

## Procedure for Declaring Intimate Relationships

### 1. INTRODUCTION

- 1.1 This Procedure (the “Declaration Procedure”) should be followed to declare intimate relationships<sup>1</sup> between (a) members of staff with students, or (b) between members of staff where there is a direct or indirect supervision arrangement or one is in a position of power or trust in relation to the other, as set out in the Personal Relationships Policy. This includes staff employed on campus by partner agencies and contractors. (Note: In the case of close personal relationships<sup>2</sup> which are not intimate relationships, [the University’s Declaration of Interest](#) process should be followed).
- 1.2 If an individual is unsure whether they are in an *intimate relationship* that requires declaration, they should refer to the definitions and/or the examples provided at Appendix 1. Members of staff may also seek advice from their line manager or HR Business Partner. Students may seek advice from their Academic Adviser, Head of Department or Associate Dean (Education and Students).
- 1.3 Information disclosed under this declaration procedure will only be shared with those who require the information in order to comply with the procedure, the Personal Relationships Policy or any other relevant University policy or regulatory/legal obligation. Declarations will be treated respectfully and sensitively and, so far as possible, will take account of the wishes of all parties.

### 2. RESPONSIBILITIES

- 2.1 The HR Business Partner team are responsible for:
- Receiving and processing declaration and notification forms. This includes notifying Executive Deans, Professional Services (PS) Director and/or Director for the Student Experience that a declaration or notification has been received if required.

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<sup>1</sup> **Intimate relationships** are romantic or sexual relationships which go beyond the bounds of a platonic or working relationship. An intimate relationship could be brief, and could be a one-off occurrence. It can be in person, on or off campus, and/or online or via means of other electronic communication. It includes interactions which arise through meeting via work and those which might arise in other contexts, such as via an app where the participants later become aware they are both members of the Sussex community.

<sup>2</sup> **Close personal relationships** include relatives or close friends (those where there is a significant, non-professional bond, likely to include an emotional connection, frequent interaction, and mutual reliance) or a relationship where there is financial dependence.

- Providing advice and guidance to Executive Deans and/or PS Directors so that the Executive Deans and/or PS Directors can properly consider and make decisions about the potential and actual impact of the intimate relationship and any appropriate mitigations **where these relate to staff**.
- Recording the outcome of the notification or declaration and any actions, including where no actions are considered necessary.

2.2 Executive Deans or PS Directors are responsible for:

- Deciding whether a supervisory or other responsibility arrangement (as defined in the policy) exists and/or whether one party is in a position of power and/or trust over the other.
- Identifying appropriate mitigations where necessary (taking into account the advice and guidance of the HR Business Partner and /or Director for Student Experience, as appropriate).
- Implementation of the mitigations and, if and where appropriate ongoing monitoring of the situation.

2.3 The Director for the Student Experience (or nominee) is responsible for:

- Assessing any potential vulnerabilities or safeguarding concerns for the student arising as a result of an intimate relationship and referring to the Safeguarding (Case) Panel for consideration when required.
- Authorising agreed measures required in order to discharge the University's general duty of care more widely to the student.
- Signposting the student to sources of information, support and advice as required.
- Providing advice to Executive Deans or PS Directors in their considerations and decision-making about the impact of intimate relationships and appropriate mitigations **where these relate to students**.

### 3. PROCEDURE

#### STEP ONE: Declaration

- 3.1 Intimate relationships between staff and students must be declared immediately by the member of staff in line with this Declaration Procedure. Failure to do so is likely to lead to disciplinary action. Students are strongly encouraged to declare the relationship. Intimate relationships between staff as defined in 1.1(b) must be declared by both parties using this procedure in a timely way. Failure to do so could lead to disciplinary action if the delay or failure to declare is without good reason.
- 3.2 All declarations will be received by Human Resources who will inform the Executive Dean or PS Director for the area(s) and the Director for the Student Experience (in the case of student involvement).

## STEP TWO: Consideration

- 3.3 The Executive Dean and/or PS Director and Director for the Student Experience (or nominee) (if applicable) are responsible for considering, implementing and keeping under review any measures to ensure the requirements of the Personal Relationships Policy are met, while dealing with the matter in a manner that aims to protect the dignity and privacy of all parties save where necessary, as required under this procedure. The member(s) of staff and the student (if applicable) will be expected to comply with any reasonable decision or action.

## STEP THREE: Action

- 3.4 To ensure that the requirements of the Personal Relationships Policy are met, the PS Director or Executive Dean will identify appropriate actions in discussion with the HR Business Partner. In the case of a staff-student relationship, the Director for the Student Experience will also be involved in the discussions and will be responsible for authorising the agreed actions in order to discharge the University's duty of care in relation to the student. It may be necessary to refer the matter to the relevant Safeguarding Officer for consideration. The Executive Dean or PS Director will be responsible for implementing the agreed actions.
- 3.5 In cases where there is or appears to be coercive or predatory behaviour the PS Director and/or Executive Dean will liaise with HR to determine if further steps are necessary. This could include an investigation in accordance with the University's Staff Disciplinary Procedure, and the possibility of subsequent disciplinary action.

## Other key elements

- 3.6 Where a suspected intimate relationship involving others has been reported by a third party, the PS Director or Executive Dean will be responsible for making appropriate enquiries which may include discussing this with the member(s) of staff identified as being in an intimate relationship, to ascertain whether or not this is the case. Where a relevant relationship exists and has not been declared, the PS Director or Executive Dean will discuss with the HR Business Partner whether staff disciplinary action is appropriate (disciplinary action will not be taken against a student in these circumstances).
- 3.7 If a staff-student relationship has been declared and there is no supervisory link, or if a staff-staff relationship does not need to be declared under the Personal Relationships Policy, the member(s) of staff involved are nevertheless expected to:
- Make a declaration or new declaration, if there are any changes to their role(s) such that their intimate relationship now requires declaration and/or measures to ensure that the requirements of the Personal Relationships Policy are met.
  - Raise with their Executive Dean, PS Director or HR Business Partner as appropriate any one-off events that would represent a conflict of interest, for example taking part in a panel or a project where the parties would be working together.

- 3.8 The Executive Dean or PS Director may delegate some or all of the tasks in this procedure to a member of their management team or to someone in the employee's line management structure if this is considered more appropriate. However, the Executive Dean or PS Director will retain oversight and responsibility for ensuring that any agreed actions are followed up and implemented.
- 3.9 Where one of the parties to the relationship is not directly employed by the University and works for a partner organisation or contractor on campus, the responsibilities of the Executive Dean or PS Director for that member of staff under this procedure will be undertaken by a relevant individual within that organisation (such as the main management contact) and an appropriate member of University staff (such as the individual who manages the contract with that partner or contractor). They will be supported by the HR Business Partner (for staff-staff relationships) or the Director of Student Experience (for staff-student relationships).

#### 4. DECLARATION FORMS

[Declaration Form](#) – for those who are declaring their own intimate relationship  
[Notification Form](#) – for those who are notifying the relationships of others.

Details of those who are notifying a relationship involving others will usually be kept confidential. However, third parties who wish to notify a relationship between others on a completely anonymous basis may do so via [Report + Support](#).

Those who are declaring their own intimate relationship must do so via the Declaration form above.

#### 5. DATA PROTECTION, CONFIDENTIALITY AND RECORDS

- 5.1 Declarations made under this procedure will include personal data, including data of a sensitive nature. All personal data will be processed in compliance with data protection legislation and the University's [Data Protection Policy](#) and [Privacy Notice](#).
- 5.2 Personal data will be held securely by Human Resources, with access limited to appropriate Human Resources staff. Any sharing of personal data will be necessary and proportionate, and will usually only be shared to the extent necessary under this procedure or the Personal Relationships Policy, or to otherwise meet legal or regulatory obligations. Information will be treated sensitively and, as far as possible, confidentially.
- 5.3 Records will only be retained for as long as is necessary. Human Resources will undertake an annual check of records and remove records three years after an individual is no longer a member of staff or student.

## APPENDIX 1 – Examples

Examples of relationships that should be declared or notified under this Procedure:

### One-off Sexual Encounters

- A member of staff and a student have a one-off sexual encounter outside of the University, but they work/study in different areas of the University and rarely encounter each other when working/studying.

### Other Interactions

- A member of staff and a student are attracted to each other and start to meet up outside of usual studying/teaching/supervising activities but are not sure if the relationship will go anywhere.
- An intimate relationship between a student and a member of staff employed by a partner organisation or contractor who works on campus.
- An existing intimate relationship between a student and another party who is subsequently appointed as a member of staff at the University.
- A member of staff and a student match on an online dating app but do not meet up in person and the relationship does not progress beyond online chatting.
- Two colleagues who work in the same team are witnessed behaving intimately with each other at a social event.
- An intimate relationship between two students, where one has a casual employment as a Student Ambassador at open days on an ad hoc basis

Examples of relationships that do not need to be declared or notified under this Procedure:

- Relationships between two students (including PhD students), neither of whom have any employment relationship with the University.
- Two members of staff have a one-off sexual encounter outside of work, but they work in different areas of the University and rarely encounter each other when working.
- An intimate relationship between two members of (non-University) staff both of whom are employed by partner organisation(s) or contractor(s) working on campus (although those organisations may have their own policies on workplace relationships and/or declaration processes).
- An intimate relationship between two PhD students who are also Doctoral Tutors and do not work together.

- An intimate relationship between a member of University staff and a member of staff employed by a partner organisation or contractor who works on campus (however this should be declared under the University's Declaration of Interest process).
- A close friendship (but not intimate relationship) between two members of staff that existed before one or both of them became members of University staff (however this should be declared under the University's Declaration of Interest process).

#### **Review/Contacts/References**

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**Procedure owner/Lead Contact:** Head of Employee Policy and Relations