

Personal Relationships Policy

Section 1 - Preamble

(1) The Southern Cross University Strategic Plan emphasises the values of fairness, a sense of justice, and a caring attitude. This policy has been developed to reflect those values in the relationships in the University community, particularly among staff, and between staff and students.

(2) The University recognises that there will be instances where people in personal relationships may work or study here, or serve on a committee of the University. Additionally, relationships which at their commencement are purely professional may change in nature. When this occurs, there is the possibility that the quality of the working or learning environment may be prejudiced by perceptions of conflict of interest, bias, or perceptions of bias.

(3) The principles underlying the policy are:

- a. Self-disclosure. The University intends to rely on people disclosing, in writing, that a potential or perceived conflict of interest exists because of the existence of a personal relationship. Disclosure of a personal relationship does not, in itself, determine that the relationship is appropriate, consensual, or free from risk, nor does it preclude action under other University policies.
- b. Conflict of Interest. The requirement to disclose the existence of a relationship is based solely on the potential for or perception of a conflict of interest, that is the possibility that a decision may be biased or prejudiced, either in favour of or against, a person with whom there is a personal relationship.
- c. Equity of treatment. The policy seeks to assure that no undue advantage or disadvantage occurs because of the existence of a personal relationship.

(4) Nothing in this policy limits or overrides the operation of the [Sexual Harm and Gender-Based Violence \(Prevention and Response\) Policy](#). Where a personal relationship gives rise to concerns about coercion, intimidation, sexual harm, or gender-based violence, the matter will be managed under the Sexual Harm and Gender-Based Violence (Prevention and Response) Policy, including access to support services and reporting pathways.

Part A - Who Does the Policy Apply To?

(5) This policy deals with any relationship between members of University committees, staff members or students which have the potential to give rise to a conflict of interest or an abuse of power. This includes:

- a. Personal Relationships – which for the purpose of this policy means relationships with individuals or people that extend outside of the University or University duties, or a relationship where a reasonable person might perceive that there could be some bias, either positive or negative, resulting from that relationship. These include (but are not limited to) relationships with:
 - i. immediate family (spouse or partner, parents, children, step-children);
 - ii. close relatives (aunts, uncles, cousins, nephews, nieces);
 - iii. friends where the friendship extends outside the workplace;
 - iv. sexual partners;
 - v. rivals (competitors or persons with whom one has a history of serious conflict or animosity); and

vi. the relatives of any of the above listed in (iii) to (v).

- b. Financial Relationships – which for the purpose of this policy means any private interests that involve potential gain or loss (financial or non-financial) for an individual or for any other person or organisation that individual may wish to benefit (e.g. family, friends, associates) or disadvantage (e.g. competitors, rivals).

(6) The relationship may be current or in the recent past (up to 5 years).

Part B - Staff/Student Relationships

(7) Personal relationships between students and staff may involve serious difficulties arising from the unequal power of the parties concerned, as well as the difficulties in maintaining appropriate boundaries between professional and personal life.

(8) Staff members or committee members should not take part in the following matters in relation to any student who is in a personal relationship:

- a. selection for entry to the university or to any of its courses (where this depends on a judgement other than a pre-determined score or grade);
- b. assessment procedures;
- c. classification for honours;
- d. selection for any scholarship or prize; and
- e. honours or postgraduate supervision.

(9) The person should declare the existence of a personal relationship and the potential for conflict of interest to the relevant supervisor or committee chair, who must approve alternative arrangements to ensure that the staff member does not participate in any of the matters listed above. Where alternative arrangements are put in place to manage a conflict-of-interest, these must be documented and retained by People and Culture.

(10) If it does not appear possible to avoid altogether the involvement of the staff member with any of the matters listed above, any arrangement made, e.g. cross-marking or co-supervision of the student's work, must be formally approved by the Executive Dean or College Dean prior to implementation.

(11) If a staff member or committee member is found to be in a personal relationship and the potential conflict of interest has not been disclosed, any decision taken in relation to the student and any potentially affected students will be reviewed by the relevant supervisor. Any impropriety found with regard to a staff member may lead to disciplinary action under the relevant industrial instrument and associated misconduct provisions.

Part C - Staff Relationships

(12) Staff members should be neither advantaged nor disadvantaged because of a personal relationship with another member of staff or a member of a University committee. There is no prohibition on the appointment of staff to a section where there is a personal relationship as defined above, provided that the prohibitions set out below are followed.

(13) A staff member or member of a University committee shall not take part in the following matters if there is a personal relationship as listed above:

- a. recruitment or appointment;
- b. immediate supervision;
- c. workload allocation;
- d. performance management;

- e. tenure, promotion, reclassification;
- f. staff development, travel or other material benefit; and
- g. benefits which may arise from unequal treatment in the application of conditions of service.

(14) A staff member or committee member should declare the existence of an interest and the potential for a conflict of interest to the relevant supervisor or Chair, who must put in place alternative arrangements for any of the matters listed above.

(15) Selection panels should not contain anyone who is in a personal relationship with an applicant for a position. If necessary the person shall declare the existence of a potential conflict of interest to the Director, People Partnering and Services so that an appropriate selection panel can be convened.

(16) For positions which are not advertised (e.g. casual positions), for which a supervisor would normally select by informal processes, a staff member must obtain approval from the Head of Work Unit before appointing a person with whom the supervisor has a personal relationship. The Head of Work Unit is then accountable for ensuring that no personnel decision outlined in clause (13) is undertaken by staff in personal relationships.

Part D - Financial Relationships

(17) There is a potential for conflict of interest where staff or Committee members have a personal, financial or business relationship which can be advantaged by privileged knowledge of the decisions made by the University, or by advancing a staff member or Committee member's private interest at the expense of the interest of the University.

(18) A staff member or Committee member with a financial interest in a company, partnership or other business may not act to influence contracts between that entity and the University. Anyone in such a position must notify the Vice-Chancellor, or delegate of an actual or potential conflict of interest.

(19) A staff member or Committee member with a business interest in a contract shall not be involved in the selection of a tender for that contract. If responsible for writing a tender specification, the specification must be reviewed and approved by a person approved by the staff member's supervisor.

(20) Staff members and Committee members shall not use the University's name, equipment or any other services for their external interest, except with the permission of the Vice-Chancellor.

Status and Details

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Responsible Executive	Kim Franks Vice President (People and Culture)
Head of Work Unit	Kath Drew Director, People Partnering and Services
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