



Department
for Education

Guidance for Schools and Colleges: Gender Questioning Children

Government consultation

Launch date 19 December 2023

Respond by 12 March 2024

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Introduction

The aim of this guidance will be to provide practical advice to schools and colleges to help them make decisions in relation to gender-questioning children. The guidance will be non-statutory.

Who this is for

The guidance is aimed at:

- Governing bodies of maintained schools (including schools with a sixth form) and non-maintained special schools;
- Trustees or directors of academies and free schools;
- Proprietors of independent schools (including academies and free schools);
- Management committees of pupil referral units (PRUs);
- Teachers, other school staff and school nurses;
- Head teachers, principals, designated safeguarding leads, SENCOs, and senior leadership teams;
- Diocese and other faith representatives involved in the management and supervision of schools; and
- for reference for relevant local authority staff.

The guidance is also aimed at institutions within the “further education sector”, defined by the Further and Higher Education Act 1992, comprising:

- further education colleges;
- sixth-form colleges;
- institutions designated as being within the further education sector by that Act.

These bodies have obligations under Part 6 of the Equality Act and are referred to as ‘colleges.’

Issue date

The consultation was issued on 19th December 2023.

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the team by email on:

gqcguidance.consultation@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the department's response will be [published on GOV.UK](#) in 2024.

About this consultation

The Department is seeking views on the following:

The consultation is seeking views on the content of the guidance and whether it will help to support schools and colleges, teachers and leaders to make considered and lawful decisions in relation to children who are questioning their gender and the wider school and college community.

Rationale and guiding principles

The aim of this guidance is to support schools and colleges when making decisions in the interest of the child, taking into account the interests of the wider school and college community. Within that context, we have carefully considered where a school or college may require guidance and direction on the issues arising in relation to children who are questioning their gender.

This guidance provides practical advice, which we expect schools and colleges to follow in response to requests for changes from children who are questioning their gender. It aims to support them to make lawful decisions based on individual circumstances. It will also help parents understand what schools and colleges can and can't accommodate.

This guidance focuses on how gender questioning children are treated whilst they are at school or college, it does not cover what children are taught about the topic of gender reassignment. The Department will include further guidance on this teaching as part of its updated statutory guidance on relationships, sex and health education (RSHE). A draft of the revised RSHE statutory guidance will be subject to a separate consultation, which we will publish at the earliest opportunity.

We are particularly seeking views through this consultation to test whether the scope of the guidance is right, and whether it covers all the necessary considerations for schools and colleges. We are also seeking views on whether the guidance provides enough practical support for schools and colleges.

Please read the draft guidance before completing the questions below

Respond online

To help us analyse the responses please use the online system wherever possible. Visit [DfE consultations on GOV.UK](https://www.gov.uk/consultations) to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may request and complete a word document version of the form.

By email

- gqcguidance.consultation@education.gov.uk

By post

Consultation Response - Guidance for schools and colleges: gender questioning children.

Department for Education

Life Skills Division

Sanctuary Buildings Great Smith Street

London SW1P 3BT

Deadline

The consultation closes on 12 March 2024.

Consultation themes and questions

Privacy and Confidentiality

Privacy Notice

The personal data (name and address and any other identifying material) that you provide in response to this consultation is processed by the Department for Education as a data controller in accordance with the UK GDPR and Data Protection Act 2018, and your personal information will only be used for the purposes of this consultation. The Department for Education relies upon the lawful basis of article 6 (1) (e) of the UK GDPR, which allows us to process personal data when this is necessary for conducting consultations as part of our function. We may share information we hold about you with certain organisations, where the law allows it or we have a legal obligation to do so. There may be some circumstances where we'll need to share information about you with others without your consent. For example, this might be to prevent or detect a crime, or to produce anonymised statistics for research purposes. In all cases, we'll comply with the Data Protection Act 2018.

The personal information will be retained for a period of 12 months following the closure of the consultation period, after which it will be securely destroyed. You can read more about what the Department for Education does when we ask for and hold your personal information in our personal information charter, which can be found here: [Personal information charter - Department for Education - GOV.UK \(www.gov.uk\)](#)

Confidentiality Notice

Information provided in response to consultations, including personal information, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018 or the Environmental Information Regulations 2004. If you want all, or any part, of a response to be treated as confidential, please explain why you consider it to be confidential. If a request for disclosure of the information you have provided is received, your explanation about why you consider it confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

About you

Confidentiality Questions

This section is all about you / your organisation and where you are from.

1. Are you responding to this consultation as an:

Organisation, for example, a charity, school/college or think tank (tick box)

Or

Individual (tick box)

2. If you are responding as part of an organisation, would you prefer your response was kept confidential?

Yes (tick box)

No (tick box)

3. If you are responding as an individual, are you responding as (please select all that apply):

A parent or carer

A teacher

A student

A school or college leader

A school or college governor

A designated safeguarding lead

A student support or pastoral care team member

A medical professional

Other, please specify

4. If you are responding to this consultation as an organisation, are you responding as:

A school

A college

An academy trust

A local authority

A union

A charity

Other, please specify

5. Are you responding to the consultation with an interest in:

Please tick all that apply

- Primary schools
- Secondary schools
- Faith schools
- Alternative provision/special schools
- School sixth forms
- FE college
- Sixth form college
- Designated institutions

6. If you want all, or any part, of your response to be treated confidentially in response to a freedom of information request, please explain why you consider it to be confidential.

Please try to limit your response to under 250 words.

Please do not add any details which may easily identify you or your organisation.

Introductory Questions

This section is all about you.

Age

7. If you are responding as an individual, are you:

- Over 18
- Under 18

8. What is your sex?

- Female
- Male

9. Is the gender you identify with the same as your sex registered at birth?

- Yes
- No
- Prefer not to say

10. Where are you based?

- England
- Wales
- Scotland
- Northern Ireland
- Other (please specify)

Structure and overall guidance

This section covers overall structure of the guidance and asks about what your views are and possible implementation issues for schools and colleges.

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?

Please try to limit your response to under 250 words.

Please do not add any details which may easily identify you or your organisation.

13. Does this guidance provide practical advice to support schools and colleges to meet their duties effectively?

Yes

No

14. If you answered no, how could we improve deliverability placed on schools and colleges whilst still providing for schools to meet their duties?

Please try to limit your response to under 250 words.

Please do not add any details which may easily identify you or your organisation.

Responding to Requests and Engaging parents

This section covers parents and carers involvement and asks for your views.

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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

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?

Please try to limit your response to under 250 words.

Please do not add any details which may easily identify you or your organisation.

Registration of Name and Sex

This section covers how schools record the name and sex of pupils and asks for your views related to how schools record the name and sex of a gender questioning pupil.

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?

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

Changing Names

This section covers names and asks for your views related to a gender questioning child's request to change their name.

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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

Pronouns

This section covers pronouns and asks for your views related to a child who is questioning their gender and makes a request to change their pronouns.

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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

Single-Sex Spaces - Toilets, Changing Rooms and Showers and Boarding and Residential Accommodation

This section covers toilets, changing rooms and showers and asks about its clarity.

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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

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?

Please try to limit your response to under 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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

Uniform

This section covers uniforms in schools and colleges and asks you about your views on uniforms in relation to children questioning their gender.

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

Please try to limit your response to under 250 words.

Please do not add any details which may easily identify you or your organisation.

Physical Education and Sport

This section covers your views on how the guidance will support teachers in relation to children who are questioning their gender and PE and sport in schools and colleges.

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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

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?

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

Single-sex schools

This section asks about your views on how the guidance covers admissions to single-sex schools.

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

Please try to limit your response to under 250 words

Please do not add any details which may easily identify you or your organisation.

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)?

- Yes
- No
- Don't know

39. If yes, was that child questioning their gender?

- Yes
- No
- Don't know

Please do not add any details which may easily identify you or your organisation.

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

General

41. Do you have any comments on the overall approach of the guidance?

Yes

No

If yes, please 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.

The Department will review and update related guidance in line with this guidance when it is published such as the Equality Act guidance.



Department
for Education

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