

Consultation on Relationships Education, Relationships and Sex Education (RSE) and Health Education Statutory Guidance

HOW TO RESPOND | *Deadline: Thursday 11 July*

Many of the questions in the consultation offer the option of answering 'Yes' to agree with the guidance or 'No' to disagree with aspects of the guidance. Comments you make in the consultation will be read, but the 'Yes' and 'No' responses will also be totalled to show how many people agreed and disagreed. Those who want radical approaches to sex education are likely to answer 'No' to questions about improved wording, so we suggest answering 'Yes' to indicate you support the change being made, even if you think the change should go further.

We make suggestions below for explaining the further improvements that are needed but ***please use your own words***. If lots of responses use similar wording they will be given less weight. You don't have to make every point: choose those that most resonate with your own concerns. If you have your own experience of RSHE, as a parent, teacher, school governor or pupil,

it is very valuable to give specific examples of the issues you have encountered. If you know others who have had difficulties with RSHE teaching in a school in England, please suggest they respond too. If you don't have time to explain your answers, ***it is still valuable to go through the form, just ticking 'Yes' or 'No' as appropriate***. You don't have to answer every question.

The draft guidance is available to read here: bit.ly/RSHE24Draft If you want to compare it with the guidance it is replacing, you can read that here: bit.ly/RSEGuidanceEngland

Note that links on this page are case sensitive

You can see the questions and give your responses to the consultation here: bit.ly/RSHE24Consult

If asked about 'cookies', you will need to agree, otherwise the online form will not work.

Don't forget to click 'Submit' when you've finished, or your response won't be counted.

If you cannot use the online form to give your response, you can read the consultation questions online here: bit.ly/RSHE24Qs and send in your responses either by email to rsheguidance.consultation@education.gov.uk or by post to:

Consultation Response
RSHE Team
Department for Education
Life Skills Division
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

② QUESTIONS 1-10: ABOUT YOU

If you have relevant experience as a teacher, parent, governor etc., it is helpful to say so here, but even if you have none, your response to the consultation is valuable.

(A 'designated institution' means a school that has a legally recognised religious character, e.g. a Church of England school.)

② QUESTIONS 11 AND 12: REVIEW TIMETABLE AND STRUCTURE OF THE GUIDANCE

We suggest answering 'Yes' to both.

② QUESTIONS 13 AND 14: SCHOOLS' RELATIONSHIPS AND SEX EDUCATION POLICIES

Many parents have faced problems with schools refusing to allow them to withdraw their children from content that was clearly about sexual relationships or sexual acts. Schools have classified this teaching as 'Relationships Education' rather than 'Sex Education'. There is no specific right for parents to have their children excused from Relationships Education, only from Sex Education. Some schools have taught very radical material in Relationships Education, knowing parents can't remove their children. The changes are therefore helpful, but they do not do enough.

We suggest answering 'No' to question 13.

Question 14 allows you to set out what more could be included in the guidance to empower parents. A key legal requirement is that schools must consult parents when they write or review their RSE policy. Schools don't always realise this is required. Others have simply told parents what they are planning, rather than being genuinely open to making changes in response to parents' feedback. That is not

consultation. If you have experienced inadequate consultation in a school, then do outline your experiences. You could make some points along these lines:

- Further explanation is needed of schools' duties to consult parents (Education Act 2002 s.80B(3) and Independent School Standard 2A(f)). Schools are confused about what is required, and this guidance says very little, other than stating that parents cannot veto content. This puts the emphasis in the wrong place.
- Schools must make an effort to engage parents.
- To be genuine, the consultation must not have a predetermined outcome: the school must be open to making changes in response to parents' feedback.
- Schools have a legal duty to provide RSE which is appropriate to both the age and religious background of pupils (Education Act 2002, 80A(2)(b)). Parental consultation is a key opportunity for schools to understand pupils' religious backgrounds, their implications for RSE teaching, and to learn parents' views on what is age appropriate.
- Guidance should state that because there is no right to have children excused, Relationships Education and the Relationships aspect of RSE should focus on teaching about the characteristics of healthy relationships that all parents can agree on.

② QUESTIONS 15 AND 16: OPENNESS WITH PARENTS

We suggest answering 'Yes' to question 15.

If materials are inappropriate, parents should be able to draw attention to them without worrying about being in breach of an agreement they signed. We suggest the following points in answer to question 16:

- There should be no requirement for parents to sign an agreement before viewing materials.
- Schools should publish all their RSHE teaching materials and

schemes of work on their website where parents can access them (or a link to a commercial provider's parent portal, providing that it is comprehensive).

- RSE suppliers can use watermarking to protect their intellectual property, as do many digital publishers, such as Shutterstock.

② QUESTIONS 17 TO 19: FLEXIBILITY FOR AGE LIMITS

This guidance for the first time introduces minimum ages at which pupils can be taught certain topics. This is helpful because some schools' judgements over what is age appropriate have clearly been at fault. The key argument used by those opposed to the new guidance is that schools need the flexibility to address particular issues that may come up with a pupil or a group of pupils (for example, primary school children sharing pornographic images). In actual fact, the new guidance allows this flexibility.

We suggest answering 'Yes' to questions 17 and 18.

For question 19, you could say the flexibility set out here is necessary, but there must be no further relaxation of the limits.

③ QUESTIONS 20 AND 21: SEXUAL ORIENTATION

We cannot agree with the wording of this section of the new guidance. However, it is a very significant improvement on the current guidance, so we can agree that the changes are positive. For question 20, LGBT activists are likely to answer 'No'.

We suggest answering 'Yes'.

For question 21, if you have any experience of schools teaching inappropriate content on LGBT issues, do explain that here. You could also make some of these points, in your own words:

- It is helpful that incorrect statements about the Equality Act have been removed.
- It is helpful that the phrase 'LGBT' has been removed.
- Teaching about gender reassignment should not be required by this section.
- Individual teachers and schools with a religious designation should not be compelled to portray same-sex relationships as 'healthy'.

④ QUESTIONS 22 AND 23: GENDER REASSIGNMENT

There is vigorous opposition to this section of the guidance from trans activists.

We suggest answering 'Yes' to question 22.

If you have experience of schools teaching about gender identity, especially if they have only given one side of the argument, have taught it to young children, or have encouraged children to reflect on their own gender identity, do write about that in answer to question 23. You could also set out in your own words reasons why you agree with this section, or ways that it could go further. For example:

- Those who hold to the concept of gender identity regard any disagreement as transphobic. This makes it almost impossible for schools to teach it in an impartial way, as required by law (Education Act 1996, s.407).
- In light of the concerns raised by the Cass Review and more recent research, teaching children that they have a gender identity could be harmful.

⑤ QUESTIONS 24 AND 25: ADDRESSING PREJUDICE, HARASSMENT AND SEXUAL VIOLENCE

These are important issues, but Christians can legitimately disagree on the extent to which teaching in schools is effective in reducing prejudice, sexual harassment and violence. We are therefore not suggesting answers, but please respond as you see fit.

⑥ QUESTIONS 26 TO 44: AGE LIMITS IN SEX EDUCATION

Determined opponents to any age limits on sex education will answer 'no' to all the questions on age limits.

We suggest answering 'Yes' to all the yes/no questions in this section.

For questions 37, 39 or 44 you could:

- Give your own views on what is age appropriate.
- Explain that parents are the experts on what is appropriate for their children.
- Say that the guidance should emphasise these are minimum, not recommended ages, and schools should decide – in consultation with parents – what age above the minimum it will cover topics.
- Say that the guidance should be clear that schools are not required to cover every topic for which a minimum age has been specified.

⑦ QUESTIONS 45-50: HEALTH AND WELLBEING

Questions 45-48 deal with new content on mental health and suicide. Please respond as you see fit.

⑧ QUESTION 51: OTHER COMMENTS

Here you can welcome any positive elements of the guidance you've not yet commented on. This may reduce the chance of them being removed from the final version.

You might also want to comment critically on the second-half of paragraph 48 which states:

"...where RE is delivered in conjunction with RSHE, schools should ensure that content is differentiated for pupils so that it is clear where they are being taught content that reflects religious belief".

- Pupils should be enabled to distinguish between English law and views on morality, whether these originate in religious or secular beliefs. Teachers should be clear when they are presenting universally accepted facts and when they are presented contested viewpoints, whether those viewpoints have a religious origin or not. Secular beliefs must not be privileged.
- This applies to all schools, not just schools with a religious designation, and to all lessons, not just Religious Education.

You could also comment that:

- The draft guidance does not adequately fulfil the requirement to secure that pupils learn the distinctive nature of marriage and its significance for family life and the bringing up of children, as set out in the Education Act 2002, s.80A(2)(a)(i) and the Education Act 1996, s.403 (1A)(a). Pupils need to know the objective evidence on the advantages of marriage. This informs some of the most important decisions they will make in their lives.
- Outside religious communities, marriage is increasingly confined to affluent parts of society. The evidence is clear that on average, children whose parents are not married are at a significant disadvantage, even when corrected for confounding factors, such as household income. Failing to teach about the benefits of marriage perpetuates the cycle of deprivation.
- The guidance does not adequately explain the duty of the head teacher and governors to take steps to ensure sex education "is given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life". (Education Act 1996, s.403(1)).
- Do make any further comments that you want, especially if you have experience of problems in RSHE teaching.

⑨ QUESTION 52: PUBLIC SECTOR EQUALITY DUTY

We suggest not responding to this question.