
Comisiynydd Plant Cymru Children's Commissioner for Wales

Sally Holland

By e-mail only

To: Dr David Lloyd, AM – Chair, Health, Social Care and Sport Committee

21 December 2018

Dear Chair,

Re: Inquiry into Physical Activity of Children and Young People

Thank you for your letter dated 6th December 2018 regarding gender segregation in school sport. I note the evidence that you have received about gender segregation and the legal position that sits behind it. I do not have the requisite experience, nor is it within my remit, to discuss the legality or otherwise of particular provision, so I would defer to the advice already given on this point.

However, in my original evidence to the inquiry I set out details of a children's rights approach and the benefits of following this method, for organisations and for children and young people. In order to address the particular issue of gender segregation, I thought it would be useful to go through the five principles, in order to illustrate how a children's rights approach can assist schools in providing sport and activities that meet the needs and rights of all their pupils.

Embedding Children's Rights

Linking PE, sport and exercise overtly to children's rights, including the rights to be healthy, to play and to undertake leisure activities, gives a positive reason for the promotion of physical activity within the school setting including sport. Setting this out within school policies and documents clearly can show how each of these fits in with the broader provision offered by a school. Making policies more widely available to pupils, parents, staff and governors also assists in ensuring people are aware of the full extent of provision available, whether as part of the curriculum or wider extra-curricular activities. Sharing this information should also enable any person to challenge the existing provision appropriately.

Equality and Non-discrimination

When it comes to sport and physical activity, what I hear from children time and time again is that one size doesn't fit all. Children have regularly commented to me and my team that they are offered a limited choice of activities, according to their sex. Girls in particular complain about a lack of access to football and rugby. Some boys feel that they'd rather try netball, dance, or general fitness classes. Football and Rugby

also have a higher status in society, which is unfortunately then replicated in some schools. Girls' self-esteem, anxiety and physical health general tends to be poorer than that of boys of the same age, particular as they move into their teenage years. It is therefore urgent to tackle this. I am aware that there are some community based organisations, schools, sports clubs and associations which are looking to address this but there is clearly more work to do.

This does not necessarily mean that every pupil has to have access to every type of physical activity and sport in a mixed setting; there may be entirely legitimate reasons for gender segregation that are in children and young people's best interests to preserve. However, the following aspects of a children's rights approach help to look at alternative solutions to this.

Empowering children

When young people are aware of and can understand any stereotyping, potential discrimination and children's rights, they are more able to challenge existing conventional attitudes within schools, family and society. Understanding their rights, and respecting the rights of others may enable young people to take up sports and physical activities with more confidence, including those which have very much become associated and more widely available to one particular sex

Given that school curricula are currently seen as fairly rigid, children and young people may not be aware of the options that could be available to them unless they are given opportunities to understand what is possible and what could be made available.

Children and young people also need to have knowledge of the mechanisms that exist that would enable them to take a constructive challenge forward.

Participation

Children and young people should be involved in developing the physical activity/sports offer in their schools. This will definitely lead to better ideas as well as it being their right to do so.

Schools should listen to any concerns that are raised; it can be very eye-opening to hear children's views and teachers or other adults may not have realised how particular policies or practices are being received.

All schools have student councils, although some of these may be more developed and well used than others in involving children in decision making. However it is important that the wider school population also has an opportunity to contribute to decisions on what is provided in their school, and how.

Unfortunately the findings from Sport Wales' School Survey 2018 suggest there is more to do on this, with only 27.8% of 118,893 children in years 3 – 11 responding that they 'always' feel their ideas about PE and

school sports are listened to (down 3.5 % from 2015) and 18.7% saying they are never listened to (an increase of 6.6%).¹

On a practical level there could be some 'set' PE activities and a rotating 'option' perhaps each term or year, to allow for sports that have become associated with a particular gender to be undertaken within a single sex setting but available to both sexes , whilst also allowing for mixed sex options alongside. Schools could consult with their pupils as to how this would operate and the range of activities that could be offered.

Accountability

The Government, local authorities and schools should be stating clearly to young people about their physical activity/sports offer and what they are trying to achieve. They should provide information to ensure everyone has the equal chance to participate and enjoy a wide range of physical activities to suit them.

It is equally important to demonstrate to children and young people how they have responded to any student voices and concerns. As noted above children and young people don't regularly feel that their views are taken into account, and this can discourage them from raising any concerns in the future.

Allowing children to share their views doesn't necessarily mean everything that is requested can be actioned. If there are legal or other legitimate reasons that certain provision cannot be made available, such as mixed contact sports, this should be clearly explained to pupils. Often adults will assume that young people won't understand or accept objections, but if there are rational reasons for these and they are explained properly, young people are very understanding. Young people can also come up with particularly creative solutions to problems, often solutions that adults themselves wouldn't ever have thought of. Through accountability, rather than disenfranchising young people, it can actually lead to even better outcomes.

The ongoing reform of the curriculum in Wales will provide greater opportunities to explore different ways of providing the full education offer to pupils. I am seeking a duty of due regard to children's rights under the United Nations Convention on the Rights of the Child (UNCRC) on the face of the forthcoming Curriculum and Assessment Bill. I believe that this will ensure that bodies setting policies and making decisions about the type of education provision and also how it is provided will do so in full consideration of children's rights. This will mean that children learn about their rights, but also that their rights are respected within the school environment. This would include PE, which may not include teaching about rights explicitly but can still be founded in a children's rights approach.

¹ Sports Wales, [Statistics - School Sport Survey](#), 2018, accessed 14/12/2018.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sally Holland', written in a cursive style.

Sally Holland
Children's Commissioner for Wales
