

Government guidance on trans-pupils imminent

05 May 2023  Hayley O'Sullivan

Long-awaited guidance on supporting pupils experiencing gender dysphoria is expected to be published by the summer term.

This will come as welcome news to schools and colleges, many of whom are trying to navigate complex issues in the midst of an increasingly polarised debate around supporting trans-pupils whilst also acknowledging there may be potential adverse consequences of 'affirming' or being seen to 'encourage' social transitioning, particularly where parents are not aware.

Various news outlets have reported on what the guidance is expected to state, including reference to the law on toilets and changing facilities, competitive sports and the position for single sex schools (who are able to discriminate on the grounds of sex). Whilst some reports have stated that the guidance is expected to say that schools 'have' to tell parents if pupils want to change their gender, start using a new name or wear a different uniform, there are likely to be caveats to this based on safeguarding considerations.

It will be interesting to see how prescriptive the guidance will be or whether it will leave schools to make their own judgments as to what is in the pupil's best interests on a case-by-case basis, particularly given the wide scope for legal challenge from various interested parties.

We suspect that the guidance will not be overly prescriptive, with factors such as age, SEND, any relevant medical information and the pupil's own views and wishes needing to be taken into account with decisions on information-sharing taken in consultation with, or by, the school's Designated Safeguarding Lead.

It is likely the guidance will draw from clinical findings and recommendations published as part of the Cass Review and NHS England's consultation on the draft service specification for specialist gender dysphoria services for children and young people.

Schools and colleges will of course need to carefully review the guidance once published, update and communicate any relevant policies to staff, students and parents.

Key contact



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