



Consultation on, the revised *Conduct of Relationships, Sexual Health and Parenthood Education in Schools* teaching guidance

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Dear Cabinet Secretary for Education and Skills,

I write in response to the **Consultation on, the revised Conduct of Relationships, Sexual Health and Parenthood Education in Schools teaching guidance.**

Question 1: Introduction

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

The introduction offers an overview of some of the developments in education since 2014 with the suggestion that these are the reasons why the 2014 iteration of guidance requires o be refreshed. However, there is no explanation or justification for why the 2023 version should have departed so far from the previous version, why sections should be deleted and why dis proportionate emphasis should be given to certain aspects.

The 2014 guidance could have been adapted and enhanced to include necessary developments while maintaining the previous content and ensuring that it remained high level guidance.

Question 2: Relationships, Sexual Health and Parenthood Education

How clear is the purpose of the RSHP education section?

The consultation document begins with defining the principles and aims of relationships and sex education. The Guidance paper does not appear to refer to these again and some of these points are not addressed in any way. Therefore we would question if the Guidance achieves the purpose of offering guidance on achieving these principles and aims.

The guidance references a whole school approach to delivery of RSHP, including a link to the school ethos and the fact that learning and teaching may take place in RME. At no point in the document is there reference to Denominational schools, specifically Catholic schools or the distinctive pathway to RME – RERC. Furthermore, it is recognised that, since 1918 the content of RE in Catholic schools is determined by the Bishops' of Scotland. Therefore this section should make explicit that, where planned, learning, teaching and assessment of RSHP happens within the context of RERC there is a locus for the Bishops' to determine the content.

Question 3: Parental engagement and ability to withdraw from RSHP learning
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Is the guidance sufficiently clear in relation to the rights of parents and carers; is the process for withdrawing a pupil sufficiently clear?
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We welcome the acknowledgment of the fact that parents are the primary educators of their children.

While there is clear guidance on the parents rights, schools may need further detail on implementation of section 2.12. This section is ambiguous. Terms such as ‘due weight’ and ‘capable of forming their own views along with ‘ensuring their views are taken into account’ could mean very different approaches and undermine the rights of parents and carers.

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?
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This section once more refers to the central role of school ethos. It includes additional language referring to RSHP being delivered “within a framework of sound values”.
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The 4 th Aim of RSHP, according to the consultation document is:

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|---|
| <ul style="list-style-type: none">• enable children and young people to develop and reflect upon their beliefs, attitudes and values in relation to themselves and others within a moral, ethical and multi-cultural framework; |
|---|

The Principles also state that sex education should contribute to the physical, emotional, moral and spiritual development of all children and young people and should reflect the cultural, ethnic and religious influences within the home, school and community.

We therefore welcome the fact that this guidance recognises that, within Catholic schools the Whole School Approach will be defined by the ethos and values of each individual school. Within a Catholic school the ethos and values are defined by Church Teaching and Gospel Values. The moral, ethical and multi-cultural framework is defined by our heritage, culture, Traditions and teachings as a Church and the delivery of RSHP, and all other curricular areas reflects this.
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Question 5: Consent and healthy relationships

Is the guidance sufficiently clear in supporting consent and healthy relationships having a greater focus in RSHP education?
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There is a conflation between consent and ‘healthy’ relationships.
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There is reference to online relationships, digital consent which is ambiguous and concerning as it does not have any real definition as to what it is referring to.
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It would seem important to give a higher priority to the section 3.6 on confidentiality and separate this from the section on consent. This is a very different area than

consent in a relationship. This impacts on the capacity of staff, especially teaching staff, to have clear parameters within the classroom and to act when concerned, especially in child protection matters. We would expect clarity regarding the statement “children have the same right to confidentiality as adults” and how this relates to parents’ rights.

The inclusion of Whole School Guidance tables and links for websites from this point on in the Guidance is unhelpful. It clutters the guidance and suggests that these sites are being promoted or endorsed by Scottish Government. Scottish Government could not have facts checked each of these sites and cannot know what content may be added to them in the future.

It is unclear which parts of this document are the actual guidance and which parts are embedded appendices, for reference only. The previous iteration of guidance offered clear, high level guidance enabling local authorities and schools to work towards policy and practice.

Question 6: Faith, belief and RSHP education

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

No.

As a member of the Catholic Education Community, I have grave concerns that the paragraphs dedicated to Denominational Education (paragraphs 38 – 41) in the 2014 iteration of guidance have been deleted.

I ask that these be fully reinstated.

In addition, I request that Scottish Government reiterates their support for Denominational Education and that the Religious Authorities with a role in denominational education, in our context the Bishops’ Conference of Scotland, continue to have the right to provide guidance on RSHP for their schools and that Scottish Government Guidance is complementary to that of the Religious Authority – not as 4.11 states that the guidance from religious authorities is ‘additional and complementary’.

It is striking that the term Catholic School is not used within this document and the phrase Denominational schools only once.

This section of the document gives no cognisance to the fact that approximately 20% of the school estate in Scotland is formed of Catholic schools, chosen by parents and families, of all faiths and none. A distinction must be made between schools with a distinctive faith character (i.e. denominational schools) and children raised in a religion or with religious belief.

A separate section should therefore be included within the main text of the document to reflect the place of denominational schools within the state system – as per the

RSHP conduct paper of 2014. The current draft does not fully explain the legal protection and right of denominational schools, nor does it fully express the role of the denominational body in whose interest the school is managed.

As it is recognised that schools with a religious character have a distinctive approach across the **whole** school and in all areas of the curriculum, this should be reflected in this guidance paper.

Faith and belief influence all aspects of teaching and learning, and are not limited, for example, to the Catholic children and families in a Catholic school, but are the foundation for the mission, aims and values for the whole school community, including those families, not of the Catholic tradition who actively choose Catholic education. (The same would be true for those who choose a Jewish or Episcopalian school).

This distinctive nature is recognised in the Equality Act and was coherently presented in the denominational section of the current conduct paper and in particular through paragraphs 39 and 41.

In addition – in terms of this section relating to faith and belief:

The national census data from 2011 shows that 56% of Scottish people belong to a faith. Relationships and sexual behaviour are part of the key teachings of all of the major world religions, and particularly so for the 5 of the largest in Scotland (Christianity, Islam, Sikhism, Buddhism and Judaism).

It may be helpful to have an indication about what each Religion teaches on sexual relationships, so as to better equip teachers in their preparation for lessons, and to ensure that all pupils are fully included in learning.

https://www.scotlandscensus.gov.uk/documents/censusresults/release2a/rel2A_Religion_detailed_Scotland.pdf

Religiously aggravated hate crime remains a source of concern within Scotland. Religiously aggravated hate crime remains a source of concern within Scotland. Catholics remain disproportionately likely to suffer such hate crimes." (<https://www.gov.scot/publications/religiously-aggravated-offending-scotland-2017-18/>).

Families, young people, schools and parishes, continue to raise concern regarding the intolerance and prejudice shown to young people who openly practice their faith and maintain the teachings of their religion on relationships and life issues. For example, this has been seen at universities where young people who support the right to life of unborn children have been discriminated against, Muslim families have raised concern that their religious beliefs are being contradicted in RSHP lessons and Christian families are anxious that matters relating to sexual health and sexuality are being taught at too early an age.

Christian teachers have noted that they feel increasingly coerced to teach against their conscience in matters relating to sexual relationships, and they report that pupils are hiding their faith belief in school for fear of bullying and intimidation.

Protection of Teachers with Religious Belief:

The previous iteration of the Guidance mentioned specifically the process through which teachers, who felt unable to teach aspects of RSHP due to their religious belief, could raise concerns. It is significant that this has been removed and suggests that Scottish Government has no concern for the beliefs of those tasked with delivering RSHP.

COPIED NOTE, ALSO RELEVANT TO THIS SECTION:

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Question 7: Gender Inclusive Education

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

While this section goes some way to considering approaches to redressing societal stereotypes, it does not address the complexity of difference between genders. There is a need to be informed and sensitively consider the individual needs of each pupils at different points in their development, for example at puberty, and for staff to be able to address behaviours that may be linked to gender and sex. For example, schools are reporting an increase in misogyny, sexism and prejudice towards girls and this needs to be named and addressed in a manner that recognises the connection to a perception of masculinity.

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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?

It is a departure from the rest of the Guidance to include a quote from the UN at this point. It is our understanding that when the Scottish Government LGBTI inclusive education working group was convened, those representing Intersex young people asked NOT to have their needs addressed by this group, it therefore seems incongruent to use a UN quote linked to a campaign against Homophobia and Transphobia.

COPIED NOTE, ALSO RELEVANT TO THIS SECTION:

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Question 9: LGBT inclusive RSHP education

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

This section appears to go beyond the parameters of the intention of this guidance. 3.19 is about general curriculum and bears no relevance to RSHP.

It would be important to note that the with specific regard to teaching about Marriage and same sex relationships, Catholic schools in Scotland have been advised by the Equality and Human Rights Commission that they “may continue to teach the position of their particular faith on marriage and same sex relationships, provided that this is done in an appropriate, reasonable and professional way (and provided that they also teach the facts, where relevant, about the law concerning marriage in Scotland.)”¹

¹ Equality and Human Rights Commission, [Marriage and Civil Partnership \(Scotland\) Act 2014: Provision of School Education](#), April 2016

COPIED NOTE, ALSO RELEVANT TO THIS SECTION:

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Question 10: Key Learning Points for RSHP Education

Are these key learning points sufficiently clear in explaining the requirements for RSHP education?

By calling this section “Summary of key learning points” it suggests that this section is a summary of the fuller guidance on previous pages. It should therefore follow that there should be nothing ‘new’ in this section, but rather it should be a synopsis. There is no mention of parents in this section, it parachutes in children requiring additional support and follows a different pattern to the rest of the document., giving some sections significantly more weight than others.

This section should offer clarity through a comprehensive summary of what is contained elsewhere.

Question 11: Pupils with Additional Support Needs

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

There should be a comprehensive section within the main text relating to pupils with Additional Support Needs. This appears to have been annexed at best, forgotten at worst and should be redressed in the guidance.

Question 12: 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

This section would be more helpful if it were limited to current Policy and Guidance for Scottish schools that is promoted, endorsed or required by Scottish Government and Local Authorities. A separate section on resources could be hosted on the funded Scottish Government webpage for RSHP and would ensure that there was no suggestion that these resources, reports, research or other items had any particular weighting.

Name

Signature