



## **Relationships Education, Relationships and Sex Education (RSE) and Health Education – Consultation on the Draft Statutory Guidance and Regulations**

Northumbria's Response – 1<sup>st</sup> November 2018

### **Background**

In February 2018, The Department for Education (DfE) started stakeholder engagement to gather views and suggestions on statutory guidance and regulations that would make Relationships Education and Relationships and Sex Education (RSE) compulsory in schools. During this process, a wide range of interested parties were consulted, including teachers and other educational professionals, subject specialists, parents and religious bodies, as well as actively consulting with parliamentarians. Public views were also gathered, through a call for evidence, where parents, teachers, educational professionals, organisations and young people participated, resulting in a total of 23,000 responses.

Northumbria PCC responded to this, sharing recommendations supported by consultation with local service providers and service users, e.g. West End Women and Girls. The findings gathered from stakeholders and the public have informed the draft statutory guidance, regulations and the regulatory impact assessment. A consultation to gather views on these documents has been launched and below are proposed responses from you.

The answers below are based on the response we gave to the initial consultation.

Questions 1-9 cover questions such as who is responding, address, contacts details etc.

### **Relationship Education**

**Q 10. Do you agree that the content of Relationships Education in paragraphs 50-57 of the guidance is age-appropriate for primary school pupils?**

Agree

**Please briefly explain why you have given this answer in the text box below**

The guidance is age-appropriate and addresses core pro-social values such as love, respect and kindness, and also boundaries. The guidance sets out that these values will be addressed at an early age through play and negotiation skills. These can be learnt through sharing toys, space etc.

Defining the characteristics of healthy and unhealthy relationships is appropriate for primary school children as they can go on to identify whether relationships they have are positive or negative, and potentially avoid relationships they perceive as negative from an early age.

It is important that primary school children understand online safety, as there are increasing numbers of primary school children with smart phones and tablets and it is essential that they understand online threats and how to respond to them.



**Q 11. Do you agree that the content of Relationships Education as set out in paragraphs 50-57 of the guidance will provide primary school pupils with sufficient knowledge to help them have positive relationships?**

Disagree

**Please briefly explain why you have given this answer in the text box below.**

The subject areas that we feel are the most important are included within paragraphs 50-57. These are:

- Core pro-social values – Concepts such as love, respect and kindness, as well as self-awareness, empathy and consideration for others.
- Healthy and unhealthy relationships – Relationships with family and friends as well as intimate relationships and address questions relating to boundaries. The issue of consent should be introduced at this age, i.e. hugging, touching and kissing – letting children know that they do not have to do anything which makes them and others feel uncomfortable.
- Personal Safety – Taking care of themselves and others and how to recognise, understand and respond to threats and their safety, online and offline.

The above should be supplemented with information about:

- In addition to the already suggested narrative and guidance around teaching young children about specific body parts, including genitals and encouraging learning around the dangers of keeping secrets regarding someone who maybe causing them ‘harm’ could be added.
- Learning around healthy and unhealthy relationship with another person will work to prevent abuse and make children more aware of those who break the boundaries and behave in an abusive manner and provide guidance and reassurance to primary school children around sharing information with those within schools whom are in a position of trust.

**Q 12. Do you agree that paragraphs 61-64 clearly set out the requirements on primary schools who choose to teach sex education?**

Agree

**Please briefly explain why you have given this answer in the text box below.**

It gives schools the autonomy to provide education around sex in a way that best suits the needs of their pupils. It acknowledges age appropriate targeted teaching and facilitates the transition to secondary school education considering the emotional maturity of the pupils. Head teachers should ensure that whilst autonomy is used to best educate primary school age children the materials and the methods used are in line with the guidance. Delivery of the subject should support ongoing emotional and physical development effectively and the transition of pupils from primary to secondary school prepares pupils for the changes adolescences brings.

<b>Relationships and Sex Education (RSE)</b>
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**Q 13. Do you agree that the content of RSE in paragraphs 65-77 of the guidance is age-appropriate for secondary school pupils?**

Agree



**Please briefly explain why you have given this answer in the text box below.**

As RSE builds on the foundation of Relationships Education and gradually progresses as children move through secondary school, the appropriate RSE for the child's stage in life will be given.

**Q 14. Do you agree that the content of RSE as set out in paragraphs 65-77 of the guidance will provide secondary school pupils with sufficient knowledge to help them have positive relationships?**

Disagree

**Please briefly explain why you have given this answer in the text box below.**

The draft guidance outlines how it proposes to educate young people on the nature of healthy and unhealthy relationships and to discuss what is and is not acceptable behaviour in a relationship, such as domestic and sexual abuse.

We agree, as you outline in the guidance, that young people need to be aware of gender-based violence and abuse (such as pornography, sexual harassment, sexting, sexualised cyber-bullying and sexual exploitation, as well as issues such as female genital mutilation and forced marriage) as these are issues that can affect young people.

Reproductive rights, body autonomy, self-care and protection from Sexually Transmitted Diseases are also important topics and we agree that young people need sufficient knowledge of these during secondary school.

It is important that when educating on domestic and sexual abuse, reference is made to how perpetrators are predominantly male, and how coercive and controlling behaviour can often be exercised by males that may not identify/be identifiable as intimate partners, as well as by people of their own age.

The guidance would be further strengthened if it addressed the imbalance of male sexual aggression towards and against young women and girls and that boys and young men also experience abuse, and stating that the overwhelming majority of boys and men who do experience abuse are abused by other boys and men.

**Q 15. Do you agree that paragraphs 36-46 on the right to withdraw provide sufficient clarity and advice to schools in order for them to meet the legal requirements?**

Agree

**Please briefly explain why you have given this answer in the text box below.**

The guidance is clear and will assist schools in providing clarity in order for them to meet legal requirements. It should be made clear within the guidance that any withdrawal of consent should be considered as significant and added to any other concerns held relating to the child.

To further strengthen the guidance schools could be advised to outline that parents should be offered RSE and RE course content online and publications of research that supports the teaching of RSE and RE should also be made available. Providing this communication and clarification of subject content may reduce the numbers of pupils who may be withdrawn from RSE. The guidance should



stipulate that there is a need to consult with parents and guardians in a variety of ways including letters, face-to-face meetings and parents' forums.

**Physical Health and Wellbeing**

**Q 16. Do you agree that the content of physical health and wellbeing education in paragraphs 86-92 of the guidance is age-appropriate for primary school pupils?**

Agree

**Please briefly explain why you have given this answer in the text box below.**

The content is relevant to primary school children and will allow for an age-appropriate delivery of physical health and wellbeing education.

The guidance outlines that primary school pupils will be educated in the importance of emotional wellbeing as well as physical health and introduces the concept of nutrition, self-care and personal hygiene.

**Q 17. Do you agree that the content of physical health and wellbeing education as set out in paragraphs 86-92 of the guidance will provide primary school pupils with sufficient knowledge to help them lead a healthy lifestyle?**

Disagree

**Please briefly explain why you have given this answer in the text box below.**

The draft guidance includes healthy eating, personal hygiene, individual self-esteem and a healthy body image, which we feel is important for children in primary school to understand. What the draft guidance does not address is the changes the developing body makes and the effects puberty has on the developing body.

Bullying is mentioned and the draft guidance has a focus on cyberbullying, there is a lack of detail around bullying offline and primary school is an essential place to commence education around bullying and the harm caused by perpetrating such harmful behaviours.

The importance of money and money management should be introduced at this point in the guidance. Children can be vulnerable to bullying and negative peer pressure if they are perceived by their peers as wearing clothing and shoes that are not fashionable or if the economic challenges faced by parents prevent school trips being accessed.

Exam pressures can affect children in primary school as well as secondary school. Primary schools have SATs in year 2 and 6, and often year 6 SATs can determine the academic group's children will be placed in year 7, which may cause stress to the child, and children may also have pressures to do well from parents and teachers. Advice on how to cope with exam stress would be useful for the mental wellbeing of children during exam periods.

**Q 18. Do you agree that the content of physical health and wellbeing education in paragraphs 93-99 of the guidance is age-appropriate for secondary school pupils?**

Neither agree nor disagree



**Please briefly explain why you have given this answer in the text box below.**

The content within the guidance is relevant to secondary school children. It is important that the subjects are introduced gradually to secondary school students, paying regards to how age-appropriate the topic is for the year group and delivering the education in an age-appropriate way. The guidance makes reference to appropriate language used when talking about bodies, how pupils will be helped to understand the changes happening to their bodies and why term associated with mental and physical health difficulties should not be used pejoratively.

To further support this section of the guidance additional reference should be made to:-

- Reproduction, reproductive rights, body autonomy, self-care, and protection from sexually transmitted diseases are also key issues that young people need support to understand and address.
- Issues relating to gender based violence that can affect young people need to be addressed. These issues including pornography, sexual harassment, domestic abuse, FGM and forced marriage.

**Q 19. Do you agree that the content of physical health and wellbeing education as set out in paragraphs 93-99 of the guidance will provide secondary school pupils with sufficient knowledge to help them lead a healthy lifestyle?**

Disagree

**Please briefly explain why you have given this answer in the text box below.**

Paragraphs 93-99 include some of the most important topics to be educated on to allow young people to lead a healthy lifestyle, such as:

- Health and wellbeing – Healthy eating, self-care, self-esteem, body image, how to deal with the demand for constant social networking, and mental health issues such as anxiety and depression
- Safety – Online bullying and substance use and misuse

There has been some significant issues that affect young people that have been missed. One of these is exam pressures. Children in secondary school take their GCSEs and may feel a great deal of pressure from themselves to do well, their teachers and also their parents. It is important that young people are educated on how to deal with exam stress and manage their time effectively. Also, the guidance lacks clarity on what should be taught regarding anxiety and depression. Crime and gang culture, racism, sexism and extremism have not been included. These are important issues that can affect young people and their ingestion in the guidance would only strengthen this.

#### **Engaging with parents and the wider community**

**Q 20. Do you agree with the approach outlined in paragraphs 36-46 on how schools should engage with parents on the subjects?**

Agree

**Please briefly explain why you have given this answer in the text box below.**

The guidance outlines how important consulting with parents is and why helping them to understand what their children are being taught and why, is important.



Something that could further aid parents understanding is by publishing all the content of taught Relationships Education, RSE and PSHE was put online for parents to view.

Schools need to consult and engage with parents and guardians in a variety of ways including letters, face-to-face meetings and parents' fora. Training for parents will also be important to enable them to read and understand the relevant research and data and to place meaningful controls on the PC's and other devices that children use to go on-line. Placing course content on-line may also be a way of enabling parents to feel better informed and to better frame the questions they still want to ask. Helping parents to understand what is being taught is important and is an important way of challenging the many cultural myths that surround the content and impact of PSHE education, myths that may affect teachers and parents as much as or more than young people themselves. As one service provider argued, based on their experience of delivering FGM work in schools:

*'...the barriers to delivering the awareness training and the support for young people have never been the young people themselves - who have shown maturity and engaged really well in sessions - the barriers have been teachers who have felt the subject matter is 'horrific' and therefore dangerous... [and] a deep rooted misbelief that 'knowledge' about sexual relationships and our bodies can be dangerous'*

In this context, it is interesting to note that the group of young women who contributed to our response to this consultation, though not necessarily representative of local young people, were nonetheless very clear about the limits that should be placed on parental influence:

*'...parents should be made aware that there will be discussions around sex education and relationships to prepare them for conversations that might be brought up at home, [but]... should not be able to stop children attending'.*

### Delivery and teaching strategies

**Q 21. Paragraphs 108-109 in the guidance describe the flexibility that schools would have to determine how they teach the content of their Relationships Education/RSE/Health Education. Do you agree with the outlined approach?**

Agree

**Please briefly explain why you have given this answer in the text box below.**

The favoured approach should combine local flexibility (in terms of meeting the particular needs of children, young people and local communities) with a degree of national prescription (in terms of ensuring those parts of the curriculum are considered as core and could not simply be dropped in the face of local opposition). There is a need to balance beliefs, wishes and demands of individual parents against the needs of and risks to children and young people, both individually and collectively. The guidance follows this approach to flexibility.

### Special Educational Needs and Disabilities (SEND)

**Q 22. Do you agree that paragraph 44 of the guidance provides clear advice on how head teachers in the exceptional circumstances will want to take the child's SEND into account when making this decision?**

Agree



**Please briefly explain why you have given this answer in the text box below.**

Paragraph 44 clearly informs that a pupil with SEND should be given the same opportunities for RSE as any other pupil. It also clearly informs that head teachers should not let the SEND be an influencing factor should a parent request that pupil is withdrawn from RSE.

It is important to recognise that vulnerable people are open to exploitation and it is, therefore, of vital importance that pupils with SEND have their opportunities delivered in the most appropriate way to meet their individual needs.

**Q 23. Do you agree that paragraphs 30-32 of the guidance provide sufficient detail about how schools can adapt the teaching and design of the subjects to make them accessible for those with SEND?**

Agree

**Please briefly explain why you have given this answer in the text box below.**

The paragraphs provide guidance to head teachers about providing RSE to pupils with SEND. It is clear and allows for discretion to be applied when planning delivery of lessons, utilising high quality teaching to ensure that the teaching material is differentiated and personalised when the lessons are designed.

#### **Statutory Guidance**

**Q 24. Do you have any further views on the draft statutory guidance that you would like to share with the department? Do you think that the expectations of schools are clear? Please include this information in the text box below.**

We agree that the maturity of the pupil and a teachers understanding of the group being taught is required to effectively plan and deliver the lessons but the message and content of the lesson should not differentiate.

The draft guidance should go 'one step further' and provide schools with an expected minimum level of delivery. Allowing flexibility within schools to tailor delivery to ensure that subject matters are taught in a way that is appropriate for the group is positive, however RSE and RE should be taught in schools ensuring that pupils receive the same education across England and Wales.

Introducing a minimum level of RSE and RE education will ensure that ALL children are educated to the same standard and provided with information that is vital to the development of a balanced and appropriate view on healthy and unhealthy relationships.

#### **Financial Education**

**Q 25. Do you agree that more is required on financial education for post-16 pupils?**

Strongly agree

**Please briefly explain why you have given this answer in the text box below, including your views on how we might ensure this education is delivered.**

Education on money and money management should begin in primary school. The starting point should be educating on the concept of money and simple budgeting and then advancing to explaining the importance of saving money and responsible borrowing and interest rates in



secondary school. Once in education we should be, post 16, educating pupils on issues relating to managing household budgets and office budgets should be given.

Gradually providing pupils with financial education relevant to stages in their life will benefit as they progress through school and their understanding about how to manage money, personal budgeting and advancing to topics relating to employment and maturity such as office budgeting and home management, will grow and develop with them.

### School Support

**Q 26. The department believes that primary schools should be able to access appropriate resources and training in order to teach effectively. Do you agree that the resources and support currently available to primary schools will be sufficient to enable them to teach the new subjects?**

Disagree

**If you disagree or strongly disagree, please rank the options below to indicate the most useful type of support we could provide to enable primary schools to teach the new subjects. Please briefly explain in the text box below if you think other support options are needed.**

A whole school approach needs to be adopted and piecemeal offerings of guidance is unlikely to be enough. A strong focussed curriculum which enables all school staff (teaching and non-teaching), parents and guardians to utilise resources should be provided. Allowing access to free high quality teaching resources for RSE could allow for less credible materials to be delivered piecemeal to pupils.

Minimum delivery level statutory guidance on the subject of RSE and RE should be provided to ensure all pupils are taught in the same way at key stages in their education.

**Q 27. The department believes that secondary schools should be able to access appropriate resources and training in order to teach effectively. Do you agree that the resources and support currently available to secondary schools will be sufficient to enable them to teach the new subjects?**

Disagree

**If you disagree or strongly disagree, please rank the options below to indicate the most useful type of support we could provide to enable secondary schools to teach the new subjects. Please briefly explain in the text box below if you think other support options are needed.**

As above

### Draft Regulations

**Q 28. Do you agree that the draft regulations clearly set out the requirements on schools to teach the new subjects of Relationships Education, RSE and Health Education?**

Disagree





**Please briefly explain why you have given this answer in the text box below.**

The draft regulations and the draft guidance do not give the same message.

The guidance suggests that diversity is embraced and children's individual needs are met however the regulations are very narrow. The draft regulations make a significant reference, section 80A, to marriage and its importance in family life. This should be removed OR additional reference made to what constitutes a family and acknowledgement that a family unit does not need to be bound by marriage to identify as a family.

The regulations do not correlate the positive message the guidance provides on the importance of delivering RSE and RE to primary and secondary school pupils.

**Q 29. We are required to set out in the regulations the circumstances in which a pupil (or a pupil below a specified age) is to be excused from receiving RSE or specified elements of it. The draft regulations provide that parents have a right to request that their child be withdrawn from sex education in RSE and that this request should be granted unless, or to the extent that the head teacher considers that it should not be. Taking into account the advice to schools on how head teachers should take this decision, in paragraphs 41-46 of the guidance, do you agree that this is an appropriate and workable option?**

Neither agree nor disagree.

**Please briefly explain why you have given this answer in the text box below.**

The amended wording in 'Education Regulations 2014 (section 2) is worded in a way that supports the guidance to head teachers. However, the regulations state that the pupil is to be withdrawn from sex education until the request is withdrawn. This could be reworded to have parents withdraw on an annual basis allowing for consideration of the pupils maturity and consider the application of a Gillick competency to be applied which allows for under 16s to be able to consent without parental consent.

**Q30. Do you have any other views on the draft regulations that you would like to share with the department? Please include this information in the text box below.**

Providing RSE and RE to both primary and secondary aged pupils in independent and state schools is necessary to improve the understanding of healthy and unhealthy relationships. The draft guidance does provide a foundation for the delivery of the subjects some areas require strengthening, as outlined in our responses.

#### **Regulatory Impact Assessment**

**Q 31. Tables (6-8) in section F of the draft assessment set out the assumptions we have made in estimating the cost burden for schools to implement the new requirements. Do you agree with our assumptions and the estimated additional costs to schools?**

The tables set out the estimated cost of RSE implementation. It is of concern that in section 64 it is stated that "once the guidance is finalised and issued following consultation, we will be better informed on the reasonableness of the assumptions and will be able to update the impact assessment accordingly."



What are the implications if the impact assessment has been significantly misjudged and the financial implications are more significant than assumed?

It is assumed in the guidance, in order to deliver these sessions, materials are available free and online and in the majority of schools a maximum of 2 staff will be trained. If additional training is required there has been no leeway given. Training 2 staff doesn't give any meaningful resilience. Each secondary school has on average 948 pupils 'schoolsweek.com' 2 trained staff members will not sustain the level of intervention required to provide meaningful RSE.

**Q 32. Are there any other cost burdens on schools, which you believe should be included in the regulatory impact assessment?**

Consideration should be given to engaging:-

- Specialist training by services that have a comprehensive understanding of the issues around RSE, for example FGM, honour based violence and rape.
- Production of teaching materials that are able to go on line.
- Learning aids, such as leaflets should be available for pupils to ensure individual learning needs and styles are met.

**Q 33. Please state in the text box below if you have any further comments on the regulatory impact assessment.**

All issues have been covered in the previous questions.