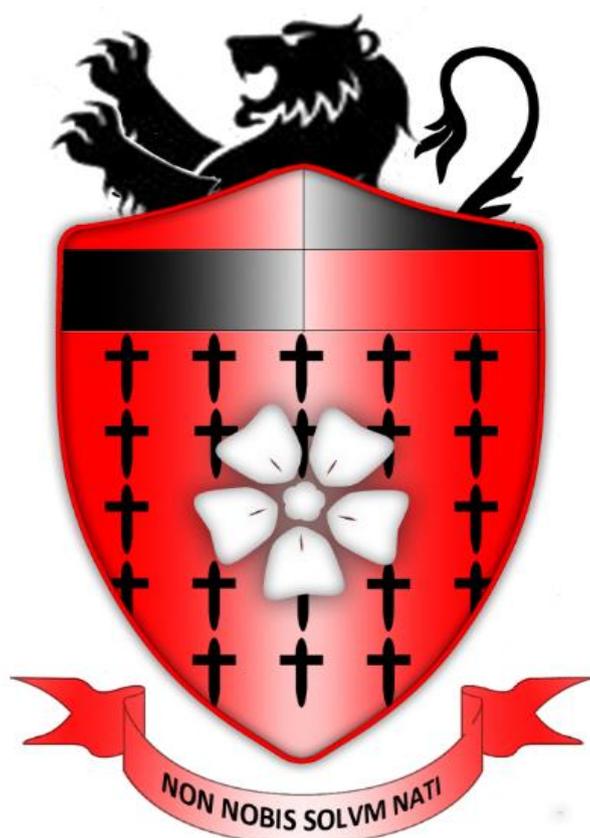


Hornsea School & Language College



Young People's Sexual Health Policy

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Young People's Sexual Health Policy

Introduction

Hornsea School and Language College is acutely aware of the health needs of all of our student community, recognising our responsibilities under the "help Children Achieve More" agenda (formerly Every Child Matters) and Keeping Children Safe in Education (September 2016). This policy is also supported by HSLC's Sex Education and Relationships Policy.

A number of our students need an easy way to access advice and guidance about a range of health issues. These include matters of sexual health (such as contraception, sexually transmitted infections, pregnancy and how sexual health can impact on emotional and physical wellbeing).

It is generally accepted that there is an increase in young people who are sexually aware and sexually active. Whilst we recognise that most young people under the age of 18 have a healthy interest in sex and sexual relationships, it is essential that each individual's situation be addressed within a health needs assessment framework.

The school is clear that any work (assessment, guidance / advice, signposting etc) undertaken by staff and / or partner agencies should reflect, and be in accordance with, legal requirements and established ethical and professional protocols. Decisions should be informed by professional judgement and accountability and documented accordingly. The issue of consent and information sharing will always be carefully considered and evaluated in line with safeguarding obligations, as well as the Fraser guidelines.

Therefore, where information is received that young people, regardless of their gender, are believed to be engaged in, or planning to be engaged in sexual activity, support and guidance will be available (e.g. School Nurse) to ensure that individual needs for health education, support and/or protection are met.

Guidance on the ability of a young person to consent to treatment.

School accept that any competent young person, regardless of age, can independently seek medical advice and give valid consent to medical treatment (Department of Health 1997). This guidance is underpinned by the Fraser Guidelines. Fraser Guidelines dictate that should the following conditions be met, contraceptive advice or treatment could be provided by a relevant professional:

- The young person is mature enough to understand this advice and the implications of treatment
- The young person is likely to begin or continue to have sex with or without treatment
- The professional has tried to persuade the young person to inform parents/carers
- The young person's health would suffer without treatment or advice
- The best interests of the young person are taken into full consideration

The application of the Fraser guidelines in issuing sexual health advice or treatment is quite separate from identifying unlawful sex or abuse.

Competence relates to the young person's ability to understand the choices and the consequences, including the nature, purpose and possible risk of any treatment or non-treatment. If the health professional assesses that the Young Person is competent in their understanding then Parental Consent to treatment is not necessary. However, consideration of the context of presentation or behaviour will inform any consideration of safeguarding implications and if guidance is required from the Early Help and Safeguarding Hub (EHaSH). School would usually seek to inform parents / carers, unless there are compelling reasons for not doing so (such as risk / safeguarding issues that may develop as a result of such contact being made). Decisions will be made on an individual case by case basis and the pupil will be involved as far as is possible in the decision making process.

Staff will provide clear explanations about what is going to happen and the choices and reason for certain courses of action. The specific circumstances allied to the age, understanding and capacity of the pupil, will always be taken into account and assist in determining the level of involvement of the pupil in discussions and decision making and how and when and with who, information is shared. Every effort will be made to jointly formulate and agree a course of action and support plan but guarantees of confidentiality cannot be made.

If there is reasonable professional concern that a child may be at risk of harm at HSLC, this will always override a requirement to keep information confidential.

The school seeks to work alongside agency partners in this area (i.e. Health Professionals) but cannot be held accountable for independent, confidential advice provided. It could be the case that school are unaware of support provided and advice given – in line with established Health protocols.

Legal Framework – under 16's

It should be noted that the House of Lords reviewed the issues of consent with regard to young people under 16 and ruled that they could give valid consent to medical treatment as long as they had sufficient understanding and intelligence to appreciate fully what is proposed, and are capable of expressing their own wishes. Lord Fraser identified the principal; that parental rights yield to the young person's right to make their own decision when they reach sufficient understanding and intelligence to be capable of making up their own mind on such matters.

Young People under the age of 13

In cases where the sexually active young person is under the age of 13, there must be a discussion with the Social Services Child Protection Team and, including the police, as appropriate.

This discussion should be informed by the assessment undertaken and in the majority of cases, may be largely for the purposes of consultation and information sharing. In order for this discussion to be meaningful, the young person will need to be identified, as will their sexual partner, if details are known.

In the vast majority of cases, it will not be in the best interests of the young person for criminal or civil proceedings to be instigated although Police and Social Services may hold vital information that will assist in any clear assessment of risk. The Sexual Offences Act (2003) makes it clear that sexual activity with a child under the age of 13 years of age is **never** acceptable. It should be noted that the contribution of the school to this decision making process will not necessarily be a significant one and decision will be taken by Social services and Police.

Action to be taken when a girl under 13 is found to be pregnant will be informed by the in house protocols of social services and police, regardless these circumstances should always be discussed with Social Services Public Protection Units.

Child Protection Concerns

Where the health professional assesses that the young person is competent to consent for treatment and that there are no concerns regarding any form of abuse then the record should be completed as usual.

Where there are suspicions of child abuse or harm (emotional or physical), the professional should seek further advice. The professional should discuss the case with any of the following:

- Child Protection Co-ordinator
- The appropriate Social Services Children and Families Resource Team