



# Sex and Relationships Education

## General Election 2017 Policy Paper

### Background

CARE believes that it is important we help young people to understand God's gift of sex in a responsible way and within marriage as its appropriate setting. Sex and Relationships Education (SRE) in schools has a significant impact on how children and teenagers understand these issues.



SRE works best when parents are fully engaged. This means parents having conversations with their children at home as well as being aware of when and how the subject is being covered at school. This may also involve parents seeking to shape the SRE curriculum in their child's school as parent governors or by simply engaging with the governing body as a parent.

### The role of parents

The evidence suggests that where parents are involved and talk to their children about sex and relationships outside of school, the outcomes are much better in terms of delayed sexual practice.<sup>i</sup>

Of note, the majority of respondents to a 2013 Government consultation on PSHE (Personal, Social, Health and Economic education) believed parental engagement in PSHE to be crucial and that *"providing parents with every possible and practical opportunity to interact and engage with PSHE provision was the most effective way of defining and accounting for PSHE."*<sup>ii</sup>

In addition, although some may find conversations with their children about SRE awkward, research has shown that children and young people actually want to receive initial SRE from their parents and families, with school and other adults building on this platform at a later date.<sup>iii</sup>

### What is the current law?

Policy on SRE is devolved in Wales, Scotland and Northern Ireland and so is the responsibility of the national assemblies and parliament. This paper will therefore focus on the policy which is the responsibility of MPs in Westminster – the law in England.

In England the current law says that all schools, primary and secondary, must have a sex education policy and that all secondary schools must teach SRE.<sup>iv</sup> In primary schools the governors are free to choose whether or not to teach SRE. The content of SRE curriculum is determined at secondary and at primary school (if the governors of the primary school elect to teach it) on a decentralised school by school basis by the governing body.<sup>v</sup> This law has recently been changed, although the new law is not yet in force, it is likely to result in a substantially altered approach.

Given the importance of the role of parents, CARE believes this decentralised approach to the SRE curriculum is very important because it means that, unlike other subjects in the curriculum which are determined centrally, there is greater scope for parental involvement through parent governors. The fact that there is scope for parents to shape what is taught also provides an opportunity for them to have a greater sense of investment in (and ownership of) the subject making it more likely that they will follow through with the requisite conversations at home when the subject is taught. In developing the best SRE curriculum for their school the governing body must have regard to Guidance provided by the Secretary of State which highlights the important role of parents:

*“Parents are the key people in: teaching their children about sex and relationships; maintaining the culture and ethos of the family; helping their children cope with the emotional and physical aspects of growing up; and preparing them for the challenges and responsibilities that sexual maturity brings.”<sup>vi</sup>*

*“Schools should always work in partnership with parents, consulting them regularly on the content of sex and relationship education programmes... Parents need to know that the school’s sex and relationship education programme will complement and support their role as parents and that they can be actively involved in the determination of the school’s policy.”<sup>vii</sup>*

If parents are unhappy with the curriculum that results from the decisions of the governing body, under Section 405 of the Education Act 1996 they may withdraw their children from SRE lessons.

The current law is confused by the terminology used by protagonists in the debate about the future of SRE. It is common to hear people recommend that SRE should be made statutory. This makes it sound like the law does not require SRE to be taught and that it is entirely voluntary. However, as we have seen the law *does* require SRE to be taught to all children in secondary school and in this sense it already is statutory. What people usually mean when they say it should be made statutory is that the SRE curriculum should be centralised through the National Curriculum.

## **SRE in the 2010-2015 Parliament**

Just two months after the 2010 General Election, some Peers attempted to amend the Government’s new Education Bill to require that SRE must be taught to all children – both primary and secondary – and the curriculum be determined centrally. As this amendment would have taken SRE out of the hands of governors and parents, we were pleased the amendment was defeated by 245 votes to 156 and the decentralised approach to SRE preserved.<sup>viii</sup> [Review of the law](#)



In March 2013, the Government announced the outcome of an internal review of Personal, Social, Health and Economic education (PSHE) – including SRE – which had been announced in July 2011.



Elizabeth Truss, then Parliamentary Under Secretary of State for Education and Childcare, said that: “PSHE overall will remain a non-statutory subject. To allow teachers the flexibility to deliver high-quality PSHE we consider it unnecessary to provide new standardised frameworks of programmes of study. Teachers.....do not need additional central prescription.”<sup>ix</sup>

Although the Government has stressed the Department for Education Guidance published in 2000 has not been superseded, the Government has also actively promoted new guidance produced by the PSHE Association, Sex Education Forum and Brook. This new guidance, which was published in February 2014 gives very little room for the role of parents in the teaching of SRE as a component of PSHE and makes scant mention of marriage, morality or family life.<sup>x</sup> It is not mandatory for schools to put this new guidance into practice; however, with the Department for Education “[making] them aware of this new resource in.....termly email[s] to schools”<sup>xi</sup> there is a risk schools may not realise this is the case.

A Labour-backed amendment was tabled to the Children and Families Bill at Report Stage in the House of Commons in June 2013. The amendment sought to “ensure that sex and relationship education is available to all children across the country” by requiring PSHE curriculum – including SRE –be centralised from Key Stage One onwards.<sup>xii</sup> The amendment was not successful, with the Government responding that “we [the Government] see no need to amend the existing legislation, which provides a clear and workable model for schools and parents.”<sup>xiii</sup>

In February 2015 the Education Select Committee published its report – Life lessons: PSHE and SRE in schools – following an inquiry launched the previous year.<sup>xiv</sup> Recommendations made included the development of a working plan to make PSHE and SRE statutory in primary and secondary schools; all schools to be required to consult regularly with parents on SRE provision; the retention of the parental right to withdraw children from SRE; active endorsement and promotion by the Government of the Brook, PSHE Association and Sex Education Forum SRE guidance; renaming of SRE to RSE – Relationships and Sex Education.<sup>xv</sup>

### **SRE in the 2015-2017 Parliament**

Significant changes have been made to the laws and policy governing sex and relationships education in England in this parliament.

In January 2016, the chairmen of four House of Commons select committees wrote to the Education Secretary expressing disappointment that the Government had not put SRE on a statutory basis.<sup>xvi</sup> The Secretary of State at the time, Nicky Morgan MP, replied that the Government would consider revising the guidance on SRE but would not commit to putting it onto a statutory basis.<sup>xvii</sup>



However, on 1 March 2017, the Government announced it would be amending the Children and Social Work Bill to make changes to the law on SRE in England.<sup>xviii</sup> These changes create a new subject of “relationships education” which is to be compulsory in all primary schools in England, whether maintained, academies or independent. A second subject – “relationships and sex education” will be mandatory in secondary schools. As part of the changes there will still be a parental right of withdrawal from the sex education elements of this second subject, although the terms of this withdrawal have not yet been defined. It has also been suggested that in future this right of withdrawal might only apply to children of a certain age which gives cause for concern.

CARE was however particularly concerned that parents will have no right to withdraw their children from “relationships education” which will be compulsory in primary schools. At first glance this may not seem concerning. After all, the main worry parents have regarding SRE is teaching about sex at an inappropriate age and in an inappropriate manner. However, in the current climate, the definition of family and healthy relationships is just as controversial. If some ‘modern’ relationships were taught in a promotional way, as they have been by some resources, having the option of withdrawal will be important to many Christian parents of primary school children.<sup>xix</sup>

CARE believes that the introduction of compulsory relationships education at primary school without a parental right of withdrawal erodes and undermines the role of parents. We therefore supported an amendment tabled by Sir Edward Leigh MP to give parents a right to withdraw their children.<sup>xx</sup> Sadly the amendment was unsuccessful and the Government’s proposed changes were made.

The detail of all these new requirements was not actually set out in the Children and Social Work Act 2017. Rather the Act requires the Government to make secondary legislation – Regulations – to introduce them. The Department for Education is expected to carry out a consultation on the proposals including the content of and guidance relating to the curriculum and how it will be delivered later in 2017.

CARE is greatly concerned about these changes themselves and the impact they will have on the role of parents in educating their children about healthy and appropriate relationships in a suitable way. We are also concerned that these changes may pave the way for future more harmful changes in due course.

### **SRE in the coming Parliament – pressures for change**

The consultation on the changes for SRE in England introduced through the Children and Social Work Act will be vital as the Regulations that will bring the changes into law will be subject to minimal parliamentary scrutiny, with only one short debate in the House of Commons and House of Lords and no scope for amendment.

CARE will continue to advocate the benefits of a decentralised curriculum and the involvement of parents in setting the curriculum and supporting the delivery of SRE in their children’s schools. We would also like to see all schools being required to let parents know when their children are being taught SRE – many schools already do this but it is not uniform practice. This is crucial because it enables parents to follow-up through timely conversations with their children at home.

## What if you live in Wales, Scotland or Northern Ireland?

SRE is devolved in Wales, Scotland and Northern Ireland; however, Scottish, Welsh and Northern Irish MPs will still have opportunities to influence the law, within the parameters of the 'English votes for English laws' system. In addition, changes in England may well impact on educational practice in Wales, Scotland and Northern Ireland.

### Key questions for candidates

1. Do you agree that the delivery of good SRE depends on encouraging parents to talk to their children about sex and relationships?
2. Do you support the idea that the SRE curriculum should be centralised into a 'one size fits all' approach which would remove the current scope for parental involvement in shaping the local school curriculum?
3. Sadly, governors do not always consult parents on the content of SRE. Would you work to enhance the current decentralised approach to the SRE curriculum by calling for the provision of a legal obligation on governors to do so?
4. Do you support the principle that if parents are unhappy with a school's chosen curriculum they should have the right to withdraw their children from the lesson?



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- i C DiLorio, M Kelley, M Hockenberry-Eaton, 'Communication about sexual issues: mothers, fathers and friends', *Journal of Adolescent Health*, 1999; 24:181-189.
  - ii Department for Education, 'Consultation on PSHE education', March 2013, p.4
  - iii Department for Education and Employment, 'Sex and Relationship Education Guidance', July 2000, p.25
  - iv See <https://www.gov.uk/national-curriculum/other-compulsory-subjects>
  - v Education Act 1996, c.56, Part V, Chapter IV, Section 403 (1)
  - vi Department for Education and Employment July 2000 Op. Cit. p.25
  - vii Ibid. p.26
  - viii House of Lords Debate, 28 June 2010, c1535
  - ix House of Commons Debate, 21 March 2013, c52 WS
  - x For further information, refer to 'Sex and relationships education (SRE) for the 21<sup>st</sup> Century', *PSHE Association, Brook and Sex Education Forum*, February 2014  
<http://www.sexeducationforum.org.uk/media/17706/sreadvice.pdf>
  - xi Teachers should 'not stop pupils watching pornography', *The Telegraph*, 28 February 2014
  - xii House of Commons Debate, 11 June 2013, c272
  - xiii Ibid. c270
  - xiv 'Life lessons: PSHE and SRE in schools', House of Commons Education Select Committee, February 2015
  - xv Ibid. p.45
  - xvi Letter to Rt. Hon. Nicky Morgan MP Secretary of State for Education from Neil Carmichael MP, Chair of Education Select Committee and others available: <http://www.parliament.uk/documents/commons-committees/Education/Chairs'-letter-to-the-Secretary-of-State-on-statutory-status-for-PSHE.pdf>
  - xvii Letter from Rt. Hon. Nicky Morgan MP Secretary of State to Neil Carmichael MP, Chair of Education Select Committee 10 February 2016 available: <http://www.parliament.uk/documents/commons-committees/Education/Letter-from-the-Secretary-of-State-to-the-Committee-on-statutory-status-for-PSHE.pdf>
  - xviii <https://www.gov.uk/government/news/schools-to-teach-21st-century-relationships-and-sex-education>
  - xix Sexual education in schools: parents are always the best guide for what's appropriate for children, *The Telegraph*, 28 February 2017 <http://www.telegraph.co.uk/opinion/2017/02/28/sexual-education-schools-parents-always-best-guide-appropriate/>
  - xx Tory MP: Parents must have right to withdraw four-year-olds from 'relationships education', *Catholic Herald* 20 March 2017 <http://www.catholicherald.co.uk/news/2017/03/20/tory-mp-parents-must-have-right-to-withdraw-four-year-olds-from-relationships-education/>