

Personal Relationships Policy



The Institute
of Contemporary
Music Performance

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Related policies				
• Safeguarding • Disciplinary • Grievance • Equality and Diversity • Anti Bribery & Corruption • Recruitment & Selection • Code of Conduct and Professional Responsibility				
External Reference				
N/A				

1. Introduction

- 1.1. The professional relationship between staff and students and/or other staff should be based on mutual trust and respect. This document provides information, advice and guidance to managers and employees regarding acceptable boundaries where personal relationships overlap with a professional one. This is particularly important where members of staff are involved in the assessment and/or appraisal of students and/or members of staff.
- 1.2. The Institute of Contemporary Music Performance (ICMP) has a duty to protect the interests of our students and our employees, and to act when close personal relationships either have the potential to or do impact on ICMP business.
- 1.3. It is recognised that close personal relationships can and sometimes are formed between colleagues who work together and that there may be situations where related persons, or individual with a close personal relationship are employed within the same team or work area.
- 1.4. In situations where a personal relationship has a negative impact or has the potential to impact on ICMP's business, services or reputation, ICMP reserves the right to take some action as outlined in this policy.
- 1.5. Where a member of staff is in a position of authority over students and/or other members of staff, their relationship is not on equal terms. It is therefore important for all parties to question whether such relationships are appropriate as they may involve a great difference in power. Such relationships could compromise the professional relationship between the member of staff and the student and/or other member of staff, and, as a result, damage the teaching and learning or working environment of ICMP.

2. Purpose

- 2.1. There are several key reasons why this policy is required as follows:
 - 2.1.1 To protect our students;
 - 2.1.2 To protect the employee against potential claims of favouritism within the working environment and that all actions are open and transparent;
 - 2.1.3 To avoid employees being in a potential conflict of interest situation or claim unfair treatment
 - 2.1.4 To prevent the development of situations in which other employees feel unable to speak openly and honestly in the presence of one partner in the relationship or where employees consider that the significant personal relationship is having an adverse impact on their own employment;
 - 2.1.5 To protect employees who are in relationships with colleagues by providing a structure which supports them as employees;
 - 2.1.6 To avoid the potential for claims of impropriety, bias, abuse of power, conflict of interests, fraud, bribery, corruption and/or collusion.
 - 2.1.7 To support fair and ethical treatment of all staff and students through this policy and associated procedure.

3. Scope

3.1. This policy relates to all staff and students working or studying at the ICMP as well as any external members of ICMP Committees or Boards. All further references in the policy to 'staff and students' are also intended to encompass external members of ICMP Committees and Boards as well as all members of the Faculty, visiting musicians/lecturers and interns. In relation to romantic/sexual partnerships, it applies to both opposite and same sex relationships.

3.2. This policy also applies to job applicants in the recruitment process.

4. Definitions

4.1. It is difficult to define what constitutes a personal relationship with a colleague or student however those relationships which require employees to declare under this policy is a relationship that goes beyond normally accepted boundaries of the professional sphere between colleagues and students and includes being personally involved.

4.2. ICMP recognises that personal relationships between staff and students and/or other members of staff exist in many and varied forms. Most social and personal relationships will be beneficial, promoting valued working practices and positive academic relationships. Whilst it is not possible to define all circumstances where personal relationships arise, in the context of this policy a personal relationship is defined as:

- a romantic/sexual relationship.
- a family relationship
- a close personal friendship
- a business/financial/commercial relationship.

5. Roles and Responsibilities

5.1 Directors and Heads of Department – have responsibility for ensuring compliance with the policy. They will ensure that all ICMP staff are fully aware of this policy and its requirements.

5.2 Line Managers – have a duty to ensure that all staff are aware of the policy and ensure that all staff follow the correct procedure with support from the HR team. The specific responsibilities of managers are as follows:

- To ensure that they are familiar with this policy;
- To ensure they comply with all the requirements of the policy, dealing with any matter in an appropriate manner seeking HR advice;
- Deal promptly and sensitively with issues involving close personal relationships at work;
- Conduct matters involving close personal relationships at work in a consistent, fair and reasonable manner, maintaining confidentiality where possible;
- Declare any relationships formed with a direct report employee;
- Do not provide official organisational references for any employee with whom you have a close personal relationship;
- Keep any information regarding personal relationships confidential and secure;
- Seek the assistance of HR before dealing with any issues which may arise;
- They should also ensure that a formal note is taken of any meetings to discuss personal relationships.

5.3 Employees – All staff should be aware of this policy and understand and adhere to the procedure. Individual staff members have a responsibility for the following:

- Ensure that any close personal relationships at work do not interfere with their duties and responsibilities
- Be open and honest with their Line Manager and provide details of any relationship where appropriate.
- Declare the existence of close personal relationships or when they develop as required under this policy.

5.4 Human Resources – will:

- Provide advice and support to colleagues and managers within ICMP in the application of this policy to ensure that any issues are managed fairly across ICMP;
- Ensure that this policy is updated in accordance with changes in employment legislation;
- Managers are advised to seek advice before taking any action arising from the Risk Assessment (Appendix 1)

6. General Principles

- 6.1. It is not the ICMP's intention to infringe on personal freedom, or to intrude on the privacy of students or members of staff. Nor does ICMP seek to forbid consensual relationships of a romantic/sexual or familial nature which can exist between staff members and students and other members of staff. ICMP does however have a statutory obligation to protect the health, safety and welfare of anyone associated with the ICMP in an employment and/or learning environment. It must therefore be acknowledged that situations can arise where personal interests conflict with ethical, job or conduct requirements, both perceived and real. It is therefore necessary for all relationships to be governed by two key principles:
- 6.2. There is no abuse of a position of authority or conflict of interest and do not lay themselves open to allegations that they have done so.
- 6.3. All tutors, contractors and members of staff and must not commit acts of impropriety or bias.
- 6.4. It is wholly unacceptable for either a student or a member of staff to form, or attempt to form a relationship based on an implicit or explicit promise of preferential treatment or an implicit threat of detrimental treatment.
- 6.5. It is important that all relevant relationships between staff and students and all relationships between members of staff/business colleagues, which could present conflict of interest, are reported to their Head of Department/Programme Leader without delay by the member/s of staff entering into the personal relationship. Full details of this are outlined in the associated procedure.

7. Principles for managing close relationships at work

7.1 Guidance for all staff

Employees must declare to their line manager or equivalent at the earliest opportunity any relationships which may give rise to a real or perceived conflict of interest, breach of trust and/or confidentiality. This is to allow for a discussion about the potential risks and

conflict of interest and to prevent colleagues from any unfounded allegations of favoritism, as well as protection from less favorable treatment.

Conflicts of interest could include, but not limited to the following examples:

- Relationships with individuals within the same organisation;
- Relationships with individuals who have a role in organisations, with which ICMP could potentially do business with.

If a close relationship is formed at work, managers will be able to support staff in discussing potential risks and conflicts of interest in decision making or other matters.

Typically, the types of risk could occur in the following areas:

- Recruitment and selection for appointment or promotion;
- When undertaking an assessment of competence or skills;
- Selection or allocation for training or development;
- Project, research or dissertation supervision;
- Employee relations matters such as disciplinary and grievance;
- Management of sickness / other absence;
- Supervision/management of staff including management of performance and capability;
- Financial transactions including approving invoices, expenses, overtime and any other benefits/payments;
- Access to confidential information.

In balancing the rights of employees and the responsibilities of ICMP in avoiding these potential risks, the following guidelines apply:

- An employee should not be involved in any aspect of the recruitment and selection process if they have a personal relationship with any candidate;
- An employee should not be involved in any informal/formal procedures if they have a personal relationship with individual concerned;
- Employees in a personal relationship should work together in any circumstances whereby a conflict of interest, breach of confidentiality or unfair advantage may be perceived to be gained from the overlap of a personal relationship e.g. where a direct line management relationship exists.
- Where a close relationship exists or develops, employees should not normally work in the same location or team without making a disclosure to the appropriate manager. It may not be necessary to alter working arrangements. However, a risk assessment must be carried out (Appendix 1).
- Where employees are involved in influencing procurement decisions which may involve awarding contracts/orders to organisations with whom they, or employees with who they have a close relationship, have an interest they should declare that interest on the conflicts of interest form immediately this removing them from the decision-making process.
- If staff are in a personal/intimate relationship with a colleague, they should not display any obvious signs of affection whilst at work.
- If a relationship breaks down, it is essential that there are no acts that could be interpreted as arguments or disagreements occurring at work. Affected staff may wish to discuss the situation with their Line Manager.

7.2 Guidelines for managing relationships between employees

Where relationships at work are declared, it is expected that the situation will be managed sensitively.

It is important to ensure that any approach or actions are not unfair or discriminatory and avoid any assumption at the outset without exploring the issues thoroughly.

Having been advised of the relationship, the Line Manager will work with the employees concerned to identify any risks to themselves or conflicts of interest in the team by means of a risk assessment (Appendix 1). Guidance on this can be obtained from the HR team.

The risk assessment will involve a discussion to determine the impact of the relationship on the team, service and the employee's work. No changes will be made until detailed discussions have taken place.

In establishing the impact of the relationship, the manager will need to consider the following:

- Is there an impact on other staff/students such as feeling uncomfortable because of the existence of a known relationship?
- How can the relationship be managed at work to avoid any impact on other staff or students if required?
- Is a personal relationship seen to advantage one employee and disadvantage another?
- Is the relationship potentially interfering with the professional conduct of ICMP business?
- Is the relationship potentially having a negative effect on the workings of the team?
- Any other factors?

Wherever possible agreement will be reached between the employee/s and the manager about the reason for any move or change necessitated as a consequence of a significant personal relationship.

Information disclosed should remain confidential and wherever possible should not be disclosed to other parties without permission. If it is considered unavoidable to inform other employees about the relationship in order to explain a change in management arrangements, this will be discussed with the employees concerned, before it is disclosed.

In the event of a breakdown of the relationship it is expected that both employees will behave professionally to ensure no impact on students and colleagues. Failure to behave professionally, or evidence that an individual has allowed a personal relationship to impact on decision-making / treatment of colleagues, or evidence of harassment, will be treated as a disciplinary matter.

Where there is evidence that there could be a negative impact on the students or on colleagues, additional guidance is given below at point 13.

A note of this discussion will be placed on the personal file of both people involved in the relationship.

7.3 Specific guidelines for managing relationships between employees – where

there is a line management relationship

ICMP does not find acceptable a relationship in position where:

- There is a direct line management/supervisory relationship between the two individuals, such as maternal/paternal relationships and step relationships (this is not an exhaustive list) this would not be supported.
- The line manager does not manage the employee directly but is the manager's manager.

This is because of the potential claims of conflict of interests, which could cause significant problems with employee management (e.g. appraisal, grievance, discipline etc) by creating the potential for claims of favoritism or unequal treatment.

In these circumstances the direct line management arrangements may not be allowed to continue. This is to protect both parties and alternative arrangements will be explored. Where alternative direct line management arrangements are not possible, then consideration will be given to indirect line management arrangements and the impact on the employment relationship. Each case will be judged on its own merits following discussion and a risk assessment being completed.

Appropriate actions could include allocating management responsibilities such as appraisals, signing timesheets or expenses, annual leave or sickness related meetings etc, to another manager. Where this is not possible, a different line manager will sign expenses and timesheets and an HR representative will attend any meetings the employee has with the Line Manager.

Where the above solutions are not possible, alternative arrangements will be considered such as relocation to another team.

7.4 Managing situation when a personal relationship adversely affects the workplace – guidance for managers

In cases where a personal relationship causes issues in the workplace, these should be initially addressed and resolved informally. Issues arising should be dealt with promptly and sensitively by the relevant manager and not allowed to continue unchecked. Managers need to recognise their responsibility to all team members and to the needs of the business.

ICMP will make decisions based on the interests of the service, students and relative impact upon each employee.

The risk assessment in Appendix 1 would need to be undertaken, and action considered based on this assessment.

Both employees will be consulted to identify if one party is to be moved. Consideration will be given to knowledge, skills and experience of both employees, and the options for redeployment.

Consideration should also be given to the use of mediation if appropriate to the circumstances, advice can be sought through the HR team.

8. Relationships between staff and students

8.1 It is recognised that in some roles, employees will establish a rapport with students,

but they are also responsible for establishing and maintain appropriate boundaries between themselves and students. ICMP believes that the professional relationship between a student and a member of staff is vital to a student's educational development and affirms that the teaching relationship is based on trust, confidence and dependency. In this context a professional relationship is defined as one where there is an assessing, supervising, tutoring, teaching or pastoral role or a role providing administrative or technical support. Students are entitled to equality of treatment and it is important that a personal relationship between a member of staff and a student is not perceived by other to prejudice that equality of treatment.

8.2 Relationships between staff and students are especially problematic and vulnerable to potential abuses of power and privilege, intended or otherwise. Staff are therefore strongly advised not to enter into a sexual/romantic relationship with a student 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. Further, staff should not enter into a business, commercial or financial relationship with a student which could compromise, or could be perceived to compromise, the objectivity and professional standing of the teaching relationship.

8.3 ICMP recognises, however, that such relationships may exist when a member of staff is appointed or when a student enrolls, or that a relationship may develop between a member of staff and a student during a programme of study. Where a member of staff has a professional role in relation to a student with whom they have a personal relationship, it is the responsibility of the member of staff to inform their Head of Department, Programme Leader or Dean, in order that alternative teaching, tutoring or assessment arrangements may be made.

9. Recruitment

- 9.1 This guidance is in line with the Recruitment & Selection Policy.
- 9.2 Job applicants are required to declare any personal/work relationships that may result in any potential conflict of interest. This is to ensure that employment decisions are transparent and free from bias, favoritism or prejudice.
- 9.3 All decisions relating to the declaration of potential conflict and risk assessment should be correctly recorded and submitted to HR.
- 9.4 In cases where a conflict of interest does arise, a risk assessment must be undertaken to determine the risk, but it would be normal for the panel member could withdraw from the process. Failure to declare any interests may result in disciplinary action.
- 9.5 An employee who has a relationship with another should not act as a referee for that person for both internal and external positions.
- 9.6 Where the applicant, if appointed would work in the same team as an employee with whom they have a close personal relationship, the implications of this should be considered and discussed as part of the selection process.

10. Disciplinary issues

- 10.1 Employees must not be involved in any investigation, hearing or other decisions involving another employee with whom they have a close personal relationship. This conflict of interest should be declared as soon as the employee is approached to participate in proceedings. Failure to do so may result in disciplinary action.
- 10.2 In situations where one employee in a relationship is subject to investigation,

consideration should be given to the temporary redeployment of the other employee in the relationship whilst the investigation takes place. This is to both to ensure that a thorough and fair investigation is possible and also to protect that employee from false accusations that they might be impeding the investigation.

- 10.3 Where a member of staff in a relationship with another staff member is involved in a workplace investigation, the staff member may discuss the case with their partner if they wish to, as long as they are not also involved. There is an expectation that the terms of confidentiality outlined as part of the investigation would then extend to the staff member not directly involved in the investigation. If guidance or support is required by either staff member, they should contact their Line Manager, or the named manager identified to provide support during the process.
- 10.4 Where issues arise that involve one employee in the relationship, any discussions will remain confidential to that employee.

11. Raising concerns

- 11.1 Any employee who feels that a close personal relationship is adversely affecting their employment, the functioning of the team or provision of services is encouraged to share their concerns at the earliest opportunity with their Line Manager or more senior manager if they prefer.
- 11.2 This also applies to employees in a close personal relationship who feel they are being disadvantaged because of the relationship.

12. Appeal Process

In the unlikely event that the issues are not resolved following the risk assessment, the employee has a right of appeal against any action taken under this policy. The appeal must be submitted to the Head of HR. The appeal will be heard under Stage 2 of the Grievance Procedure.

13. Guidance for staff on expectations for professional behaviour

The following are examples of the negative impact that staff are advised to be aware of when in a personal relationship at work (non-exhaustive list):

- Neglecting work;
- Communicating confidential information to each other;
- Behaving in a way that may cause difficulty or embarrassment to others, for example, arguing in the workplace or open displays of affection;
- Inflexibility in working arrangements, this may be of particular importance within small teams where cover is already difficult;
- Not communicating with each other as a result of disagreement or the breakdown of the relationship;
- Effect on ICMP and confidence of colleagues in relation to a conflict of interest, fair treatment and their own ability to discuss issues openly within a team or with their Line Manager;
- Perception of colleagues, students or the general public in relation to professionalism and fairness of ICMP and its employees;
- Conflicts of interest of those involved in personal relationships;
- Actual or perceived bias regarding recruitment, promotion, timetabling, annual leave, appraisals, disciplinary or grievance and other

operational matters where staff in a personal relationship are also in direct reporting or subordinate relationship.

- Potential for negative effect on general public perception of fairness, objectivity and impartiality;
- Fear of favoritism by other colleagues;
- General adverse impact on team dynamics and reduction in team morale;
- Outputs may be disrupted in the event of relationship breakdown;
- Impact on HR team or management resources and increased legal risks in the event of relationship breakdown.

14. Declaration of personal relationships where they overlap with professional roles

- 14.1 A case whereby any personal relationship as defined within this policy, 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 a serious matter and may lead to disciplinary action.

15. Safeguarding

- 15.1. The ICMP has a duty, under the Children's Act 1989 and 2004, to promote and safeguard the welfare of children under the age of eighteen. It also has a duty, under the Care Act 2014, to promote and safeguard the welfare of adults at risk.

- 15.2. Under no circumstances is any staff member permitted to form a relationship of a romantic/sexual nature with a student under the age of eighteen.

- 15.3. For further information, please refer to the ICMP Safeguarding Policy for children and young people under the age of eighteen.

16. Responsibilities

- 16.1. The Head of HR is responsible for the implementation and reporting of any issues relating to the Personal Relationships policy.

- 16.2. The Head of Student Services is responsible for the implementation and reporting of all issues related to the Safeguarding of ICMP students.

17. Breach of the Policy

- 17.1. Staff and students should, at all times, behave in a manner which is consistent with the principles laid out in this policy and in any relevant ICMP staffing or study policies relating to equality and diversity, harassment and codes of conduct. Staff should be aware that a deliberate breach of this policy could result in disciplinary action.

APPENDIX 1**RISK ASSESSMENT FORM**

To be used to risk assess when a personal relationship exists or develops with another employee or student with whom they have contact, protecting the interests of all who may be affected.

Names of employee or student involved:	
Employee job title(s)	
Department	
Managers name	
Managers job title	
Date of risk assessment	
Brief description of the relationship	

Please note that the information obtained from this risk assessment will remain confidential if some of the details do need to be shared, you will notified beforehand.

Area of risk	Yes / No	If a risk is identified, give details of actions to be put into place; or existing control measures:
Have any concerns been raised by other employees or students? If yes, what impact is this having? Is the employee aware of this?		
Is there any supervisory or managerial responsibility for either individual?		
Do the employees work in the same work area/ team?		
Does the relationship pose a potential conflict of interest?		
What will happen if the relationship has an adverse impact on their employment?		
What support if any needs to be put into place?		

Additional comments from employee(s)
Signature of employee:
Date:

Additional comments from the manager

Signature of manager:
Date: