



31 JUL 2024

Ref: ESOIA168

Tēnā koe

Thank you for your email of 9 July 2024 requesting the following information:

I would be grateful if you could supply me with (a) all the official advice you have asked for in respect of National and New Zealand's coalition agreement on "the removal and replacement of the gender, sexuality and relationship-based education guidelines, and (b) all the official advice you have received on the same.

I have considered your request under the Official Information Act 1982 (the Act).

The New Zealand Curriculum is currently in the process of being refreshed. The health and physical education learning area, in which Relationships and Sexuality Education (RSE) sits, is still to be reviewed, and I have asked the Ministry of Education (the Ministry) for information on how the supporting RSE guidance was created and how it is operating in schools to inform further thinking.

I have identified one document from the Ministry in scope of your request, as follows:

- *25 January 2024, Update on relationships and sexuality education in schooling, 1320961*

As this document relates to matters that are still under active consideration, I am withholding it in full under section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

Four documents, which are annexed to *Education Report 1320961*, are publicly available and can be found at the following links:

- Relationships and Sexuality Education Years 1 – 8
<https://newzealandcurriculum.tahurangi.education.govt.nz/relationships-and-sexuality-education-guide/5637155086.p>
- Relationships and Sexuality Education Years 9 – 15
<https://newzealandcurriculum.tahurangi.education.govt.nz/relationships-and-sexuality-education-guide/5637155086.p>
- ERO Report - Promoting wellbeing through sexuality education
<https://ero.govt.nz/our-research/promoting-wellbeing-through-sexuality-education>
- Relationships and Sexuality Education: Key research informing New Zealand curriculum policy
<https://journals.sagepub.com/doi/pdf/10.1177/00178969211053749>

I am therefore refusing your request for these documents under section 18(d) of the Act, as the information is publicly available.

In December 2023, I also requested information from the Ministry regarding the background to the RSE Guidelines. While this information does not provide advice, nor discuss the removal or replacement of RSE, I am releasing a copy, attached as **Appendix A**, which may be of interest to you. The name of one official has been withheld under section 9(2)(a) of the Act, to protect their privacy. Information not in scope of this request has been withheld.

I have also requested that the Education Review Office (ERO) review how RSE is taught in schools. ERO have provided me with the following advice which I am providing to you as **Appendix B**:

- *18 April 2024, Review of how RSE is currently taught and how well it meets the needs of students, expectations of parents and capability of schools*

Elements of this document relate to matters that are still under active consideration. I am partially withholding those parts under section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

As required under section 9(1) of the Act, I have considered the public interest in releasing the information withheld in this response. I do not consider the public interest considerations favouring the release of this information are sufficient to outweigh the need to withhold it at this time.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



Hon Erica Stanford
Minister of Education



Rapid Response

Drafter: 9(2)(a)

Metis Number: 1320000

Date: 7 December 2023

Request

Your office has requested some factual bullets around the background of RSE and Aotearoa New Zealand's histories.

Ministry Response

Relationships and Sexuality Education (RSE)

- Relationships and sexuality education (RSE) is one of the seven key areas of learning within the health and physical education learning area of the New Zealand Curriculum (2007).
- Schools and kura have the flexibility to design their local curriculum, including their RSE curriculum. This means that while RSE is guided by the national curriculum, it will differ from school to school and there are no compulsory topics that must be addressed.

What are the expectations on schools to deliver RSE?

- Schools are required under the Education and Training Act 2020 to consult with their community on their planned health education programme. Schools are encouraged to communicate with whānau about when RSE is planned to take place, and the broad nature of what will be included in the lessons. There is no requirement as to what this consultation process looks like for a school, however the Ministry provides guidance in *Relationships and Sexuality Education: a guide for teachers, leaders and boards of trustees*.
- The Education and Training Act 2020 also allows parents to withdraw their young person from all or any part of sexuality education by written request.

When it was developed

- *Relationships and Sexuality Education: a guide for teachers, leaders and boards of trustees* was last refreshed in 2020. The original guidance was released in 2002 and was previously refreshed in 2015.

How is was developed and who was consulted

- The Ministry of Education contracted the University of Auckland to refresh the guidelines. The writers included:
 - Dr Katie Fitzpatrick (University of Auckland)



- Dr John Fenaughty (University of Auckland)
 - Dr Alison Green (Te Whāriki Takapou)
 - Dr Ruth Lemon (University of Auckland)
 - Dr Darren Powell (university of Auckland)
 - Dr Joeliee Seed-Piha,a (Te Whāriki Takapou)
 - Dr Analosa Veukiso-Ulugia
- The writers' group used an international advisory group made up of professors from Australian universities. The consultation and document review was conducted with a range of stakeholders including Family Planning, the New Zealand School Trustees Association, Intersex NZ, Rainbow Youth, InsideOut, the Human Rights Commission, the Chief Censor, the New Zealand Health Education Association, the Ministry of Health, the National Centre for Religious Studies, and Rape Prevention Education.
 - The content was tested with a range of teachers and young people for feedback including the 2019 Youth Advisory Group.

How was age appropriateness considered in developing?

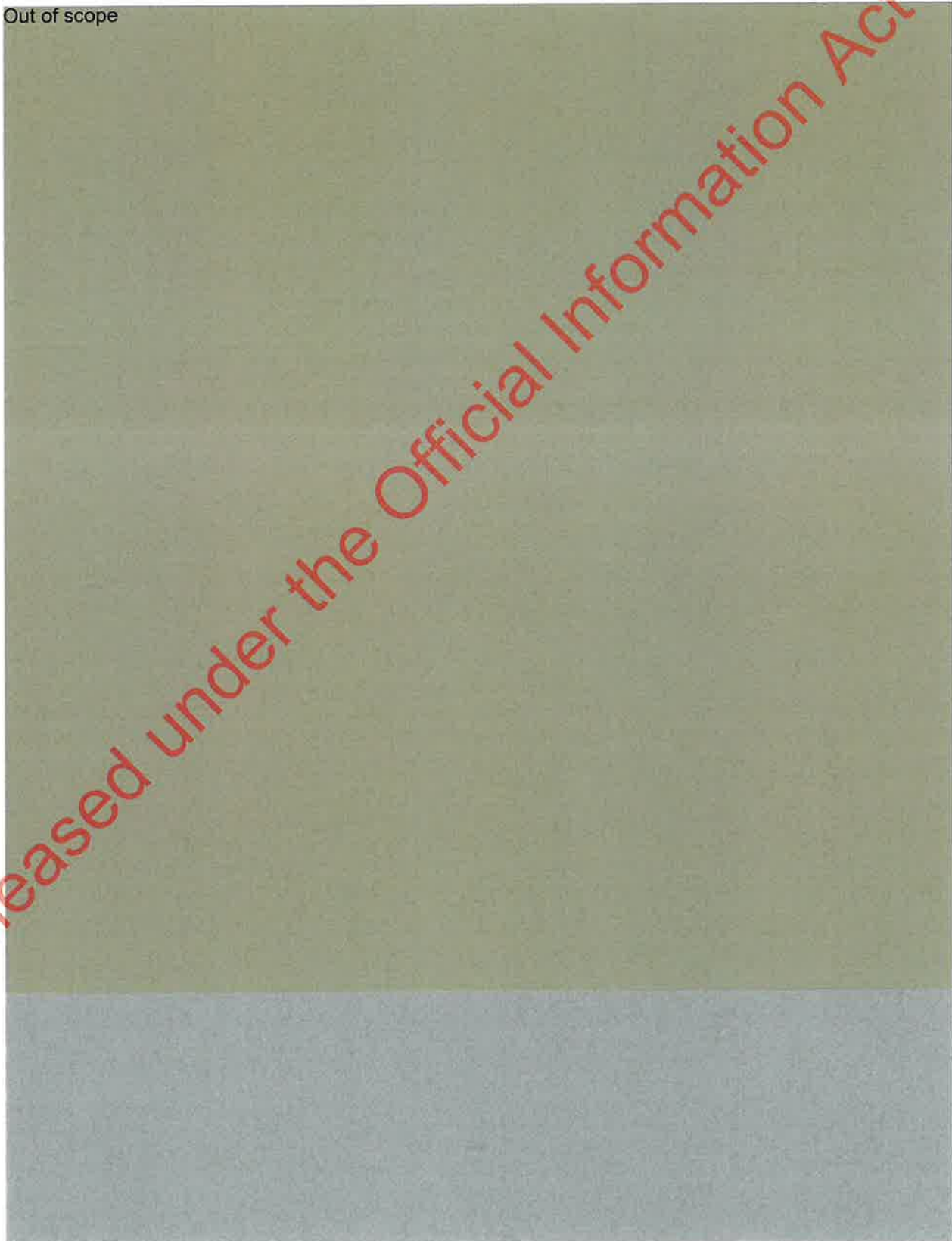
- The development, consultation and testing process produced two documents: one for Years 1-8 and one for Years 9-13. The decision to produce a document each for primary and secondary was to ensure age-appropriate learning.
- At primary level, young people receive scaffolded learning about concepts around sharing, consent, privacy, their identity and acceptance of difference in other people. This change included using the word 'relationships' in the title to signal that this learning is not solely around sex or sexuality, and is a much broader in terms of navigating growing up.
- The 2020 refresh responded to a 2018 report from the Education Review Office (ERO) entitled *Promoting wellbeing through sexuality education*. This report evaluated RSE in 116 schools and found that schools would benefit from more support for the teaching and learning of RSE. ERO found that, overall, curriculum coverage was inconsistent, with more depth needed for aspects like consent, digital technologies and relationships, and that some schools were not meeting minimum standards of compliance with current requirements.
- The guidance was also refreshed in order to further reflect what young people and their families were telling the Ministry they wanted their RSE to include. For example, feedback in 2018 found that teachers, young people and their families wanted schools to take action to be more inclusive, and to support students to recognise the importance of diversity and respect in relationships.
- The health and physical education learning area is due to be refreshed in 2024 as part of the wider refresh of the New Zealand Curriculum. We expect that any existing curriculum resources, including the guidance, will need to be updated at this time in order to align to the refreshed curriculum.
- The Ministry has received a range of correspondence from teachers in the sector acknowledging how important the guidance and tools have been to improve their practice. This feedback has come through our Curriculum Lead workforce, correspondence, the media, and social media.

General challenges

- While RSE has been contentious throughout its history in the curriculum, the Ministry has seen an intensification and proliferation of misinformation and disinformation relating to RSE and the Ministry's guidance over the last year. The Ministry is aware of several cases of doctored images which use Ministry logos and colours that have been widely shared on social media. Many of these contain information that is factually inaccurate and designed to provoke anger or disapproval.

Aotearoa New Zealand's histories in the curriculum

Out of scope



Out of scope

Released under the Official Information Act 1982



EDUCATION REVIEW OFFICE
Te Tari Arotake Mātauranga

Ref: M24-32

18 April 2024

Hon Erica Stanford
Minister of Education

Review of how RSE is currently taught and how well it meets the needs of students, expectations of parents and capability of schools

Purpose

1. You commissioned ERO to undertake a review that identifies options for improving Relationships and Sexuality Education (RSE) through developing an understanding of how RSE is currently taught and how well it meets the needs of students, expectations of parents and capability of schools.

Background

2. Learning about relationships and sexuality is part of the New Zealand Curriculum and is one aspect of health education (within Health and Physical Education). It must be included in teaching programmes for years 1–13. What children learn at each level is guided by the New Zealand Curriculum, but individual schools and communities decide how this will be taught.
3. When designing the programme, schools should refer to the guidance titled: *Relationships and Sexuality Education: A Guide for Teachers, Leaders, and Boards of Trustees*. This provides guidance on:
 - A whole-school approach to relationships and sexuality education.
 - Relationships and sexuality education in the New Zealand Curriculum.
 - What schools are required to do under the requirements of the Education and Training Act 2020; the National Performance Measures; and the Human Rights Act (1993).
 - Consulting with communities on the ways in which health education should be implemented.
4. Health education is the only part of the school's curriculum for which the law specifically requires the board of trustees to consult with the school's community. Section 91 of the Education and Training Act 2020 requires the board to consult with the school community at least once every two years on how the school will implement the health education component of the curriculum. The board is required to adopt a statement on the delivery of the health curriculum following this consultation.
5. ERO has previously identified issues with the RSE curriculum. In 2007 it found that schools were not meeting the needs of all students, particularly Māori or Pacific students, international students, students with strong cultural or religious beliefs, students with additional learning needs and students who were sex-diverse, gender-diverse or diverse in their sexuality.

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6. In 2018, ERO found that the provision and overall curriculum remained inconsistent. Most schools were meeting minimum standards, but many had significant gaps in curriculum coverage.
 - In the majority of schools, the most commonly covered topics of the more specific sexuality-related topics were anatomy, physiology and pubertal change.
 - Gender stereotypes, gender diversity and diversity in sexual orientation were also more commonly covered relative to other topics, though much more so in secondary schools than in primary schools.
 - One third of primary schools were teaching about gender diversity and diversity in sexual orientation, and around half teaching about gender stereotypes.
 - 70 percent of secondary schools were teaching about gender diversity and diversity in sexual orientation, and nearly 90 percent were teaching about gender stereotypes.
 - The two least often covered topics in secondary school were sexual violence and pornography; both were covered in less than half of the secondary schools ERO visited.
7. In response to this review, the Ministry of Education released 'Relationships and Sexuality Education: A guide for teachers, leaders and boards of trustees', in 2020 as well as providing new resources for schools on consent, gender diversity & inclusion in 2022.

Scope of review

8. Following the Ministry of Education's release of the 'Relationships and Sexuality Education: A guide for teachers, leaders and boards of trustees', in 2020, and additional resources in 2022, the purpose of the review is to identify options for improving RSE through understanding how this guide impacted, how RSE is currently taught and how well it meets the needs of students, expectations of parents and capability of schools.

9(2)(D)(iv)

9(2)(D)(iv)

Next steps

13. ERO is currently setting-up the review. We intend to begin fieldwork in June.

9(2)(D)(iv)

Recommendations

15. It is recommended that you:

- a) **Note** that you commissioned ERO to undertake a review of how RSE is currently taught and how well it meets the needs of students, expectations of parents and capability of schools.

Noted

9(2)(D)(iv)

9(2)(f)(iv)

f) **Indicate** if you want to discuss these plans with ERO officials. **Yes / No**

Nicholas Pole
Chief Executive

NOTED / APPROVED

Erica Stanford
Minister of Education

___/___/___