

**Commons Education Select Committee inquiry: Personal, Social, Health and Economic education and Sex and Relationships Education in schools: Written submission from the British Humanist Association**  
**3 June 2014**



**About us**

1. The British Humanist Association is the national charity working on behalf of non-religious people who seek to live ethical and fulfilling lives on the basis of reason and humanity. We promote Humanism, support and represent the non-religious, and promote a secular state and equal treatment in law and policy of everyone, regardless of religion or belief. Founded in 1896, we have around 30,000 members and supporters, and over 70 local and special interest affiliates.
2. The BHA has a long history of work in education, children's rights and equality, with expertise in the 'religion or belief' strand. We have been involved in policy development around the school curriculum for over 60 years. We also provide materials and advice to parents, governors, students, teachers and academics, for example through <http://www.humanismforschools.org.uk/> and our school volunteers programme. We have made detailed responses to all recent reviews of the school curriculum, and submit memoranda of evidence to parliamentary select committees on a range of education issues.
3. The BHA is an active member of many organisations working in education, including the National Children's Bureau Sex Education Forum (SEF), the PSHE Association and the Children's Rights Alliance for England.
4. We unequivocally support making PSHE a statutory part of the curriculum, and believe that the religious character of a school should not deprive children of their entitlement to good PSHE. We believe that the right of children to PSHE is more important than any other consideration and consequently that the right of parental withdrawal should cease. Our main interest in PSHE is Sex and Relationships Education (SRE). We endorse the responses of the Sex Education Forum and PSHE Association.

**Executive summary**

5. **Whether PSHE ought to be statutory, either as part of the National Curriculum or through some other means of entitlement:** We strongly believe that it should, as we think that the slim requirements currently in place too often lead to inadequate or inappropriate teaching. We believe that every young person has a right to full and comprehensive SRE and PSHE and that the evidence shows this leads to the best outcomes in terms of sexual health and wellbeing.
6. **Whether the current accountability system is sufficient to ensure that schools focus on PSHE:** We do not believe that it is. Accountability is primarily driven by examinations and Ofsted. There are no examinations in PSHE and many Ofsted reports fail to mention the subject.
7. **The overall provision of Sex and Relationships Education in schools and the quality of its teaching, including in primary schools and academies:** Too often SRE is inadequate. Ample

evidence from Ofsted and others shows this is the case, and we also cite specific examples we have worked on such as anti-abortion groups providing misinformation about abortion and contraception in schools; a petition against same-sex marriage being promoted in Catholic schools; and section 28-like statements being found in many schools' SRE policies. Primary schools have an important role to play in PSHE with respect to some topics, and 'faith' schools should not treat the subject differently from any other school.

8. **Whether recent Government steps to supplement the guidance on teaching about sex and relationships, including consent, abuse between teenagers and cyber-bullying, are adequate:** We do not think this guidance (however high quality) is adequate as it can be ignored by schools just as the current guidance frequently is. We are also concerned about the lack of coverage of the legislative changes around marriage, civil partnership and sexual orientation.
9. **How the effectiveness of SRE should be measured:** We endorse the Sex Education Forum's response and agree with the suggestion of mandatory reporting by Ofsted. We also think that some form of assessment must be introduced.

### **Whether PSHE ought to be statutory, either as part of the National Curriculum or through some other means of entitlement**

10. We strongly believe that PSHE should be statutory. In the past we have called for it to be part of the National Curriculum, but less than half of secondary schools must now teach the National Curriculum and we would want whatever statutory entitlement is put in place to apply to all state schools.
11. As things stand, maintained schools must teach about anatomy, puberty and reproduction as a result of national curriculum science, and maintained secondary schools have a separate statutory requirement to teach about STIs, HIV and AIDS. All state schools that teach sex education must have regard to guidance issued by the Secretary of State on the subject. And the Government has said it wants all schools to make provision for PSHE. But there is nothing to require any school, maintained or otherwise, to teach about topics such as relationships, consent, contraception, abortion and sexual orientation, never mind about *what* must be taught with respect to these topics. It is vital that all of these topics are covered in an age-appropriate and evidence-based way. It is in many of these areas that problems with schools' coverage arise, as we will come on to.
12. We believe that every young person has an entitlement to receive full, accurate and age-appropriate PSHE education. SRE in particular should equip them with the knowledge and skills they need to prepare them for puberty, make informed and consensual decisions about sex, sexual health, relationships and wellbeing and to effectively safeguard them from sexual exploitation. There should be no right for parents or schools to deny such knowledge. Article 13 of the UN Convention on the Rights of the Child states that 'The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers...' The last report by the UN Committee on the Rights of the Child into the UK recommended that 'the State party intensify its efforts in order to provide adolescents with appropriate reproductive health services, including reproductive health education, in school.'<sup>1</sup> And in 2009 the Joint

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<sup>1</sup> <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.GBR.CO.4.pdf>

Committee on Human Rights (JCHR) regarded proposals for mandatory SRE as a 'significant human rights enhancing measure'.<sup>2</sup>

13. But the main reason we support full and comprehensive PSHE and SRE is because the evidence shows that this is what leads to the best outcomes. The evidence shows that young people who have had good SRE are likely to have sex for the first time later than others, and when they do so it is more likely to be consensual and safe and so less likely to lead to unwanted outcomes such as STIs, teenage pregnancies and abortion.<sup>3</sup> The public health and wellbeing imperative is extremely strong.
14. We were extremely disappointed at the scrapping of the Labour Government's plans to put PSHE on the National Curriculum through the Children and Families Act 2010, and similarly frustrated when the Coalition Government's PSHE Review led to token outcomes. The Department of Health's *Framework for Sexual Health Improvement in England* says that 'All children and young people receive good-quality sex and relationship education at home, at school and in the community', which is welcome. The recently published SRE supplementary guidance produced by the PSHE Association, Sex Education Forum and Brook is also welcome, as is the Government's endorsement of it. But we do not believe that guidance alone can ensure that young people's entitlement to full and comprehensive PSHE is met, and the evidence shows that as things stand too many schools are teaching inadequate PSHE and SRE.

### **Whether the current accountability system is sufficient to ensure that schools focus on PSHE**

15. The current accountability system is not sufficient for this purpose. There are three things that drive accountability in schools, namely parental preference, exam results and Ofsted inspections – with the first being largely dictated by the other two. But there are no examinations in PSHE and many Ofsted reports fail to mention the subject.
16. Coupled with the weak statutory arrangements, the result of this is that many schools fail to teach PSHE properly.

### **The overall provision of Sex and Relationships Education in schools and the quality of its teaching, including in primary schools and academies**

17. SRE in schools is far too often inadequate, relegated to 'drop-down' days or occasionally not taught at all. This is reflected in Ofsted's report into PSHE last year, *Not yet good enough: personal, social, health and economic education in schools*.<sup>4</sup> Particular issues can be seen with respect to religious schools, where conservative points of view about issues such as abortion, contraception, sexual orientation and sex before marriage can lead to pupils being

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<sup>2</sup> <http://www.publications.parliament.uk/pa/jt200910/jtselect/jtrights/57/57.pdf>

<sup>3</sup> [http://www.ncb.org.uk/media/494585/sef\\_doessrework\\_2010.pdf](http://www.ncb.org.uk/media/494585/sef_doessrework_2010.pdf). See also <http://www.nice.org.uk/nicemedia/live/11673/49240/49240.pdf> and <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>. Surveys also consistently show that SRE is what parents want: <https://humanism.org.uk/2013/05/24/bha-welcomes-new-findings-in-support-of-compulsory-sex-and-relationships-education/>

<sup>4</sup> <http://www.ofsted.gov.uk/resources/not-yet-good-enough-personal-social-health-and-economic-education-schools>

taught a topic in partial and misleading manner and occasionally not at all. These can be seen in recent accusations put to us about Park View Academy in Birmingham.<sup>5</sup>

18. But over the last few years we have seen several higher profile examples of bad practice in SRE. These include three issues which have received front page coverage from different national papers:

- a. Investigations we conducted with Education For Choice in 2012 into the activities of many anti-abortion groups such as SPUC, Lovewise and LIFE providing biased information about sex and relationships education in schools. We gathered materials from groups' presentations from their websites, through FOI, attending events for parents and by working with a local feminist group to get an undercover recording of a SPUC speaker in a school in Cambridge:
  - i. SPUC claim to give talks in schools every day; on our recording of SPUC we found them making untrue claims to a class of 14-15 year olds such as that the morning after pill 'can cause an early abortion' and may be damaging to women's health and future fertility; abortion increases a woman's chances of developing breast cancer; and abortion can lead to 'suicidal tendencies', 'depression', 'drug and alcohol abuse' – all symptoms of 'post abortion trauma'.<sup>6</sup> The speaker from SPUC discussed the case of Manon Jones, an 18-year-old from Bristol who died in 2005 after having an abortion. The speaker said that the abortion caused the death. However, the inquest in the case heard Jones died because of delays giving her a blood transfusion. She went on holiday two weeks after the abortion, against medical advice. The coroner recorded a narrative verdict.<sup>7</sup>
  - ii. Lovewise, an explicitly a Christian organisation, do talks in a lot of schools, but are more focused on producing resources– they sell hundreds of copies of their presentations every year. Claimed consequences of abortion included 'Breast cancer – twice the risk', 'Depression – up to 3 times more likely to get depressed', 'Violent death – 7 times more likely to commit suicide', as well as risk of infertility; and that 'The "morning-after pill" sometimes or often works by causing an early abortion'. There is no evidence to support any of these claims.<sup>8</sup>
  - iii. LIFE do talks in schools, on topics including 'life before birth', 'abortion', 'euthanasia' and 'reproductive technologies'.<sup>9</sup> We found LIFE campaigning against the HPV vaccine on the basis that it 'suggests [young people] won't be able to control themselves'. They have claimed that 'Abortion is a leading factor in breast cancer', that 'There is a clear link between... abortion and infertility', that the morning after pill 'is undoubtedly an abortifacient', that abortion leads to 'increased suicide rates', and that 'Post Abortion Syndrome is now a recognised health condition'. Thanks to Education For Choice for uncovering these claims. They have also said that 'The condom

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<sup>5</sup> <https://humanism.org.uk/2014/04/24/revealed-former-staff-outline-concerns-park-view-school-birmingham/> – when preparing this response we were interested to discover we very nearly submitted the Park View SRE evidence to the PSHE Review in 2011.

<sup>6</sup> <https://humanism.org.uk/2012/03/23/news-1009/> and *The Guardian's* associated front page coverage: <http://www.theguardian.com/world/2012/mar/23/abortion-what-children-schools>

<sup>7</sup> <http://news.bbc.co.uk/1/hi/7451263.stm>

<sup>8</sup> <https://humanism.org.uk/2012/07/20/news-1083/>

<sup>9</sup> <http://www.lifecharity.org.uk/teacher-enquiry-form>

does not give much protection against any of them (STIs) even AIDS. Instead, by encouraging sexual activity, it may be making matters worse.’<sup>10</sup>

In 2012 fourteen national organisations signed a joint letter to Michael Gove asking him to stop anti-abortion groups making false claims in schools.<sup>11</sup> At the time civil servants committed to adding some lines to whatever guidance came out from the PSHE Review about the appropriateness of external speakers and the need for claims around abortion and contraception to be factual. But the Review did not result in any new guidance, and more recent, unpublished evidence we have seen suggests that many of these claims are still being made in schools on a regular basis.

- b. The Catholic Education Service promoting the Coalition for Marriage’s petition against same-sex marriage in Catholic secondary schools. In 2012 the CES wrote to every Catholic secondary in England and Wales to ask them to draw pupils’ attention to a letter from the Archbishops of Westminster and Southwark opposed to same-sex marriage, and to encourage pupils to sign the C4M petition against the plans. This came to light the following month after one head teacher at a school told pupils in an assembly that civil partnerships and same sex marriages are ‘unnatural’.<sup>12</sup> It triggered investigations by both the UK and Welsh Governments as to whether either equalities legislation or laws against political indoctrination had been broken. Whilst not strictly being an issue that arose in PSHE, it nonetheless dealt with a topic covered in that subject.

The Welsh Government’s investigation concluded that any school which followed the Catholic Education Service’s advice had indeed broken the law on political indoctrination,<sup>13</sup> whereas the UK Government decided that they hadn’t.<sup>14</sup> This is inexplicable, given that both governments were investigating the same laws.

- c. Schools continuing to have Section 28-like statements in their SRE policies. In August last year we identified 46 schools that continued to have section 28-like statements in their SRE policies – despite all of the policies having been recently updated. The UK and Welsh Governments again launched investigations, and thankfully all of the schools committed to removing and revising their policies.<sup>15</sup> While we were careful to never accuse any of the schools of having the policies there for malicious reasons, we were nonetheless deeply concerned that a teacher might read one of the policies and either discriminate in what they teach simply steer clear of the whole topic of sexual orientation. This would lead to pupils being ill-equipped to deal with homophobic bullying, which would be a serious issue when such bullying is so widespread that it needs to be tackled head on. Equally we were concerned that the policies might cause distress amongst parents, pupils or staff.

We think that this issue is largely the fault of the lack of guidance from the Government on the issue of homophobic bullying. The 2000 SRE guidance dates from three years before the repeal of section 28. It attempts to convey section 28’s

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<sup>10</sup> <https://humanism.org.uk/2012/07/26/news-1087/>

<sup>11</sup> <https://humanism.org.uk/2012/04/28/news-1031/>

<sup>12</sup> <https://humanism.org.uk/2012/04/25/news-1026/> and *The Daily Telegraph’s* associated front page coverage: <https://humanism.org.uk/2013/08/21/schools-remove-section-28-like-policies/>

<sup>13</sup> <https://humanism.org.uk/2012/05/08/news-926-2/>

<sup>14</sup> <https://humanism.org.uk/2012/06/21/news-1056/>

<sup>15</sup> <https://humanism.org.uk/2013/08/21/schools-remove-section-28-like-policies/> and *The Independent’s* associated front page coverage: <http://www.independent.co.uk/news/uk/politics/the-return-of-section-28-schools-and-academies-practising-homophobic-policy-that-was-outlawed-under-tony-blair-8775249.html>

still being in force by saying that 'There should be no direct promotion of sexual orientation' and 'It is inappropriate for youth workers, as with any professional, to promote sexual orientation.' This is an improvement from section 28 itself, which referred specifically to homosexuality, but it still may be read by many in the way it was originally intended to be read, i.e. as a reflection of section 28, and even if it is not, its presence is inexplicable and needless. Disappointingly the Government defended this wording in its media statements at the time.<sup>16</sup>

19. Such major scandals involving multiple schools are not commonplace in other subjects. The reason why this is possible with PSHE and SRE and not with other topics is because of the outdated nature of the lack of any statutory underpinning, required curriculum content and outdated nature of the 2000 guidance.
20. It is vital that this includes all schools, including primary schools, Academies, Free Schools and 'faith' schools. Primary schools have an important role to play with respect to topics such as friendships, wellbeing, relationships, safeguarding and preparing children for puberty. UNESCO's 2009 report, 'International Technical Guidance on Sexuality Education: An evidence-informed approach for schools, teachers and health educators' recommends that the topics of sexual and reproductive anatomy, reproduction, puberty, privacy and bodily integrity are covered from ages 5-8.<sup>17</sup>
21. 'Faith' schools should have no exemptions from the coverage of PSHE and SRE. As we set out, we think that every young person has a right to a full and comprehensive education in this area and that such an education leads to the best outcomes. This should not be denied from them due to the school they attend.

### **Whether recent Government steps to supplement the guidance on teaching about sex and relationships, including consent, abuse between teenagers and cyber-bullying, are adequate**

22. The supplementary guidance is welcome and of high quality but does not go far enough in ensuring that all schools teach high quality, comprehensive and inclusive SRE and PSHE. It is too easy for schools to continue to cover these topics inadequately, either by relying on the out-of-date Government guidance or by ignoring the subject to a much greater extent still.
23. We are also particularly concerned about the lack of updated SRE-focussed guidance on same-sex marriage and civil partnership, given the introduction of one and then the other in the fourteen years since the Government guidance was published. Other more recent legislation such as the Sexual Offences Act 2003 also needs to be taken into account.

### **How the effectiveness of SRE should be measured**

24. We welcome the Sex Education Forum's response recommending mandatory reporting by Ofsted on PSHE and SRE, and its recommendations of what good SRE looks like.
25. We also agree that PSHE and SRE must be assessed, just as is the case with every other school subject. This could be a requirement for informal assessment by teachers or could be

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<sup>16</sup> <https://humanism.org.uk/2013/08/20/uk-and-welsh-governments-launch-investigation-into-schools-with-section-28-style-policies/>

<sup>17</sup> <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf> – see Key Concept 4

the introduction of examinations. The former would ensure that schools must consider the subject while the latter would ensure that they must consider it properly.

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