



# LSE Policy and Procedure on Personal Relationships

## LSE Policy on Personal Relationships

### Introduction

Positive professional relationships between staff, and between staff and students, which facilitate learning, research and the exchange of ideas, are recognised as integral to the success of the School. However, due to the power relationships that can exist between staff, and between staff and students, personal relationships, which go beyond a professional working relationship can result in a conflict of interest, impacting on constructive and transparent working relations or resulting in adverse effects on the student experience. More seriously, these can result in the potential for abuse of power or the perception of abuse of power.

The School's Ethics Code includes Integrity and Equality of Respect and Opportunity as two of the Code's six key principles. These detail the School's commitment to declaring interests and appropriately managing possible conflicts as well as treating all people with dignity and respect, being transparent and consistent with our decision making and ensuring that no person is treated less favourably as a result of any of the protected characteristics under the Equality Act 2010.

All academic, research, teaching and professional services staff are in a position of trust. It is important that they demonstrate professional behaviour and act in accordance with the Ethics Code. Due attention should be given to individual actions and conduct to ensure that this is appropriate to the activities being undertaken.

### Policy Aims

The purpose of this policy and procedure is to set out the expectations and responsibilities of staff, students and the remainder of the LSE community specifically in respect of personal relationships between staff, and between staff and students, but also in respect of any personal relationship that includes a power imbalance. This is in order to prevent abuses of power, protect staff and students from allegations of conflicts of interest and promote a safe and positive environment.

The policy sets out what constitutes a conflict of interest and the steps that must be taken where these exist to ensure that they are managed in an appropriate and timely manner to avoid any real or perceived conflicts of interest, or misuse of power and authority. It explains the steps that must be taken by members of the LSE community to ensure that any personal relationships at work are handled

with integrity so that they do not impact on the working lives of staff or the student experience and/or give rise to unintended consequences. Where disclosures regarding personal relationships are made, these will be handled sensitively and confidentially.

## Scope of Policy

This policy applies principally to all staff and students at LSE but can, under certain circumstances, also apply to other members of the LSE community (see section on 'Definitions').

It also applies to:

- job applicants in so far as they are requested to declare any personal relationships with existing staff in their application form;
- individuals applying to become students in so far as the staff member has influence over whether the student is admitted.

The policy and associated principles apply equally to all relationships at work regardless of sexual orientation and identity.

Relationships that exist at the time of the publication of this policy or which have occurred within the past two years must be declared within one month of this policy coming into effect in accordance with the section below: 'Declaring Personal Relationships'. Any potential conflicts of interest as a result will be managed with advice from HR.

This section applies to relationships which are in existence at the time this policy is published and to relationships which have occurred within the past two years of the policy being published.

## Definitions

**Personal relationships:** a relationship which transgresses professional boundaries and may lead to real or perceived conflicts of interest, or misuse of power and authority at work. Examples of personal relationships include:

- a family relationship
- a business/commercial/financial relationship
- a romantic/intimate/sexual relationship (including a brief, and one-off occurrence)
- a close personal/social friendship, which exists outside of the workplace.

However personal relationships are not restricted to these examples and anyone who is in a situation which could lead to a potential conflict of interest, as set out in this policy, must declare it as outlined below.

**Staff member:** any individual who is employed by LSE, or engaged to carry out work for LSE, including PhD students, visiting staff, guest and emeritus teachers, and hourly-paid staff. This may include students who are also employed on teaching or research contracts, when they are acting in those capacities.

**Student:** all undergraduate and postgraduate students, full-time and part-time students, including

those enrolled in University of London, Summer School or executive programmes and those carrying out distance learning.

**LSE community** includes but is not limited to all students, salaried and non-salaried members of staff (including visiting staff), alumni, contractors and members of Council.

A **conflict of interest** arises where there is an actual or potential risk or a perceived conflict of commitments between acting in the best interests of the School and formal and/or informal commitments, obligations or undertakings to another body/association/affiliation in relation to the same or related matters, and those duties conflict. No one should be involved in making decisions in relation to their commitments to the School from which they, or anyone with whom they have a close financial or personal relationship, stand to personally benefit. Such considerations apply to a wide range of activities in which conflicts may arise, including, but not restricted to, student admissions, student assessment, disciplinary proceedings, appeals, staff recruitment, staff promotion and remuneration, procurement and assessing proposed relationships between the School and outside parties<sup>1</sup>.

**Positional power:** this is the authority held by virtue of one's position in the organisation's structure and hierarchy.

**Consent:** permission for something to happen or agreement to do something with a full understanding of the facts and without coercion. Consent is not consent if it is given under pressure, (perceived or real) threat, or given when someone is not really capable of giving it – e.g. if they are intoxicated, asleep and/or not capable of giving consent. Consent can be withdrawn at any time.

**Exploited consent**<sup>2</sup>: consent that is secured only due to the occupancy of respective positions within an unequal relationship e.g. teacher and student.

## Policy Principles

LSE staff must conduct themselves professionally and appropriately in their dealings with colleagues and students, in line with the School's Ethics Code<sup>3</sup> and the School's Safeguarding Policy<sup>4</sup>.

The same guidelines and rules for appropriate conduct apply when staff and students are participating in fieldwork, conferences and other work-related activities away from the normal workplace, including when staff are on sabbatical leave.

Personal, financial, family, romantic or sexual relationships between students and staff, and between staff members (even if they are of similar age), where there is a significant difference in real or perceived power, present special problems because these relationships are vulnerable to exploitation.

Whether certain conduct is professional and appropriate is a question of subjective judgment, taking into account all the relevant circumstances.

LSE acknowledges cases of exploited consent can occur in situations where consent is believed to have been freely given by both parties, but would not have been given if one party did not occupy a particular position of power. When required, LSE will consider issues relating to the relative dependence and vulnerability of the student/staff member, and the esteem, respect and admiration

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<sup>1</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/conIntPol.pdf>

<sup>2</sup> David Archard 1994

<sup>3</sup> <https://info.lse.ac.uk/staff/divisions/Secretarys-Division/Assets/Documents/Ethics/EthicsCodeA5postcard.pdf>

<sup>4</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safPol.pdf>

which the student/staff member holds for the more senior staff member. The more these features are made apparent, the more the securing of consent to sexual or other intimacy may be seen as exploitative.

With the above in mind, the following three fundamental policy principles apply:

1. LSE prohibits any personal relationships between staff and students where there is a direct supervisory relationship in existence (e.g. PhD student and supervisor) or where a member of staff has direct responsibility for, or involvement in, that student's academic studies (for example, assessor of a student's work) and/or personal welfare (for example, academic advisor and advisee). Such relationships should be reported immediately in accordance with the procedure set out below so that appropriate safeguards are put in place, including changing the supervisory relationship or the relationship of direct responsibility for, or involvement in, the student's academic studies and/or personal welfare.
2. Where a personal relationship exists or develops between a member of staff and student, this must be reported in accordance with the procedure set out below so that any conflict of interest that arises from such a relationship can be resolved by putting new arrangements in place. This reporting requirement applies even where the staff member has no direct supervisory relationship or direct responsibility for, or involvement in, the student's academic studies and/or personal welfare.
3. LSE requires that personal relationships between staff are declared where such a relationship results, or has the potential to result, in a conflict of interest. Where such a relationship develops or exists, the policy prohibits, where that is the case, that a staff member remains in a supervisory role (for example, principal investigator and research staff on the grant) or any other role of influence over their professional career (for example, line manager and staff who are line managed by them). Instead, new arrangements need to be found that fully resolve the conflict of interest.

LSE encourages the reporting of any genuine concerns of wrongdoing and commits to ensuring that individuals are not adversely affected as a result of reporting such wrongdoing<sup>5</sup>. Students and staff can report sexual (and other) harassment anonymously via the LSE online reporting tool<sup>6</sup>. The report should detail the concerning behaviour and staff member(s) and/or student(s) involved.

Where there is an immediate or serious concern, other, more direct, reporting methods should be used, for example speaking to the Chief Operating Officer, who is the School's Lead Safeguarding Officer, or the Deputy Chief Operating Officer in their absence.

Where steps are being taken to deal with two individuals who are involved in a personal relationship, both parties will be treated fairly and consistently unless there are specific grounds to justify differing treatment, such as misconduct by one of the parties or power imbalance.

## Legislation

The **Human Rights Act 1998 (Article 8)** provides for the right to a private and family life. This policy and procedure has been written to ensure that it balances an individual's right to a private life while ensuring respect for LSE values of integrity and trust.

The **Equality Act 2010** obliges employers not to treat a woman less favourably than a man (or vice

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<sup>5</sup> <https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/LsePubIntDisPro.pdf>

<sup>6</sup> [lse.ac.uk/reportit](https://info.lse.ac.uk/reportit)

versa) because of gender. It also gives workers the right not to be treated unfavourably because of their sexual orientation or gender identity.

It is a criminal offence under the **Sexual Offences Act 2003** for a person in a position of trust to engage in sexual activity with a person under the age of 18, even where the person is of the legal age of consent.

# LSE Procedure on Personal Relationships

## Personal relationships between staff and students

Members of staff must not be in, or enter into, a close personal or intimate relationship with a student or staff member under the age of 18, or an adult known or suspected to be at risk. It is a criminal offence for staff who are responsible for students to enter into a sexual relationship with any student below the age of 18 where the adult is in a position of trust.

As stated in the LSE Policy on Personal Relationships: LSE prohibits any personal relationships between staff and students where there is a direct supervisory relationship in existence (e.g. PhD student and supervisor) or where the member of staff has direct responsibility for, or involvement in, that student's academic studies (for example, assessor of a student's work) and/or personal welfare (for example, academic advisor and advisee).

Where such a relationship develops or exists, the policy prohibits, where that is the case, that a staff member remains in direct supervision (for example, PhD student and supervisor) or has direct responsibility for, or involvement in, that student's academic studies (for example, marker of a student's work) and/or personal welfare (for example, academic advisor and advisee). Instead, new arrangements need to be found that fully resolve the conflict of interest.

Regardless of whether there is a direct supervisory relationship, staff must declare any form of intimate or close personal relationship with any student so that any actual or potential conflicts of interest can be managed appropriately. This includes staff members who develop a personal relationship with a student or who have a pre-existing relationship with someone who becomes a student. A declaration must be made in accordance with the 'Declaring Personal Relationships' section below.

Any undeclared relationships between staff and students will be regarded as a disciplinary matter and where the staff member has direct supervision, direct responsibility for, or involvement in, that student's academic studies and/or personal welfare, it will be regarded as a matter of gross misconduct. A full investigation will be undertaken in all cases and, if upheld, will result in disciplinary action against the staff member, up to and including termination of employment.

The above applies even when the student may, in parallel, hold an employment contract with the School.

Direct responsibility includes direct management, direct supervision, assessment of the student's work, welfare or pastoral roles.

Following declaration, the line manager or Head of Department will consult with their HR Partner and consider i) whether there is a conflict of interest or potential for a perceived conflict of interest and ii) what actions can be put in place to mitigate the conflict.

Consideration will take into account factors such as the nature and type of relationship, the duration of the relationship and whether this existed prior to the person becoming a student, the extent of the power imbalance, any particular vulnerabilities that exist for the staff or student member, the nature of the contact between the two parties and/or the potential for the member of staff to influence the student's academic and career progression.

## Personal relationships between staff members

As stated in the LSE Policy on Personal Relationships: LSE requires that personal relationships are declared in all cases where such a relationship results, or has the potential to result, in a conflict of interest. Where such a relationship develops or exists, the policy prohibits, where that is the case, that a staff member remains in a supervisory role (for example, principal investigator and research staff on the grant) or any other role of influence over their professional career (for example, line manager and staff who are line managed by them). Instead, new arrangements need to be found that fully resolve the conflict of interest.

Declaration must be made in accordance with the 'Declaring Personal Relationships' section below. Any undeclared relationships between staff which results, or has the ability to result in, a conflict of interest will be regarded as a disciplinary matter. A full investigation will be undertaken in all cases and, if upheld, will result in disciplinary action against the staff member, up to and including termination of employment.

Following declaration, the line manager or Head of Department will consult with their HR Partner and consider i) whether there is a conflict of interest or potential for a perceived conflict of interest and ii) what actions can be put in place to mitigate the conflict.

In considering whether there may be a conflict of interest, factors will be taken into account such as the nature of the relationship, including whether it is a relationship in which one staff member has positional power over the other, the duration of the relationship and whether this existed prior to the working relationship, the extent of the power imbalance, the impact or potential impact on the individuals and others around them, the nature of the decisions that may need to be taken as a result of the working relationship, the potential influence that one party may have on the other's career progression and/or any particular vulnerabilities of either party. Examples include line management/supervision or being in the same line management chain, working together in a small team where the relationship dynamic has a greater impact, working together on key decision-making committees or groups.

The relevant line manager will consult with their HR Partner to consider the appropriate steps to be taken. Where an individual is involved in decision-making that would impact the other staff member, they will be immediately withdrawn from decision-making (e.g. promotions, review/reward decisions, appointment to permanent positions). The line manager/Head of Department may consider transferring one party or both parties, making alternative line management or supervisory arrangements, seeking redeployment in line with the School's Redeployment Policy and Procedure or implementing other appropriate arrangements to eliminate the conflict of interest, depending on the circumstances. In very rare circumstances, such alternative arrangements may not be feasible, and the LSE may then have to consider dismissing one or both parties.

Any actions required to mitigate the conflict of interest will be taken in consultation with the member(s) of staff. The manager making the decision regarding the measures to be put in place will notify the relevant parties and record these in the relevant section of the declaration form (see below).

Where a personal relationship exists but either, there is no conflict of interest, or the conflict of interest has been resolved, the individuals must ensure that they demonstrate professional behaviour at all times and do not allow the personal relationship to influence their behaviour whilst at work. Similarly, if a personal relationship comes to an end, both parties must ensure that they continue to work professionally together and conduct themselves in an appropriate manner.

## Declaring Personal Relationships

A member of staff who is involved in a personal relationship must notify their line manager or Head of Department/Service Leader/Centre Manager as soon as reasonably practicable and no later than a month from the start of the relationship. Where relevant, personal relationships should also be declared in the annual Declaration of Interests survey (or via email to [ethics@lse.ac.uk](mailto:ethics@lse.ac.uk)).

If the member of staff wishes to seek advice before declaring a personal relationship, they can contact their HR Partner. This might include advice on whether the relationship is considered to fall under the remit of this procedure, the process that will be followed following a declaration, the possible options for managing a conflict of interest and the options should the other individual not wish to declare the relationship.

Once they have informed their manager or Head of Department/Service Leader/Centre Director, they should complete the notification form on MyView, which will be provided to the relevant HR Partner. Declarations will be treated respectfully, sensitively and confidentially and the notification form will be stored securely on the relevant HR file(s) and managed in accordance with data protection legislation.

Failure to disclose a relevant personal relationship within the stipulated timeframe will be considered a disciplinary matter and could amount to a breach of trust. The onus to declare rests with the more senior staff member, though either party may declare the relationship.

In staff/student relationships, whilst the responsibility for taking the above steps lies with the member of staff concerned, the student should report their relationship to another member of staff (e.g. Head of Department, if appropriate) or to the Deputy Head of Student Services (Advice & Policy), and request that the above steps be taken. If another member of staff or student is aware of such a relationship taking place, then they are also expected to report the situation to their Head of Department. Advice may be sought prior to doing so (see 'Advice' below).

Students who wish to seek advice on a personal relationship may contact the Deputy Head of Student Services (Advice & Policy), the Female Advisor to Students or LSE Students' Union Advice Centre. Advice can be sought on many different aspects including, for example, harassment, the impact of a relationship on a student's studies and fear of bias.

## Transfer of information

Subject to General Data Protection Regulations (GDPR), where an investigation into a staff member's conduct is instigated and the staff member leaves before it is concluded, the School will consider the process for informing other employers about such investigations if the staff member is known to have applied for roles elsewhere<sup>7</sup>.

## Advice

Staff can seek advice from their Human Resources Partner or a trade union representative on the interpretation and application of this guidance. Students can seek advice from their academic advisor, the Head of Department or the Deputy Head of Student Services (Advice & Policy).

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<sup>7</sup> This is in line with emerging practice in the Higher Education sector.



## Related policies and guidance papers

- LSE Ethics Code
- LSE Safeguarding Policy
- LSE Discrimination, Harassment and Bullying Policy<sup>8</sup>
- LSE Conflicts of Interest Policy<sup>9</sup>
- LSE Procedure for Considering Allegations of Harassment from Students Against Members of Staff<sup>10</sup>
- LSE Whistleblowing Policy<sup>11</sup>
- LSE Sexual Violence and Sexual Harassment Policy<sup>12</sup>
- Disciplinary and Dismissal Policy and Procedure for Professional Services Staff<sup>13</sup>
- Grievance Procedure for Professional Services Staff<sup>14</sup>
- The Academic Annex<sup>15</sup>
- Disciplinary Procedure for Students<sup>16</sup>

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<sup>8</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harPol.pdf>

<sup>9</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/conIntPol.pdf>

<sup>10</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/proHarStu.pdf>

<sup>11</sup> <https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/lsePubIntDisPro.pdf>

<sup>12</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harVioPol.pdf>

<sup>13</sup> <https://info.lse.ac.uk/staff/divisions/Human-Resources/Assets/Internal/staff/Policy/PSSDisAndDismissal.pdf>

<sup>14</sup> <https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/griPolProAcaSupSta.pdf>

<sup>15</sup> <https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/acaAnn.pdf>

<sup>16</sup> <https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/disProStu.pdf>

## Review schedule

Review interval	Next review due by	Next review start
3 year	November 2023	May 2022

## Version history

Version	Date	Approved by	Notes
1	May 2020	School Management Committee	Approved to take out for consultation
2	November 2020	JNICC	
3	May 2021	School Management Committee	

## Links

Reference	Link
LSE Ethics Code	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/ethCod.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/ethCod.pdf</a>
LSE Safeguarding Policy	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safPol.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safPol.pdf</a>
LSE Discrimination, Harassment and Bullying Policy	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harPol.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harPol.pdf</a>
LSE Conflicts of Interest Policy	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/conIntPol.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/conIntPol.pdf</a>
LSE Procedure for Considering Allegations of Harassment from Students Against Members of Staff	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/proHarStu.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/proHarStu.pdf</a>
LSE Whistleblowing Policy	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/lsePubIntDisPro.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/lsePubIntDisPro.pdf</a>
LSE Sexual Violence and Sexual Harassment Policy	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harVioPol.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/harVioPol.pdf</a>
Disciplinary and Dismissal Policy and Procedure for Professional Services Staff	<a href="https://info.lse.ac.uk/staff/divisions/Human-Resources/Assets/Internal/staff/Policy/PSSDisAndDismissal.pdf">https://info.lse.ac.uk/staff/divisions/Human-Resources/Assets/Internal/staff/Policy/PSSDisAndDismissal.pdf</a>
Grievance Procedure for Professional Services Staff	<a href="https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/griPolProAcaSupSta.pdf">https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/griPolProAcaSupSta.pdf</a>
The Academic Annex	<a href="https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/acaAnn.pdf">https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/acaAnn.pdf</a>
Disciplinary Procedure for Students	<a href="https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/disProStu.pdf">https://info.lse.ac.uk/staff/Services/Policies-and-procedures/Assets/Documents/disProStu.pdf</a>

## Contacts

Position	Name	Email	Notes
Chief Operating Officer	Andrew Young	<a href="mailto:andrew.young@lse.ac.uk">andrew.young@lse.ac.uk</a>	Sponsor

## Communications and Training

Will this document be publicised through Internal Communications?	Yes/ No
Will training needs arise from this policy	Yes/ No

If Yes, please give details

The policy launch will have to ensure adequate communication so that staff and students understand the requirements placed upon them.