

Sexuality & SRE - The End of Section 28



In November 2003 the repeal of Section 28 came into force. Although it never applied to schools, many teachers and other professionals have been confused as to what they can and cannot say about sexuality. Schools have also felt hampered in their ability to tackle homophobic bullying. As a result Section 28 has served to undermine the confidence of those who have provided advice and support to young people, especially gay young people.

The challenge now is to rebuild their confidence so that they can deliver good quality SRE to all children and young people. Once and for all, teachers can now work within the Sex and Relationships Education Guidance and OfSTED recommendations, which clearly state that young people need to feel that sex education is relevant to them and sensitive to their needs, whatever their developing sexuality. This briefing highlights the existing guidance and how teaching policy and practice should be inclusive of all children and young people.

Definition of Sex and Relationships Education

The Sex Education Forum defines sex and relationships education (SRE) in the SRE Framework as being the learning about sex, sexuality, emotions, relationships, sexual health and ourselves. The Forum believes that learning about sex and relationships should be:

- an integral part of the lifelong learning process, beginning in early childhood and continuing throughout adult life
- an entitlement for all children and young people, which meets the needs of boys as well as girls; those who are heterosexual, lesbian, gay or bisexual; those with physical, learning or emotional difficulties; and those with a religious or faith tradition – in other words, *everyone* whatever their background, community or circumstance
- provided within a holistic context of emotional and social development across all settings.

Legislation and Guidance

In school settings the law relating to SRE is contained in the 1996 Education Act and the 2000 Learning and Skills Act. Every local education authority, head teacher and governing body has a statutory responsibility to take account of this guidance which requires that SRE is provided. Furthermore a written SRE policy, which is open to OfSTED inspection, must be in place and should be available to anybody planning or delivering SRE. The DfES SRE Guidance (DfES 2000) builds on these legal requirements and emphasises best practice by recommending that SRE is planned and delivered as part of Personal, Social, Health and Citizenship Education. In 2000 the age of consent was equalised to 16 in England, Scotland and Wales.

Sex and Relationship Education Guidance –www.dfes.gov.uk/sreguidance

The SRE Guidance issued by DfEE in July 2000 highlights that school policies should be inclusive of all pupils and states the following regarding sexual identity and sexual orientation:

“It is up to schools to make sure that the needs of all pupils are met in their programmes. Young people, whatever their developing sexuality, need to feel that sex and relationship education is relevant to them and sensitive to their needs. ...teachers should be able to deal honestly and sensitively with sexual orientation, answer appropriate questions and offer support.”

The Guidance also makes explicit reference to homophobic bullying,

“Schools need to be able to deal with homophobic bullying. Guidance issued by the department (Social Inclusion: Pupil Support Circular 10/99 www.dfes.gov.uk/bullying) dealt with the unacceptability of and emotional distress and harm caused by bullying in whatever form- be it racial, as a result of a pupil’s appearance, related to sexual orientation or for any other reason”.

OFSTED Sex and Relationships Report (2002) - www.ofsted.gov.uk

The OFSTED report HMI 433 on the provision of sex and relationships education published in April 2002, states very clearly that schools have a responsibility to ensure that SRE meets all pupils’ needs and that diversity and difference are valued and respected. It recommends that

‘schools make sure that values relevant to education about sex and relationships are consistently adhered to within the school so that, for example homophobic attitudes do not go unchallenged’.

The report also lists suggested learning outcomes for each Key Stage. By the end of Key Stage 1, OFSTED suggests that pupils will be able to

‘recognise similarities and differences between themselves and others and treat others with sensitivity, and have considered how their feelings and actions have an impact on other people’.

By the end of Key Stage 2, pupils will have considered

‘the diversity of lifestyles, why being different can provoke bullying and why this is unacceptable.’

By the end of Key Stage 3, pupils will be able to

‘be tolerant of the diversity of personal, social and sexual preference in relationships and will have considered the importance of respecting difference in relation to gender and sexuality and the unacceptability of prejudice and homophobic bullying.’

By the end of Key Stage 4 pupils will have considered

‘their developing sexual identity and feel confident and comfortable with it’.

The Sex Education Forum is the national authority on sex and relationships education (SRE). It believes that good quality SRE is an entitlement for all children and young people and is working with its 48 member organisations – including religious, children's, parents, governors, health and education to ensure this.

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