



14 December 2021

Dear Members,

Further to my letter on 29th November 2021, I am writing to you with an update about the Relationships and Sexuality Education (RSE) draft Code and supporting statutory guidance.

Relationships and Sexuality Education (RSE) Draft Code

Relationships and Sexuality Education (RSE) is a statutory requirement in the Curriculum for Wales framework and is mandatory for all learners from age 3-16.

RSE has a positive and protective role in learners' education. Schools and settings have an important role to play in creating safe and empowering environments in supporting learners' rights to enjoy fulfilling, healthy and safe relationships throughout their lives.

RSE will be implemented in primary schools, maintained nursery schools, and non-maintained nursery settings from September 2022.

The world around us is evolving rapidly and significantly. As a society we are becoming ever more aware of:

- changing family structures and relationships
- shifting social, cultural and religious norms in relation to sex, gender and sexuality
- advances in technology including the rising influence of social media and increased use of digital communications and devices,
- changing laws and rights around relationships, sex, gender and sexuality.

In this context, RSE is an important support in enabling learners to navigate these changes.

Violence Against Women Domestic Abuse and Sexual Violence (VAWDASV) and Relationships and Sexuality Education (RSE)

Promoting and supporting healthy relationships is already a key part of our approach to end Violence Against Women Domestic Abuse and Sexual Violence (VAWDASV) and, recognising the long term nature of our ambition, has already informed the new Curriculum for Wales.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The Welsh Government's new draft VAWDASV strategy will run alongside the new Relationships and Sexuality Education (RSE) Code and statutory guidance and underpins learners' rights to enjoy fulfilling, healthy and safe relationships throughout their lives. The RSE statutory guidance should be read alongside the Code and includes explicit reference to VAWDASV and direct references to violence against women and girls. A reference to the VAWDASV Act was removed from the Code because it was technically not correct as it referred to legal sanctions which the Act does not provide.

Within the new RSE statutory guidance, it is clear that the approach to RSE should be positive, protective and preventative, considering how learners might need to be supported to *'have the knowledge to recognise all forms of discrimination, violence, abuse and neglect, including violence against women, domestic abuse and sexual violence* and a link is included to a toolkit of resources to support schools and settings on this important issue. The guidance aligns and links with the Welsh Government's Whole Education Approach to Violence against Woman, Domestic Abuse and Sexual Violence in Wales: Good Practice Guide and toolkit developed with Welsh Women's Aid. The statutory guidance also expands on and clarifies approaches to teaching and learning which supports this and Estyn's review of peer on peer harassment in schools will further inform the development and delivery in schools.

The statutory guidance has expanded and clarified approaches to teaching and learning which will support this. More broadly we continue to promote healthy relationships in the way we support families and vulnerable individuals. By promoting a consistent concept of what healthy relationships look like we will support our whole society approach to end the abuse of women and girls in Wales. Our new strategy will be delivered through a genuine partnership approach including education, health, police, specialist services and survivors *to create a Blueprint for action*.

A number of organisations supported the development of the RSE statutory guidance and code which will support learners' safety, by enabling them to recognise unsafe or harmful relationships and situations.

Equality and inclusivity

Equality and inclusivity are at the heart of the underlying principles for RSE:

In line with the mandatory requirements of the RSE Code, RSE will be realised in a way that is inclusive in accordance with the principles of equality. This helps ensure that all learners can see themselves, their families, their communities and each other reflected across the curriculum and can learn to value difference and diversity as a source of strength. This contributes to a cohesive, fair and equitable society that equips learners with skills for life. This of course includes gender equity and LGBTQ+ inclusivity.

Learners are growing up in a world where gender and sexual identity, cultures, rights and legislation are changing or evolving around the world. In order to be effective, inclusive RSE must start early. From a young age learners can learn about their own uniqueness, how to appreciate diversity and respect the rights of others. This is the foundation for later going on to explore diversity in relationships, gender and sexual identity and for developing the skills and values needed to think critically about sex, gender and sexuality norms, rights and inequities. This should include consideration of a range of influences that shape our values and identity. It should help learners to develop understanding of different values, religious beliefs and non-religious convictions that can inform our values and identity around relationships and sexuality.

Developmentally-appropriate phases

Schools should have regard to the mandatory strands of developmentally appropriate content within the RSE Code to develop their approach, and should recognise learners' social, physical, emotional and cognitive development and needs during their planning.

The phases are designed to help schools and settings make judgements about whether learning is developmentally-appropriate for specific learners. The ages set out in the code indicate broadly when practitioners should start to consider whether learning in a phase is developmentally appropriate for their learners.

This may mean some learners will be ready for specific learning before the broad indications given in the Code, but likewise it may mean that some learners need opportunity for further development before they engage with specific learning.

Pornography

The Code has been designed to recognise learners' needs and experiences. Online safety, consent and sexual health are all included in the Code at developmentally appropriate stages and are handled in a sensitive way. We have reflected upon feedback from a wide range of sources, including teachers, parents and carers, experts and wider stakeholders. It is clear that the effect of pornography is a big issue, and one that children and young people across Wales will have huge difficulty navigating.

Within the RSE Code, practitioners will consider learners' developmental appropriateness for learning on this issue, and when appropriate, learners will develop:

“Understanding the impacts associated with sexual material and intimacy online, including the ethical and legal implications.” And, “An awareness of how sexual material and media often represents gender, sexual activity, bodily appearance and relationships in unrealistic and harmful ways.”

Gender Stereotypes

The draft RSE Code outlines learning around *‘positive and harmful behaviours and norms and having the confidence to speak up (for themselves) and to speak out and advocate for the rights and respect of others’*.

In early development this behaviour should be modelled by practitioners in schools and settings. However, as learners develop, they progress to learning about knowing *‘how to safely respond to and challenge gender and sexual stereotypes and unfair behaviour’*. *This culminates in the later development phase to the ‘ability to critically explore and understand how a range of social, cultural and religious norms and influences about relationships, sex, gender and sexuality can shape perceptions and our well-being and can be both positive and harmful’*.

Development of the Statutory Guidance and Code

Stakeholders who developed the draft RSE Guidance and Code, alongside practitioners, included among others: the NSPCC, Office of the Children's Commissioner, Estyn, Stonewall Cymru and Welsh Women's Aid.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Miles', with a stylized, cursive script.

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language