**Worksheet for responding to the DfE consultation on schools guidance for gender-questioning children**

**Overview**

|  |  |  |
| --- | --- | --- |
| **There are 14 general Yes/No/ Don’t Know questions** | Do you agree with the approach to:   * The structure of the guidance * Providing practical advice for schools * Engaging with parents * Responding to requests and engaging parents * Registration of name and sex * Changing name * Pronouns | * Single sex accommodation * Alternative facilities * Boarding * Uniform * PE - a child wants to go with the opposite sex * PE - thinking about fairness and safety * Single sex school admissions |
| Six of them invite longer 250 word answers for people who say No (but also allow you to add a comment if you say Yes or Don’t know) | * The structure of the guidance * Providing practical advice for schools * Responding to requests and engaging parents | * Registration of name and sex * Alternative facilities * PE - thinking about fairness and safety |
| Eight of them offer a further multiple-choice question for people who say No (but also allow you to add a comment if you say Yes or Don’t know) | * Engaging with parents * Changing name * Pronouns * Single sex accommodation | * Boarding * Uniform * PE - a child wants to go with the opposite sex * Single sex school admissions |
| There are two questions for individuals working in single-sex schools |  |  |
| **There are three further 250-word free-text questions** | * Public sector equality duty * General comments * Further comments |  |

NB: for brevity “schools” also covers “schools and colleges”

**Questions in detail**

|  |  |  |
| --- | --- | --- |
| **Structure**  The structure of the guidance is:   * Who is this for * Overarching principles * Language and terminology * Responding to requests and engaging parents * Handling different information and requests (registration/names/pronouns/facilities/PE) * Legal considerations   **Social transition is defined in the glossary “**is a term often used to refer to a process by which people change their name, pronouns, clothing, or use different facilities from those provided for their biological sex. Not all people who go through this process will do so in the same way. Not all requests made to schools or colleges will comply with legal duties to safeguard children. Social transitioning is not a neutral act, as it has been recognised that it can have formative effects on a child’s future development.”  **Introduction** states “Schools are facing requests to take actions such as changing names, uniforms, or using different facilities to help a child appear more like the opposite sex, with the expectation that they will be treated as if they are. This is often referred to as social transitioning.” | | |
| 11. Do you think the structure of the guidance is easy to follow? [Yes/No/Don’t know] | 12. If you answered no, how could the structure of the guidance change to make it easier to follow? | 250 words |
| 13. Does this guidance provide practical advice to support schools and colleges to meet their duties effectively? [Yes/No/Don’t know] | 14. If you answered no, how could we improve deliverability placed on schools and colleges whilst still providing for schools to meet their duties? | 250 words |
| **Responding to Requests and Engaging parents**   * Schools SHOULD NOT **proactively initiate social transition**. * Action SHOULD ONLY consider action **if explicitly requested by the child**, **following steps below** including e**ngaging with parents**. * DO NOT **promise a child confidentiality** if they disclose gender questioning concerns.   If a school or college wishes to accommodate degrees of social transition THEY ARE ADVISED TO   * **Wait for a period of time** to ensure it is a sustained and properly thought through decision (“watchful waiting”) * **Make parents aware** (unless there is a safeguarding concern about parents) * **Involve designated safeguarding lead.**   If after waiting schools consider taking action they ARE ADVISED TO take into account:   * **Safeguarding obligations:** Consider departure from normal approach only in exceptional cases * **The best interests of the child:** What is in the best interests of the child may not be the same as the child’s wishes. * **View of parents** * **Age:** Requests from primary school children should be treated with greater caution. * **Available clinical information** * **The seriousness and context of the request: h**as the child has made similar requests previously, and whether the child has properly considered the impact of their requests. * **Is this a response to peer pressure or social media?** * **Whether to seek input from the SENCO or college’s SEND lead** * **Is there an interaction with a child’s sexual orientation?** * **The long- and short-term impact on the child:** We do not yet have definitive evidence on this - should therefore take a cautious approach. * **The impact on other pupils:** Schools and colleges should consider the impact on other pupils, including any safeguarding concerns.   **Once schools and colleges have balanced all the factors above**   * Schools MAY CONCLUDE THAT IT IS NOT POSSIBLE to agree to support a request. * **Completing the above steps** will NOT BE SUFFICIENT to allow a gender-questioning child access to spaces designated for the other sex, or to sports where it is not safe or fair to take part with the opposite sex. **For these matters, schools and colleges should follow the guidance included later in this document.** * **Members of staff** SHOULD NOT unilaterally adopt any changes, including using a new name or new pronouns * **School SHOULD communicate** agreed actions to other pupils and staff where necessary and proportionate. * This SHOULD be done sensitively, without implying contested views around gender identity are fact. * The school MUST respected other pupils, parents and teachers religious or other beliefs | | |
| 15. Does this section provide enough detail to help schools and colleges support children? [Yes/No/Don’t know] | 16. If you answered no, in which of the following areas do schools and colleges need further guidance to support a child? [tick all that apply] | [ ] How schools and colleges should involve parents in decisions  [ ] How schools and colleges should manage engagement with parents with different feelings or views to their child  [ ] When schools and colleges should seek specialist advice or support  [ ] How schools should put in place a ‘watchful waiting’ period before acting on a child’s request  [ ] How schools and colleges can identify what issues may impact the wider school or college community [ ] How schools and colleges should handle decisions that impact on the wider school and college community.  [ ] The law  [ ] Something else  250 words |
| 17. Think about the points outlined for schools and colleges to consider on pages 9-11 regarding making decisions about how to respond to requests for social transition. Are these points helpful? [Yes/No/Don’t know] | 18. If you answered no, what considerations would be more helpful for schools and colleges to consider? For example, when assessing whether to support a child wishing to socially transition, do you think different weight should be given to the views of parents, the age of the child, the long- and short-term impacts on the child, the impact on other children, and any relevant clinical or medical advice? | 250 words |
| **Registration of Name and Sex**   * Schools MUST know and record the name and sex of every pupil in the admissions register. * Schools MUST store and process a pupil’s data according to the law. * It is OFTEN NECESSARY to know a child’s sex in protecting them or others from harm. * Schools SHOULD make sure that all relevant staff are aware of a gender questioning child’s biological sex. * Schools MUST record a child’s sex accurately wherever it is recorded. It is not accurate to record a male child as female or a female child as male, or to record a male child as a girl or a female child as a boy. | | |
| 19. Does this section on page 12 provide enough detail for schools and colleges to ensure each child is recorded correctly and according to the Education Act 1996, Pupil Registration (England) Regulations 2006, GDPR and the Data Protection Act? [Yes/No/Don’t know] | 20. If you answered no, what further information should be included to help schools and colleges? | 250 words |
| **Changing Names**   * Schools MUST record a child’s legal name in the admissions register. * They MAY ALLOW pupils to change their informal (‘known as’) name if they believe it is in the best interests of the child to do so. * Having fully consulted with parents, schools CAN ALLOW a child to change the name by which they are known. * Where the informal name change is agreed, the new name SHOULD BE communicated to the school or college community. | | |
| 21. Does this section on page 12 provide enough detail for schools and colleges to respond to a child’s requests to change their name? [Yes/No/Don’t know] | 22. If you answered no, in which of the following areas do schools and colleges need further guidance to respond to a child’s requests to change their name? [tick all that apply] | [ ] How schools and colleges should make a decision about a child’s request to change their name  [ ] When schools and colleges might refuse a request in relation to a child changing their name  [ ] How schools and colleges should involve parents in a decision about a child’s request to change their name  [ ] How schools and colleges should make relevant staff and other children aware of any agreed changes to name  [ ] What factors schools and colleges should take into account.  [ ] How schools and colleges should respond to other children and staff who do not wish to use a different name  [ ] The law  [ ] Something else  250 words |
| **Pronouns**   * Primary school children SHOULD NOT have different pronouns to their sex-based pronouns used about them. * Schools DO NOT NEED to specify pronouns to be used about each pupil. * Schools CAN DECLINE a request to change a child’s pronouns. * Where a school CONSIDERS a child’s request, they should consult parents and consider all the relevant factors as outlined above. * Schools SHOULD only agree to a change of pronouns if they are confident that the benefit to the individual child outweighs the impact on the school community. * IT IS EXPECTED THAT there will be very few occasions where a school will be able to agree to a change of pronouns. * Other pupils and children SHOULD NOT BE compelled to use preferred pronouns. * Teacher SHOULD NOT BE PREVENTED from referring to children collectively as ‘girls’ or ‘boys’. * Schools SHOULD exhaust all other options, such as using first names, to avoid requiring other individuals to use preferred pronouns. * In exceptional cases MAKE SURE all relevant staff are aware of a gender questioning child’s biological sex, to fulfil their safeguarding and legal duties. * Bullying of any child MUST NOT be tolerated. * Children MUST NOT BE sanctioned for honest mistakes when adapting to a new way of interacting with another pupil. | | |
| 23. Does this section on page 13 provide enough detail for schools and colleges to respond to a child’s requests to change their pronouns? [Yes/No/Don’t know] | 24. If you answered no, in which of the following areas do schools and colleges need further guidance to respond to a child’s requests to change their pronouns? [tick all that apply] | [ ] When schools and colleges should refuse a request in relation to a child changing their pronouns  [ ] What factors schools and colleges should take into account.  [ ] How schools and colleges should involve parents in a decision about a child’s request to change their pronouns  [ ] How schools and colleges should make relevant staff and other children aware of any agreed changes to pronouns  [ ] How schools and colleges should respond to other children and staff who do not wish to use different pronouns  [ ] The law  [ ] Something else  250 words |
| **Single-Sex Spaces - Toilets, Changing Rooms and Showers and Boarding and Residential Accommodation**   * Schools MUST ALWAYS protect single-sex spaces with regard to toilets, showers and changing rooms. * All children SHOULD use the toilets, showers and changing facilities for their sex UNLESS it will cause distress for them to do so. * In these instances, schools and colleges SHOULD seek to find alternative arrangements, while continuing to ensure spaces are single-sex. * Children MUST NOT BE allowed to go into the toilets for the opposite sex. * If a child does not want to use the toilet designated for their biological sex, and the school or college has considered all the relevant factors outlined above, THEY MAY WISH TO CONSIDER whether they can provide or offer the use of an alternative toilet facility. * These alternative arrangements SHOULD NOT compromise the safety, comfort, privacy or dignity of the child, or of other pupils. * Schools and colleges COULD CONSIDER allowing access to shower/change facilities at an alternative time. * For sleeping accommodation each child’s sex is relevant. * Schools MUST meet their safeguarding obligations in KCSIE. * Children SHOULD NOT BE ALLOWED to share a room with a child of the opposite sex. * If a child questioning their gender does not wish to share a room with another child of the same sex, where possible, and only after the school has considered relevant factors outlined above, alternative arrangements SHOULD be sought. * Alternative arrangements SHOULD NOT compromise the safety, comfort, privacy or dignity of the child, or of other pupils. | | |
| 25. Does this section on pages 14 and 15 provide enough detail for schools and colleges to respond when a child who is questioning their gender makes a request to use facilities (e.g. toilets, changing rooms, showers and boarding and residential accommodation) designated for the opposite sex? [Yes/No/Don’t know] | 26. If you answered no, in which of the following areas do schools and colleges need further guidance? [tick all that apply] | [ ] How schools and colleges should make a decision about a child’s request not to use facilities designated for their sex  [ ] When schools and colleges have to refuse a request in relation to a child using facilities designated for the opposite sex.  [ ] How schools and colleges should involve parents in a decision about a child’s request not to use facilities designated for their sex  [ ] What factors should be considered when deciding whether to offer alternative facilities  [ ] Toilets  [ ] Changing rooms  [ ] Boarding and residential accommodation  [ ] The law  [ ] Something else  250 words |
| 27. Think about the circumstances provided in the guidance on pages 14 and 15, outlining the option for schools and colleges to find alternative facilities. Does the guidance provide enough support to help schools and colleges determine how to offer alternative facilities? [Yes/No/Don’t know] | If you answered no, what more information would you need? | 250 words |
| 28. Does this section provide enough detail for schools and colleges to support children who do not wish to use accommodation that is designated for their sex in relation to boarding and overnight accommodation? [Yes/No/Don’t know] | 29. If you answered no, in which of the following areas do schools and colleges need further guidance? [tick all that apply] | [ ] How schools and colleges should make decisions about requests to access boarding and overnight accommodation designated for children of the opposite sex  [ ] When schools and colleges should refuse a child’s request to use different boarding and overnight accommodation while on a school or college trip  [ ] How schools and colleges should involve parents in a child’s request to use different boarding and overnight accommodation while on a school or college trip  [ ] The law  [ ] Something else  250 words |
| **Uniform**   * Some MAY specify girls’ and boys’ uniform and have different hairstyle rules by sex. * Or schools MAY have a unisex uniform or one that offers significant flexibility. * Schools SHOULD enforce their own uniform rules fairly and equally. * A child who is gender-questioning SHOULD IN GENERAL be held to the same uniform standards as other children of their sex and schools MAY SET CLEAR RULES to this effect. * Schools MAY look at how a child could be accommodated beyond usual rules. * Decisions on uniform SHOULD ONLY be made following a consultation with a child’s parents, having considered relevant factors. * Schools MAY agree changes or exceptions to some items, but not others (e.g. swimwear). * Schools WILL WANT to ensure all relevant staff are aware of any variations in uniform agreed for a pupil, so that they are consistently applied, and changes are communicated to others where necessary in a respectful way. * A child who wishes to adjust their uniform may simply not wish to conform with expectations related to their sex. It SHOULD NOT be assumed that such a child is now on a path towards any transition. | | |
| 30. Does this section on page 16 provide enough detail for schools and colleges to respond to a gender-questioning child who makes a request in relation to uniform? [Yes/No/Don’t know] | 31. If you answered no, in which of the following areas do schools and colleges need further guidance to respond to a gender-questioning child, who makes a request in relation to uniform? [tick all that apply] | [ ] How schools and colleges should make a decision about a gender questioning child who makes a request in relation to uniform  [ ] When schools and colleges might refuse a request in relation to a child wearing a different uniform  [ ] How schools and colleges should involve parents in a decision about a gender questioning child who requests an exception to uniform requirements.  [ ] How a school or college might accommodate a request within their uniform policy  [ ] How schools and colleges should make relevant staff and other children in the school or college aware of any changes agreed.  [ ] The law  [ ] Something else  250 words |
| **Physical Education and Sport**   * Schools and colleges SHOULD provide equal sporting opportunities for girls and boys. * This WILL USUALLY REQUIRE offering female-only sporting activities and competition above a certain age. * Schools and colleges SHOULD AIM TO ensure all children participate in sport safely. * Schools SHOULD encourage maximum participation and be mindful of any actions that might exacerbate teenage girls dropping out of sport. * A more relaxed approach CAN BE TAKEN to mixed-sex participation in sports in early primary. * Schools that do not provide separate sports for girls ARE UNLIKELY TO BE offering them equal opportunities to boys, and for some sports they will be putting girls at undue risk of injury if they have to play on mixed teams. * For all sports where physical differences between the sexes threaten safety, schools SHOULD adopt clear rules which mandate separate-sex participation. There can be no exceptions to this. * Where sports are deliberately mixed-sex, such as mixed netball, there should be no cause for concern. * Schools SHOULD ensure that sports are fair even where safety is not an issue. * For non-competitive sport, schools and colleges SHOULD continue to prioritise safety.   Where a child requests to participate in PE lessons or sporting competitions that are intended for the opposite biological sex, schools SHOULD CONSIDER:   * the age of the child * safety * fairness. | | |
| 32. Does this section on page 17 provide enough information on what to do if a gender questioning child asks to participate in a certain sport or activity with the opposite sex? [Yes/No/Don’t know] | 33. If you answered no, in which of the following areas do schools and colleges need further guidance to support children taking part in PE or sport? [tick all that apply] | [ ] How schools and colleges should make a decision about whether a child can take part in a certain sport or activity  [ ] When schools and colleges should refuse a request in relation to a child taking part in a certain sport or activity  [ ] How schools and colleges should involve parents in a decision about a child’s request to participate in a certain sport or activity  [ ] How schools and colleges should make relevant staff and children aware of any changes agreed  [ ] The law  [ ] Something else  250 words |
| 34. Think about the circumstances provided in the guidance on page 15, outlining the need for fairness and safety in PE or sport. Does the guidance provide enough support to help schools and colleges determine what is fair and safe? [Yes/No/Don’t know] | 35. If you answered no, what further support should be included to help schools and colleges determine what is fair and safe in PE or sport? | 250 words |
| **Single-sex schools**   * Single-sex schools CAN REFUSE to admit pupils of the other biological sex, regardless of whether the child is questioning their gender. * A school CANNOT refuse to admit a child of the same biological sex on the basis that they are questioning their gender. * The Equality Act also DOES NOT PREVENT single-sex schools from admitting pupils of the opposite biological sex if their admission is exceptional, or their numbers are comparatively small and limited to particular classes or courses. * This DOES NOT MEAN a school has to admit pupils of the other biological sex; nor does such an admission mean it cannot reject other children of that biological sex. | | |
| 36. Does the guidance on the application of the Equality Act to admissions to single sex schools on page 18 provide enough information to support single sex schools in making decisions about the admission of children who are questioning their gender? [Yes/No/Don’t know] | 37. If you answered no, in which of the following areas do schools and colleges need further guidance to support effective decisions on the admission of children who are questioning their gender [tick all that apply] | [ ] The law  [ ] Something else  250 words |
| 38. To individuals responding who work in, or represent single-sex schools: Has your single-sex school previously had to make a decision on the admission to your school of a child of the opposite sex (regardless of whether or not the school admitted the child)? | 39. If yes, was that child questioning their gender? |  |
| **Public Sector Equality Duty [PSED]** | | |
|  | 40. Do you have any comments regarding the potential impact of the guidance on those who share a protected characteristic under the Equality Act 2010, whether negative or positive? How could any adverse impact be reduced and are there any other ways we could advance equality of opportunity or foster good relations between those who share a protected characteristic and those who do not? Please give reasons for your answer and try to limit your response to under 250 words | 250 words |
| **General** | | |
|  | 41. Do you have any comments on the overall approach of the guidance? | YES/NO  If no detail below and try to limit your response to under 250 words. |
|  | 42. Do you have any further comments you would like to share on the draft of the guidance that have not been captured above? | YES/NO  If yes, please detail below and try to limit your response to under 250 words. |