Working with Sexually Active Children & Young People Up To 18 years

Age under 13

Child not legally capable of consenting

An offence has been committed under Sexual Offences Act 2003

Immediately discuss with your Safeguarding Lead and clearly record outcome

Refer to Children's Social Care and the Police on the same day (Refer to Making a Referral to Social Care procedure)

Strategy discussion / meeting- held within 3 days to determine child's welfare and plan of action (Refer to Child Protection Section 47 Enquiries procedure). Where pregnancy is disclosed separate Social Workers should be considered for the mother and unborn baby.

Young Person Aged 13 up to 16 years

In law sexual activity with a young person under 16 is an offence, however, the capacity to consent is considered.

Make an Assessment of Risks - a combination of factors should heighten concern. Consider: in line with Section 4

- Fraser competence, is consent impaired by mental health, underlying medical conditions / disability, learning needs or communication difficulties?
- Any power imbalances, excessive secrecy or age differences within relationship?
- Disclosure of sexual abuse
- Sexual Partner is an individual known to pose a risk of harm to children
- Sexual Partner works, volunteers or is a carer for children (Refer to Allegations Against Staff, Carers and Volunteers procedure)
- Home circumstances, including siblings if known to agencies
- Elements of aggression, coercion, bribery, harassment or grooming
- Substance misuse or given for use as a disinhibitor
- Sexual exploitation or trafficking/ modern slavery
- Is sexual partner known to Police or other agencies as having other concerning relationships?
- Presence of STI's, pregnancy, repeat negative pregnancy or STI tests
- Genital injury to self / others
- Sexually aggressive activity, use of implements or sexual contact with animals
- Exposure of self or to others
- Isolated by sexual partner
- Group sex
- Sex used as a means to intimidate, punish or as retribution
- Domestic violence from sexual partner (refer to Domestic Abuse or Violence procedure)
- Excessive pre-occupation with sex, including sexually explicit language
- Distributing naked or sexually provocative images of self and others.
- Arranging to meet with an on-line acquaintance in secret.
- Accessing porn, sexting, joining adult dating sites, web based relationship including inappropriate use of webcam
- Children who are missing

Young Person Aged 16 up to 18 years

Though sexual activity is unlikely to involve an offence with this age group, it may still involve harm or the risk of harm. Ensure capacity to consent is intact: Consider:

- Any additional vulnerability factors must be taken into consideration
- History of abuse, mental capacity, is consent impaired by mental health, underlying medical conditions / disability, learning needs or communication difficulties?
- Assessment of Risk Factors contained in the yellow column
- Additional consideration to;
 - i. Is young person at risk of sexual exploitation?
 - ii. Sexual Partner in position of trust or family member?

NEEDS/CONCERNS/ RISKS IDENTIFED

Discuss with your Safeguarding Lead and refer to Threshold Document to identify appropriate course of action i.e. referral to Sexual Health Services Early Help Assessment or Referral to Children's Social Care

UNCERTAINTY - Seek advice from Children's Social Care or Police as appropriate

NEEDS / CONCERNS / RISKS IDENTIFED

Discuss with your Safeguarding Lead and refer to Threshold Document to identify appropriate course of action i.e. referral to Sexual Health Services, Early Help Assessment or Referral to Children's Social Care

UNCERTAINTY - Seek advice from Children's Social Care or Police as appropriate

NB: If you have shared concerns and feel they have not been adequately addressed please refer to the DSCBs Escalation policy