

The Courtauld

CLOSE PERSONAL RELATIONSHIPS POLICY

1. Purpose

The purpose of this policy is to provide guidance on close personal relationships between staff and students and between all staff, in order to avoid any actual or potential conflicts of interest or misuse of authority.

2. Scope

This policy applies to all members of The Courtauld community. For the purposes of this policy students, employees, casual and agency workers, contractors, donors, Governors, visiting scholars and any third party engaged to work at The Courtauld, including students on work placements, and volunteers are included.

Where an individual has a student role that includes some employee responsibilities e.g. postgraduate research students who teach or have student accommodation warden duties, then this policy shall apply.

This policy applies in the workplace and in any setting outside the workplace which involves individuals of The Courtauld community.

3. Definitions

A close personal relationship means a financial, family or sexual relationship or a relationship that involves a degree of intimacy beyond that normally present between members of staff with students, work colleagues or other members of the community (as set out in section 2). It can also mean when any type of friendship develops where the parties are involved one to one, on a regular basis, in any social setting outside The Courtauld.

For these purposes, 'family' includes relationships by marriage. A financial relationship arises where one party is financially dependent upon or indebted to another party, where any indebtedness is more than minor or trivial.

In this policy "line manager" may also mean Director, Dean & Deputy Director or Head of Department as applicable.

4. General Principles

All members of The Courtauld's community shall adhere to this policy, in order to foster and maintain the highest standards of professionalism, ethics, intellectual integrity and social responsibility and to avoid potential, actual or perceived conflicts of interest, breaches of confidentiality or inappropriate conduct.

The following (non-exhaustive) list describes some of the situations which may arise in which it would be generally inappropriate for the parties involved to be engaged in close personal relationships:

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- a) Selection for entry to a Courtauld Institute of Art programme
- b) Assessments and/or examinations
- c) Selection for prizes or scholarships
- d) Dissertation or research supervision
- e) Providing advice or support to students in any professional context, for example, as a personal tutor
- f) Disciplinary or grievance procedures
- g) Staff recruitment, performance appraisals, promotions or remuneration reviews
- h) Supervision or management (of staff or students)
- i) Determining access to resources including training,
- j) Entering into contracts, purchasing & procurement decisions or approving financial transactions
- k) Determining access to confidential information

The guidance contained in this Policy is not exhaustive and all in scope should use their judgement to extend the principles described above to cover any other circumstances.

The Courtauld will not tolerate unduly favourable or unfavourable treatment of a staff member or student which arises due to a member of staff having a close personal relationship with that individual. Unfavourable treatment includes but is not limited to harassment, victimisation or bullying.

5. Relationships between Staff and Students

All employees of The Courtauld are perceived as being in a position of authority over students of The Courtauld and are strongly advised against initiating or developing a close personal relationship with a student. All employees in contact with students must be vigilant about their actions and aware of when these may be perceived by a student as an attempt to initiate a close personal relationship, even if this was not the intent.

In the event that a close personal relationship does develop or exist between a worker or employee of The Courtauld and a student of The Courtauld, the member of staff must ensure that the relationship does not compromise the essential standards of academic integrity and impartiality that are expected of all employees.

6. Procedures for disclosure of a close personal relationship with a student

The member of staff must inform their line manager. The line manager must:

- a) inform Human Resources (HR) in writing
- b) carry out a risk assessment and put in place steps to mitigate any risk, for example covering academic teaching, student pastoral care, supervision or assessment.
- c) put alternative arrangements in place where applicable (*refer to section 7*)
- d) provide details of these arrangements to Student Academic Services (SAS) and HR, who will retain a record.

The member of staff should take the following steps:

- Recognise that they are in a position of trust, and that it is their professional and ethical responsibility to protect the interests of students and ensure that their behaviour and practices are

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compatible with the reputation of The Courtauld. Employees should accept the constraints and obligations inherent in that responsibility.

- Avoid any actions that might suggest that academic work, personal guidance or feedback is being conducted in a social setting, such as cafes or at parties.

If any member of staff becomes aware of an intimate relationship between a member of staff and a student, and has concerns that this relationship might involve coercion, predatory behaviour or constitute an abuse of power, they should report their concerns to SAS or HR.

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 will be treated as gross misconduct that may result in dismissal in accordance with The Courtauld's Disciplinary Procedures.

7. Alternative arrangements for students

Where a member of staff has disclosed a close personal relationship with a student, SAS must be consulted and appropriate action taken. This may include:

- a) ensuring the employee is not involved in any activities related to the teaching, assessing, supervising, tutoring, coaching, mentoring, pastoral care, invigilating, personal development or maintenance of personal data of the student
- b) putting 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 student's assessments.
- c) informing the Chair of the Examination Board of the relationship with the student and that he/she should be required to withdraw from the meeting of the Examination Board when the student's case is discussed.
- d) instructing the Chair of the Examination Board to ensure that a declaration of interest, and withdrawal of the member of staff from the Examination Board shall be recorded in the minutes of the meeting of the Examination Board.

The line manager must advise Student and Academic Services of the measures taken and SAS will be responsible for monitoring these.

8. Procedures for disclosure of a close personal relationship and mitigation of risks

If a close personal relationship develops or exists between members of staff and suppliers or other members of the Courtauld community, both must ensure that the essential standards of professionalism and impartiality are maintained. Members of staff must inform their line manager, so that considerations can be made to avoid situations which may prejudice professionalism and integrity.

The line manager must carry out a risk assessment and put in place steps to mitigate any risks identified, including any potential conflicts of interest, based on the roles of the employees concerned.

If a relationship exists between a line manager and a direct report, mitigating steps may include

- a) arrangements for different day to day supervision

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- b) changes to the normal reporting line
- c) revised appraisal review process for the employee
- d) changes to recruitment processes

Employment or personal references must not be provided by any member of staff engaged in a close personal relationship with the subject of the reference. All request for references must be referred to a more senior line manager, HR, the Dean & Deputy Director or Head of Department.

Should a members of the Executive Committee become involved in a close personal relationship they should report this to the Director.

If a relationship exists between a staff member and a supplier, contractor or other member of the Courtauld community and there is the possibility of a conflict of interest or perception of preferential treatment, mitigating steps may include:

- a) arrangements for different account management or day to day supervision of the contractor
- b) changes to purchasing or commissioning procedures
- c) changes to procedures for financial approvals and payments

9. Compliance and Failure to disclose

A failure to disclose a close personal relationship as required under this policy will be considered a breach and disciplinary action may be taken under the relevant procedures.

Any allegations of harassment, victimisation or less favourable treatment of any staff member or student, will be investigated as potential misconduct or gross misconduct in accordance with The Courtauld's Disciplinary Policies.

Disciplinary action may result in dismissal, including dismissal without notice in the case of gross misconduct.

10. Complaints Procedures

Any student or staff member who believes that they have been adversely affected due to a close personal relationship should inform their line manager or Academic Registrar, Student and Academic Services (SAS), stating the reason for feeling disadvantaged, as soon as possible.

Prior to taking further action the line manager or SAS should inform HR, and an investigation will be initiated on the basis of consultation with the complainant. This action should be taken without delay. Any advice to the complainant will where appropriate, also remind them of their rights under The Courtauld grievance or relevant complaints procedures.

Irrespective of this policy, any student or member of staff may institute formal procedures under The Courtauld's Grievance Policy, or Harassment and Bullying Policy or the Student Complaints Procedure.

Bullying, harassment and discrimination is unacceptable at The Courtauld. Neither staff nor students should accept abuse or harassment and anyone who believes that they are being harassed should seek help or advice from Human Resources or SAS.

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11. Evaluation & Review

The Courtauld is committed to continuous improvement in its service provision and will monitor the effectiveness of this policy, through reviewing qualitative and quantitative data in connection with this policy.

Staff may provide confidential feedback to the Human Resources department at hr@courtauld.ac.uk.

Students may provide confidential feedback to the Academic Registrar, Student and Academic Services.

This policy may be updated or varied by The Courtauld, in consultation with the Trade Unions, as required.

Revision history

Version No	Author	Date	Changes	
1.0	Leanne Hansen, Interim Head of HR	03/02/2020	N/A	

IS THIS A “CLOSE PERSONAL RELATIONSHIP”?

These are some questions for consideration in establishing whether a close personal relationship is developing or exists which should be disclosed under the Policy.

Communication

- Do you use social media for ‘closed’ personal communication with this person?
- Are you connected via social media? Have ever posted comments on their page or have they commented on yours?
- Do you have any private messaging with this person e.g. Facebook messenger, What’s App that you do not have with other people at the Institute
- Do you share personal information on social media such as personal photos or family issues?
- Have you ever told them something personal or confidential that you would not normally tell a work colleague, supplier or student?

Socialising

- Do you treat this person differently e.g. go out regularly for lunch or coffee with them more frequently than with others?
- If attending work or sector events, do you go together or seek the person out to socialise with on arrival?
- Have you even gone out drinking or partying with this person or been inebriated in their presence at a social occasion?
- Do you meet socially in your homes or in bars/restaurants/party venues?
- Have you ever socialised with the other person and their family or friendship group – for example attending a birthday party, Eid or Christmas?
- Have you ever stayed the night in each other’s homes?
- Have you ever gone on a holiday or personal trip, either together or as part of a group?

Different treatment/ Special attention

- Do you spend more time with this person or give them significantly more attention than other students/colleagues?
- Do you compliment them about their appearance or behave in a way that could be considered flirtatious or indicate a romantic interest?
- Have you ever given them (or received from them) gifts of significant value or of a personal nature, e.g. jewellery or lingerie?
- Have you been ‘emotionally intimate’, sharing your deepest thoughts, feelings and beliefs or confiding in them about confidential personal information?
- Have you ever expressed a romantic interest in the other person or asked them out on a date?

Perceptions / other factors

- Have you ever been concerned the friendship has got too close or that there is an ethical dilemma?
- Has the other person ever seemed to try and distance themselves or ‘pull back’ in any way?

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- Are you aware of other colleagues or students who believe you have a close personal relationship with this person?
- Is the relationship potentially having a negative effect on the workings of a team or student group?
- Could a personal relationship be seen to offer any sort of advantage to you or the other person?
- Could this relationship be seen to potentially disadvantage anyone else, for example by making them feel excluded or treated less fairly?
- Is the relationship potentially interfering with the professional conduct of Institute business?
- Have you any joint financial relationship, for example have you lent the other person money or helped pay for significant personal items? If not, have you ever offered to do so?
- Do mutual friends or acquaintances regard you as close friends or as a couple?