

Children and Families Bill

AMENDMENT
TO BE MOVED
ON REPORT

[Supplementary to the Third Marshalled List]

After Clause 73

BARONESS JONES OF WHITCHURCH
BARONESS HUGHES OF STRETFORD

Insert the following new Clause –

“Sex and Relationship Education in maintained schools

- (1) In Section 84(3) of the Education Act 2002 (curriculum foundation subjects for the first, second and third key stages), after paragraph (g) insert –
“() sex and relationship education”.
- (2) In Section 85(4) of the Education Act 2002 (curriculum foundation subjects for the fourth key stage), at end insert “, and
(d) sex and relationship 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 end insert “, and
(d) sex and relationship education.”
- (4) Before section 86 of the Education Act 2002 insert –

“85B Sex and Relationship Education

- (1) For the purposes of this Part, Sex and Relationship Education (“SRE”) shall include 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 SRE (and section 84(1) has effect accordingly).

After Clause 73—continued

- (3) The Secretary of State for Education shall set out guidance to schools and colleges to ensure that a coherent approach to sex and relationship education is developed, including between primary and secondary schools, paying particular regard to the need for such guidance to make reference to the role of the internet, social media and technology in sex and relationship education and online bullying and harassment.
- (4) It is the duty of the governing body and head teacher of any school in which SRE 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 SRE should be accurate and balanced;
 - (b) SRE 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 perspectives;
 - (c) SRE 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 SRE, 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 (7) to (10).
- (6) In subsection (1), for the words from the beginning to “at a maintained school” substitute “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 insert—
- “(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” substitute “when sex and relationship education is given to registered pupils at schools to which this section applies”;
 - (b) in paragraph (a), after “, and” insert “learn the nature of civil partnership and the importance of strong and stable relationships.”;
 - (c) paragraph (b) is omitted.

After Clause 73 – continued

- (9) In subsection (1C), for “sex education” substitute “sex and relationship education”.
- (10) In section 579 of the Education Act 1996 (general interpretation), in the definition of “sex education” in subsection (1) –
 - (a) for “sex education” substitute “sex and relationship education”;
 - (b) at end insert “but does not include education about human reproduction provided as part of any science teaching;”.
- (11) In section 405 of the Education Act 1996 (Exemption from sex education) for “If the parent of any pupil in attendance at a maintained school requests”, substitute –
 - “(1) If the parent of a pupil under the age of 15 in attendance at a school in England to which section 403 applies requests that the pupil may be wholly or partly excused from receiving sex and relationship education at the school, the pupil shall be so excused accordingly until –
 - (a) the request is withdrawn, or
 - (b) the pupil attains the age of 15.
 - (2) If the parent of any pupil in attendance at a maintained school in Wales requests”.

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