

THE COUNCIL THURSDAY, 25 AUGUST 2022

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**Present:**

**Councillors:** R. Medwyn Hughes (Chair of this meeting)

Craig ab Iago, Menna Baines, Beca Brown, Stephen Churchman, Anwen Davies, Dafydd Owen Davies, Elwyn Edwards, Elfed Wyn ap Elwyn, Delyth Lloyd Griffiths, Jina Gwyrfai, John Brynmor Hughes, Louise Hughes, Iwan Huws, Elin Hywel, Nia Jeffreys, Anne Lloyd Jones, Berwyn Parry Jones, Dawn Lynne Jones, Dewi Jones, Elin Walker Jones, Gwilym Jones, Gareth Tudor Jones, Linda A. Jones, Menna Jones, Eryl Jones-Williams, Cai Larsen, Dafydd Meurig, Dilwyn Morgan, Edgar Owen, Gwynfor Owen, Llio Elenid Owen, Gareth Coj Parry, Nigel Pickavance, Rheinallt Puw, Beca Roberts, Elfed P Roberts, Gareth A Roberts, Richard Glyn Roberts, Huw Llwyd Rowlands, Paul Rowlinson, Angela Russell, Dyfrig Siencyn, Peter Thomas, Rob Triggs, Rhys Tudur, Hefin Underwood, Elfed Williams, Gareth Williams and Gruffydd Williams.

**Officers:**

Dafydd Gibbard (Chief Executive), Geraint Owen (Corporate Director), Dewi Morgan (Statutory Finance Officer), Iwan Evans (Monitoring Officer), Sion Huws (Senior Solicitor - Corporate), Garem Jackson (Head of Education), Annes Sion (Democracy Services Team Leader) and Lowri Haf Evans (Democracy Services Officer).

Everyone was welcomed to the meeting, along with members of the public who had joined the meeting in the public gallery. The public were reminded of their right to listen to the discussions, but not to speak or disrupt the meeting in any way. They were thanked in advance for their cooperation.

**1. APOLOGIES**

Apologies had been received from Councillors Glyn Daniels, Annwen Hughes, Elwyn Jones, June Jones, Kim Jones, Beth Lawton, Linda Morgan, Arwyn Herald Roberts, Meryl Roberts, Einir Wyn Williams and Sasha Williams.

**2. DECLARATION OF PERSONAL INTEREST**

No declarations of personal interest were received.

**3. THE CHAIR'S ANNOUNCEMENTS**

Condolences were extended to Councillor Elwyn Jones, on the loss of his wife. Sympathies were sent to the Chair and the family in their loss.

It was also noted that the Council wished to sympathise with everyone in the county's communities who had recently lost loved ones.

The Council stood in silence as a mark of respect and remembrance.

Congratulations were extended to everyone from Gwynedd who had been successful at the Royal Welsh Show recently, as well as everyone from Gwynedd who had been competing at the Commonwealth Games in Birmingham over the summer.

Congratulations were extended to everyone from Gwynedd who had been successful at this year's National Eisteddfod in Ceredigion. All of the main prizes came to Gwynedd,

or to individuals who had been brought up in Gwynedd; especially to Eryllt Maelor, Morfa Nefyn, the wife and mother of two Councillors in Gwynedd, on winning the Crown.

The County's pupils were congratulated on their A Level and GCSE results.

The Monitoring Officer was invited to explain the nature of the extraordinary meeting. He noted that the Chair of the Council had received a request that had been signed by five Members of the Council, calling for an extraordinary meeting. He reiterated that the nature and scope of the meeting had been set-out in the meeting request, and this would represent the business to be discussed, including what could be appropriately proposed. Members were reminded that they, as a body, represented the Statutory Education Authority and as members they were meeting in that role; and as elected members that their representations and statements at the meeting were subject to the Code of Conduct and the Gwynedd Standard.

#### **4. URGENT ITEMS**

None to note.

#### **5. RELATIONSHIPS AND SEXUALITY EDUCATION CODE**

At the request of the Chair, a proposal by Councillor Louise Hughes was accepted and seconded, to refer the matters relating to the delivery of the Relationships and Sexuality Education Curriculum in Wales from September 2022, for urgent consideration by the Education and Economy Scrutiny Committee, with the right to call external experts to that Committee.

Cllr Louise Hughes was invited to expand on the proposal. She made the following observations:

- Thanked everyone for accepting the extraordinary meeting request, and to everyone for attending.
- That she had called a meeting as the impact of introducing Relationships and Sexuality Education had highlighted her concern and worry, as well as complete ignorance about the subject. Therefore, it was important to share information and hold an open discussion (whilst accepting that there would be a difference in opinions).
- That introducing the Relationships and Sexuality Education Code was statutory and had already been introduced in Scotland and in England - to be introduced in Wales on 01/09/22.
- The education would be included across the curriculum and not as an individual subject - this caused concern.
- That a Judicial Review case regarding the introduction of the subject had been received by the High Court.
- Did introducing a Relationships and Sexuality Education safeguard our children? Protected them from whom and from what?
- That the content of the curriculum was based on the work of Alfred Kinsey, which dated back to the 1940s - very different attitudes during this period.
- That she encouraged her fellow Members to read the documentation of the World Health Organisation (WHO).
- That the education in Scotland already offered clear instructions to children aged 9-12 on how to have sex.
- That games to identify and how to name body parts in England and in Scotland for children aged 7-9 years were included in the instructions and that the education was to commence with 3 year old children.
- According to research, children should not be offered anything that they could not process - it had to be considered that maturity was the foundation of decision-making.
- As Councillors, parents and governors, the matter should be scrutinised - welcomed a discussion.

The seconder of the proposal, Cllr Gruffydd Williams, was invited to present observations.

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- That he was unaware that a public consultation had been held.
- Transparency needed to be ensured. Information needed to be shared about the terminology and themes of the curriculum.
- Would materials, training, resources be available?
- Needed to ensure the safety of children by ensuring that more support was available before this was actioned. Assumed that teachers and assistants were the 'practitioners'?
- More specific guidance was needed - had an age appropriateness and development assessment been completed? Had any evidence been submitted?

Councillor Beca Brown was invited to open the response as the Cabinet Member with responsibility for education matters. She noted the following observations:

- That the material being shared on social media and through people's doors recently, by a group that were lobbying against the Relationships and Sexuality Education Code, was completely wrong and incorrect
- That she did not wish to name the lobbying group or give a platform or publicity to people who were acting irresponsibly, and were at risk of undermining the welfare and safety of the country's children and young people.
- That she fully supported the Relationships and Sexuality Education Code and that she prioritised the welfare, safety, health and happiness of the children and young people of Gwynedd.
- She was eager to see the children of the County being confident in creating healthy relationships; confident in setting boundaries around their own bodies; confident to say no; happy to be in their own skin, to respect the skin of those around them, and to grow up to be empathic people who understand and respect diversity; understand and respect consent and live their lives with equality, fairness and kindness at the core of everything they do.
- That the Relationships and Sexuality Education Code was a guide for children to understand more about themselves and other people as they grew up and introduced an education that was genuinely needed which responded to all bullying based on gender, sexuality, identity, race, religion or background.
- That this education had been developed by experts - teachers, youth workers and leaders in the field. Child experts, i.e. our teachers, who were experts that had provided a life's work to improve the world of children, would deliver the education; and not a small group that was scaremongering and giving a false impression.
- The Code had been approved by the Welsh Senedd. The Children's Commissioner and the NSPCC was fully supportive of it.
- That everything being taught was appropriate to the age and development of the children in a teaching method which introduced many viewpoints to the children without pushing one more than another.
- That the material being shared by the lobbyists who were against this education were scaremongering, not due to concern about what would be taught under the code but because false information and fake news was being spread about an incredibly important subject, child welfare.
- The children of Gwynedd deserved this education. They deserved to be safe and secure as they lived their lives. Our place was to take a stance for their rights and ensure that they got what they needed, and what they deserved.

The Monitoring Officer was invited to provide a concise explanation of what a judicial review meant. He noted that a judicial review allowed the court to act in a supervisory method to review the legality of a decision made by public bodies as they discharge their public functions. It was reiterated that Gwynedd Council was not involved in a judicial review case that had been made by a group of parents against Welsh Government and that permission for parents to make the request only had been received by the Court and that no judgement had been made on the features of the request. He reiterated that he accepted that the situation created instability but that the statutory requirement on

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schools to act continued in force in accordance with the requirements of the Curriculum and Assessment (Wales) Act 2021.

Members were given an opportunity to make observations and ask questions. The following matters were raised by individual members:-

- That children needed to be protected and ensure that they were safe, and were prevented from harm.
- That there was a duty on the County's Councillors to protect the children in their care and ensure a full education for children (across the Curriculum)
- That there was a statutory requirement here to educate children - welcomed the new legislation.
- That children needed a right to receive the lessons without the parent having a right to exclude them.
- That the Children's Commissioner supported the content
- That Welsh Government had consulted with children and research highlighted clearly that children would respond better to accurate information.
- That education strengthened children's safety, and a way to make children realise what was right and what was not.
- That very misleading literature was being circulated amongst the public.
- That correct information needed to be shared.
- That there was a need to respect the decisions and choices of parents.
- That implementing the code placed additional pressure on teachers.
- That Secondary School would be the best place to start teaching sex education.
- Easy to set guidance on paper but it would be difficult to implement them.
- That a court case was in the pipeline - would this merit a delay before action?
- This is the only subject where parents did not have the right to change it.
- Should the problems faced by Scotland and England when delivering this education be scrutinised before starting to implement this in Gwynedd?

In response to a question regarding the views of teachers, the Chief Executive noted that teachers and teaching unions had been a part of the consultation and that he had faith in the teachers to adapt the education appropriately.

During the discussion, a member of the public interrupted the discussion. Despite being warned by the Chair to be quiet, the individual continued to interrupt. He was ordered to leave the Chamber. As a result, a number of the public responded and disrupted the meeting further. Resolved to defer the meeting to seek to obtain order.

When reopening the meeting, with Police presence, the Chief Executive noted that he wished to have an open and mature discussion and that he was aware that the subject was an emotional one. He asked everyone to respect the views of others and reiterated that the Police would empty the public gallery should there be any further disruption.

Members were then given an opportunity to make observations and ask questions:

- Respected a difference of opinion, but the safety of children had to be central to everything.
- Accepted that the subject was an emotional one and that no Relationships and Sexuality Education experts were present at the meeting.
- That children needed to be empowered - education and knowledge did this:
- Although there was no option but to act from 1 September 2022, the situation needed to be monitored and the delivery scrutinised, ensuring appropriate training for proper implementation.
- That the pupil's maturity needed to be identified.
- Children must be safeguarded, whilst also ensuring that safeguarding measures were in place.
- That the code did not propose a major change to the sex education that was already being delivered separately to be incorporated across the curriculum.
- The provision was important and it was available for every child.
- There was a need to proceed in an orderly fashion and not teach on a whim.

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- That accurate information needed to be given to Councillors so they could respond to the questions of parents.
- That the guidance did not emphasise that 16 was the age of consent.
- There was a need to ensure that teachers were protected - protected from any backlash.
- That the Curriculum for Wales was for Wales and it was not to be compared with Scotland and England.
- Teachers would discuss how to educate according to age and maturity.
- Welcomed the fact that a definitive and healthy framework was in place and that it supported the firm guidance of Welsh Government.
- That the Judicial Review was no reason to change the decision.

In response to a comment that the matter, at the request of the Chair of the Education and Economy Scrutiny Committee, at a recent meeting of the Scrutiny Forum, needed to be addressed by the committee before the meeting in October 2022, and what would happen if the proposal was lost on the vote, the Chief Executive noted that the intention of the Scrutiny Committee at the meeting on 20 October 2022 was to respond and discuss the content of the policy.

In response to a question regarding the Education Department anticipating problems considering that some teachers were being disciplined in Scotland and England, the Monitoring Officer noted that the details of the case had not been highlighted but it could not see that there were any reasons to be concerned, provided that teachers complied with the requirements of the curriculum and the law.

Taking advantage of the right to conclude their case, the proposer, Councillor Louise Hughes, noted the following points:

- That she welcomed the discussion and thanked everyone for their contribution
- That the subject was a complex and emotional field
- That a difference in opinion did not mean that they were wrong.
- Gwynedd Council was the only Council in Wales to discuss the subject.
- No objection to the sex education, but young children needed to be protected.
- That parents had responsibilities and rights over their children's education.
- There was a need to be transparent, take careful steps, learn from mistakes and collaborate - no reason to vote against scrutinising the matter.

A vote was taken on the proposal.

**RESOLVED to refuse referring the matters relating to the introduction of the Relationships and Sexuality Education Curriculum in Wales from September 2022 for urgent consideration by the Education and Economy Scrutiny Committee, with the right to call external experts to that Committee.**

The meeting commenced at 1.30 pm and concluded at 3.20 pm

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CHAIR