

Responding to queries about RSE and LGBT inclusion in schools

Background

The introduction of statutory Relationships Education, Relationships and Sex Education and Health Education:

- From September 2020, all primary schools in England will be required to teach Relationships Education, all secondary schools in England will be required to teach Relationships and Sex Education, and all schools in England will be required to teach Health Education.
- The Government continues to recommend that primary schools deliver Sex Education, too (though this not compulsory).
- All schools will be required to teach in accordance with the new guidance and regulations for these subjects. The new guidance is the first to be published since its predecessor in 2000.
- Schools can begin teaching these statutory subjects in accordance with the new guidance before September 2020, if they wish.
- Schools will also be required to have an up-to-date policy for teaching Relationships Education/Relationships and Sex Education which is available to parents and carers.

How these plans include LGBT people:

- At primary level, the guidance states that all primary schools should teach about different families, which ‘can include for example, single parent families, LGBT parents, families headed by grandparents’ etc.
- At secondary level, the guidance states that ‘sexual orientation and gender identity should be explored at a timely point’ and that ‘there should be an equal opportunity to explore the features of stable and healthy same-sex relationships’ which ‘should be integrated appropriately into the RSE programme, rather than addressed separately or in only one lesson’.
- More broadly, the guidance states that ‘schools should ensure that the needs of all pupils are appropriately met, and that all pupils understand the importance of equality and respect. Schools must ensure that they comply with the relevant provisions of the Equality Act 2010...under which sexual orientation and gender reassignment are amongst the protected characteristics’.

How these plans take pupils’ age and religious backgrounds into account:

- The regulations for this teaching state that this teaching should be ‘appropriate having regard to the age and the religious background of pupils’.
- The guidance states that in all schools ‘teaching should reflect the law...as it applies to relationships’. This includes the laws on marriage and civil partnerships.

The right to withdraw pupils from this teaching:

Under these regulations, from September 2020:

- Parents will **not** have the right to withdraw their children from Relationships Education at primary or secondary level.
- Parents **will** have the right to withdraw their children from some or all of Sex Education at primary and secondary level, up to and until three terms before the child turns 16:
 - The guidance states at secondary level, ‘before granting any such request it is good practice for the head teacher to discuss the request with parents’ – including ‘discussing with parents the benefits of receiving this important education and any detrimental effects that withdrawal might have on the child. This could include any social and emotional effects of being excluded, as well as the likelihood of the child hearing their peers’ version of what was said in classes’.
 - Following those conversations, except in exceptional circumstances, the parents’ request should be granted.
 - At primary level, head teachers will be required to automatically grant any request to withdraw a pupil from sex education, apart from teaching in the science curriculum.

Responding to queries from parents and carers

It’s vital that LGBT people, families and relationships are included throughout the teaching of these new statutory subjects. The Government’s guidance for these subjects sets out how this can and should be achieved.

Schools also have broader legal duties, primarily under the Equality Act 2010, not to discriminate against pupils who are (or are perceived to be) LGBT, and who have LGBT parents. All areas of a school’s provision, including their Relationships Education, Relationships and Sex Education and Health Education teaching, must comply with the Equality Act 2010.

In recent weeks we have seen a small but vocal campaign mobilising some parents and carers to oppose the new regulations for teaching RSE (which were passed by the Commons on 27.03.19), and also to oppose schools’ efforts to teach about LGBT people more broadly in their work to meet their Equality Act 2010 duties.

Below are answers to some of the common questions that have arisen:

Specific questions on RSE

I want to withdraw my child from Relationships Education – will I have the right to do that?

Under the new regulations for teaching Relationships Education, parents and carers will not have the ability to withdraw their child from Relationships Education.

Receiving high-quality Relationships Education is vital in preparing all children and young people for life in 21st Century Britain, and so it's important that it's a statutory subject. It gives children and young people the information they need to understand what happy, healthy and respectful relationships look like (including friendships and family relationships) and how to have them, and to make informed decisions about their wellbeing.

It helps all young people grow up with respectful attitudes towards people who are different to them, helping to proactively tackle the prejudice-based bullying that remains common in many of our schools. It also supports children and young people to stay safe, including online, and know when to ask for help. Overall, it helps to foster a safe, supportive school environment for young people to grow up in.

How will I be consulted on the development of my school's RSE policy and teaching programme?

Under the new guidance, all schools will be required to engage closely with parents in developing and reviewing their RSE policy, and in planning and delivering this teaching. This is really important given the crucial role that parents, carers and families play in the lives of children and young people.

Good communication between schools and parents and carers is essential in building trust and confidence in this teaching. There are lots of ways schools can consult with parents and carers – including inviting parents and carers in to review teaching materials, sharing copies of their RSE and equalities policies, and through maintaining an open-door policy where parents and carers can ask questions at any point, in confidence.

Teaching about LGBT people in general

Why are you teaching about LGBT people at primary school? Aren't children too young to be taught about this?

Teaching about LGBT people at primary school is essential and timely. It helps make sure that children with same-sex parents feel included in this teaching, and see their families reflected in what they learn.

It helps schools to meet their legal duties towards LGBT people, alongside people with other protected characteristics, including:

- Their duty not discriminate against LGBT people under the Equality Act 2010. This includes discrimination against pupils who are LGBT, pupils who are perceived to be LGBT, and pupils with LGBT parents and family members.
- Their duty to eliminate discrimination and promote equality of opportunity on the grounds of sexual orientation and gender reassignment, and to promote good relationships between groups with different protected characteristics, under the Public Sector Equality Duty.
- While this duty applies to state schools specifically, Ofsted will assess the extent to which all schools promote equality of opportunity and take positive steps to prevent any form of discrimination, either direct or indirect, against those with protected characteristics, including LGBT people.

- Their duty to promote British Values including respect for different groups of people, paying particular attention to the protected characteristics under the Equality Act 2010 (which include sexual orientation and gender reassignment), to support pupils' spiritual, moral, cultural and social development.

Ofsted assesses schools' efforts to meet all of these legal duties.

Teaching about LGBT people in primary schools also helps all pupils to grow up developing inclusive and respectful attitudes towards LGBT people.

This is particularly important given that anti-LGBT bullying and language remains widespread in many schools. [School Report 2017](#), research by University of Cambridge and Stonewall into the experiences of over 3,700 LGBT pupils in Britain's secondary schools, found that 45 per cent of LGBT pupils are bullied in school for being LGBT. In primary schools, [The Teacher's Report 2014](#), research by YouGov and Stonewall into the experiences of over 1800 school staff, found that 45 per cent of primary teachers witnessed homophobic bullying in their schools. That's why promoting respect for LGBT people at primary school is so important.

Many primary schools teach about LGBT people by discussing LGBT families in their teaching about different families. This helps pupils to understand that families take all different shapes and sizes, and ensures that no child and their family are left out of teaching.

Why are you teaching about LGBT people? It goes against the teachings of my religion.

As part of schools' efforts to teach about the diversity that exists in the world today, teaching about people different protected characteristics, including LGBT people, makes sure that all children and young people see their family and identities reflected in what they learn, ensuring that they feel welcome and included. Teaching about all the protected characteristics, including LGBT people and people of different faiths, also supports schools to meet their legal equalities duties (**as listed above**).

There are of course different religious perspectives on LGBT relationships. By building understanding for people from all different backgrounds – including LGBT people, people of different faiths, people with different ethnicities and more – schools can support all pupils to respect people who are different to them, helping to tackle the prejudice-based bullying that remains common in many of our schools.

Hundreds of faith schools, church schools and schools with faith pupil majorities are already teaching about people with all different backgrounds, including LGBT people, to help meet their legal duties and ensure that all pupils feel included. They're committed to tackling anti-LGBT bullying, and promoting respect for people with all different backgrounds, because of the values of love, respect, tolerance and understanding that lie at the heart of all major religions.

Resources developed by national faith bodies on tackling anti-LGBT bullying include [Valuing All God's Children](#) (Church of England), [The Wellbeing of LGBT+ Pupils: A Guide for Orthodox Jewish Schools](#) (Office of the Chief Rabbi and Keshet UK) and [Made in God's Image](#) (Catholic Education Service).