

Brasenose College

Staff Student Relationship Policy for Academic Staff



Applies to academic employees and academic workers including College postgraduate students engaged in teaching roles, and other Fellows and academic members of college, but excludes casual employees/workers who are enrolled as Brasenose students (eg student bar and conference workers).

This policy does not apply to student casual workers involved in admissions or outreach, but a separate protocol governs their behaviour in relationships with young people.

A separate policy also applies to staff student relationships for non- academic staff.

Approved by the Governing Body on 30 November 2022

Preamble:

This policy aims to highlight the potential risks in close personal or intimate relationships, however brief, between members of academic staff¹ and students in the Brasenose workplace or in academic settings between individuals in particular where the staff member has responsibility for the student. It describes what the College advises, what it requires and how such relationships should be declared.

There are significant potential risks in any close personal or intimate relationships between individuals who occupy inherently unequal positions and there are wider potential issues. As a result, the College strongly advises staff not to enter into intimate relationships with any student, and not to enter into close personal relationships with students for whom they have responsibility. All such relationships must be declared by the employee.

Issues that might arise include:

1. There is the potential for conflict of interest, exploitation, favouritism and bias which means that such relationships may undermine real or perceived integrity of the educational process.
2. There may be power imbalances between the individuals, resulting in an asymmetric relationship, potentially aggravated if one party has academic authority, for example giving grades, recommending for prizes/awards or writing references for the other. Furthermore, the imbalance of power means there is an increased risk of grooming or coercion, and an increased risk of relationships that are non-consensual or abusive, even if at the time the student does not believe or says that it is not the case.
3. These relationships may give rise to ethical concerns over the validity of consent and may often be less consensual than the individual whose position confers authority believes. In addition, circumstances may change, meaning that conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a close personal or intimate relationship, this past consent does not remove potential grounds for a complaint based upon subsequent unwelcome conduct, either during the relationship or after it has ended.

¹ The policy applies to all academics in the College, even if not employed directly by the College. In the rest of the policy “academic staff” includes these academics as well as those employed by the College

4. Such relationships may also have unintended, adverse effects on the academic environment, thereby impairing the learning environment for others, and undermining trust and integrity of teaching and learning within College. This may apply both during such a relationship and after any break-up.

For all these reasons, the College strongly advises that close personal or intimate relationships between individuals in inherently unequal positions should be avoided. Staff must maintain a clear boundary between friendship and intimacy with students and not conduct inappropriate relationships with students. In addition, staff must not allow an intimate relationship to develop with any student aged under 18 years. It may also be a criminal offence to conduct a relationship with a student aged under 16 years.

The College does not wish to introduce a complete ban on relationships between academic staff and students aged 18 and over as it is not appropriate for the College to be the arbiter of individual's personal lives, and it recognises that in some cases junior academic staff and students, particularly postgraduates, may be at similar age and stage of career. Furthermore, a ban might result in relationships being kept secret, which would increase some of the risks. **But in all cases, all academics must declare any intimate relationship with students, and (with the exception of Junior Deans and Sub Deans) must declare any close personal relationships with any students for whom they have responsibility.**

Students who enter close personal or intimate relationships with an academic do not have a duty to declare it, but are encouraged to report it or raise any concerns or request for support with College Officers or members of the welfare team, and will not be subject to any disciplinary process for doing so. As a first step, students are encouraged to have an informal conversation with one of the Junior Deans or the Sub Dean.

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. It also includes family relatives.
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 academic employment or as a casual paid academic worker (including graduate students working as teaching assistants), and any other individual (such as visiting academics) to whom the College offers any of the privileges or facilities normally available to its academic employees. It does not include casual employees/workers who are enrolled as Brasenose students (eg student bar and conference workers). It also does not include the Junior Deans or Sub Deans, as these are usually current or recent postgraduate students but have responsibility for all students. A separate section of this policy applies to them.
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 for whom the staff member has responsibility.

Introduction

1. This policy covers current and former close personal or intimate relationships, however brief, between members of academic staff and students, in particular but not exclusively where the staff member has any responsibility for the student.
2. 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 academic and professional integrity and of their responsibility for the welfare of students.
3. 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 remain strictly professional, respecting the trust inherent in them.
4. While the College does not wish to regulate the private lives of its staff, it strongly advises staff not to enter into an intimate relationship with any student or a close personal relationship with any student for whom they have responsibility, and alerts them to the complications that may result.
5. To embark on a close personal or intimate relationship with a student, particularly with one for whom the academic has some responsibility, often involves difficulties rooted in the inequalities of power as well as problems in maintaining the boundaries of professional and personal life. Also, these relationships could disrupt the teaching and learning environment for other students and colleagues and might lead to accusations of favouritism or bias and undermine trust in the academic process.

Guidance for Academic staff on relationships and the need for disclosure (except Junior Deans and Sub Dean)

6. The College requires that any intimate relationship by a Fellow or academic member of staff with a student or a close personal relationship with a student for whom they have responsibility is brought immediately to the attention of the Senior Tutor in order that 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 Senior Tutor, in order that they can assess the risk of undesirable consequences arising. Any declaration of this kind will, so far as possible and subject to the specific provisions 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.

7. 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 academic could not reasonably have reported it before the College became aware of it.

8. 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.

9. 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 Tutor for Admissions 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.

Junior Deans and Sub Deans

10. Junior Deans or Sub Deans are usually current or recent postgraduate students and are likely to have close personal relationships with other students, but also as a result of their role have some level of potential responsibility for all students. It is not practical or desirable that they report all close personal relationships with other students to the Senior Tutor.

- i) they must still report all intimate relationships with students (as defined in this policy)
- ii) they do not have to report all close personal relationships, but are advised to report any close personal relationships that could potentially compromise or be seen to compromise their role as Junior Dean or Sub Dean, so that they can be supported in the appropriate management of any tensions that might arise.

College Officer's responsibilities

11. 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 Senior Tutor as early as possible so they can determine whether any further action is required, and if action is required (eg the staff member has responsibility for the student), can take steps to:

- consult with the Tutor for Graduates if the case involves a graduate student
- 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 tutoring, supervising, assessing, providing pastoral care, or professionally responsible for administering activities in which the student is involved; and,
- ensure that appropriate action is taken to minimise the potential effect of the relationship on other staff and/or students.

12. In the case of a student whose studies or research are in a very specialised area, such that no alternative tutor or supervisor is available, the Senior Tutor should consider whether it would be appropriate to engage a co-supervisor or external supervisor, in order to ensure that the member of

staff does not have sole responsibility for supervising the student's work or for taking decisions that affect the student.

13. The Senior Tutor and 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.

14. The Senior Tutor or Tutor for Graduates may seek advice on a confidential basis from the College's HR team.

Guidance for students on relationships and the need for disclosure

15. The College advises students not to enter into any intimate relationship with a member of Brasenose's staff and in particular academic staff, or into a close personal relationship with a member of staff who has some responsibility towards the student, as there is usually an imbalance of power in such a relationship. This increases the risk of unwanted, coercive or abusive relationships or grooming behaviour. It is the responsibility of the staff member to declare any relationship to College officers and it is a disciplinary offence for them not to do so. 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 or academic. 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 Senior Tutor (undergraduates) 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

16. 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, authority, or conflict of interest, they should refer to the College's policy on Harassment (Blue Book, section G.5).

Members of staff who experience unwanted advances and other unwelcome behaviour should raise the issue as soon as possible with the Senior Tutor or Tutor for Graduates, or with the Head of HR or HR Manager.

Gradual development of relationships and Grooming

17. It is possible that friendship can gradually develop between any two people, but in the context of the academic relationships between academic and student and the imbalance of power, it is particularly important that the line between friendship and a more intimate relationship is not crossed, however unclear the demarcation of that line. If there is any risk that a friendship may have crossed into an intimate or a close personal relationship, or it is reasonably foreseeable that it might be about to do so, the academic must immediately report it in accordance with this policy.

18. The imbalance of power in relationship can in particular give rise to the risk of 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. If at any time a student is concerned they or a fellow student may be the subject of grooming behaviour they are encouraged

to raise their concerns with the Junior Deans, any member of the Welfare team or anyone else named in this policy.

Support and guidance

19. Any student who has questions about this policy and its application should discuss them with the Senior Tutor or Tutor for Graduates in the first instance.

Students may also seek support from the Junior Deans or the Sub Dean, the Chaplain or from OUSU's Student Advice Service.

Any member of staff who has questions about this policy and its application should discuss them with the Senior Tutor, the HR Manager, Head of HR, or the Bursar in the first instance.

Relationships in a University context

20. If a member of staff who has an appointment with the University in addition to their College appointment enters into a close personal or intimate relationship with a student, then that member of staff may be bound by University policies in addition to this policy.