



Guide to the Government RSHE consultation

June 2024

About the RSHE consultation

A public consultation on the Government's draft RSHE (relationships, sex and health education) guidance is running from 16 May to 11 July 2024. This is an important opportunity for young people, educators, parents and carers and members of the public to review the proposals and help shape the final statutory guidance.

Whatever the outcome of the General Election (taking place 4 July 2024), it is important that people with an interest in RSE (relationships and sex education) respond to the consultation fully so that there is adequate evidence from people with experience of, or an interest in RSE to inform the next steps with the RSHE guidance.

About this guide

This guide, informed by discussions with Partners of the Sex Education Forum, sets out data and research that is relevant to RSHE and explains what we already know about RSE from research evidence and the views of young people. It gives background information to some of the consultation questions and aims to make it easier to make an informed and personalised response.

Sex Education Forum has shared the answers we plan to submit, along with our justifications. It is important that you answer the questions for yourself. Any copy and pasted wording will be discounted.

The consultation closes on 11 July, so there isn't much time.

- **If you have 10 minutes**
Answer the consultation by responding to the Yes/No questions. At the end, include a comment to personalise your response. This could be your view on why RSHE is important.
- **If you have 30 minutes to an hour**
Use our guide to help inform your personalised responses to the questions. Be sure not to copy and paste from our guide.



Working together for quality
relationships and sex education

How to personalise your response

We strongly encourage you to personalise your response to include evidence such as your views, your lived experience (and that of your children or relatives, service users etc.), data and statistics from your school, local area or community.

You might like to include examples of questions that children typically ask in RSE at different ages and (anonymised) examples of the ways the provision of effective RSE have protected children and young people and prevented harm.

Links to the draft guidance and consultation

- The full draft RSHE guidance is available from Gov.uk website [here](#)
- Respond to the consultation via Gov.uk links [here](#)

Remember, the consultation closes on 11 July 2024.

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Introductory sections (questions 1-10)

The first sections ask whether you are responding as an individual or an organisation. There is a question under Personal Details about your age where you can say if you are under 18 or over 18. This will give the Government some data about how many young people respond. If you consider yourself to be a young person (but are 18+), you might want to state elsewhere in your answers that you consider yourself to be a young person.

Review timetable (question 11)

Q11. Do you agree that we move away from a rigid commitment to review the guidance every three years? Yes/No

Note: There is no space for a comment with your answer. Here are some reasons why Sex Education Forum will be answering 'No'.

No. A commitment to review the guidance every three years was made by MPs involved in the 2019 RSHE guidance as they recognised that it was inadequate that the guidance had not been updated since 2000. Regular updates to the guidance are needed because of the pace of change in society, especially with technology, e.g. the impact of pornography, social media, A.I. and the role of influencers.

It is also important to regularly review how schools are getting on with **using** the guidance, so that the Government can review what is working and what aspects of the guidance schools may be finding harder to put into practice.

If the commitment to review the guidance every three years was lost, it could risk a return to a situation where RSE/SHE is ignored for an unspecified number of years and there is no mechanism to give it attention and updates.

Structure of the guidance (question 12)

Q12. Do you agree that the changes to length and style of the guide make the guidance easier to understand and follow? Yes/No

Note: There is no space for a comment with your answer. Here are some reasons why the Sex Education Forum will be answering 'No'.

No. The draft guidance is 45 pages long compared with 50 pages for the 2019 RSHE guidance. This is not a substantial difference, and the reduction of 5 pages has not helped provide clarity on issues that teachers and those supporting them would like clarity on.

The draft proposals introduce numerous age restrictions on content which would mean teachers having to go through their existing lessons and teaching materials with a fine-tooth comb to be sure



that they are compliant. This rigid style will result in increased workloads and does not provide the sort of flexibility needed to respond to the context of each classroom. What would have helped: a framework providing guidance on how to sequence (order) the RSHE curriculum. This would have helped model what age-appropriate teaching involves, with in-built flexibility to adjust to meet the needs of children.

Sections of the 2019 RSHE guidance have been removed such as paragraph 38, which set out expectations for governors and the importance of pupils making progress in achieving educational outcomes in RSHE. The removal of this content relating to assessment devalues the status of RSHE.

Schools' relationships & sex education (RSE) policies (questions 13-14)

The consultation states that changes have been made to the guidance on schools' policies for relationships and sex education (RSE), including asking schools:

- to differentiate between relationships and sex education
- to explain how they will handle questions from pupils in relation to content that is restricted to older children
- to explain how parents can view curriculum materials.

While there are some changes in wording, the 2019 RSHE guidance already asks schools to define relationships education and sex education separately in their policies. There was already guidance that schools should explain how they handle questions from pupils and already a focus on transparency with parents.

The draft guidance doesn't add any new clarity about **how** to do this. It states that sharing RSE materials with parents is in the public interest, however 'public interest' is a complex area of the law. It would have been more helpful to provide case studies describing real-life examples of how schools have effectively engaged with parents around RSHE and built effective partnerships between home and school.

Q13. Do you agree that these changes will do enough to ensure that schools are transparent with parents and that parents have sufficient control regarding what their child is learning? Yes/No

Yes. It is difficult to communicate our views on this with a Yes/No answer. We fully support transparency between schools and parents and carers about RSE. Many schools are already very effective in communicating well with parents and carers about RSE. This is an area that has developed since RSHE become statutory, requiring considerable investment of time from schools.

The reference to 'public interest' is made boldly, but this is a complex area of the law. We would want to see more detail and explanation of this. The reference to copyright in the draft suggests that 'copyright does not apply'. However, as this is a complex area of law, we believe it is important that



schools are given sufficient explanation to be sure that following the proposals would not jeopardise their compliance with others areas of the law.

Q14. If you would like to explain your answer, please do so here. [Up to 250 words]

Engaging with parents and carers about RSE is valuable because it helps families to understand how RSE is taught and invites parents and carers to take a role in contributing to their child's RSE at home, with the overall aim of meeting children's need for RSE to be provided from trusted sources. It would be helpful if this positive approach was included in the guidance.

Openness with parents (questions 15 & 16)

Q15. Do you agree with our proposed approach to increased transparency on RSHE material? Yes/No

Q16. If you would like to offer any comments to explain your answer, please do so here

We fully support transparency with parents and carers. This section states that there is 'a strong public interest in parents being able to see all materials used to teach RSHE, if they would like to, and schools should not agree to contractual restrictions which prevent this'. The draft guidance advises 'that schools should comply with any applicable copyright law when sharing materials with parents, and this may be through a parent portal or a presentation, but might include parents being given copies of material to take home'.

Parents can already request to see all materials used to teach RSHE. The draft guidance does little to change this, but uses a tone that presents parents and schools as tending to disagree with each other. It would be helpful to include a point about the evidence-based benefits for children of schools and families working in partnership to provide RSE. It would be helpful to share actual examples of how schools share materials with parents in a way that supports openness and is feasible for schools.

Age limits on teaching certain subjects (questions 17-44)

Questions 17-44 are focused on age limits.

The introduction of age limits is justified using the following rationale:

'The age limits were developed taking into account the advice from the independent panel, and seek to ensure that, as content is presented to prepare young people to stay safe and keep others safe, children are not introduced too early to concepts that they may not have the maturity to grasp, or which may be distressing. Age limits are focused on topics which, even when presented in a careful and well-intentioned way, may inadvertently give the message to young people that they could or should be engaging in or exploring adult activities rather than enjoying childhood.'

No evidence has been published to support this rationale or to explain what criteria have been used to decide that some topics are too complex or distressing. The role of RSHE is to provide a safe, supportive space for children and young people to learn about issues that are relevant to their lives and to society. We are very



concerned that the introduction of age limits on educational content will make children more vulnerable to abuse and harm that we know, from research data, impacts children at young ages.

Questions 17-19 are focused on the 'flexibility' that has been provided in relation to the age limits.

The flexibility referred to here is about allowing schools, in certain circumstances, to respond to an identified issue that occurs in a school community among children younger than the age limits, e.g. 'a primary school becomes aware that pupils are sharing pornographic materials, and then address this with younger pupils'. Parents would have to be told before anything is taught that is below the age limits.

Question 17 is not about the age limits themselves – it's about the 'flexibility' provided for in the guidance.

Q17. Do you think this flexibility will help to ensure that pupils are adequately safeguarded? Yes/No

No. The flexibility that is proposed is framed as an exception to the rules on age limits, something that would be unusual, and that must be continually justified and explained as a response to identified harms rather than as a preventative tool. The default that is proposed is to stick to the age limits. The age limits have numerous in-built risks to the safeguarding of children that run counter to what we know about the lived experiences of children and young people. Offering flexibility in the way outlined is insufficient to mitigate the harms that might be caused by age limits. The additional work involved for teachers to explain and justify variations to the age limits will be a further barrier to utilising flexibility in a way that is swift and appropriate to meet the needs of their classes.

For example, we know from research carried out by the Office of the Children's Commissioner that 1 in 10 children aged 9 has accessed pornography. Should schools wait to see if this is proven to be the case for pupils aged 9 at their school and then change their curriculum as a result? From a safeguarding perspective, this would be an irresponsible approach, given that national data is providing a different picture. Approximately 1 in 20 children experience sexual abuse ([NSPCC, 2024](#)) and the vast majority of cases of contact sexual abuse happen with people known to the child. The provisions in the draft guidance to keep explanations about sexual abuse contained in sex education and not relationships education mean that a further opportunity is lost to protect children. Parents/carers can easily opt their child out of education that would help their child to recognise and report abuse. There are documented cases of children only realising that they had been abused because they received a school lesson that gave adequate information about what constitutes abuse. See, for example, the story of child sexual abuse survivor Poppy ([SAPCA, 2023](#)), a [story from Wales](#) this year about how a 6-year-old reported sexual abuse following a lesson using the NPSCC PANTS resource, a [2021 story](#) about a 9-year-old who realised after a sex education lesson that abuse had taken place and [another example reported in 2022](#).

Preventative education is an integral approach that is mandated by Keeping Children Safe in Education (KCSIE). The draft guidance acknowledges that 'Discussions about sensitive topics in SHE can lead to increased safeguarding reports'. If disclosures/safeguarding reports are to be valued as a way of helping children and preventing abuse, then this contradicts the focus on age limits, which will likely lead to reduced safeguarding reports and children suffering harm for longer before they are able to recognise behaviour as harmful and report it.

Q18. Do you think this flexibility is warranted? Yes/No

Q19. If you would like to explain your answer to questions 17 or 18, please do so here



Yes. Flexibility should be the basis of curriculum design. However, we do not support flexibility being used as a way of ameliorating harmful age restrictions.

Sex Education Forum's RSE Poll 2024 asked young people aged 16 and 17 to select from a list of possible actions from the Government to help improve RSE. Young people gave the highest priority to training for teachers as a means of improving their RSE (57%), followed by flexibility for schools to cover the RSE topics that their pupils need (52%). However, the proposals do not offer genuine flexibility because there are too many barriers to designing a curriculum that is responsive to pupils' needs.

Sexual orientation (questions 20 & 21)

Q20. Do you agree with changes to the lesbian, gay and bisexual content in the LGBT section (note that the next section provides an opportunity to comment on text about gender identity and gender reassignment)?
Yes/No

Q21. If you have any comments to explain your answer, please do so here

No. There is less integration of LGBT topics within the new draft proposals compared with the 2019 guidance, and a regression to a more optional approach to LGBT inclusion.

The 2019 guidance contains ambiguity about LGBT inclusion at primary school, and following the publication of the guidance, the Government provided clarification that primary schools are 'strongly encouraged and enabled to cover LGBT content when teaching about different types of families' ([FAQs from Gov.uk](#)) to teach LGBT topics in primary school. This was helpful and a positive clarification, and this style of wording could have been included in the updated guidance. Note that the 2019 guidance referred to LGBT parents, which is inclusive of trans parents, whereas the draft guidance only refers to same-sex families. Instead, the proposal is to give primary schools 'discretion over whether to discuss sexual orientation or families with same-sex parents'. It suggests that primary schools can pick and choose to reference LGB people, the fact of sexual orientation and same-sex families as an option, and that it would be acceptable to teach their entire RSHE without mention of sexual orientation or same-sex families. The result is that children growing up in same-sex families would not see their family represented among the range of families discussed and depicted. Furthermore, some children will have been aware of their own sexual orientation from a young age. It further isolates children if there is no reference to the facts about sexual orientation.

LGBTQ+ young people are at increased risk of violence in school, and homophobic bullying is common as a way to police conformity to gendered expectations, even in primary schools ([Girlguiding Girls Attitudes Survey 2023](#)). Describing LGB-inclusive RSHE as an option for primary schools to determine themselves gives out a contradictory message in the context of whole-school initiatives to tackle homophobic bullying.

Paragraph 41 (under the section in the draft guidance on 'Sexual Orientation' states: 'We expect the majority of primary schools to teach about healthy loving relationships'. Surely it would be unacceptable for any primary school **not** to teach about healthy loving relationships, given that relationships education is mandatory for all primary schools and includes teaching about love in families and the characteristics of healthy relationships?

Gender reassignment (questions 22 and 23)



Q22. Do you agree with the proposed changes related to gender identity and gender reassignment in the guidance? Yes/No

Q23. If you have any comments to explain your answer, please do so here

No. Teaching about gender identity is actively excluded from the draft guidance on RSHE. Gender reassignment is not excluded. However, it would not be possible to talk about gender reassignment without talking about gender identity or a person's own sense of their gender. Despite the consultation document giving a definition of gender identity as 'a sense a person may have of their own gender, whether male, female or a number of other categories', the proposal is to completely exclude this concept from teaching in primary and secondary schools, pointing to complexity and contested nature of concepts for justification.

This is problematic for several reasons:

1. It creates a ban on teaching about the broader concept of gender identity, setting a precedent for banning topics in the curriculum because of their complexity or contested nature
2. It makes it very difficult for teachers to address issues that overlap with gender identity, including gender reassignment, gender stereotypes and gender-based violence
3. It establishes a taboo on discussion of gender identity, which will further stigmatise and isolate members of the school community, including pupils, teachers and family members who identify as trans, non-binary and other gender identities. Stigma and isolation will further fuel mental ill-health and a culture of non-tolerance
4. It leaves children and young people more dependent on using sources of information outside of school, which may be unreliable. We already have data ([SEF, 2024](#)) showing that young people are more likely to learn about LGBT from social media and the internet than from school.
5. The absence of a fully LGBTQ+ inclusive approach to the teaching of RSHE goes against research evidence finding that inclusive teaching has benefits for all members of the school community, with lower reports of adverse mental health (suicidal thoughts and suicide plans) among all young people, irrespective of gender or sexuality (Three Decades of Research: The Case for Comprehensive Sex Education, [Golfarb and Lieberman 2021](#)).

Note that Paragraph 44 advises schools to refer to the guidance for schools and colleges on gender questioning pupils. However, this non-statutory guidance is still in draft.

We are concerned that the proposals would constitute a regression on the progress made in fulfilling the rights of children, which are monitored by the UNCR. Specifically, the combined sixth and seventh periodic reports submitted by the United Kingdom Governments of Great Britain and Northern Ireland under article 44 of the convention, states in paragraph 276 that 'In England, mandatory RSHE for secondary pupils, including sexual orientation and gender identity introduced in 2020 was informed by a consultation including children'. The concluding observations on the combined sixth and seventh periodic reports (2023) includes the recommendation to the UK Government to 'f) increase efforts to eliminate discrimination and bullying, including on the grounds of race, sexual orientation, gender identity or sex characteristics, disability, migration or other status in the school context and ensure that such measures are i)are adequately resourced and developed in consultation with children ii) address the root causes of bullying, and iii) encompass prevention, early detection mechanisms, the empowerment of children, mandatory training for teachers, intervention protocols, consistent and robust recording and monitoring of bullying behaviour and awareness raising on the harmful effects of

bullying’. These proposals would not progress these recommendations. (For UNCRC documents visit https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx)

Addressing prejudice, harassment and sexual violence (questions 24 & 25)

The revised content on addressing prejudice, harassment and sexual violence is covered in paragraphs 51-56 and some changes to content in the table setting out what pupils should know ‘by the end of secondary’.

Q24. Do you agree that the revised content on addressing prejudice, harassment and sexual violence is a helpful response to evidence of the prevalence of sexual abuse in schools? Yes/No

Q25. If you would like to explain your answer, please do so here

No. This is inadequate to address the widespread nature of sexual harassment and sexual violence in schools, including primary schools, that was documented by Ofsted in its 2021 report on sexual violence and sexual abuse in schools and colleges. There is a widespread problem with public sexual harassment that is reported by [Crimestoppers](#), whose 2023 report found that 16.8% of participants first experienced unwanted sexual harassment in public when they were aged 10 or younger (3.7% aged 0-5, 13.1% aged 6-10) and 29% first experienced unwanted approaches between 11-13 years.

Imposing an age limit on explaining the concept of sexual harassment until year 7 is unhelpful because there is data available about to show that children first start to encounter sexual harassment before year 7.

Local data from Schools Health Education Unit (SHEU) surveys can be used to evidence this. For example, SHEU surveys are carried out with specific year groups, and may have included the question to year 6 pupils of whether ‘Someone touched you in a way that made you feel uncomfortable’.

There are numerous references to ‘not discussing the explicit details of sexual acts/violent abuse’ before certain ages. The framing around ‘explicit details’ implies a misunderstanding of how teachers build an age-appropriate preventative curriculum which provides relevant information at a level that children can understand and doesn’t shy away from giving sufficient information so that children can recognise risk and harm. The fact is that children do experience sexual harassment and sexual violence, and if they don’t know what it is at a basic level they are less likely to access help to stop it from happening. Furthermore, children who are more ignorant than their peers are known to be targeted by abusers.

Primary sex education (questions 26 & 27)

Q26. Do you agree with the restriction on teaching sex education only in years 5 or 6? Yes/No

Q27. If you would like to make any comments to explain your answer, please do so here

No. It is not helpful to put an age restriction on teaching sex education. It is confusing for children if information about sex is strictly limited to human reproduction and ‘safety’, and it is difficult to see how teachers will explain human reproduction without mentioning sexual intercourse. The implication is that children receive the

message that sex is either for conception only or associated with violence. It is highly likely that children in years 5 and 6 will have quite varied questions about sex, some of which will be prompted by having accessed inappropriate content online, and some of which will be due to natural curiosity. These questions will be different with every class and change from year to year. It will be very time-consuming for teachers to consult all parents about how they respond to every question asked. Teachers should be enabled to address the myths that might be indicated by such questions.

Instead of applying age ratings, it would be helpful to provide guidance on an appropriately sequenced developmental framework for a series of concepts relevant to sex education – for example, human reproduction and the context in which sex is appropriate.

- Teaching about the human life cycle including human reproduction: this is often covered in National Curriculum Science, and the guidance in the National Curriculum for Science is broadly sound and can be complemented by teaching in sex education. This can be broken down into steps, starting with an awareness of the life cycle, which can begin before year 5, and finishing with the detail of how conception takes place (in years 5-6). Teaching about conception should include IVF.
- Teaching about the **context** of human sexual reproduction and sex: this should be included as part of the recommended content for years 5 and 6. This should cover teaching that reproduction (and sex) is an adult activity because it requires physical and emotional maturity and should include information about the legal age of consent to sex. This is an opportunity to explain that people have sex and enjoy sexual intimacy for reasons other than reproduction, and that sex and sexual intimacy (closeness) between people must always be a choice made freely and with capacity.

Secondary topics: Online and Media, Respectful Relationships, including friendships, and Being Safe (questions 28-37)

Questions 28-36 are structured as Yes/No questions and do not have the option of adding text. However, there is an option in question 37 to provide a text answer that covers comments on questions 28-24. Our guide includes notes on each question that might be useful to reflect on when adding an open text comment in question 37.

Proposal that the following is not taught before year 7: ‘What constitutes harmful sexual behaviour and why, and that such behaviour is unacceptable, emphasising that it is never the fault of the person experiencing it’.

Q28. Do you agree with this age limit? Yes/No

No. There is a lack of clarity about what schools are being asked to teach relating to harmful sexual behaviour. The NSPCC defines harmful sexual behaviour (HSB) as developmentally inappropriate sexual behaviour displayed by children and young people which is harmful or abusive. This would not normally be a curriculum topic in itself in RSHE. Rather, children should be taught, from a young age, to recognise boundaries around public and private, to recognise the difference between acceptable and unacceptable behaviour and what to do if these boundaries are not respected. This teaching is a continual process and should be integral within relationships

education at primary school. HSB can occur at any age, and schools should be adept at responding to incidents of HSB in their settings. However, policies for responding to incidents of HSB should be part of safeguarding and separate from the policy for the RSHE curriculum.

Proposal that the following is not taught before year 9: ‘That some types of behaviour, including within relationships, are criminal, including violent behaviour and emotional abuse, such as controlling or coercive behaviour. Schools should not, however, teach about the details of violent abuse before Y9 as it is important that pupils are not introduced to distressing concepts when they are too young to understand them’.

Q29. Do you agree with this age limit? Yes/No

No. This age limit makes it difficult to introduce the topic of coercion in a developmental, graduated and sequenced way. The result is that opportunities would be lost for teaching the topic in a timely way out of fear of mentioning details that might be seen as too explicit. Sadly, when children are ignorant of the mechanisms of coercion and abuse, they are more vulnerable and may be targeted by abusers. Children in year 6 are known to be targeted for sexual exploitation and grooming. Children and young people with special educational needs and disabilities are at additional risk. Protecting children from these risks requires explaining these risks in a careful, sensitive and age-appropriate way.

Proposal that the following has an age limit of not being taught before year 7: ‘About circulating images and information and how to safely report to trusted adults the non-consensual creation or distribution of an intimate image. Pupils should understand that making, keeping or sending naked or sexual images of someone under 18 is a crime, even if the photo is of themselves or of someone who has consented, and even if the image was created by the child and/or using AI generated imagery. Pupils should understand the potentially serious consequences of asking for naked, semi-naked or sexual images, including the potential for criminal charges and severe penalties including imprisonment’.

Q30. Do you agree with this age limit? Yes/No

No. Before they leave primary school, children need to be provided with basic information about the unacceptability of nude images circulating. This information should be provided at primary age because there is a clear evidence-based risk of children receiving nude images once they have access to a mobile phone. Even if children don’t own a phone themselves, they will still come into contact with children, and older siblings and family members, who own phones. A basic level of information should be provided at primary school and then revisited in more detail in year 7. This is also important to give children a clear signal that if issues arise it is OK to ask for help. The age-limit would likely create a further barrier in young people seeking support.

Proposal that the following has an age limit of not being discussed before year 9: ‘The impact of viewing harmful content, including pornography, that presents a distorted picture of sexual behaviours, can damage the way people see themselves in relation to others, and can negatively affect how they behave towards sexual partners. This can affect pupils who see pornographic content accidentally as well as those who see it deliberately. The risks of inappropriate online content can be discussed in an age-appropriate way from year 7, however, the details of sexual acts should not be discussed before year 9’.

Q31. Do you agree with this age limit? Yes/No

No. The Office of the Children’s Commissioner (2023) found that [27% of children aged 11](#) in England have viewed pornography, and that the average age is 13. The wording around this age limit is confusing, as it suggests that the risks of inappropriate online content can be discussed from year 7 but without mentioning sexual acts. Pornography normalises violent sexual acts and a wide range of sexual acts. The key messages that young people need to hear are about the unacceptability of violence and the necessity of fully and freely giving consent to all sexual acts. If naming sexual acts is off-limits, how can this be done? Instead, young people will continue to access a repertoire of sexual acts, including violent and illegal acts, via pornography without any reliable information about their safety, legality or normality. The Children’s Commissioner’s report refers to young people speaking about the unbearable pressure to view hardcore pornography even if they do not want to. Age limits on discussing pornography in an educational context do not provide young people with the support they desperately need.

Proposal that the following is not taught before year 7: ‘The concepts and laws relating to harmful sexual behaviour, including sexual harassment, revenge porn, upskirting and taking/sharing intimate sexual photographs without consent, public sexual harassment, and unsolicited sexual language/attention/touching. This should not be taught before year 7’.

Q32. Do you agree with this age limit? Yes/No

No. While these topics would in many schools be introduced at secondary level as part of a developmental curriculum, it is unhelpful to set an age limit, as some of these topics can be covered in an age-appropriate way with younger children. For example, upskirting can be explained in age-appropriate language as part of explaining about privacy and boundaries. Children are protected in law against upskirting, so why not tell them what the law is?

Proposal that the following is not taught before year 7: ‘The concepts and laws relating to sexual exploitation, grooming, stalking, and forced marriage. This should not be taught before year 7’.

Q33. Do you agree with this age limit? Yes/No

No.

Proposal that the following is not taught before year 9: ‘The concept and laws relating to sexual violence, including rape and sexual assault. Whilst it’s important for pupils to understand the key principles around sexual offences and violence, for example the importance of understanding what consent means, schools should not teach about this in any sexually explicit way before year 9’.

Q34. Do you agree with this age limit? Yes/No

No. The draft guidance emphasises that description of a sexual activity is part of sex education and not relationships education, and that parents can request to withdraw their child from sex education. See paragraph 28: ‘relationships education may include topics related to preventing sexual abuse, for example sharing inappropriate material online, providing teachers do not describe the nature of any sexual activity involved’.

This means that a child in secondary school could be withdrawn from teaching that explains what rape and sexual assault are. This is justified as a way of protecting children from distress, and yet sex education is a tool to

help children recognise sexual abuse including rape. There are documented cases of sex education being the trigger for a child to recognise that they have been raped for years and to report it and get help. There is no evidence that harm is caused by teaching young people in an age-appropriate way about what constitutes rape. In fact, not giving that information poses a risk that young people could perpetrate rape and sexual assault without having been advised that it is illegal to do so.

The draft guidance highlights in paragraph 35 that ‘Pupils should understand that the age of criminal responsibility is ten’ and in paragraph 36 that ‘Pupils should be made aware of the relevant legal provisions when relevant topics are being taught, including for example those relating to... consent/rape etc’. Given that the age of criminal responsibility is 10 it would be appropriate that at age 10 young people have a basic understanding of sexual activity so that they recognise their own legal responsibilities and rights (whereas the draft guidance is not to teach this until year 9 (age 13-14)).

The draft guidance provides no information about how children can be taught the prevention of sexual abuse without an explanation of what sexual activity is.

Proposal to place an age limit on the teaching of ‘The physical and emotional damage which can be caused by female genital mutilation (FGM), virginity testing and hymenoplasty, where to find support, and the law around these areas. This should include that it is a criminal offence to perform or assist in the performance of FGM, virginity testing or hymenoplasty, or fail to protect a person under 16 for whom someone is responsible from FGM, or to take girls who are UK nationals 21 abroad for FGM, regardless of whether it is lawful in that country. This should not be taught before year 9, except for where schools have identified a greater risk of FGM at an earlier age or have pupils who have been affected by FGM and need support’.

Q35. Do you agree with this age limit? Yes/No

No. Primary aged children (5- to 9-year-olds) are at greatest risk of FGM in [England & Wales \(FGM Network\)](#). The proposal would result in FGM not being explained in sufficient detail for children to recognise what it is, and this risks schools avoiding all mention of FGM until well after the key risk age. There are established approaches to teaching FGM sensitively as a safeguarding matter in primary school, and this would be threatened. Furthermore, the proposal contradicts the [Government’s multi-agency statutory guidance on FGM](#) (2020) which includes a case study from a school which has FGM awareness lessons from years 4-6. It is extremely concerning to suggest that information about where to get help with FGM should be restricted based on age. While schools will vary their approach to FGM education based on their community, it is important that all schools teach all pupils about FGM – boys and girls included – because it is something that affects our whole society and it is not possible to accurately guess if there is a risk for every child.

Proposal that the following is not taught before year 9: ‘The concepts and laws relating to domestic abuse including controlling or coercive behaviour, emotional, sexual, economic or physical abuse, and violent or threatening behaviour’. Schools should not teach about the details of violent abuse before year 9 as it is important that pupils are not introduced to distressing concepts when they are too young to understand them.

Q36. Do you agree with this age limit? Yes/No

No. Sadly, many children grew up exposed to domestic abuse. ROSHE teaching helps children to recognise what a healthy relationship is and, by contrast, what coercive and abusive behaviour is. This recognition is not the

source of distress – it's the lived experience of domestic abuse and coercion that causes harm and distress. Schools are adept at teaching about the concept and laws on these topics in age-sensitive ways. It is also important that pupils and parents know about what will be taught when, so that content that might be particularly triggering (in relation to lived experience) is known about in advance.

Under the Istanbul Convention (of which the UK government is a signatory), signatories commit to teaching about equality (between men and women) in formal curricula and at all levels of education ([Article 14, Education](#)). Introducing age limits places a barrier to the fulfilment of this commitment.

Q37. If you would like to offer any comments about the age restrictions in the secondary Online and Media, Respectful Relationships, including Friendships, and Being Safe topics please do so here. It would be helpful if you could share your own views on appropriate age limits for these topics, for example if you think they are too low or too high.

Responses to this question cover the age limits specified in questions 25-36

Proposal that the following is not taught before year 9: 'Information about choices around sex, including about when and whether to have sex, about sexual consent, reproductive health, strategies for resisting sexual pressure, facts about contraception, facts about pregnancy and choices around pregnancy, facts about STIs and reducing risks of transmission, facts about the impact of alcohol and drugs on sexual behaviour, and information about where to get help. Explicit discussion of the details of sexual acts should only take place in so far as it is necessary to teach these topics and should not be taught before year 9'.

Q38. Do you agree with the age restriction on the secondary intimate and sexual relationships, including sexual health topic? Yes/No

Q39. If you would like to offer any comments about this age restriction, please do so here. Please try to limit your response to under 250 words

No. While year 9 is a common point at which to cover these aspects of sexual health in any level of detail, it is simply unhelpful to place age limits on this content. Children have basic questions about sexual health topics such as contraception and facts about pregnancy when they are in primary school, and if these cannot be answered at all until they are 13 or 14 years old, young people will either remain ignorant or seek information online or from friends, and may learn through 'mistakes' that have life-long impacts.

STI (sexually transmitted infection) rates among young people are rising ([The prevalence of STIs in young people and other high risk groups](#), Women and Equalities Committee, 2024). It has taken decades to challenge stigma around HIV and to ensure that the public is educated about how HIV is and isn't transmitted. Placing an age limit on teaching about STIs is highly likely to add to stigma about all STIs. Furthermore, schools need to be flexible to challenge STI and sexual health misinformation which readily circulates on the internet. All young people in year 8 are offered the vaccination for human papillomavirus (HPV), which is an STI. The proposal is that young people start learning about STIs in year 9. The result of the proposed ban is that it would make it difficult to explain fully to young people why they are being given a vaccine.

Proposal that the following is not taught before year 3: ‘Why social media, some apps, computer games and online gaming, including gambling sites, are age restricted’.

Q40. Do you agree with this age limit? Yes/No

No. Putting an age limit on teaching why age restrictions are in place online is unhelpful. Children are aware of the online world before year 3. Providing basic information about the concept of age restrictions for online content is helpful and schools do not need to be told when this should happen.

Proposal that the following is not taught before year 3: ‘The risks relating to online gaming, video game monetisation, scams, fraud and other financial harms, and that gaming can become addictive’.

Q41. Do you agree with this age limit? Yes/No

No. Many primary schools would teach this around year 3. However, it is not helpful to place an age restriction on this content. This implies that it is harmful to discuss these themes with children at younger ages, when there is no evidence to support that.

Proposal that the whole of the primary Developing Bodies topic in health education should not be taught before year 4. This covers: growth, change and the changing adolescent body. This topic should include the human lifecycle. Puberty should be mentioned as a stage in this process; The key facts about the menstrual cycle, including physical and emotional changes.

Q42. Do you agree with this age limit? Yes/No

No. Year 4 is a typical point when many schools start introducing puberty education, however a ban on earlier teaching gives out the wrong message, signalling that it’s inappropriate to teach it earlier. Normal puberty onset is ages 8-13 for girls and 9-14 for boys. Some girls start their period at age 8 (year 3), and a small number even earlier. A Sex Education Forum [survey](#) in 2015 found that 1 in 4 girls started their periods before they learned about them. The implication of banning puberty education before year 4 is that more girls start their periods in ignorance. It is important that girls and boys learn about periods; knowing what periods are helps children to empathise with the experiences of others and challenges stigma and shame.

Q43. This question is about suicide prevention. We defer to specialists in this area.

Q44. If you would like to offer any comments about these age restrictions (relating to Health and Wellbeing), please do so here. It would be helpful if you could share your own views on appropriate age limits for these topics.

Q44 is an opportunity to comment on the age limits placed on teaching about the developing body.

We are confused by the change in referring to changing adolescent bodies as ‘developing bodies’. Adolescence is a medically recognised term and phase in the human life cycle, and it is helpful to use it.

We welcome the advice that ‘schools should use appropriate language such as period pads and menstrual products instead of sanitary items or feminine hygiene products’ as this contributes to a shame-free approach to periods / menstruation.



Changes to Health and Wellbeing section (questions 45 & 46)

We defer to specialist mental health organisations and experts to inform this area of the consultation.

Suicide prevention (questions 47 & 48)

We defer to specialist mental health organisations and experts to inform this area of the consultation.

Additional topics (questions 49 & 50)

Additional topics proposed in the draft guidance include: Loneliness; New content on gambling; Prevalence of 'deepfakes'; Antimicrobial resistance; Healthy behaviours during pregnancy; Illegal online behaviours including drug and knife supply; Personal safety, including road, railway and water safety; Vaping; Menstrual and gynaecological health including endometriosis, polycystic ovary syndrome (PCOS) and heavy menstrual bleeding; Parenting and early years brain development; Virginty testing and hymenoplasty; Bereavement.

Q47. Do you agree with this additional content? Yes/No

Yes. We agree with this additional content being included in RSHE. However, training should be made available to schools both to support them with the implementation of these changes and with the existing topics. The Government should put in place adequate monitoring of the implication of the full breadth of topics in the guidance. Findings from Sex Education Forum's RSE Poll 2024 demonstrate that many statutory topics are not yet being covered at all, or not covered in full.

General comments (question 51)

Q51. Is there anything else in the draft statutory guidance that you would like to comment on?

Lack of research evidence underpinning the update

We are concerned that the draft statutory guidance is not informed by research evidence about the implementation of the 2019 guidance, or the views and experiences of children and young people. The recommendations of the expert panel have not been published. Since RSHE has been implemented for at least three years, we would expect to see findings from evaluation of the evaluation and for 'lessons learned' to inform the guidance update. Findings from Ofsted inspections of RSHE are due to be published as part of a national report on Personal Development. However, this report has not been made available. This should be available to ensure that the learning from Ofsted visits is informing the updated guidance.

Lack of reference to 'how' to teach RSHE and subject specific pedagogy

The draft guidance makes no reference to evidence-based pedagogy for effective teaching of RSHE. There is an established evidence base in support of participatory, interactive teaching methods; the development of skills

(such as communication skills, negotiation, interpersonal skills) as well as knowledge; and addressing psychosocial factors - see [RSE: The Evidence](#) (SEF, 2022) for a summary of international research. References to the assessment of RSHE in the 2019 guidance have been removed from the draft. This would negatively impact the overall status of RSHE in schools.

Lack of attention to training and support for schools

The confidence and competence of teachers in delivering high-quality SHE is pivotal to the effectiveness of provision. Surveys such as the [NSPCC and NASUWT survey \(2022\)](#) have highlighted that half of secondary school teachers don't feel confident teaching RSE. The only mention of training in the guidance is that teachers may need training to deal with questions better not answered in the classroom. Young people surveyed in 2024 identified training for teachers as the single most important action that the Government could take to improve the quality of RSE ([SEF, 2024](#)).

Lack of due process for public consultation

The public consultation on the RSHE guidance is only open for eight weeks, compared to the standard 12 weeks, which the 2019 guidance was open for. There has been no attempt to engage children and young people in consultation activities.

Public Sector Equality Duty (question 52)

Q52. Do you have any comments regarding the potential impact of the guidance on those who share a protected characteristic under the Equality Act 2010, whether negative or positive? How could any adverse impact be reduced and are there any other ways we could advance equality of opportunity or foster good relations between those who share a protected characteristic and those who do not?

The changes relating to LGBTQ+ content single out same-sex families and the protected characteristic of sexual orientation as a theme that is left to the discretion of schools.

The ban on teaching about gender identity creates a culture of stigma and fear around discussing gender reassignment, gender identity and diversity in relation to identity. It will most obviously have an impact on people with the protected characteristic of gender reassignment and children who are questioning their gender. The NSPCC report '[Challenges young people are facing around sexuality and gender identity](#)' (2024) provides powerful testimony and evidence direct from young people.

About the Sex Education Forum

The Sex Education Forum is the voice of Relationships and Sex Education (RSE) in England. As a national charity, we promote and protect the physical and mental health of children and young people by improving their access to RSE. We do this by:

- Bringing together our partners and wider stakeholders to share best practice and research and monitor the provision of RSE in England.
- Working alongside policy makers and engaging with Parliamentarians to raise the profile of RSE and ensure effective delivery.
- Supporting educators with high quality training, resources and a membership scheme, so they can be competent and confident providers of RSE, in partnership with parents, carers, children and young people.
- Gathering and utilising the international evidence for effective RSE to inform policy and practice and advance understanding of the benefits of RSE.

Working together is central to everything we do. Partners of the Sex Education are organisations or individuals with a strategic interest or specialist expertise in RSE and are in agreement with our shared values and principles for evidence-based RSE.

We believe that RSE should be relevant and meet the needs of children and young people, and actively involve them as participants, advocates and evaluators in developing good quality provision. We are particularly concerned to address the needs of children and young people most at risk of missing out on RSE and of poor sexual health and relationships outcomes. Comprehensive and inclusive RSE provides scope to explore and address numerous equity and diversity issues.

To find out more and join our RSE community visit: www.sexeducationforum.org.uk

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Working together for quality
relationships and sex education