 If action has been taken, this will be appropriately documented and saved securely onto the employee's personal record. Employees have the right to request that this information is removed from their personal file if circumstances change e.g. if there is no longer a personal relationship or if the personal relationship no longer bares any conflict of interest.

7. Non-compliance

7.1 Any breaches of [6.1.1](#) may result in disciplinary action being taken against the employee.

7.2 Any breach of the Sexual Offences (Scotland) Act 2009 mentioned in [5.4](#) will lead to the University reporting the matter to the Police.

7.3 Any behaviour that is considered inappropriate (i.e. evidence of unfair bias/personal conflicts brought into the workplace) will be investigated under the [University's Disciplinary Policy](#).

8. Support and advice

8.1 Any employee who has questions about this policy and its application should discuss them with their Head of School/Unit or [HRBP](#) in the first instance. Additional support for employees may be sought from an appropriate trade union as well as [Student Services](#) who can provide employees with advice and training on supporting students appropriately.

This policy is not contractual and may be amended by the University from time to time.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone.	Published	Lisa Stewart, Human Resources	19/06/2019
1.1	Amendments to section 5.4	Published	Lisa Stewart HR	06/04/2020

Appendix A: Definitions

- A **personal relationship** is defined as a romantic, intimate, sexual and/or exclusive relationship; a family relationship; a business/commercial or financial relationship; or a relationship which involves an emotional attachment. **This definition is not exhaustive and therefore anyone who considers that they may be in a potential conflict of interest situation should declare this following the procedures outlined in section 6 of this policy.**
- A **professional relationship** is defined as one where there is an assessing, supervising, managing, tutoring, teaching or pastoral connection with the individual; for instance a line manager or lecturer or a role that provides some other support such as mentoring, coaching or training to that individual.
- A **working relationship** is defined as individuals who are in a personal relationship and do not have a professional relationship but could still be in a situation that would potentially cause a conflict of interest, misuse of power or unfair bias situation occurring. E.g. a peer to peer relationship where the employees has to liaise and cooperate over work matters or an employee to student relationship where the employee has access to student information, for instance student expenses and bursaries.
- **Position of trust** is constituted where an individual (student) is receiving education in a further or higher education institution and another individual (employee) looks after that individual in that institution. (s.43 sub 5) "Looks after" is defined as cares for, teaches, trains, supervises or is in sole charge of the person, so long as the employee does so regularly. (S.43 sub 7); (Sexual Offences (Scotland) Act 2009).