



APPENDIX 1

COMHAIRLE NAN EILEAN SIAR
Education, Skills and Children's Services Department

**PERSONAL AND SOCIAL EDUCATION:
RELATIONSHIP AND SEXUAL HEALTH
EDUCATION (RSHP)**

GUIDANCE FOR SCHOOLS

INDEX:

1. INTRODUCTION
2. THE SCOTTISH SCHOOLS (PARENTAL INVOLVEMENT) ACT 2006
3. UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC) - THE RIGHT TO EDUCATION
4. THE NATIONAL GUIDANCE FOR CHILD PROTECTION IN SCOTLAND (2014)
5. ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000 (SECTION 35)
6. TRAINING AND RESOURCES
7. GUIDANCE ON DELIVERY OF RSHPEducation
8. CONSISTENCY AND APPROPRIATE USE OF EXTERNAL INPUTS
9. TAKING THE VIEWS OF CHILDREN AND YOUNG PEOPLE INTO ACCOUNT AND INFORMING AND RESPONDING TO PARENTS AND CARERS
10. WITHDRAWING CHILDREN FROM RSHP
11. CONCLUSION

PERSONAL AND SOCIAL EDUCATION: RELATIONSHIP AND SEXUAL HEALTH EDUCATION (RSHP) GUIDANCE FOR SCHOOLS: NOVEMBER 2020

INTRODUCTION

- 1.1 The Scottish Government (and 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 more 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.

THE SCOTTISH SCHOOLS (PARENTAL INVOLVEMENT) ACT 2006

- 2.1 The Act 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.
- 2.2 This guidance applies equally to other educational settings, whether formal or informal. It will be of interest to a range of educators, such as youth workers, residential care staff, nurses including school nurses, health improvement staff and specialist and generic third sector agencies; for everyone delivering RSHP education with children and young people.
- 2.3 This revised 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. On this basis, 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, regardless of their sexual orientation.

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC) - THE RIGHT TO EDUCATION

- 3.1 Article 19 of UNCRC refers to Nation 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". "ensure that children have the ability to acquire the knowledge and skills to protect themselves and others as they begin to express their sexuality."

- 3.2 Article 12: the child's view must be considered and taken into account in all matters affecting him or her.
- 3.3 Article 5: the state shall respect the responsibilities, rights and duties of parents to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the UNCRC rights.
- 3.4 Article 17: shall ensure that the child has access to information and material from a diversity of sources, especially those aimed at the promotion of his or her spiritual and moral wellbeing and physical and mental health.

THE NATIONAL GUIDANCE FOR CHILD PROTECTION IN SCOTLAND (2014)

- 4.1 "through Curriculum for Excellence, education practitioners have an important role in equipping all children with the knowledge, skills and understanding they need to keep themselves and others safe." RSHP education should therefore be delivered within the wider context of wellbeing and child protection. It should be viewed both as part of a proactive approach to keeping children and young people safe from harm as well as part of a child's education and overall wellbeing. In this context RSHP education has a crucial role in protecting children and young people from Childhood Sexual Experiences (CSE) and helping young people to identify abuse. Teachers should therefore consider the use of available and appropriate CSE educational materials as part of RSHP education delivery.

ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000 (SECTION 35)

- 5.1 Places a duty on authorities in the performance of their functions which relate to children to have regard to:
- the value of a stable family life in a child's development; and
 - 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.
- 5.2 Head teachers have the responsibility for ensuring these duties are met in a school setting.

TRAINING AND RESOURCES

- 6.1 No single resource is likely to fully meet the needs of all pupils. On this basis, it is expected that schools will develop a consistent and progressive approach when delivering RSHP education using a variety of programmes, materials, resources and inputs relevant to the child, school and community.
- 6.2 The Scottish Government does acknowledge that schools will develop a curriculum suitable to their local context.
- 6.3 The Scottish Government and Education Scotland cannot prescribe materials for schools and other educational settings to use. However, Education Scotland has listed numerous resources that are useful for different levels of RSHP education.
- 6.4 This is not intended to be a comprehensive or prescriptive list, but rather a list of materials that have been mapped against the experiences and outcomes for the RSHP organiser, are used currently within schools across Scotland, and have been quality assured to ensure compliance with the ethos of RSHP education.
- 6.5 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.

GUIDANCE ON DELIVERY OF RSHP EDUCATION

- 7.1 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.
- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 Young people should also be encouraged to understand the value of love and commitment in relationships and partnerships, including marriage and civil partnership.
- 7.6 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.
- 7.7 All schools will have age appropriate controls on their computers which would not allow children/young people to view inappropriate material.
- 7.8 Teachers will have reviewed all the material to be taught in advance of teaching in the classroom.
- 7.9 Teachers will select the most appropriate material for their class. Parents will have access to all material before it is used in class.

CONSISTENCY AND APPROPRIATE USE OF EXTERNAL INPUTS

- 8.1 Inputs into the RSHP curriculum external 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.
- 8.2 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.

TAKING THE VIEWS OF CHILDREN AND YOUNG PEOPLE INTO ACCOUNT AND INFORMING AND RESPONDING TO PARENTS AND CARERS

- 9.1 Schools should give young people an opportunity to exercise their right to identify and express their own educational needs in RSHP education.
- 9.2 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.
- 9.3 All Comhairle schools will regularly seek the views of parents and carers about key aspects of the curriculum, such as RSHP education. Schools to consult with parents and carers when they are developing or reviewing their programme of RSHP education.

WITHDRAWING CHILDREN FROM RSHP

- 10.1 While 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 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.
- 10.2 Where a child, young person or parent/carer wishes to withdraw from RSHP the school is required to 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.
- 10.3 It has to be remembered that many aspects of 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.
- 10.4 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.
- 10.5 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.

CONCLUSION

- 11.1 This guidance has been written compliant with national guidance and legislation.
- 11.2 However, given the extensive consultation and representations made to the Comhairle all Headteachers are required to work with their Parent Councils and children and young people to plan and make decisions in relation to the materials to be used in order that all Experiences and Outcomes of Curriculum for Excellence and the needs of children and young people are met.