

2023 No. 602

EDUCATION, NORTHERN IRELAND

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

Approved by both Houses of Parliament

Made - - - - 5th June 2023

Laid before Parliament 6th June 2023

Coming into force in accordance with regulation 1(2)

The Secretary of State, in exercise of the powers conferred by section 9(1) and (4) of the Northern Ireland (Executive Formation etc) Act 2019(a), makes the following Regulations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Relationships and Sexuality Education (Northern Ireland) (Amendment) Regulations 2023.

(2) Subject to paragraph (3), these Regulations come into force on 1st July 2023.

(3) This paragraph, and to the extent that it relates to issuing guidance Article 10A of the Education (Northern Ireland) Order 2006(b) inserted by regulation 2, come into force on the day after the day on which these Regulations are made.

(4) These Regulations extend to Northern Ireland.

Amendment of the Education (Northern Ireland) Order 2006

2.—(1) The Education (Northern Ireland) Order 2006 is amended as follows.

(2) After Article 5(1) insert—

“(1A) The curriculum for every grant-aided school shall, in relation to key stages 3 and 4, include age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion.”.

(3) After Article 10 insert—

“Relationships and Sexuality Education

10A.—(1) The Department must, by 1st January 2024, issue guidance on the content and delivery of the education required to be provided by virtue of Article 5(1A).

(2) The guidance must be issued with a view to ensuring that—

(a) 2019 c. 22.

(b) S.I. 2006/1915 (N.I. 11).

- (a) pupils receive education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion; and
 - (b) the education received by pupils is age-appropriate, comprehensive and scientifically accurate.
- (3) In exercising their functions as respects the school, the Board of Governors and principal of every grant-aided school must have regard to guidance issued under paragraph (1).
- (4) The Department may at any time revise its guidance under paragraph (1).
- (5) The Department must by regulations make provision about the circumstances in which, at the request of a parent, a pupil may be excused from receiving the education required to be provided by virtue of Article 5(1A), or specified elements of that education.
- (6) Before making regulations under paragraph (5), the Department must consult such persons as the Department considers appropriate.”.

Amendment of the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007

3.—(1) The Education (Curriculum Minimum Content) Order (Northern Ireland) 2007(a) is amended as follows.

(2) In Schedule 2 (Specification of Minimum Content)—

(a) In Part 5, in the Table headed “LEARNING FOR LIFE AND WORK: Personal Development”, at the end of the Column entitled “Relationships” insert—

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

(b) In Part 6, under the heading “LEARNING FOR LIFE AND WORK”, at the end of the list under the subheading “Personal Development” insert—

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

Review of implementation of relationships and sexuality education

4.—(1) The Department of Education in Northern Ireland must, by 1st September 2026, publish a report on the implementation of relationships and sexuality education in grant-aided schools.

(2) In preparing the report under paragraph (1), the Department of Education in Northern Ireland must consult—

- (a) the Equality Commission for Northern Ireland;
- (b) the Northern Ireland Commissioner for Children and Young People;
- (c) the Northern Ireland Human Rights Commission; and
- (d) such other persons as the Department of Education in Northern Ireland considers appropriate.

(3) The Department of Education in Northern Ireland must lay the report before the Northern Ireland Assembly.

Chris Heaton-Harris

(a) S.R. 2007 No. 46, amended by S.R. 2022 No. 45.

5th June 2023

Secretary of State
Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require pupils in key stages 3 and 4 in Northern Ireland to receive scientifically accurate education, that does not advocate or promote any particular opinion, on sexual and reproductive health and rights in accordance with the recommendations in the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (“the CEDAW report”).

The CEDAW report is available at the following website:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fOP.8%2fGBR%2f1&Lang=en

They also confer a duty on the Department of Education in Northern Ireland to issue guidance on the content and delivery of education on sexual and reproductive health and rights. They also confer a duty on the Department of Education in Northern Ireland to make provision about the circumstances in which a pupil may be withdrawn from education on sexual and reproductive health and rights or elements of that education at the request of a parent.

They confer a duty on the Department of Education in Northern Ireland to prepare and publish a report on the implementation of education on sexual and reproductive health and rights in Northern Ireland, and to lay that report before the Northern Ireland Assembly.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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