



EMMANUEL  
SCHOOLS FOUNDATION

## Relationships and Sex Education Policy



Last review: December 2019  
Board approved:  
Next review: December 2021

# Introduction

Part A of this RSE Policy is common to all schools within ESF; Part B provides more detail concerning where and when particular topics are taught at your child's school.

## **Part A**

### **Welcome**

We want every child, whatever their background, to feel loved, valued and welcomed in their school. We see RSE as a vital part of the education of character and seek to live out our ESF Core Values (honourable purpose, humility, compassion, integrity, accountability, courage and determination) in all we do. At Emmanuel Schools Foundation (ESF), we provide an education of character that is underpinned by our Christian ethos. Our students learn to practise mutual respect and tolerance and we encourage them to go further and to practice the greatest virtue by loving one's neighbour as oneself<sup>1</sup>. We believe that human beings are uniquely made in the image of God and therefore relationships are of central importance for us. At the heart of the Gospel lies the possibility of a restored relationship with God; alongside this comes an emphasis on positive, healthy relationships between human beings. We take positive action to build a healthy culture characterised by respectful relationships without discrimination, of any kind, not tolerated.

### **Respecting Parents and Children**

We believe in the importance of families and respect parents as the 'first educators' of their children and encourage parents to teach their children about relationships and sex before they learn about it at school, or from any other source. We invite parents to discuss what will be taught and to support parents in managing conversations with their children on these issues. We will consult with parents locally to ensure this RSE policy meets the needs of children and parents and reflects the community served by your child's school. Teaching in RSE reflects the law (including the Equality Act 2010) as it applies to relationships, so that young people clearly understand what the law allows and does not allow, and the wider implications of decisions they may make. In the primary years, we provide 'Relationships Education' and also 'Sex Education'. In the secondary years, we provide 'Relationships and Sex Education'. School principals will automatically grant a request to withdraw a pupil from any Sex Education delivered in primary schools, except where it is part of the science curriculum. In Sex Education, we consult parents before the final year of primary school about the detailed content of what will be taught. Parents have the right to request that their child be withdrawn from some or all of 'Sex Education' and the school will respect the parents' request to withdraw the child up to and until three terms before the child turns 16, after which, if the child wishes to receive sex education, rather than be withdrawn, we will make arrangements to provide the child with sex education during one of those terms.

### **Preparing for Life in Modern Britain**

Our country comprises people with diverse worldviews and identities – sexual, political, ethnic, cultural and religious – and widely varying practices. Students learn to respect and live peaceably with those who hold different, even mutually exclusive, views and orientations. We ensure there is no stigmatisation of children based on their home circumstances and reflect sensitively that stable, caring relationships, may be of different types. As a Trust with a Christian ethos we affirm the value and importance of Christian marriage. In British law marriage is between two consenting adults but many Christian churches understand the Bible to teach that marriage is the union of one man and one woman for life. As well as this being the position of the Church of England<sup>2</sup> and the Roman Catholic Church, it is also the teaching of other faiths. We comply with the Equality Act 2010, under which sexual orientation and gender reassignment are amongst the protected characteristics. Throughout RSE, we explore the healthy features of all relationships (such as mutual respect, trust, honesty, support, fairness, having one's own identity, good communication and enjoyment). We seek to help young people to think through the choices they face in the realm of their relationships. We want them to consider the differing perspectives about what is the best and the right way to live and we emphasise the importance of character<sup>3</sup> and the need to take responsibility for others as well as ourselves.

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<sup>1</sup> Matthew 22:37–40: "Love the Lord your God with all your heart and with all your soul and with all your mind.' This is the first and greatest commandment. And the second is like it: 'Love your neighbour as yourself.' All the Law and the Prophets hang on these two commandments." (New International Version)

<sup>2</sup> <https://www.churchofengland.org/about-us/structure/churchlawlegis/canons/section-b.aspx> Canons of the Church of England Section B: 30 *Of Holy Matrimony* 1. The Church of England affirms, according to our Lord's teaching, that marriage is in its nature a union permanent and lifelong, for better for worse, till death them do part, of one man with one woman, to the exclusion of all others on either side...

<sup>3</sup> Pike, M.A. (2017) British values and virtues: schooling in Christianity and character, *British Journal of Religious Education* (published online 3 Aug 2017).

DOI: [10.1080/01416200.2017.1352485](https://doi.org/10.1080/01416200.2017.1352485)

## Intimate Relationships

In the secondary years, in addition to developing the knowledge specified in DFE Guidance for primary years, RSE lessons cover contraception, developing intimate relationships and resisting pressure to have sex (and not applying pressure). We teach the values of families and what is acceptable and unacceptable behaviour in relationships. In ESF schools we describe the advantages of abstinence and self-control. Our students will understand that there are a range of strategies for identifying and managing sexual pressure, including understanding peer pressure, resisting pressure and not pressuring others; that they have a choice to delay sex or to enjoy intimacy without sex. Drawing upon a Christian sexual ethic, we express good reasons to say no to sex, but also a vision of the ideal context for saying yes to sex. We teach our students the facts and perspectives about sexual orientation and gender identity in an age appropriate and inclusive way. We teach the full range of contraceptive choices, efficacy and options available; the legal choices permitted and moral perspectives in relation to pregnancy with medically and legally accurate information and moral perspectives on these. With regard to sexual health our students will know how the different sexually transmitted infections (STIs), including HIV/AIDs, are transmitted, how risk can be reduced; and how the use of alcohol and drugs can lead to harm. They will also know to get further advice, including how and where to access confidential sexual and reproductive health advice and treatment. We teach our students that the principles of healthy relationships also apply online. Living in a digital world requires wisdom to navigate social media and also face-to-face relationships<sup>4</sup>. Our students are taught how to keep safe online which includes how to recognise risks, harmful content and contact, and how and to whom to report issues. Students learn about cyberbullying and understand the impact of viewing harmful content and sexually explicit material e.g. pornography presents a distorted picture of sexual behaviours and can damage the way people see themselves in relation to others. Students are clearly taught that the sharing and viewing indecent images of children (including those created by children) is a criminal offence which carries severe penalties including jail. Our students are taught how to keep safe online which includes how to recognise risks, harmful content and contact, and how and to whom to report issues

### **Aims and Principles**

We nurture: 1. *Knowledgeable* students who have a sound knowledge of physiological and biological aspects of sex and reproduction 2. *Thoughtful* students who reflect with maturity on the differing perspectives on relationships and sexual ethics 3. *Discerning* students who are empowered to make wise choices in life relating to relationships, sex and sexuality 4. *Confident* students who have an appreciation of their own self-worth and know where they can turn for help and advice 5. *Selfless* students who put the interests of others before their own.

*Our RSE programme will be:*

- 1) **Age appropriate** We seek to ensure that our delivery will be structured so as to protect children's innocence without compromise to clarity.<sup>5</sup>
- 2) **In partnership with parents/carers** Our relationships and sex education will be significantly more effective as parents also spend time discussing the issues with their children.
- 3) **Pastorally sensitive** We are fully aware also of the diversity of views on moral issues that exists in the modern world and our aim is to be entirely sensitive in areas where there is disagreement.
- 4) **Consistent with our ethos** We affirm the value, worth and dignity of all, regardless of their views or their moral decisions; as such, we will treat all of our students with care and compassion.<sup>6</sup>
- 5) **Well planned and expertly delivered** We seek to ensure that experts deliver our relationships and sex education, and we prize a delivery that communicates the facts clearly.

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<sup>4</sup> Sherry Turkle *Alone Together* pp.11-12, Basic Books, 2001 'We build a following on Facebook or MySpace and wonder to what degree our followers are friends...suddenly, in the half-light of virtual community, we may feel utterly alone... Sometimes people experience no sense of having communicated after hours of connection...'

<sup>5</sup> In its March 2017 policy statement the Government expressed its commitment 'to ensuring that the education provided to pupils in Relationships Education and RSE is appropriate to the age of pupils and their religious background'.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/595828/170301\\_Policy\\_statement\\_PShev2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/595828/170301_Policy_statement_PShev2.pdf) (p.4)

<sup>6</sup> See t British Values Policy: LINK NEEDED

## Part B

### Bede Academy Programme:

This section outlines where and how RSE content is included in the curriculum at Bede Academy. Bede Academy is an all through school and this policy refers to both Bede South and Bede North, the Primary and Secondary schools respectively. Where there are topics that are not covered through the curriculum (primarily in Science, Child Development, PTE, Tutor Reflections and Assemblies) whole year-group sessions are arranged, as part of a Personal Development curriculum and delivered by a team of internal staff at Bede North and by class teachers at Bede South. The staff delivering the sessions will do so from a Christian faith perspective, but also respectfully acknowledging other perspectives and views. Students are taught the facts and law about relationships and sex, sexuality, sexual health and gender identity in an age-appropriate and inclusive manner that enables them to make their own knowledgeable and educated choices with regards to friendships, relationships and sex. Our aim is to present facts and promote wisdom that encourages students to understand the benefits of healthy relationships, recognise unhealthy ones and appreciate the value of waiting. We also welcome the 'Lovewise' team and the 'Respect ME' team from the Message Trust who deliver one session per year group (Year 5+) during arranged drop-down RSE days each year. 'Lovewise' and 'Respect ME' are charities that serve young people in a variety of church, community, and educational settings and who seek to promote an education that allows children and young people to live out Jesus' promise of life in all its fullness.<sup>[1]</sup>

Through our Personal Development programme, which includes weekly lessons at primary and whole year group lectures at secondary, we deliberately cultivate an education of character that is underpinned by our Christian ethos. At the heart of our ethos is the concept of 'imago dei', with the view that all are 'infinitely precious, gifted for a purpose and morally responsible. The Personal Development curriculum, through which RSE is partly delivered, is, therefore, a crucial part of the overall education of character through which we seek to develop wisdom, resilience, self-control and the ability to resist peer pressure. We seek to instill in all our students how to make their own, well-informed choices with wisdom. We determine wisdom as the sensible and mature application of factual knowledge, in order that maximum benefit to mental, physical and spiritual health can be accomplished. We deliver the RSE programme in a non judgemental, factual way that allows scope for students to ask questions regarding relationships and sex education in a safe, respectful environment. Our students are taught the applicable law on a range of topics so that they are clear on their rights and responsibilities as citizens.

Parents and carers have the right to request that their child be excused/withdrawn from some or all of sex education (but not Relationships and Health Education) delivered as part of statutory RSE. Any requests can be made up to and until three terms before the child turns 16. After this point, if the child wishes to receive sex education rather than be withdrawn, we would seek to arrange to provide the child with sex education during one of those terms. Parental requests to withdraw their child from sex education must be made in writing to the Principal. This request will then be discussed with the parents and, as appropriate, with the child to ensure that their wishes are understood and to clarify the nature and purpose of the curriculum. This process is the same for pupils with SEND.

**In the Early Years and Primary Years**, students learn about character and building positive relationships through the academy values: *'be good'*, *'be humble'*, *'be kind'* and *'be honest'*, *'be responsible'*, *'be brave'* and *'be determined'*. Students learn that they are made in the image of God and that they and their peers and family members are infinitely precious and should be treated as such. Through the academy's character programme students learn about the importance of transforming their community through using their gifts for a purpose and being morally responsible. There is a specific focus on friendships and relationships, staying safe, differences and similarities and responsibilities within a community.

### **Early Years:**

#### **People and communities, making relationships and managing feelings.**

Students will study 'people and communities' and have a sense of immediate family and relations. They will celebrate family customs. Students will begin to 'make relationships' and have their own friends and begin to recognise similarities and difference between them and their friends. Students will begin to 'manage their own feelings and behaviour' and will demonstrate friendly behaviour and initiate good friendships. With support they will take steps to resolve conflicts and learn the importance of 'being kind' and 'being honest'. Their individual worth, and the value of others is engendered by the school vision that all are 'infinitely precious' being made in the image of God - 'imago dei'.

### **Primary Years:**

#### **Year 1:**

##### **How do we treat people in our class? How can we 'be kind'?**

We want every child, whatever their background, to feel loved, valued and welcomed in class. Students will explore what makes a healthy friendship and how to be welcoming to others, and not make them feel lonely or excluded. Students will discuss how they can show our academy values and 'be kind' to people in their class and they will learn how to say sorry if they have upset someone. Students will explore how to show friendship to others and learn that God wants to be their friend.

##### **How do we keep safe? How do we ask for help if we are worried?**

Students will look at the importance of not keeping secrets that make them feel worried/afraid/uncomfortable. Students will begin to recognise who they can and cannot trust. Students will learn about appropriate and inappropriate touch and contact and begin to learn how to search safely online.

##### **What makes us and our families special?**

Students will learn the academy core belief that we are all made in the image of God and are all 'infinitely precious'. Students will learn about what makes a healthy family life and the importance of respecting the differences and similarities between people and families. Families can look different. God loves everyone.

#### **Year 2:**

##### **What makes a good friendship? What is bullying?**

Building on the learning in Year 1, students learn about the characteristics of a good friendship. They learn to judge when a friendship is making them feel unhappy or uncomfortable. Students learn how to manage these situations and how to seek help or advice from others, if needed. They learn about managing conflict and showing forgiveness to others and they learn about forgiveness from the example of Jesus. Students learn the definition of bullying and different types of bullying are studied (including cyberbullying) and the impact of such bullying. Students build on the academy belief that we are all 'morally responsible' and have responsibilities as bystanders of bullying (primarily reporting bullying to an adult) and how to get help. Students learn the rules and principles for keeping safe online, how to recognise online bullying and other risks, harmful content and contact, and how to report them. Through the teaching of character, students learn that in the academy and in wider society they can expect to be treated with respect by others and not bullied. They should show due respect to others, including those in positions of authority.

##### **How can we help to keep ourselves and others safe?**

Students will learn about the concept of privacy and the implications of it for both children and adults. Students will learn about appropriate and inappropriate or unsafe physical, and other, contact. Students will learn about the importance of 'being honest' to keep themselves and others safe and how to ask for advice or help for themselves or

others. Students will grow in confidence, able to report concerns or abuse, and develop the vocabulary needed to do so. They will learn where to get advice e.g. family, school and/or other sources and how to 'be brave' and make a call to the emergency services if necessary. Students will learn about online safety and about not opening emails and games to unknown people and the safe use of photos and information online.

### **What is the same and different about us?**

Students develop an appreciation of self-worth and begin to identify their gifts and how these can be used for a purpose and they begin to understand that everyone has different gifts, and this should be celebrated. Students will learn about simple differences between boys and girls and they will learn about the importance of respecting others, even when they are very different from them or they make different choices or have different preferences or beliefs. God is an example of being friends with everyone, including the poor and friendless.

## **Year 3:**

### **How can we describe our feelings? What can we do about bullying?**

Students are reminded about the academy aim for 'excellence in the community' and that they can expect to be treated with respect by others, and that in turn they should show due respect to others, including those in positions of authority. Students learn about a wider range of feelings, both good and not so good and about their ability to recognise and talk about their emotions and the emotions of others. Students develop a greater understanding of different types of bullying (including cyberbullying), the impact of bullying, responsibilities of bystanders and how to get help. They learn that some bullying comes from stereotypes and how stereotypes can be unfair, negative or destructive. Students learn further about what they can do to 'be brave and responsible' in these situations. They are reminded that all people are made in the image of God and are infinitely precious, so bullying will not be tolerated.

### **What are the rules that keep us safe?**

Building on prior knowledge, students will continue to think about the concept of privacy and learn that it is not always right to keep secrets if they relate to being safe. Students will develop self-worth and learn that each person's body belongs to them, and the differences between appropriate and inappropriate or unsafe physical, and other, contact. They will have the confidence to ask for advice or help for themselves or others, and to keep trying until they are heard. Students will develop wisdom to make the right choices and learn more about the importance of reporting concerns or abuse. Students learn about the rules and principles for keeping safe online: recognising risks, harmful content and contact, and how to report concerns. Students will develop a greater understanding of how information and data is shared and used online and the positives and negatives around this.

### **What are our responsibilities?**

Students will learn about 'being responsible' and about their responsibilities in their home, school and community. They will learn about how their actions can positively or negatively influence their community and that they are responsible for displaying respectful behaviour and keeping information private. They will learn the conventions of courtesy and manners and the importance of self-respect and how it links to their own contentment. Students will also learn about the responsibilities they have for the environment and the world they live. God loves the world he has made including humans. God wants humans to be responsible and look after his world including each other. Jesus' message is one of love. We should love one another.

## **Year 4:**

### **How can we be a good friend as we grow and change? What is diversity?**

Students learn the value of friendships in making us feel happy and secure, and how people choose and make friends. Students explore further the characteristics of friendships, including mutual respect, truthfulness, trustworthiness, loyalty, kindness, generosity, trust, sharing interests and experiences and support with problems and difficulties. Students learn about puberty and become more confident in describing the range of feelings towards others and manage more complex emotions. They explore the importance of forgiveness in friendships and in the Christian life. Jesus sets the example of putting others first and forgiving. Jesus challenges those who pretend to be good and loves and forgives the most unlikely. Students learn the meaning of diversity. Students build on previous learning and develop a deeper understanding about how stereotypes can be unfair, negative or destructive, the impact of this and how this deeper understanding can apply to their own actions towards others.

### **How can we keep safe and avoid negative pressures?**

Students continue to learn about keeping safe in their local area. They begin to understand the feeling of negative pressure from people in their community and how to manage this pressure with wisdom. They continue to learn more about who they can trust to help keep them safe as life begins to get more complex. Students begin to appreciate how their actions can have a negative impact on others, including actions on the internet. Students learn what they can do to avoid negative pressures and avoid negative actions towards others. Students develop selflessness as they reflect on putting the needs of others before their own temptations.

### **What are families and how are they important?**

Students learn that families are important for them growing up because they can give love, security and stability. Students learn and reflect on the characteristics of healthy family life, commitment to each other, including in times of difficulty, protection and care for children and other family members, the importance of spending time together and sharing each other's lives. Students learn that others' families, either in the academy or in the wider world, sometimes look different from their family, but that they should respect those differences and know that other children's families are also characterised by love and care. Students learn that stable, caring relationships, which may be of different types, are at the heart of happy families, and are important for children's security as they grow up.

## **Year 5:**

### **What does discrimination mean?**

Students build on their understanding of diversity and explore further different types of bullying (including cyberbullying), the impact of bullying, responsibilities of bystanders and how to get help. Students further explore stereotypes. They learn the meaning of the word 'discrimination' and about teasing, bullying and aggressive behaviour and its effect on others. Students learn about how to be confident people who recognise and challenge stereotypes both in the community and online. Students learn that the right response to God is to live a life that pleases him and does not discriminate.

### **How can we be safe online and using social media?**

Students will learn that people sometimes behave differently online, including by pretending to be someone they are not. Students will learn the importance of appropriate boundaries in friendships with peers and others (including in a digital context). They will also learn how to respond safely and appropriately to adults they may encounter (in all contexts, including online) whom they do not know. They will learn how to recognise and report feelings of being unsafe or feeling bad about any adult. They will learn how to critically consider their online friendships and sources of information including awareness of the risks associated with people they have never met and the risk of 'habit' when it comes to online use. Students will appreciate how information and data is shared and used online and the risks that are involved.

### **What is community?**

Students build on the academy aim for 'excellence in the community' and they reflect further about what it means to be a part of a community. Students reflect thoughtfully about different groups and individuals that support the local community and what they can do to contribute to their community with their gifts. They build on the character programme considering what role they can play. They have greater appreciation for the customs of people in their community locally, nationally and internationally and learn to live at peace with people who hold different views to their own. Students begin to learn how a family is developed through the human life cycle.

## **Year 6:**

### **What makes a healthy and happy relationship?**

Students learn how important friendships are in making us feel happy and secure, and how people choose and make friends. They build on previous learning about the characteristics of friendships and how to recognise when a friendship is not positive and how to confidently manage these situations and seek help or advice from others, if needed. Students learn that the same principles apply to online relationships as to face-to face relationships, including the importance of respect for others online and how to report concerns. Students learn that in society there are different types of relationships (friends, families, couples, marriage, civil partnership) and they reflect on what constitutes a positive, healthy relationship and about the wisdom and skills to maintain positive relationships. Students learn about the common things in all positive relationships such as commitment and love. Students learn about the characteristics of a healthy marriage from a Christian perspective and they learn about human reproduction. Students learn about the right they have to protect their body and that relationships should not harm our bodies. They learn that it is sometimes necessary to break confidence in a relationship to keep yourself and others safe.

### **How can we manage risk?**

Students become more thoughtful, understanding that they have increased responsibility for keeping themselves and others safe. They learn strategies for managing risk. They become more confident in identifying different influences on behaviour, including peer pressure and media influence and how to resist unhelpful pressure and ask for help. Students will be challenged about what to consider before sharing pictures of themselves and others online and how anti-social behaviours can affect wellbeing of themselves and others. Students will learn that every person's body belongs to them, and the differences between appropriate and inappropriate or unsafe physical, and other, contact. They will develop confidence and learn how to respond safely and appropriately to adults they may encounter (in all contexts, including online) whom they do not know. They will recognise and report feelings of being unsafe or feeling bad about any adult. They will ask for advice or help for themselves or others, and keep trying until they are heard.

### **What makes a healthy and happy family?**

Students explore the importance of families for children growing up because they can give love, security and stability. Students explore the characteristics of healthy family life, commitment to each other, including in times of difficulty, protection and care for children and other family members, the importance of spending time together and sharing each other's lives. Students will recognise that others' families, either in the academy or in the wider world, sometimes look different from their family, but that they should respect those differences and know that other children's families are also characterised by love and care. Stable, caring relationships, which may be of different types, are at the heart of happy families, and are important for children's security as they grow up. Students will learn that marriage represents a formal and legally recognised commitment of two people to each other which is intended to be lifelong and they will explore what the Bible teaches about such a relationship. Students will develop maturity and confidence to recognise if family relationships are making them feel unhappy or unsafe, and how to seek help or advice from others if needed.

### **Whole School:**

In addition to the specific RSE teaching, there is a host of whole academy Initiatives that support positive relationships. The culture of Bede Academy is that of an all through school, which takes a holistic view of education from the age of 3 through to 18. There is a clear underlying vision that every child is 'infinitely precious', 'gifted for a purpose' and 'morally responsible'. This is played out effectively the day to day life of the school as evidenced by the Section 48 report (see link below).

### **Year 1 - 6 Assembly Programme and Class Reflection Programme**

Assemblies and class reflections constantly reinforce a child's value and how to cope with issues such as bullying, peer pressure, self-worth issues and this is all reinforced by the constant reminder of the academy's core values.

The following also highlight the holistic approach towards supporting student development in terms of positive relationships:

- Academy Vision and Core Values – with a range of relevant themes related to relationships, self-worth, identity, respecting others. ([Section 48 Report](#))

- House events, Sports Teams and a plethora of Educational visits and a character development and student leadership programme through a prefect and buddy programme promoting personal development that is supportive of the community and positive relationships.
- Student Support Groups and Student Voice – student council, and the provision of individual support, complementing the support given by class teachers, the pastoral and the welfare teams.
- Pupil Premium – support initiatives
- Pastoral Care and Welfare support Anti-Bullying policy, Behaviour and Discipline Policy, Rewards and Awards PREVENT, Equality support
- Beyond School Support – Community and Church Links, with many outside speakers broadening the impact of the key messages regarding the importance of healthy and positive relationships.
- Charity Focus – understanding other cultures
- Holocaust Day
- NEYFC – various support groups supporting ethos and helping to increase engagement in education
- SORTED – Local Authority run support for students with drug or alcohol involvement
- Commando Joes – character building curriculum

Each week the students in every year group have a Personal Development lesson. These lessons are based upon the HeartSmart programme. This programme resources UK Church schools with a toolkit for building resilience, wellbeing and healthy relationships. The HeartSmart programme fully delivers on all the requirements of the RHE statutory guidance. As an academy, we have a half-termly focus linked to our core values. The titles of the HeartSmart units are:

- Don't Forget to Let Love In!
- Too Much Selfie isn't Healthy!
- Don't Hold on to What's Wrong!
- Fake is a Mistake!
- "No Way Through" isn't True!

The Emmanuel Schools Foundation's sex education policy was approved by ESF directors in July 2017. The following guidance was consulted in devising the policy:

**Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information Departmental advice for independent schools, academies and free schools**, Department for Education, Nov 2014

[http://c4m.org.uk/downloads/DfE\\_EducationRegulations\\_IndependentSchoolsGuidance\\_HIGHLIGHTED.pdf](http://c4m.org.uk/downloads/DfE_EducationRegulations_IndependentSchoolsGuidance_HIGHLIGHTED.pdf).

**The Marriage (Same Sex Couples) Act 2013: The Equality and Human Rights Implications for the Provision of School Education**, Equality and Human Rights Commission, 2014:

[https://www.equalityhumanrights.com/sites/default/files/gd.13.103-4\\_schools\\_24-03-14.pdf](https://www.equalityhumanrights.com/sites/default/files/gd.13.103-4_schools_24-03-14.pdf).

**Sex and Relationship Education Guidance**, DfEE, Jul 2000:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283599/sex\\_and\\_relationship\\_education\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283599/sex_and_relationship_education_guidance.pdf)

**The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities**, Department for Education, May 2014:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/315587/Equality\\_Act\\_Advice\\_Final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf)

## Key Points

### 1. Obligations upon all maintained schools

*"The governing body and head teacher shall take such steps as are reasonably practicable to secure that where sex education is given to any registered pupils at a maintained school, it is given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life.*

*"The Secretary of State must issue guidance designed to secure that when sex education is given to registered pupils at maintained schools—*

*(a) they learn the nature of marriage and its importance for family life and the bringing up of children, and*

*(b) they are protected from teaching and materials which are inappropriate having regard to the age and the religious and cultural background of the pupils concerned."*<sup>7</sup>

### 2. Obligations upon schools with a religious character

*"Schools with a religious character can continue to deliver sex and relationship education in accordance with their particular religious doctrines or ethos. They must do so in a sensitive, reasonable, respectful and balanced way."*<sup>8</sup>

*"No school, or individual teacher, is under a duty to support, promote or endorse marriage of same sex couples. Teaching should be based on facts and should enable pupils to develop an understanding of how the law applies to different relationships. Teachers must have regard to statutory guidance on sex and relationship education, and to meet duties under equality and human rights law.*

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<sup>7</sup> Section 403, **Education Act 1996**: <http://www.legislation.gov.uk/ukpga/1996/56/section/403>

<sup>8</sup> **The Marriage (Same Sex Couples) Act 2013: The Equality and Human Rights Implications for the Provision of School Education**, Equality and Human Rights Commission Guidance, 2014, p.5 [https://www.equalityhumanrights.com/sites/default/files/gd.13.103-4\\_schools\\_24-03-14.pdf](https://www.equalityhumanrights.com/sites/default/files/gd.13.103-4_schools_24-03-14.pdf)

*Subject to the above, nothing in the Act affects the rights of schools with a religious character to continue to teach about marriage according to their religious doctrines or ethos. Any views expressed about marriage of same sex couples, by governors, teachers, other school staff, parents and pupils, may reflect the religious ethos of the school.*

*Governors, teachers and non-teaching staff in schools, parents and pupils, are free to hold their own religious or philosophical beliefs about marriage of same sex couples.”<sup>9</sup>*

*“ Parents will continue to have a right to withdraw their children from sex education. Schools will have flexibility over how they deliver these subjects, so they can develop an integrated approach that is sensitive to the needs of the local community; and, as now, faith schools will continue to be able to teach in accordance with the tenets of their faith.”<sup>10</sup>*

*“38% of teenage pregnancies ended in abortion in 1998 – almost 39,000 abortions. There are strongly held views and religious beliefs about abortion and some schools will apply a particular religious ethos through their sex and relationship education policy to the issue which will enable pupils to consider the moral and personal dilemmas involved. The religious convictions of pupils and their parents should be respected.”<sup>11</sup>*

*The standard does not mean, for example, that schools must promote alternative lifestyles or same sex marriage. Rather, it requires respect for other people, even if they choose to follow a lifestyle that one would not choose to follow oneself.<sup>12</sup>*

### **3. Obligations upon individual teachers**

*“Teachers, other school staff, governors, parents and pupils are all free to hold whatever personal views they choose on marriage of same sex couples, including a view that marriage should only be between a man and a woman. The Government recognises that the belief that marriage can only be between a man and a woman is a belief worthy of respect in a democratic society.*

*Individuals are free to express positive or negative views about marriage of same sex couples, depending on the form of words used and the particular context in which they are used. This applies to all forms of communication in public and in the workplace. Individuals who express support for, or opposition to, marriage of same sex couples, in public or in work, should do so in reasonable and moderate terms, to ensure they are mindful of and do not breach the rights and freedoms of others.*

*Where relevant, teachers need to teach the facts about the legal meaning of marriage in England and Wales in a sensitive, reasonable and appropriate way to comply with professional and legal obligations, and school policies and practices. This will include providing accurate factual information about the law when delivering lessons.*

*... Freedom of expression is explicitly protected under the Public Order Act 1986 (POA) provisions concerning the offences of inciting hatred on the grounds of religion or sexual orientation (see Part 3A and sections 29J and 29JA POA). Under the Act, Parliament has further protected the rights of individuals to express their views on marriage of same sex couples through discussion or criticism without facing any criminal sanction under the POA, by inserting a new sub-section into section 29JA. In order to guarantee that simply giving a view on marriage of same sex couples is not caught by the offences of threatening behaviour and hate speech on the grounds of sexual orientation, the new Section 29JA (2) of the POA specifies that: 'any discussion or criticism of*

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<sup>9</sup> **The Marriage (Same Sex Couples) Act 2013: The Equality and Human Rights Implications for the Provision of School Education**, Op.Cit., p.2,3

<sup>10</sup> **Justine Greening**, Secretary of State for Education and Minister for Women and Equalities, Sex and Relationships Education:Written statement - HCWS509, 1 Mar 2017: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-03-01/HCWS509/>

<sup>11</sup> **Sex and Relationship Education Guidance**, DfEE, Jul 2000, p.16

<sup>12</sup> **Improving the spiritual, moral, social and cultural (SMSC) development of pupils**: supplementary information Departmental advice for independent schools, academies and free schools November 2014, [http://c4m.org.uk/downloads/DfE\\_EducationRegulations\\_IndependentSchoolsGuidance\\_HIGHLIGHTED.pdf](http://c4m.org.uk/downloads/DfE_EducationRegulations_IndependentSchoolsGuidance_HIGHLIGHTED.pdf) p.10

*marriage which concerns the sex of the parties to marriage shall not be taken of itself to be threatening or intended to stir up hatred.”<sup>13</sup>*

*“It is not necessary for schools or individuals to ‘promote’ teachings, beliefs or opinions that conflict with their own, but nor is it acceptable for schools to promote discrimination against people or groups on the basis of their belief, opinion or background.”<sup>14</sup>*

*“Many people’s views on sexual orientation/sexual activity are themselves grounded in religious belief. Some schools with a religious character have concerns that they may be prevented from teaching in line with their religious ethos. Teachers have expressed concerns that they may be subject to legal action if they do not voice positive views on same sex relationships, whether or not this view accords with their faith. There are also concerns that schools with a religious character may teach and act in ways unacceptable to lesbian, gay and bisexual pupils and parents when same sex relationships are discussed because there are no express provisions to prevent this occurring.*

*Schools with a religious character, like all schools, have a responsibility for the welfare of the children in their care and to adhere to curriculum guidance. It is not the intention of the Equality Act to undermine their position as long as they continue to uphold their responsibilities in these areas. If their beliefs are explained in an appropriate way in an educational context that takes into account existing guidance on the delivery of Sex and Relationships Education (SRE) and Religious Education (RE), then schools should not be acting unlawfully. However, if a school conveyed its belief in a way that involved haranguing, harassing or berating a particular pupil or group of pupils then this would be unacceptable in any circumstances and is likely to constitute unlawful discrimination.*

*Where individual teachers are concerned, having a view about something does not amount to discrimination. So it should not be unlawful for a teacher in any school to express personal views on sexual orientation provided that it is done in an appropriate manner and context (for example when responding to questions from pupils, or in an RE or Personal, Social, Health and Economic education (PSHE) lesson). However, it should be remembered that school teachers are in a very influential position and their actions and responsibilities are bound by much wider duties than this legislation. A teacher’s ability to express his or her views should not extend to allowing them to discriminate against others.”<sup>15</sup>*

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<sup>13</sup> **The Marriage (Same Sex Couples) Act 2013: The Equality and Human Rights Implications for the Provision of School Education**, Op.Cit., p.6,7

<sup>14</sup> **Improving the spiritual, moral, social and cultural (SMSC) development of pupils**, Op.Cit. p.7

<sup>15</sup> **The Equality Act 2010 and schools**: Departmental advice for school leaders, school staff, governing bodies and local authorities, Department for Education, May 2014, p.22,23:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/315587/Equality\\_Act\\_Advice\\_Final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf)