

# Empowering Parental Choice: Opt-Out Rights and Inclusive Involvement in the RSE Program

Y Pwyllgor Deisebau | 29 Ionawr 2024  
Petitions Committee | 29 January 2024

Reference: SR24/7752

**Petition Number:** P-06-1393

**Petition title:** Empowering Parental Choice: Opt-Out Rights and Inclusive Involvement in the RSE Program

**Text of petition:** This petition advocates for parental choice and inclusive involvement in the Relationship and Sex Education (RSE) program. It highlights the importance of respecting diverse beliefs, safeguarding parental rights, and enabling an opt-out option. The petition aims to foster understanding, respect, and prevent discrimination. This petition to ensure parental choice and promoting inclusive involvement in the RSE program. It recognizes the diverse beliefs held by parents and emphasizes the importance of respecting their rights. Also, address concerns regarding the lack of an opt-out option, which may infringe upon parental autonomy. By opt-out choice, parents can align their child's education with their religious or personal convictions. This approach fosters a more inclusive environment that respects the values and beliefs of all families involved. Also, the significance of open dialogue, mutual understanding, and respect for diverse perspectives within the RSE program. It advocates for an educational framework that avoids discrimination, upholds parental rights, and encourages active parental involvement in their child's education. By striking a balance between inclusivity and parental autonomy, the RSE program can provide a more comprehensive and respectful approach to relationship and sex education.



## 1. Background

Relationships and Sexuality Education (RSE) is a mandatory element of the new age 3-16 Curriculum for Wales, which was established by the [Curriculum and Assessment \(Wales\) Act 2021](#). The Curriculum for Wales was introduced in primary schools in September 2022, before being rolled out to Year 7 and 8 in September 2023, and each additional year group until it reaches Year 11 in September 2026.

RSE replaces sex and relationships education (SRE). SRE was a compulsory part of the basic curriculum in secondary schools, whilst primary schools had the opportunity to teach it but were not obliged to. RSE is mandatory in primary schools as well as secondary schools, with the 2021 Act requiring that provision be “developmentally appropriate”.

Previously, parents have had the right to withdraw their child from sex education that was not part of a national curriculum subject. Under the new curriculum, parents are not able to withdraw their child from RSE. The Welsh Government set out its rationale for this when it consulted on [Ensuring access to the full curriculum](#) (2019). In its consultation document, it said:

We believe there is a strong principle-based case for all school learners to be guaranteed access to RE and RSE. For learners to fully benefit from a broad and balanced curriculum, they must be able to access all parts of the curriculum.

## 2. Welsh Government action

Schools’ provision of RSE is guided by a statutory code, the [Relationships and Sexuality Code](#), which was approved in Plenary on 14 December 2021. The content of the Code is set within the context of broad and interlinked learning strands:

- relationships and identity;
- sexual health and well-being;
- empowerment, safety and respect.

The Welsh Government's [statutory guidance on RSE](#) states:

Schools and settings should have clear lines of communication in relation to RSE and should engage with learners, parents, carers and the wider community, offering them the opportunity to engage with learning and teaching in RSE.

Communicating effectively with parents and carers on an ongoing basis is an important way to foster positive relationships in order to engage them in purposeful and meaningful dialogue.

The guidance also states that RSE must be objective, critical, and pluralistic as to its content and manner of teaching. It states:

By pluralistic we mean that that where questions of values are concerned, schools and settings must provide a range of views on a given subject, commonly held within society. This also means providing a range of factual information on RSE issues. In all schools, where they explore specific beliefs or views, this must include a range of other faith and non-religious views on the issue.

A legal challenge brought by parents from Public Child Protection (Wales) to stop compulsory lessons in RSE was heard in the High Court in November 2022. The [High Court ruled on 22 December 2022](#) that the lessons were lawful. Welcoming the decision [the Minister for Education and Welsh Language said](#):

Parents can expect schools to engage with them about their plans for teaching RSE and to be able to raise any constructive questions or anxieties they have about those plans.

## 3. Welsh Parliament action

### 3.1. Children, Young People and Education Committee

The fact that RSE would be compulsory for all learners from age 3 and that parents would not have a right to withdraw their child from its teaching was considered by the Children, Young People and Education Committee in its scrutiny of the Curriculum and Assessment Bill (see chapter 6 of its [Stage 1 report on the general principles of the Bill](#)). The Committee's view was that all children should have full access to learning about relationships and sexuality. In their view,

including even a limited right to withdraw risks undermining this approach. Their support was predicated on RSE being:

- developmentally appropriate;
- objective, critical and pluralistic;
- delivered in accordance with detailed and clear statutory guidance, constructed by experts, practitioners and children and young people themselves; and
- underpinned by the necessary professional learning, resources and expert.

### 3.2. Petitions Committee

A petition, [P-05-1096 Remove RSE from the mandatory element of the Curriculum Bill 2020](#) was considered by the Petitions Committee in 2021. In light of the scrutiny of the Curriculum and Assessment (Wales) Bill by the Children, Young People and Education Committee and in the Stage 1 debate in Plenary, as well as the opportunities that would be available to Members to amend the Bill, the Committee agreed to maintain a watching brief on the petition. The petition was closed by the Committee as part of a review of all petitions that were under consideration at the Petitions Committee's final meeting of the Fifth Senedd, in light of the forthcoming election and the consideration given to this issue up to that date.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.