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Sexual or Romantic Relationships between Staff and Students

Document Control

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Policy: Sexual or Romantic Relationships between Staff and Students

This policy should be considered in conjunction with the following policies where these are relevant:

Disciplinary Procedure
Grievance Procedure
Data Protection Policy
Declaration of Interest Policy
IT Acceptable Use Policy
Information Management Policy
Email Policy
Policy and Process for Handling Sexual Misconduct
Social Media Policy for Staff
Whistleblowing Policy
Dignity at Work and Study Policy

Introduction

Liverpool Hope University discourages Staff to Student sexual relationships to the extent that the University wishes to make staff to student sexual relationships culturally unacceptable and wishes to discourage them in the strongest terms. Staff to student sexual relationships may be considered as serious misconduct under the University's Disciplinary Policy. Any sexual misconduct within the University will be taken very seriously. Any failure to declare a relationship which falls within the scope of this policy may be considered as serious or gross misconduct under the University's Disciplinary Policy.

1. Scope

- 1.1. This policy and procedure applies to employees of the University, agency workers and contractors, associates and others working for the University. It is designed to assure the safety and well-being of students in the course of study, work and social activities related to the University.
- 1.2. References in this policy to students, means any student of Liverpool Hope University, whether undergraduate or postgraduate, including students on courses at partner institutions, as well as summer and exchange students who are temporarily studying or working at Liverpool Hope University.
- 1.3. Staff are in an unequal power relationship with students (whether undergraduate or postgraduate irrespective of the student's age, maturity and level of study) and must recognise professional boundaries and ensure that their relationships with students do not compromise (or are not perceived to compromise) their professional responsibilities. This is especially important where a staff member has particular responsibilities towards a student, for example, where an academic is responsible for delivering, setting, supervising or assessing a student's work, or where a non-academic member of staff has management or support responsibilities towards a student.
- 1.4. For the purposes of this policy Hope Works workers are considered primarily students rather than primarily staff. Hope Works students should not be working in a capacity that allows them to have direct responsibility for other students.

The policy covers intimate, romantic or sexual relationships between a member of staff, students, interns or those on work experience or any relationship (of whatever duration) that involves a degree of intimacy beyond that normally present in the staff/student relationship. These include relationships where there is physical intimacy, including isolated or repeated sexual activity, romantic or emotional intimacy, and/or financial dependency.

- 1.5. Sexual or romantic relationships between members of staff and students are strongly discouraged and are considered inappropriate.
- 1.6. Where a sexual or romantic relationship already exists between a member of staff and a student, the staff member must report this to their Senior Manager and the steps set out 2.2 followed, with steps followed as sections 3, 4 and 5 if appropriate. The exception to this is where a relevant staff member has a personal relationship with a student by virtue of a marriage or civil partnership that existed before this policy came into force and remains in existence.
- 1.7. Similarly, where a sexual or romantic relationship occurs, the staff member must report this to their Senior Manager and the steps set out in 2.2 followed, with steps followed as sections 3, 4 and 5 if appropriate.
- 1.8. Those who work for the University must not abuse their position in any way and must not use coercion in any form. Coercion in any form is not acceptable. This will include making any form of sexual advance or predatory behaviour towards students – this includes promising or alluding to rewards in return for sexual favours, or suggesting or threatening withdrawal of teaching or other forms of academic support.
- 1.9. In order to foster and maintain the highest standards of professionalism, intellectual integrity and social responsibility and to avoid potential or actual conflicts of interest, breaches of confidentiality or inappropriate conduct, all members of the University's community shall adhere to this policy and procedure.

The following non-exhaustive list describes some of the situations, (which may arise as between students and staff) in which it would be inappropriate for the parties involved to be engaged (or previously engaged) in close personal relationships:

- Selection for entry to a Liverpool Hope University programme
- Assessment
- Examinations
- Selection for prize or scholarship
- Project dissertation or research supervision
- Disciplinary procedure
- Grievance procedure
- Staff appointment
- Supervision/management of staff
- Determining access to resources
- Financial transaction
- Determining access to confidential information
- Pastoral care
- Providing any other administrative or technical support.

- 1.12 The information contained in this policy is not exhaustive and all concerned, staff, students and managers, should use their judgement to extend the principles described above to cover any other circumstances.

- 1.13 Breach of this policy may be treated as misconduct and may (if proven) result in disciplinary actions, up to and including dismissal. The University has committed to promoting a change in culture which sees staff/student relationships as professional and not personal.
- 1.14 Where the University is made aware of a relationship, following the steps above or other means, appropriate action will be taken to investigate and manage this as sensitively as possible. Appropriate action will be taken which may result in disciplinary action.

2. Relationships between staff and students

- 2.1 Therefore, everyone who is employed in any capacity at Liverpool Hope University is in a position of authority over Liverpool Hope University students and should avoid initiating or developing a close personal, sexual or romantic relationship with a student.
- 2.2 In the event that a close personal relationship does develop, exists, or had existed between a person employed by the University and a Liverpool Hope University student, it is always incumbent on the member of staff to ensure that the relationship, past or current, does not compromise essential standards of academic integrity and impartiality that are expected of them. Where such a relationship develops, exists or had existed and the member of staff becomes involved in any of the situations described in paragraph 1.10 (or any other situations that give rise to a conflict of interest) the member of staff must immediately inform their Senior Manager. This may then fall into the scope of the Declaration of Interests Policy.
- 2.3 The member of staff should ensure that their behaviour and practices are professional and compatible with the reputation of Liverpool Hope University. This will include all forms of communication and will be in accordance with the Professional Boundaries Standards policy. Where a close personal relationship exists or had existed, under no circumstances should the member of staff engage in any activity at Liverpool Hope University with the student without the approval of their Senior Manager.
- 2.5 Just as the University will not tolerate unduly favourable treatment of a student with whom a member of staff has a close personal relationship, similarly, it will not accept any harassment, victimisation or less favourable treatment of any student with whom the individual has or has had a close personal relationship.
- 2.6 Staff are reminded that it is a criminal offence (under section 16 of the Sexual Offenders Act 2003) to engage in a sexual relationship with any student under the age of 18 years. Such conduct if brought to the attention or discovered by the University, will be reported to the appropriate authorities and treated as gross misconduct that, if proven, may result in dismissal.
- 2.7 Sexual misconduct includes but is not limited to: sexual violence, sexual assault, grooming, sexual invitations and demands, sexual non-verbal communication, creation of an atmosphere of discomfort, and promised resources or advancement in exchange for sexual access, abuses of power, intimate partner violence and abuse which can also involve control, coercion, threats and stalking. It is also unacceptable for students to direct such behaviour towards staff. Alumni may also make complaints against existing staff. Sexual misconduct may also include the sexual or romantic relationship itself.

3. Assessment

- 3.1 Staff are required to inform their manager of any close personal relationship relating to a student immediately. Where a member of staff has informed the manager of a close personal relationship with a student, the manager will, having consulted the Relevant SMT lead, then liaise with the VC Office and, if necessary:
- (i) Put in place arrangements to ensure that the member of staff is not responsible for the setting of examination question papers to be taken by the student or the marking of any of the student's

assessments, and shall advise the Examinations Officer of the measures taken.

- (ii) Inform the Chair of the Assessment Board of the member of staff's relationship with the student and that the member of staff should request to withdraw from the meeting of the Assessment Board when the student's case is discussed.
- (iii) Instruct the Chair of the Assessment Board to ensure that a declaration of interest, and withdrawal of the member of staff from the Assessment Board, shall be recorded in the Minutes of the meeting of the Assessment Board.
- (iv) Put in place arrangements to ensure that the member of staff is not responsible for any elements defined in 1.11 for the student in question, or any other conflicts of interest.

4. Reporting

- 4.1 Where there is a staff/student relationship the line manager will report these to the Human Resources Manager and the Head of School. The register will be held by the Company Secretary and Head of Committees in the Office of the Vice-Chancellor.
- 4.2 For the avoidance of doubt, should a member of Senior Staff become involved in a close personal relationship in a situation where it would be inappropriate for such a relationship to continue they should report this to the Vice-Chancellor.
- 4.3 Failure to declare a personal relationship:
 - a. That has given rise to a conflict of interest or any advantage/disadvantage to the individual(s) or other;
 - b. Where a breach of confidentiality has resulted;
 - c. Where the University has been brought into disrepute;
 - d. Where the conduct of a staff member is inappropriate or breaches professional standards

May result in disciplinary action against the member(s) of staff concerned.

- 4.4 For relationships between a student and a member of Governing Council, a failure to declare a personal relationship may result in a breach of fiduciary duty, necessitating their removal from the Council.
- 4.5 If a member of staff becomes aware of a non-disclosed personal relationship between a student and a member of staff or a member of Governing council and a student and has concerns that this relationship might involve predatory behaviour, coercion or constitute an abuse of power they should report their concerns to their Director or Head of School or in accordance with the University's Whistleblowing Policy.
- 4.6 Where a member of staff has concerns that a student is adopting behaviour which is not in line with appropriate student/staff relationships, they should raise this with their line manager.

5. Review

- 5.1 Staff: If, following informing the manager and after suitable arrangements have been put in place, a member of staff involved in a close personal relationship feels they have been treated unfairly they should raise any issues via the University's Conflict Resolution and Grievance Procedure.

- 5.2 Students: If following informing the case worker at caseworker@hope.ac.uk and after suitable arrangements have been put in place, a student involved in a close personal relationship feels they have been treated unfairly they should follow the University Student Complaints Procedure.
- 5.3 Support via webpage and reporting tool for those experiencing sexual misconduct can be found <https://www.hope.ac.uk/gateway/students/studentdevelopmentandwell-being/sexualmisconductandharassment/>
The policy can be found <https://www.hope.ac.uk/media/gateway/studentgateway/supportandwellbeing/studentadministrationdocuments/Process%20for%20Handling%20Sexual%20Misconduct.pdf>

6. Evaluation

- 6.1 The University is committed to continuous improvement in its service provision, and will continue to monitor the efficacy of this policy with quantitative and qualitative data at Senate or University Council.
- 6.2 The policy aims to assure the safety and wellbeing of students in the course of study, work and social activities related to the University.
- 6.3 The University will ensure through this policy that interactions between staff and students are appropriate and maintain professional standards and boundaries.
- 6.4 The University will ensure through this policy that staff and other workers understand their responsibilities for preserving the integrity of professional relationships with students.
- 6.5 Any breach of professional standards by staff in regard to this policy may be investigated under the University's Disciplinary Policy. (See Professional Boundaries Standards Policy for guidance on appropriate professional standards).
- 6.6 Communications should be professional at all time and in line with the University's Email and Internet Usage Policy and Staff Social Media Policy see <https://www.google.com/url?client=internal-element-cse&cx=008811769411239284689:ifvar2lvrdw&q=https://www.hope.ac.uk/media/gateway/staffgateway/governance/documents/Liverpool%2520Hope%2520Social%2520Media%2520Policy%2520for%2520Staff.docx&sa=U&ved=2ahUKEwifxqzI9I7AhXV IUKHY6BCKgQFnoECAgQAQ&usq=AOvVaw2s1jWZ3wr5NcBLbfeSw6x>

7 One-to-one discussions between staff and students

- 7.1 Where a one-to-one discussion is required, including coaching or supervision, this must take place in an appropriate location on campus and not at other locations such as a bar, the student's accommodation or the staff member's home. Staff should pay careful attention to ensuring that other people are in the vicinity and that assistance could be called if required. Where a one-to-one discussion is required between a member of staff and a student it is advisable that this meeting should take place in a room with a glass-panelled door for increased visibility. The purpose of this guidance is to prevent and protect both the student and member of staff from any inappropriate behaviour.
- 7.2 Where a member of staff has concerns that a student is adopting behaviour which is not in line with

appropriate student/staff relationships, they should raise this with their line manager or other nominated person within the School as appropriate.

7.3 All staff are bound by rules of confidentiality and must ensure they comply with this requirement. All staff are reminded that their access to and use of any personal data for students must remain appropriate in line with University policies. Inappropriate use of student data may be grounds for potential disciplinary action.

7.4 Records must be maintained in line with data protection legislation requirements.