



Education, Skills and Children's
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CURRICULUM FOR EXCELLENCE

HEALTH & WELLBEING CURRICULUM
RELATIONSHIPS, SEXUAL HEALTH & PARENTHOOD (RSHP)

GUIDANCE FOR SCHOOLS

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COMHAIRLE NAN EILEAN SIAR

Education, Skills and Children’s Services Department

Health & Wellbeing – RSHP Guidance for Schools

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Note: This guidance document represents an update on the previous edition of the RSHP guidance for schools (September 2021)

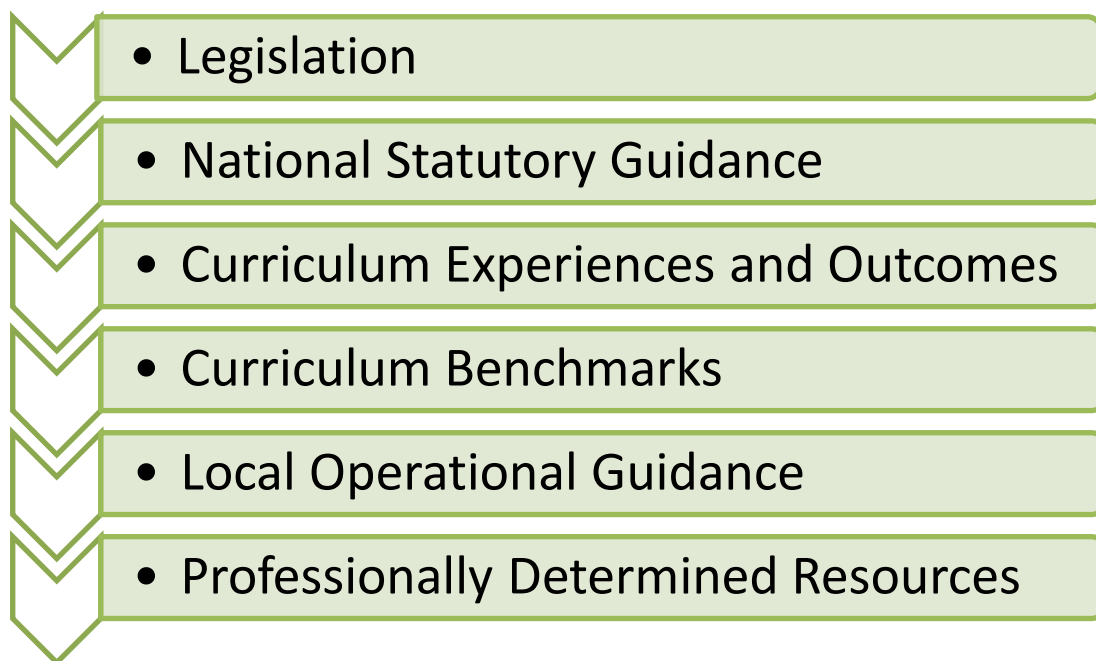
INTRODUCTION

- 1.1 The Comhairle is committed to ensuring that all young people receive high quality relationships, sexual health and parenthood education (RSHP) in order to respect, protect and fulfil their human rights as they grow up. The Comhairle is committed to working with young people, parents, carers and staff to make this a reality for children and young people in all schools in order to create a positive culture around relationships, sexual health and parenthood. RSHP education is a key part of Health and Wellbeing within Curriculum for Excellence.
- 1.2 RSHP education focuses on equipping young people with the knowledge, skills and values to make informed and positive choices about forming relationships helping them to making safer decisions about their sexual and emotional health and wellbeing in a responsible and healthy manner, as an important part of preparation for adult life.
- 1.3 The Scottish Government gives high priority to the provision of good quality RSHP education in all Scottish schools, based on good practice and informed by evidence.
- 1.4 This guidance is designed to make sure that information about relationships, sexual health and parenthood is not given in isolation but as part of a programme that considers a range of issues relating to personal and social development, healthy living, values and beliefs which reinforce self-worth, respect for others and a sense of responsibility.
- 1.5 The Scottish Government believes that all education should be a partnership between schools, parents, carers and children and young people and emphasises that this partnership is of particular relevance in areas directly relating to the personal growth of learners, such as RSHP education.
- 1.6 The Comhairle, at a Special Meeting on 30 November 2020, agreed to *‘commend the use of the age and stage appropriate materials as set out by the Scottish Catholic Education Services (SCES) for the teaching of relationships, sexual health and parenthood in Western Isles schools, noting that the schools may adjust these materials as appropriate’*. This commendation was further endorsed at a meeting of the Comhairle in April 2023.
- 1.7 On this basis, it remains for schools to determine the RSHP curriculum and the resources used to teach it, taking close cognisance of the commendation of the Comhairle to use the SCES material. In doing so, schools must ensure appropriate involvement of the Parent Council and parents as well compliance with the guidance set out in this document.

SCOTTISH LEGISLATIVE FRAMEWORK RELATING TO TEACHING RSHP

- 2.1 The teaching of RSHP, the rights of children to receive this education and the rights of parents to be involved and consulted in doing so is set out and framed within several relevant pieces of legislation.
- 2.2 The legislative framework then informs the development of a curriculum that recognises the rights and requirements set out therein. It is then for education professionals to determine the use of age and stage appropriate resource materials to teach that curriculum.
- 2.3 From the legislative framework, statutory national guidance is developed that then informs the

delivery of the curriculum experiences, outcomes and benchmarks for education authorities and schools. From there, education staff provide local operational guidance to support the delivery of the curriculum and the appropriate identification of resources, lesson materials or external inputs. The process can be summarised as set out in the diagram below.



- 2.4 The various specific determining legislative references pertinent to the teaching of RSHP are set out below and must all be considered when education authorities provide guidance to schools.
- 2.5 **Education (Scotland) Act 1980** – The 1980 Act continues to be cornerstone legislation that determines the duties upon education authorities to make educational provision. It states that *‘it shall be the duty of every education authority to secure that there is made for their area adequate and efficient provision of school education’* and *‘school education means progressive education appropriate to the requirements of pupil; regard being given to the age, ability and aptitude of such pupils’*.
- 2.6 **Standards in Scotland’s Schools etc. Act 2000** – It is in section 56 of the 2000 Act that it determines requirements for guidance for education authorities as to the manner of conducting sex education. In establishing such statutory guidance, section 56 determines that *‘... education authorities shall, in discharging their functions as respects the provision of such education in those schools have regard to such guidance.’* On that basis, as an education authority, we are bound to regard the statutory guidance issued in respect of conduct of RSHP Education in Scottish Schools. As such, it is the statutory guidance developed in respect of Section 56 of the 2000 Act that this the main determinant of advice contained within this guidance document.
- 2.7 **Ethical Standards in Public Life etc. (Scotland) Act 2000** – Section 35 of this Act places a duty on councils, in the performance of their functions which relate to children to have regard to:
(a) the value of a stable family life in a child's development; and
(b) the need to ensure that the content of instructions provided by authorities is appropriate, having regard to each child's age, understanding and stage of development.

Head teachers and their staff have the responsibility for ensuring these duties are met in a school setting.

- 2.8 **Scottish Schools (Parental Involvement) Act 2006** – It is a fundamental element of the development of local guidance for RSHP delivery that such learning is done so with the close collaboration, involvement and engagement of parents and carers. This is set out in statute through the 2006 Parental Involvement Act, which recognises the vital role that parents play in children's learning and development and aims to encourage parents to develop their children's learning at home and in the community. The Act placed responsibilities on local authorities to improve parental involvement through Parent Councils.
- 2.9 **Children & Young People (Scotland) Act 2014** – This act sets out duties on Scottish Ministers and public authorities to *'report on steps it has taken to secure better or further effect within its area of responsibility of the UNCRC requirements.'*
- 2.9 **United Nations Convention on the Rights of the Child (UNCRC) & The Right to Education** – Following on from the legislation above, Articles of the UNCRC set out rights that children and young people have to education.
- Article 28 recognises the right of the child to an education
 - Article 29 highlights the goals of education to be to develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.
 - Article 19 is also relevant and refers to states' obligations to take all necessary educational measures to protect children from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.
 - Article 12 provides that: Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.
 - Article 5 provides that: Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.
- 2.10 Furthermore, the UN Committee on the Rights of the Child has emphasised that states and parties must *"ensure that children have the ability to acquire the knowledge and skills to protect themselves and others as they begin to express their sexuality"*.
- 2.11 The national statutory guidance also reflects the need for discussion of all types of relationships as part of RSHP education to acknowledge that, as a result of the Marriage and Civil Partnership (Scotland) Act 2014, both opposite sex and same sex couples can marry. The repeal of Section 2A of the Local Government Act 1986 confirms that it is legal and permissible to discuss lesbian, gay and bisexual relationships in a positive manner within the school environment. The intention is that RSHP education should be inclusive of, and responsive to all.

THE NATIONAL CONTEXT

- 3.1 In respect of the duties under the Standards in Scotland's Schools etc. Act 2000, the Scottish Government published in 2014 the statutory guidance document '[Conduct of Relationships, Sexual Health and Parenthood Education in Schools](#)'. It is in fulfilment of the same duties, as set out in section 56 of the 2000 Act that the statutory guidance has been used as the basis for the content of this local guidance document and the programmes developed for Comhairle schools to support the delivery of RSHP.
- 3.2 Another important national publication with a bearing on delivery of RSHP is the non-statutory '[National Guidance for Child Protection in Scotland](#)', published in 2021. Paragraph 2.49 of the guidance states that: *The Health & Wellbeing Across Learning: Responsibilities of All Experiences and Outcomes within Curriculum for Excellence, alongside the GIRFEC wellbeing indicators, summarises how practitioners, pupils, parents and communities must work together in protecting and promoting children's rights, wellbeing and safety. This includes helping children develop in their ability to keep themselves and others safe; and helping them learn how to get help and support if they need it.* A critical element of this is the effective delivery of quality RSHP learning for children and young people.
- 3.3 The National resource to support the delivery of RSHP in Scotland, [RSHP.Scot](#), was published in 2019 and was developed as a partnership between health boards and local authorities across Scotland.
- 3.4 It is recognised within the statutory RSHP guidance that '*... no single resource is likely to fully meet the needs of all learners but there an expectation that school develop consistent and progressive approaches when delivering RSHP education using a variety of programmes, materials, resources and inputs relevant to the child, school and community*'. It is further recognised that, in 2020, the Comhairle commended the use of materials from the Scottish Catholic Education Service, noting that the schools may adjust these materials as appropriate.

THE LOCAL CONTEXT FOR COMHAIRLE NAN EILEAN SIAR

- 4.1 The Comhairle recognises that our local context is very important in considering the development of RSHP programmes and all schools and settings must ensure that they are taking their local context into account when planning and delivering programmes as well as ensuring that they meet all their required statutory duties and respect the rights of learners to receive education.
- 4.2 At a meeting in 2020, the Comhairle determined that it wanted to '*commend the use of the age and stage appropriate materials as set out by the Scottish Catholic Education Services (SCES) for the teaching of relationships, sexual health and parenthood in Western Isles schools, noting that the schools may adjust these materials as appropriate*'. This commendation was further endorsed at a meeting of the Comhairle in April 2023.
- 4.3 The commendation of the materials from SCES has to be considered by all schools and settings when developing their RSHP programmes alongside any other materials and resources deemed educationally appropriate for the delivery of RSHP lessons whilst ensuring they remain appropriate to the age and stage of development of the learners.

DEVELOPMENT OF PROGRAMMES FOR SCHOOLS

- 5.1 In respect of the decision of the Comhairle in 2020 to comment the RSHP materials from the Scottish Catholic Education Service and in the interests of ensuring consistent delivery of lessons and support for schools and teachers, working groups were set up for Lewis & Harris and Uist and Barra to take forward the development of programmes for schools in these areas. The future development of any further programmes or resources should be overseen by these working groups.
- 5.2 In developing RSHP programmes for Comhairle schools, the following points must be duly considered. The:
- requirements of legislation;
 - statutory guidance on the conduct of RSHP and any other pertinent national guidance;
 - rights of children and young people under UNCRC Articles;
 - Health & Wellbeing Curriculum Experiences and Outcomes;
 - Health & Wellbeing Curriculum Benchmarks;
 - Comhairle commendation of SCES RSHP materials;
 - local guidance for Comhairle schools;
 - views and opinions of the school’s Parent Forum and Parent Council;
 - views and opinions of children and young people;
 - views and opinions of school staff.
- 5.2 The determination of specific resources used for RSHP are a matter for each school in agreement with their parents and staff, giving due consideration to the above. The Scottish Government, Education Scotland and the Comhairle cannot prescribe specific resources for schools and other educational settings to use. However, the programmes and planners developed for the Western Isles recommend numerous resources that are useful for different levels of RSHP education.
- 5.5 Headteachers, School Staff, Parents and Young People are expected to work together to select appropriate resources from these approved materials to meet the needs of young people in that school setting that takes account of views and the age and stage of development of learners.

GUIDANCE ON DELIVERY OF RSHP EDUCATION

- 6.1 There is widespread variability across Scotland in terms of young people's knowledge about sexual health and wellbeing, sexual health outcomes and of the values, skills and attitudes required to develop healthy relationships.
- 6.2 In order to ensure that teachers and young people feel comfortable raising issues in a safe and objective environment, teachers should be fully supported and trained in all aspects of RSHP education to ensure they feel confident in facilitating its delivery.
- 6.3 RSHP education should present facts in an objective, balanced and sensitive manner within a framework that places value on healthy, safe and respectful relationships, including those that take place online, an awareness of the laws on sexual behaviour, and young people's rights.
- 6.4 Children and young people should be encouraged to consider and appreciate the importance of parental responsibility and family relationships in planning for and bringing up children and in

offering them security, stability, happiness and love.

- 6.5 Children and young people should also be encouraged to understand the value of love and commitment in relationships and partnerships, including marriage and civil partnership.
- 6.6 Concerns about some of the material and a computer-generated warning are noted and we would not be expecting teachers to expose young people to material which comes with such a warning.
- 6.7 All schools will have age-appropriate controls on their computers which would not allow children/young people to view inappropriate material.
- 6.8 Teachers will have reviewed all the material to be taught and have shared them with parents in advance of teaching in the classroom. Confirmation will be sought that parents have viewed the lesson materials.
- 6.9 Teachers will ensure that the pre-teaching flow chart included within the RSHP teaching resource pack (Appendix One) is fully completed and implemented before any lessons are taught.
- 6.10 Any teacher expressing a concern about undertaking the teaching of RSHP lessons should refer to the information and support available in sections 26-28 of the Statutory Guidance for the Conduct of RSHP in Schools (2014).

CONSISTENCY AND APPROPRIATE USE OF EXTERNAL INPUTS

- 7.1 Any use of inputs into the RSHP curriculum that originate externally to the school should:
 - follow a rights-based approach, which is rooted in good practice, informed by evidence and by the needs and views of young people;
 - be well planned around clearly agreed outcomes and subject to on-going evaluation;
 - respect and complement the values and belief system of the school;
 - provide factual information that is consistent with the WHO definition of sexual health.
 - demonstrate their competence in delivering RSHP education and should demonstrate respect for all groups and faiths in society;
 - must meet appropriate legal requirements, including holding current enhanced disclosure checks; and
 - work alongside school staff, preferably co-delivering sessions to assist with their own learning and to ensure continuity of teaching for young people.
- 7.2 In planning the RSHP programme, schools should be clear about the reasons for working with external staff and have measures in place to assure that their inputs fit with their current RSHP curriculum.

ENGAGING LEARNERS, PARENTS, STAFF & STAKEHOLDERS

- 8.1 Schools should give young people an opportunity to exercise their right to identify and express their own educational needs in RSHP education.
- 8.2 As well as consulting and considering resources to be used, it is important that schools work with parents where a child or young person has additional support needs, disability or any other specific

needs to make sure that lesson content is appropriate and any required adjustments are made. Further information is provided within sections 51-53 of the statutory guidance on RSHP.

- 8.3 Parents and carers play a key role in all aspects of their children's education and the collaborative partnership between them and schools should be a key element of RSHP education delivery, especially as they can consolidate messages received in school in the home or care environment.
- 8.4 Parents will be fully consulted by the school about their RSHP programme and the resources intended to be used well before lessons are taught to allow for the opportunity to work collaboratively, offer opinion and agree materials to be used.
- 8.5 Parent Councils play an important role in working with schools and sharing and supporting communications with the wider Parent Forum as well as representatives of the community and other stakeholders. Schools should share their plans and programmes for the delivery of RSHP with their Parent Council.
- 8.6 All Comhairle schools will regularly seek the views of parents and carers about key aspects of the curriculum, such as RSHP education. Schools must consult with parents and carers when they are developing or reviewing their programme of RSHP education.

WITHDRAWING CHILDREN FROM RSHP

- 9.1 Whilst every young person has the right to education, schools and authorities must be sensitive to the cases in which a parent or carer may wish to withdraw a child or young person, or that a child or young person wishes to withdraw themselves from all or part of a planned sexual health education programme within a RSHP education programme.
- 9.2 Where a child, young person or parent/carer wishes to withdraw from RSHP the school should clarify with them the purposes of the programme and encourage them to see participation in the programme as a positive and constructive part of their child's or young person's education and development.
- 9.3 If the child, young person or parent/carer already feels sufficiently informed about the RSHP programme and doesn't wish to partake in any further opportunity to discuss it before withdrawing, then the school will support this.
- 9.4 It has to be remembered that aspects potentially relating RSHP education may be discussed in many areas of the curriculum and it would not be possible for a child or young person to be withdrawn from lessons across the curriculum as this would prevent the child or young person from receiving an adequate and holistic education.
- 9.5 Where a child or young person expresses a wish to withdraw from RSHP consideration should be given to the age and maturity of the young person concerned on a case-by-case basis, in line with the UNCRC's key concept of 'evolving capacity', whereby with increasing age, maturity, understanding and experience, children progressively assume greater autonomy. This is described in more detail in section 58 of the statutory guidance on RSHP.
- 9.6 In the instance of a parent wishing to withdraw a school aged child from sexual health education lessons, schools must remind parents of the child's right to an education and to participate, bearing

in mind their age and maturity. Where, after due consideration, the parent or carer decides to withdraw a school aged child from sexual health education lessons, arrangements should be made for the child to have alternative positive educational provision, which meets the Health and Wellbeing outcomes.

- 9.7 The school must share with the child, young person or parent/carer what alternative educational provision will be during the period of any withdrawal from sexual health lessons.
- 9.8 Resource packs provided to schools contain letters and frames to support the consistent arrangement of the right to withdraw.

CONCLUSION

- 10.1 This guidance has been written in compliance with national guidance and legislation.
- 10.2 This guidance will remain under continuous review to reflect any changes in national or local advice, expectations or development. The next review shall be no later than 30th August 2024.

Appendix One – Staff RSHP Implementation Flowchart



Relationships, Sexual Health and Parenthood (RSHP)

Staff Flowchart

