

Catholic Schools' Trustee Service

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Catholic Schools Trustee Service Response to RSE Consultation

The Catholic Schools Trustee Service is the sectoral body for, and represents the Trustees of, the Catholic family of schools.

CSTS provides advice and support to Trustees in their responsibility for the strategic direction, organisational nature, and shared Catholic values of the Catholic family of schools and in relation to the specific character of their individual schools. It is within this context that CSTS responds to this consultation.

CSTS would wish to comment on the background to this consultation which resulted from the legislation brought forward by the Secretary of State for Northern Ireland through Westminster in June of this year. This legislation potentially places significant new responsibilities on Board of Governors and principals; it directly undermines the rights of parents; and it challenges the rights of Trustees to promote a faith-based education within the largest education sector in Northern Ireland. CSTS is concerned that this has been done to impose on our schools, a particular ideological view of abortion and the prevention of early pregnancy.

CSTS asserts the parent/carer's right to have their children educated in accordance with their ethical, religious, and philosophical convictions, as recognised through international human rights legislation. Legislative topics of such sensitivity should have remained a matter for a

locally elected assembly to consult upon, debate, and agree a way forward that best meets the needs of the people in this jurisdiction. Indeed, it is incomprehensible that, in bringing forward such legislation, it was determined that no formal consultation was required as it was deemed to have minimal impact.

The incorporation of a UN report directly into UK law was legislatively unusual and makes drafting guidance even more complex. Interpreting what is 'scientifically accurate' on sexual and reproductive health brings into play key existential questions on when life begins.

The expectation that schools should become engaged in the delivery of a curriculum which highlights access to abortion shows no understanding of the foundational principles of Catholic education. Such a situation creates a conflict of rights- educational; religious; and the requirements of CEDAW - and will be a matter for the courts to determine.

The implementation of CEDAW and compliance to it, regarding abortion services is already the subject of the Court of Appeal which has expressed concerns.

It is also clear that the imposition of this legislation has raised the public consciousness of parents/carers and others and has led to calls from many parents/carers and various groups for children to be withdrawn from all aspects of RSE.

In relation to the specific issues identified in the consultation CSTS would offer the following responses:

*The Statement below is seeking your views about how the legislation at Key Stages 3 and 4 affecting the curriculum, as outlined by the Secretary of State, should be implemented in schools. 1. The content of teaching and learning resources for Learning for Life and Work developed by CCEA should be factual and contain age-appropriate, comprehensive, and scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion and these resources should **not***

advocate, or oppose, a particular view on the moral and ethical considerations of abortion or contraception.

Agree	Neither agree nor disagree	Disagree
		X

ADDITIONAL COMMENTS (OPTIONAL) The space below is for you to add any additional comments should you wish to provide more detail in respect of the Statement above.

It is unclear how CCEA or indeed anyone can operate from the legislative definition “Factual and contain age-appropriate, comprehensive and scientifically accurate education” as this is open to vastly different interpretations and understandings. The specific incorporation of such imprecise and opaque aspirations in CEDAW will leave the courts with a continual challenge of interpreting: What is ‘scientifically accurate’? What, properly analysed, constitutes ‘reproductive health’? It is the view of CSTS that the teaching of all aspects of RSE, by the nature of the topics covered, is inherently value-based. The adopted value base presents a particular understanding of human sexuality and relationships.

In a Catholic school the RSE programme invites students to engage with a vision of life inspired by the values of the Gospel; it sees human sexuality as an integral part of the human person which determines our capacity to give and receive love, it understands all human life as sacred and sees each person as a unique human being created in the image and likeness of God.

Regarding abortion, for example, there is no such thing as an ethically neutral or a value-free approach to the question of when human life begins or to the duty to value and protect human life.

For many parents and schools, across all sectors, there are strong moral and ethical reasons why proffering a particular view is an essential aspect of education.

For a few years CSTS has collaborated with schools to develop their RSE curriculum. This has included the production of guidance materials and resources. It is evident from the CSTS resources currently available for KS3, that abortion and contraception are included within the curriculum. Further resources on the topics will be provided within the KS4 materials when completed. Such materials sit within the ethical and moral framework associated with Catholic school ethos. They propose a particular view while also allowing for evaluating other points of view to be included in the discussions. It is from this approach that, as they mature, that our young people will develop their own moral and ethical understanding of these sensitive areas.

2. Parents/carers should be informed about the specific nature and content of the age-appropriate, comprehensive, and scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion.

Agree	Neither agree nor disagree	Disagree
X		

ADDITIONAL COMMENTS (OPTIONAL) The space below is for you to add any additional comments should you wish to provide more detail in respect of the Statement above.

CSTS and the Catholic family of schools operate from an understanding that parents/carers are the first, and most important, educators of their children. The role of the school is to assist them in the process of educating their children. It is clear from the campaigns which have

developed across the summer that many parents are already aware of the proposed changes and have strongly expressed their dissatisfaction with such a proposal.

CSTS is of the view that parents/carers should be aware of the intention and consequences of such an imposition and have the right to object to such an approach within their children's school or to exercise their right to withdraw their children from such a curriculum.

3. The United Nations Convention on the Rights of the Child³ includes at Articles 1-3 and 12 the rights of the child to 'express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously' and at Article 5 'the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.' The Department's guidance, when developed, should consider in such instances how schools balance the rights of both children and parents/carers in implementing the regulations.

Agree	Neither agree nor disagree	Disagree
		X

ADDITIONAL COMMENTS (OPTIONAL) The space below is for you to add any additional comments should you wish to provide more detail in respect of the Statement above.

The implications of this proposal are extremely unwelcome, in that it has the potential to place schools in a position where they are placed in conflict with the rights of the parents/carers and the right of the child. As stated previously the Catholic perspective sees the parental/carer role in the education of their child as of paramount importance:

indeed, it is widely believed that it is the partnerships built by our schools with parents/carers that help to explain the success of Catholic schools. Legal precedent has often pointed to schools as operating in ‘loco parentis’ when dealing with young people, this proposal suggests that schools would potentially be asked to usurp parental/carer responsibility. Any such action is contrary to a Catholic understanding of education. It could lead many parents/carers to question the partnership that schools have built up. It could also see children being removed from some or all of the RSE curriculum or being removed from the school entirely. CSTS would question if such an outcome is in the interests of children and young people?

4. Pupils and parents/carers should have access to an overview of their school’s RSE policy and planned RSE programme.

Agree	Neither agree nor disagree	Disagree
X		

ADDITIONAL COMMENTS (OPTIONAL) The space below is for you to add any additional comments should you wish to provide more detail in respect of the Statement above.

CSTS is of the view that the development of the policy and programme for RSE should engage all the relevant stakeholders within the school community including parents/carers and, as appropriate, children and young people.

As stated previously, parents/carers hold a key role within the education of their children. It is important, in building confidence, and in seeking the support of parents as co-educators, that

they have access to the materials. This also provides them with the opportunity to understand and explore with their children the material being covered and affords them an opportunity to begin to discuss with their children issues which they might otherwise find difficult.

Similarly, engaging young people, as appropriate, in the development of the policy and programme, will allow them to input into the programme and ensure that they have more confidence in the comprehensive nature of programme that they will follow.

Many schools already make their RSE policy and programmes available to parents, often via their websites and this good practice should be encouraged. Consistent with this approach CSTS has made its guidance and resources prepared for RSE publicly accessible through its website.

In conclusion, CSTS is concerned that the approach taken by the Secretary of State for Northern Ireland has damaged the confidence of parents and others in relation to RSE and has the potential to undermine much of the excellent practice in schools; this would be a retrograde set. CSTS continues to work with schools to ensure that they have available appropriate resources and training to allow them to confidently deliver a comprehensive RSE curriculum.

It is unclear how this imposition by the Secretary of State can accommodate the rights of those who chose a Catholic school. What rights does a Catholic school have in promoting its overall vision of life to parents who have chosen to exercise their right to determine their child's education by sending them to a Catholic school? It is clear that the road ahead, if this approach is not modified will be one of continual legal challenge as Catholic schools cannot, in conscience, engage in the promulgation of abortion rights or provide information around accessing such services. Therefore, moving forward, it is hoped that, following this

consultation exercise, the Department of Education will recognise the strength of feeling on this subject and will provide reassurance to schools, parents and the wider public. Such reassurance should reaffirm the rights of schools to provide an RSE curriculum consistent with the ethos of the school. As has been the case in the past, such policy and provision should be agreed by each school following consultation with the school community and should be designed to meet the specific needs of that community.