



**Lord Agnew Kt DL**

Parliamentary Under-Secretary of State for the School System  
Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT  
tel: 0370 000 2288 [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

Lord Watson  
House of Lords  
London  
SW1A 0PQ

*Dear Lord Watson,*

57A

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Thank you for your question at the recent parliamentary question on 16 July 2019, about Relationships Education lessons in schools. I am hugely encouraged by the consensus across the House of the positive forward step these subjects represent, and the careful balance struck by the guidance.

During the session, you asked if I would confirm that complying with the Equality Act is not optional for schools or something that parents can have a veto over. In my reply, I inadvertently suggested that schools are required to teach about the Equality Act. The content of the school curriculum is exempt from the duties imposed on schools by Part 6 of the Equality Act. Excluding the content of the curriculum ensures that schools are free to include a full range of issues, ideas and materials in their syllabus, and to expose pupils to thoughts and ideas of all kinds, however challenging or controversial, without fear of legal challenge based on a protected characteristic.

I can confirm, however, that complying with the relevant provisions of the Equality Act is not optional or something that parents can have a veto over. In particular, state-funded schools must comply with the Public Sector Equality Duty in section 149 of the Act, which means that in taking decisions they must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. For these purposes relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

I hope that this clarifies the position on the Equality Act with regards to schools. I am copying this letter to the Honourable Members who spoke during the Urgent Question and will place a copy in the House library.

*Theodore Agnew*

THEODORE AGNEW