

Shropshire Council Resource Pack

LGBT History Month 2022

LGBT education: from Section 28 to relationships and sex education

1988	<p>Section 28 of the Local Government Act 1988 was introduced. It banned schools and local authorities from teaching or providing materials on being gay</p> <ul style="list-style-type: none">• It was brought in to "prohibit the promotion of homosexuality by local authorities"• The law was partly inspired by a 1983 story book called Jenny Lives with Eric and Martin, which aimed to give children information about different types of family relationships
2002	<p>Section 28 removed After fifteen years, the law which made it illegal for schools and councils to educate young people about what it means to be gay was removed.</p>
2020	<p>Statutory relationships, sex and health education Eighteen years later, the Department of Education issues statutory guidance that will make Relationships Education compulsory for all primary school pupils, Relationships and Sex Education (RSE) compulsory for all secondary school pupils, and Health Education compulsory for pupils in all state-funded schools.</p>

Headline details

The RSE and health education guidance states that all pupils should receive teaching on lesbian, gay, bisexual and transgender (LGBT) content during their school years.

This guidance is available at: <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>(opens in a new tab).

This is statutory guidance from the Department for Education issued under Section 80A of the Education Act 2002 and section 403 of the Education Act 1996.

Secondary schools should include LGBT content in their teaching. Primary schools are strongly encouraged and enabled, when teaching about different types of family, to include families with same-sex parents.

Through these subjects, children will be taught about the importance of respectful relationships and the different types of loving and healthy relationships that exist. This can be done in a way that respects everyone's views.

The key priority is for relationships, sex and health education to help schools to support a diverse range of pupils with these complex and sensitive matters and to ensure that all pupils are supported and treated with kindness and understanding.

The Department has published a guidance page for teachers on GOV.UK, to support the teaching of RSHE, at this link: <https://www.gov.uk/guidance/teaching-about-relationships-sex-and-health>(opens in a new tab).

Source:

Parliamentary Written Answer to Question for Department for Education, UIN 25919, tabled 1st July 2021

Further details

The Department for Education is introducing compulsory [Relationships Education for primary pupils and Relationships and Sex Education \(RSE\)](#) for secondary pupils from September 2020. Also, from September 2020 it will be compulsory for all schools to teach Health Education.

Through these subjects, we want to support all young people to be happy, healthy and safe – we want to equip them for adult life and to make a positive contribution to society. Throughout our engagement process as we developed this curriculum, we have heard a number of wide ranging concerns.

Below, we have explained some of the common misconceptions around the subjects.

Q: Will my child's school still have to teach these subjects from September despite the recent disruption?

A: The subjects will be compulsory from September 2020. Schools that have met the requirements set out in the statutory guidance, for example engaging parents and carers, are encouraged to begin teaching the new curriculum from September 2020. Schools that are not ready to teach the subjects, or are unable to meet the requirements because of the challenging circumstances, should aim to start preparations as soon as possible and begin teaching the new curriculum by at least the start of the summer term 2021.

Q: Will my child be taught about LGBT relationships?

A: Pupils should be taught about the society in which they are growing up. These subjects are designed to foster respect for others and for difference, and educate pupils about healthy relationships.

Pupils should receive teaching on LGBT content during their school years. Teaching children about the society that we live in and the different types of loving, healthy relationships that exist can be done in a way that respects everyone. Primary schools are strongly encouraged and enabled to cover LGBT content when teaching about different types of families.

Secondary schools should cover LGBT content in their RSE teaching. RSE should meet the needs of all pupils, whatever their developing sexuality or identity – this should include age-appropriate teaching about different types of relationships in the context of the law.

Source:

Government response: relationships education, relationships and sex education (RSE) and health education: FAQs

Information from the Department for Education about the introduction of compulsory relationships education and RSE from September 2020.

Extracts from the guidance

Lesbian, Gay, Bisexual and Transgender (LGBT)

Paragraph 36. In teaching Relationships Education and RSE, schools should ensure that the needs of all pupils are appropriately met, and that all pupils understand the importance of equality and respect. Schools must ensure that they comply with the relevant provisions of the Equality Act 2010, (please see The Equality Act 2010 and schools: Departmental advice), under which sexual orientation and gender reassignment are amongst the protected characteristics.

Paragraph 37. Schools should ensure that all of their teaching is sensitive and age appropriate in approach and content. At the point at which schools consider it appropriate to teach their pupils about LGBT, they should ensure that this content is fully integrated into their programmes of study for this area of the curriculum rather than delivered as a standalone unit or lesson. Schools are free to determine how they do this, and we expect all pupils to have been taught LGBT content at a timely point as part of this area of the curriculum.

Source:

Statutory guidance: Relationships and sex education (RSE) and health education

Statutory guidance on relationships education, relationships and sex education (RSE) and health education.

Appendix: synopsis article

From Section 28 to relationships education in schools

Section 28 of the Local Government Act 1988 was introduced in that year.

- It was brought in to "prohibit [the promotion of homosexuality](#) by local authorities"
- The law was partly inspired by a 1983 story book called [Jenny Lives with Eric and Martin](#), which aimed to give children information about different types of family relationships

The legislation meant that councils were prohibited from funding of books, plays, leaflets, films, or other materials showing same-sex relationships, while teachers weren't allowed to teach about gay relationships in schools.

It has not been a very fast-forward, but **Section 28 was removed in 2002**, after fifteen years.

A whole eighteen years later, the Department of Education issues statutory guidance that will make Relationships Education compulsory for all primary school pupils, Relationships and Sex Education (RSE) compulsory for all secondary school pupils, and Health Education compulsory for pupils in all state-funded schools.

Schools that have met the requirements set out in the statutory guidance, for example engaging parents and carers, are encouraged to begin teaching the new curriculum from September 2020. Schools that are not ready to teach the subjects, or that are unable to meet the requirements because of the challenging circumstances, should aim to start preparations as soon as possible and begin teaching the new curriculum by at least the start of the summer term 2021.

In a Parliamentary written answer to a question for the Department of Education, in July 2021, we find the following commentary:

- **Secondary schools should include LGBT content in their teaching. Primary schools are strongly encouraged and enabled, when teaching about different types of family, to include families with same-sex parents.**
- **Through these subjects, children will be taught about the importance of respectful relationships and the different types of loving and healthy relationships that exist. This can be done in a way that respects everyone's views.**

Source:

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