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| Health & Wellbeing Service |
| **Sex and Relationship Education: the current expectations and new proposals** |
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This document aims to answer questions on what the current guidance is for schools on Sex and Relationship Education (SRE) and what the new proposals on statutory Sex and Relationship Education include.

## Isn’t SRE compulsory already?

The current legislation can be confusing, but it allows primary schools and academies to choose not to teach a programme of Sex and Relationship Education (SRE). There is some basic sex education in primary science and reference is made to puberty and reproduction, but this is not all statutory. Please see below:

**KS2 Science for reproduction:**

**Statutory Requirements:**

Pupils should be taught to:

* Describe the differences in the life cycles of a mammal, an amphibian, an insect and a bird
* Describe the life process of reproduction in some plants and animals.

**Notes and guidance (non-statutory):**

* Pupils should find out about different types of reproduction, including sexual and asexual reproduction in plants, and sexual reproduction in animals.

**KS2 Science for puberty:**

**Notes and guidance (non-statutory):**

* Pupils should draw a timeline to indicate stages in the growth and development of humans. They should learn about the changes experienced in puberty.

In secondary schools, the menstrual cycle and reproductive system are part of the statutory science curriculum. This is part of the National Curriculum and so academies and free schools don’t have to follow it. State secondary schools have to provide sex education but the only topic they must cover is HIV, AIDS and other sexually transmitted infections.

Please see below for a summary of what maintained schools and academies must do with regard to SRE:

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|  | Maintained Schools | Academies |
| Whole Curriculum | |  | | --- | | Must be balanced and broadly based, with a statutory duty to promote pupil wellbeing. Schools must publish details of their curriculum, including SRE. | | |
| SRE | |  | | --- | | It is compulsory for pupils in secondary education to have sex education that includes HIV and AIDS and other sexually transmitted infections. | |  |
| SRE Guidance | |  | | --- | | Any school that provides SRE has a statutory duty to have ‘due regard’ to the Secretary of State’s Sex and Relationship Education Guidance (DfEE, 2000) | | |
| National Curriculum | |  | | --- | | Statutory sex education in science programmes of study at Key Stages 1 to 3. | |  |
| SRE Policy | |  | | --- | | The Secretary of State’s 2000 guidance states that all schools should have an up-to-date policy for SRE, which must be available for inspection and to parents/carers on request. | | |  | | --- | | SRE policy advisable but not compulsory. | |

## Which document should schools currently be using when planning SRE and what guidance does it include?

**Sex and Relationship Education Guidance, DFEE 2000**

Legally, all state funded schools must pay ***due to regard*** to this guide. Academies and free schools do not have to follow the National Curriculum and so are not under this obligation. If they do decide to teach SRE, they also must also pay due regard to the guidance.

**LA maintained primary schools**

The DFEE document (2000) recommends that all primary schools should have an SRE programme tailored to the age, physical and emotional maturity of the children. SRE begins with teaching children about appropriate behaviour, safety and basic understanding of their bodies. It should ensure that both boys and girls know about puberty and how a baby is born. Section 3 of the guidance gives further information on what should be taught at these stages and how this should be rooted in the PSHE framework too. All children, including those who develop earlier than the average, need to know about puberty before they experience the onset of physical changes. In the early primary school years, education about relationships needs to focus on friendship, bullying and the building of self-esteem.

**LA maintained secondary schools**

Secondary schools should include in their policy details on how they provide a programme as part of the PSHE framework in addition to the National Science

Curriculum topics. Schools should set sex education within a broader base of self-esteem and responsibility for the consequences of one’s actions and set a framework for establishing what is appropriate and inappropriate in a whole-class setting and how to deal with individual questions.

**There needs to be an element of SRE included in the PSHE programme for every academic year in both primary and secondary school.**

**Is there anything else that needs to be in place?**

All schools must have an up-to-date **policy on SRE** which is made available for inspection and to parents. It must include information/ statement about parents’ right to withdraw their child/ren from SRE lessons. The law (Education Act 1996) states that all schools must ‘describe the content and organisation of SRE delivered outside the National Curriculum’; if the school chooses not to deliver any additional non statutory SRE, the policy must include ‘a statement of the decision

not to provide SRE other than statutory Science’. The SRE policy is the responsibility of the Governors and it ‘must be made available to parents for inspection’.

**Do parents currently have the right to withdraw their child/ren from the lessons?**

Yes, parents are free to withdraw their child/ren from SRE if they wish to do so. The only exceptions to this are the biological aspects of human growth and reproduction that are essential elements of National Curriculum Science.

## What is being proposed for SRE?

The future of SRE has been the subject of numerous parliamentary debates, legislative proposals and campaigns. Finally, on **1 March 2017**, the Education Secretary, Justine Greening, announced her intention to put ‘**Relationships and Sex Education’** (rather than Sex and Relationship Education) on a statutory footing. She also announced her intention to create a power to make Personal, Social, Health and Economic education (PSHE) statutory in future. Following consultation, the RSE proposals is planned to be in place for teaching to start in September 2019.

**The proposals involve:**

* **All** primary schools in England teaching ‘Relationships Education’
* **All** secondary schools teaching ‘Relationships and Sex Education’
* There will be a **reformed statutory guidance**, following consultation
* The right for **parental right of withdrawal from sex education will be retained** (see further notes on this below)
* There will be **flexibility for schools** in their approach, including for faith schools to teach within the tenets of their faith. During the debate in Parliament the Minister, Edward Timpson MP, clarified that schools will be able to exercise flexibility over **how** to teach a topic, **not whether** to teach it

Please note that these proposals would apply to **all** schools in England – local authority maintained, academies and independent.

In the statement on the 1st March there was recognition that “the statutory guidance for Sex and Relationships Education, introduced in 2000, is becoming increasingly outdated. It fails to address risks to children that have grown in prevalence over the last 17 years, including cyber bullying, ‘sexting’ and staying safe online. Schools will have flexibility over how they deliver these subjects, so they can develop an integrated approach that is sensitive to the needs of the local community; and, as now, faith schools will continue to be able to teach in accordance with the tenets of their faith”

The DfE has stated that regulations and statutory guidance to implement these plans will be subject to full public consultation later in 2017, and highlighted the emphasis in the new subject on relationships, indicated by the change of name: “The government is proposing the introduction of the new subject of ‘**relationships education’ in primary** school and renaming the **secondary school subject ‘relationships and sex education’,** to **emphasise the central importance of healthy relationships**. The focus in primary school will be on building healthy relationships and staying safe. As children get older, it is important that they start to develop their understanding of healthy adult relationships in more depth, with sex education delivered in that context.”

## What is the proposed content of RE and RSE?

These themes would form the focus of RSE, and will be addressed as the Government reviews and consults on RSE content during 2017:

* **Different types of relationships**, including friendships, family relationships, dealing with strangers and, at secondary school, intimate relationships;
* How to recognise, understand and build **healthy relationships**, including self-respect and respect for others, commitment, tolerance, boundaries and consent, and how to manage conflict, and also how to recognise unhealthy relationships;
* How relationships may affect **health and wellbeing, including mental health**;
* Healthy relationships and **safety online**; and
* Factual knowledge, at secondary school, around **sex, sexual health and sexuality**, set firmly within the context of relationships.

In primary schools parents **will not** be able to withdraw their child from RE lessons. Parents **will only** be able to withdraw their child from primary school classes which address sex education - i.e. those that do not sit within the Relationships Education curriculum.

In Secondary schools parents **will be** able to withdraw their child from sex education within RSE (other than the sex education which sits in the National Curriculum as part of science I maintained schools)

**Schools will continue to be required to publish policies** on these subjects for parents, and statutory guidance will continue to set out that schools should consult parents on those policies to ensure they are feeding in their views.

**Teaching about same-sex marriage**

During and following the passage of the Marriage (Same Sex Couples) Act 2013 there was considerable debate about the implications of the legislation for teachers whose religious beliefs led them to oppose the measure. The then Equalities Minister stated that teachers would be able to describe their belief that marriage is between a man and a woman, while acknowledging that same-sex marriage will be available within the law. Reforms requiring schools to ‘actively promote’ British values have provoked further debate in this area.

**What is the proposed timeline?**

* **March 2017:** Introduction of amendments to Children and Social Work Bill
* **Spring 2017**: Work to consider RSE content begins, engagement with stakeholders
* **Autumn 2017:** Draft regulations and guidance for consultation. The DfE will consult widely with the education and young people’s sectors in order to determine the content of the regulations and statutory guidance; and on whether to introduce PSHE as the framework within which SRE is delivered. **This consultation has yet to take place.**
* **Following consultation:** Regulations and final draft guidance laid in the House for debate
* **Early 2018:** After regulations have been passed, final statutory guidance published
* **September 2019**: Teaching of new RE and RSE requirements begin and both will fall within the scope of school inspection. Inspections will check to see that a school is providing the full statutory curriculum, and these issues can also be considered within the context of assessing the school’s leadership, the quality of teaching, pupil safety and pupils’ spiritual, moral, social and cultural development. Ofsted has appointed an HMI lead for citizenship and PSHE, Rory Powell, whose role will be to keep abreast of developments in this area and oversee the training of inspectors in light of the new expectations on schools. The Government will commit to reviewing the statutory guidance on RSE within three years of its publication, and to a regular timetable after that, that will balance continuity for schools with ensuring content is up to date.

## What can schools do in the meantime?

Schools do not need to wait for the publication of the regulations and statutory guidance in order to make changes that will increase the quality of SRE provision. A range of resources, including a curriculum, are already available to all schools in Leeds to support the teaching and learning for SRE. Many schools are already delivering good SRE, please keep up the good work!

SRE is every child’s right

For more information or support requests on:

* Sex and Relationship Education curriculum and resources
* A model policy and guidance for Sex and Relationships Education for primary and secondary schools (schools can obtain this through training)
* Staff training
* A menu of SRE classroom sessions delivered direct to your pupils/ students
* Parent information session

Please email [schoolwellbeing@leeds.gov.uk](mailto:schoolwellbeing@leeds.gov.uk)