



Brasenose College
Code of Conduct
Non-Academic Staff - Student/Staff Relationships
(Excludes academic staff who are covered by a separate policy)

Approved by Governing Body on 30 November 2022

Introduction

This policy covers current and former close personal or intimate relationships, however brief, between members of non-academic staff and students. These include, but are not limited to; business, commercial, financial relationships, close friendships/social relationships, family relationships and current and former intimate relationships including marital, sexual, romantic or emotional relationships whether they are conducted in person or online.

The College regards the professional relationship between members of staff and students as central to the student's educational development and wellbeing. Professional relationships are any in which the staff member through his or her employment with the College has any educational, administrative, pastoral or supervisory involvement with a student. The College reminds staff of the importance of maintaining professional integrity and of their responsibility for the welfare of students.

Implicit in the professional role of members of staff is an obligation to ensure that conflicts of interest do not arise and that relationships with students for whom the staff member has any responsibility or duty of care remain strictly professional, respecting the trust inherent in them.

While the College does not wish to regulate the private lives of its staff, it strongly advises staff not to enter into a close personal or intimate relationship with any student and alerts them to the complications that may result.

To embark on a close personal or intimate relationship with a student, particularly one for whom the employee has some responsibility, could lead to problems in maintaining the boundaries of professional and personal life.

Definitions

1. 'Intimate relationship' includes marital, life partner, sexual, or romantic relationships or liaisons (regardless of gender, gender identity or sexual orientation), including a brief relationship / liaison and one-off occurrences, and whether they are conducted in person and/or online and/or via other electronic communication.
2. 'Close personal relationship' is a relationship which transgresses professional boundaries and may lead to real or perceived conflicts of interest or misuse of power and authority at work but

excludes intimate relationships. Examples include close friendships, situations where a student becomes emotionally and/or practically dependent on a staff member for day to day support beyond the support provided as part of normal academic, welfare or other professional activities, or situations where a staff member becomes emotionally and/or practically dependent on a student for day to day support.

3. 'Responsibility for a student' is to be interpreted broadly to include any teaching, professional, pastoral or administrative responsibility, whether temporary or permanent, whether formally conferred on or voluntarily assumed by the staff member, and whether in a University or college context. This includes but is not limited to teaching, supervising, mentoring, overseeing or advising on projects, work or laboratory experience, fieldwork, internships or vacation study placements, advising or supporting students, and the setting or marking of examinations or other assessments of any type. It also includes any welfare role or responsibility for student finances or accommodation.
4. The Trustees and senior officers of the College are responsible for all students and so they must report all close personal relationships with students, as well as intimate relationships.
5. For the purposes of this policy a 'member of staff' should be understood as including, but not limited to, any individual who is working within the College under a formal contract of employment or as a casual paid worker and any other individual to whom the College offers any of the privileges or facilities. This policy applies to members of staff who are not academic staff. It does not include casual employees/workers who are enrolled as Brasenose students (eg student bar and conference workers).
6. A student should be understood as any individual who is studying for an undergraduate or postgraduate qualification or who is a student on any course arranged by or through the College or any part of the collegiate University, and who is a member of Brasenose College or is a member of another College from whom the staff member has responsibility.

Guidance for non- academic staff on relationships and the need for disclosure

The college requires that any intimate relationship with a student or a close personal relationship with a student for whom the employee has responsibility is brought to the attention of the Head of HR or HR Manager as early as possible in order that they can determine whether any further action is required, and if action is required (eg the staff member has responsibility for or duty of care to the student), action can be taken to mitigate any undesirable consequences. The member of staff should also disclose any former relationship with a current student for whom they are given or are to be given responsibility. If the staff member is unsure, they should declare the relationship to the Head of HR or HR Manager in order that they can assess the risk of undesirable consequences arising. Any declaration of this kind, will as far as possible and subject to the specific provision of this policy, be treated in confidence and every effort will be made to ensure that it does not disadvantage either party with regard to their professional advancement or academic progress.

Disciplinary action will usually be taken against a member of staff who fails to declare a close personal or intimate relationship as required by this policy. Disciplinary action will only not be taken

if there are very strong mitigating circumstances, such as a reasonable and justifiable lack of awareness that the student was a student or that the development of the relationship was so recent that the employee could not reasonably have reported it before the College became aware of it.

Children under 18 and vulnerable adults

Attention is drawn to the fact that relationships involving students under the age of eighteen or vulnerable adults could fall within the scope of the Sexual Offences Act 2003 relating to persons in positions of trust having sexual relations with children under eighteen or vulnerable adults. Members of staff must not enter into a close personal or intimate relationship with a student under eighteen years of age or a vulnerable adult for whom they have any responsibility.

If a close personal or intimate relationship is pre-existing between a member of staff and a candidate for admission as a student, the member of staff must make the Senior Tutor aware of it at the outset of the admissions exercise, so that steps can be taken to avoid any conflict of interest arising. The matter will, as far as possible be handled in confidence to ensure that there is no detriment to the candidate.

College Responsibilities

If such a relationship develops during the course of employment or study between a member of staff and a student, this must be disclosed by the member of staff to the Head of HR or HR Manager as early as possible so they can determine whether any further action is required, if necessary in consultation with the Senior Tutor or Tutor for Graduates and with the Head of the staff member's department. If action may be required (eg the staff member has responsibility for the student), steps can then be taken to:

- Consult with the member of staff and the student and anyone else necessary, to identify any impact their relationship may have within the College:
- Facilitate the re-organisation of duties to minimise contact and ensure the member of staff is not professionally responsible for administering any activities which the student is involved in; and
- Ensure that appropriate action is taken to minimise the potential effect of the relationship on other staff and students.

The Head of HR, HR Manager, Head of Department, Senior Tutor or Tutor for Graduates will deal with the situation in a manner that protects the dignity and privacy of all parties and those involved will be expected to comply with any reasonable decision or action. There will be no obligation on the parties involved to keep their relationship confidential.

The Head of Department, Senior Tutor or Tutor for Graduates may seek advice on a confidential basis from the College's Head of HR or HR Manager.

Guidance for students on the need for disclosure

The College advises students not to enter into any intimate or close personal relationship with a member of College staff and in particular not with a member of staff who may have a duty of care or responsibility for them. A student will never be disciplined for entering into or not reporting such

a relationship, as the responsibility for reporting lies with the staff member. If such a relationship develops and the student is not sure that a member of staff has disclosed their relationship, they are encouraged to independently advise the HR Manager or the Senior Tutor (under-graduates) or Tutor for Graduates (graduates) in confidence.

As a first step, students may wish to have an informal conversation with one of the Junior Deans or the Sub Dean.

Non- consensual relationships or inappropriate behaviour

If any student finds themselves in receipt of unwanted or inappropriate behaviour or involved in a relationship that they do not consider to be truly consensual, or if they consider that they have been adversely affected by a misuse of power or conflict of interest, they should refer to the College's policy on harassment. They can talk at any time in confidence to the Junior Deans or other members of the College's welfare team to seek advice about what course of action they can take.

Support and Guidance

Any member of staff or student who has questions about this policy and its application should discuss them with the Senior Tutor, Tutor for Graduates, Head of HR or HR Manager.

Nov 2022