



Personal Relationships at Work

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Sponsor: Vice-Rector (Professional Services)
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1 Introduction

1.1. MLA College is committed to fostering an inclusive culture and a working environment based on dignity, trust, and respect, where all are treated fairly.

1.2. This policy aims to strike a balance between the rights of staff to a private life, and the College's need to protect its business interests, whilst ensuring the safety and wellbeing of all students and staff.

1.3. This policy sets out the responsibilities and expectations of the College's employees regarding personal relationships:

- a) between staff and students
- b) between staff
- c) between staff and third parties
- d) between a line manager and their direct report
- e) between a job applicant and a College staff member or governor
- f) between a job applicant and a College student

1.4. The purpose of this policy is to ensure processes are in place to safeguard students and staff from abuses of power and sexual misconduct and to protect staff from allegations of actual or perceived conflicts of interest that may arise from personal relationships.

1.5. It is recognised and accepted that some staff may be related to one another, and some may develop personal relationships with each other and with third parties (a third party is a contractor, client, customer, supplier, or provider of services to the College).

1.6. For this policy a personal relationship is defined as any one of the following, however this list is neither exhaustive nor exclusive:

- a) A consensual intimate, romantic or sexual relationship which goes beyond the boundaries of a platonic or working relationship, which could be brief, long term or a one-off occurrence, or
- b) A relationship with a family member or close family friend, or
- c) A very close friendship, or
- d) A relationship where there is financial dependence, or
- e) A close business, financial or commercial relationship

2 Scope

2.1. This policy and its procedures apply to all College employees including associate tutors, agency workers, self-employed contractors, staff on fixed term contracts and students who are also employees, regardless of sexual orientation or identity.

3 The Public Sector Equality Duty

3.1. The Equality Act (2010) requires public bodies to consider how their decisions and policies affect people with different protected characteristics (or a combination of these).

3.2. The College is committed to promoting equality of access and outcome for all, celebrating diversity, and providing an inclusive learning and work environment for all students, staff, and visitors. The College will ensure they pay 'due regard' to the need to:

- a) the need to eliminate discrimination, harassment, and victimisation.
- b) advance equality of opportunity.
- c) foster good relations between people, irrespective of their age, disability, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation’.

3.3. Paying ‘due regard’ means the College will consciously consider or think about the need to do the above.

4 Personal relationships between staff and students

4.1. College staff are not permitted to begin or pursue a personal relationship with any student at MLA College.

4.2. Any staff member found to be in breach of this will be subject to disciplinary action under the College’s Disciplinary Policy and Procedure.

4.3. If there is an existing personal relationship between a College staff member and a student who is due to join the College, the staff member is responsible for declaring the relationship without delay, regardless of the circumstances.

4.4. If a personal relationship has existed in the past between a College staff member and a student, which has ended but the student is due to join the College, the staff member is responsible for declaring the relationship without delay, regardless of the circumstances.

4.5. Details regarding personal relationships under 4.3 and 4.4 must be declared by the staff member, confidentially, to the Chief Executive Officer or Vice-Rector prior to the student joining the College. They must complete the declaration form (located at Appendix A and submit to hr@mla.ac.uk). It will be stored confidentially on the employee’s file and all information declared in these circumstances will be treated respectfully and sensitively.

4.6. The relationship will be risk assessed by a Vice-Rector, and the outcome confirmed by the Chief Executive Officer. The circumstances of the relationship between the staff member and the student will be considered on a case-by-case basis. There are certain circumstances that could mean the relationship is considered acceptable by the College, for example, where the staff member does not teach, assess, or provide resources to the student.

4.7. If the declared relationship is not deemed acceptable by the College, the staff member will be informed by the Chief Executive Officer that continuing the relationship whilst working for the College will not be permitted. If the student joins the College and the staff member continues the relationship, they will be subject to disciplinary action under the College’s Disciplinary Policy and Procedure.

4.8. If the declared relationship is considered acceptable the staff member will be informed by the Chief Executive Officer and this will be recorded on the declaration form.

4.9. If the College becomes aware that a staff member has an existing personal relationship with a student which they had not declared, the matter will be investigated under the College’s Disciplinary Policy and Procedure.

4.10. If there is a past or existing personal relationship between a job applicant applying to work at the College and a current College student, the applicant is required to declare this during the application process (see also 8. Job Applicants in a personal relationship with a College staff member, governor, or student in this policy).

5 Guidance for Staff – Maintaining Boundaries

- 5.1. All staff are responsible for maintaining clear boundaries and upholding ethical standards in all their interactions with students.
- 5.2. Staff in a teaching or supervisory position must uphold their duty of care and responsibilities for safeguarding student welfare, by ensuring that their behaviour and conduct is professional, and boundaries are always maintained.
- 5.3. Staff should always respect a student's personal space.
- 5.4. Staff should ensure that all their communications with students are professional and in line with the College's IT Acceptable Use Policy.
- 5.5. Where a one-to-one discussion with a student is required e.g. supervision, the staff member should ensure this takes place in a safe and neutral space, normally on campus.
- 5.6. If a member of staff is concerned that a student is presenting with behaviour towards them that they perceive as inappropriate for the student/staff relationship (for example aggressive or intimidating), they should raise this directly with their line manager or the HR team immediately. Alternatively, they can confidentially contact either of the College Vice-Rectors.

6 Personal relationships between staff and between staff and third parties

- 6.1. The College fosters a culture of openness and whilst staff are not required to declare their personal relationship at work, they are encouraged to do so. However, if a situation arises from a personal relationship which gives rise to a real or perceived conflict of interest at work, the staff member is responsible for declaring the conflict of interest to the College and withdrawing from a process or decision, or from undertaking a certain role. They should declare the conflict of interest to their line manager, panel chair, or individual relevant to the situation. See also 9. What is a Conflict of Interest and 10. How to Declare a Conflict of Interest.
- 6.2. If the College becomes aware that a staff member has not declared a real or perceived conflict of interest, the matter will be investigated under the College's Disciplinary Policy and Procedure.

7 Personal relationships between line manager and direct report

- 7.1. Notwithstanding clause 6 of this policy, if a relationship develops between a line manager and their direct report, or a family relationship exists between a line manager and direct report, the line manager must declare the relationship to the Chief Executive, or a Vice-Rector. They must complete the declaration form (located at Appendix A) and share this with the HR team. It will be stored confidentially on the employee's file and all information declared in these circumstances will be treated respectfully and sensitively.
- 7.2. The line manager will be informed that continuing line management of the individual whilst in a relationship with them will not be permitted by the College.

7.3. If the situation arises where a staff member becomes the line manager for a direct report with whom they have had a personal relationship in the past, even if that relationship has ended, the line manager must declare this to the Chief Executive Office, or a Vice-Rector, who will assess the situation for any potential conflict of interest. The staff member must also complete the declaration form (located at Appendix A) and share this with the HR team. It will be stored confidentially on the employee's file and all information declared in these circumstances will be treated respectfully and sensitively.

8 Job applicants in a personal relationship with a College staff member, governor, or student

8.1. A job applicant applying for any position at the College is required to declare during the application process the details of any past or existing personal relationships they have with current College staff members or students.

8.2. If a job applicant is selected for interview and they have declared a personal relationship with a named member of College staff who is involved in the recruitment and selection of the role they applied for, the HR team will ensure that the staff member named on the application is withdrawn from the recruitment and selection process.

8.3. The staff member named on the application will not be permitted to line manage a member of staff with whom they are in a personal relationship. Equally the applicant will not be permitted to line manage a member of staff with whom they are in a personal relationship.

8.4. If a job applicant declares a past or existing personal relationship with a current College student, the HR team should refer to clause 4: Personal Relationships between Staff and Students, in this policy.

9 What is a conflict of interest?

9.1. A conflict of interest is when a staff member's judgement, decisions or actions at work are, or could be, compromised by their personal relationship with another staff member or third party. Despite every effort of individuals in a personal relationship to maintain professional boundaries and remain unbiased, the potential for conflict between personal or family loyalty and work responsibilities may arise.

9.2. Where a member of staff becomes aware that a situation arising from their personal relationship may give rise to a real or perceived conflict of interest in the workplace, they must take immediate action to declare the conflict (See 10. How to declare a conflict of interest).

9.3. If a member of staff is unsure whether a situation arising from their relationship presents a conflict of interest, they are encouraged to seek advice confidentially from their line manager or alternatively a member of the HR team.

9.4. The following are some examples of conflicts of interest; however, these are neither exclusive nor exhaustive:

9.4.1. Nepotism is a type of conflict of interest, which occurs when an individual uses their position of power or influence to grant an advantage, privilege, or position to someone they know. This could mean evaluating a job description, hiring, promoting, or providing favourable treatment to someone they are in a personal relationship with, or a family member or close friend. The following are examples of situations or actions which could be described as nepotism:

- (a) A hiring manager takes part in the recruitment and selection process for a role reporting directly to them, which includes an application from an external candidate who they are in a personal relationship with.
- (b) A manager hires a family member in a supervisory role even though they do not have any experience and other candidates are better suited for the position.
- (c) A senior manager doesn't take action to address a complaint of inappropriate behaviour as the person the complaint is against is a friend.
- (d) A staff member is responsible for the tendering process for the procurement of services from a company which is run by the staff member's family member/close friend/partner. The staff member does not declare a conflict of interest and awards the contract to the company.

9.4.2. To avoid nepotism the hiring manager should declare the conflict and withdraw from any conversation, process or decision related to the role or individual concerned. This includes, but is not limited to, job evaluation, candidate selection and interviewing, promotions, and any other reward related decisions, and tendering or procurement processes. See also 10. How to Declare a Conflict of Interest.

9.4.3. If an employee is approached by the HR team to participate as a witness, investigating officer or chair of a formal employee relations procedure, which involves a staff member with whom they have a personal relationship, they should declare they have a conflict of interest.

10 How to declare a conflict of interest

10.1. As soon as a staff member becomes aware that a situation may give rise to a real or perceived conflict of interest, they must declare the conflict and withdraw from the relevant conversation, process, or decision. The conflict should be declared in the first instance to their line manager or the relevant panel chair, or individual relevant to the situation. If in exceptional circumstances and for personal reasons the staff member does not wish to disclose the conflict of interest to their line manager or the relevant individual, they may alternatively speak to a member of the HR team.

10.2. The staff member must complete the declaration form (located at Appendix A.) and share this with their line manager or the relevant individual and the HR team. All information declared will be treated respectfully and sensitively and stored confidentially on the employee file.

10.3. The information declared will be risk assessed by the line manager, relevant panel chair or individual relevant to the situation for any potential impact on the staff member's work commitments and duties and they will work collaboratively with the staff member to make alternative arrangements where necessary. Dependent on the impact, the staff member's line manager may need to be informed.

11 Conduct at work

11.1. Regardless of whether there is a conflict of interest, if a staff member is involved in a personal relationship with another staff member or third party, they must not allow that relationship to influence their conduct at work.

11.2. Staff members are expected to conduct themselves in an appropriate, professional, and responsible manner at work and ensure that personal relationships do not compromise these behaviours and values or have an adverse effect on their work.

11.3. Intimate behaviour during work time, such as holding hands, kissing, other close physical contact and discussions of a sexual nature will not be tolerated and will be dealt with under the College's Disciplinary Policy and Procedure.

11.4. Confidential College information must be always protected. Any breach of confidentiality will be treated very seriously, even if the disclosure was inadvertent, and dealt with under our Disciplinary Policy and Procedure.

12 Complaints

12.1. The College is committed to promoting a working environment based on dignity, trust, and respect, free from discrimination, bullying, harassment, or victimisation.

12.2. If a member of staff is being treated in this way because of their personal relationship, they are encouraged to raise it with their line manager if they feel able to, or to contact the HR team confidentially. Alternatively, they may wish to raise a complaint under the College's Harassment and Bullying policy.

12.3. Staff and students can also use the College's online platform to disclose how they have been affected by different forms of harassment, including bullying, discrimination, hate crime, and/or sexual misconduct. Any staff member or student can disclose anonymously, or they can speak to an advisor. The SafeSpace Zone can be accessed via the MLA College website.

13 Support and resources

SafeSpace Zone The SafeSpace Zone can be accessed on the MLA College website.

Employee Assistance Programme (EAP) The College provides a free and confidential Employee Assistance Programme (EAP), which is available to employees.

Refuge National Domestic Abuse Helpline (Freephone, 24 hour) – 0808 2000 247
The helpline is run by Refuge and a live online chat is also available

Women's Aid Women's Aid is the national charity working to end domestic abuse against women and children. They provide local support services, training for organisations and information if you are worried about someone else. They also have a live chat facility.

Rape Crisis Rape Crisis have a network of independent Rape Crisis centres that provide specialist support and services for victims and survivors of sexual violence. They have a National Rape Crisis Helpline – 0808 802 9999 and a live chat.

Respect – Men's Advice Line Help for male victims of domestic abuse.
<https://mensadviceline.org.uk/getting-support/> Freephone 0808 8010327

Appendix A – Declaration Form

Personal Relationships at Work Declaration Form

This form should be completed in accordance with the Personal Relationships at Work Policy and Procedure.

Name of the staff member completing this form

.....

Please tick the appropriate box then complete the relevant form below.

- 1. Staff and Student (Existing or Past Personal Relationship)
- 2. Conflict of Interest
- 3. Line Manager and Direct Report (Existing or Past Personal Relationship)

PLEASE NOTE: For the purposes of this policy a personal relationship is defined as any one of the following, however this list is neither exhaustive nor exclusive:

- a. A consensual intimate, romantic or sexual relationship which goes beyond the boundaries of a platonic or working relationship, which could be brief, long term or a one-off occurrence, or
- b. A relationship with a family member or close family friend, or
- c. A very close friendship, or
- d. A relationship where there is financial dependence, or
- e. A close business, financial or commercial relationship

1. Staff and Student (Existing or Past Personal Relationship)

Part A: To be completed by the staff member who has an existing or past relationship with a student who is joining the university.

This form should be returned to the Chief Executive Officer or a Vice-Rector* and copied to hr@mla.ac.uk, to be stored confidentially on their personnel file.

*Note: If the staff member declaring the relationship is a member of the College Executive Group, they should declare the relationship and return the form to their immediate line manager.

| Staff Member Details | |
|-----------------------------|--|
| Name | |
| Job Title | |
| Department | |
| Staff Member's Line Manager | |
| Student Details | |
| Student's Name | |
| Programme | |
| Start Date | |

| Nature of the Relationship | |
|--|--|
| <i>Please describe the nature of the relationship, noting the definitions of a personal relationship at the beginning of this form and as described at 1.5 in the Personal Relationships at Work policy.</i> | |
| Nature of the Relationship | |
| Existing or Past Relationship? | |
| Date of Declaration | |

Part B: To be completed by the Chief Executive Officer or Vice-Rector

| Risk Assessment of the Staff/Student Relationship | |
|--|--------------------------------------|
| Name | |
| Job Title | |
| Department | |
| Outcome | |
| Is the declared relationship deemed acceptable? | Yes/No <i>(delete as applicable)</i> |
| If no, briefly explain why, how this has been communicated to the staff member and any permanent or temporary adjustments that have been made to remove any conflict of interest arising from the relationship e.g. will the staff member be redeployed. | |
| | |
| If the relationship is deemed acceptable, briefly explain why and how any risk will be mitigated. | |
| | |
| Tick this box to confirm the decision has been communicated to the staff member by the Chief Executive Officer: <input type="checkbox"/> | |
| Name of CEO | |

Part C: To be completed by the staff member

| | |
|--|--|
| <ul style="list-style-type: none"> ▪ I confirm I am in agreement with the above. ▪ I understand the above information will be stored securely by the People Directorate and managed in compliance with data protection legislation. ▪ I confirm I have read and understood the Personal Relationships at Work Policy and Procedure. | |
| Name | |
| Signed | |
| Date | |

2. Conflict of Interest

Part A: To be completed by the staff member declaring a real or perceived conflict of interest arising from their personal relationship with another staff member or a third party.

This form should be returned confidentially to the staff member's line manager or relevant individual e.g. the recruitment panel chair and copied to hr@m1a.ac.uk.

| Staff Member Details | |
|---|--|
| Staff Member's Name | |
| Job Title | |
| Department | |
| Staff Member's Line Manager | |
| Conflict of Interest | |
| Please briefly describe the real or perceived conflict of interest arising from your personal relationship. Note that you are not required to declare details of the relationship, however you must declare the conflict of interest. | |
| | |
| Date of Declaration | |

Part B: To be completed by the line manager or relevant individual risk assessing the conflict of interest.

| Risk Assessment of the Conflict of Interest | |
|---|--|
| Name | |
| Job Title | |
| Department | |
| Outcome | |
| Briefly describe how the conflict of interest has been risk assessed, and any identified impact on the staff member's work commitments or duties arising from the situation. Please confirm any permanent or temporary adjustments that have been made and how the outcome has been communicated to the staff member. | |
| | |
| Tick this box to confirm the decision has been communicated to the staff member: <input type="checkbox"/> | |

Part C: To be completed by the staff member

| | |
|--|--|
| <ul style="list-style-type: none"> ▪ I confirm I am in agreement with the above. ▪ I understand the above information will be stored securely by the HR team and managed in compliance with data protection legislation. | |
| <ul style="list-style-type: none"> ▪ I confirm I have read and understood the Personal Relationships at Work Policy and Procedure. | |
| Name | |
| Signed | |
| Date | |

3. Line Manager and Direct Report (Existing or Past Personal Relationship)

Part A: To be completed by the line manager who has an existing or past personal relationship with a member of staff who is reporting directly to them and returned to the Chief Executive Officer or a Vice-Rector and copied to hr@mia.ac.uk

**Note: If the staff member declaring the relationship is a member of the College Executive Group, they should declare the relationship and return the form to their immediate line manager.*

| Line Managers Details | |
|--|--|
| Name | |
| Job Title | |
| Department | |
| Line Manager's Manager | |
| Direct Report Details | |
| Name | |
| Job Title | |
| Department | |
| Nature of the Relationship | |
| <i>Please describe the nature of the relationship, noting the definitions of a personal relationship at the beginning of this form and as described at 1.6 in the Personal Relationships at Work policy.</i> | |
| Nature of the Relationship | |
| Date of Declaration | |

Part B: To be completed by the Chief Executive Office or Vice-Rector*.

| | |
|--|--|
| Name | |
| Job Title | |
| Faculty/Directorate | |
| Tick box to confirm you have informed the line manager that line management of their direct report whilst in a relationship with them is not permitted by the College according to the Personal Relationships at Work Policy and Procedure: <input type="checkbox"/> | |
| Briefly summarise any action being taken by the staff member and/or the College to manage the situation (note that the Chief Executive Office or Vice-Rector should seek guidance from the HR team). | |
| | |

Part C: *To be completed by the line manager*

| | |
|---|--|
| <ul style="list-style-type: none">▪ I confirm I am in agreement with the above.▪ I understand the above information will be stored securely by the HR team and managed in compliance with data protection legislation.▪ I confirm I have read and understood the Personal Relationships at Work Policy and Procedure. | |
| Name | |
| Signed | |
| Date | |