

Protocol for staff working with sexually active students under the age of 16

Staff must follow this protocol when they are made aware that a student who is under the age of 16 is either pregnant or sexually active (meaning penetrative sexual intercourse, oral sex or any other form of genital intimacy) **and** that information is judged to be reliable.

Pregnancy

- If a member of staff is informed by others that a student is pregnant it must be referred immediately to the Pastoral and Academic Leader & Matron who will talk to the student who is possibly pregnant.

OR

- If a student makes any member of staff aware they **are** pregnant no initial advice should be given and the matter should be immediately referred to the Pastoral & Academic Leader and Matron.

THEN

1. Pastoral & Academic Leader and Matron confer to agree the course of action. The student will always be encouraged to tell their parents. If they agree the student will be given 24 hours to inform their parent/guardian. The Pastoral & Academic Leader will follow this up with a phone call after 24 hours to parent(s)
2. If they refuse to inform parent(s) and can not be persuaded then Matron and Pastoral & Academic Leader must determine if the student is Fraser/Gillick competent by answering the questions at the end of this protocol:

Student <u>IS</u> Fraser/Gillick competent	Student <u>IS NOT</u> Fraser/Gillick competent
<ul style="list-style-type: none"> • Matron should refer to Brook (or other appropriate agency) • There is no need to inform the parent(s) 	<ul style="list-style-type: none"> • Child will be given 24 hours to inform their parent/guardian • Pastoral & Academic Leader will follow this up with a phone call after 24 hours to parent(s)

3. The Pastoral & Academic Leader will always consult the Child Protection designated teacher to identify whether there is a child protection issue and any subsequent action i.e. who is the student pregnant by – another child or an adult?

Sexually active students

- If a member of staff is informed by others that a student is sexually active it must be referred immediately to the Pastoral & Academic Leader and Matron who will talk to the student who is possibly sexually active.

OR

- If a student makes any member of staff aware they **are** sexually active no initial advice should be given and the matter should be immediately referred to the Pastoral & Academic Leader and Matron.

THEN

1. Pastoral & Academic Leader and Matron confer to agree the course of action. The student will always be encouraged to tell their parents. If they agree the child will be given 24 hours to inform their parent/guardian. The Pastoral & Academic Leader will follow this up with a phone call after 24 hours to parent(s)
2. If they refuse to inform parent(s) and can not be persuaded then Matron and Pastoral & Academic Leader must determine if the student is Fraser/Gillick competent by answering the questions at the end of this protocol:

Student IS Fraser/Gillick competent	Student IS NOT Fraser/Gillick competent
<ul style="list-style-type: none">• Matron should refer to Brook (or other appropriate agency)• There is no need to inform the parent(s)	<ul style="list-style-type: none">• Child will be given 24 hours to inform their parent/guardian• Pastoral & Academic Leader will follow this up with a phone call after 24 hours to parent(s)

3. The Pastoral & Academic Leader will always consult the Child Protection designated teacher to identify whether there is a child protection issue and any subsequent action i.e. who is the student sexually active with – another child or an adult?

Determining if a student is Fraser/Gillick competent

Consent to medical treatment can be given by a child under the age of 16 if s/he is 'Gillick competent'. The so-called Fraser Guidelines state that children under the age of 16 can consent to medical treatment if they have sufficient maturity and judgement to enable them fully to understand what is proposed.

Although these criteria specifically refer to contraception, the principles are deemed to apply to other treatments, including abortion. This is why Ousedale applies these principles in determining whether or not parents should be informed if a student is known to be pregnant or sexually active.

To be Fraser/Gillick competent <u>all</u> the following requirements should be fulfilled:
<ul style="list-style-type: none">• the young person will understand the professional's advice• the young person cannot be persuaded to inform their parents (What are the parents like? Will they be supportive? Will giving the student the opportunity to tell their parents first mean that they might run away from home? What is the likely outcome if the parents are/ are not informed?)• the young person is likely to begin, or to continue having, sexual intercourse or being sexually active with or without contraceptive treatment/sexual health advice• unless the young person receives contraceptive treatment/sexual health advice, their physical or mental health, or both, are likely to suffer• the young person's best interests require them to receive contraceptive advice or treatment or sexual

health advice with or without parental consent (Will a referral to the counselling service be sufficient to cover the student's needs? What if he/she does not go?)

- If any of these criteria are not met or doubts/concerns remain then the student **IS NOT** Fraser/Gillick competent