**Guidance for Schools to be compliant with RSE Guidance**

The new relationship and sex education guidance requires schools to teach the following:

1. Relationship education; this is compulsory at primary school and secondary school level with no option for parental opt out.
2. Sex education at primary school level is entirely optional with unequivocal parental rights of withdrawal.
3. Sex education at secondary school level is compulsory and schools need to develop policies in conjunction with their parent body to identify what will be taught at each stage. The guidance sets out that parents can request that their child be excused from sex education taught as part of RSE at any time. Unless there are exceptional circumstances, head teachers should agree to such requests until three terms before the pupil turns 16. At that point, if the pupil wishes to be taught sex education as part of RSE rather than be withdrawn and again unless there are exceptional circumstances, the school should make arrangements to provide this education for the pupil in one of the three terms before their 16th birthday. Pupils do not have the right to withdraw themselves from sex education or other parts of the curriculum.

In addition to the RSE guidance, schools must also demonstrate how they meet elements relating to the Equality Act 2010. This should be rooted in new or updated school policies and reflected in the culture of the school.

*Delivering RSE in schools:*

It is not our intention to dictate what schools should be teaching within RSE, and given the broad cross-section of schools within our community, we understand that there will be a diverse approach to this subject.

It is important to understand that the key objectives of RSE is to ensure that our children can form positive friendships and healthy relationships and are aware and protected from the increasing challenges that they are facing.

At secondary level students will also need to be taught details of sexual relationships, as will be outlined below.

Policies

It is imperative for all schools to develop policies surrounding the teaching of relationship and sex education. Pages 10 to 12 in the draft guidance provide a list of points that should be covered[[1]](#footnote-1).

This must be developed in conjunction with the parent body to ensure that the school can explain which areas of the recommended content are being covered and justify the elements that are deemed not to be age appropriate. These would usually be expected to be incorporated at a later stage. This is compulsory for all schools under the new guidance.

Governing bodies should therefore ensure that policies clearly explain what the term “age appropriate” means in relation to all elements of RSE guidance. The guidance makes it clear that taking the religious nature of the school into account is crucial in developing these policies in addition to explaining what constitutes age appropriate for the various elements being taught.

Individual Protection

It is essential that schools have clear policies and systems to protect all children and engender an atmosphere that shows tolerance and respect to all. This should be embedded within the learning environment of the school.

We would encourage schools to ensure that they have in place:

* Anti-bullying and anti-discrimination policies which includes protection for the LGBT community and mentions all the protected characteristics explicitly.
* Pathways to support children who are exploring their gender or sexuality. This can be the Child Protection Officer or may constitute a clear referral pathway detailed in the school’s policy. This is part of the school’s obligation to adhere to the Equality Act 2010. This pathway should be known to all staff members.

Delivery of RSE at Primary School

To clarify, any sex education provided at primary school level contains a parental opt out that Headteachers are unable to override.

Irrespective of the opt out for parents for sex education, there is a requirement for schools to ensure they are compliant with the Equality Act 2010 by ensuring that students know what relationships are allowed under the law of the country. Schools must therefore teach children about different family units but do not have to reference same sex relationships as one of these. In addition, for independent schools and

academies, there is a requirement to encouraging respect for others paying due regard to the protected characteristics. We would recommend this as good practice for all schools.

Delivery of RSE in the classroom

There is no requirement to teach sex education at primary school but schools may wish to do so. However, sex education is now compulsory at secondary school level and all schools must incorporate this within the curriculum. Parents are able to request to withdraw their child from sex education and Headteachers are encouraged to respect these requests.

At, secondary level it is good practice to include student in this decision. Three terms before the student turns 16, parents may still request withdrawal which Headteachers would be expected to approve subject to the student not wishing to attend.

Schools can teach in a manner best suited to the students and ethos of the school and at an age that is deemed “age appropriate” based on the results of parent surveys or school consultation.

Faith schools are able to teach about sexual relationships, including LGBT relationships, from a faith perspective. They should however, also teach students that the law in the UK allows for all types of relationships and must teach students the importance of showing tolerance and respect towards all. We would advise schools that are comfortable teaching Judaism’s view towards sex and relationships to adopt this route to teach LGBT relationships, which can be covered as part of Jewish Studies. Schools should also inform students that all sexual relationships are illegal in this country under the age of 16.

However, for schools who are not comfortable delivering curriculum in this way, lessons promoting tolerance must be incorporated within the school’s curriculum. In addition, schools can introduce students to the concept of same sex relationships tangentially, for example:

* Referencing LGBT when teaching Jewish sources e.g. in Parshat Acharei Mot.
* When teaching Holocaust education considering the different groups that were persecuted.

At secondary level it is also required to teach students dangers of abuse including sexual abuse.

1. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781150/Draft_guidance_Relationships_Education__Relationships_and_Sex_Education__RSE__and_Health_Education2.pdf> [↑](#footnote-ref-1)