

# Staff - Student Relationship Policy

This policy is of relevance to students / staff / applicants

Approved on	February 2019
Approved by	Senior Management Team
Written by	Human Resources

Last Reviewed	February 2019
Last Amendment	Major amendments: point 2 defines relationships; point 11 references Social Media Policy and Guidelines; point 17 & 18 clarify disclosure process in relation to formal committees including Programme Assessment Board and School, Board of Examiners; points 25 & 26 clarify actions where there is a breach of the policy

Date of last amendment	February 2019
------------------------	---------------

This policy will be reviewed again in September 2019

## STAFF – STUDENT RELATIONSHIP POLICY

### Introduction

1. The Guildhall School strictly prohibits sexual and/or romantic relationships between staff and students under the age of 18, or vulnerable adults, and any allegation of such a relationship will be referred to the Local Authority Designated Officer (LADO) and/or Police.
2. This policy covers current, and former, close personal or intimate relationships, however brief, between members of staff and higher education students. These include but are not limited to: family, marital, sexual, romantic, or emotional relationships whether they are conducted in person, or remotely for example through social media, online, email or text message. This policy applies to all areas of the senior School and students aged 18 or older.
3. Staff should not enter into a sexual/romantic relationship with a student or encourage such a relationship. Members of staff are under a duty to act with integrity and not to place themselves in a position of actual or apparent conflict. The School regards it as unprofessional for any member of staff to initiate such a relationship or to pursue such a relationship, including flirtatious behaviour.
4. The School believes the *professional* relationship between a student and a member of staff is a central part of the student's educational development. In this context, the professional relationship is defined as one in which there is an assessing, teaching, tutoring, supervising or pastoral role, or where administrative or technical support is provided. It includes not only salaried staff but all those on other types of contract which bring them into contact with students, as defined here.
5. Staff have a professional duty to develop their students' abilities and a responsibility to safeguard students' welfare, and it is essential that trust and confidence exist between staff and students if this duty is to be fulfilled. This duty covers all School related activities, wherever they are conducted.
6. It is equally important that a personal relationship between a member of staff and a student neither adversely affects the learning environment for other students, nor prejudices the provision of equality of treatment for all students.
7. Implicit in the professional role of members of staff is an obligation to ensure conflicts of interest do not arise unnecessarily, and that relationships with students for whom the staff member has any responsibility remain strictly professional, respecting the trust inherent in them.
8. Staff are in a position of authority over students and therefore the power relationship is not an equal one.

9. Whilst the School acknowledges that staff and students may be involved in business (which may be commercial or non-commercial in nature) and/or financial relationships, staff are strongly advised not to enter into such a relationship if it could compromise, or be seen to compromise, either party.
10. Staff are reminded that their behaviour with students should be professional at all times whether in a professional teaching capacity or in social interactions. Staff should be particularly careful in social situations with students that friendly behaviour is not misinterpreted.
11. Staff should comply with the City of London's Social Media Policy and the Guildhall School's Social Media Guidelines. The following guiding principles should be adhered to when using any form of social media:
- Do not mix the professional and personal in ways likely to bring the Guildhall School into disrepute;
  - Do not act in a way that may diminish or undermine your own or your colleagues' reputation and/or effectiveness at work;
  - Do not imply Guildhall School or City Corporation endorsement of your personal views when using social media;
  - Do not disclose or misuse confidential information obtained through work;
  - Conduct online should be consistent with the City Corporation's Code of Conduct.
12. When using social media in a personal capacity, staff should be mindful that they may still be perceived as a representative of the Guildhall School and behaviour should therefore be in line with the guiding principles above and the Code of Conduct.

### Requirement for disclosure

13. Where a member of staff believes a relationship or attraction may be developing, or has developed, with a student, or there is a danger of such a relationship developing, they must inform his/her Vice Principal/Director immediately in order that teaching, tutoring or assessment arrangements, or any other activity which may affect equality of treatment of students, can be adjusted, where necessary, and monitored appropriately. This is for the protection of both the member of staff and the student. The Vice Principal/Director will consult with the Head of HR before agreeing any action. Vice Principals/Directors reserve the right to ensure separation of parties, where possible, in all activities associated with teaching, learning and assessment.
14. Any family, marital, sexual, romantic, emotional or business relationship with a student must be disclosed to the employee's line-manager. Additionally, any family, marital, sexual, romantic, emotional or business relationship with an applicant to the School must be disclosed in the following circumstances (i) where the applicant is making an application in the same department as the employee, or (ii) the applicant is connected to the administrative staff in Registry or the relevant Administrative Department. Disclosure is also required in respect of any former relationship with a student or applicant. The line manager will notify HR and the relevant Vice Principal or Director will also be informed.

15. If a close personal or intimate relationship is pre-existing between a member of staff and a student, the member of staff must declare this to their line manager prior to the enrolment of that student, so that steps can be taken to avoid any conflict of interest arising.
16. Teaching, tutoring, assessment or administrative arrangements, or any other activity which may affect equality of treatment of students, will be adjusted, where necessary, and monitored appropriately. This is for the protection of both the member of staff and the student. The line manager will consult with the Head of HR before agreeing any action. Line managers reserve the right to ensure the separation of parties, where possible, in all activities associated with teaching, learning and assessment.
17. In addition to disclosure to the line manager, a member of staff who has, or has had, a close personal relationship with a student must declare this as a conflict of interest at the beginning of each meeting of all relevant formal committees including, but not necessarily limited to, Programme Boards, Programme Assessment Boards, the School Board of Examiners, the Academic Board, and the Board of Governors.
18. At a Programme Assessment Board and School Board of Examiners where assessment results are to be considered, in addition to the declaration of the conflict of interest at the beginning of the meeting, the member staff will exclude him/herself from the room during any discussions or decision-making in respect of that student's year group. In these circumstances it should be arranged for a deputy representative from the relevant department to attend the meeting instead.
19. If the disclosure is made by a Vice Principal/Director, the matter will be referred to the Principal. If the disclosure is made by the Principal, the matter should be referred to the Town Clerk.

### **Line manager's responsibilities**

20. Where a disclosure is made by a member of staff, the line manager will meet with the individual(s) concerned to agree the course of action with advice from HR. If agreement cannot be reached the matter will be referred to the relevant Vice-Principal or Director for resolution/decision (or to the Principal if a senior member of staff).
21. A disclosure will be communicated on a need to know basis but will, on occasion, need to be publicly acknowledged (see 16 and 17 above) to ensure transparency.
22. It is the responsibility of a line manager who detects what appears to be a violation of this policy to investigate promptly and to take the appropriate remedial or disciplinary measures. In deciding their action, the line manager should consult the Head of HR.

### **Non-consensual relationships or inappropriate behaviour**

23. Staff or students should not accept unwanted attention, flirting or harassment from any other student or member of staff and should refer any concerns to their Head of Department or Vice Principal/Director or Secretary & Dean of Students. Complaints will be considered

under the relevant policy, the *Student policy on harassment, bullying & sexual misconduct* or the staff *Grievance procedure*.

24. Staff or students who have any concerns regarding the development or existence of a relationship between a member of staff and a student should contact their Head of Department or Vice Principal/Director. Support and advice is also available from Student Affairs for students and from HR for staff.

### **Consequences of non-compliance**

25. Staff should be aware that if the professional relationship between a member of staff and a student, as defined above, is compromised, or there is a breach of this Policy then disciplinary action under the relevant Staff or Student policies and Code of Conduct may be invoked against the staff/student. Serious breaches may constitute gross misconduct and may lead to action under the disciplinary policy up to and including dismissal.

26. A breach of this policy may include, but is not limited to:

- The development of a relationship which is prohibited by law and/or this policy;
- A failure to disclose a relationship or the potential for a relationship in accordance with this policy;
- A failure to comply with any arrangements or requirements put in place following a declaration of a relationship;
- Misuse of social media, either in a professional or personal capacity, in breach of the social media guiding principles or Code of Conduct.

### **RELATIONSHIPS BETWEEN STAFF AND STUDENTS UNDER THE AGE OF 18 OR VULNERABLE ADULTS**

Under the Sexual Offences Act 2003 it is a criminal offence for a person aged 18 or over ('A') to engage in prescribed sexual activity (including touching) with someone under the age of 18 ('B') where A is in a position of trust in relation to B. For these purposes, a position of trust includes where A looks after (including having responsibility for) persons under 18 who are receiving education at an educational institution and B is receiving education at that institution.

The Sexual Offences Act 2003 makes it an offence for those engaged in providing care, assistance or services to someone with a learning disability or mental disorder to engage in sexual activity with that person whether or not that person has the capacity to consent.

The Guildhall School strictly prohibits Intimate Relationships between staff and students under the age of 18, or vulnerable adults.

Any allegation of such a relationship will be referred to the LADO and/or police. It will subsequently be dealt with under the disciplinary policy and if proven may constitute gross misconduct and may lead to dismissal.