

## School's Guide to Respecting Religious Beliefs in Relationships and Sex Education

### **Introduction**

Many schools have been implementing the new Relationships and Sex Education but have discovered significant disquiet from those with a traditional religious background. This is due to the strongly held religious beliefs about sex and gender which are common to religious communities. In order for a school to comply with the Equality Act 2010 and the government guidance, significant attention will need to be paid to the views of religious parents, so that schools properly address the issues arising. Sadly, some schools are being taken through legal processes and this has resulted from their lack of understanding of the law, the government guidance and the strongly held views of many parents. This has also arisen where schools have relied heavily on the resources provided by external organisations, or where a staff member with strong views has inconsiderately implemented the RSE curriculum. This guide is to help schools make sure they have done all they can to fully engage with these views.

### **The key areas**

The below list sets out certain issues that parents and/or teachers may have with the teaching of RSE:

- Parents are raising objections as to inappropriate teaching of sexual themes to children, saying that they are not appropriate for their age. Religious communities often do not speak openly or publicly about sexual parts or relationships until much later in childhood than some schools permit.
- Parents are raising objections when diversity or Pride celebrations are enforced through the school activities. Parents believe such requirements do not simply encourage students to treat others with kindness, but that they indoctrinate children with ideas that contradict widely-held, historic, religious beliefs about marriage and gender.
- Parents are concerned about the teaching of LGBT relationships, believing these relationships are being celebrated and promoted, which is in contradiction to the teachings of their religious faith.
- Parents are concerned that sexual themes, and discussions of intimate relationships, are being integrated across the curriculum, especially in RSE, and so their legal right to withdraw their children from 'Sex Education' is being undermined.
- Parents are concerned that resources are being provided to schools by external organisations, where considerations of traditional religious beliefs about sex and gender are neither referenced nor considered, or are actively being undermined. Some resources present a negative view of religious groups.
- Parents are in fear of raising concerns due to the potential for their children being targeted and bullied.
- Teachers are concerned they are being asked to promote and celebrate gender identity ideology or sexual relationship practices that are against the religious convictions of many parents or the teachers themselves.
- Teachers are concerned that they are being asked to engage in 'positive affirmation' of children's gender dysphoria, through the use of changed pronouns, which is in contravention of their deeply held rational and religious convictions about the nature of gender, and the vulnerability of children to the long-term harm of socially transitioning children through the school environment.
- Teachers are concerned about raising these issues to their employer for fear of discrimination.

### **Legal parameters**

The below list lays out the exact legal parameters for schools and parents:

- The Equality Act 2010, states that religion is a protected characteristic, alongside sex, gender reassignment and sexuality. Discrimination against those with religious perspectives is unlawful. While the content of the curriculum is explicitly excluded from the provisions of the Equality Act, the way in which it is delivered must not result in unlawful discrimination against those with religious belief. (See '[The Equality Act and Schools](#)')
- The Relationships Education, Relationships and Sex Education, and Health Education (England) Regulations 2019 maintain the right to withdraw a child from 'Sex Education'. There is no right to withdraw a child from Relationships Education, whether at the primary or secondary level.
- The Relationships Education, Relationships and Sex Education, and Health Education (England) Regulations 2019 require substantial and meaningful engagement with parents about the content and policy, so that parents with religious beliefs can be involved in a full dialogue about the teaching their children will receive.
- Article 2 Protocol 1 of the United Nations Convention on Human Rights, states that in the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching, is in conformity with their own religious and philosophical convictions. For a school to do otherwise is unlawful.
- All maintained schools have a statutory duty to promote community cohesion. This duty is set out in funding agreements between academies and free schools and the DfE.
- All maintained schools are under a public sector equality duty under the Equality Act 2010, which requires them to have due regard to preventing unlawful discrimination and harassment of those with religious beliefs, and others with protected characteristics, promoting good relations among those with different protected characteristics in the formation of *any* policies.
- Employment law is also clear that those working in schools should not be discriminated against on the grounds of their religious beliefs. This would include the introduction of policies which have the *unintended consequence* of causing those with seriously held religious beliefs to suffer a detriment when compared to staff who do not share those beliefs.
- The Human Rights Act 1998 requires schools to take into account the religious beliefs of their employees who may have conscientious objections to teaching LGBT themed material. They are required to balance the rights of their employees against their desire to pursue any employment requirements that may clash with the beliefs of employees.
- Recent case law brings into serious question whether children under the age of 14 can legally fall within the definition of transgender, and therefore whether a child's transgender identity is protected under law. Puberty blockers are the first recognised stage towards gender reassignment, and children under 14 do not meet the definition of gender reassignment under the Equality Act 2010.
- Any form of teaching which fails to be critical and objective or which promotes partisan political views is forbidden. This [could include certain campaigning elements of LGBT teaching](#)<sup>1</sup>.

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<sup>1</sup> <https://www.gov.uk/guidance/teaching-about-relationships-sex-and-health#train-teachers-on-relationships-sex-and-health-education>

**Checklist for School Leaders**

Action	Person responsible	Date for completion	Notes
RSE Policy and Content shared with parents and staff with opportunities for dialogue in line with government guidance			
Senior leaders reminded of the legal position of parents and staff with regard to RSE and religious belief (The Equality Act, Human Rights Act, RSE legislation)			
Internal audit of families with religious beliefs by heads of year			
Internal audit of teacher's concerns over RSE provision and religious convictions			
Plan of action for engagement with those families and staff who may hold strong views			
Consider inviting advice and support from local religious community leaders (eg. through the SACRE)			
Review parent and staff concerns at senior leadership level			
Review curriculum provision for bias against traditional religious beliefs, especially where resources are used from external agencies			
Review, redraft and update RSE policy and practices			
Write a report for governors on issues arising and actions resulting			
Repeat the process annually, or as part of reviewing RSE Policy			

