

RELATIONSHIPS WITH STUDENTS PROCEDURE

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1. OVERVIEW

- 1.1. This procedure sets out expectations for staff members and titleholders regarding personal relationships with students. It is intended to ensure that the University fulfils its obligations to the educational development and wellbeing of students through positive, professional and collegial relationships.
- 1.2. This procedure aims to ensure that staff and titleholders are aware of their responsibilities and that if a personal relationship exists or develops between a staff member/titleholder and student, that relationship is disclosed and managed in an appropriate manner.

2. SCOPE AND APPLICATION

- 2.1 This procedure applies to all staff members and titleholders at the University of Adelaide. Staff members include Higher Degree Research Students in their capacity as teaching staff and staff of the University of Adelaide who are also students.
- 2.2 In this procedure a close personal relationship includes a relationship between a staff member or titleholder and a family relative, a financially dependent person, a close friend, a de facto partner or any person with whom there is currently or has recently been an intimate, sexual or romantic relationship whether conducted in person, by correspondence or by electronic means.
- 2.3 This procedure does not apply to intimate relations with students under the age of eighteen (18) years, vulnerable adults, or interactions with students that involve [sexual harassment](#) or [sexual assault](#). These are unlawful acts and may lead to disciplinary action and/or criminal charges. The [Student Sexual Assault and Sexual Harassment Prevention and Response Policy](#) and [Procedure](#) details the University process for the disclosure, reporting, and responding to allegations of sexual assault and sexual harassment. The [Child Safe Environment Policy](#) sets out expectations for reporting and responding to allegations of child abuse, neglect and exploitation.

3. PRINCIPLES

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- 3.1 Staff members and titleholders are required to act professionally, collegially and respectfully in their interactions with students, and shall avoid close personal relationships with students for whom they have professional responsibility.
- 3.2 Staff members and titleholders are required to disclose personal relationships that may amount to a conflict of interest.
- 3.4 Staff members and titleholders may be subject to disciplinary action for failing to comply with this procedure, in accordance with the [University of Adelaide Enterprise Agreement](#) or [Titleholder - Conferral of Honorary Roles Procedure](#).

4. PROCEDURES

4.1. Disclosing a personal relationship

- 4.1.1 A staff member or titleholder must disclose to the Head of School/Branch or Area Manager (if the disclosure is made by a Head of School/Branch) any recent or current personal relationship with a student that they teach, tutor, mentor, or supervise, or with any student who they may participate in the selection of, or whose work they may assess.
- 4.1.2 The Head of School/Branch (or Area Manager) must consider any disclosure of a personal relationship by referring to the [Conflict of Interest Procedure](#) and identifying, managing and mitigating the conflict of interest in compliance with the procedure.

4.2. Failing to disclose a personal relationship with a student

- 4.2.1. A staff member or titleholder who fails to disclose a personal relationship with a student under clause 4.1.1 may be subject to disciplinary action in accordance with the University of Adelaide Enterprise Agreement, or Titleholder- Conferral of Honorary Roles procedure.

4.3. Responding to an allegation of inappropriate behaviour.

- 4.3.1 If a staff member/titleholder is advised by a student that they have been subjected to unwanted attention or inappropriate behaviour by a staff member/titleholder, they should:
- 4.3.1.1 Provide support to the student to enable them to access information, advisory and assistance services;
- 4.3.1.2 Refer to the [University's Safer Campus Community website](#) for details of the internal and external services available;
- 4.3.2 The staff member/titleholder must report the matter to their Head of School/Branch as soon as practicable.
- 4.3.3. A Head of School/Branch who receives an allegation of unwanted or inappropriate behaviour by a staff member/titleholder toward a student must report it to their [Human Resources Advisor](#) (HRA) and notify the [University Early Intervention Group](#) (EIG).

4.4. Confidentiality

- 4.4.1. Information provided by students or staff under this procedure will be dealt with confidentially and only disclosed as is necessary for the administration of University processes or as required by law.
- 4.4.2. This procedure does not interfere with legal responsibilities to report suspected abuse of children, which includes [sexual assault](#), under child protection laws. Further information about these obligations are found in the University's [Child Safe Environment Policy](#).

5. DEFINITIONS

Area Manager: Deputy Vice-Chancellors, Vice Presidents, Pro Vice-Chancellors, Executive Deans, Director Human Resources, Chief Executive of External Relations (and a person acting in these positions) and Institute Directors.

Conflict of Interest: A conflict of interest arises when an individual's personal, external or financial interests, or those of a person with whom they have a close personal relationship, come into conflict with the performance of their duties to the University. A conflict of interest may be actual, perceived or potential.

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An **actual conflict of interest** arises when there is a real conflict between an individual's duties to the University and their existing personal, external or financial interests.

A **potential conflict of interest** arises where an individual has personal, external or financial interests that could come into conflict with the performance of their duties to the University in the future.

A **perceived conflict of interest** can exist where a third party could form the view that an individual's personal, external or financial interests could improperly influence the performance of their duties to the University, now or in the future.

A **conflict of commitment** arises where the personal, external or financial interests of an individual are so significant, demanding or organised in such a way that they adversely interfere with the performance of their duties to the University.

Inappropriate Behaviour: Unprofessional, inappropriate and/or unwanted conduct, which may amount to misconduct or serious misconduct by the staff member and may involve:

- A breach of a University policy or procedure;
- A breach of the University Code of Conduct;
- Conduct inappropriate to the student/teacher and/or student/supervisor relationship;
- Conduct inconsistent with the duty of care required of staff towards students;
- Bullying;
- An offence, including but not limited to sexual assault or sexual harassment under the *Summary Offences Act, 1953 (SA)* or *Criminal Law Consolidation Act, 1935 (SA)*.

Intimate Relationship: Having or being likely to create a very close friendship or personal or sexual relationship.

Personal Relationship: means a relationship between a staff member/ titleholder and a member of their family, relative, a financially dependent person, a close friend, a de facto partner, or with whom there is currently or has been, an intimate, sexual or romantic relationship whether conducted in person, by correspondence or by electronic means.

Professional Responsibility: The staff member is deemed to have professional responsibility for any student that they have contact with in the work that they perform. This may include teaching, tutoring, mentoring, supervising, assessing the work of and in the provision of services to and/or for the student.

Romantic Relationship: A relationship that is conducive to, or characterised by the expression of love.

Sexual Assault is an inclusive term used to describe any sexual behaviour which a person does not consent to. In South Australia, the following criminal offences – reckless indifference, rape, compelled sexual manipulation, unlawful sexual intercourse (sex with people under the age of consent), indecent assault, grooming, and stalking are all forms of sexual assault.

Sexual Harassment is any unwelcome conduct of a sexual nature, where it is reasonable to expect that the other person would be offended, afraid or humiliated. Sexual harassment can be verbal, non-verbal, written, graphic or physical. Examples of sexual harassment include:

- making remarks about a person's appearance or attractiveness;
- asking a person questions about their relationship or sexual activity;
- sending emails with sexual content;
- showing a person pornographic pictures e.g. on a phone or computer;
- unnecessarily touching the person.

6. USEFUL INFORMATION AND RESOURCES

6.1. University related documents and policies

[Behaviour and Conduct Policy](#)

[Behaviour and Conduct FAQs](#)

[Code of Conduct](#)

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[Conflict of Interest Procedure](#)

[Conflict of Interest Information Sheet](#)

[Disclosure of a Conflict of Interest \(Form\)](#)

[Fair Treatment Procedure](#)

[Fair Treatment Procedure Information Sheet: Sexual Harassment and Assault](#)

[Fraud and Corruption Control Policy](#)

[Privacy Policy](#)

[Complaint Resolution \(Staff\) Procedure](#)

[Child Safe Environment Policy](#)

[Student Sexual Assault and Sexual Harassment Prevention and Response Policy](#)

[Student Sexual Assault and Sexual Harassment Prevention and Response Procedure](#)

6.2. Related legislation

[Criminal Law Consolidation Act 1935 \(SA\)](#)

[Equal Opportunity Act 1984 \(SA\)](#)

[Fair Work Act 2009 \(Cth\)](#)

[The Children and Young People \(Safety\) Act 2017 \(SA\)](#)

6.3. Useful web-links

[Safer Campus Community](#)

[Sexual Respect Training](#)

[Early Intervention Group \(EIG\)](#)

[Principles for Respectful Supervisory Relationships \(Universities Australia\)](#)

[Guidelines for University Responses to Sexual Assault and Sexual Harassment \(Universities Australia\)](#)

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