

Policy on Intimate Personal Relationships between Staff and Students

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Introduction

1. The policy sets out the expectations and obligations of BrandEd UK employees, casual and agency workers, consultants, contractors, governors, visiting and guest lecturers and any third party engaged to work at BrandEd UK - for the purposes of this policy this group will be called "staff" - and higher education students, with respect to intimate personal relationships between higher education students and staff, regardless of sexual orientation and identity. BrandEd UK incorporates all staff employed by, but not limited to, Sotheby's Institute of Art, Vogue College of Fashion, Manchester City Sports Business School and BrandEd UK Services LLC.
2. This policy also applies to all members of the BrandEd Senior Leadership team employed by any BrandEd entity.
3. This policy applies in the workplace and in any setting outside the workplace which involves staff interactions with students including the online environment.
4. The policy is a response to the new Office for Students' condition of registration E6, on Harassment and Sexual Misconduct, which comes into effect on 1 August 2025.
5. The policy adopts the Office for Students' definition of intimate personal relationships, which comprises:
 - a) physical intimacy, including isolated or repeated sexual activity; and/or
 - b) romantic or emotional intimacy.

6. BrandEd UK recognises that positive, supportive and encouraging relationships between staff and students are a positive aspect of being an active member of our community and a vitally important dimension of the student experience. However, the nature of staff/student relationships imposes particular responsibilities and duties on staff. This policy is intended to ensure that appropriate safeguards and processes are in place to prevent abuses of power and sexual harassment and misconduct of students by staff.
7. BrandEd UK staff are in a position of trust. It is important that they demonstrate professional behaviour at all times. They should give due consideration as to what is an appropriate environment and what is appropriate conduct in relation to the activities with students that they undertake.

Definitions

8. Abuse of power

Abuse of power is where someone uses their position of power or authority in an unacceptable manner. Abuse of power can take various forms and may include, but is not limited to, grooming, manipulation, coercion and putting pressure on others to engage in conduct they do not feel comfortable with.

9. Adult at risk

An adult at risk is someone over the age of 18 who receives or may need community care services by reason of disability or illness and as a result of those needs is unable to protect himself or herself against significant harm or exploitation. This can relate to physical, mental or psychological wellbeing or the potential to be drawn into sexual or criminal exploitation and activity.

10. Grooming

Grooming can be defined as a gradual process that someone in a position of power uses to manipulate someone to do things that they may not be comfortable with and to make them less likely to reject or report abusive behaviour. Grooming will initially start as befriending someone and making them feel special and may result in sexual abuse and/or exploitation.

11. Intimate personal relationships comprise

- a) physical intimacy, including isolated or repeated sexual activity; and/or
- b) romantic or emotional intimacy.

Staff relationships with students under the age of 18 or who are an "adult at risk"

12. This policy prohibits intimate personal relationships with students who are under the age of 18 or who are an adult at risk. Members of staff must not be in, or enter into, a close personal or intimate relationship with a student under the age of 18.
13. Staff must not engage in sexual behaviour with someone with whom they are in a position of trust. Whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences Act (2003) makes it a criminal offence for a person to engage in sexual activity of any kind with a person under the age of 18, where the adult is in a position of trust.

14. Anyone suspecting a member of staff of acting inappropriately towards a student or staff member under the age of 18 or an adult at risk should refer to the BrandEd UK Safeguarding Policy and / or speak to Human Resources or their line manager.

Prohibition of intimate personal relationships between staff and students

15. This policy prohibits all intimate personal relationships between all BrandEd UK staff and all higher education students at Sotheby's Institute of Art – London and Vogue College of Fashion. There is the potential for abuse in such relationships where individuals are in inherently unequal positions. Due to the potential for conflict of interest, exploitation, favouritism or bias, such relationships may undermine the integrity of student and staff work, or may have adverse effects on the working and learning environment for those directly involved, as well as for the broader institutional culture. Note the exception at point 18 below.
16. Due to the small nature of the organisation, working predominantly in one building, and the regular need for staff to collaborate and cover different workloads, it is considered that any staff member could, in the course of their duties, be placed in a position of influence over the delivery of teaching or services to a student resulting in there being a risk for abuse of power. For this reason, this policy includes all staff as defined in section 1.
17. Relationships in which one party is in a position to evaluate the work or influence the career of the other, may also provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or simply creates a perception of these problems.
18. An exception to this is where there is a pre-existing intimate personal and/or family relationship (family including relationships by marriage). These are permitted and are subject to a case-by-case risk assessment to determine whether any potential or actual conflict of interest exists, on the basis of which preventive measures may be put in place. Staff have an obligation to disclose such relationships.
19. Students on a placement in an external organisation must adhere to any policies on personal relationships within the external organisation. In the absence of a policy in the external organisation students must continue to follow this policy and should not enter into close personal and intimate relationships with their placement supervisors.
20. The prohibition applies only for the period in which individuals are defined in the category of students or staff.

Procedure for a member of staff for disclosure of a pre-existing intimate personal and/or family relationship with a student

21. The member of staff must inform their line manager or Programme Director, who will in turn inform Human Resources. Alternatively, the member of staff may inform Human Resources in the first instance. The line manager / Programme Director will:
- Carry out a risk assessment and put in place steps to mitigate any risk, for example covering academic teaching, student pastoral care, supervision, or assessment.
 - Put alternative arrangements in place where applicable.
 - Provide details of these arrangements to the Director of their own Institute / College.
 - Inform the Director of HR, who will retain a record.

Alternative arrangements for students in a pre-existing intimate personal and/or family relationship with a member of staff

21. Where a member of staff has disclosed a pre-existing intimate personal and/or family relationship with a student, the Director of their Institute / College must be consulted, along with the line manager, and appropriate action taken. Other relevant individuals may be consulted if appropriate.
22. Appropriate action to take may include:
- Ensuring the employee is not involved in any activities related to the teaching, assessing, supervising, tutoring, coaching, mentoring, pastoral care, invigilating, personal development or maintenance of personal data of the student.
 - Putting in place arrangements to ensure that the member of staff is not responsible for the setting of examination question papers to be taken by the student or the marking of any student's assessments.
23. The line manager will be responsible for monitoring any measures put in place.

Guidance on maintaining professional relationships with students

24. In order to maintain appropriate relationships with students, and to help reduce the risk of sexual misconduct, abuse of power or conflict of interest, staff should:
- maintain an appropriate physical and emotional distance from students and perform their duties without favour towards any individual student over another student;
 - avoid creating special friendships with students as this may be seen as grooming or favouritism;
 - use a work email address, telephone, software and applications for communications with students;
 - write and communicate with students in a supportive but professional manner. Any email sent to a student or a colleague about a student may be disclosed to the student or their legal representative, for example under data protection law.

- Staff should not consume alcohol with students other than at a minimum social level and should never become inebriated whilst in the company of students. Staff should not consume alcohol in 1-1 situations with students.
 - On field trips staff should maintain the same professional boundaries with students that would be in place on campus and bear in mind that they are in attendance as staff and as a representative of BrandEd. Social activity should be within appropriate limits and judgement used.
25. Where staff have a primary role of providing supervision, teaching, or pastoral care to students (including personal tutors), staff should:
- where possible, ensure that in-person meetings and discussions occur on campus. Where not possible, ensure the meeting occurs in a public venue, such as a library or a café; it is advisable, where practicable, to include the location in an electronic calendar invitation, even retrospectively.
 - refrain from contacting students outside of reasonable working hours where possible.

26. Guidance on unacceptable behaviour towards students:

Please note that the below is not an exhaustive list of examples:

- Physical touching, or comments or questions of a sexual nature (whether verbally or electronically), or comments on appearance;
- Paying undue special attention to a particular student which may be seen as grooming;
- Inviting an individual student to your private home without others present, or visiting their home or room alone, including while on field trips.

Breach of policy

27. An intimate personal relationship between a staff member and student is a breach of this policy and will be investigated under the staff disciplinary procedure. Individuals who are not employees and therefore not subject to the BrandEd UK disciplinary policy will be referred to the relevant institutional Director and appropriate action taken.
26. Failure to disclose a pre-existing intimate personal and/or relationship with a student may be investigated under the disciplinary procedure.

General conduct expectations for students regarding working relationships

28. Students are expected to demonstrate professional behaviour throughout their time as a student both on campus and off-site, to respect the professional boundaries of staff, and to abide by the Student Code of Conduct at all times.

Whistleblowing

29. The Public Interest Disclosure Act applies to employees, agency staff and contractors. Although not protected by the Act, other members of the BrandEd UK community, such as students, Governors and guest/visiting faculty, may make a disclosure regarding a possible breach of this policy which will be treated in accordance with BrandEd's Policy and Procedure on Public Interest Disclosure (Whistleblowing Policy).

Non-Disclosure Agreements

30. BrandEd UK does not use non-disclosure agreements (NDAs) or confidentiality clauses in settlement agreements in cases of sexual misconduct and harassment to prevent reporting parties from speaking out or to restrict what the institution may disclose to others. We may, on occasion, place temporary 'no contact' conditions upon parties to protect all individuals whilst investigations are ongoing.

Allied policies

31. BrandEd policies which are allied in particular to this Policy include:
- Safeguarding Policy
 - Staff Professional Code of Conduct
 - Policy on Sexual Misconduct, Harassment and Bullying
 - Student Misconduct Policy and Procedure
 - Staff Disciplinary Policy
 - Equality, Diversity and Inclusion Policy
 - Staff Grievance Policy
 - Student Complaints Procedure
 - Policy and Procedure on Public Interest Disclosure (Whistleblowing Policy)

Review of policy

32. This policy will be reviewed annually.

Title	Policy on Intimate Personal Relationships between Staff and Students
Date first implemented	2025
Approving body	Governing Body
Version	June 2025
Effective	1 August 2025
Supersedes	N/A
Next review date	Summer 2026
Frequency of review	Annually
Policy owner	Quality Team

APPENDIX: Disclosure of a pre-existing intimate person and/or family relationship

This form should be used by a staff member to declare an intimate personal and/or family relationship in accordance with the BrandEd UK Staff and Student Personal Relationships Policy. If you have any questions about completion of the form, please contact Human Resources. The disclosure form will be treated highly confidentially and stored securely on the HR file(s) of the staff member(s) named below and used only for the purposes described in the Policy.

Section 1: Your Details	
Name:	
Department:	
Line Manager:	

Section 2: Details of the Other Party	
Name:	
BrandEd UK School they are studying at:	
Status: member of staff/student/both a member of staff and student	

Section 3: Nature of Relationship	
Personal relationship* <input type="checkbox"/> Close personal/social friendship <input type="checkbox"/> Family relationship <input type="checkbox"/> Romantic/intimate/sexual relationship <i>*Please tick all that apply.</i>	
Approximate start date of personal relationship:	
Professional relationship: <i>Please include the nature of your professional relationship with the individual in section 2 i.e. line manager, supervisor.</i>	
Start date of professional relationship:	
Potential conflicts or reasons why you believe there is no conflict	

Declaration

- I confirm that I have read the BrandEd UK Staff and Student Personal Relationships Policy and the information I have submitted is in accordance with the criteria set out in the Policy.
- I understand that by submitting this declaration steps may be taken in relation to my professional relationship with the individual named in Section 2 of this disclosure form, in line with the Policy and Procedure on Personal Relationships, in order to mitigate potential or perceived conflicts of interest.

Signed:

Date:

Please submit the completed form to HR, who will consult with your line manager/Head of Department/Institute or College Director (as relevant) and may also discuss further with you if necessary.