

The Courtauld

Personal Relationships Policy

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1. Purpose of the policy

The policy sets out the expectations and obligations to all members of The Courtauld community.

The Courtauld recognises that socialising on a friendship basis between colleagues and staff and students is often a positive aspect of being an active member of the community, however the nature of staff/student and staff/staff relationships imposes particular responsibilities and duties on staff. This policy is intended to ensure that appropriate safeguards and processes are in place to prevent abuses of power and sexual misconduct.

This policy seeks to protect students and staff from allegations of actual or perceived conflicts of interest, and to limit circumstances where a position of power may be abused. In doing so it seeks to ensure a positive and supportive working environment where all are treated fairly.

This policy prohibits intimate relationships with staff or students who are under the age of 18 or who are an adult at risk.

The Courtauld strongly discourages all close personal or intimate relationships between staff and students. Where a close personal or intimate relationship exists between a staff member and student, there must be a clear and prompt declaration of the relationship, see section 10.

2. Scope

For the purposes of this policy students, employees, casual and agency workers, contractors, donors, Governors, honorary, emeritus, visiting scholars and any third party engaged to work at The Courtauld, including students on work placements, and volunteers are included with respect to personal relationships between students and staff and between colleagues, regardless of sexual orientation and identity.

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.

Academic staff are also covered by the provisions laid out in the Academic Staff Annex of the Articles of Association . It is important that they demonstrate exemplary behaviour. Someone else might misinterpret their actions, no matter how well intentioned. They should always give due consideration as to what is an appropriate environment and what is appropriate conduct in relation to the activities they are undertaking.

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

3. Introduction

There is potential for abuse or the perception of abuse in any intimate relationships between individuals in inherently unequal positions where one individual is expected to discharge their teaching or supervisory responsibility for the other, whether or not they are paid for their services (e.g. including honorary staff and emeriti).

Due to the potential for conflict of interest, exploitation, favouritism or bias, such relationships may undermine the integrity of the supervision or evaluation provided, or may have adverse

effects on the working and learning environment for those directly involved, as well as for the broader team and departmental culture.

Relationships in which one party is in a position to evaluate the work or influence the career of the other, may also provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or simply creates a perception of these problems.

4. Breach of policy

Failure to disclose a close personal or intimate relationship with a student, or with a colleague, may be investigated under the Staff Disciplinary Procedure.

Any allegations of harassment, victimisation or less favourable treatment of any staff member or student, will be investigated in accordance with Prevention of Harassment, Bullying and Sexual Misconduct Policy and relevant Disciplinary Policies.

5. Definitions

Abuse of power	An abuse of power is where someone uses their position of power or authority in an abusive and unacceptable manner. Abuse of power can take various forms and may include, but is not limited to manipulation, coercion, pressuring staff to engage in workplace or research misconduct, bullying and harassment. Abuse of power may also occur in the context of a close personal or intimate relationship.
Adult at risk	An adult at risk is someone over the age of 18 who receives or may need community care services by reason of disability or illness and as a result of those needs is unable to protect themselves against significant harm or exploitation. This can relate to physical, mental or psychological wellbeing or the potential to be drawn into sexual or criminal exploitation and activity.
Close personal relationships	A close personal relationship excludes intimate relationships but means a relationship where the nature, content, emotional involvement and/or frequency of interactions and/or communications transgress the boundaries of professional conduct, or may be reasonably perceived to do so where the nature, content, involvement and/or frequency of interactions and/or communications transgress the boundaries of professional conduct or may be reasonably perceived to do so. In addition this could be a relative or close family friend, or a relationship where there is financial dependence.
Consent to an intimate relationship	Consent is agreeing by choice and having the freedom and capacity to make that choice. The person seeking consent should always take steps to ensure that consent is freely given, that it is informed and recognises that it can be withdrawn at any time.
Freedom to consent	A person is free to make a choice if nothing negative would happen to them if they said no. For example, a person is not free to choose if: • they are being threatened with violence (by the perpetrator and/or by someone else); • they are being threatened with humiliation

	• they believe that the continuation or assessment of their studies, or progression or advancement of their career, will be at risk, if they refused; • they are being blackmailed; • there is a significant power imbalance and the party without power feels pressured to continue in the relationship against their will.
Capacity to consent	Capacity is about whether someone is physically and/or mentally able to make a choice and to understand the consequences of that choice. For example: • a person does not have the capacity to give consent if they are asleep or unconscious. • A person's capacity to consent may be inhibited by the influence of drugs or alcohol or the presence of a cognitive or learning difficulty, or mental health condition and/or crisis.
Grooming	Grooming can be defined as a gradual process that someone in a position of power uses to manipulate someone to do things they may not be comfortable with and to make them less likely to reject or report abusive behaviour. Grooming will initially start as befriending someone and making them feel special and may result in sexual abuse and/or exploitation.
Intimate relationships	Includes a consensual romantic or sexual relationship, marriage or life partnerships, regardless of gender, gender identity or sexual orientation, including a brief relationship and one-off occurrences, and whether they are conducted in person and/or online and/or via electronic or any other form of communication. An intimate relationship goes beyond the bounds of a platonic or working relationship.
Position of trust	Any staff member working closely with children, young people or adults at risk, is in a position of trust.
Responsibility for a student	Includes any teaching, professional, pastoral or administrative responsibility or authority over a student, whether temporary or permanent, whether formally conferred on or voluntarily assumed by the staff member and whether the responsibility arises in The Courtauld. It includes but is not limited to lecturing, teaching classes or seminars, overseeing projects or fieldwork, supervising, and setting and/or marking of examinations or other assessments of any type. It also includes acting as a mentor or advisor, and making decisions over internships or work placements.
Staff	Includes every individual working within The Courtauld under a formal contract of employment, as a casual paid worker or any individual to whom The Courtauld offers any of the privileges or facilities normally available to its employees (such as visiting academics). Where students work for The Courtauld in a teaching, pastoral or supervisory capacity this policy applies to them in that capacity to the same extent as if they were employees of The Courtauld.
Student	Means any individual currently studying for an undergraduate or postgraduate qualification, or on any course arranged by or through The Courtauld, including visiting and exchange students, applicants, and offer-holders. It covers all students who are registered for a course even those whose status is suspended, but does not include former students who

have finished their courses (unless they are current applicants or offer-holders for another University course).

6. Relationships with students or staff under the age of 18 or who are an "adult at risk"

Members of staff must not be in, or enter into, a close personal or intimate relationship with a student or staff member under the age of 18, or an adult known or suspected to be at risk, for whom they have any responsibility for, or involvement in, that person's academic studies and/or personal welfare.

Staff must not engage in sexual behaviour with someone with whom they are in a position of trust. Whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences Act (2003) makes it a criminal offence for a person to engage in sexual activity of any kind with a person under the age of 18, where the adult is in a position of trust.

Anyone suspecting a member of staff of acting inappropriately towards a student or staff member under the age of 18 or an adult at risk should refer to the Safeguarding Policy and contact the Designated Safeguarding Lead, who may contact the local authority designated officer and/or the police.

7. Relationships between staff and students

The Courtauld strongly discourages all close personal and intimate relationships between staff and students. PhD students who are employed temporarily or permanently as staff are included as staff.

Staff have an obligation to declare an intimate or close personal relationship with any student (whether new or existing), to enable The Courtauld to assess whether any potential or actual conflict of interest exists. Please refer to section 10.

Courtauld students on a placement in an external organisation must adhere to any policies on personal relationships within the external organisation. In the absence of a policy in the external organisation, students must continue to follow this policy and should not enter into close personal and intimate relationships with placement staff.

Once declared, a conflict of interest management plan will be made. This is detailed in section 10.

In order to maintain appropriate relationships with students, and to help reduce the risk of sexual misconduct, abuse of power or conflict of interest, staff should:

- maintain an appropriate physical and emotional distance from students and perform their duties in the best interests of The Courtauld without favour towards any individual student over another student;
- avoid creating special friendships with students as this may be seen as grooming.
- use a Courtauld email account, Courtauld telephone, Courtauld software and applications and internet access for communications with students where possible, avoiding personal messaging (such as through Instagram, Messenger or X);

- set an example by writing and communicating with students in a professional and business style. Any email sent to a student or a colleague about a student may be disclosed to the student or their legal representative under data protection law;
- Staff should give careful consideration before giving their personal mobile phone number to a student. Sometimes it may be unavoidable, for example when they are arranging and taking part in conferences or organising field trips. Courtauld communication channels such as email or Microsoft Teams could be used as an alternative, but may not always be practicable. Staff are encouraged to use their work telephone numbers which may be diverted to the staff member's personal mobile;
- adhere to the same guidelines, where logistically possible, when participating in fieldwork with a student, attending conferences and any other Courtauld activities whilst away from the usual workplace.

Where staff have a primary role of providing supervision, teaching, or pastoral care to students (including personal tutors), staff should:

- where possible, ensure that meetings and discussions occur on site or other Courtauld premises. Where not possible, ensure the meeting occurs in a public venue, such as a library or a café.
- refer students with support needs to a relevant support services and limit your role in providing personal support to a student where this is not part of your employment duties;
- refrain from contacting students outside of reasonable working hours;
- not seek personal information from a student except as relevant to a Courtauld process (e.g. medical information for special consideration, or personal circumstances information as part of an academic progress process).

Guidance on unacceptable behaviour towards students (please note that the below is not an exhaustive list of examples):

- Physical touching, that could be construed as sexualised (e.g. touches of the shoulder or squeezes of the leg), or comments or questions of a sexual nature (whether verbally or electronically).
- Paying undue special attention to a particular student which may be seen as grooming.
- Accepting gifts from a student, unless it is following final assessment completion and deemed to be a minor token of thanks in accordance with the Courtauld's Anti-Bribery Policy.
- Inviting an individual student to your private home or room without others present, or visiting their home or room, including while at conferences, overseas trips, or on placement.
- Asking a student to care for your child, or to house sit whilst on holidays, or perform any other personal services or work-related duties when not formally employed or engaged by The Courtauld to do so.

8. Relationships between members of staff

Relationships between members of staff are not encouraged, to prevent potential abuses of power or perceived or real conflicts of interest. Staff must declare close personal or intimate relationships in the following situations:

- Where a relationship begins that may give rise to a real or perceived conflict of interest, exploitation, favouritism or bias.
- Where a relationship already exists and a new situation arises that may give rise to a real or perceived conflict of interest, exploitation, favouritism or bias. For example, two staff

members in a relationship who work in different departments who now work in the same department. (Please refer to section 10 for the disclosure process).

Where staff are in an intimate or close personal relationship, consideration will be given on how to prevent conflict of interest, breach of confidentiality or unfair advantage gained (or perceived to be gained) from the overlap of a personal and professional relationship. This may include finding alternative line management arrangements.

The line manager will only inform other relevant members of staff about the relationship (e.g. in order to explain a change in management arrangements), if the individuals concerned agree.

Staff are reminded of possible power imbalances within intimate and close personal relationships. Relationships between employees in which one has direct or indirect authority over another are strongly discouraged.

In order to maintain appropriate relationships with colleagues/peers, and help reduce the risk of abuse of power or conflict of interest, staff should:

- maintain an appropriate physical and emotional distance from other staff while working;
- perform your duties in the best interests of The Courtauld without favour towards any individual staff member over another;
- avoid paying undue special attention to a particular member of staff which may be seen as grooming
- where possible staff should use their Courtauld email account, telephone (including Microsoft Teams) and internet access for work-related communications with staff and maintain professional communications;
- be aware that any email sent to a staff member about a colleague may be disclosed to them or their advocate under the General Data Protection Regulations. All emails and work-related instant messages should be written in a professional manner;
- establish boundaries between professional and non-professional communication with colleagues;
- adhere to the same guidelines, where logistically possible, when you and the staff member are participating in fieldwork, conferences and other activities away from your usual workplace;
- where possible, ensure that meetings and discussions about Courtauld matters occur on campus or other appropriate premises.
- refer colleagues with support needs to a relevant Courtauld support service, such as occupational health or our employee assistance programme and be mindful to limit your role in providing personal support to a staff member where this is not part of your employment duties.

Where an intimate relationship ends it is expected that all parties will continue to conduct themselves in a professional manner and avoid personal disputes which impact on the working environment or other colleagues and students. It may also be appropriate for some of the actions, put in place by The Courtauld during the relationship, to continue for a period of time following the end of the relationship. The staff members involved will be consulted and required to comply with reasonable actions.

9. Inappropriate conduct by students and staff members

Unprofessional or inappropriate conduct towards a student or staff member is not acceptable. This may breach the Prevention of Harassment, Bullying and Sexual Misconduct Policy, the Staff Disciplinary Policy, and other Courtauld policies and procedures.

A student or staff member should seek advice immediately if they feel they have been subject to unprofessional or inappropriate conduct from a student or colleague, by speaking to their personal tutor or line manager, the Head of Department, Executive Dean, Head of People, or a People Partner to ensure appropriate support is provided.

10. Declaration of intimate or close personal relationships

All staff within the Courtauld will need to make a declaration, either way, upon the launch of this policy. Any new declarations should be made as soon as reasonably practicable and within a month of the intimate or close personal relationship commencing.

As the declaration contains sensitive personal data it will be stored securely and managed in compliance with data protection legislation. Such declarations will be treated respectfully, sensitively and confidentially, and the wishes of both parties respected as far as is possible. This includes same-sex relationships where the parties may not be “out” publicly.

Staff who are unsure whether they have a close personal or intimate relationship with a student or staff member, should seek advice from their Line Manager, Head of Department or the People Services Team. Staff are particularly encouraged to seek advice if the other party expressly does not wish the relationship to be reported.

Students who are unsure whether they have a close personal or intimate relationship with a staff member should seek advice from their Students’ Union, Personal Tutor, Head of Department, or the Student Advice Service, and/or the Wellbeing Team. Students are particularly encouraged to seek advice if the other party expressly does not wish the relationship to be reported.

Staff and students must complete the Personal Relationship Declaration Form at Appendix 1. This form should be completed even if the relationship was previously declared on a job or course application form.

If multiple declarations are made over a period of time, this will trigger a formal investigation to determine whether there is a pattern of behaviour.

Process

Step 1

- Staff should inform their line manager and submit the form to People Services; who may need to discuss the details with the staff member or with the Line Manager or Head of Department.
- Students should submit the form to their Head of Department who may need to discuss the details with the student or with the staff member's Line Manager, People Services, or Head of Department (where the relationship is between a student and staff member).

Step 2

- People Services/Head of Department will review the form and where appropriate and necessary, will consult the parties and the Line Manager/ Head of Department on what actions, if any, are required to remove any potential conflict.
- A risk assessment will be undertaken by the line manager, and steps will be implemented to mitigate any risk, for example covering academic teaching, student pastoral care, supervision or assessment. Details of these arrangements to Student Academic Services (SAS) and People Services, who will retain a record.
- The actions will be documented on the form and copies provided to the relevant parties. People Services will store the form securely on the member(s) of staff’s central file;

Step 3

- Any unresolved matter may be referred to the Executive Dean/Head of People (or more senior depending on the circumstances).
- In placing measures to manage any conflict of interest, the Executive Dean/Director may consider the following:
 - any known vulnerability of the student or staff member;
 - the student's or colleague's personal circumstances at the time;
 - whether there is a supervision or teaching arrangement in place at the time;
 - the circumstances of the student when the close personal relationship commenced or was initiated (for example, if the personal relationship existed prior to the staff/student relationship);
 - any special family, kinship and elder relationships;
 - the nature of the two individuals' contact in study, research or employment;
 - the potential for the staff member to influence the academic progress and outcomes or career progression of the student or colleague; and the extent of the power imbalance between the two individuals.
- Both the staff member and student or colleague will be notified of the conflict of interest management measures put in place.

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 People Services.

11. Possible adjustments

If a relationship exists between a student and member of staff, mitigating steps may include subject to an assessment of the risk:

- arrangements for a different supervisor
- a change in their personal tutor
- no assessments or academic decision making to take place by the member of staff

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

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

- arrangements for different day to day supervision
- changes to the normal reporting line
- revised performance review process for the employee
- 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, People Services, the Dean & Deputy Director or Head of Department.

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:

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

12. Review of policy

This policy is not contractual and may be varied from time to time following consultation with our Joint Negotiating and Consultative Committee.

13. Related procedures

- Prevention of Bullying, Harassment and Sexual Misconduct Policy
- Student Disciplinary Policy
- Grievance Policy (Staff)
- Disciplinary Policy (Staff)
- Appendix 1 of the Articles of Association
- Safeguarding Policy
- Appendix 1 Personal Relationships Declarations Form

Appendix 1: Declaration Form