

Employee - Student Relationship Policy



Policy owner: UCD HR

Approval date and body: UMT 12 April 2022

1. Purpose

This policy provides guidance for employees in the event that a personal relationship may already exist when a student enrolls or employee is appointed, or that a personal relationship develops between an employee and a student during a programme of study. It also provides a set of guidelines for employees in the conduct of their work relating to students in order to avoid a personal relationship occurring.

2. Scope Definitions

This policy applies to all employees of the University.

3. Definitions

An **employee** includes, but is not limited to, any individual who is working within the University under a formal contract of employment or as a casual paid worker.

A **student** is any individual who is studying for an undergraduate or postgraduate qualification, or is a student on any course arranged by or through the University.

A **personal relationship** for the purpose of this document is understood to be, but not limited to, a;

- Family relationship
- Business/commercial relationship
- Sexual/intimate/emotional relationship

A **professional relationship** is defined, but not limited to, a relationship where the employee has a responsibility for the;

- Assessing, supervising, teaching, or tutoring of a student
- Provision of administrative, managerial, advisory or technical support to a student, including the admission of students to programme, registration systems, and/or modules.

4. Conflict of Interest

A personal relationship, as defined above, between an employee and a student can give rise to serious questions of conflict of interest, trust and confidence, and equal treatment in teaching, supervising, assessment, and research. There is a risk that such relationships could exploit the relationship of authority and trust that is inherent in the relationship between employees and students. Such relationships can also disrupt the teaching and learning environment for other students and colleagues. Employees should recognise their professional and ethical responsibilities to protect the interests of students, and to respect that trust involved in the employee/student relationship.

The following are a set of guidelines for employees in the conduct of their work relating to students in order to avoid a personal relationship occurring, and is not a definitive list:

- Ensure that behaviour and practices are professional and carried out in the spirit of the reputation of the University;
- Refrain from advocating on behalf of a student in relation to access to programmes, modules and registration, or the provision of any service offered by the University;
- Ensure all contact with students is carried out in a professional setting;
- Avoid inviting students to his/her home, or suggestions that academic work, personal guidance or feedback might be conducted in a social setting. It is recognised that a less formal setting might be more appropriate in certain instances, for example in a café or restaurant, however it is strongly advised that these meetings occur on university campus.

In the event that a relationship develops or exists already, the following are a set of guidelines for employees;

- Immediately declare the relationship in accordance with this policy
- Discuss with their line manager in the first instance ways in which to mitigate a conflict of interest arising.
- Abide by the actions advised by their line manager/Head of School/Unit to mitigate any unintended consequences. Examples of appropriate actions are outlined below.
- In the case of a pre-existing relationship employees should ensure that they inform their line manager immediately in order to avoid having any professional responsibility for the student, or to reduce it to as minimum level as possible, thereby eliminating or reducing any potential for conflict.
- Where a Head of School/ Unit embarks on a personal relationship with a student or a relationship already exists, they must declare this to their line manager in the first instance.

Any declaration of a personal relationship between an employee and student will, so far as possible, be treated in confidence and every effort will be made to ensure that it does not disadvantage either party with regard to professional advancement or academic progress. Failure by the employee to declare a personal relationship with a student and which leads to a conflict of interest, will be investigated and may lead to disciplinary action.

Employees must not enter into a personal relationship with a student under eighteen years of age or a vulnerable adult. Please consult the Children First Act 2015 and the UCD Child Protection Statement for further information and practical advice in relation to dealing with students under eighteen years of age.

5. Principles

5.1 In the event that a personal relationship develops between an employee and a student, the employee must declare this to their immediate line manager in the first instance without delay, in order that action can be taken to mitigate any unintended consequences or conflict of interest.

5.2 Appropriate actions by the Line Manager or Head of School/Unit in this situation may include:

- Re-organisation of duties to minimise contact between the employee and the student in order to ensure fair and equitable treatment, and to protect employees and students from perceptions of favouritism.
- It is recognised that in the case of a research student for example, it may not be possible to minimise contact without potentially having a negative impact on the student's academic progression. However it is advised that where possible, alternative arrangements should be made so that the employee does not have sole responsibility for the student's work, or making decisions affecting the student such as academic assessment or allocation of grants for research.

- Ensuring appropriate action is taken to minimise the potential effect of the relationship on other students and colleagues.
 - Ensuring the employee is not involved in relevant decision-making in any way that could unduly influence the outcome.
 - If a pre-existing personal relationship exists, the line manager should ensure there is clear professional separation between the employee and student from the outset if possible.
- 5.3 In all cases, the employee must disclose in writing and discuss any conflicts with their Head of School/Institute/Unit by completing the UCD Declaration of Potential, Actual or Perceived Conflict of Interest form. This form can be downloaded from the UCD HR website and should be submitted to the employee's Head of School/Institute/Unit. Sections 1-6 must be completed by the employee and the final section is to be completed by the relevant Head of School/Unit where recommendations are provided around how the conflict is to be managed. In the course of considering cases of conflict of interest, the line manager or Head of School/Unit may consult with relevant units as necessary such as the Head of Human Resources or members of the UMT. The line manager or Head of School/ Unit will keep the signed declaration form on file so that there is a written record that the conflict was reported and describing how the conflict was dealt with. A copy of the signed form should be forwarded to UCD HR via hrhelpdesk@ucd.ie for administrative and recording purposes.
- 5.4 If a student finds themselves in receipt of unwanted or inappropriate behaviour from an employee, or involved in a relationship which they do not consider truly consensual, they should seek support and advice from the Dignity & Respect Support Adviser. They can also refer to the Sexual Misconduct Policy, Bullying & Harassment Policy, UCD Student Code or the Code of Practice for Conflict Resolution for Supervisors and Graduate Research Students.
- 5.5 Employees who experience unwanted advances or unwelcome inappropriate behaviour from students should raise the issue with their Head of School/Unit. Further support or information can also be obtained from the Dignity & Respect Support Service, the Dignity & Respect Contact Persons service, a trade union or by contacting the Employee Assistance Programme. They should also refer to the Dignity & Respect website, UCD Student Code or the Code of Practice for Conflict Resolution for Supervisors and Graduate Research Students.
- 5.6 Any employee who finds themselves the subject of a complaint, may be subject to an investigation and possible disciplinary action. However any complaint found to be made maliciously could lead to disciplinary action against the complainant.

6. Roles and responsibilities

Line Manager / Head of School: In the event that an employee discloses a personal relationship with a student to a line manager or Head of School/Unit, they should take the following steps:

- Ensure that the employee completes the declaration form.
- Consult with the employee and student to identify any impact their relationship may have within the University. The student should be encouraged to avail of any supports available such as that of the Dignity & Respect Support Advisers.
- Facilitate the re-organisation of duties to minimise contact.
- Ensure that appropriate action is taken to minimise the potential impact of the relationship on other colleagues/students.
- If a student's studies or research are in a very specialised area, the line manager or Head of School should consider whether it would be appropriate to engage a co-supervisor or external supervisor, in order to ensure that the employee does not have sole responsibility for supervising the student's work or for taking decisions that affect the student.

- Complete the recommendation section of the declaration form around how the potential conflict of interest can be managed.

Whilst every effort will be made by the line manager and Head of School/Unit to minimise a conflict of interest, it is the responsibility of the employee to ensure that equitable treatment is provided to all students, and to refrain from making requests for any special treatment on behalf of the student.

7. Related documents / Supports

Dignity & Respect Support Service

UCD Child Protection Statement

Children First Act 2015

Conflict of Interest Policy

Sexual Misconduct Policy

Bullying & Harassment Policy

UCD Student Code

Code of Practice for Conflict Resolution for Supervisors and Graduate Research Students.

8. Version history

Version	Date	Description	Author
1.0	June 2016		UCD HR
2.0	10/06/2020	Policy moved to new template, formatting changes	S Raleigh, UCD HR
3.0	January 2022	Reordering of definitions. References to Dignity & Respect service and new policies added.	P.Fitzgerald, UCD HR