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## **Circular 2/2001**

Directors of Education

Copy to: Chief Executives of Local Authorities  
Directors of Social Work  
Chief Executive, CoSLA

22 March 2001

Dear Colleague

### **STANDARDS IN SCOTLAND'S SCHOOLS etc. ACT 2000: CONDUCT OF SEX EDUCATION IN SCOTTISH SCHOOLS**

1. This circular provides guidance under Section 56 of the Standards in Scotland's Schools etc Act 2000 on the conduct of sex education in schools.

#### **Background - Working Group on Sex Education in Scottish Schools**

2. In February 2000 Scottish Executive Ministers appointed a Working Group to review the range of curricular advice and support available to teachers on sex education specifically in the light of the repeal of section 2A of the Local Government Act 1986.

3. The Group's final report was published in June 2000. The Group concluded that the package of safeguards set in place by Ministers was sufficiently complete, wide-ranging and robust.

4. The Group also concluded that existing curriculum guidelines, advice and support information were adequate and required no revision but that they could usefully be complemented by the development of additional material to support teachers and schools in developing their programmes and consulting with parents.

5. The Group identified materials that required to be developed in advance of repeal of Section 2A, and to secure general improvements in the quality of sex education. The Group's recommendations were therefore divided into two sets. Firstly the Group indicated that implementation of their central recommendations should precede the repeal of section 2A.

These are:

- The Scottish Executive should adopt the key principles and aims for sex education identified by this Working Group, incorporate them in the guidance circular, and consult on the terms of this guidance. (these are attached at Annex A)
- Summary guidance on available curricular advice and materials should be developed by the Scottish Executive and made available to schools.
- The Scottish Executive should offer guidance to local authorities and schools on effective consultation with parents.
- The Scottish Executive should produce a parent's leaflet explaining the nature and purpose of sex education, its place within health education and the importance of its relationship to Personal and Social Education and Religious and Moral Education. This should be available in Braille and other languages.
- The Scottish Executive should organise seminars for key personnel from local authorities to help prepare the local response to the statutory guidance.

All of these recommendations have now been implemented.

Secondly, the group made a number of recommendations to secure general improvements in the quality of sex education. Work on taking them forward is in hand.

### **Conduct of Sex Education in Scottish Schools**

6. Sex education forms a key element of personal, social and health education in schools and is an important part of children's preparations for adult life. The purpose of sex education is to provide knowledge and understanding of the nature of sexuality and the processes of human reproduction within the context of relationships based on love and respect. It should develop understanding and attitudes, which will help pupils to form relationships in a responsible and healthy manner. It is important that sex education programmes should be well matched to pupils' needs and levels of maturity. Teaching materials should be selected with great care and sensitivity to the age and understanding of the pupils.

7. Programmes of sex education should present facts in an objective, balanced and sensitive manner within a framework of sound values and an awareness of the law on sexual behaviour. Pupils should be encouraged to appreciate the value of stable family life, parental responsibility and family relationships in bringing up children and offering them security, stability and happiness. Pupils should also be encouraged to appreciate the value of commitment in relationships and partnerships including the value placed on marriage by religious groups and others in Scottish society. At the same time, teachers must respect and avoid causing hurt or offence to those who come from backgrounds that do not reflect this value. All pupils should be encouraged to understand the importance of self-restraint, dignity, respect for themselves and the views of others. They should be encouraged to recognise the physical, emotional and moral implications and risks of certain types of behaviour and to accept that both sexes must behave responsibly.

8. In providing programmes of sex education, local authorities should also take account of Section 35 of the Ethical Standards in Public Life etc (Scotland) Act 2000 which puts a duty on councils to have regard to:

- the value of a stable family life in a child's development; and
- the need to ensure that the content of instruction provided by authorities is appropriate, having regard to each child's age understanding and stage of development.

### **Curriculum advice**

9. To assist schools, *Health Education 5-14 National Guidelines* were issued along with *5-14 National Guidelines - Health Education Guide for Teachers and Managers* in 2000 after national consultation. These guidelines give advice under the headings: physical health (exploring physical factors in relation to health and looking after ourselves); emotional health (exploring feelings and personal relationships in terms of our emotional and mental wellbeing); and, social health (exploring the interaction of the individual, the community and the wider environment in relation to health and safety). Detailed national advice on sex education was made available to all Scottish schools in 1995 through the Health Education for Living Project. That advice covers both primary and secondary education. The Scottish Office also gave financial support for the preparation and distribution of advice and staff development materials for teachers in 1994 entitled "*Personal Relationships and Developing Sexuality*" which provide detailed guidance on the design and delivery of sex education programmes.

10. Sex education connects to many areas of the curriculum and the Working Group recommended the preparation of a summary, giving an outline of the relevant national advice and the appropriate guidelines throughout all the stages of school. The *Summary of National Advice* has now been published.

### **Informing and responding to parents and carers**

11. Parents and carers play a key role in all aspects of their children's education. It is good practice for all schools to inform and consult parents and carers as closely as possible about key aspects of the curriculum. This is particularly important in relation to sensitive and potentially controversial areas such as sex education. All schools should adopt the practice of consulting parents and carers when they are developing or reviewing their programme of sex education. All parents and carers should be given the opportunity in advance to view key teaching materials and to ask questions about any aspect of a sex education programme. Schools should also give pupils an opportunity to identify and express their own needs.

12. In preparing programmes and in consulting with parents and carers and responding to their views, schools should be sensitive to their parental concerns and to cultural and religious views which they may hold and which may conflict with particular aspects of the planned programme.

13. While it is a nationally accepted part of the existing and agreed curricular framework for Scottish schools and of pupils' educational entitlement, there is no statutory requirement for participation in a programme of sex education. Schools and authorities must therefore be sensitive to the rare cases in which a parent or carer may wish to withdraw a child from all or part of a planned sex education programme. Discussion with the parent or carer should attempt to clarify the purposes of the programme; encourage them to see participation in the programme as a positive and constructive part of their child's education and development; and enable them to appreciate the negative academic, social and emotional consequences of withdrawal for the child. The child's views must also be taken into account, given the child's statutory right to education. However, in the event of a parent or carer concluding that he or she wishes to withdraw their child, arrangements should be made for the pupil to have alternative positive educational provision. It is recognised that this advice applies only to specific programmes of sex education. Aspects of sex education may be discussed in many areas of the curriculum and it would not be possible for a child to be withdrawn from lessons across the curriculum as this would prevent a child receiving an adequate and efficient education.

14. Arrangements should be in place to respond promptly and fully to any concerns which parents and carers might express about the content or conduct of a sex education programme. In the first instance, they should be encouraged to raise concerns directly with the school involved and as soon as possible so that matters can be resolved promptly. The education authority should provide mechanisms for prompt referral to the authority level for further consideration in cases where a parent or carer remains dissatisfied after consultation with the school. Schools should make clear through the school prospectus the arrangements for consulting parents and carers and for them to voice their concerns.

15. Detailed guidance (*Guidance for Schools and Local Authorities on Effective Consultation with Parents and Carers*) is being issued separately. A leaflet for parents and carers explaining: the role of schools, the nature and purpose of sex education; its place within Health Education and the importance of its relationship to Personal and Social Education and Religious and Moral Education; how parents will be consulted; and what to do if they have concerns is also being issued separately. This is *Sex Education in Scottish Schools – A Guide for Parents and Carers*.

### **Denominational Education**

16. In Scotland, provision is made for some publicly funded schools that are denominational in character. The majority of these schools are Roman Catholic. They are an integral part of the public education system.

17. National guidelines on the curriculum are always developed on the basis of wide consultation. The review of the national curricular advice for teachers on sex education undertaken by the Working Group also took account of denominational interests. The Working Group sought to ensure that national advice and curricular guidance was suitable for all authorities and schools in Scotland. It is recognised that religious authorities with a role in denominational education do provide guidance for their denominational schools and that right will continue as at present. However, it is hoped that the national advice will serve as a useful basis for everyone.

## **Related Matters**

18. Authorities will wish to bear in mind that the definition of “a child” in section 35 of the Ethical Standards in Public Life etc (Scotland) Act 2000 is not limited to children or young people in schools. Therefore the principles set out in this circular are equally applicable to relevant informal education activity or information (oral or written) delivered to children looked after by authorities in residential settings or to young people in youth clubs or groups for which authorities are responsible.

## **Conclusion**

19. The Scottish Executive attaches high priority to the provision of good quality sex education in all Scottish schools, sensitively based on best practice. The Executive's policy is to encourage schools to provide sex education within a comprehensive programme of personal, social and health education and religious and moral education. This approach is designed to make sure that information about sex is given not in isolation but as part of a programme that considers a range of issues relating to personal and social development, healthy living and appropriate values which reinforce self-worth, respect for others and a sense of responsibility.

20. The Scottish Executive believes that all education should be a partnership between schools and parents and carers and emphasises that this partnership is particularly important in areas of sensitivity and importance to the personal growth of pupils, such as sex education.

**Yours faithfully**

A handwritten signature in black ink that reads "Joan Fraser". The signature is written in a cursive, slightly slanted style.

**JOAN FRASER**

## **Extract from the Report of the Working Group on Sex Education in Scottish Schools**

### **Principles**

Sex education could be defined as a lifelong process whereby children and young people acquire knowledge, understanding and skills, and develop beliefs, attitudes and values about their sexuality and relationships within a moral and ethical framework. The Working Group considers that the key principles are that:

- sex education should be viewed as one element of health education, set within the wider context of health promotion and the health promoting ethos of the school;
- sex education should contribute to the physical, emotional, moral and spiritual development of all young people within the context of today's society;
- education about sexuality and relationships should reflect the cultural, ethnic and religious influences within the home, the school and the community;
- sex education should be non-discriminatory and sensitive to the diverse backgrounds and needs of all young people;
- sex education starts informally at an early stage with parents and carers, and continues through to adulthood both within the home and at all stages of school life.

### **Aims**

The key aims of sex education are to:

- provide accurate and relevant information about the physical and emotional changes that children and young people will experience throughout their formative years and into adulthood;
- establish an awareness of the importance of stable family life and relationships, including the responsibilities of parenthood and marriage;
- provide opportunities for children and young people to develop personal and interpersonal skills that will enable them to make and maintain appropriate relationships within the family, with friends and within the wider community;
- enable children and young people to develop and reflect upon their beliefs, attitudes and values in relation to themselves and others within a moral, ethical and multi cultural framework;
- foster self awareness and self esteem and a sense of responsibility and respect for themselves and for others;
- provide opportunities for young people to consider and reflect upon the range of attitudes to gender, sexuality and sexual orientation, relationships and family life;
- develop an appreciation of, and respect for, diversity and of the need to avoid prejudice and discrimination;
- provide information about and skills to access, where appropriate, agencies and services providing support and advice to young people.