



## Staff Student Close Personal Relationship Policy Guidance

<b>Policy Owner</b>	Director of HR	<b>Policy Author</b>	HR Manager
<b>Approved By</b>	The Executive	<b>Date Approved</b>	February 2023
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<b>Version Number</b>	<b>Purpose/Change</b>	<b>Date</b>
1	Creation of Guidance Document	February 2023
1.1	Policy updated into standard template. Links to the Declaration of Close Personal Relationship Form updated.	September 2023

## Staff Student Close Personal Relationship

### 1. Guidance Introduction

- 1.1 This guidance document has been created to provide both managers and staff with supplementary information to support the practical implementation of the [Staff Student Close Relationship Policy](#)

### 2. Nature of Relationship

- 2.1 Staff are not required to disclose the nature of the close personal relationship with a student as per Clause 7.2 of the Policy. A disclosure of the nature may result in a disclosure of Special Category Data, which the University does not have a legal basis to process and is therefore unlawful to process.
- 2.1.1 The definition of Special Category Data can be found in the University's [Information Governance Policy](#), but it specifically covers data revealing.
- 2.1.1.1 A person's sex life
  - 2.1.1.2 A person's sexual orientation
- 2.2 Manager's may receive information from a staff member in the process of a disclosure that falls under the above categories, this information must not be recorded. If given verbally no notes should be made and if provided in writing managers should delete all records of the information and ask the staff member to resubmit the declaration form/email/message without the special category data. The staff member should also delete all records containing special category data. In both cases the staff member should be reminded that they are not required to disclose the nature of the relationship.



- 2.3 The Policy in clause 5.1.6 states that managers are required to take any concerns raised by students seriously. These concerns may include Special Category Data. In this situation the data should be recorded and handled under the [Disciplinary Policy](#).

### **3. Close Personal Relationship Declaration Procedure – Line Manager Guidance**

- 3.1 Line managers will initially need to communicate the Policy and ask for staff to arrange to meet to complete the disclosure procedure if required.
- 3.2 Line managers will need to ensure that the [Staff Student Close Relationship Policy](#) is included in new staff inductions and any disclosures made are discussed as soon as possible.
- 3.3 The line manager should arrange to meet the member of staff in a confidential setting either in person or online.
- 3.3.1 The relevant line manager is expected to be Grade 7 or above, therefore if the immediate line manager is Grade 6 or below then this meeting should be scheduled with the relevant senior manager.
- 3.4 The meeting should be structured in line with the [Close Personal Relationships disclosure form](#). Firstly, identify the student whereby there is a close personal relationship, as defined in section 4 of the policy, and relevant information relating the student's course. Then discuss any conflicts that may occur due to the relationship and note these within the relevant section of the form. You should then discuss what measures or adjustments to the professional responsibilities can be made to mitigate the risk.
- 3.5 Mitigations may include removing the member of staff from all sole professional responsibility for a student where possible; re-allocating relevant duties such as assessing and marking to another member of staff; having a co-supervisor where appropriate; ensuring administration of marks is double checked by another member of staff to remove any perceived conflict.



This list is not exhaustive, and each adjustment/measure will be dependent on the apparent or perceived conflicts identified. Further examples can be found in [Appendix A](#).

- 3.6 If it is identified that there is no action to be taken because there are no potential conflicts, then the form does not need to be completed. However, to ensure that the disclosure is continually reviewed it should be noted in the school/department level record that a disclosure has been discussed. This step is to ensure that should there be any concerns raised that there is a record that the procedure has been followed but that no form is required.
  - 3.6.1 For those where no form is required, the record held by the School/Department should confirm the member of staff who has made a declaration, the Student details and the reason why it has been agreed that no steps/adjustments are required.
  - 3.6.2 It is recommended that school/departments create a process in line with the records management guidance stated below in section 5 of the Staff Student Relationships Guidance note. There should be a separate record that details those where declarations have been made but there is no form recorded due to no conflict of interest. The forms and record should be saved in a confidential folder that can be accessed by the employee's relevant Line Manager and Dean.
- 3.7 Once the form is completed by the Line Manager and member of staff, this must be shared and signed off by the Dean/Head of Department. If there are any further mitigations to be considered upon review by the Dean/Head of Department then a further meeting should be held to update and sign off the form.
- 3.8 Once the mitigations have been approved then it is the Line Manager's responsibility to ensure the Student Notification is completed as per the process outlined in Section 8 of the Staff Student Close Personal Relationships Policy and the further guidance noted below in Section 4. The date in which the notification is issued to the student should be recorded in the declaration form.



- 3.9 Managers will then need to ensure any disclosures are regularly reviewed with existing staff, at least on an annual basis. It is recommended this is reviewed in line with the [Conflicts of Interest Policy](#) annually and at the Employee Performance Review meetings.

## **4. Student Notification**

- 4.1 As per Clause 8.1 of the policy, if a disclosure of a close personal relationship is made then the student should be notified of this by the relevant line manager.
- 4.2 To support the relevant line manager, an email template has been drafted and provided in [Appendix B](#) and can be edited by the Line Manager to ensure that the relevant information is provided to the student.

## **5. Record Management**

- 5.1 The record of a disclosure of a close personal relationship between staff and students should be kept for;
- 5.1.1 the duration of the student's enrolment at the University plus 1 year 5
  - 5.1.2 or the duration of the employment of the staff member plus 7 years, whichever is the earliest date.
- 5.2 As per the GDPR principal of data minimisation, there should be as few copies of the declaration form as possible. A reasonable expectation would be that a copy is retained by the staff member, the department/school where the line manager and Dean/Head of Department can access it and HR as required by the policy. All other copies, held in emails or OneDrives etc. should be deleted.
- 5.3 Copies of the declaration form must be saved somewhere confidential where only those who require access can obtain the information.



- 5.4 Records held by the department/school will be subject to the same record management rules including any record of disclosure that was not found to be in a conflict of interest.
- 5.5 The School/Department are responsible for updating their records and informing HR when student information is no longer required, in line with the retention period. The student information should be removed from the disclosure but can remain on the employee file for the duration of their employment and the relevant retention period.
- 5.6 Retention periods for this data may change if the disclosure becomes part of a different process during that time i.e., a subject access request, complaint, appeal etc. The disclosure would then form part of the record keeping in line with the relevant process.
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## **6. Review**

- 6.1 This policy guidance will be reviewed every three years or as required.



## 7. Appendix A – Examples

### 7.1 Example A

A School Course Coordinator working in the School of Creative and Cultural Business has a daughter who is studying a course with the School of Nursing, Midwifery and Paramedic Practice. This is reviewed and based on the circumstances that her daughter is undertaking a course in another School there are no actual or perceived conflict of interest. As a School Course Coordinator, the mother has no professional responsibility for the processing of any decisions relating to her daughter's course. No remedial action is required, and the record of the declaration is saved to the School file.

### 7.2 Example B

A Lecturer in Aberdeen Business School's son has started at the University and is studying Accounting and Finance. The Lecturer teaches on modules relating to Business Management and there are situations throughout the course where the son may have to attend Business Management related lectures taught by his parent. Based on the circumstances and availability of Lecturers for the Business Management courses it is agreed that the Lecturer who is parent to this student can take large lectures where their son may be in attendance but is removed from all professional responsibility in relation to any assessment, mentoring, supervising and administration that may directly impact on their son's grades. The actions taken to mitigate the actual and perceived conflicts of interest are saved to the School and HR file and this is monitored regularly by the Lecturer's line manager.

### 7.3 Example C



A Lecturer in the School of Applied Social Studies is in a relationship with a post graduate student on the Master's in Social Work course. The Lecturer is module coordinator for several modules throughout the Social Work course. It is noted that there is limited staff availability to swap modules and the Lecturer has specific subject expertise required to deliver these modules. Based on the circumstances it is agreed that, where possible, sole professional responsibility for their partner will be removed. Where it is not possible to remove professional responsibility, steps will be taken to mitigate any risk, including re-allocating duties such as assessing and marking the student's work. It is agreed that in all situations where decisions are being made in relation to the student the Lecturer does not have sole responsibility for making them. If it is identified that a student wishes to research a particular specialised area that aligns with the Lecturers area of expertise, then an external supervisor and co-supervisor are brought in. The actions taken to mitigate the actual and perceived conflicts of interest are saved to the School and HR file and this is monitored regularly by the Lecturer's line manager.

## **8. Appendix B – Email Notification to Student**

Dear STUDENT I am writing to you to inform you that a declaration has been made by NAME, ROLE, within SCHOOL/DEPARTMENT under the Staff Student Close Relationship Policy (attach copy). The purpose of this email is to make you aware of this policy and the requirements for staff to disclose a close personal relationship to mitigate any risk due to conflict of interest and/or power imbalance. It has been identified that due to NAME'S professional responsibilities for SPECIFIC RESPONSIBILITIES there could be actual or perceived conflict of interest/power imbalance based on having a close personal relationship with yourself. As such, it has been agreed that the following measures will be put in place to mitigate this conflict: (list as appropriate/noted in the form).





As you will see within Clause 7.2 of the Staff Student Close Relationship Policy, members of staff are not required at any stage to disclose the nature of the close personal relationship and as such we want to ensure that you are aware of Section 10 of the policy which outlines the support and advice available to you as a student should there be a situation of misconduct. Information on your rights under data protection can be found on the University's [webpages](#). Should you wish to discuss this further or have any queries regarding this notification please do not hesitate to contact me.

Kind Regards

Robert Gordon University,

Garthdee Rd,

Aberdeen AB10 7AQ