

**CODE OF CONDUCT APPLICABLE TO PERSONAL RELATIONSHIPS  
BETWEEN EMPLOYEES AND STUDENTS**

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**1. ORGANISATIONAL SCOPE**

This Code constitutes a university-wide policy. Faculties and departments have the responsibility to ensure alignment between their internal policies, practices and regulations and this policy.

All full-time permanent, full-time contract and part-time or temporary part-time employees, contractors, subcontractors, consultants, as well as all students are bound by this policy and are required to adhere to the provisions thereof. Any reference made to employees and students in this policy shall include the parties noted in this paragraph.

**2. PURPOSE AND OBJECTIVES**

**2.1 Purpose**

The purpose of this policy is to set out the University's position regarding relationships between employees and students, and to provide guidelines according to which employees and students should direct their conduct, specifically in circumstances where a relationship may be inappropriate, or may be perceived as being inappropriate.

In addition to the above, the purpose of this policy is to provide guidelines according to which close family relationships<sup>1</sup> and/or friendships between employees and students should be managed.

The University is respectful of the individual's right to privacy and does generally not concern itself with the private lives of its employees and students unless it affects the proper operation, management of risk and/or the University's reputation.

The University is an institution of higher learning and the relationship between employees and students should at all times be professional in nature. The fiduciary relationship between employees and students as well as the associated position of trust which employees hold in respect of students, confer on both parties certain moral and ethical obligations. Neither employees, nor students should at any time exploit or endeavour to exploit, the position of trust between the parties, to the detriment or benefit of any other party.

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<sup>1</sup> Close family relationships include a parent, child or stepchild, adopted children, siblings, as well as extended family members.

Employees and students are accordingly required to demonstrate high standards of ethics and integrity in this regard.

This policy aims to ensure that employees and students –

- conduct themselves in a professional manner;
- that they treat each other equitably and impartially; and
- refrain from any form of unfair discriminatory conduct towards each other.

## 2.2 Objectives

The main objectives of this policy are to ensure that:

- 2.2.1 The rights and interests of all the constituent parts of the University community, with regard to the subject matter of this policy, are recognised, promoted and safeguarded;
- 2.2.2 employees, students, faculties and departments are familiar with and comply with this policy;
- 2.2.3 the parties at all times conduct themselves, in their dealings with each other, in a manner that befits their position of trust and authority (if applicable), and that relationships between employees and students which impair or may reasonably be perceived to impair an employee's professional judgement, *inter alia* with regard to the academic assessment of a student, are avoided by all parties;
- 2.2.4 no position, award, benefit or favour is assigned or accepted in University context, whether by an employee or a student, other than on the basis of ability, professional performance and/or qualifications, or in terms of the policies and/or institutional rules of the University;
- 2.2.5 no confidential or other sensitive information is revealed by an employee to students unless disclosure serves lawful and legitimate professional purposes;
- 2.2.6 no undue coercive means, or promises of special treatment in order to influence professional decisions or decisions of employees or colleagues of employees, are applied, accepted or condoned by any employee or student;
- 2.2.7 the assessment of students is at all times credible, based on academic performance, in addition to being reliable, consistent and fair;
- 2.2.8 employees at all times assess students taking into consideration this policy and other relevant policies and procedures of the University; and
- 2.2.9 the good name and reputation of the University are not prejudiced by the unprofessional conduct of any employee or student.

### **3. THE NATURE OF PERSONAL RELATIONSHIPS AND OTHER FORMS OF ENGAGEMENT BETWEEN EMPLOYEES AND STUDENTS**

- 3.1 Should any employee, in circumstances other than that referred to in paragraph 3.2 below, be in a close family relationship with a student or engage in a consensual romantic and/or sexual and/or similar relationship with any student, it is recommended that such employee should disclose the existence of this relationship to his or her Head of Department (HoD) and/or relevant line manager for purposes of transparency. The onus is on the employee and the student to manage the relationship within the workplace and student environment in accordance with the provisions of this policy.
- 3.2 In instances where a personal relationship such as that referred to in paragraph 3.1, or, a close family relationship exists, and the relevant employee is responsible for assessing the academic performance of a student, or is in any position to influence the academic assessment of a student, and/or in a decision-making position in relation to a student the following shall apply:
- 3.2.1 The employee must declare the relationship to his or her HoD or line manager.
- 3.2.2 The employee must recuse himself or herself from any assessment, and/or decision-making or problem-solving activities in relation to the student involved.
- 3.2.3 The HoD or line manager is obliged to make suitable alternative arrangements with regard to assessment and/or other activities mentioned above and keep record of such arrangements.
- 3.2.4 If the HoD has any reservations about the situation the matter must be escalated to the Dean of the faculty or Director of the department.
- 3.2.5 If the HoD or line manager has reason to believe that a relationship on this nature exists between a student and an employee, and this has not been declared by the employee, it is the responsibility of the HoD or line manager to intervene in the manner set out in paragraphs 3.2.2 to 3.2.4 above after requesting the employee to make a declaration in this regard.
- 3.2.6 Non-compliance with these measures by an employee may result in disciplinary steps being instituted against the employee.
- 3.2.7 If the HoD or line manager is of the opinion that the conduct of an employee or a student is inappropriate the matter must be taken up with the relevant Dean or Director, and a decision should be made as to the impact such conduct has on the reputation of the institution and the relationship of trust.
- 3.3 Conduct as envisaged in paragraph 3.2, as is applicable, may result in an employee or a student being disciplined for misconduct in terms of the Disciplinary Code and Procedure for Employees of the University, or the Disciplinary Code and Procedure: Students, based on the fact that such conduct is *inter alia* irreconcilable with the objectives of the policy as set out in paragraph 2.
- 3.4 Employees and students shall refrain from engaging with each other in any way that may either provide a student with an unfair advantage or prejudice such student in comparison with his or her peers where the said advantage or prejudice is not based on academically or morally acceptable grounds.

- 3.5 Employees shall furthermore at no time provide any confidential or other sensitive information, including but not limited to information regarding tests, assignments, study material or examinations, to any single student, unless such information is also provided to all the other students during a formal lecture or otherwise in a general context.
- 3.6 Neither employees nor students shall place any undue pressure on, exert any undue influence over or otherwise coerce or attempt to place inappropriate pressure on, influence or coerce another staff member or any other person in a position of authority or influence over a student, in order to unduly benefit or unduly prejudice (whether academically or otherwise) a student, for any reason whatsoever.
- 3.7 Failure to adhere to the provisions as set out in paragraphs 3.4 to 3.6 above may result in an employee or student being disciplined for such conduct in terms of the Disciplinary Code and Procedure for Employees of the University or the Disciplinary Code and Procedure: Students.

#### **4. ASSOCIATED DOCUMENTS/POLICIES**

All applicable documents/policies but specifically:

- 4.1 Code of Conduct on Sexual Harassment – Rt 267/08.
- 4.2 Policy on Gifts – currently under revision.
- 4.3 Institutional Policy on Assessment – S 6149/06.
- 4.4 Disciplinary Code and Procedure for Employees - Rt 157/06.
- 4.5 Disciplinary Code and Procedure (Students).
- 4.6 Code of Conduct Employees-Rt 199/12.

#### **5. RESPONSIBILITY FOR IMPLEMENTATION**

Line managers must take all reasonable steps to ensure that all employees are made aware of the contents of this policy, while the Department of Student Affairs must ensure that all students are made aware of the existence and contents of the policy.

#### **6. POLICY LIFE CYCLE**

This policy shall be reviewed every five (5) years or otherwise whenever deemed necessary during the intervening period.

## 7. DOCUMENT METADATA

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