

Regulation Personal Relationships – 2021

These regulations were adopted by the **Executive Board** on **25 November 2021**.

Agreement was reached with EUROPA on these regulations on **1 November 2021**.

The University Council advised on these regulations on **8 November 2021**.

These regulations will enter into force on **1 December 2021**.

Content

Chapter 1 – General.....	3
Article 1.1 – Definitions.....	3
Chapter II – Principles	4
Article 2.1 – Objective.....	4
Article 2.2 – Scope	4
Chapter III – Personal relationship between Lecturers and Students.....	4
Article 3.1 – Intimate relationship between Lecturers and Students.....	4
Article 3.2 – Familial relationship between Lecturers and Students.....	5
Article 3.3 – Friendly relationships between Lecturers and Students.....	5
Article 3.4 – Commercial or financial relationship between Lecturers and Students	6
Chapter IV – Personal relationship between Officers	6
Article 4.1 – Intimate and familial relationships between Officers.....	6
Article 4.2 – Friendly relationships between Officers	7
Article 4.3 – Commercial or financial relationship between Officers.....	7
Hoofdstuk V – Conduct and appropriate measures.....	7
Article 5.1 – Conduct.....	7
Article 5.2 – Appropriate measures.....	7
Chapter VI – Final and transitional provisions.....	7
Article 6.1 – Interpretation.....	7
Article 6.2 – Management of Regulations.....	7
Article 6.3 – Translation	8
Article 6.4 – Publication.....	8
Article 6.5 – Entry into force.....	8
Article 6.6 – Title.....	8
Article 6.7 – Applicable law	8

Chapter 1 – General

Article 1.1 – Definitions

1. The following definitions apply in these regulations:
 - *Administrative task*: legal act or decision relating to the management of Officers, management of finances, management of movable and immovable property, management of information systems, management of student facilities, on behalf of EUR or College.
 - *Awb*: General Administrative Law Act (Algemene wet bestuursrecht);
 - *BBR-EUR*: the current Administration and Management Regulations, as referred to in art. 9.4 of the WHW;
 - *BW*: Dutch Civil Code (Burgerlijk Wetboek);
 - *Employee*: a person who has an employment contract with the EUR;
 - *EUR*: legal entity established under public law, officially known as 'Erasmus Universiteit Rotterdam';
 - *EUROPA*: Erasmus Universiteit Rotterdam Overleg Personele Aangelegenheden, the local trade union delegation;
 - *Executive Board*: the Executive Board of the EUR;
 - *Management*: the entirety of decisions, operations and activities with which the Executive Board implements University policy regarding the acquisition and allocation of financial resources, the purchase, care and maintenance of tangible resources, the deployment of Officers and the efficient and legitimate use of the aforesaid resources;
 - *Management unit*: an organisational unit established by the Executive Board in which the tasks is carried out by the Manager as referred to in Article 4.1 (1) and Article 10.1 BBR-EUR;
 - *Manager*: the person who, on the instructions of, in the name of and under the responsibility of the Administrative Authority (in an administrative sense) and the EUR (in a private-law sense), is mandated with performing the Administrative tasks as referred to in the BBR-EUR;
 - *Officer*: Employee or person working for the EUR under different title (assignment, etc.);
 - *Personal relationship*: an intact or broken or disrupted intimate (romantic/ sexual) relationship, familial (blood relation/ relative) relationship, friendly relationship and/or commercial/ financial relationship.
 - *Lecturers*: all Officers who by virtue of their position teach, supervise or assess (individual) students, including in any case professors, assistant professors, associate professors, student advisors, PhD candidates, tutors, student assistants, interns, temporary employees and guest employees;

- *Line manager*: Manager, or person who directs or coordinates Officers on behalf of the Manager and for the account of the Executive Board;
 - *Regulation*: Regulation Personal Relationships EUR 2021;
 - *Secretary*: secretary of the Executive Board;
 - *Student*: a person who is registered at the EUR for an initial degree program offered by the EUR and who, in that capacity, makes use of the EUR's education and examination facilities. This also includes those who are registered as external students;
 - *University Council*: as referred to in Article 9.31 of the WHW;
 - *WHW*: the Higher Education and Research Act (abbreviated to 'WHW').
 - *Written*: Written or conducted by electronic means, as meant in Article 6:227a of the Dutch Civil Code;
2. The terms in these Regulations shall have the meaning which they have in the law (e.g. General Administrative Law Act, Civil Code, Higher Education and Research Act (WHW)) if the terms also occur in the law and have not been defined.
 3. Where in these Regulations terms are expressed in singular, this can also be used in plural and vice versa.

Chapter II – Principles

Article 2.1 – Objective

A motivating and (socially) safe study and working environment is of great importance to the EUR. The moment a conflict of interest, bias or abuse of authority arises as a result of (intact or broken or disrupted) Personal relationships that overlap with work and/or study relationships, this can have a negative impact on the study and/or work environment. These regulations provide a framework for preventing such situations and for taking appropriate measures should they nevertheless occur.

Article 2.2 – Scope

These regulations apply to all Officers and Students.

Chapter III – Personal relationship between Lecturers and Students

Article 3.1 – Intimate relationship between Lecturers and Students

1. The relationship between Lecturers and Students is special, given the dependence and inequality of power in the mutual relationship. Lecturers ought to be constantly aware of this. Lecturers should also be aware of their exemplary role and should propagate the standards laid down in these regulations in word and deed.

2. Lecturers must maintain the necessary distance in their relations with individual Students and keep these relations business-like. They do not abuse the relationship or trust that exists between Lecturers and Students; a respectful treatment is paramount.
3. Lecturers must avoid personal contact with individual students in situations or places where they could give the appearance of (sexual) intimidation or abuse of power.
4. An intimate (romantic or sexual) relationship between Lecturers and Students with an assessment relationship is not allowed. If a relationship of an intimate nature develops between a Lecturer and a Student, the lecturer must inform their Line manager about the existence of the relationship. Subsequently, the Line manager shall ensure that the Lecturer concerned does not assess the Student in question on their educational and research performance or take decisions about this Student in any other way. The Line manager will treat this report as confidential.
5. Lecturers and Officers who have become aware of the fact that a teacher or other official may have been guilty of an offense as referred to in Title XIV of the Criminal Code against a minor student, pursuant to Article 1.20 WHW, immediately inform the Executive Board in writing through the Secretary.
6. Lecturers and Officers may confidentially contact their HR advisor and/or confidential counsellor to discuss risks and to seek advice. Students may contact a confidential counsellor or study advisor.

Article 3.2 – Familial relationship between Lecturers and Students

1. A familial relationship between Lecturers and Students with an assessment relationship is not allowed. If there is a familial relationship between a Lecturer and a Student, the Lecturer ensures that they do not have to assess the Student in question on their teaching and research performance or make any other decisions about this Student. The Lecturer informs their Line manager of the existence of the relationship.
2. Lecturers with a familial relationship with a Student should ensure that the Student is not privileged or disadvantaged in any way in the study environment.

Article 3.3 – Friendly relationships between Lecturers and Students

1. Lecturers and Students who are not only in a professional relationship, but also a friendly relationship, shall continue to act professionally and objectively, and shall be aware of the integrity risks posed by this Personal relationship.
2. Lecturers and Officers may confidentially contact their HR advisor and/or confidential counsellor to discuss risks and to seek advice. Students may contact a confidential counsellor or study advisor.

Article 3.4 – Commercial or financial relationship between Lecturers and Students

A commercial or financial relationship between Lecturers and Students with an assessment relationship is not allowed. If a commercial or financial relationship does exist between a Lecturer and a Student with an assessment relationship, the Lecturer concerned must report the existence of this relationship to their Line manager. Subsequently, the Line manager shall ensure that the relevant Lecturer does not assess the Student in question on their educational and research performance or take decisions about this Student in any other way.

Chapter IV – Personal relationship between Officers

Article 4.1 – Intimate and familial relationships between Officers

1. Officers who not only have a professional relationship with each other, but also a family or intimate relationship, continue to act professionally and objectively and are aware of the integrity risks associated with these Personal relationships.
2. Situations in which Officers with a familial or intimate relationship assess each other's work, certify or authorize each other are not allowed without the intervention of a Line manager who is not directly involved in the relationship. Officers should report situations in which they work with intimate partners or family members in a hierarchical relationship to the most direct Line manager who is not involved in the relationship, who - if necessary in coordination with the other person's Line manager (and in consultation with the Officers involved) - can take appropriate measures. The Line manager will treat this report as confidential. If necessary, working arrangements will be made or tasks will be divided differently. A transfer to another department or service unit may also be considered. If it is deemed unavoidable to inform other Officers of the relationship to explain a change in working arrangements, this will be communicated to those affected before it is made public.
3. When an intimate or familial relationship exists or develops between Officers in a hierarchical - or supervisory - relationship, they may not be involved in recruitment, selection, assessment and/or promotion in which the other is involved.
4. If there is any doubt about the integrity risks of the situation that has arisen and/or no suitable alternatives are possible, the most direct Line manager who is not involved in the relationship decides whether the situation is permitted and about measures to be taken to limit integrity risks.
5. Officers may confidentially contact their HR advisor and/or confidential counsellor to discuss risks and to seek advice.

Article 4.2 – Friendly relationships between Officers

1. The EUR promotes good collegial relationships and considers them of great importance, among other things, for a nice working environment, mutual commitment and effective cooperation. Friendly relations can also arise from collegiality. In some cases, these friendly relationships entail integrity risks, such as (the appearance of) conflicts of interest, favoritism or the sharing of confidential information. Officers should therefore be aware of the integrity risks that this Personal relationship entails.
2. Officers who have not only a professional relationship, but also a friendly relationship with each other, continue to act professionally and objectively.
3. Officers may confidentially contact their HR advisor and/or confidential counsellor to discuss risks and to seek advice.

Article 4.3 – Commercial or financial relationship between Officers

Officers with a mutual commercial or financial relationship shall continue to act professionally and objectively and shall be aware of the integrity risks that this commercial and/or financial relationship entails. If there is a mutual relationship with a commercial or financial interest between Officers, they should report this to their Line manager.

Hoofdstuk V – Conduct and appropriate measures

Article 5.1 – Conduct

Both the EUR and the Employee are expected to act as a good employer and good employee, as laid down in Article 1.8 of the CAO-NU and Article 7:611 of the Dutch Civil Code.

Article 5.2 – Appropriate measures

If actions are not in accordance with the framework of these Regulations, the Employer will take appropriate measures.

Chapter VI – Final and transitional provisions

Article 6.1 – Interpretation

In cases related to the subject matter of these Regulations which are not provided for in these Regulations, or where these Regulations give rise to more than one interpretation, the President of the Board shall decide on behalf of EUR.

Article 6.2 – Management of Regulations

These regulations are under management by **Human Resources**. The Regulation will be reviewed for consistence and compliance with the law if applicable.

Article 6.3 – Translation

If a conflict arises between the translation and the Dutch version, the Dutch version shall prevail.

Article 6.4 – Publication

The Executive Board will publish these Regulations on the EUR website and intranet.

Article 6.5 – Entry into force

These Regulations shall enter into force on **1 December 2021**.

Article 6.6 – Title

1. These regulations shall be cited as **Regulation Personal Relationships 2021**.
2. These regulations shall be abbreviated to: **RPR**.

Article 6.7 – Applicable law

Dutch Law shall apply exclusively on these Regulations.