

## A5 Sex and Relationship Education Policy

This policy covers The Purcell School's whole school approach to Relationships and Sex Education (RSE). We believe that RSE is vital for the personal, social and emotional development of our pupils. It equips children and young people with the information, skills and values they need to have safe, respectful and enjoyable relationships and empowers them to take responsibility for their sexual health and well-being.

The Purcell School believes that all children and young people have a right to holistic, inclusive and needs-led RSE. We believe that through providing high quality RSE, we are upholding the ethos and values of our school and its commitment to equality and celebration of difference.

### Contents

|                                                                                             |    |
|---------------------------------------------------------------------------------------------|----|
| Context                                                                                     | 3  |
| Definition                                                                                  | 3  |
| Curriculum and Subject Content                                                              | 4  |
| Delivery of RSE                                                                             | 4  |
| Differentiation of RSE according to need                                                    | 4  |
| Roles and Responsibilities                                                                  | 5  |
| Student Voice                                                                               | 6  |
| Parents' Right to Withdraw                                                                  | 6  |
| Training                                                                                    | 6  |
| Working with Visitors and External Agencies                                                 | 6  |
| Working with Other Departments Across the School                                            | 7  |
| Monitoring Arrangements                                                                     | 7  |
| Appendix 1 - Curriculum Diagram                                                             | 8  |
| Appendix 2 - Consent                                                                        | 13 |
| Appendix 3 – Specific Issues Relating to RSE                                                | 15 |
| Appendix 4 - Requests for Withdrawal                                                        | 17 |
| Appendix 5 – Ensuring RSE is inclusive for students with SEND                               | 18 |
| Appendix 6 – Responding to the Ofsted Review of Sexual Abuse in Schools and Colleges (2021) | 21 |

## Aims

The aims of relationships and sex education (RSE) at The Purcell School are to:

- Provide a framework in which sensitive discussions can take place
- Prepare Students for puberty, and give them an understanding of sexual development and the importance of health and hygiene
- Help Students develop feelings of self-respect, confidence and empathy
- Create a positive culture around issues of sexuality and relationships
- Teach Students the correct vocabulary to describe themselves and their bodies

This policy has been developed in line with statutory requirements which came into force in September 2020. Due to the nature of the 2020-2021 academic year a number of curriculum opportunities, such as visiting health professionals to the school to deliver specific sections of the course was either postponed or moved to the school year 2021/22.

Due to COVID measures the school was unfortunately not able to hold a face to face parent forum, which had been hoped to have taken place when developing the 2020 policy. Due to this, the policy was first shared to parents in draft format and again as a final policy. Both times offered the opportunity for parents to feed back to the school via a dedicated RSE email address.

The school recognised how important it has been to include parents in the completion of this policy and RSE is the only subject that requires parental engagement in its development. Parents speaking openly at home is a form of early intervention and on-going prevention – it is a starting point for safeguarding, improving mental health and strengthening the parent-child connection.

The consultation and policy development process was implemented as follows:

- **Staff consultation:** all relevant school staff were given the opportunity to examine the draft policy and make recommendations
- **Parent/stakeholder consultation:** parents and stakeholders were first contacted by the school for feedback and further consulted through the sharing of both draft and final version of the policy.
- **Student consultation:** students were consulted via Student Council and other student voice opportunities to share with the school what they wanted/felt they needed from the School's RSE curriculum
- **Ratification:** once the final version had been drafted, the policy was presented to Governors and ratified.

## Context

When teaching Relationships Education, RSE and Health Education, the school will not unlawfully discriminate against students because of their age, sex, race, disability, religion or belief, gender reassignment, pregnancy or maternity or sexual orientation (protected characteristics).

The school will make reasonable adjustments to alleviate disadvantage and be mindful of the SEND Code of Practice when planning these subjects. The school will consider the makeup of their own student body, including the gender and age range of their students, and consider whether it is appropriate or necessary to put in place additional support for students with particular protected characteristics (which mean that they are potentially at greater risk).

This policy below complies with our statutory obligations to deliver RSE under sections 34 & 35 of the Children and Social Work Act 2017. It has due regard for the DfE's statutory Relationships Education, Relationships and Sex Education and Health Education Guidance and other relevant guidance.

We will review the policy on a regular basis to ensure that it is in line with current Government guidance and legislation and to ensure that our RSE programme continues to meet the needs of our students.

The policy should be read in conjunction with other relevant policies:

- Keeping Children Safe in Education (2023)
- Purcell School's Child Protection Policy 2024 (P1)

## Definition

At Purcell we want to strive in empowering students to embrace the challenges of creating a happy and successful adult life. For this, they will require knowledge that will enable them to make informed decisions about their wellbeing, health and relationships and to build their self-efficacy. Purcell defines RSE as:

- RSE is about the emotional, social and cultural development of Students, and involves learning about relationships, sexual health, sexuality, healthy lifestyles, diversity and personal identity.
- RSE involves a combination of sharing information, and exploring issues and values.
- RSE is not about the promotion of sexual activity.
- RSE will support students to develop resilience, to know when to ask for help and to know where to access support.

## Curriculum and Subject Content

A curriculum diagram for RSE is set out in **Appendix 1**. If students ask questions outside the scope of this policy, teachers will respond in an appropriate manner so they are fully informed and do not feel the need to seek answers online.

## Delivery of RSE

RSE is taught within the personal, social, health and economic (PSHEE) education curriculum. Biological aspects of RSE are taught within the science curriculum.

The programme will be delivered in a non-judgemental, factual way, using the correct medical terms where appropriate (for example when teaching about external body parts). School staff will not express or be expected to express their personal views or beliefs when teaching RSE.

RSE focuses on giving young people the information they need to help them develop healthy, nurturing relationships of all kinds including:

- Families
- Respectful relationships, including friendships
- Online and media
- Being safe
- Intimate and sexual relationships, including sexual health

These areas of learning are taught within the context of family life taking care to ensure that there is no stigmatisation of children based on their home circumstances (families can include single parent families, LGBTQ+ parents, families headed by grandparents, adoptive parents, foster parents/carers amongst other structures) along with reflecting sensitively that some children may have a different structure of support around them (for example: looked after children or young carers).

RSE will address aspects of relationships and sex in an integrated way within a single topic. We will take care to highlight lessons that contain what we define as sex education so that we can respect the wishes of parents who have withdrawn their children from this content.

We also use external agencies where appropriate to deliver aspects of Relationships and Sex Education (see working with visitors and external agencies section within this document).

## Differentiation of RSE according to need

The school recognises that for some students with SEND, additional individual planning and focus may also be needed. There may be the need to think about maturity rather than chronological age, and also to factor in physical maturity which may be ahead of emotional or social maturity. It is important to ensure that RSE is appropriate to the students' maturity, social understanding and interest in the subject, tailoring the delivery to support them to fully access the learning.

Some students may need additional support to make sense of RSE lessons, and where this need is identified separate small group sessions or individual work will be put in place to help, especially since aspects of identified students' maturity may lag behind their peers. Where this is the case it may be appropriate to offer additional small group sessions for students with SEND which allow for questions and discussion that might be challenging or increase the risk of bullying in a usual

class format. This will be done in consultation with the Head of Learning Support and relevant house staff.

Sometimes RSE needs for students with Autistic Spectrum Conditions will require close collaboration with the Head of Learning Support to ensure that students' academic capabilities do not mask their social and emotional needs. Although students may understand the concrete information, work about relationships, consent and understanding risk and coercion can be very challenging for some young people on the spectrum.

Where and if this is identified, individual sessions or small group provision in addition to mainstream lessons will be beneficial to address this. There is likely to be a higher incidence of 'social masking' and this should be taken in to consideration when evaluating the effectiveness of teaching and whether students have understood the nuances of social and appropriate intimate relationships.

## **Roles and Responsibilities**

### **The Governing Board**

The governing board will approve the RSE policy and hold the Principal to account for its implementation.

### **The Principal**

The Principal is responsible for ensuring that RSE is taught consistently across the school, and for managing requests to withdraw Students from any non-statutory/non-science components of RSE.

### **Staff**

Martina Swift, as the PHSEE Coordinator is responsible for teaching Sex and Relationships at The Purcell School.

Staff are responsible for:

- Delivering RSE in a sensitive way
- Modelling positive attitudes to RSE
- Monitoring progress
- Responding to the needs of individual students
- Responding appropriately to students whose parents wish them to be withdrawn from any non-statutory/non-science components of RSE

Staff do not have the right to opt out of teaching RSE. Staff who have concerns about teaching RSE are encouraged to discuss this with the Principal.

### **Students**

Students are expected to engage fully in RSE and, when discussing issues related to RSE, treat others with respect and sensitivity.

## Student Voice

Student voice is central to the culture and ethos of The Purcell School. We use student voice to evaluate how relevant and engaging RSE is to children's lives.

Throughout our RSE scheme of work we embed student voice practices to enable students to express their views on the range of topics and issues that RSE covers and to ensure that they listen to other opinions and evidence, reflect on their own perspectives and take a broader view. We want to ensure that all student voices are heard but that those views that are hurtful, offensive or exclusionary do not dominate and are addressed. We want to ensure a culture where human rights, social justice, inclusion and diversity are promoted.

## Parents' Right to Withdraw

Parents have the right to withdraw their children from the **non-statutory/non-science components** of sex education within RSE up to and until 3 terms before the child turns 16. After this point, if the child wishes to receive sex education rather than being withdrawn, the school will arrange this. Requests for withdrawal should be put and addressed to the Principal.

A copy of withdrawal requests will be placed in the student's file. The Principal will discuss the request with parents and take appropriate action.

Alternative work will be given to students who are withdrawn from sex education within RSE only.

## Training

Those staff who teach RSE will receive appropriate training as required. It is expected that those staff will engage in appropriate CPD at regular intervals.

The PHSEE Coordinator will also invite visitors from outside the school, such as school nurses or sexual health professionals, to provide support and training to staff teaching RSE.

## Working with Visitors and External Agencies

The PHSEE Coordinator may invite external experts and visitors to deliver parts of our RSE scheme of work. External visitors will be selected in order to enrich and supplement our RSE by bringing particular skills, methods and expertise to the classroom and the whole school.

A member of staff will always be present throughout these lessons so as to build on the students' learning after the session/s as well as answer any questions the students may subsequently have.

Any external visitor will be expected to comply with this policy and other related policies, including the school's confidentiality and child protection policy.

We will also ensure that:

- There is appropriate planning, preparatory and follow up work for the session.

- The visitor understands the cohort of children involved, including the different ability levels and diversities in identities across protected characteristics. They will also be made aware of any specific issues relating to child protection.

### Working with Other Departments Across the School

The PSHEE coordinator will liaise with senior pastoral staff as appropriate to ensure that a holistic view of RSE is embedded in the wider school culture. This may take the form of Key Stage assemblies or other sessions with targeted groups within the student body, the use of 'hot topic' discussions within tutorials as part of the PSHEE and Personal Development programmes or other pastoral interventions.

The Designated Safeguarding Lead and/or Vice Principal will work with the PSHEE Coordinator to address any emerging concerns that arise during the school year, and may decide to alter the curriculum diagram (laid out in Appendix 1) as appropriate to ensure timely intervention in matters related to RSE.

### Monitoring Arrangements

The delivery of RSE is monitored by the PHSEE Coordinator through:

- Regular training
- Student feedback
- Learning walks
- Students' development in RSE is monitored as part of our internal assessment systems.

This policy will be reviewed by the PHSEE Coordinator, the Designated Safeguarding Lead and the Vice Principal. At every review, the policy will be approved by the Governing body.

| <b><i>Policy author / reviewer:</i></b> | <b><i>Policy date / review date:</i></b> | <b><i>Next review due:</i></b> |
|-----------------------------------------|------------------------------------------|--------------------------------|
| T.Burns                                 | April 2021                               | September 2021                 |
| T.Burns                                 | September 2021                           | September 2022                 |
| T.Burns                                 | Autumn 2022                              | Autumn 2023                    |
| T.Burns                                 | Autumn 2023                              | Autumn 2024                    |
| T.Burns                                 | September 2024                           | September 2025                 |
| T.Burns                                 | September 2025                           | September 2026                 |

### Appendix 1 - Curriculum Diagram

This is a thematic approach to secondary PSHEE education, covering all three core themes of the Programme of Study (Health and Wellbeing; Relationships; and Living in the Wider World) over six half terms.

| Year     | <b>Autumn 1</b><br>Health & wellbeing                                                                                                                                                                                                                                                                                                                                       | <b>Autumn 2</b><br>Relationships                                                                                                  | <b>Spring 1</b><br>Relationships                                                                                            | <b>Spring 2</b><br>Health & wellbeing                                                                           | <b>Summer 1</b><br>Living in the wider world                                                                                                                    | <b>Summer 2</b><br>Living in the wider world                                                                                            |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>7</b> | <p><b>Transition and safety</b><br/>Transition to secondary school and personal safety in and outside school, including first aid (2)</p> <p><b>Emotional wellbeing</b><br/>Looking after health and wellbeing – setting targets for a good work-life balance</p> <p><b>Digital literacy</b><br/>Online safety, digital literacy, media reliability, and gambling hooks</p> | <p><b>Diversity</b><br/>Diversity, prejudice, and bullying</p> <p><b>Healthy relationships</b><br/>Bullying and Cyberbullying</p> | <p><b>Building relationships</b><br/>Self-worth, romance and friendships (including online) and relationship boundaries</p> | <p><b>Health and puberty</b><br/>Healthy routines, influences on health, puberty, unwanted contact, and FGM</p> | <p><b>Rights of the child</b><br/>Rights and responsibilities<br/>Ownership of responsibilities along with rights.</p> <p><b>Caring for the environment</b></p> | <p><b>Financial decision making</b> Saving, borrowing, budgeting and making financial choices</p> <p><b>The UK Political System</b></p> |

| Year | Autumn 1<br>Health & wellbeing                                                                                                                                                                                | Autumn 2 & Spring 1<br>Relationships                                                                                                                                              |                                                                                                                                                                                 | Spring 2<br>Health & wellbeing                                                                                                     | Summer 1<br>Living in the wider world                                                                                                                  | Summer 2<br>Living in the wider world                                                                                               |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 8    | <b>Emotional wellbeing</b><br>Looking after health and wellbeing – setting targets for a good work-life balance<br><br><b>Drugs and alcohol</b><br>Alcohol and drug misuse and pressures relating to drug use | <b>Emotional wellbeing</b><br>Mental health and emotional wellbeing, including body image and coping strategies<br><br><b>Healthy relationships</b><br>Bullying and Cyberbullying | <b>Discrimination</b><br>Discrimination in all its forms, including: racism, religious discrimination, disability, discrimination, sexism, homophobia, biphobia and transphobia | <b>Identity and relationships</b><br>Gender identity, sexual orientation, consent, ‘sexting’, and an introduction to contraception | <b>Rights of the child</b><br>Rights and responsibilities<br>Ownership of responsibilities along with rights.<br><br><b>Caring for the environment</b> | <b>Financial decision making</b><br>Saving, borrowing, budgeting and making financial choices<br><br><b>The UK Political System</b> |

| Year | Autumn 1<br>Health & wellbeing                                                                                                                                                                                                                                              | Autumn 2 & Spring 1<br>Relationships                                                                                                                         |                                                                                                                                     | Spring 2<br>Health & wellbeing                                                                                                                                                                                                                                  | Summer 1<br>Living in the wider world                                                                                                                           | Summer 2<br>Living in the wider world                                                                      |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 9    | <p><b>Emotional wellbeing</b><br/>Looking after health and wellbeing – setting targets for a good work-life balance</p> <p><b>Peer influence, substance use and gangs</b><br/>Healthy and unhealthy friendships, assertiveness, substance misuse, and gang exploitation</p> | <p><b>Healthy lifestyle</b><br/>Diet, exercise, lifestyle balance and healthy choices</p> <p><b>Healthy relationships</b><br/>Bullying and Cyberbullying</p> | <p><b>Respectful relationships</b> Families and parenting, healthy relationships, conflict resolution, and relationship changes</p> | <p><b>Identity and relationships</b><br/>Gender identity, sexual orientation, consent, 'sexting'</p> <p><b>Intimate relationships</b><br/>Relationships and sex education including consent, contraception, the risks of STIs, and attitudes to pornography</p> | <p><b>Rights of the child</b><br/>Rights and responsibilities<br/>Ownership of responsibilities along with rights.</p> <p><b>Caring for the environment</b></p> | <p><b>Financial decision making</b><br/>making financial choices</p> <p><b>The UK Political System</b></p> |

| Year | Autumn 1<br>Health & wellbeing                                                                                                                                                                                                                                                                                                                                     | Autumn 2 & Spring 1<br>Relationships                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                          | Spring 2<br>Health & wellbeing                                                                                                                                                                                       | Summer 1<br>Living in the wider world                                                                                                                                         | Summer 2<br>Living in the wider world                                                                           |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 10   | <p><b>Emotional wellbeing</b><br/>Looking after health and wellbeing – setting targets for a good work life balance</p> <p><b>Mental health</b><br/>Mental health and ill health, stigma, safeguarding health, including during periods of transition or change</p> <p><b>Drugs and alcohol</b><br/>Alcohol and drug misuse and pressures relating to drug use</p> | <p><b>Healthy Living</b><br/>Sleep patterns</p> <p><b>Healthy relationships</b><br/>Bullying and Cyberbullying</p> <p><b>Identity and relationships</b><br/>Gender identity, sexual orientation, consent, 'sexting'</p> | <p><b>Healthy relationships</b><br/>Relationships and sex expectations, myths, pleasure and challenges, including the impact of the media and pornography</p> <p><b>Intimate relationships</b><br/>Relationships and sex education including consent, contraception, the risks of STIs, and attitudes to pornography</p> | <p><b>Exploring influence</b><br/>The influence and impact of drugs, gangs, role models and the media</p> <p><b>Addressing extremism and radicalisation</b><br/>Communities, belonging and challenging extremism</p> | <p><b>Rights of the child</b><br/><b>Rights and responsibilities</b><br/><b>Ownership of responsibilities along with rights.</b></p> <p><b>Caring for the environment</b></p> | <p><b>Financial decision making</b><br/><br/>making financial choices</p> <p><b>The UK Political System</b></p> |

| Year      | Autumn 1<br>Health & wellbeing                                                                                                                                                                                                                                                                                                                                                                                     | Autumn 2 & Spring 1<br>Relationships                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                       | Spring 2<br>Health & wellbeing                                                                             | Summer 1<br>Living in the wider world                                                                                                                                            |  |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>11</b> | <p><b>Emotional wellbeing</b><br/>Looking after health and wellbeing – setting targets for a good work life balance</p> <p><b>Mental health</b><br/>Mental health and ill health, stigma, safeguarding health, including during periods of transition or change<br/>stress management, and future opportunities</p> <p><b>Drugs and alcohol</b><br/>Alcohol and drug misuse and pressures relating to drug use</p> | <p><b>Identity and relationships</b><br/>Gender identity, sexual orientation</p> <p><b>Independence</b><br/>Responsible health choices, and safety in independent contexts</p> <p><b>Families</b><br/>Different families and parental responsibilities, pregnancy, marriage and forced marriage and changing relationships</p> | <p><b>Healthy relationships</b><br/>Relationships and sex expectations, myths, pleasure and challenges, including the impact of the media and pornography</p> <p><b>Communication in relationships</b><br/>Personal values, assertive communication (including in relation to contraception and sexual health), relationship challenges and abuse</p> | <p><b>Addressing extremism and radicalisation</b><br/>Communities, belonging and challenging extremism</p> | <p><b>Rights of the child</b><br/><b>Rights and responsibilities</b></p> <p><b>Ownership of responsibilities along with rights.</b></p> <p><b>Caring for the environment</b></p> |  |

## Appendix 2 - Consent

### How the Law Defines 'Consent'

The Sexual Offences Act 2003 states that a person has consented 'if she or he agrees by choice, and has the freedom and capacity to make that choice'. There are three important parts to this. Firstly, there is the emphasis on choice – a deliberate, active decision; secondly, there is the question of capacity to consent: is the person old enough, are they capable of understanding what is happening, are they intoxicated by alcohol or affected by drugs, do they have a mental health problem or learning difficulties, and are they conscious? Finally the law asks whether a person makes their choice freely, that is to say without manipulation, exploitation or duress. This may include the use or threat of force, or may be more subtle, to do with whether the person seeking consent is in a position of power or authority, or is significantly older than the other person.

The CPS states that the law does not allow a person's consent to sexual activity to have effect in the following situations:

- where the person giving consent did not understand what was happening and so could not give informed consent, for example in the case of a child or someone suffering from a severe mental disability
- where the person giving consent was under the relevant age of consent

This reference to severe mental disability obviously has significant implications. These cannot be fully covered in this document; however, the Family Planning Association provide comprehensive advice and support in relation to sexual health services for people with learning disabilities and can provide more information if needed, see their website for further details.

In all cases, the law is clear that it is the responsibility of the person seeking consent who has the responsibility to ensure that the other person agrees by choice and has the freedom and capacity to make that choice. The CPS is clear that the seeker of consent must seek continuing consent, rather than treating it as a one off.

### What is the Legal Age of Sexual Consent?

Despite what young people may feel in a given situation, there are legal boundaries to their ability to give consent, so any voluntary agreement to sexual activity by someone under 16 cannot be defined as consent in law, according to the Sexual Offences Act 2003 (i.e. any sexual activity involving one or more person who is under the age of sixteen is illegal). However, in its sexual offences factsheet, the CPS states that "children of the same or similar age are highly unlikely to be prosecuted for engaging in sexual activity, where the activity is mutually agreed and there is no abuse or exploitation". This applies unless it involves one or more person who is under 13 and then it is an absolute offence and the issue of mutual agreement is irrelevant.

It is important for students to understand that in cases where a person over the age of 16 has sex with someone under 16, it is the person over 16 who commits the offence, not the younger person, assuming there is no other offence being committed by the younger person (i.e. in the case of a violent sexual attack on a 16-year-old by a 15-year-old, the 16-year-old would clearly be the victim).

### **According to the Law, When Has an Offence Been Committed?**

The Sexual Offences Act (2003) states that certain things must have happened to prove that an offence has taken place.

Person A is seen to have committed an offence against Person B when:

1. Person A does the relevant act
2. Person A acts intentionally
3. Person B does not consent
4. Person A does not reasonably believe that Person B consented.

Deciding on 'reasonable' belief means taking into consideration factors such as whether Person A has the capacity to determine consent and what steps they have taken to assure themselves that Person B consents and continues to consent.

In relation to many other offences, there is no requirement to prove an absence of consent. Only the act itself and the age of the victim or other criteria need to be proved. They include:

- Rape, assault by penetration or sexual assault of a child under 13
- Inciting or causing a person to engage in sexual activity with a child under 13
- Child sexual offences involving children under 16
- Children under 18 having sexual relations with persons in a position of trust
- Children under 18 involved with family members over 18
- Persons with a mental disorder impeding choice, who are induced, threatened or deceived or who have sexual relations with care workers

### Appendix 3 – Specific Issues Relating to RSE

The following issues may occur as part of Relationships Education, RSE and Health Education and there will be specific procedures that school staff will need to follow in these circumstances.

#### **a) Confidentiality and Advice**

Students will be made aware that some information cannot be kept confidential and that if disclosures are made, certain actions will need to be taken. At the same time, students will be offered sensitive and appropriate support.

The following procedures will be adhered to by adults working within the school:

Safeguarding and Child Protection Issues:

- Following disclosure or suspicion of possible abuse, the school's child protection procedures will be initiated (see Safeguarding and Child Protection Policy). The Designated Safeguarding Lead (DSL) or Deputy DSL must be informed as soon as possible.

Disclosure of pregnancy or advice about contraception within the secondary phase:

- The following processes and procedures will ensure that children and young people will know who to talk to and they will be supported:
  - Professional information and guidance will always be sought from a health professional
  - The school will always encourage children and young people to talk with their parents first
  - Children and young people should be asked whether they can tell their parent(s) and whether they want help in doing so. If this takes place, the subsequent responsibility then lies with the parent(s). This situation is then monitored.
  - If the child or young person does not want to or is unable to tell their parent(s), the member of staff should refer them to a health professional.
  - The member of staff will report the incident to the DSL or DDSL who will consult with the health professional and may need to inform children's services.

There are additional national agencies who are able to give help and advice on personal and confidential matters including:

- Childline
- NSPCC
- School nurse
- Other agencies providing information and support on such issues as teenage pregnancy, substance misuse, personal relationships, contraception and support for young offenders.

#### **b) Family Life**

The value of family life is an important aspect, which will be approached largely through a consideration of the qualities and relationships between groups of people, with an emphasis on stability, respect, caring and support.

**c) Human Sexual Behaviour**

As part of the RSE programme in the secondary phase, issues of contraception, sexually transmitted infections (including HIV/AIDS), sexuality and abortion are addressed. Facts will be presented in an objective and balanced way.

**d) Complaints Procedures**

Any complaints about the Relationships Education, RSE and Health Education curriculum should be made to the Principal.

#### **Appendix 4 - Requests for Withdrawal**

With regard to a request for withdrawal, in the first instance, we ask that parents write to the Principal.

The statutory guidance for RSE and Health Education came into effect in all secondary schools from 2020, including academies, free schools and independent schools states that:

- In secondary education from September 2020 parents will not be able to withdraw their child from any aspect of Relationships Education or Health Education.
- Parents will be able to withdraw their child (following discussion with the school) from any or all aspects of Sex Education, other than those which are part of the science curriculum, up to and until three terms before the age of 16.
- After that point, the guidance states that ‘if the child wishes to receive sex education rather than be withdrawn, the school should make arrangements to provide the child with sex education during one of those terms.’
- Where students are withdrawn from sex education, the school will document the process and will have to ‘ensure that the student receives appropriate, purposeful education during the period of withdrawal.’

## **Appendix 5 – Ensuring RSE is inclusive for students with SEND**

*Internal Teaching and Learning document used as an aid when staff are tasked to focus on delivering RSE within the curriculum to students with additional needs:*

### **Resources**

Ensure all resources and images used are inclusive of all students e.g. including those in wheelchairs, or wearing hearing aids – as a general rule in both mainstream and SEND provision, not just when a student in a wheelchair is in the RSE class. This should be part of your general inclusive approach to RSE (and in other subjects and whole-school) and images should represent SEND, LGBT+, a range of ethnicities, and all the protected characteristics. Your choice of images and characterisation should reinforce the message that human sexuality is a positive thing and that no-one is excluded from that. Materials should be available in appropriate learning media including tactile diagrams and physical materials when required.

### **Language**

Be aware of language used in RSE and ensure that it is inclusive, for example don't talk about 'jumping into bed' which may be a confusing use of language for students on the autism spectrum and may exclude people with mobility issues. Again, reflect on inclusivity of language across the protected characteristics not just in terms of SEN and disability, e.g. using the phrase 'most girls / boys' rather than 'all' when describing puberty and body changes, to support LGBT+ inclusivity.

### **Targeted intervention**

Follow up sessions may be used with smaller groups to personalise the learning from RSE group lessons. This may be targeted small group sessions, 1-1 as appropriate, or referrals to specific support staff.

### **Equalities Act**

The provisions of the Equalities Act mean that positive action can and should be taken, to address particular disadvantages affecting one group because of a protected characteristic. Government RSE guidance highlights that 'some students are more vulnerable to exploitation, bullying and other issues due to the nature of their SEND', and that 'Relationships Education and RSE can also be particularly important subjects for some students; for example those with Social, Emotional and Mental Health needs or learning disabilities'

### **Top Tips**

The following practical tips can make a big contribution to RSE teaching with SEND students that are effective, safe and enjoyable for both students and staff.

- Always use correct language for private body parts. If only learning one word, make it one widely used, acceptable and understandable to all. Remember that patterns and language that are first learned can remain for life. For example, if a family word is learned for referring to genitalia at home, some students may struggle to understand that there can be another word that is used in more formal circumstances. If a child does use a family word, it is important to give the proper name as well, to avoid any misunderstanding
- Identify effective curriculum models for general delivery but also recognise that work often responds to an individual's needs, specifically focused and planned.
- Use distancing techniques to provide the opportunity to address current student issues through story, role play, games and video clips
- Create and nurture a safe learning environment; students need to feel staff are confident and able to deal with the topics and issues raised. Set guidelines for working together, have a clear start and end to sessions, be ready to close down inappropriate conversations and respond
- Take a steady, regular, matter of fact approach. Be responsive and adapt to the group's energy, their need for processing time and their engagement.
- Value fun, engaging techniques that ensure RSE is memorable and can be recalled, these also help to lessen embarrassment
- Use a range of resources; visual, tactile, audio, consider using real life props e.g. shavers, tampons, deodorant, clothes
- Employ whole group activities such as Circle Time to create safe, welcoming spaces for every student to contribute and be heard
- Use different techniques to reinforce one topic e.g. a game, a story, a picture, where possible use an 'all channels' approach; see it, hear it and do it.
- When answering questions, if you are not certain what the person is asking, seek clarification. The young person may be struggling with their understanding of social situations or wider concepts
- Use simple and straightforward language, key words, phrases and concepts that are repeated regularly and used outside of lessons, ideally with a clear supporting visual cue. • Have displays and resources up in school such as the 'ask before you touch' rule in class and displays about positive friendships around school

**Approaches for dealing with RSE questions, issues or inappropriate behaviour**

- Use a matter of fact approach and voice
- Remain calm and do not become 'jokey'
- Be consistent e.g. in your use of language and key messages
- Recognise the importance of being age appropriate
- Find an appropriate, if necessary private, space to respond to a student
- Focus on answering the question asked/raised
- Clarify what the student is asking if that is not clear, and check that the student feels that their question has been answered.
- Remind students they can discuss personal questions or tell you things after the lesson if that feels more appropriate
- Be clear about limits on confidentiality and respect students' privacy
- You can take time to give an answer e.g. 'Let me have a think about that and we'll talk about it later'
- Try not to discuss the issue using yourself or a member of your family as an example. Use distancing techniques e.g. 'This body change happens to most girls when they grow up'
- Discuss issues with colleagues if you need support. It's OK to ask for help to deal with an RSE issue or behaviour and discussion with colleagues helps ensure consistent approaches
- Ensure your response is in line with the school RSE policy
- Be aware of the safeguarding policy and procedure if the issue raises such concerns

## **Appendix 6 – Responding to the Ofsted Review of Sexual Abuse in Schools and Colleges (2021)**

The 2021 Ofsted review of sexual abuse in schools revealed how prevalent sexual harassment and online sexual abuse are for children and young people and their reluctance to report incidents of abuse for a wide variety of reasons. The Review recommends that all schools act as though sexual harassment and online sexual abuse are happening, even when there are no specific reports.

Specifically, the review found that:

- Nearly 90% of girls, and nearly 50% of boys, said being sent explicit pictures or videos of things they did not want to see happens a lot or sometimes to them or their peers
- Students reported that sexual harassment occurs so frequently that it has become “commonplace”
- 92% of girls, and 74% of boys, said sexist name-calling happens a lot or sometimes to them or their peers
- Sexual violence typically occurred in unsupervised places outside of school, such as parties or parks without adults present
- Students do not want to talk about sexual abuse, even when the school encourages them to. They see the risk of being ostracised by peers or getting peers into trouble is not considered to be worth it. They worry about how adults will react, that they will not be believed, or that they will be blamed. They also think that once they talk to an adult, the process will be out of their control
- Students were rarely positive about their experience of RSE. They did not feel it equipped them with the information and advice they needed and therefore they often turn to social media and their peers to educate themselves and each other
- Some teachers and leaders underestimate the scale of the problem; even where there was a whole-school approach to tackling sexual harassment, professionals consistently underestimated the prevalence of online sexual abuse.

The Purcell School strives to be an open, tolerant and inclusive community in which sexual harassment and abuse will not be tolerated in any form. The School’s Behaviour and Sanctions Policy, Peer on Peer Abuse Policy and Online Safety policy all outline how such incidents will be dealt with by the School; the School’s RSE, PSHE Policy and wider Pastoral Curriculum outline how the School seeks to provide the necessary education to create a culture in which students feel safe, happy and healthy through a variety of opportunities both within the classroom and beyond.

Specifically, provision will include opportunities to learn about and discuss the following in an age appropriate way:

- Definitions of sexual harassment and how to recognise and report it
- Definitions of sexual abuse and how to recognise and report it
- How online activity (including the sending of “nudes”) can be both harassment and abuse and the possible consequences of such action both within school and legally
- Definitions of consent
- How concerns are managed within school

The School will also provide a range of opportunities outside of the classroom to explore, discuss and contextualise the above and will also provide advice and guidance on how to manage an unwanted situation or incident of harassment and/or abuse “in the moment”.

The School will ensure the following:

- That RSE is embedded within the context of a wide ranging and high quality PSHE/Pastoral Curriculum both within the formal classroom and beyond
- That the Sixth Form are provided with significant opportunities for PSHE education through assemblies, the Sixth Form Personal Development Programme, a series of focussed sessions addressing consent, sexual harassment and sexual violence and engagement with external experts
- That SEN and EAL students are provided with additional support where necessary such that they are able to understand the concepts within their own contexts
- Opportunities for less formal exploration/discussion of such topics with a suitably qualified member of staff will be made available during boarding time
- That staff will listen carefully and objectively to the feedback of students when they talk and/or formally feedback about the content and/or quality of provision, making adjustments if and when necessary
- That those staff engaged in the delivery of PSHE and/or RSE have received training at an appropriate level
- That all staff are trained to better understand the definitions of sexual harassment and sexual violence (including online sexual abuse); identify early signs of peer-on-peer abuse; consistently uphold standards in their response to sexual harassment and online sexual abuse
- That records will be routinely analysed to identify patterns so that appropriate preventative interventions can be implemented
- That the School will continue to engage with its local service providers to ensure it remains up-to-date on all support available to those who are victims or perpetrate harmful sexual behaviour

This statement of response will be appended to the following policies and formed the basis of Staff INSET training in January 2022:

- Child Protection/Safeguarding Policy
- PSHE Policy
- RSE Policy

The following policies have been updated to specifically reference the content of this statement of response:

- Behaviour and Sanctions Policy
- Peer-on-Peer Abuse Policy
- Online Safety Policy