

Circular Number: 2024/1

Subject:

GUIDANCE ON AMENDMENTS TO THE RELATIONSHIPS AND SEXUALITY EDUCATION (RSE) CURRICULUM CONTENT

Date of Issue:

1 January 2024

Target Audience:

- Principals and Boards of Governors (BoG) of all grant-aided post primary schools
- Principals and Boards of Governors of Special Schools
- Centres providing Education Other Than at School
- Education Authority (EA)
- Council for Catholic Maintained Schools (CCMS)
- Council for the Curriculum, Examinations and Assessment (CCEA)
- Comhairle na Gaelscolaíochta
- Northern Ireland Council for Integrated Education
- Controlled School Support Council
- Catholic Schools' Trustee Service
- Governing Bodies Association

Summary of Contents:

To provide guidance to post primary schools on the provision of Relationships and Sexuality Education (RSE) in schools following the implementation of the Relationships and Sexuality Education (Northern Ireland) (Amendment) Regulations 2023.

Enquiries:

Any enquiries about the contents of this Circular should be addressed to:

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Governor Awareness:

Essential

Status of Contents:

Advice

Curricular guidance for schools

Related Documents:

CCEA post primary Guidance Material

The Relationships and Sexuality Education (Northern Ireland) (Amendment) Regulations 2023.

The Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023

Expiry Date:

None

DE Website:

<https://www.education-ni.gov.uk/>

GUIDANCE ON AMENDMENTS TO THE RELATIONSHIPS AND SEXUALITY EDUCATION (RSE) CURRICULUM CONTENT

Introduction

1. This Circular provides guidance in relation to the provision of Relationships and Sexuality Education (RSE) in schools following the Secretary of State's amendments to the Learning for Life and Work (LLW) curriculum at key stages 3 and 4. This Circular is intended to support post-primary schools as they update their RSE policies and teaching provision in response to these changes. This Circular also provides guidance in respect of the circumstances in which a parent can request to have a pupil excused from the new elements of RSE.

Legislative changes

2. The Relationships and Sexuality Education (Northern Ireland) (Amendment) Regulations 2023 ("the 2023 Regulations") amend the Education (Northern Ireland) Order 2006 and the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007 in respect of Learning for Life and Work (LLW) to ensure that pupils at key stages 3 and 4 have the opportunity to "***Receive age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion***" (referred to in this Circular as "Article 5(1A) education").
3. The 2023 Regulations also require the Department to make provision, by Regulations, about the circumstances in which, at the request of a parent, a pupil may be excused from Article 5(1A) education or specified elements of that education. Under the Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023, a pupil may be excused from either all of Article 5(1A) education or specified elements of that education. A pupil may be excused if a parent makes a written request to a school where the parent considers the education is against their wishes. Further advice is set out in paragraphs 14–22 below.

The Northern Ireland Curriculum

4. The legal minimum content to be taught by schools is set out in [the Education \(Curriculum Minimum Content\) Order \(NI\) 2007](#) as high-level areas of learning. RSE forms a statutory component of the following key areas of learning:
 - Personal Development and Home Economics statements of requirement at key stage 3; and
 - Personal Development strand of Learning for Life and Work (LLW) at key stage 4.
5. The role of the Board of Governors and the Principal is to exercise their respective functions in relation to their school so as to ensure that the curriculum is delivered effectively as required by the minimum content for the areas of learning as outlined in Chapter 7 of the [Guide for Governors 2023](#).

6. The legislative change to the curriculum minimum content outlined in paragraph 2 also places a statutory requirement on Boards of Governors to have regard to this guidance. This means every Board of Governors has to determine and keep under review its school's curriculum and associated policies in relation to RSE as a statutory component of the Personal Development and Home Economics statements of requirement at key stage 3, and the Personal Development strand of Learning for Life and Work (LLW) at key stage 4.
7. Part 1 of Schedule 2 to the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007, sets out statutory requirements relating to the curriculum. Specifically, it provides that the statutory curriculum is balanced and broadly based which promotes the spiritual, emotional, moral, cultural, intellectual and physical development of pupils at the school and thereby of society; and prepares such pupils for the opportunities, responsibilities and experiences of life by equipping them with appropriate knowledge, understanding and skills.
8. It should, therefore, be noted that the change to the curriculum made by the Secretary of State does not prevent teachers and pupils from discussing and commenting on moral, ethical or spiritual issues which may arise in relation to matters associated with the legislative change to the minimum content outlined above. Specifically, that the legislation does not prevent teachers and pupils discussing and considering moral, ethical and spiritual issues alongside the age-appropriate, comprehensive and scientifically accurate teaching and associated learning resources.
9. Whilst the Board of Governors and the Principal have statutory responsibility to deliver the minimum curriculum content, they also have autonomy over when, how and who is involved in curriculum delivery, aligned with the ethos of the school. This includes the change to the curriculum made by the Secretary of State as outlined above. The school's ethos should contribute to the wider goals of the school and be clearly defined and understood by Governors, parents, pupils and staff. It should also be consistent with a commitment to equality, good relations and diversity within the school and its community as outlined in Chapter 3 of the [Guide for Governors 2023](#).
10. The amendment to the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007 in respect of RSE is required to be taught at key stages 3 and 4. Similar to all issues relating to RSE, the curriculum may be taught discretely in standalone lessons, through a cross-curricular approach as part of other subjects or using a hybrid of both. The Department recognises that children develop and mature at different rates; therefore, schools may wish to consider, for example, teaching about sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion, later in key stage 3 to ensure it reflects, and is responsive to, the needs and capabilities and stage of development of its pupils. Schools should also note that RSE, as with other subjects, should be taught progressively with new information building on prior learning.

A school's RSE Policy and taught programme

11. The Department requires all grant-aided schools to have an RSE policy and taught programme that has been developed based on the ethos of their school and in consultation with staff, governors, parents and pupils. This policy should be kept under review and updated in light of the introduction of Article 5(1A) education, including through meaningful consultation with parents and pupils whose views should be sought and reflected fully in it. The RSE policy and content to be taught should also be made available to parents and pupils.
12. Schools are required to deliver the statutory minimum curriculum content; however, the curriculum affords a large degree of flexibility to schools in how they develop and deliver their RSE taught programme. Under the 2023 Regulations, schools are required to have regard to this guidance when exercising their functions. It is important that a school satisfies itself, through its self-evaluation and review process, that its RSE policy is effective and that its associated RSE programme effectively meets the needs of its pupils through consultation with them.
13. The Council for the Curriculum, Examinations and Assessment (CCEA) has published an RSE Progression Framework which will support schools to develop appropriate programmes at each key stage. It is currently under review. To support teachers in delivering these new elements of the curriculum, CCEA is developing case studies which reflect good practice in RSE programmes and delivery models. CCEA is also developing resources that are specifically key stage appropriate, using terms aligning to legislation and the Public Health Agency definitions which provide opportunities for discussion. These resources will facilitate the thinking skills and personal capabilities embedded within the curriculum.

Engagement with parents and circumstances in which a pupil may be excused from either all of Article 5(1A) education or specified elements of that education

14. The Secretary of State's legislative changes provide for pupils to receive comprehensive, age-appropriate and scientifically accurate education on sexual and reproductive health and rights covering prevention of early pregnancy and access to abortion at key stages 3 and 4. It is intended that this education would be made available to pupils before potentially leaving school or where that education ceases to be compulsory.
15. As already noted, the 2023 Regulations require the Department to make Regulations about the circumstances in which, at the request of a parent, a pupil at key stages 3 and 4 may be excused from Article 5(1A) education required by the change made to the curriculum, or specified elements of it.
16. For pupils in years 8, 9, 10 and 11 the circumstances are, where a parent makes a request for a pupil to be excused from Article 5(1A) education or specified

elements of it by confirming which elements of the education, the pupil should be excused.

17. For pupils in year 12 the circumstances are, where a parent makes a request for a pupil to be excused from Article 5(1A) education or specified elements of it by confirming which elements of the education the pupil should be excused from and confirms that the pupil does not object to being excused.
18. The request should be made in writing and addressed to the principal of the grant-aided school at which the pupil is registered and identify the pupil to whom the request relates. The request should specify whether the request relates to all of Article 5(1A) education or specified elements of that education and confirm which element or elements are contrary to their wishes. They are not required to provide a reason to the school. Where the circumstances prescribed in the Regulations are met, the pupil will be excused from Article 5(1A) education. However, the exception would be a pupil in year 12 where they object to being excused. A suggested Template for use by schools and parents is attached as an Annex to this guidance.
19. Schools will wish to consider the information they share with parents and how. However, the Department recommends that information is made available proactively to parents, with reasonable notice, so that they can make an informed decision when requesting that their child be excused from this element of education.
20. It would be considered good practice for the school to offer to discuss the request with parents and, as appropriate, with the pupil. This would ensure that the wishes of the parent and their child are understood. This also provides an opportunity to outline the benefits of receiving this important education and any possible detrimental effects withdrawal might have. This could include any social and emotional effects of being excluded, as well as the likelihood of the child hearing their peers' second-hand version of what was taught and discussed, rather than participating directly in the lesson. Although it should be noted that any detrimental effects may be mitigated if the parent proposes to deliver the specific education to their child at home instead. Schools should document this process and keep a record of any discussions held.
21. The school should retain a record of the request and provide an acknowledgement of it. It is recommended the request should be made during the school year in which the pupils are going to be receiving comprehensive, age-appropriate and scientifically accurate education on sexual and reproductive health and rights covering prevention of early pregnancy and access to abortion.
22. Where a pupil has been excused from Article 5(1A) education, the excusal remains in force until the end of the school year in which the request was made or in the case of a specified element until that education has been completed.

Support for schools in delivering RSE

23. CCEA launched an RSE Hub in 2019, which provides a range of guidance, resources and sources to support schools in delivering RSE and to assist schools in their responsibility to provide a curriculum in accordance with the Education (Northern Ireland) Order 2006 and the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007. This guidance is now under review in light of the new legislative context.
24. The Education Authority will provide training for teachers and Boards of Governors in respect of this new legislative requirement. Information will be available on the Education Authority's website in due course.
25. The CCEA Hub will be relaunched in early 2024 and teachers will be able to download guidance documents and resources that CCEA has developed to help address sensitive issues with their pupils including age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights which includes prevention of early pregnancy and access to abortion. The new resources will provide minimum content guidance and the additional RSE resources will support teachers and offer schools flexibility in their approach to the wider delivery of RSE. This approach is intended to enable all schools to tailor and deliver effective programmes in line with the ethos and RSE policy of the school and to ensure that the wide-ranging needs of our young people are met.
26. Best practice in facilitating pastoral/preventative curriculum issues show they are best taught by a key adult that the young person already knows. Where a school chooses to use an external provider to deliver any aspect of RSE, they must ensure that they are satisfied with the quality of what is provided by the external provider. They should ensure that it is in keeping with their safeguarding policy and ethos of their RSE policy and taught programme and that there is curricular progression in learning. Teachers should co-design and participate in the lessons and there should be follow-up within the school to identify curricular connections and plan for and provide progressive learning opportunities. The use of external providers is not a substitute for curricular teaching of RSE – rather it should supplement and enhance it.
27. Information for parents and frequently asked questions regarding RSE is also available on the [DE website page](#). Curriculum RSE will remain under review with further DE Guidance and CCEA RSE resources being developed in 2024.

**Curriculum Team
Department of Education**

PROPOSED TEMPLATE FOR USE BY A PARENT REQUESTING THAT A PUPIL BE EXCUSED FROM ARTICLE 5(1A) EDUCATION OR A SPECIFIED ELEMENT OF IT.

To the Principal of [Name of School/College/EOTAS Centre]

For pupils in Year 8, 9, 10 and 11

I am writing to request that my son/daughter [Name] who is a pupil in Year x at your school be excused from age-appropriate, comprehensive or scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion or the specified element or elements of it as set out below. I can confirm that this education is contrary to my wishes.

Please tick as appropriate

*Prevention of early pregnancy

*Access to abortion

For pupils in Year 12

I am writing to request that my son/daughter [Name] who is a pupil in Year 12 at your school be excused from age-appropriate, comprehensive or scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion or the specified element or elements of it as set out below. I can confirm that this education is contrary to my wishes. I can confirm that [Name of pupil] has not objected to being excused.

Please tick as appropriate

*Prevention of early pregnancy

*Access to abortion

[Name of parent]

[Date]