



Policy Number: 18	
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<p>Contents</p> <p>Dealing with sexuality and personal relationships of pupils2</p> <p>Values promoted through sex and relationships education3</p> <p>Relationships between members of staff3</p> <p>Relationships between staff and students4</p> <p>Appendix 1:.....5</p> <p>Relationships, the law and the school rules.....5</p> <p> The law5</p> <p> “What is the age of consent?5</p> <p> What are the rules?.....5</p> <p> What happens if you have underage sex?5</p> <p> So, once you’re 16 it’s OK to have sex?5</p> <p>Mary Hare’s rules and advice6</p> <p>Related policies7</p>	

Date ratified by Governors:

Signed:

Mary Hare Schools Dealing with sexuality and personal relationships policy

1. *For the purpose of this policy a personal relationship is defined as one which goes beyond the normal level of relationship which exists between individuals in similar circumstances. This includes any relationship where a reasonable person would consider that power and influence was either being used for personal gain (more favourable treatment or patronage) or to adversely affect normal interpersonal processes for other people within that environment.*
2. *It is school policy that sex and relationships education is taught through the Personal, Social and Health and Citizenship Education Curriculum (PSHCE). The school supports the view that sex and relationships education is a difficult issue but we believe it is an important preparation for adult life. This programme of education aims to present facts in an objective, balanced and sensitive manner within a clear framework of British values and within an awareness of the law regarding sexual behaviour.*

Dealing with sexuality and personal relationships of pupils

3. Some pupils will develop serious and real relationships with other pupils. Staff should not underestimate the strength of feelings in young people and should always treat relationships and problems within them seriously. However, school is not the place for sexual activity and care staff should reinforce this in their dealings with the young people in their care. It is important to acknowledge that any young person under the age of 16 is unable in law to consent to sex.
4. It is inevitable that care staff will be asked questions relating to sexuality and relationships and they should, where they feel competent, give full and balanced responses with the following guidance in mind:
 - Avoid recounting personal experiences
 - Do not allow a privately held belief or set of values to have undue influence on your response. If this cannot be avoided, refer the pupil to another member of staff, such as a Line Manager or the school nurse.
 - Do not promise confidentiality.
 - Be aware at all times of your responsibilities in safeguarding and child protection.
 - The option of discussion with parents should always be put to pupils, especially for those who visit home frequently.
 - Care planning and One2Ones are a good medium for discussion of this topic.
5. Where pupils are seen to be developing close friendships, staff will take the opportunity to talk to them about appropriate behaviour whilst at school and also make not only the school rules clear and this policy available, but also where young people stand in regard to the law. A written record of this

discussion is kept in the pupil's Care Plan file. Parents will also be contacted so that they can support staff in giving appropriate messages to their children.

6. Knowledge of developing relationships should be discussed within staff teams, in support of our safeguarding practice and expectations of school rules and advice. If staff are concerned about the development of any relationship, this should be brought to the attention of line managers, or direct to the Designated Safeguarding Lead (DSL), if they have concerns for the child's personal welfare. Further forums where knowledge and concerns can be discussed are; Care Team Leader meetings, Care Leadership meetings, Pastoral Care meetings, Head of Year meetings and Leadership meetings.
7. Some pupils may develop relationships with people external to Mary Hare, these may be from the local area, West Berkshire, or from the pupil's home area. It is important that staff give the same balanced response as described above in section 4. Staff have a responsibility to be able to recognise the signs of potential grooming and indicators of Child Sexual Exploitation (See *The Child Protection and Safeguarding Policy*). The option to discuss the relationship with their parents should always be put to the pupil. Any concerns about the relationship should be discussed with the DSL.
8. The school has drafted a document entitled 'Relationships, the law and the school rules'. This document provides a summary of the legal aspects of sexual behaviour as well as a policy statement from the school which makes it clear that sexual activity is not allowed in school and what the likely consequences of it would be. This policy statement was drawn up following a consultation process with families, staff, senior pupils and West Berkshire Professionals. It is attached to this policy as an appendix.

Values promoted through sex and relationships education

9. The following are some of the values promoted during opportunities of discussion:
 - Respect for self and others.
 - Taking responsibility for your actions in all situations.
 - Honesty and loyalty in relationships.
 - The importance and responsibilities of the family unit for all members.
 - Sensitivity towards the needs and views of others.
 - To recognise the physical, emotional and moral implications, and risks, of certain types of behaviour.
 - To recognise and accept the differences of others.
10. Further advice can be sought from the Heads of Care or the school nurse.

Relationships between members of staff

11. Mary Hare does not intend to infringe personal freedoms nor to intrude on the privacy of individuals, but does have an obligation to safeguard the health, welfare and safety of all those affected by the school's operations and activities.

12. The way personal relationships between staff are perceived may damage the working environment for others. Therefore, where such relationships exist, the school expects that the individuals involved will behave professionally and that the relationship will be conducted with discretion.

Relationships between staff and students

13. Personal relationships, as described in the introduction of this policy, between staff and pupils are not permitted. Anyone found in this position will be subject to disciplinary procedures.

Appendix 1: Relationships, the law and the school rules

14. This advice is in two parts. The first part explains the law and is drawn from the [BBC Radio 1 Advice Website](#).
15. The second part explains the school's rules, where to get advice at school, and what the school must do if the law may have been broken.
16. The key message is this: if you feel uncomfortable about what is happening to you, or to someone else, please get advice. Don't just talk to a fellow pupil, please talk to a member of staff. And please don't wait.

The law

17. This summary of the law draws on advice from the [BBC Radio 1 Advice website](#).

“What is the age of consent?”

18. The age at which you can legally have sex.

What are the rules?

19. In England, Scotland, Wales and Northern Ireland you have to be over 16 to have homosexual (gay) or heterosexual (straight) sex.
20. ‘Sex’ means penetrative sex, oral sex or masturbating together.

What happens if you have underage sex?

21. The law sees it as sexual assault - it's a crime. In the eyes of the law, we are unable to give informed consent to sex when still a child. The details are:
 - A boy who has sex with a girl under 16 is breaking the law, **even if the girl agrees**. If the girl is between 13 and 15 the boy could go to prison for two years.
 - If the girl is under 13, the boy could be found guilty of statutory rape. This carries a maximum sentence of life imprisonment.
 - A girl aged 16 or over who has sex with a boy under 16 can be prosecuted for indecent assault.

So, once you're 16 it's OK to have sex?

22. When you are over 16, it is legal to have sex, except with someone who's in a 'position of trust' over you.
23. People in “a position of trust” means people who are trusted to look after you, like teachers, carers and doctors. It's illegal for them to have sex with anybody in their care who is under 18.
24. Just because you can have sex, doesn't mean you should. Do what feels right for you and make sure you understand what sex is about and get clued-up on safe sex and contraception before you do anything, and don't do anything you're not completely comfortable with”.

25. For further advice on a range of sexual health issues you can visit the BBC advice website. Alternatively, you could use one of these other resources:

Brook

Brook provides free and confidential sexual health and wellbeing services

www.brook.org.uk

NHS

The National Health Service's *Live Well* web page has advice on sexual health matters.

www.nhs.uk/livewell

Childline

Get help and advice on a range of issues.

www.childline.org.uk

Mary Hare's rules and advice

26. At Mary Hare School, we are committed to keeping young people safe. It is very important that pupils understand our rules and advice. They are designed to help everybody feel safe around school.

- Sex at school, regardless of age, is not allowed. It is against school rules. It is likely to result in fix term exclusion, or permanent exclusion.
- Keep to the routine of the House. Make sure you know and understand the rules around Out of Bounds areas and the times when you are required to be in your own House.
- If you feel at all uncomfortable in any way around another pupil, talk to a member of staff (NOT just another pupil). Do this BEFORE you have been placed in a difficult situation, wherever possible.
- We are very proud of the way pupils mix at Mary Hare and of the good and positive relationships established between older and younger pupils. However, you should not cultivate 'special' relationships with a boy or girl much older or younger than you. The law is concerned about the equality of people in a relationship. This means that if your ages are very different, it will affect how an allegation will be considered.
- At Mary Hare School we do not condone special relationships to form between two pupils with a gap of one academic years.
- If you are concerned that one of your friends is putting themselves at risk, tell somebody. Please don't just get your advice from fellow pupils.
- Our wider safeguarding responsibilities require us to be vigilant of pupils placing themselves in potentially vulnerable situations outside of school.
- We will not authorise direct travel from school to social events, which we consider to have a lack of responsible adult supervision.
- The designated person for Child Protection is Mr Askew, his responsibility of keeping children safe is governed by the law. Where there are concerns for a young person's welfare, Mr Askew will follow safeguarding procedures, as detailed in the school policy.



Securing the future of deaf children and young people

Related policies

Safeguarding and Child Protection Policy