



National
Guidance

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Young People in a Sexual Relationship

Close relationships can develop during a residential visit. If you know or suspect that young people are in, or are developing, a sexual relationship you should consider the legal and safeguarding issues involved.

You should also consider the practical arrangements for accommodation and supervision during a residential visit, and the behaviour expectations that you set.

Legal and Safeguarding Considerations

A child under 16 cannot legally give consent to sexual activity.

Any evidence that a child of under 13 is sexually active, or that a child of under 16 is in a sexual relationship with an adult, is a serious safeguarding issue and the establishment's safeguarding procedures must be followed.

Sexually active children aged 13 to 15 are committing an offence, but a prosecution is unlikely where the sex is genuinely consensual, the young people are of a similar age and there is no power imbalance in the relationship. However, sexual activity in this age group could be a risk to a young person's welfare, and so the situation should be discussed with the establishment's designated safeguarding lead person.

It is an offence for anyone over 18 to have any sexual activity with a person under 18 when the older person is in a position of trust in relation to the younger person. Young leaders should be made aware of this.

While young people aged 16 and over can legally give consent, they are still at risk of sexual exploitation, even when they consider they are in a consensual relationship. Any suspicion of sexual exploitation should be discussed with the establishment's designated safeguarding lead person.

See OEAP National Guidance document [4.3e "Safeguarding"](#).

Managing Residential Visits

If it is known or suspected that young people under 16 are in, or are developing, a sexual relationship (whether heterosexual or homosexual), they should be accommodated in separate areas and appropriate expectations and supervision arrangements should be put in place.

There is no legal reason why young people over the age of 16 should not be sexually active. However, before allowing this, a Visit Leader should be confident

that they are in a genuinely consensual and non-exploitative relationship. They should take into account:

- the establishment's policy;
- the age and maturity of the young people;
- the nature of their relationship (in terms of how established, accepted, open it is);
- the likely impact of such an arrangement on the aims of the visit;
- the well-being of the young people;
- the likely response of the rest of the group;
- understanding and agreement of relevant parties.

See OEAP National Guidance document [4.2b "Residentials"](#)

Overseas Visits

During overseas visits, it is essential to be aware of the legal requirements and cultural expectations in any countries to be visited. Where their laws or expectations are less restrictive than in the UK, you should apply UK standards to the visit. Where local laws are more restrictive than in the UK, you must follow them, and where expectations are more restrictive it would be wise to respect them.

See OEAP National Guidance document [7r "Overseas Visits"](#)

Example

A group of six 17-year-old young people are undertaking a Duke of Edinburgh's Award expedition and camping in three 2-person tents. Two of the young people are in a sexual relationship and wish to share a tent together. The Visit Leader considers the following issues before deciding whether or not to allow this couple to share a tent:

- is the relationship established and consensual?
- is there any cause for concern about the welfare of either young person?
- is the whole group aware of and accepting of the relationship?
- could there be any negative impact on the aims of the visit?
- could there be a negative impact on any other members of the group?
- do the proposed arrangements conform to the establishment's policy?

