

PARENTAL RIGHTS - RELATIONSHIPS & SEX EDUCATION

THE LAW

- The RSE regulations requires that “[RSE] education is appropriate having regard to the age and religious background of the pupils.”
- They also require that the governing body of a maintained school must make and keep up to date a separate written statement of their policy with regard to the provision of RSE,
- publish a copy of the statement on a website and provide a copy free of charge to anyone who asks for one, and
- must consult parents of registered pupils at the school before making or revising that policy.

DEPARTMENT FOR EDUCATION GUIDANCE (NOT LAW)

- The Dept for Education guidance requires schools to make samples of the materials that will be taught available.
- Schools with a religious character (and non-faith schools that adopt a similar approach) are permitted to teach their distinctive faith perspectives on relationships, marriage and civil partnerships and balanced debate is permitted to take place about issues that are seen as contentious.
- While strongly encouraged by the DfE to do so, primary schools are not required by law to teach LGBT elements (or the Equalities Act).

OTHER LAW

- Parents have a right to receive education for their children that is in accordance with their own philosophical and religious convictions. (Human Rights Act 1998)
- An organisation in schools attempting to persuade or convince, instead of safeguard and support, is essentially political in nature. Materials from lobbying or political organisations are forbidden in schools. (Education Act 1996)
- If what is being presented to children in schools is not objective, pluralistic and critical, it is categorised as indoctrination and is breaking the law. (Folgero and Others v Norway)
- Religion is a protected characteristic (Equalities Act 2010)