

Relationships Education, Relationships and Sex Education (RSE) and Health Education

We the undersigned organisations have had a large number of enquires by parents in Tower Hamlets who have raised concerns about the new Relationships Education, Relationships & Sex Education, and Health Education ('RSE') curriculum which was required to be taught in schools from September 2020, but now extended to the start of the summer term 2021 due to Covid-19. In order to understand the requirements of this new curriculum fully and in light of the approach taken by the London Borough of Tower Hamlets (as set out in their separate guidance) we have taken legal advice from a leading barrister (Queen's Counsel). We have had several meetings with Mayor John Biggs, Cllr Danny Hassel (now replaced by Cllr Asma Begum), and Kate Smith over the last few months, addressing the community's concern around RSE and trying to get LBTH to be more reasonable in their recommendations to Schools. As such we thought it would be helpful to summarise what is and what isn't required by the new curriculum. This awareness is aimed at parents, staff, headteachers and school communities in general to have a more clear guidance.

- 1 The DfE has published statutory guidance ('DfE Guidance') on the new curriculum for governing bodies, head teachers and teachers of schools which must be followed. It has also published extensive additional information to assist school leaders to plan, develop and implement the new curriculum.
- 2 The document published by LBTH: RSE Framework and Policy Advice for Schools has NO legal standing and should not be considered as guidance as such.*
- 3 Schools have a statutory duty to consult with parents before finalising any policy or curriculum. They must take into consideration the views and concerns of parents in developing and reviewing their policy.
- 4 Schools must also take into account the age and religious background of all pupils in ensuring that their teaching is appropriate.
- 5 All schools are required to write their own policy on their new RSE curriculum, in accordance with the law and DfE Guidance. Schools are not required to follow or adopt the LBTH guidance.
- 6 The DfE guidance sets out what primary school pupils should know in relation to families and people who care for them. This includes the fact that families can sometimes look different from their own family, but that difference should be respected. However, there is no mandatory legal requirement to teach about LGBT at primary school level.

- 7 In primary schools, naming of the sexual body parts (e.g. vagina, vulva, penis) is not required either as part of RSE or the Science Curriculum.*
- 8 As regards Health Education in primary schools, the DfE Guidance states that by the end of primary school pupils should know key facts about puberty and the changing adolescent body particularly from age 9-11. There is no requirement to teach this in a specific year. It could e.g. be taught in Y5-6.

As regards to consultation, we strongly recommend the following process to ensure it is meaningful.

- 1 Use of any questionnaires for consultation should be open-ended questions and not leading.
- 2 Questionnaires should be also provided in Bangla and Somali (and any other languages which may be applicable to specific schools in substantial numbers) to enable parents who do not read English well to participate in the consultation.
- 3 Where possible, samples of the resources proposed to be used in teaching and lesson plans should be shared with parents as part of the consultation.
- 4 After the questionnaires have been completed, schools should offer a meeting between the school and parents collectively (in person or on Zoom) to allow further engagement, questions, and consultation prior to finalising the policy



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*As agreed by Mayor Biggs in a meeting on 26/01/21