

Scottish Government
Guidance on the Delivery of Relationships, Sexual Health and
Parenthood (RSHP) Education in Scottish Schools
23 November 2023

Introduction

NASUWT welcomes the opportunity to comment on the guidance on the delivery of relationships, sexual health and parenthood (RSHP) education in Scottish schools.

NASUWT is the Teachers' Union, representing teachers and school leaders in all sectors of education.

GENERAL

Question 1: Introduction

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

In a broad sense, the guidance is useful – in that it collates and references the relevant rights and responsibilities in relation to equalities, signposts the relevant legislation and highlights the United Nations Convention on the Rights of the Child (UNCRC). However, we must also consider the reader and what they will be seeking from national guidance. Overall, while the guidance provides many links to a variety of different resources, many of which may help to deliver the RSHP curriculum, it would be extremely time consuming for a class teacher to look through all of the guidance and the links

to resources. The guidance must set out clearly who its intended audience is and how it is to be utilised.

In section 1.3, the guidance 'applies to local authorities' delivery of RSHP education in schools'. Then in section 1.4, it references 'educational practitioners' and stipulates that it applies to 'all professionals delivering RSHP education to children and young people, including generic third sector agencies'. Some clarity is lost in the wording of these two sections. Will this apply to grant-aided schools in Scotland? What about the independent sector? Is the wording intended to draw a distinction between local authorities who must have regard to the guidance and everyone else who could use it? Where does this leave a local authority who invites a third sector agency into the school to discuss RSHP? The local authority might note that they were not delivering it as per 1.3 and under 1.4, anyone who is not a local authority – including third sector agencies – can consider this guidance as only applicable or optional. Some tightening of the wording here will be necessary to provide the sufficient clarity for schools.

Furthermore, while the guidance references the role and responsibility of the local authority in respect of the RSHP curriculum, we need to be clearer around the expectations of that body. Are local authorities to interpret the guidance for schools in their area? Are they to provide resources? Are they to provide links to agencies and people who can support schools? Will they vet people who can provide support to schools, including against criteria such as those that address equality and inclusion issues and rights under the UNCRC? Or is it accepted that the situation on the ground is exceedingly variable and that, in some areas, local authorities may be doing very little and leaving it entirely to schools and teachers? It will be important to unpick these expectations in the guidance and indeed to set out the role of national bodies such as Education Scotland.

Under section 1.6 it notes that RSHP education 'should be presented in an objective, balanced and sensitive manner within a framework of sound values and an awareness of the law, and teachers should work closely with parents

in its delivery, by discussing proposed lessons and resources with them in advance'. To achieve this aim, teachers will need exemplification, practical advice and training. Without such detail this commitment is potentially a huge workload driver and potentially creates conflict or relationship difficulties with parents and carers where views are disparate or in conflict with the views of children and young people. As with much of the draft document, more assistance for teachers in how this would be practically achieved is needed.

Under section 1.13, there should be links to allow the reader to understand what LGBT inclusive education means in its entirety. LGBT inclusive education is a term referring to an approach of including themes related to lesbian, gay, bisexual, and transgender people across Scotland's Curriculum through ordinary teaching and learning, and is broader than RSHP education. As a member of the LGBT Inclusive Education Implementation Working Group, NASUWT firmly supports recommendation 8 and the inclusion of the thematic outcomes listed.

Question 2: Relationships, Sexual Health and Parenthood Education

How clear is the purpose of the RSHP education section?

This section should open with a clear and explicit definition of what RSHP means. While this section frames RSHP within the wider policy landscape, it would be better to explain RSHP first and then build out to the wider context.

NASUWT would recommend that consent is explicitly mentioned within section 2.4.

Under section 2.7, NASUWT is absolutely clear that pupils should play an active, constructive and appropriate role in their own learning, the learning of their peers and the development of their school communities. Teachers have always sought to ensure that pupils are able to articulate their views and participate effectively in their learning and in the wider life of their school communities. This is a fundamental element of teachers' professional practice, and it recognises that teachers' ability to motivate pupils to learn

depends on the extent to which pupils can be supported to engage in and take responsibility for their own learning. Protecting and enhancing the right of children and young people to be heard and participate meaningfully in decisions that affect their lives is a key duty of the state in a democratic society. It is, therefore, a particularly important principle in the context of the state's responsibilities for ensuring universal access to well-funded and high-quality education. NASUWT believes that there are seven basic principles that should be reflected in the development of practice at school level, to ensure that student voice is effective and supported by the whole school community:

- Principle 1 – Student voice activities should make a positive and demonstrable contribution to the life of the school.
- Principle 2 – Student voice activities must not undermine teachers' professional authority and must not compromise other fundamental rights of children and young people.
- Principle 3 – Student voice activities should be part of a system that values and respects the views of all members of the school community, including staff.
- Principle 4 – Policies and practices on student voice must reflect the capacity of pupils to participate in particular activities and the extent to which they can reasonably be held to account for the results of their actions.
- Principle 5 – Student voice activities and policies must be consistent with and support work to promote equality and diversity and tackle discrimination and prejudice.
- Principle 6 – Approaches to student voice must be inclusive and give all pupils an opportunity to participate.
- Principle 7 – Student voice activities must not add to teacher and headteacher workload or school-level bureaucratic burdens.

In paragraph 2.10, the order of RSHP has been amended to place sexual health first: 'sexual health, relationships and physical development'. The ordering of lists often connotes importance, and placing sexual health first in this sequence is noticeable and jars with the messaging earlier in paragraph 2.6, which talks about the critical importance of relationships. Equally, in 2.11,

different headings are listed which consider what children and young people have a right to learn about. This variability across the section underlines the importance of articulating at the start what is meant by RSHP.

Under section 2.13, it is noted that 'the option of withdrawal should be balanced with the child's right to education'. Further guidance and exemplification for teachers would be useful to expand upon this statement.

While the flow diagram sets out a useful timeline for engagement, there must be some consideration of workload for schools and teaching staff. There must also be clarity on what 'monitor impact of removal on child' will really mean on the ground.

Question 3: Parental engagement and ability to withdraw from RSHP learning

Is the guidance sufficiently clear in relation to the rights of parents and carers; is the process for withdrawing a pupil sufficiently clear?

See comments under question 2. Further exemplification is required to allow schools and teachers to navigate balancing the various rights set out within section 2.

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?

RSHP education is taught across more than one subject, as set out in the guidance. There are therefore very few specialists of RSHP, which, of course, has implications for teachers' knowledge, expertise and workload. NASUWT has real concerns about the detail set out in the guidance and the work involved in looking at the linked resources.

The guidance makes reference to a whole school approach to RSHP education, and that is welcome on one level. However, if that means it is to be

left to class teachers what they will teach, that would be a problem. The guidance would be better to recommend or exemplify how RSHP education will be led at school level.

Section 3.2 sets out that good practice would ensure 'sufficient supports' were available – budgetary, time and staffing considerations to one side, it remains very unclear what this might practically look like and again requires exemplification.

Question 5: Consent and healthy relationships

Is the guidance sufficiently clear in supporting consent and healthy relationships having a greater focus in RSHP education?

NASUWT welcomes the inclusion of consent within discussions around healthy relationships. There remains some woolly language in this section, however, and under 3.5, references to 'professional judgement' should not only be supported by guidance, but also by professional learning and sufficient internal supports for teachers, such as supervision.

Some recognition of the complexity of the decision making around consent to share information should be given, alongside recommendations for support for practitioners.

The list of links on pages 13-14 is overwhelming and signposting to resources is no substitute for strategic direction and practical support for schools.

Question 6: Faith, belief and RSHP education

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

There are lots of positive policy statements in this section, but not a lot of practical help for schools and teachers.

It will also be important to recognise intersectionality, given that individuals may have multiple protected characteristics: this nuance needs teasing out. It

will also be important to not stereotype communities or people of a certain faith, or make assumptions about beliefs. In order to navigate these discussions, teachers will need to have, inter alia, a high level of racial literacy and it would be useful to see some professional learning being offered, as opposed to a series of hyperlinks.

Question 7: Gender Inclusive Education

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

In addition to gender inclusive education, it would have been useful to make reference to gender-based violence (GBV) and the GBV framework, which it is hoped will be launched at the end of the year.

Question 8: Understanding of Variations in Sex Characteristics (VSC) sometimes referred to as 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 set out on page 18 that there will be 'a route to support groups', but it must be recognised that this is outwith the control of individual schools and local authorities. Particularly in rural areas, teachers report that local support networks for pupils can be challenging to locate.

Question 9: LGBT inclusive RSHP education

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

This section was very clear and it was positive to see links being made to bullying and mental health: it would be good to see those links made throughout the whole document. It might also be useful to note here that continuing to embed LGBT inclusive education across the curriculum will better support learning in relation to relationships and families.

Question 10: Key Learning Points for RSHP Education

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

This section is far too long to be considered a summary. A summary should be condensed to around one page of high-level messaging. It would be better to recognise key learning during the body of the guidance and place this in a bubble or as highlighted text.

The heading 'inclusivity' should be retitled, as that word's meaning is variable and unclear in this context. In fact, consistent and coherent language throughout the document is key. While section 4.13 is under the heading 'LGBT inclusive education', it does in fact look at diversity and equality across the various protected characteristics: this will therefore need to be repositioned or retitled within the text.

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?

The guidance references consent and Additional Support Needs (ASN). It says that it is particularly important to teach ASN pupils about consent because they are more vulnerable. While there are links to resources, it would be more useful for the guidance to include some case studies which illustrate how a school or teacher might do this.

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?

There is sufficient signposting, but there is a minimal amount of advice throughout the document as a whole.

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