



Bolton College

**Personal &
Professional
Relations Policy
2022-23**



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1. Purpose

This policy is designed to provide clear guidelines about personal relationships that overlap with working relationships.

This policy applies to all employees and workers of Bolton College. Third party contractors will also be required to comply with this policy.

2. Background

The guidelines are intended to protect the interests of the College, our employees and our learners and to ensure that our employees and workers do not commit acts of impropriety, bias or abuse of authority and do not lay themselves open to allegations that they have done so.

As an educational institution the College must ensure that it complies with the Sexual Offences Act 2003. This policy is designed to make all employees and workers aware of the implications of this Act.

The College defines personal relationships as:

- A family relationship
- A business/commercial/financial relationship
- A sexual/romantic relationship

3. Personal Relationships between Employees and Workers

Employees who have personal relationships with a colleague or a prospective employee or worker which may lead to a real, potential or perceived conflict of interest must declare this relationship. This declaration can be made in confidence to a member of the HR team.

Applicants for positions with the college will also be required to declare any such relationships at recruitment. Whilst the existence of such a relationship will not be a bar to employment or to receiving an offer for the provision of services at the College, the Head of Area/Business Manager will need to consider the impact of the relationship within the working environment, any resulting risks of conflict of interest or bias and any steps that could be taken to address these factors.

Where a personal relationship exists between employees they should not normally be involved in the recruitment, selection, appraisal or promotion involving the other party. Steps may be taken to minimise the actual, potential or perceived effect of the Personal Relationship on other workers or learners. Also to ensure that the involvement of a worker or employee in taking or influencing decisions affecting another worker's salary, terms and conditions of employment, role, workload, promotion, training and development, career development and staff appraisal is carried out in such a way as to eliminate any possible or actual conflicts of interest or any allegation of same.

4. Personal Relationships between Employees and Learners

Learners under the Age of 18:

The Sexual Offences Act 2003 makes it an offence for those working in positions of trust to:

- Engage in sexual activity with a learner under 18
- Cause or incite a young person under 18 to engage in sexual activity
- Engage in sexual activity in the presence of a young person under 18
- Cause a young person under 18 to watch a sexual act

The only exception to this is where a person in a position of trust is legally married to a young person, or where a lawful sexual relationship existed before the position of trust arose.

Any personal relationships that exist with a learner prior to a position of trust arising should be declared in confidence to either the Head of Area/Business Manager or a member of the HR team.

The College reserves the right to refer any suspected criminal offences by an employee/worker to the relevant authorities without reference to the employee/worker concerned.

Learners over the age of 18:

Employees and workers are strongly advised not to enter into a sexual/romantic relationship with a learner, particularly those for whom they have a responsibility for assessing, supervising, tutoring, teaching for pastoral care or for whom they are required to provide administrative or technical support.

The College recognises, however, that such relationships may develop between an employee and a learner during a programme of study / college attendance. Where such a relationship develops it is the employee's or worker's responsibility to inform either the Head of Area or a member of the HR team. A full assessment of the situation will be completed and alternative arrangements will be made if necessary. Such arrangements may include:

- ensuring the worker does not have sole responsibility for aspects of the learner's work which requires judgement, e.g. academic assessment;
- ensuring the employee/worker is not solely in a position to take decisions affecting the learner, including the provision or withholding of any of the following; pastoral care, administrative matters, allocation of places on courses, bursaries or scholarships for learning;
- ensuring that appropriate action is taken to minimise the potential effect of the personal relationship on other workers or learners.

Learners with a Mental Disorder:

The Sexual Offences Act 2003 makes it an offence to:

- Engage in sexual activity with a person with a mental disorder knowing that person is likely to be unable to refuse because of the mental disorder.
- Cause or incite a person with a mental disorder to engage in sexual activity.
- Engage in sexual activity with a person in the presence of a person with a mental disorder knowing that person is likely to be unable to refuse because of the mental disorder.

- Cause a person with a mental disorder to watch a sexual act knowing that person is likely to be unable to refuse because of the mental disorder.
- Procure and/or engage in sexual activity with a person with a mental disorder or procure and/or engage in sexual activity in the presence of a person with a mental disorder by inducement, threat or deception

Any personal relationships that exist with a learner with a mental disorder should be declared in confidence to either the Head of Area/Business Manager or a member of the HR team.

The College reserves the right to refer any suspected criminal offences by an employee/worker to the relevant authorities without reference to the employee/worker concerned.

5. General Guidance on relations with Students

All employees are required to maintain professional and appropriate relationships with students of all ages (both on and off line). Employees and workers should ensure appropriate communication and contact with students and should avoid situations that may put them at risk e.g. exchange of personal information, physical contact with students, use of inappropriate or suggestive language/behaviour, inappropriate use of social media. Professional boundaries must be maintained at all times both in and outside of the workplace. It is not possible to provide an exhaustive list of acceptable or unacceptable behaviour, employees or workers who are unsure about a particular issue are advised to seek advice from their line manager.

Employees and workers should be aware that their professional relationship with current students is still deemed to exist outside of College and any report by a student of misconduct outside of the work environment may be investigated. Employees and workers are therefore advised to avoid one to one contact with students in social situations outside of the College.

6. Responsibilities of all Employees

All employees are obliged to adhere to this policy; failure to do so may result in disciplinary action including dismissal for gross misconduct without pay or pay in lieu of notice. Managers at all levels are responsible for ensuring that the employees for whom they are responsible are aware and adhere to the policy. They are also responsible for ensuring employees are updated in regard to any changes in this policy.

The College reserves the right to amend this policy.

7. Related College Policies

- Disciplinary Policy
- Safeguarding Children Policy
- Safeguarding Adults at Risk Policy
- Abuse of Trust Policy
- Acceptable Use of IT Policy
- Social Media Policy