

A response to The Scottish
Government's draft Guidance on the
Conduct of Relationships, Sexual
Health and Parenthood Education in
Scottish Schools.

*Humanist Society Scotland represents the views of people in
Scotland who want to lead a good life without reference to
religion.*



Abstract

1. Humanist Society Scotland (HSS) welcomes this opportunity to comment on The Scottish Government's revision of the 2001 Circularⁱ. As a humanist organisation, we believe in living the one life we know we have, in the best possible way. As humanists we support the Amsterdam Declaration (2002)ⁱⁱ which clearly sets out the values and principles we stand for as a humanist organisation, such as:

"Humanism aims at the fullest possible development of every human being. It holds that democracy and human development are matters of right."
Amsterdam Declaration, 2002

2. We believe that all of Scotland's young citizens deserve to have equal access to education. We believe that high quality, up-to-date education in relation to sexual health, relationships and parenthood is essential for a 21st Century education. We believe that insofar as is possible, education should be based on factual information, science and an understanding of the worth, dignity and autonomy of the individual and the right of every human being, to the greatest possible freedom compatible with the rights of others.

Conscience clause

3. The current guidance from The Scottish Government on sexual health and relationships education comes from the original 2001 Circular. This Circular was produced just before the repeal of Section 2Aⁱⁱⁱ, however as the document states, this was a key factor for consideration in the document. The 2001 Circular clearly states that:

"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."
Scottish Executive, 2001

4. At the time, HSS welcomed this as a progressive move from The Scottish Government, an acknowledgement that young people have a human right to appropriate factual education about sexual health and relationships, and given the political environment at the time, was clearly a sign of a move towards a more progressive secular Scotland.
5. HSS is surprised that, as with the repeal of Section 2A, the introduction of same-sex marriage has provoked The Scottish Government to call for a revision of the 2001 Circular, as stated on The Scottish Parliament website^{iv}.

ⁱ <http://www.edlaw.org.uk/guidance/sexed.pdf>

ⁱⁱ http://www.humanism-scotland.org.uk/content/amsterdam_declaration_2002/

ⁱⁱⁱ <http://www.scotland.gov.uk/News/Releases/2000/06/314610fd-4156-4b58-9209-3eb1f905fba7>

^{iv} <http://www.scotland.gov.uk/Topics/Education/Schools/HLivi/sex-education>

6. HSS welcomes The Scottish Government's plans to introduce same-sex marriage^v as an indication of its continued support for LGBT equality.
7. We are, however, concerned with the inclusion of a vague and non-specific conscience clause in s.10^{vi} of the draft. This causes us some anxiety when understood to be in relation to The Scottish Government's plans to introduce same-sex marriage.
8. Such a clause was not present in the 2001 Circular, and indeed at the time the Scottish Executive were keen to stress that in relation to any pupil being opted-out, the school must ensure that parents and carers are advised of the negative consequences^{vii}:

"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."

Scottish Executive, 2001



9. It seems that The Scottish Government is introducing this clause in order that teachers should not be obliged to explain the factual information and legal position surrounding marriage law. This is a major concern for HSS, as we feel that this policy could add further to the stigmatisation of LGBT young people, and lead to a marginalisation of married same-sex couples.
10. HSS urges The Scottish Government to clarify that the inclusion of this clause is not an attempt to excuse teachers from their duty to provide sexual health and relationships education (SHRE) which presents facts in an objective, balanced and sensitive manner within a framework of sound values and an awareness of the law on sexual behaviour.
11. HSS is also concerned to see such as radical change in tone from the 2001 Circular to the current draft guidance. HSS notes a rise in concerns for sexually transmitted infections, sexual coercion and inappropriate sexual behaviour (including under-age sex) being reported to The Scottish Government by The Scottish Sexual Health Lead Clinicians Group^{viii}, NHS Forth Valley Sexual Health Strategy Group^{ix} & North Ayrshire Council - Focus Groups for Teenage Pregnancy^x.
12. Given the current concerns over sexual health among young Scots, HSS calls on The Scottish Government to ensure that appropriate sexual health and relationships education is provided to all young Scots, and that a vague and non-specific conscience clause should be removed.

^v <http://www.humanism-scotland.org.uk/files/HumanistSocietyofScotlandSameSexMarriageConsultationResponse.pdf>

^{vi} <http://www.scotland.gov.uk/Resource/0043/00434767.pdf>

^{vii} <http://www.edlaw.org.uk/guidance/sexed.pdf>

^{viii} http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Inquiries/TP007_-_The_Scottish_Sexual_Health_Lead_Clinicians_Group.pdf

^{ix} http://www.scottish.parliament.uk/S4_HealthandSportCommittee/TP021_-_NHS_Forth_Valley_Sexual_Health_Strategy_Group.pdf

^x http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Inquiries/TP010_North_Ayrshire_Council_-_Focus_Groups_for_Teenage_Pregnancy.pdf



Arrangements for denominational schools

13. HSS values an inclusive and tolerant educational system, as such we believe that young Scots can, and should, be educated together and not separated based on the religious or cultural preferences of their parents.
14. HSS is concerned that by continuing the current arrangements for religious authorities to continue providing a guidance role to denominational schools in Scotland, the educational outcomes, and health outcomes for sections of Scottish young people will be diminished.
15. We would much rather see an inclusive policy which seeks to set a minimum benchmark which young Scots and their parents can expect from their education, regardless of religious affiliation or cultural background.
16. HSS also wishes to draw The Scottish Government's attention to s.291 & s.292 of The Scottish Parliaments Health & Sport Committee *Report on Inquiry into Teenage Pregnancy*^{xi} which clearly highlights the disparity of provision in SHRE when the guidance remains optional. The report specifically highlights concerns over the provision of SHRE in Roman Catholic denominational schools.
17. s.292 of the same report goes on to highlight the following from Greater Glasgow and Clyde Health Board^{xii}:

"We do have a concern that denominational schools which represents a third of the school estate in this area, may not be providing the same high quality level of SHRE to children, young people and parents. We have no feedback available from denominational schools on what is being taught, what training teaching staff may have had or what involvement parents have had in their children's learning. From our own staff that routinely work with schools, we have an understanding that they can be routinely denied access to denominational schools, or can only do so only if key issues, especially matters to do with sexual health and relationships are not discussed with children and young people."

Greater Glasgow and Clyde Health Board

18. Greater Glasgow and Clyde Health Board, in a letter to the Scottish Parliament, went on to say that some health professionals *"expressed tensions about the national guidance in relation to the best practice in teaching and information about SHRE and the approach in denominational schools"*^{xiii}.
19. In its report to The Sport & Health Committee, NHS Forth Valley Sexual Health Strategy Group also note that^{xiv} *"More accountability for schools to report on what is being delivered in SRE would be useful as there is*

^{xi} http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf

^{xii} http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Inquiries/Correspondence_Between_SCES_and_NHS_GGC_Health_Board.pdf

^{xiii} http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf

^{xiv} http://www.scottish.parliament.uk/S4_HealthandSportCommittee/TP021_-_NHS_Forth_Valley_Sexual_Health_Strategy_Group.pdf



inconsistency in the quality and content of programmes in schools despite training and curriculum development support being available”.

20. HSS urges The Scottish Government to take a serious look at this information, and consider the rights of the pupils attending denominational schools, many of whom may not observe any particular religion.
21. Although HSS does believe in an integrated education system, we acknowledge this is a long term goal. We strongly believe that the young people of Scotland deserve to have access to a high quality education in relation to sexual health, relationships and parenthood regardless of their chosen school.
22. Writing to the Health & Sport Committee, Public Health Minister Michael Matheson MSP said^{xv} *“The development of a stand-alone strategy for Scotland will enable us to further progress teenage pregnancy away from a solely health-based agenda, and to continue to act on the wider determinants which we know to be so influential.”*
23. HSS welcomes this move towards a stand-alone strategy, The Scottish Government are right to acknowledge the need for a SHRE policy which transcends the bureaucratic boundaries of health boards and local authorities, however, we must remind them that issues relating to SHRE also transcend the school sectors, and that The Scottish Government has a duty to its young citizens, regardless of their denominational status.

Conclusion

24. HSS concludes its response to the draft Guidance on the Conduct of Relationships, Sexual Health and Parenthood Education in Scottish Schools:
 - SHRE is far too important to the education and health outcomes of Scotland’s children to be subject to political negotiations.
 - As a humanist organisation we support the fundamental basis of universal human rights, religious and non-religious children deserve a good education regardless of the school they attend.
 - There is an emerging consensus among health professionals in Scotland that the current provision of SHRE in general, and denominational approach in particular, is failing Scotland’s young people.

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^{xv} http://www.scottish-parliament.uk/S4_HealthandSportCommittee/Inquiries/Minister_for_Public_Health_-_Response_to_Teenage_Pregnancy_Enquiry.pdf



Recommendations

25. HSS recommends that The Scottish Government undertake a revision of the proposed draft guidelines, in order that they reflect the following:
- Removal or serious amendment of s.10 of the draft guidelines.
 - Inclusion of the original statement from the 2001 Circular in relation to 'opting-out':
"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."
 - Remove any and all separate guidance for denominational schools.
 - Clearly state that all of Scotland's children deserve a high-quality fact-based SHRE, regardless of religious and cultural belief, or what school they happen to attend.
 - That all head teachers in Scottish schools should be expected to adopt a partnership working approach with the appropriate health boards and third sector partners.
 - A wider consultation and process of engagement with parents, teachers, pupils, health worker, social workers, medical staff and all other interested parties should be undertaken to ensure that robust guidance for SHRE which present facts in an objective, balanced and sensitive manner within a framework of sound values and an awareness of the law on sexual behaviour can be brought forward.