

TOWER HAMLETS PARENTS ASSOCIATION BRIEFING TO HEADTEACHERS

# Decoding the ‘Head Teachers Briefing’ given by LBTH

14 March 2020

This is a briefing document prepared by Tower Hamlets Parents Association (THPA) for all Headteachers of Schools in Tower Hamlets. THPA is comprised of over a thousand parents that are part of Parents groups in 60 schools in Tower Hamlets.

The purpose of this briefing is to provide important clarification about potentially misleading and inaccurate guidance that was issued by LBTH officers.

On 25<sup>th</sup> February 2020 LBTH held a briefing meeting with Headteachers to provide guidance on its intended policy on RSE. Soon after notes of that briefing were circulated, THPA held a meeting with Cllr Danny Hassell and Kate Smith on 12<sup>th</sup> March to unravel several unsubstantiated points and factual inaccuracies.

Below are a set of statements given by LBTH in the briefing which have been broken down, explained and decoded in line with the law and statutory guidance.

**1. “LA has consulted widely: Religious groups including East London Mosque”.**

- a. The word ‘consultation’ has been used several times by LBTH, which led parents to believe it was a genuine and meaningful consultation taking into consideration the concerns of parents. Even Kate Smith in her meeting at the Maryam Centre (East London Mosque) told parents she would take the concerns back to the council, which further alluded to the fact this was consultation. When some of these concerns were started to be raised with Ms Smith, the language was abruptly changed to ‘information’ instead of ‘consultation’. All stakeholders were informed that all of Ms Smith’s meetings were only information sharing and not consultation. Ms Smith has stated many time thereafter that the government consulted already and the LA is under no legal obligation to consult, but her terminologies used before and her conduct appear to have been calculated to mislead the community.
- b. This claim in the briefing suggests that the East London Mosque were consulted and approved of the LA position. This couldn’t be further

from the truth. The East London Mosque were forced to issue a public statement clarifying their position (see below).

<https://www.eastlondonmosque.org.uk/news/elm-urges-respect-for-parents-concerns-about-rse>

- c. Additionally in an email sent by LBTH, other factual inaccuracies were stated (see link below). It was mentioned that 800 parents attended the Maryam Centre (East London Mosque). Yet the hall where the event was held can only facilitate 350 people at a squeeze. When Ms Smith was asked by THPA why she gave this figure she said “that was what I was informed”. A THPA mother who was present in the Mosque programme and also in the meeting with the Council on 12<sup>th</sup> March made it clear that no one from that event told her it was 800 mothers. Additionally THPA has spoken to the East London Mosque and they confirmed they never gave that number or information to Ms Smith. Again further misleading comments. <https://thparents.org/lbth-misleading-email/>

**2. “Science Curriculum, Relationships Education and Health Education elements are statutory and children cannot be withdrawn from these. Sex Education is non-Statutory”**

This statement is correct, however it is important to note that while Sex Education is non-statutory the right of withdrawal is absolute.

Additionally RE/RHE statutory elements have been made clear in the guidance document from DfE. Yet the proposal of the LA is to add non statutory areas into RE/RHE in order to prevent parent’s ability to withdraw their children.

**3. “KS1 – Teach LGBT relationships within teaching about different kinds of families that children might be in (e.g. single Mum, grandparents as primary carers, step families etc). That all family types should be valued and respected. Clear definition of being gay as a man who loves another man, and being lesbian as a woman who loves another woman.”**

There is no statutory requirement on the teaching of LGBT at primary school in the RE government guidance. This area has been left open in order to take into consideration the values and faith of parents and children. The guidance is on respecting differences only.

There is no mention of definition of being gay or lesbian in the government guidance.

**4. “Failure to teach this puts schools at risk of not meeting their statutory duty under the Equalities Act.”**

Under the Public Sector Equality Duty, schools are only required to discuss same sex families if/when there is a child from such a family in a particular class and even then, the duty only stretches to that class, not the entire school. (<https://www.gov.uk/government/publications/public-sector-equality-duty>)

There is no obligation for schools to “teach” the Equalities Act 2010. ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/315587/Equality\\_Act\\_Advice\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf))

Primary schools are not required to teach LGBT elements as stated by Nick Gibb, Minister for School Standards during the Parliamentary Question Period on 25 June 2019. (<https://hansard.parliament.uk/Commons/2019-06-25/debates/8F61FF43-BA5E-401D-A3AD-3B742236F757/ParentalInvolvementInTeachingEqualityAct>)

Schools are obliged to teach ‘Fundamental British Values’. It is important to note that ‘Fundamental British Values’ were originally taken from “Prevent” guidance, wherein there was no mention of protected characteristics.

**5. “KS1 – Teach names of sexual body parts: penis, vagina, breasts, nipples, testicles, vulva, bottom, anus.”**

The naming of the sexual body parts is not part of the statutory guidance for RelEd/RHE

Teaching the names of the sexual body parts is part of Sex Education, by putting this into the statutory part of RelEd or RHE then the LA could be seen to be trying to ensure parents cannot withdraw their children from Sex Education.

Section 405 of the Education Act states “schools **MUST** tell parents when sexual matters are discussed”

**6. “Failure to teach this puts children’s safeguarding at risk (ability to describe medical conditions accurately, ability to make accurate disclosure of abuse).”**

- a. Kate Smith admitted in the meeting with THPA on 12<sup>th</sup> March that there is no scientific data to back the claims made that link better safeguarding when children (from 4 year olds) know the names of the sexual body parts.
- b. There are several other methods and ways to address the safeguarding issue without the need to name sexual body parts for example:
  - I. ‘*My Body belongs to me*’ is an excellent resource that addresses safeguarding issues without naming the sexual body parts. This resource can be used for children in KS1.
  - II. ‘*NSPCC Pants (Pantosaurus)*’ is another resource which addresses safeguarding issues without naming the sexual body parts. This resource can be used for children in KS1.
  - III. ‘*My Body belongs to me: from my head to my toes*’ teaches safe touching and body boundaries without naming the body parts. This resource can be used for children in KS1 and KS2.
- c. Furthermore in Child Sexual Exploitation cases children are asked to point to the body part of a doll to identify the abuse that they have undergone, the vocabulary is not required.
- d. The Science curriculum teaches reproduction not sexual body parts names. It covers biology not sexuality.
- e. The definition of Child Grooming is: *“befriending and establishing an emotional connection with a child, and sometimes the family, to lower the child's inhibitions with the objective of sexual abuse”*

The intent of the guidance from the LA is not sexual abuse but the process recommended is same in effect on the child i.e. remove the child from the parents and break down their inhibitions, so it can be de facto grooming.

**7. “The National Curriculum is set by the DfE and school are not at liberty to change that.”**

RelEd/RHE/RSE is not National Curriculum, this is misleading information being provided by the LA.

DfE have made it clear that ReEd/RHE/RSE is guidance and not National Curriculum.

**8. “Schools should listen to parents views and then make a reasonable decision. Parent consultation does not provide a veto on the curriculum contents”**

This is incorrect, the Schools **must consult** and that is a statutory duty on the schools. As stated in paragraph 13 of the guidance document

*“All schools must have in place a written policy for Relationships Education and RSE. Schools **must consult** parents in developing and reviewing their policy. Schools **should ensure** that the policy meets the needs of pupils and parents and reflects the community they serve.”*

The Statutory Instrument has 3 key clauses which make it clear about consultation and ensuring the education is age appropriate and takes into consideration the religious background of the pupils.

*(b) the education is appropriate having regard to the age and the religious background of the pupils.*

*(3) The governing body must consult parents of registered pupils at the school before making or revising a statement under subsection (1).*

*(2) A statement under subsection (1) must include a statement of the effect of section 405(3) of the Education Act 1996 (exemption from sex education: England).*

**9. “We should tell parents the half term in which items will be taught but not the specific week (to maintain good attendance).”**

a. The statutory guidance states under paragraph 41:

*“All schools should work closely with parents when planning and delivering these subjects. Schools **should ensure that parents know what will be taught and when**, and clearly communicate the fact that parents have the right to request that their child be withdrawn from some or all of sex education delivered as part of statutory RSE.”*

- b. Why are the LA saying for schools not to give the specific week this will be taught? They refer to maintain good attendance which means that they fear withdrawal of pupils, which means that the LA know that parents are not happy about this policy. This in turn means the policy is not age appropriate and does not take into consideration the religious background of the pupils.

**10. “Parent sessions should be information sharing sessions once the curriculum has been set.”**

This is incorrect, the Schools **must consult** and not just be information session that is a statutory duty on the schools. As stated in paragraph 13 of the guidance document

*“All schools must have in place a written policy for Relationships Education and RSE. Schools **must consult** parents in developing and reviewing their policy. Schools **should ensure** that the policy meets the needs of pupils and parents and reflects the community they serve.”*

**11. “Suggested Timeline:**

- a. **Spring 2 2020 – start to develop curriculum and policy based on LA guidance**
- b. **Summer 1 2020 – take policy to Governors for approval**
- c. **Summer 2 2020 – hold parent meetings about changes**
- d. **Autumn 1 2020 – introduce new curriculum”**

This timeline and advice given breaches the statutory guidance and law. It is mandatory for schools to consult parents before the forming of the policy.

**12. “LA has taken significant legal advice on how the DFE guidance should be interpreted and their position is based on this.”**

With all these breaches of statutory duty for schools and the guidance given by DfE and the Statutory Instrument, it begs the question what “*significant legal advice*” was actually sought by the LA. Following this guidance will put schools at risk of breach of the law and schools statutory duty.

## Conclusion

The discussion around the teaching of Relationship Education (RE) and Relationship and Sex Education (RSE) must involve parents as the primary stakeholders in their children's education.

Passionately believing in a moral standpoint is one thing - enforcing that viewpoint on others is another. Children must not be institutionally forced to adopt a viewpoint, without parental consent and involvement.

Through respectful dialogue, exchange and most importantly meaningful consultation with parents, schools can accommodate the concerns of parents in this regard.

Tower Hamlets Parent Association (THPA) wants to ensure that schools maintain a healthy and strong relationship with parents and the community it serves. Therefore we invite all school headteachers to meet with THPA so we can work together in forming a reflective ReEd / RHE policy in your school. You can contact us via email at [info@thparents.org](mailto:info@thparents.org).