



RESEARCH INVOLVING COMPETENT YOUTHS

Overview

Obtaining participants' informed consent to take part in the research is an important aspect of conducting ethical research. The potential research participant needs to be provided with the information they need to make informed decision and be capable of making that decision. Most adults, i.e. people aged 18 and over, are capable of making an informed decision. Young children are not usually considered able to make an informed decision about taking part in research and so their parent or guardian is asked to provide informed consent on their behalf, though it is good practice to obtain the child's assent as well.

As they mature, most children become capable of making the decision for themselves. For some research projects, research participants aged 16 to 17 years old may be capable of making an informed decision for themselves, i.e. as *competent youths*, just as Gillick competence¹ is used to assess whether children are able to consent to their own medical treatment, without the need for parental permission or knowledge.

This document provides guidance to researchers on

- how to determine whether participants aged 16 to 17 can be considered to be competent youths;
- the extent to which parents/ guardians should be informed or involved in the consent process;
- deciding which ethics application form to submit.

Competent youths

A number of factors need to be taken into consideration when determining whether a participant can be considered to be a *competent youth*, i.e. capable of making an informed decision about taking part in a particular research activity:

- The participant's age, maturity and mental capacity;
- What participation in the research project would involve;
- The risks and benefits to them through taking part;
- Justification for not obtaining parental consent (e.g., because of the nature of the research);
- The participant's ability to understand the information provided to them, including about what the research would involve and any risks and benefits to themselves and to others;
- The circumstances in which they are being asked to make the decision, e.g., the recruitment mechanisms. If children are recruited through their school, this potentially adds a layer of additional safeguarding;
- The participant's ability to make an informed decision about taking part.

¹ NSPCC guidelines on Gillick Competence: <https://learning.nspcc.org.uk/child-protection-system/gillick-competence-fraser-guidelines> (October 2022)

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See also the [Frequently Asked Questions C6](#) and [C7](#).

Note the University's [Safeguarding Guidance and Code of Practice](#) and its implications for researchers involving young people or adults at risk.

There may need to be changes to the design of the research. E.g., the interview questions should be age-appropriate.

Obtaining informed consent from competent youths

After establishing that an individual is a competent youth, their informed consent to participate will need to be obtained. It is important that consent is:

- Given by someone who has been adequately informed;
- Given by a person with capacity, e.g., a *competent youth*;
- Voluntarily given, with no undue influence;
- A fair choice.

As for adult participants, it is essential that the participants are provided with the information they need to make an informed decision and that this information is presented clearly and accessibly. Adjustments may need to be made to the consent process, including to any [written information](#) provided to the participants, to make sure the documentation and process are age-appropriate. General guidance on obtaining participants' informed consent, including examples and templates, is available at <https://researchsupport.admin.ox.ac.uk/governance/ethics/resources/consent>. Information should be conveyed in a helpful and meaningful way, e.g., the researcher(s) should discuss the information sheet with the participants and encourage questions.

It is important to bear the following in mind:

- As with adult participants, consent is not valid if a young person is being pressured or influenced by someone else.
- The same participant may be considered a competent youth when making one decision but not competent in making a different decision, e.g., if the risks and benefits to them are more complex.
- If there is any doubt about a participant's competence, they must not be considered to be a *competent youth* and informed consent should be obtained from parents/ guardians.
- A child who is not capable of giving consent alone can still be involved in the decision-making process with others.
- If the research involves procedures that would require parent/ guardian consent outside of a research setting, then the participants cannot be considered to be *competent youths*.

Involvement of the parents/ guardians

Consider whether it would be courteous to inform the participants' parents/ guardians that the research is taking place and that their child is a participant. In some cases it may be good practice to obtain either opt-in or opt-out consent from the parents/ guardians as well. You will need to explain and justify your approach to involving (or not) the parents/ guardians in your ethics application.

Research taking place outside the UK

If the research takes place outside the UK, researchers must make sure they are aware of any relevant local legislation and cultural norms (see also CUREC's [Best Practice Guidance 16 on Social science research conducted outside the UK](#)). Researchers should also take into account practical or cultural considerations, such as whether it would be appropriate or necessary to have a third party attend face-to-face interviews.

Internet-mediated research

For research studies using online surveys it is important to take proportionate measures to ensure the age of the participants, e.g., through adding an age verification button before participants can proceed to the survey questions, taking into consideration the topic, what participation would involve and the likelihood of people under 16 wanting to take part. Given the challenges surrounding online age verification, competent youths should only be recruited to online studies with minimal ethical issues. Please refer to the [template information sheet for online research](#) and [BPG 06 Internet-mediated research](#).

Ethics application process

A [CUREC 1](#) or [CUREC 1A](#) application may be submitted for research involving participants who are capable of providing informed consent, either because they are adults or because they are competent youths, provided there are no other ethical issues which might require an application using the CUREC 2 form.

A CUREC 2 is need for any research involving participants under 18 who cannot be considered to be *competent youths*. The one exception to this is if a CUREC [Approved Procedure](#) can be followed instead. A CUREC 2 may also be required for some research projects where the participants may be considered to be competent youths for other reasons, e.g. if there is a risk of harm.

This guidance may be used in conjunction with CUREC's [Approved Procedure 15 on Teachers and teaching in education settings](#).

Resources

For research involving younger participants, please refer to CUREC's [Approved Procedure 25 on Non-invasive research involving participants aged 3-16 years, recruited via an organisation](#)
<https://learning.nspcc.org.uk/child-protection-system/gillick-competence-fraser-guidelines>

<http://www.hra-decisiontools.org.uk/consent/index.html>

<https://www.ukri.org/councils/mrc/facilities-and-resources/find-an-mrc-facility-or-resource/mrc-regulatory-support-centre/understanding-health-research/consent-for-research>

Annex A

Examples of research where accommodation for competent youths would generally apply:

- i. Questionnaire/ interviews on attitudes to science or mathematics
- ii. Questionnaire/ interviews on use of the internet to support study at school
- iii. Questionnaire/ interviews on use of public transport
- iv. Questionnaire/ interviews on food preference
- v. Studies of memory, perceptual discrimination, response times, problem-solving or decision-making that do not involve potentially distressing stimuli
- vi. Studies of social perception and interaction with peers that do not involve any risk of inducing distress or revealing sensitive information about the participant
- vii. studies of musical preferences or judgements
- viii. studies of language use, perception or production
- ix. Study involving word association
- x. Questionnaire/ interviews on life choices/ education after 18

Examples of research where accommodation for competent youth would generally not apply:

- Participants who have been, or are currently within, social care systems where the consent of their parent or legal guardian must be sought.