



**New Clause 20:  
Personal, social and health education in maintained schools**

**Contact**

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[The Sex Education Forum](#) (SEF), hosted by the National Children’s Bureau, is the national authority in England on sex and relationships education (SRE).

**Summary**

Sex and relationships education (SRE) has a key role to play in promoting respectful relationships and preventing relationship violence and sexual abuse and exploitation. Currently the provision of SRE in schools is unacceptably patchy and inconsistent. **Every child and young person has a right to comprehensive SRE and we (as adults) have a duty to ensure this.**

**The best way to ensure this is by making SRE (within Personal, Social, Health and Economic (PSHE) education) a statutory part of the National Curriculum for primary and secondary schools.**

The Sex Education Forum therefore welcomes the tabling of the following Clause:

***Personal, social and health education in maintained schools***

**New Clause 20:** Lisa Nandy; Mrs Sharon Hodgson; Stella Creasy

1) In section 84(3) of the Education Act 2002 (curriculum foundation subjects for the first, second and third key stages), after paragraph (g) there is inserted— “(ga) personal, social and health education”.

(2) In section 85(4) of the Education Act 2002 (curriculum foundation subjects for the fourth key stage), at the end there is inserted

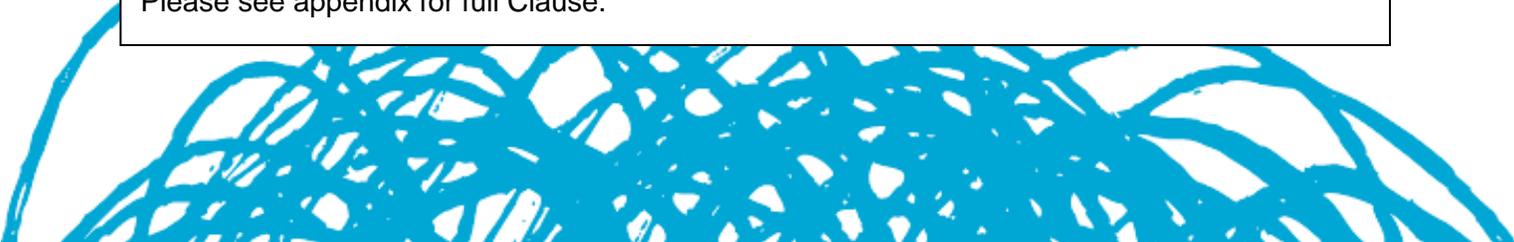
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(4) Before section 86 of the Education Act 2002 there is inserted—

“85B Personal, social and health education

(1) For the purposes of this Part, personal, social and health education (“PSHE”) shall include sex and relationship education, including information about same-sex relationships, sexual violence, domestic violence and sexual consent.

Please see appendix for full Clause.



**In addition, the Sex Education Forum would value the following assurances:**

- Confirmation that an initial teacher training programme for PSHE will be introduced and that adequate training will be available for qualified teachers to prepare for teaching PSHE including SRE, especially on content relating to same-sex relationships, sexual violence, domestic violence and sexual consent
- That sex education (including naming sexual body parts, puberty, sexual health and adolescence) will be unambiguously included in the final version of the revised science curriculum under National Curriculum reforms
- That the revised National Curriculum will include a clear statement about the status of the government SRE guidance
- That the Government will update SRE guidance to ensure schools are given clear up-to-date advice about sex and relationships education

**1. How are respectful relationships and the prevention of sexual abuse and exploitation addressed by SRE?**

A good SRE curriculum has some input in every school year from the start of primary school through to the end of secondary education and beyond. Every year pupils can revisit key themes including 'relationships', 'my body' and 'staying safe and looking after myself'.

Children aged 3-6 need to learn 'Which parts of my body are private' and 'Who should I tell if some-one wants to touch my private parts'. Children aged 9-10 can explore questions such as: 'What is love and how do we show love to one another' and 'Can some relationships be harmful'. Learning should also look explicitly at gender, for example exploring a question such as 'Are boys and girls expected to behave differently in relationships?'

The curriculum for secondary school pupils aged 14-16 should build on prior learning and focus on the skills and attitudes which foster, healthy, positive relationships. It should include information about their rights to accessing sexual and reproductive health services, the importance of consent in relationships, the laws on sexual offences and how to identify when a relationship is healthy or exploitative. Good quality SRE is also inclusive and promotes equalities with all age groups.

A comprehensive SRE curriculum delivered by trained educators enables children and young people to learn what 'violence against women' and 'abusive' behaviour actually mean. Children who have experienced abuse, or who are at a high risk of exploitation may normalise abuse if they do not have opportunities to develop alternative definitions of healthy relationships. In the absence of SRE guaranteed in all schools children and young people are left at risk and alone to make sense of information and hearsay from the playground, TV, internet and advertising.

**2. Why sex and relationships education (SRE) should be made statutory within the National Curriculum:**

The Sex Education Forum believes that making SRE statutory is vital, because without this legislation the subject will continue to be entirely optional in primary schools, have poor status in secondary schools and suffer from continued inadequate provision of teacher training. Ofsted's

recent report 'Not yet good enough' (2013) confirms that a third of schools need to improve their SRE.

Primary schools can choose not to provide any SRE beyond the sex education taught within science. This makes science the only compulsory part of the curriculum providing sex education. The draft revised National Curriculum does not support schools to teach the correct names for sexual parts of the body. It also restricts learning, for example by stating that information about human reproduction should not include details about 'how it occurs' with younger primary pupils. We have advised the government about our concerns and hope that the final draft will address these issues. However, **the science alone is not enough**. Pupils need to learn about what is appropriate / inappropriate and how to get help if they need it. **Abuse and violence do not have an age-restriction so simple understanding has to begin early in primary education.**

Having a basic universal language about respect, our bodies, growing up and sex is essential to support children with the words needed to report abuse and the belief that it is 'OK to talk about this'. Ofsted are also concerned that "*younger pupils had not always learnt the correct names for sexual body parts*" and see this as a safeguarding failure because it leaves children without the language skills to understand their bodies, know what is acceptable / unacceptable and to say what has happened to them (2013).

Current legislation relating to SRE is confusing, and schools need unambiguous direction from government about what is expected of them. Making SRE statutory as part of PSHE will achieve this and pave the way for much stronger accountability for what schools deliver and its quality.

Young people have told us that in school SRE they are least likely to learn about 'skills for coping with relationships', 'feelings and emotions we experience in relationships and sex', and 'messages from the media about sex and relationships' (Sex Education Forum, 2008b). This concurs with Ofsted's recent finding (2013) that secondary schools had often avoided discussion of sexual and emotional feelings and issues such as sexual abuse, homosexuality and pornography. Furthermore, learning about sexual health and adolescence has been dropped from science in the proposed draft National Curriculum for Key Stage 3.

Through our contact with schools we have established that there are examples of very good SRE provision but implementation is inconsistent because the subject is not statutory. Teachers have also complained about lack of resourcing for training and insufficient allocation of curriculum time to the subject.

Children and young people we have spoken to have told us that they want SRE to become statutory in their schools, recognising that the subject currently lacks status.

The majority of parents are very supportive of SRE (98% of parents answering a Mumsnet survey (2011) said they were happy for their children to attend school SRE lessons. 92% think SRE should be a compulsory subject in secondary schools; 69% think SRE should be a compulsory subject in primary schools; and 90% think there should be a statutory duty on all schools, including faith schools and academies, to deliver comprehensive SRE. The National Association of Teachers recently found that 88% of the school-aged parents they polled want SRE to be compulsory.

Statutory SRE would be a lever for schools to better engage parents in their children's learning. Parents see school and home as the two main sources of SRE, with 84% of parents believing that

school and home should both be involved<sup>i</sup> Parents have also complained that they know very little about what SRE is taking place in their children's schools and they would like more involvement.

**Both the Sex Education and NCB (our host organisation) are calling for PSHE education including SRE to be made a statutory National Curriculum subject.**

### **3. Benefits of SRE for health and well-being**

Good SRE, together with access to sexual health services will contribute to several public health priorities that are essential for the health and well-being of the nation, and especially to women:

- earlier reporting of sexual abuse and, in some cases, its prevention
- reduced number of unplanned pregnancies
- reduced maternal mortality
- reduced infant mortality
- prevention and earlier treatment of sexually transmitted infections
- reduced gap in health inequality

### **4. What is the evidence that SRE works?**

National and international research shows that good quality SRE has a protective function as young people who have good SRE are more likely to choose to have sex for the first time later, more likely to use contraception and to have fewer sexual partners.

SRE involves learning about the emotional, social and physical aspects of growing up, relationships, human sexuality, sex and sexual health. It should equip children and young people with the information, skills and positive values to enable to have safe, fulfilling relationships and to take responsibility for their sexual health and wellbeing.

SRE aims to contribute to behavior change, including reducing unprotected and unwanted sex, and reducing harmful behaviour, including sexual offences such as assault and abuse.

Kirby (2007) examined 48 SRE programmes and found that 40 per cent of these had a significant impact in three aspects of behaviour; delaying the initiation of sex; reducing the number of sexual partners; and increasing condom or contraceptive use. Young people who have taken part in a good quality SRE programme are more likely to use condoms and contraception if they do have sex (Kirby 2007). See also NICE (2010) and UNESCO (2009).

#### **About SEF:**

[The Sex Education Forum](http://www.sexeducationforum.org.uk) (SEF), hosted by the National Children's Bureau, is the national authority on sex and relationships education (SRE). It is a unique collaboration of national organisations and practitioners with representatives from health, education, faith, disability and children's organisations. SEF believes that all children and young people have the right to good SRE and this website aims to provide all professionals involved in SRE with the information they need to ensure this right.

## References

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## Appendix: New Clause 20

### Personal, social and health education in maintained schools

Lisa Nandy

Mrs Sharon Hodgson

Stella Creasy

To move the following Clause:—

'(1) In section 84(3) of the Education Act 2002 (curriculum foundation subjects for the first, second and third key stages), after paragraph (g) there is inserted—

“(ga) personal, social and health education”.

(2) In section 85(4) of the Education Act 2002 (curriculum foundation subjects for

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the fourth key stage), at the end there is inserted “, and

(d) personal, social and health education.”

(3) In section 74(1) of the Education and Inspections Act 2006, which (when brought into force) will substitute a new section 85 in the Education Act 2002, in subsection (4) of that substituted section (foundation subjects for the fourth key stage), at the end there is inserted “, and

(d) personal, social and health education.”

(4) Before section 86 of the Education Act 2002 there is inserted—

“85B Personal, social and health education

(1) For the purposes of this Part, personal, social and health education (“PSHE”) shall include sex and relationship education, including information about same-sex relationships, sexual violence, domestic violence and sexual consent.

(2) The National Curriculum for England is not required to specify attainment targets or assessment arrangements for PSHE (and section 84(1) has effect accordingly).

(3) The Secretary of State for Education shall set out guidance to schools and colleges to ensure that a coherent approach to personal, social, health and economic education is developed, including between primary and secondary schools.

(4) It is the duty of the governing body and head teacher of any school in which PSHE is provided in pursuance of this Part to secure that guidance issued under subsection (3) is followed and that—

(a) information presented in the course of providing PSHE should be accurate and balanced;

(b) PSHE is taught in a way that is appropriate to the ages of the pupils concerned and to their religious and cultural backgrounds, and reflects a reasonable range of religious, cultural and other

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perspectives;

(c) PSHE is taught in a way that endeavours to promote equality, celebrate diversity, and emphasise the importance of both rights and responsibilities.

(5) In the exercise of their functions under this Part so far as relating to PSHE, a local authority, governing body or head teacher shall have regard to any guidance issued from time to time by the Secretary of State.

(5) Section 403 of the Education Act 1996 (sex education: manner of provision) is amended as set out in subsections (2) to (5).

(6) In subsection (1), for the words from the beginning to “at a maintained school” there is substituted “The governing body or other proprietor of any school to which this section applies, and its head teacher, must take such steps as are reasonably practicable to ensure that sex and relationships education is given to registered pupils at the school and that”.

(7) After that subsection there is inserted—

“(1ZA) The schools to which this section applies are—

- (a) maintained schools;
- (b) city technology colleges;
- (c) city colleges for the technology of the arts;
- (d) Academies.

A reference in this section or section 404 to the governing body of a school, in relation to a school within paragraph (b), (c) or (d), shall be read as a reference to the proprietor of the school.”.

(8) In subsection (1A)—

(a) for “when sex education is given to registered pupils at maintained schools” there is substituted “when sex and relationships education is given to registered pupils at schools to which this section applies”;

(b) in paragraph (a), after “, and” there is inserted “learn the nature of civil

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partnership and the importance of strong and stable relationships.”;

(c) paragraph (b) is omitted.

(9) In subsection (1C), for “sex education” there is substituted “sex and relationships education”,

(10) In section 579 of that Act (general interpretation), in the definition of “sex education” in subsection (1)—

(a) for “sex education” there is substituted “sex and relationships education”;

(b) at the end there is inserted “but does not include education about human reproduction provided as part of any science teaching;”.

(11) For section 405 of the Education Act 1996 there is substituted—

“405 Exemption from sex and relationships education

“(1) If a pupil of sufficient maturity in attendance at a school to which section 403 applies requests to be wholly or partly excused from receiving sex and relationships education at the school, the pupil shall be so excused accordingly until the request is withdrawn.

(2) The Secretary of State must in regulations define “sufficient maturity”.

(3) A statutory instrument containing regulations under subsection (2) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(4) The Secretary of State must lay draft regulations before Parliament before the end of the period of 3 months beginning with the day on which this Act is passed.”’.