

ANGUS COUNCIL
EDUCATION COMMITTEE
23 JANUARY 2001
SEX EDUCATION IN SCOTTISH SCHOOLS
REPORT BY THE DIRECTOR OF EDUCATION

ABSTRACT

This report draws attention to a recent consultation exercise conducted by Learning & Teaching Scotland and to the officer response which has been submitted.

1 RECOMMENDATIONS

It is recommended that the Education Committee endorses the officer response (Appendix) to the recent consultative guidelines issued by Learning & Teaching Scotland.

2 BACKGROUND

2.1 Members of the Education Committee will doubtless recall the high-profile public debate which took place some months ago about the repeal of Section 28 of the Local Government Act 1986. In particular, reference is made to the meeting of the Education Committee on 25 January 2000 when this matter was discussed (Article 1 of the Minute of the Meeting refers).

2.2 The decision of the Scottish Executive – announced in October 1999 – is to repeal this particular piece of legislation on the understanding that a package of safeguards is to be put in place before repeal comes into force.

The package of safeguards is to comprise:

- a new section in 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
 - 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
- b strong, clear guidance to local authorities on consultation with parents regarding sex education
- c advance consultation with parents by individual schools
- d simple direct procedures for parents to raise concerns
- e review of curriculum advice and supporting materials for schools and teachers

- 2.3 The Scottish Executive established a working group in February 2000 which undertook a detailed examination of the package of safeguards proposed and concluded that the package was sufficiently complete, wide-ranging and robust to meet the legitimate concerns of the public, parents and carers, and teachers. In reaching this conclusion they took account of the existing good practice in Scottish schools and authorities, the professional judgement of teachers, the quality assurance systems in place in schools and authorities, and the awareness and involvement of parents.
- 2.4 The working group was unanimous in its conclusion that sex education should be presented in a context which values stable relationships, healthy living and personal responsibility, and firmly sets sex education within the wider context of health education, religious and moral education, and personal and social development.
- 2.5 The working group made three recommendations:
- that there should be a summary of all the guidance on the issue of sex education
 - that there should be advice to schools and local authorities on how best to consult with parents
 - that the Scottish Executive should produce a parental leaflet explaining
 - the nature and purpose of sex education
 - its place within health education
 - the importance of its relationship to Personal and Social Education and to Religious and Moral Education
- 2.6 Learning & Teaching Scotland was commissioned to take forward this work and has produced three documents for consultation, namely:
- Guidance for Schools and Local Authorities on Effective Consultation with Parents and Carers
 - Sex Education in Scottish Schools – A Summary of National Advice
 - A Guide for Parents and Carers

A copy of each of these three documents was sent directly to each school in September/October 2000. A copy of each of these documents is available for perusal in the Members' Lounge, as is a copy of the draft SEED Circular which was included within the consultation pack.

3 INTERNAL COUNCIL CONSULTATIVE ARRANGEMENTS

- 3.1 One of the standing Angus Council staff groupings already in existence – the Guidance Steering Group – was asked to consider the Consultative package and to prepare a draft response. This group consists of Guidance teachers in secondary schools, and of promoted staff in primary and secondary schools and of representation from the Council's Education Development Service.
- 3.2 The draft consultative package was considered at a meeting of the Parental Sounding Board in December 2000, with parents expressing views very similar to those prepared by the Guidance Steering Group.
- 3.3 This matter was also the subject of discussion at the meeting of the JCC (Teachers) on 11 December 2000. The views expressed in this forum were consistent with those which

had been prepared by the Guidance Steering Group and those expressed by parents within the Parental Sounding Board.

4 RESPONSE TO LEARNING & TEACHING SCOTLAND

- 4.1 Responses to the consultation exercise were sought by 22 December 2000.
- 4.2 The enclosed correspondence was duly dispatched to Learning & Teaching Scotland in order to comply with the deadline set.
- 4.3 This report is intended to serve as a reminder to members of the Education Committee of the issue and to seek endorsement of the officer response which has been sent.

5 HUMAN RIGHTS IMPLICATIONS

- 5.1 This report – per se – has no Human Rights implications, but in implementing whatever final guidelines emerge Council staff will require to have regard to Article 8 of the European Convention (The Right to Respect for Private and Family Life) and Article 2 (The Right to Education). For example, it is possible to envisage a conflict between the rights of pupils and parental preferences.

6 CONSULTATION

- 6.1 In accordance with the Standing Orders of the Council, this report has been the subject of consultation with the Chief Executive, the Director of Finance and the Director of Law & Administration.

Jim Anderson
Director of Education

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

APPENDIX

JAA/CJ

JAA/CJ

14 December 2000

Ms M McGhie
Assistant Director
Learning and Teaching Scotland
Gardyne Road
Broughty Ferry
DUNDEE
DD5 1NY

Dear Ms McGhie

SEX EDUCATION IN SCOTTISH SCHOOLS

I refer to Mike Baughan's letter dated October 2000 enclosed with which were a number of documents on which comments were sought. I write to you now in response to that request for comments on these documents and I would ask you to accept this response from me on behalf of Angus Council. I shall be reporting on this matter to my Education Committee on 23 January 2001, and if members of the Committee do wish to amend this response in any way or add to it you may rest assured that I shall be back in touch with you at that time.

I enclose the questionnaire which was sent out as part of the consultation exercise; the comments contained within have been prepared by a group of staff (principally Guidance staff in secondary schools). Having sought comments also from our local Parental Sounding Board I would wish to add two specific comments:

- the high profile which this issue has now attained may leave a number of staff feeling less secure than previously and in these circumstances it seems likely that Sex Education may need to figure more prominently than hitherto in staff development programmes – both locally and nationally
- it is not absolutely clear from the documentation sent but – if not already planned – it would be helpful to make the parental leaflet available in video format for sign language users

From my own perspective, the parents' leaflet, although comprehensive, appears to be a little too "busy" and could probably do with some editing down.

In general, my view – and that of the colleagues with whom I have been able to consult – is that those responsible for putting together the consultative package have done a good job and should be congratulated. That this issue has now been made more sensitive is quite clear and I anticipate that schools and education authorities will have to meet quite significant challenges, not only in complying with the guidelines (which are genuinely helpful), but in meeting the conflicting demands of disparate parental opinions.

2

14 December 2000

Ms M McGhie

I hope this brief response is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jim Anderson', with a long horizontal flourish extending to the right.

Jim Anderson
Director of Education

Enc

cc Councillor Brian Milne, Convener of the Education Committee
Christine Watkin, Adviser (5-18)