



# **Kerry Education and Training Board**

## ***Managing Professional Boundaries With Learners Policy***

### **A Guide for Staff**



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## **Introduction**

Kerry ETB's overall aim as an employer is to ensure a working environment which both protects and promotes health and safety and encourages a caring, responsible and supportive work culture. Central to all Kerry ETB policies are the principles of staff and volunteer participation and commitment from management. Kerry ETB is committed to doing all that is reasonably practicable to support staff members.

Staff and volunteers working within Kerry ETB have a responsibility to provide safe and effective education services to learners with the resources available and within their contracted time.

## **Purpose**

The purpose of this policy is to ensure that the welfare of learners is safeguarded and to provide appropriate protection for staff in dealing with learners.

The policy aims to clarify the boundaries between professional and personal relationships. It aims to raise awareness amongst staff and volunteers to achieve a shared understanding of what constitutes acceptable practice between staff and learners. This shared understanding should enable the application of clear and consistent standards of behaviour.

The policy outlines the general principles which should inform a volunteer's and a staff member's management of their own professional boundaries. It also sets out specific behaviours which are considered inappropriate and a breach of professional boundaries.

It is hoped that increased awareness will assist volunteers and staff to recognize, establish, and maintain comfortable and healthy boundaries and thus protect both themselves and the learners.

## **Definitions**

Professional boundaries are the line between the personal and professional relationship. Boundaries define the limits of behaviour, which allow individuals to engage safely in supportive relationships. These boundaries are based on trust and respect.

Professional relationships can be defined as a bond of trust between individuals in which staff members have responsibility for ensuring that objectivity is achieved at all times.

**For the purpose of this policy the term staff member includes all paid and volunteer staff involved in the delivery of Adult Education within Kerry ETB.**

The term learner refers to any adult receiving tuition from a staff member.

## **Scope of the Policy**

This policy and procedure covers all staff members involved in the delivery of Adult Education & Training within Kerry ETB.

### **Role of Staff Members**

It is the role of each staff member:

1. To comply with the provisions of the *Managing Professional Boundaries with Learners Policy*.
2. To safeguard sensitive information and to ensure that confidential information shared remains confidential.
3. To maintain a professional relationship with learners.
4. To establish clear professional boundaries with learners, and to draw the learners' attention to the professional nature of the relationship, via the group agreement.
5. To take responsibility for their own conduct and behaviour.
6. To report any potential breakdown/concerns in relation to professional boundaries with learners to their line manager.
7. To alert their line manager where they believe there is a health and safety risk to themselves or a learner.
8. To seek assistance where they are having a personal difficulty with a learner.

### **Role of Line Manager**

Line manager in this context includes CEO, EO, AEO, Heads of Department, Principals, Centre Managers, Programme Directors and Co-ordinators, Adult Literacy Organisers, District Literacy & Education Organisers, Resource Workers.

It is the role of each line manager:

1. To ensure all staff members are aware of and familiar with the *Managing Professional Boundaries with Learners Policy*. Paying special attention to ensuring that the policy is understood by new staff.
2. To ensure compliance with the requirements of the *Managing Professional Boundaries with Learners Policy*.
3. To endorse and support this policy through an understanding of its purpose and lead by example.
4. To promote and manage health and safety in the workplace where it interfaces with the policy.
5. To seek to identify an issue at an early stage and thus minimise the risks to the health and safety of the staff member/learner.
6. To intervene and provide assistance to staff members with issues while creating an atmosphere where there is encouragement to seek help.
7. To review concerns with individual staff members and record these concerns as part of supervision meetings.
8. To safeguard sensitive information and to ensure that confidential information shared remains confidential.
9. To have knowledge of agencies to which referrals can be made, if and when problems arise.

### **Role of the HR Department**

It is the role of the HR Department:

1. To provide support to line managers with implementing the policy.
2. To update the policy and procedure to reflect experiences in implementing it and to improve its effectiveness.
3. To ensure policy is in line with national legislation.
4. To ensure policy is included in HR part of Kerry ETB website.

## **General Principles to be Followed When Working With Learners**

The rights and needs of the learner must be respected at all times. Staff must recognise the power differential that exists between staff and learners. As with all positions of power there is the potential for abuse and for professional boundaries to be compromised. It is essential that all interactions between staff and learners are seen in terms of a professional relationship only.

It is unethical for a staff member to enter into a relationship that would impair their judgement and objectivity and/or which would give rise to, or be perceived as giving rise to, advantageous or disadvantageous treatment of a learner. When professional boundaries are crossed the relationship between the staff member and the learner moves from being objective to subjective.

Kerry ETB values the flexibility and adaptability of our staff in responding to the varying needs of our learners. However, this responsiveness creates challenges for staff and requires them to be vigilant and to use their professional judgment to ensure that appropriate professional boundaries with learners are maintained.

Whilst it is recognised that staff must establish a rapport with learners, they are responsible for ensuring that their practice remains within the ‘zone of helpfulness’

Staff must ensure that working relationships are not misread or confused with friendship or other personal relationships. This is essential in order to protect learners from abuse and to protect staff from any risk of false allegations.

### **Helpfulness and Friendships**

Staff must not overstep professional boundaries and confuse helpfulness with friendship. All staff must be aware of the difference between:

- Helping a learner in a professional relationship, for the purpose of meeting a learner’s needs, and;
- Becoming a learner’s ‘friend’ in a relationship that focuses on the needs of both people.

Helpfulness always comes from an empowering mode of practice.

A professional relationship focuses solely on the needs of the learner. Helpfulness is an appropriate relationship for staff and part of building the necessary trust to work with learners.

Becoming friends with a learner, whilst the learner is actively engaged in adult education and training, is inappropriate. It is an abuse of power to represent the staff member/learner relationship as a friendship.

### **Therapeutic Counselling**

It is not appropriate that a staff member acts as a Therapeutic Counsellor to a learner. Where it is identified that a learner may need Counselling, they should be given information and support on accessing appropriate services outside of Kerry ETB or counselling should be allowed to be done as part of the programme.

### **Providing Advice**

Staff should not give learners advice on matters relating to their lives outside of the learning environment. In general, information and encouragement should be offered to learners when it relates to progression and further study to enable them to make informed choices.

### **Influence**

Staff should be aware of their potential to influence vulnerable and/or impressionable learners. Staff must be careful not to influence learners with their own beliefs and personal values.

Although morality, religion and politics are common areas of conversation and learners may wish to discuss their views with staff, staff should take care if expressing an opinion. Staff must be conscious that these conversations are taking place as part of their role as a Kerry ETB staff member and may be interpreted as organisational beliefs or values. The Kerry ETB Core values of quality, learning, respect and inclusion must be observed at all times.

### **Approachability**

Staff should be seen as approachable, open to fair challenge and criticism, and available to engage in meaningful dialogue. They should not be seen as intimidating or inaccessible. Learners must not be discouraged from accessing support within agreed boundaries, or from making complaints.

### **Confidentiality/Privacy**

Staff members must adhere to their professional code of conduct and the Kerry ETB Confidentiality Statement. Staff members must respect learners' rights to privacy and should be sensitive and responsive to any different personal needs for privacy that may arise.

### **Managing Boundary Issues**

Staff may unwittingly be put in a position where their relationship is compromised, or be drawn into conversations or situations where their professional boundaries are being blurred, stretched or crossed. In some situations the fine line between good and poor practice may not always be obvious or clear.

On occasion a member of staff may develop an attachment towards a particular learner. While this may be natural the staff member should ensure that this does not lead to a breach of professional boundaries.

A staff member should immediately seek the guidance of their line manager if they are unsure about dealing with any issue where a boundary is blurred, stretched or crossed.

In situations where it has not been possible to access support in this way, any action which has been taken must be discussed with the appropriate line manager as soon as is possible. A written record of any broken or blurred boundary must be kept in the Supervision Notes to ensure openness and consistency.

When a member of staff has concerns about another member of staff and feels unable to discuss the concern directly with them, they should seek advice from their Line Manager.

## **Warning Signs**

The following indicators should be considered as warning signs for possible breaches of professional boundaries. The context of the behaviour should be considered when evaluating potential risks.

- Self-disclosure of information of a personal nature to a learner.
- Undue concern about meeting the expectations of a learner.
- A belief that only the individual staff member understands a learner.
- Feelings of personal responsibility for a learner's progress.
- Frequent unprofessional thoughts about a learner while away from work.
- Considering spending time with a learner outside working hours.
- Inability to accept alternative options from colleagues about a learner's needs.
- Awareness of more physical contact and touch than with other learners.
- Thoughts of a flirtatious or overtly sexual nature in interactions with a learner.
- Using the learner for the staff member's own emotional needs.

If a staff member recognises any of these indicators in their own behaviour they should seek the assistance of their line manager. The staff member should utilise their supervision as a support and an opportunity for reflection and review of practice.

If there is secrecy or a sense that an act will not withstand the scrutiny of colleagues, learners or the public, it is best to avoid such behaviour. Such behaviour may give rise to sanction.

## **Self-Awareness**

A practice of self-evaluation will help staff members avoid transgressing professional boundaries. The following questions may assist a staff member in reflecting on their own practice and decision making processes in relation to professional boundaries:

- What is my concern?
- What aspects of this context/situation are important?
- What are acceptable practice/ behaviours in this context/situation?
- Has clarification/advice been sought from a colleague/manager?
- Is a beneficial learner outcome in the short and long term being ensured?
- Whose need is being met: mine or the learner's?
- Am I prepared to do this openly or not? If not, why not?
- Will this action leave me or the service open to reasonable criticism? If it will, is there anything I can do to safeguard against this?
- What role does the learner see me in? Is the learner able to see me in more than one role and will this cause confusion?
- Will my action/behaviour lead to other learners perceiving the learner in question as my 'favourite'?
- If a learner objects, will they be able to voice this?
- Will this action undermine the work of other staff members?
- Am I prepared to record this or have it recorded?

## **Specific Issue Guidance**

The following considerations should be used to guide practice in maintaining professional boundaries:

### **Alcohol and Illegal Substances**

Staff must be aware of the Kerry ETB Drug & Alcohol Policy.

### **Relationships and Contact with Learners Outside Work**

The relationship between staff and learners must focus solely on meeting the needs of the learner; it is not established to build personal or social contacts for staff. Moving the focus of care away from the learner's needs towards meeting the staff member's needs is an unacceptable abuse of power.

Staff members should not meet learners socially when off duty, nor develop a friendship past the end of the professional relationship during the period when a learner is engaged in Adult Education & Training. Staff should not be accessible to learners outside of working hours for issues that can be addressed during office hours. When not at work, staff must redirect their work mobile or direct line telephone to the Centre telephone, or switch it off.

It is not acceptable to communicate with a learner on a social networking forum; for example, Facebook.

### **Creating Dependence**

Staff members have a responsibility to discourage a learner from over-reliance on one staff member. Staff members should encourage and enable learners to develop professional relationships with a team of staff, in order to promote equitable care for all learners and to share responsibility.

If over-reliance occurs, it needs to be discussed at the team meeting to establish an agreed plan of action to address the concern. The planned action must be documented at the staff member's supervision meetings and regularly reviewed to ensure effectiveness.

Staff members should not put themselves in any situation that creates even the impression of impropriety. For example a staff member should never give a learner a lift home or invite a learner to their home.

### **Discussing Others and Personal Disclosures**

'Gossip' or hearsay must not feature as part of the service culture and should be actively discouraged among both staff and learners. Staff must not discuss other staff members with learners except on issues relating to learning and support work. Staff must not discuss learners with other learners and other third parties. Staff must not share personal information about themselves or other staff with learners, such as their own health issues, relationships with their own family members, colleagues or other service users.

### **Financial Issues**

Staff must not enter into any financial transactions with learners including selling, buying, exchanging or bartering goods or services. Staff should not accept monetary charitable donations to the service without the prior agreement of line managers. Staff should not



normally handle money on behalf of learners. Staff should not agree to become trustees, beneficiaries or executors of a learner's will. Staff should not solicit sponsorship of any kind.

### **Misuse of Service User's Facilities, Property or Free Services**

Staff must not use a learner's facilities or property for their own use. Staff must not accept free services from learners or their families.

### **Professional Boundaries Breached by a Learner**

Where a learner's behaviour breaches professional boundaries the relevant staff member should seek immediate advice from their line manager. The line manager must address and monitor the issue.

### **Relationships with Former Learners**

A breach of professional boundaries may occur where, following the ending of the learning programme staff use privileged information or position to develop an economic, sexual or personal relationship with the former learner. It is important in such circumstances that staff members seek advice, as soon as possible, from their line manager.

### **Physical Contact**

Staff members should avoid touching learners anywhere other than on the hand, arm or shoulder. Staff should not presume that a hug or touch is acceptable to a learner. Individual sensitivities and the need for personal space vary widely and individuals may have very different levels of tolerance for physical contact of any type. Therefore, staff should exercise caution regarding physical contact. Consideration should be given to the following:

- Cultural differences
- Age
- Stage of development
- Cognitive ability
- Vulnerability and emotional state
- How a member of staff's actions may be interpreted

Some learners may misinterpret physical contact as affection outside the professional relationship. Learners may also see physical contact as an expression of favouritism. All staff should be aware that physical contact risks being misunderstood and it may result in staff being vulnerable to allegations of inappropriate behaviour.

### **Relatives or Close Friends who become Learners**

On occasion staff may find that they have information from their personal life which impacts on their professional role. These situations cannot all be anticipated in advance and will therefore have to be handled on an individual basis. However, in the following circumstances the guidance below should be adhered to:

- Staff should declare an interest and excuse themselves from meetings when someone they know personally is to be discussed.
- Information regarding a complaint, issue of child safety or possible risk to a vulnerable adult should be shared with a senior manager even when it has been gained in a personal capacity.
- If such information also concerns an employee the AEO should be involved in the discussion and in deciding what action to take.



## **Sexual Relationships and Insinuations**

Staff must not:

- Use inappropriate body or verbal language.
- Ask a learner questions regarding their sexual habits
- Make inappropriate comments about a learner's appearance.
- Have conversation of a sexual nature.
- Use pet names.
- Have physical contact which could be construed as sexually suggestive (see above section Physical Contact).
- Have sexual relationships with learners.

## **Staff Training Requirements**

Managers must ensure as far as possible that all staff members understand the need to maintain professional and organisational boundaries and have adequate skills to recognise when they are at risk of breaching these boundaries.

Training needs in this area should be identified by line managers. Decisions on training interventions should be informed by issues raised during one to one supervision and the discussion of case scenarios and also in agreement with staff members at team meetings.