

<b>Policy</b>	<b>Personal Relationships – SS 53</b>
<b>Document owner</b>	Head of Student Services
<b>Date first implemented</b>	Pre-2014
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<b>Date of next review</b>	August 2026
<b>Date governor-approved</b>	November 2020
<b>Associated documents</b>	Mental Capacity Act Policy Safeguarding Policy
<b>Reference documents</b>	<ul style="list-style-type: none"> <li>• Human Rights Act (1998)</li> <li>• Sexual Offences Act (2003)</li> <li>• Mental Health Act (1983 &amp; 2007)</li> <li>• Sexual Offences Act (1985)</li> <li>• Mental Capacity Act (2005)</li> <li>• Relationships Education, Relationships and Sex Education (RSE) and Health Education – Department for Education</li> </ul>
<b>Initial reviewing body</b>	Safeguarding Committee
<b>Final approval body</b>	Standards & Effectiveness Committee
<b>Published on website</b>	Yes

<b>Purpose</b>	The purpose of this policy is to ensure a coherent and consistent approach towards supporting and educating students' about personal relationships and what is and isn't acceptable within different relationships. It seeks to ensure a proper balance between an individual's rights and responsibilities, their physical and emotional safety, and the rights and responsibilities of others.
<b>Scope</b>	This policy applies to all staff
<b>Equality, Diversity &amp; Inclusion</b>	<p><i>"Derwen College is committed to promoting equality, good relations and to challenging discrimination. This is reflected in all College policies, procedures, processes and practices."</i></p> <p><i>Derwen College Equal Opportunities Policy</i></p> <p>Derwen College's ethos is to embrace diversity, to offer equality of opportunity, and to treat every individual fairly and with respect. Equality, diversity and inclusion are embedded throughout the organisation. This policy should be applied in accordance with this ethos.</p> <p>If you would like a copy of this document in a different format, such as large print, please contact the Human Resources Department who will provide help with alternative formats.</p>
<b>Definition(s)</b>	Within this policy the word 'student' will be used to describe all of the groups that attend Derwen College, this includes residential students, day students, short breaks guests and clients.

	Within this policy the words "sexual relationship" and "sexuality" are intended to include heterosexual, gay, lesbian, bisexual, transsexual and transgender relationships.
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To support Derwen College in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
Safe	S1: How are people protected from bullying, harassment, avoidable harm and abuse that may breach their human rights?
Caring	C1: How are positive, caring relationships developed with people using the service?
Responsive	R1: How do people receive personalised care that is responsive to their needs?

### Policy

Derwen College recognises the significance of intimate personal relationships and of sexual expression for all students. Students have the right to have a personal/sexual consensual relationships. Derwen College support students to have positive, healthy, informed and safe relationships.

Relationships Education, Relationships and Sex Education (RSE) and Health Education is a statutory guidance document produced by the UK Government, which states that delivery of RSE is mandatory for all students up to (and including) their 16th year. Derwen is required to follow this guidance in sections 403 & 405 of the Education Act. For students over 16 it is advisable that we continue with Relationship and Sex Education.

Derwen College will promote the students' rights to:

- Have opportunities to love and be loved and to engage in consenting relationships, whether sexual or not.
- Education and information about their own bodies.
- Education and information about personal relationships and sexuality (including responsibility to others), presented in a manner appropriate to their individual needs.
- Not be sexually exploited.
- Opportunities to develop legally acceptable relationships.
- Information and help with contraception and the maintenance of sexual health, including the right to be included in all national sexual screening programmes within mainstream services.
- Marry, enter into a civil partnership or cohabit and to receive support in maintaining such partnerships.
- Information and advice about the responsibilities of parenthood, and support when deciding whether to become a parent or not. Support will be offered on an individual basis as appropriate.

Students also have the right:

- To get information about their body, feelings and how to behave in public
- To be treated with respect
- To make and break relationships
- To privacy and confidentiality
- Not to be sexually abused
- To decide if they are attracted to people of the same or of the opposite sex

- To support from an advocate if required

### **Capacity**

The Mental Capacity Act 2005 indicates that people have full legal capacity to make decisions for themselves unless it can be shown that they lack capacity to do this, or other legislation takes priority. (For example this may be so in the case of young people aged 16 and 17 years old where the Children Act 1989 may in some circumstances take precedence).

Capacity regarding relationships and consent to sexual relationship will be assessed in accordance with the Mental Capacity policy. Staff need to be aware of the processes and procedures for assessing capacity and seek advice where necessary. Where there is a suspected lack of capacity staff will work with the students to provide information appropriate to their communication and blanks level and understanding, whilst assessing the student's capacity and consulting with external agencies.

### **Education & Information**

Students need information and support to understand their bodies, their sexuality and the nature of relationships including what is and isn't acceptable in different situations.

Information (whether formally or informally delivered) needs to be appropriate to a person's age, circumstances, ability, gender, culture and religion. Staff may need to build on understanding developed at school and within families. Staff may also need to address needs arising from sexual and relationship problems and/or consider the appropriateness of referring on to specialist services.

Students may access support within specific group sessions around relationships either as an individual or as a couple. These groups will be led by staff who will guide the group discussions and offer formal support and factual information when needed.

### **Consent & Decision-Making**

The student's rights and wishes are central to all decision-making. A student's personal preferences in their relationships and sexual behaviour may bring them into conflict with family members and others involved in their care. They may need to be offered an advocate to enable them to resolve such conflict.

Staff should discuss with all students the importance of consent and that it is acceptable to give /not give consent.

Staff need to be alert to the possibility of abusive relationships or exploitative behaviour between more than 1 student within college as well as possible relationships students may have with others outside of college. Any concerns regarding this must be reported to the Safeguarding Team, with a view to informing the police inline with Safeguarding Policy and local safeguarding procedures. The police must be involved if there is any immediate danger.

### **Confidentiality & Privacy**

Students are entitled to confidentiality, with information not shared without their consent, unless there are issues of personal safety. In that case, they must always be told that confidentiality cannot be maintained. Students have the right to keep information about relationships and sex private from their families. Staff discuss with students the possibility of informing / discussing situations with families or requesting support or help from families. If appropriate the student will be encouraged to have

these conversations with family; staff will offer support to students to do this if they wish. With the student's permission staff will consult with families when important decisions are required regarding sexual health.

Personal and sexual relationships, and individual expressions of sexuality, require access to private space. Students who are in a relationship are able to access each other's accommodation, where appropriate, and to allow intimacy and privacy where capacity, consent and contraception have been established. Students are expected to take into consideration others in residence and to consult with staff to ensure the safety and dignity of all is taken into consideration. Students do not spend time overnight at others' residence due to health and safety and fire safety regulations.

Staff will support students with their personal and sexual relationships in line with their capacity and ability by:

- Discussing public and private spaces and appropriate behaviours within these areas
- Giving students privacy in their bedroom
- Getting information and advice about how to enjoy sex
- Helping students to access condoms and other forms of contraception
- Talking through difficulties and worries in a relationship

Staff will keep information about relationships and sexual matters private unless they are worried about someone being hurt. If a member of staff feels they must tell someone else about a student, the student must be informed of this and involved in any future decision making.

Students known to be sexually active or planning to be sexually active must be offered/given access to information and services relating to contraception, emergency contraception, sexually transmitted infections and other aspects of sexual health.

### **Touch**

Many forms of physical contact and demonstrations of affection (especially greeting behaviours) have sexual connotations. The difference between sexual and non-sexual touch is often subtle and can be open to misunderstanding on both sides. Students may need to be helped to communicate how they feel about different forms of touch. Students may also need to be helped to understand that certain forms of touch are not necessarily acceptable to all the people they meet – or in certain social situations. Similarly, staff should be clear about how they wish to be touched and not collude with socially unacceptable contact.

All staff will have their own experiences, feelings and beliefs. Managers should be alert to situations where the personal beliefs or experiences of staff impact on their ability to fully implement this policy, and offer appropriate levels of support where needed.