

Rt Hon Damian Hinds MP  
Secretary of State  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT



7 November 2018

Dear Mr Hinds,

### **Relationships & Sex Education and schools' duties to protect girls from sexual harassment and assault**

We are writing as representatives of a coalition of more than 80 women's organisations and experts with extensive collective experience of supporting survivors of all forms of violence against women and girls, and working in schools to end and prevent abuse.

We welcomed the opportunity to respond in detail to your consultation on Relationships Education (RE) and Relationships & Sex Education (RSE) Guidance for schools in England. However, we write to you now to highlight our serious concern that your department's proposals fall far short of what was promised when the law was changed in 2017, and that if not significantly improved this will compound schools' ongoing serious child protection failures in relation to assaults on girls in schools, which also needs high level attention.

We share your view that schools have a duty to set standards for children and young people on how we should all behave as free and equal members of the communities we live, work and study in. If this critical piece of statutory RE/RSE guidance does not make clear the requirement to teach about equality, the law, and the specific nature of gender-based violence (and that there is no entitlement to opt out of this teaching), and if school child protection policy and practice in relation to sexual violence is not significantly improved, this duty will not be fulfilled. Girls are being failed and your department must develop a clear strategy and action plan to address that failure.

### **Your proposed RE, RSE and HE Guidance**

It was the recognition of the contemporary realities of child sexual exploitation, high levels of abuse in teen relationships, and endemic sexual harassment and assaults on girls in and out of school, as well as the widespread exposure of children and young people to online pornography, which inspired cross-party consensus for compulsory RSE in all schools in early 2017. The ensuing guidance must, therefore, feature gender-based violence prominently, such that its users understand that they are expected to cover them in detail, and it should make stronger and repeated connections to school child protection obligations and the supplementary guidance on sexual harassment and sexual violence.

The RE/RSE Guidance should also be clearer on the relationship between abuse and inequality. It is essential that Heads, teachers and governors, are enabled to understand

End Violence Against Women Coalition  
134 China Works, Black Prince Road, London, SE1 7SJ  
Tel +44 (0)20 3735 8219  
Email [admin@evaw.org.uk](mailto:admin@evaw.org.uk)

[www.endviolenceagainstwomen.org.uk](http://www.endviolenceagainstwomen.org.uk)

Registered Charity No. 1161132  
Company Registration No. 07317881

this critical connection. This will reduce the need for the draft document to reach for “safety” framings and the individual child’s responsibility to ‘keep themselves safe’, which is an approach we know helps to invisibilise perpetrators and their choices, and can be deeply counterproductive and inhibit disclosures.

We are particularly concerned that the proposed guidance permits schools to pick and choose whether and how to teach about the law in relation to all forms of violence against women, and the connection between this abuse and women’s equality, something young people live and understand and seek guidance about from trusted adults. It tends repeatedly to emphasise children and young people’s need to protect themselves, ‘resist’ pressure, manage peer pressure and so on, and does not enable the reader to take into account the situation for thousands of girls who already experience coercion and harassment. It leaves optional the teaching of FGM, forced marriage and so-called ‘honour-based violence’, which is deplorable; and the document is far too squeamish about sexual matters, resulting in a single mention of pornography and minimal reference to menstruation.

Perhaps because of this failure to take a clearer and more comprehensive approach to abuse and equality, the proposed guidance is not explicit enough about the connection between teaching about abuse and the likelihood of disclosures. Schools need clear guidance on this to ensure they understand their child protection duties in the context of this teaching.

Policy and curriculum alone are not enough to tackle the epidemic of violence against girls, which is why we need an accompanying commitment to resourcing a ‘Whole School Approach’ which we believe should incorporate school leadership that prioritises tackling abuse; teacher training; making links with local, specialist abuse organisations; and peer working. At present, the current inspection framework is not set up to monitor well in this area, meaning that serious failures to safeguard girls from sexual violence in schools too often go unnoticed.

### **Schools’ current response to sexual harassment and assaults on girls**

Two years ago, the findings and recommendations from the Women and Equalities Committee report on the scale of sexual harassment and sexual violence in schools, were a key driver for the introduction of statutory RSE, and for the 2017 supplementary child protection guidance on how to prevent and respond to sexual violence and harassment in schools.

Although this guidance on sexual violence and sexual harassment in schools has been available for almost a year, it is already clear that it is not enough to stop schools failing in their duties. The problem of sexual violence in schools, particularly against girls, remains widespread and persistent. The select committee report found 5,500 sexual offences recorded in schools over a three-year period, including 600 rapes, as well as girls being subjected to relentless sexual harassment by other young people in school. It could never be enough to bolt on a single supplementary guidance document; the scale of this abuse needs high level leadership in every school if it is to be ended.

There is massive inconsistency in how schools, including primary schools, respond to harassment and abuse of girls. Too often, girls' education is being disrupted and their health seriously affected. As you know, this is resulting in multiple legal actions against schools and local authorities where there have been child protection failures after sexual assaults, and we believe this litigation is likely to continue and increase in the absence of an effective national strategy to address the failings.

### **EVAW Coalition recommendations**

We urge your department to examine closely the responses to your consultation on the draft RE/RSE Guidance from specialist women's organisations, and to seek to talk with some of these experts about the daily reality for girls and what is needed. We urge you to significantly revise the draft such that it is clear, from the outset, that high quality RE and RSE are an abuse prevention measure, deeply connected to tackling women's inequality, as recognised in the cross-government Ending Violence Against Women and Girls Strategy and the Istanbul Convention.

We wish to see the Department of Education prioritise ending the sexual harassment and sexual violence against girls in our schools. For this, we need much greater clarity on all schools' equality obligations and the duty to teach the law; more prominence and depth on the different forms of violence against women and girls, and their connection to inequalities; the "Whole School Approach" more clearly defined so as to include leadership, teacher training and local community links; and schools to be advised that the withdrawal of any child, from any background, from sex education, is a matter of serious concern, which should be recorded and considered alongside any other child protection concerns. There also needs to be a parallel strategy and action plan at DfE for wholesale improvement of the school response to sexual harassment and assault.

We are eager to meet with you and your officials to discuss our concerns in more detail. We can arrange for expert women's organisations from our membership to attend too, and for them to brief your officials in more detail. This is an example of where action is needed by DfE to ensure that the Home Office-led strategy to end violence against women and girls truly is cross-government work.

We look forward to hearing from you.

Yours sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Sarah Green' and the signature on the right is 'Rachel Kryz'. Both are written in a cursive, flowing style.

Sarah Green & Rachel Kryz  
Co-Directors, End Violence Against Women Coalition