



Education Act 1996

1996 CHAPTER 56

PART V

THE CURRICULUM

CHAPTER IV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Sex education

403 Sex education: manner of provision.

- (1) The ^{F1} . . . , governing body and head teacher shall take such steps as are reasonably practicable to secure that where sex education is given to any registered pupils at a maintained school [^{F2}(whether or not as part of statutory relationships and sex education)] , it is given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life.

^{F3}(1A) The Secretary of State must issue guidance designed to secure that when sex education is given to registered pupils at maintained schools—

- (a) they learn the nature of marriage and its importance for family life and the bringing up of children, and
- (b) they are protected from teaching and materials which are inappropriate having regard to the age and the religious and cultural background of the pupils concerned.

[In subsection (1A) the reference to sex education does not include sex education given ^{F4}(1ZB) as part of statutory relationships and sex education.]

- (1B) In discharging their functions under subsection (1) governing bodies and head teachers must have regard to the Secretary of State's guidance.

Changes to legislation: Education Act 1996, Section 403 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(1C) Guidance under subsection (1A) must include guidance about any material which may be produced by NHS bodies for use for the purposes of sex education in schools.

(1D) The Secretary of State may at any time revise his guidance under subsection (1A).]

(2) In [^{F5}this section]“maintained school” includes [^{F6}a community or foundation special school] established in a hospital [^{F7}and “NHS body” has the same meaning as in [^{F8}the National Health Service Act 2006 (see section 275(1) of that Act)] .]

[^{F9}(2A) In this section “statutory relationships and sex education” means education required to be provided at a school in England under section 80(1)(d) of the Education Act 2002.]

Textual Amendments

- F1** Words in s. 403(1) repealed (1.11.2000 (E.) 1.9.2001 (W.)) by 2000 c. 21, ss. 148(3), 153, **Sch. 11** (with s. 150); S.I. 2000/2559, art. 2(2), **Sch. Pt. II**; S.I. 2001/1274, art. 2(2), **Sch. Pt. II**
- F2** Words in s. 403(1) inserted (E.) (1.9.2020) by The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019 (S.I. 2019/924), reg. 1(2), **Sch. para. 2(2)**
- F3** S. 403(1A)-(1D) inserted (1.11.2000 (E.) 1.9.2001 (W.)) by 2000 c. 21, s. 148(4) (with s. 150); S.I. 2000/2559, art. 2(2), **Sch. Pt. II**; S.I. 2001/1274, art. 2(2), **Sch. Pt. II**
- F4** S. 403(1ZB) inserted (E.) (1.9.2020) by The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019 (S.I. 2019/924), reg. 1(2), **Sch. para. 2(3)**
- F5** Words in s. 403(2) substituted (1.11.2000 (E.) 1.9.2001 (W.)) by 2000 c. 21, s. 148(5)(a) (with s. 150); S.I. 2000/2559, art. 2(2), **Sch. Pt. II**; S.I. 2001/1274, art. 2(2), **Sch. Pt. II**
- F6** Words in s. 403(2) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 102** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F7** Words in s. 403(2) inserted (1.11.2000 (E.) 1.9.2001 (W.)) by 2000 c. 21, s. 148(5)(b) (with s. 150); S.I. 2000/2559, art. 2(2), **Sch. Pt. II**; S.I. 2001/1274, art. 2(2), **Sch. Pt. II**
- F8** Words in s. 403(2) substituted (1.4.2013) by The Health and Social Care Act 2012 (Consequential Amendments) Order 2013 (S.I. 2013/594), arts. 1(2), **3**
- F9** S. 403(2A) inserted (E.) (1.9.2020) by The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019 (S.I. 2019/924), reg. 1(2), **Sch. para. 2(4)**

Changes to legislation:

Education Act 1996, Section 403 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)