

**Human Resources Policy Statement HRPS30**

**Produced by Human Resources**

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POLICY ON INTIMATE RELATIONSHIPS BETWEEN STAFF AND STUDENTS, AND RELATIONSHIPS BETWEEN STAFF

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# Introduction

* 1. Middlesex University is committed to providing an environment in which members of the community are all treated equally, with respect and dignity, and free from discrimination, bullying, harassment, sexual misconduct and victimisation. The University has relevant policies and commitments in place (including not using non-disclosure agreements in sexual harassment/misconduct cases). Everyone within the University community therefore has a duty to behave in a professional and appropriate manner. Every staff member has an obligation to act in the University’s best interest in respect of their duties, and activities they undertake throughout the duration of their employment.
  2. The University believes that the professional relationship between a student and a member of staff is an important part of the student’s educational development throughout their studies and student journey. It is vital that trust and confidence exist between staff and students to ensure that students maximise their learning experience.
  3. Please see the Glossary at Section 8 below for a definition of professional relationship and all other relevant terms used in this policy.
  4. The University expects staff to display the highest professional standards at all times and maintain appropriate relationships with students to protect and limit the risk of potential or actual sexual misconduct including harassment, abuse of power or conflict of interest occurring. When dealing with students (in any capacity), all staff should recognise that they are in a position of trust and power, and that it is their professional and ethical responsibility to protect the interests of students.
  5. Staff therefore have an obligation to:

a) Maintain appropriate physical and emotional distance from students. This includes avoiding creating special friendships with students, refraining from contacting students outside of reasonable working hours, ensuring that meetings/discussions with students take place on campus or in another University-approved premises and avoid using personal devices/social media channels/texting to correspond with students. Consideration should be given to the power imbalance that exists and care should be taken to ensure that contact and behaviour are professional, appropriate and non-intimidating.

b) Be clear with students that you are not able to offer complete confidentiality to a student who chooses to disclose personal information. Staff must also ensure that they avoid physically comforting/embracing a student who may appear upset or distressed during any communication with them. In circumstances where personal information shared by a student raises concerns, staff must declare this matter to Student Life - Care and Concern.

c) Be mindful of students, in particular vulnerable students, who may appear to require extra assistance and support in their personal and academic lives. It is not appropriate to give a student a gift or lend money to or from a student. In addition, staff must not offer accommodation to a student, for instance, a staff member should not reside/lodge in the same accommodation or rent accommodation to a student where there is a professional or working relationship between these parties. If a member of staff recognises a student requires support or assistance which would significantly change the staff/student relationship or go beyond their job remit, they must refer the student to Student Life - Care and Concern who can assist the student appropriately.

d) Be aware that engaging in sexual activity with any person (e.g. student) below the age of 18 where the adult is in a position of trust falls within the scope of the Sexual Offences Act 2003 and is a criminal offence.

* 1. The University prohibits intimate relationships between staff and students and staff must not to enter into an intimate relationship with any student, where they are responsible for teaching, supervising, assessing or for whom they have a pastoral or student facing support role including, but not limited to Mental Health and Wellbeing Advisors, Employability Consultants, Academic Skills Advisors and Student Advisors. Intimate relationships with students are also prohibited for any member of staff in a senior position of authority, including those working in any Faculty Leadership or Professional Services leadership position. To embark on an intimate relationship invites serious difficulties rooted in unequal power, as well as real problems in maintaining the boundaries of professional and personal life, and damage the teaching and learning environment for other students and staff.

1. **Scope**
   1. This policy applies to all members of the University community. For the purposes of this policy, the term “**staff**” applies to full-time, part-time, temporary, hourly paid, casual, honorary and visiting scholars, volunteers, research students when teaching, agency staff, contractors, any third party engaged at the University and students on work placement at the University
   2. This policy applies in the University (whether teaching/working onsite, remotely on external work-related visit/trips/events/social gatherings, including those where alcohol is served, outside of normal working hours), and in any setting outside the University which involves members of the University community as outlined in 2.1 and University students.
   3. This policy covers all students on university courses provided in any manner or form, or on behalf of, a provider, including but not limited to circumstances where a provider is responsible only for granting awards for students registered with another provider.
   4. This policy applies to all staff and students irrespective of their gender identity and sexual orientation.
   5. Staff and Student Relationships – intimate relationships between staff and students are prohibited and staff must not to enter into an intimate relationship with any student, where they are responsible for teaching, supervising, assessing or for whom they have a pastoral or student facing support role including, but not limited to Mental Health and Wellbeing Advisors, Employability Consultants, Academic Skills Advisors and Student Advisors. Intimate relationships with students are also prohibited for any member of staff in a senior position of authority, including those working in any Faculty Leadership or Professional Services leadership position. However, if a relationship already exists prior to the implementation of this policy (1st August 2025) the staff member must declare the relationship using the Intimate Relationships Declaration Form (Appendix 1). The member of staff must exclude themselves from any activities related to teaching, assessing, supervising, tutoring, coaching, mentoring, invigilating, personal development, maintenance of personal data or any other activity or process involving the student including the selection onto courses. This is not an exhaustive list and is only intended to provide examples of conflict of interest activities.
   6. The University strongly advises against other staff and student relationships. However, if a relationship does develop and is desired by both parties, the staff member must declare the relationship using the Intimate Relationships Declaration Form (Appendix 1).
   7. Relationships between Staff Members - Where an intimate relationship already exists or develops between staff, they must declare this to their respective line managers retrospectively if this is not yet known by completing the Intimate Relationships Declaration Form (Appendix 1). If they are in a line management or supervisory relationship, alternative arrangements will need to be made for line management/supervision and the current line manager must not participate in decisions that might give rise to a conflict (e.g. recruitment and selection, allocation of funds/research grants, performance appraisal, disciplinary matters, approval of expenses). This is not an exhaustive list and is only intended to provide examples of conflict of interest activities). Staff must declare the relationship immediately following the procedure set out in Sections 4 and 5 below, to ensure measures are put in place.

# Purpose

# This policy sets out the conditions, boundaries and procedure to be followed so that staff and students are not open to allegations of impropriety, bias, and abuse of authority, discrimination, conflict of interest or favouritism. To ensure that all staff behave and are perceived to behave in an appropriate and professional manner so as not to have an adverse impact on our students, other staff and on the University.

# Procedure

# The University prohibits intimate relationships between staff and students, where they are responsible for teaching, supervising or assessing or in a pastoral role (relevant staff member), and any staff member found to be involved in such a relationship from the 1st August 2025 (policy implementation date) will face disciplinary action which could result in dismissal.

# If a relationship already exists between a staff member and student prior to implementation of this policy (1st August 2025). The staff member must declare it as outlined in this procedure. Failure to do so may result in disciplinary action and may lead to dismissal.

# If a relationship develops between a staff member and a student where they are not in a position of power (i.e., not involved in teaching, supervising or assessing or in a pastoral role, as outlined in paragraph 1.5). the staff member must declare the relationship. Failure to do so may result in disciplinary action and may lead to dismissal.

# Any member of staff who is currently in an intimate relationship with another staff member, must also declare their relationship. The declaration should be made in confidence to their line manager by completing the Intimate Relationships Declaration Form (see Appendix 1).

# Any member of staff who suspects or is informed that a colleague may be in a non-declared relationship with a student or staff member should approach their line manager in confidence.

# Actual, perceived, or potential intimate relationships must be disclosed, so that any potential conflict of interest can be managed in order to prohibit any activity that may have an adverse impact on the University Community.

# Any staff member alleged to have made a vexatious or frivolous disclosure will be investigated and face disciplinary action if the investigation concludes there is a case to answer.

# For existing relationships between staff and students where the member of staff is involved in the teaching and assessment of the student’s work or pastoral care, it is their responsibility to inform their line manager immediately in order that alternative arrangements can be made.

# All existing relationships between staff and students, irrespective of whether or not there has been any formal teaching or assessment relationship or a pastoral relationship between both parties also need to be reported.

* 1. Any exploitation or a case whereby any intimate relationship as defined within this policy, that is not declared and results in an unfair advantage or disadvantage to either of the parties to the relationship (be they a member of staff or a student), will be considered as a serious matter and be dealt with under the University’s [STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES, 2024-25](https://www.intra.mdx.ac.uk/media/intranet/resources/learning-teaching-and-students/student-affairs/(FINAL)-2024-25-Student-Complaints--Grievance-policy.pdf) or the Disciplinary Procedure ([MDX-Managing-Underperformance-Policy-Feb-2016-Access.pdf](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/MDX-Managing-Underperformance-Policy-Feb-2016-Access.pdf)), [Grievance Procedure](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/Grievance-Procedure-April-2020-ACC.docx) or Staff Dignity at Work [Final](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/HRPS37-Dignity-at-Work-2024-acc.pdf) Procedure. Affected staff can access support via Spectrum and students through Student Life - Care and Concern.
  2. Staff who are unclear whether their relationship falls within the scope of this policy should seek guidance from their Human Resources Business Partner, Line Manager, Dean or Director, to have an open discussion about their circumstances in confidence, which will help to determine whether the relationship should be declared and could give rise to an actual or potential conflict of interest, misuse of power or an unfair bias situation.
  3. Students who are unsure whether they have an intimate relationship with a staff member should seek advice from their Academic Advisor, Head of Department or Student Life – Care and Concern.
  4. Students who have concerns that academic progress depends upon their consenting to a sexual relationship with a member of staff should raise a sexual harassment complaint. Complaints involving alleged incidents of harassment or bullying by the member of staff will be dealt with in confidence in accordance with the Students Complaints Procedure or th[e [STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES, 2024-25](https://www.intra.mdx.ac.uk/media/intranet/resources/learning-teaching-and-students/student-affairs/(FINAL)-2024-25-Student-Complaints--Grievance-policy.pdf) or Staff Disciplinary Procedure ([MDX-Managing-Underperformance-Policy-Feb-2016-Access.pdf](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/MDX-Managing-Underperformance-Policy-Feb-2016-Access.pdf).](http://www.mdx.ac.uk/aboutus/Strategy/regulations/index.aspx))
  5. In some circumstances, and particularly where sexual harassment and/or unfair treatment are alleged as a result of an intimate relationship, it may be necessary to take disciplinary action against the member of staff concerned.
  6. Any allegations of sexual misconduct that could be deemed a criminal offence will be reported to the police who may conduct an investigation.

# Declaration

* 1. Staff must declare the intimate relationship with a student or staff member to their line manager within five working days of the relationship commencing, by completing and emailing the Intimate Relationships Declaration Form (see Appendix 1) to them.
  2. The staff member/student is expected to cooperate in any actions taken to eliminate any actual or potential conflicts of interest and mitigate any adverse effects on either party.

The University has a responsibility to treat all declarations with sensitivity, respect and maintain appropriate confidentiality in accordance and compliance with the data protection legislation respecting both parties wishes as far as possible.  **However, Confidentiality is not absolute** in these matters. While the University respects student privacy, information will be shared with relevant staff or external agencies when necessary to **protect an individual’s safety and wellbeing**. Whenever possible, students will be informed about any disclosures made, and information will be shared on a **strict need-to-know basis**.

* 1. Upon receipt of the Declaration Form the line manager will assess the situation and identify if there is a conflict of interest, in discussion with HR. If it is deemed there is, immediate steps will be taken to ensure that the staff member will have no direct involvement in the assessment and teaching or any other supporting role or in the case of staff management of the other party. The line manager will document the action taken on the Declaration Form.

# Responsibilities

* 1. **Line managers** have a responsibility:
  + to understand and communicate the policy to their staff (i.e. all new starters and new managers with reporting responsibilities) and take the necessary action in discussion with relevant staff
  + to provide guidance to staff who are uncertain if a declaration should be made
  + to provide a safe environment for students
  + to treat the information in any declaration they receive sensitively and promptly
  + to consult with their line manager and HRBP
  + to consider ways of eliminating conflicts of interest and mitigating any adverse effects to the parties
  + to document the steps taken, and provide all relevant parties with a copy
  + to maintain staff confidentiality regarding the disclosure of information and records of declarations in line with GDPR.
  1. A **staff member** has a responsibility:
  + to declare their relationship in confidence to their line manager
  + to make the person they are having a relationship with aware that, as is required by the policy, they intend to declare the relationship including naming them
  + to feel able to report any concerns they have about an intimate relationship to a dignity at work adviser, their HRBP or their line manager
  + to seek appropriate advice about any concerns.
  1. **Human Resources** have a responsibility:
     + to ensure that the policy is applied fairly and consistently
     + to provide guidance to management and to staff about the scope of the procedure, reporting and clarifying any uncertainties that may exist regarding disclosures
     + to review and update the policy as necessary
     + to provide appropriate training to staff involved with managing this procedure or any of the related procedures
     + to provide advice and support to staff and to managers signposting them to the relevant procedures to be invoked where issues arise
     + to support staff and managers through any formal process
     + to remind staff about other wellbeing support
     + to retain staff confidentiality regarding the disclosure of information

and records of declarations in line with GDPR.

* 1. **Student Life** have a responsibility to support students involved in consensual relationships with staff [Student Life – Care and Concern | Middlesex University Intranet](https://www.intra.mdx.ac.uk/resources/learning-teaching-and-students/student-affairs-care-and-concern/).

# Sharing, Retention and Deletion of Data

7.1 Where required by the terms of this policy, the Intimate Relationships Declaration Form must be completed and sent to the relevant Line Manager, Head of Department and HR Business Partner for review. This is in order for appropriate safeguards to be put in place to ensure that the University is meeting its legal and regulatory obligation to the Office for Students.

7.2 The information contained on the Intimate Relationships Declaration Form will be held securely in accordance with the University’s Data Protection Policy and will only be processed for the purpose of ensuring compliance with the terms of this policy.

7.3 You should be aware that it is likely to be necessary for your Line Manager and/or Head of Department to meet with you to discuss and consider appropriate actions. This may mean that it is necessary for certain information to be shared with members of staff other than just the relevant Line Manager, Head of Department and HR Business Partner in order for those safeguards to be put in place. Where this will be necessary, a discussion will be had with the member(s) of staff to inform them of what will need to be shared and with whom in order to implement the necessary appropriate safeguards.

7.4 Where it is necessary to share information relating to the actions with members of staff other than just the relevant Line Manager, Head of Department and HR Business Partner, the University will only share such information as is strictly necessary for the purpose of implementing the actions in question. This means that we would only inform any necessary additional members of staff of the arrangement itself and not the reasons for needing to have the actions in place.

7.5 It may also be necessary to meet with the other party to the relationship being disclosed.

7.6 Where appropriate actions are put in place, they will be maintained until such time as they are no longer deemed to be necessary i.e. until one of the individual’s in the relationship leaves the University or if the status of the relationship changes and the measures need to be revisited.  Details relating to personal relationships will remain on the staff file in line with the University’s [Retention Policy](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.intra.mdx.ac.uk%2Fmedia%2Fintranet%2Fresources%2Flegal-and-compliance%2FMiddlesex-University-Retention-Schedule_accessible.pdf&data=05%7C02%7CN.Patel%40mdx.ac.uk%7C001cb628fb1942bb181308ddc8634078%7C38e37b88a3a148cf9f056537427fed24%7C0%7C0%7C638887050793686861%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=kjQwGE11zWTQ3bH%2FIJNEqbO0jA9bTNOI%2B%2FQI0ji0j6k%3D&reserved=0).

# Glossary

* 1. **Professional Relationship** is defined as one where there is an assessment, supervising, tutoring, teaching and/or pastoral role, e.g. counsellor and administrative roles providing support, on issues such as housing and finance, to students.
  2. **Intimate Relationship** means a relationship that involves one or more of the following elements: physical intimacy (including isolated or repeated sexual activity) OR romantic or emotional intimacy.
  3. **Personal Relationship** is defined as a family relationship or a business/commercial/financial relationship. Please see the Conflict of Interests and Commitment Policy ([CONFLICT OF INTEREST: POLICY, PRINCIPLES AND PROCEDURES](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/HRPS35-ConflictofInterestandCommitmentPolicy21V1-Accesst.pdf)) and [Middlesex University Financial Regulations](https://www.intra.mdx.ac.uk/media/intranet/resources/finance-guides/FG1---MDX-financial-regulations-2022-v1.3-FINAL.pdf)
  4. For the purposes of this policy, the term “**staff**” applies to full-time, part-time, temporary, hourly paid, casual, honorary and visiting scholars, volunteers, research students when teaching, agency staff, contractors, any third party engaged at the University and students on work placement at the University.
  5. **Excluded Relationship** means any ongoing intimate relationship that either existed before the 1.8.25 (policy implementation date) and remains in existence OR existed before the date that the staff member became a relevant staff member in relation to this student.
  6. **Relevant Staff Member** means a member of staff who has direct academic responsibilities, or other direct professional responsibilities, in relation to that student.
  7. **Abuse of Power** means a situation where a staff member exploits a position of power in relation to a student or another staff member in a way which may result in them doing something/ refraining from doing something, that they may not have otherwise done, and that action/inaction could reasonably result in something that falls within the scope of an intimate relationship.
  8. **Sexual Harassment** can be defined as unwanted conduct of a sexual nature or other conduct based on gender, which is offensive to the recipient and affects the dignity or well-being of individuals. It involves the use of power rather than personal relationships freely entered into and is unacceptable to those involved. Within the meaning of the Equality Act 2010 sexual harassment constitutes sex discrimination and is therefore unlawful.
  9. **Sexual Misconduct** means any unwanted or attempted unwanted conduct of a sexual nature and includes but is not limited to sexual harassment as defined by Section 26(2) of the Equality Act 2010; and assault and rape as defined by the Sexual Offences Act 2003.

# Related Policies and Procedures

* [STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES, 2024-25](https://www.intra.mdx.ac.uk/media/intranet/resources/learning-teaching-and-students/student-affairs/(FINAL)-2024-25-Student-Complaints--Grievance-policy.pdf)
* HRPS8 - [Equality and Diversity Policy](https://www.intra.mdx.ac.uk/media/intranet/people/Equality-and-Diversity-Policy.docx)
* [Staff Grievance Policy](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/Grievance-Procedure-April-2020-ACC.docx)
* Staff Disciplinary Procedure [MDX-Managing-Underperformance-Policy-Feb-2016-Access.pdf](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/MDX-Managing-Underperformance-Policy-Feb-2016-Access.pdf)
* HRPS35 - Conflict of Interest and Commitment Policy [CONFLICT OF INTEREST: POLICY, PRINCIPLES AND PROCEDURES](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/HRPS35-ConflictofInterestandCommitmentPolicy21V1-Accesst.pdf)
* HRPS37 – Dignity at Work Policy [Final](https://www.intra.mdx.ac.uk/media/intranet/resources/hr-guides/HRPS37-Dignity-at-Work-2024-acc.pdf)
* Privacy Notice [Privacy | Middlesex University](https://www.mdx.ac.uk/about-us/policies/privacy/)
* Financial Regulations [Middlesex University Financial Regulations](https://www.intra.mdx.ac.uk/media/intranet/resources/finance-guides/FG1---MDX-financial-regulations-2022-v1.3-FINAL.pdf)

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**Appendix 1 - Intimate Relationships Declaration Form**

**SECTION A: TO BE COMPLETED BY THE MEMBER OF STAFF**

**Please complete this form and send it securely to your Line Manager and HR Business Partner who will discuss it with you, your Head of Department and the other party to the relationship (student/staff member), if necessary.**

|  |  |
| --- | --- |
| **Your Details:** |  |
| Name |  |
| Job Title |  |
| Faculty/Department |  |
| Line Manager |  |
| **Other Party’s Details:** |  |
| Name |  |
| Are they a student or a member of staff? |  |
| If a student, state Course, Year and Faculty |  |
| If staff member, state Job Title, Faculty/Department |  |
| Date intimate relationship started |  |

|  |
| --- |
| **I have read and understood the Intimate Relationships Policy and understand that:**  1. It may be necessary for permanent or temporary adjustments to be made to remove any real or perceived conflict of interest arising from the declared relationship.  2. This information will be stored securely and managed in accordance with section 7 of the Intimate Relationships Policy.  Signature of Staff Member:  Print Name:  Date:  Signature of Other Party (Student/Staff Member):  Print Name:  Date: |

|  |
| --- |
| **SECTION B: TO BE COMPLETED BY THE LINE MANAGER** |

|  |  |
| --- | --- |
| **Has the relationship been declared within five days of it commencing?** | Y/N |
| **If no, why not?** |  |
| **Are any actions required?** | Y/N |
| **State reasons why actions are required OR not required** |  |
| **If action is required, please provide details** |  |

Signature of Line Manager:

Print Name:

Job title:

Date:

Signature of Head of Department:

Print Name:

Job title:

Date:

Line manager to provide a copy of the form to the declaring staff member and other party (student/staff member).

HR Business Partner to upload this form securely to the employee’s personal file.

Head of Department to store this form securely.