



Department of

**Education**

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4 December 2024

Your Ref: 2024.281

Dear Aoibhinn

### **Relationships and Sexuality Education**

Thank you for your letter of 25 November requesting the Department clarify the following:

- how it ensures that home-schooled children and children subject to opt-outs receive the full curriculum, including mandatory elements of RSE; and
- how flexibly opt-outs from RSE can currently be delivered by schools (ie on a one-off, rolling or subject-to-review basis).

The legislative position on Elective Home Education is that the responsibility for a child's education rests with their parents. Article 45 of the Education and Libraries (Northern Ireland) Order 1986 places a duty on parents to ensure that their child receives an 'efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise'.

The responsibility for ensuring that electively home educated children receive an education rests with their parents, however they are not bound by DE policy and they are not required to follow the statutory Northern Ireland curriculum.

As with other subjects, it would be up to the parents of a child who is electively home schooled to determine how they would wish to approach learning on Relationships and Sexuality Education.

The Education Authority has produced guidelines for Electively Home Educating parents which recognise that there are many valid approaches to educational provision. It offers examples of different approaches and provides information and signposting for parents to educational resources. [Guidelines for EHE 23112020.pdf](#)

With regard to Relationships and Sexuality Education (RSE) delivered in schools, [Circular 2024/1](#) provides guidance in relation to the provision of RSE in all grant-aided schools following the Secretary of State's amendments to the Learning for Life and Work (LLW) curriculum at key stages 3 and 4. The Circular provides guidance in respect of the circumstances in which a parent can request to have a pupil excused from the new elements of RSE.

Requests 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. It should be specified 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 the education prescribed by the Secretary of State. However, the exception would be a pupil in year 12 where they object to being excused.

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 opting out 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.

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 the comprehensive, age-appropriate and scientifically accurate education on sexual and reproductive health and rights covering prevention of early pregnancy and access to abortion.

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.

It should be noted that the statutory right to be excused relates solely to the new elements prescribed by the regulations brought into force by the Secretary of State. There is no automatic right to be excused from other elements of RSE.

Yours sincerely

*George Platt*

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