

Consultation on draft Statutory Guidance on the Delivery of Relationships, Sexual Health and Parenthood (RSHP) Education in Scottish Schools

Response Free Church of Scotland

Section One: Introduction

Question 1: Introduction

Is the draft introduction clear on the status and application of the guidance? Are there further additions required?

We welcome the opportunity to respond to this consultation on the draft Statutory Guidance on the Delivery of Relationships, Sexual Health and Parenthood (RSHP) Education in Scottish Schools. We believe in the value and dignity of every child made in the image of God. Moreover, we recognise the hugely important role education plays in the life of young people. We welcome various aspects of the guidance, however, we do have concerns that aspects of it are not sufficiently clear.

Proverbs 22:6 tells us “Train up a child in the way he should go; even when he is old he will not depart from it.” It is therefore essential that honest conversations are held around RSHP education and that parents are informed about what is actually being taught to their children and have the right to ensure that their children are educated in accordance with their religious and moral convictions. In this regard, we welcome the paragraph 1.6 of the guidance which states “Parents and carers have the right to have their children educated in conformity with their own religious and philosophical convictions” and that “teachers should work closely with parents in its delivery, by discussing proposed lessons and resources with them in advance.” This is consistent with international Human Rights obligations such as the *International Covenant on Economic, Social and Cultural Rights* article 13 which preserves the rights of parents or legal guardians to “ensure the religious and moral education of their children in conformity with their own convictions”.

However, the guidance is not sufficiently clear on how this would operate in practice. It seems at times that the rights of parents are held up against the best interests of the child (see para 1.10) with the intention that educators can decide whether or not the parents’ beliefs are in the best interests of the child. Consultation with parents, including informing them of their right to withdraw should be required in all cases.

We also note that paragraph 1.6 states that “RSHP education should be presented in an objective, balanced and sensitive manner” which we welcome. However, more detail could be added as to how this balance of different views can be achieved. This is particularly important when some of the organisations recommended in the guidance are activist organisations and do not present a balanced view.

More should also be included in the guidance about ensuring delivery is “age and stage” appropriate. This is in keeping with one of the recommendations of the Scottish Government Report on the Review of Personal and Social Education: Preparing Scotland's children and young people for learning, work and life.

Section Two: – RSHP Education

Question 2: Relationships, Sexual Health and Parenthood Education

How clear is the purpose of the RSHP education section?

There are aspects of the guidance that we welcome, however, we also continue to feel some aspects are unclear.

We note paragraphs 2.5 & 2.6 state that while RSHP will “predominantly” be delivered through Personal and Social Education (PSE) and Religious and Moral Education (RME) reference is made to the “relationship aspect” of RSHP being the “responsibility of all” and accordingly it can be delivered in other settings within the school. This approach makes it more difficult for parents to exercise their rights of withdrawal from other areas of the curriculum. We are concerned that contentious issues will be raised in other areas of the curriculum, where inadequate opportunities for alternative viewpoints will be provided.

We support the suggestion in paragraph 2.7 that “Schools and teachers should refer to their own school’s context, using people and places in their local area, or the individual interests of classes and pupils, to choose topics to focus on when developing learning and teaching in RSHP education.” This could be expanded to include reference to teachers inviting local people, such as faith leaders, into schools to help provide alternative viewpoints in relation to contentious issues and to provide a forum for respectful discussion.

We note that the guidance says it is “good practice” to involve parents (paragraph 2.9). In our view this does not go far enough. It should be mandatory for schools to inform and involve parents. In particular, they should be told in advance what will be taught and informed of their right to withdraw. Where RSHP is taught in other curriculum areas parents must be told and must be able to use the right to withdraw.

Parents should also be informed about what information is delivered by third party organisations. Third party organisation should be required to publish what they are delivering.

If schools work with organisations that give one perspective on a contested political issue, additional teaching should be given to ensure pupils receive an objective and balanced presentation of views.

Question 3: Parental engagement and ability to withdraw from RSHP learning

Is the guidance sufficiently clear in relation to the rights of parents and carers; is the process for withdrawing a pupil sufficiently clear?

While we welcome the specific inclusion of these sections in the guidance, we are not persuaded they are sufficiently clear.

We welcome paragraph 2.9 which states “parents and carers...are their primary educators”, but paragraph 2.10 is not strong enough:

“Parents and carers should be given advanced opportunity to view key teaching materials and to ask questions about any aspect of the RSHP education programme. Evidence indicates, where this has happened, parents and carers feel more confident about speaking to their children at home and answering their questions, for example, on sexual health, relationships and physical development.”

We believe the word “must” should replace “should” in paragraph 2.10 in order to recognise that parents and carers are the “primary educators”. The guidance should specify that parents have the right to see all materials being used in the delivery of RSHP, including those produced or delivered by external groups. Schools should proactively communicate with parents and carers in advance, giving them the opportunity to view the materials and ask questions. We noted that section 28 of

the Education (Scotland) Act 1980 states that pupils are to be educated “in accordance with the wishes of their parents”. The guidance could make this legal commitment clearer and encourage school and teachers to engage in a positive manner with parents.

In relation to the right to withdraw we are concerned the current guidance sets the rights of parents against the rights of the child. It appears parents’ wishes may be overridden if the school cannot accommodate alternative provision, or if there is conflict between the wishes of the parent and the child. The guidance should clearly state that parents are the guarantors of their own children’s rights. Parents’ rights exist to enable them to ensure their children’s rights are respected. Children’s views must not be pitted against the rights and duties of parents and the school should not act as arbitrator between parents and children.

The guidance should make clear that the right to withdraw is absolute unless there are safeguarding concerns. The guidance should specify that the right to withdraw applies to all RSHP education, regardless of where in the curriculum it is delivered.

We are also concerned that paragraph 2.13 states “can decide to withdraw their children from participation in the sexual health elements of RSHP education.” We are unclear why this is limited to the sexual health elements of RSHP education. Faith and belief is not limited to sexual health but impacts all of life, including relationships and therefore parents should have the right to withdraw from other areas of RSHP. Does sexual health here refer to the sub-heading “sexual health and sexuality” in the PSE Benchmarks? If so we are concerned that some contentious issues such as masturbation and gender do not fall under the “sexual health and sexuality” section and instead included in the “physical changes” section. Is the guidance suggesting parents cannot withdraw their children from those lessons? We believe that is wrong and contrary to section 28 of the Education (Scotland) Act 1980 and international human rights obligations.

Section Three: Embedding RSHP Education as a Whole School Approach

Question 4: Embedding RSHP Education as a Whole School Approach

How effective is the guidance in explaining the key issues to be highlighted to teachers in delivering RSHP education? How does this help bring consistency to learning?

We are not convinced the guidance is effective and clear in this area. Paragraph 4.1 states teachers should present RSHP “within a framework of sound values”, but does not say what these values are and does not indicate how these values would interact with the value systems of various religions or other beliefs. The guidance is not clear enough for teachers on what the sound values they must teach are. Children should learn about the characteristics of healthy relationships, such as love, respect and commitment. We believe children should also learn about the value of marriage, and its importance for family life and bringing up children.

We are concerned the guidance is not clear that RSHP teaching must cover and uphold the law concerning the age of consent for sexual activity.

The guidance should also state that where teaching relates to contentious or political issues, including gender and LGBT relationships, teachers should highlight that these areas are contested and should not only present one viewpoint.

We are also concerned more protection should be offered to teachers, assuring them they will not be required to express or endorse views that they disagree with, which may be contrary to their own faith and beliefs.

Question 5: Consent and healthy relationships

Is the guidance sufficiently clear in supporting consent and healthy relationships having a greater focus in RSHP education?

This is a positive starting point for discussions on consent and healthy relationships – it is important to acknowledge that consent is vitally important. Children should know they can say “no” to things that do not feel comfortable with. But it should also be acknowledged that consent is not the only consideration for an intimate relationship. Children should also learn about the importance of love, respect, commitment and the significance of marriage.

Children should also be taught about the benefits of delaying sexual activity. Abstinence is still the best way to avoid STIs and unwanted pregnancy and should be taught as a positive choice for children as part of RSHP education.

We are concerned that paragraph 4.8 in the draft guidance suggests an expectation that children and young people will have online sexual relationships – “...when they do enter into sexual relationships, whether in person or online”. We acknowledge the wording in the start of the sentence that “children and young people who receive learning and teaching about these issues are more likely to delay the onset of sexual activity and experience positive outcomes”, but we would caution against inferring that online sexual relationships are expected, especially when teaching about consent and healthy relationships to children.

We would also add that teaching on pornography should not be neutral – it is inherently harmful and dangerous. Discussion relating to pornography must look at the harm done to young people who regularly watch pornography in terms of sexual dysfunction and the negative impact on future relationships, particularly with more BDSM pornography freely available. Information about some of the abuse perpetrated against those involved in producing pornography should also be highlighted – include so called “revenge porn” where there is a lack of consent.

Abortion must also be discussed in a sensitive way recognising different beliefs about the subject (as well as about the physical and psychological impacts it can have on women and girls), and that language around sexual health should refer to medical and biological terms that children can understand.

Question 6: Faith, belief and RSHP education

Is the guidance sufficiently clear in ensuring faith and belief is accurately captured in RSHP education?

We welcome the inclusion of these paragraphs as a specific section within the guidance, however, there are areas where the guidance could be clearer. The guidance should require schools to consult with parents and carers in order to understand more about the “belief and faith backgrounds present”.

We welcome paragraph 3.8 which makes clear that teaching should be “respectful of” different “belief and faith backgrounds”. This is essential to ensure RSHP teaching does not marginalise those who hold religious views.

The guidance should contain stronger requirements that teaching is not partisan on contested issues and that children’s free speech is not restricted.

The guidance should clarify that faith perspectives are appropriate wherever RSHP is taught and not just within the RME section of the curriculum.

Use should be made of local religious to deliver some of this education, particularly as there is generally a lack of religious literacy in society and a lack of nuance around different practitioners of the same faith. In terms of signposting to resources a wider range of faith groups, denominations etc should be included.

Question 7: Gender Inclusive Education

Is the guidance sufficiently clear in ensuring gender inclusive language is used to deliver RSHP education?

It should be recognised that gender is a contested political area with a variety of viewpoints. Biological reality must be maintained in schools – particularly as children are not old enough to apply for a gender recognition certificate.

The guidance should stop pupils being exposed to one sided gender ideology, which sidelines biology and is based on and promotes restrictive gender stereotypes.

The guidance states pupils should learn to use “inclusive language when referring to or addressing individuals”. There must be clear guidance that no pupil may be forced to address another person as if they have truly changed sex.

We are concerned that this section of the guidance seems to refer to education generally, not RSHP education specifically. We note the suggestion that pupils should be ‘given opportunities to explore gender through, for example, free play’ in para 3.11 but we are unsure what this would look like in practice. Does this mean encouraging pupils to explore different gender identities or gender roles? In our view this would be confusing for children.

Question 8: Understanding of Variations in Sex Characteristics (VSC) sometimes referred to as or Differences in Sex Development (DSD) or Intersex

Is the guidance sufficiently clear in explaining and including VSC/DSD/intersex people in RSHP education?

We are not convinced the guidance is sufficiently clear, giving that the general public do not have a lot of awareness around these conditions. Moreover, teachers presumably need more information on the impact of these conditions in terms of puberty, sexuality and physical characteristics to effectively deliver RSHP.

Question 9: LGBT inclusive RSHP education

Is the guidance sufficiently clear in ensuring RSHP education is LGBT inclusive?

We are not convinced the guidance is sufficiently clear, there are aspects of the guidance which are helpful but other sections appear to be entering into moral judgements rather than supporting a variety of beliefs.

We believe the guidance around ensuring that children who are LGBT are not subject to bullying and are provided with support is helpful and right. However, it is essential that schools address all forms of bullying. The guidance should say that disagreeing with LGBT ideology is not a hate crime or discriminatory. Children should be able to discuss difference viewpoints respectfully.

We are concerned that the guidance makes a moral judgement on LGBT matters. Paragraph 3.18 states that inclusive education enhances a sense that a young person belongs 'and that who they are is not wrong'. In our view this is the guidance stating a fixed viewpoint on what is a contentious issue, particularly within different faith and belief communities. This statement reflects an ideological beliefs about identity and the role of sexual orientation in identity that goes beyond the scope of the guidance and contradicts the idea of balance in the presentation of contentious issues.

The guidance also states that LGBT content "should be age and stage appropriate" (paragraph 3.19). But teaching young children about "diverse sexual and gender identities" can lead to confusion among children. Moreover, embedding teaching on "diverse sexual and gender identities" across all subjects politicises the curriculum and causes issues for parents who may wish to withdraw their child.

The guidance should make clear that "LGBT inclusive education across the curriculum" is not mandatory and that the recommendations of the LGBTI Inclusive Education Working Group are not binding on schools.

The guidance should be clear that involving parents is key to safeguarding and that schools must not conceal information from parents to enable a child to 'socially transition' secretly. Parents and carers have a right to know what decisions have been made regarding their children.

Section 4: Key Learning Points for RSHP Education

Question 10: Pupils with Additional Support Needs

Is the guidance sufficiently clear in explaining the requirement for pupils with Additional Support Needs to have RSHP education?

While the guidance is helpful we are concerned that it does not adequately address the fact that sometimes because of Additional Support certain aspects of RSHP may not be appropriate. It is essential that proper communication and partnership takes place with parents as part of working with pupils with ASN, particularly those with complex needs, as it is likely parents would want to be included in decision-making and development of resources and strategies. There also needs to be an element of partnering with other agencies (speech & language, paediatric nursing teams, teachers...).

Section 5: RSHP: Policy, Guidance and Resources

Question 11: RSHP: Policy, Guidance and Resources

Does the guidance provide sufficient resources and signposts to support teachers in delivery of RSHP education, if not, which resources do you think are missing?

We do not believe there are currently sufficient resources and signposts to support teachers. In particular we believe there is an illiteracy around certain faith and belief groups and more resources should be included, which are tailored to RSHP rather than just generic reference to organisations. We would recommend mentioning organisations like Scripture Union Scotland who currently support a lot of schools in Scotland and referencing some of the resources available from Lovewise (lovewise.org.uk) and Respect ME (respectme.co.uk). These organisations would support teachers in catering for children who have a Christian faith. We are also aware that Christian Values in Education: Scotland (CVE) (cve-scotland.org.uk/) are currently developing material to support delivery of RSHP and are in consultation with Education Scotland – once ready we would recommend inclusion of these resources.

