

What's Happening in Your Child's Classroom?

Sex and Gender in Scottish Secondary Schools



For Women
Scotland

Contents

Summary	3
1. Introduction	5
2. Scottish Government guidance: Supporting Transgender Pupils	7
3. How are schools dealing with sex and gender?	9
3.1. Who is informed about a social transition?	11
• Parents	11
• Child protection and medical professionals	14
3.2. Do schools operate a policy of self-identification?	15
3.3. What is the impact on other children?	16
• Toilets	17
• Changing rooms	20
• Sports	21
• Pronouns	23
3.4. What are schools teaching on sex and gender?	26
• Gender identity	27
• Born in the wrong body	28
• Self-identification for all circumstances	30
3.5. What external resources are used?	31
• Relationships, Sexual Health and Parenthood	32
• LGBT Youth Scotland	34
• Time for Inclusive Education	39
• Stonewall and others	40
4. Conclusion	41
5. Recommendations	42

Summary

The number of children presenting with gender distress in Scotland has soared over the last decade, particularly since 2017 when many schools adopted transgender guidance written by the activist organisation LGBT Youth Scotland, and which was later updated by the Scottish Government. This guidance urges teachers to affirm a gender-distressed child in their self-determined “gender identity” and facilitate a “social transition” by agreeing to use a different name or pronouns when referring to the child, and allow access to the opposite-sex toilets and changing rooms if that is where they “feel most comfortable”.

The medical treatment of gender-distressed children has come under intense scrutiny over the last few years culminating in the recent publication of the Cass Review which laid bare the serious failings with the nature of affirmative practices by gender clinics. Recognising the very poor evidence base and potential harms of puberty blockers and cross-sex hormones, Scotland’s NHS subsequently suspended prescriptions for patients under the age of 18. The evidence shows that a transgender identity, if not affirmed, is transient in the majority of children and safeguarding and additional medical issues can be overlooked or confused when there is a focus on gender.

Cass states that affirming and facilitating a social transition is an active medical intervention which “may have significant effects on the child or young person in terms of their psychological functioning” and should only be undertaken under certain strict criteria including a diagnosis of gender dysphoria and with parental involvement and clinical supervision. It should never be a matter on which a school alone might act unilaterally, however well meaning its views on the wellbeing of the child.

We replicated the Freedom of Information question set used by Policy Exchange in the publication “Asleep at the Wheel: An Examination of Gender and Safeguarding in Schools” to assess how well Scottish local authority run secondary schools are protecting gender distressed children and their classmates, as well as what is taught on sex and gender. Responses were received from 98% of schools (351 from a total of 359) and analysis shows that almost all secondary schools are disregarding basic child protection protocols regarding gender distressed children and their peers:

Self-id

- **95%** of secondary schools operate policies of gender self-identification.

Who is informed?

- Only **4%** of secondary schools are reliably informing parents as soon as a child discloses feelings of gender distress.
- **87%** of secondary schools did not say they would inform a child protection lead or medical practitioner when a child discloses gender distress.
- **15%** of secondary schools would seek advice from third-sector organisations such as LGBT Youth Scotland but would not inform parents or professionals.

Single-sex

- At least **60%** of secondary schools are not maintaining single-sex toilets and **55%** are not maintaining single-sex changing rooms.
- **54%** of secondary schools are allowing children to participate in sports of the opposite sex, with **16%** offering mixed-sex sports only.

Pronouns

- **86%** of secondary schools are requiring or encouraging other children to affirm a gender-distressed child's new identity.

What is taught?

- **89%** of secondary schools are teaching that people have a gender identity that may be different from their sex.
- **7%** are teaching that some people or children may be born in the wrong body.
- **37%** are teaching pupils that a person who self identifies as a man or a woman should be treated as such in all circumstances, even if this does not match their biological sex.
- **75%** of schools use external providers for resources on gender identity. Most frequently cited are RSHP.SCOT, LGBT Youth Scotland and Time for Inclusive Education.

There is a misconception that the occasional headlines in the press about children socially transitioned without parents knowledge or boys causing upset by using the girls' toilets represent isolated incidents, and that such practices are only happening in a small number of schools. This report conclusively disproves that theory.

The transgender guidance provided by the Scottish Government clearly has a significant influence on decisions made by schools which, by and large, unquestioningly follow its advice, even when it is out of date, unlawful and supports an unscientific contested belief system that has more in common with religious studies than it does with biology lessons.

External agencies also exert an increasing influence over school policies on how best to treat the influx of children who say they are transgender and these organisations, without exception, advise teachers to take an affirming approach no matter how young the child. These include Stonewall, Scottish Trans, Time for Inclusive Education (TIE) and most ubiquitous of all, LGBT Youth Scotland which, despite being a registered lobbying group working towards explicitly political aims, has a central role in writing Scottish Government guidance for schools, training teachers, providing anti-bullying advice, embedding LGBT inclusive education across the curriculum, and an extensive charter scheme that rewards schools for rewriting policies to align with the organisation's aims of prioritising the highly contested notion of a person's self-determined "gender identity" over their sex.

Gender ideology is deeply embedded in schools, but it needn't be. Schools must take their cue from the well-evidenced clinical Cass Report. The Scottish Government transgender guidance is non-statutory and can be safely ignored, as it should be. Lobby groups, no matter who they are, have no place in schools where there is a duty to present unbiased factual information and they must be immediately removed. When activists LGBT Youth Scotland are openly opposing the evidence of Cass and calling for known harmful drugs to be prescribed to children on demand there should be no doubt, and no delay.

1. Introduction

The care of this group of children and young people is everyone's business.

*Cass Review: Interim report*¹

The number of children presenting with gender distress in Scotland has escalated over the last decade with referrals to the Young People Gender Service at Sandyford, Glasgow, rising from just 37 children in 2013, to 218 in 2017 and 530 referrals in 2022. The number on the waiting list for a first appointment was last counted at 1,149 children.² The service is completely overwhelmed and, perhaps due to the delay in any service provision, it is now commonplace in schools to have several children who have “socially transitioned” by changing their name and appearance, and asking that others treat them as the opposite sex (or as non-binary).

Concern about over-medicalised treatment pathways and the soaring numbers, particularly of teenage girls, led to an independent review into the gender identity service for children in England. The extensive Cass Review concluded last month and found that the service was not fit for purpose, recommending a move away from affirming a child's stated trans identity and prescribing puberty blockers followed by cross-sex hormones, to a service based on psycho-social support.³

Recognising the very poor evidence base and potential harms of blockers and hormones, Scotland's NHS suspended prescriptions for patients under the age of 18 and the remaining Cass recommendations *may* be implemented in due course. The evidence shows that a transgender identity, if not affirmed, is transient in the majority of children⁴ and safeguarding and additional medical issues can be overlooked or confused when there is a focus on gender.

Cass says the importance of what happens in school cannot be under-estimated and it is important that school guidance can utilise some of the principles and evidence from the review to help respond to pupils who say they want to socially transition.⁵ Affirming and facilitating a social transition is an active medical intervention which “may have significant effects on the child or young person in terms of their psychological functioning”.⁶ Cass recommends that children and their parents be advised on the risks of social transition, referencing the best available evidence, and that this is not a role that can be undertaken by staff without appropriate clinical training. Draft NHS guidance for England proposes social

¹ <https://cass.independent-review.uk/wp-content/uploads/2022/03/Cass-Review-Interim-Report-Final-Web-Accessible.pdf>

² Figures for 2013 and 2017:

<https://forwomen.scot/wp-content/uploads/2019/12/Sandyford-FoI-response-27Sep19.pdf>

Figures for 2022 and the waiting list:

<https://forwomen.scot/wp-content/uploads/2024/05/Sandyford-FoI-response-06Jun2023.pdf>

³ https://cass.independent-review.uk/wp-content/uploads/2024/04/CassReview_Final.pdf

⁴ <https://www.transgendertrend.com/children-change-minds/>

⁵ §12.6 https://cass.independent-review.uk/wp-content/uploads/2024/04/CassReview_Final.pdf

⁶ §5.19 <https://cass.independent-review.uk/wp-content/uploads/2022/03/Cass-Review-Interim-Report-Final-Web-Accessible.pdf>

transition should only be considered as a treatment for under 18s under certain strict criteria including a diagnosis of gender dysphoria and under clinical supervision.⁷

But what exactly is happening in Scottish schools at the moment? Recent newspaper headlines include “Dundee school kept pupil’s gender transition from parents”, “Radical LGBT charity encourages teachers not to tell parents their children are trans”, and examples of the dismantling of single-sex facilities to accommodate socially transitioning pupils include “Highland Council is 'systematically' switching loos to be gender-neutral without asking parents” and “Women’s rights group For Women Scotland pans mixed-sex lavatory policy”.⁸ It is clear schools are struggling with the issues and at least some are taking it upon themselves to facilitate social transitions without parental or clinical input, as well as changing long-standing policies on toilet provision which may be in breach of children’s rights.

Over the last decade, external agencies have had an increasing influence over school policies on how best to treat the influx of children who say they are transgender and these organisations, without exception, urge teachers to take an affirming approach no matter how young the child. These include Stonewall, Scottish Trans, Time for Inclusive Education (TIE) and most ubiquitous of all, LGBT Youth Scotland which, despite being a registered lobbying group working towards explicitly political aims, has a central role in writing Scottish Government guidance for schools, training teachers, providing anti-bullying advice, embedding LGBT inclusive education across the curriculum, and an extensive charter scheme that rewards schools for rewriting policies to align with the organisation’s aims of prioritising the highly contested notion of a person’s self-determined “gender identity” over their sex.

This report examines the responses from two Freedom of Information (FOI) research exercises we conducted. The first established the extent to which the Government transgender guidance has been adopted by local authority run secondary schools; the second assessed its influence, despite its non-statutory nature, on decisions taken by schools on the wellbeing of all children, not just those who claim a transgender identity. While analysing the responses it quickly became clear there was an issue with maintaining single-sex toilets for pupils, not only by allowing children to use those provided for the opposite sex but in the demise of single-sex facilities altogether, with several schools now only providing mixed-sex toilets. A third FOI exercise will explore this further in a separate report.

⁷ p15, https://www.engage.england.nhs.uk/specialised-commissioning/gender-dysphoria-services/user_uploads/b1937-ii-specialist-service-for-children-and-young-people-with-gender-dysphoria-1.pdf

⁸ <https://www.thecourier.co.uk/fp/news/dundee/4523260/dundee-school-pupil-gender-transition/>, <https://www.telegraph.co.uk/news/2024/04/19/lgbt-charity-scotland-teachers-parents-trans-children/>, <https://www.scottishdailyexpress.co.uk/news/scottish-news/highland-council-systematically-switching-loos-26508373>, <https://www.thetimes.co.uk/article/women-s-rights-group-for-women-scotland-pans-mixed-sex-lavatory-policy-xfnjbkjb2>

2. Scottish Government transgender guidance for schools

While England consults on Department of Education draft guidance for schools on gender-questioning children⁹ that reflects the Cass Review and biological reality, Scotland continues to suffer the consequences of partisan transgender guidance for schools which has been in place since 2017. The original version¹⁰ was developed by the lobby groups LGBT Youth Scotland and Scottish Trans with full funding and endorsement by the Scottish Government. It was promoted on the website of Education Scotland, a Scottish Government executive agency charged with supporting quality and improvement in education, and widely used by schools – even long after the Government found it risked excluding girls from female-only spaces and deemed it “not legal” in March 2019.¹¹

Despite producing this unlawful guidance, LGBT Youth Scotland and Scottish Trans were heavily involved¹² in the development of the replacement Scottish Government guidance, “Supporting Transgender Pupils in Schools: Guidance for Scottish Schools”, which was published in August 2021.¹³ Stonewall was also credited in the acknowledgments, alongside Engender (a ‘feminist’ group of self-identifying women that does not include girls in their remit), SportsScotland (in partnership with Equality Network/Scottish Trans to encourage trans people to participate in sport in their acquired gender¹⁴), and Children in Scotland (a network of people working with children that, contrary to the law, assumes children have full legal capacity and advocated for Gender Recognition Certificates by self-identification for children of any age without the need for parental consent¹⁵).

Against this worrying list of contributors it is no surprise that we consider the minimally changed¹⁶ guidance published by the Scottish Government still to be unlawful and detrimental to the education, development and wellbeing of children. It permits access to opposite-sex spaces and seriously misrepresents UN convention rights, the Equality Act 2010 and the Age of Legal Capacity (Scotland) Act 1991.

The Scottish Government has failed to update the guidance following Court of Session decisions in either of the For Women Scotland judicial reviews¹⁷ or the Employment Appeal

⁹ <https://consult.education.gov.uk/equalities-political-impartiality-anti-bullying-team/gender-questioning-children-proposed-guidance/>

¹⁰ <https://web.archive.org/web/20200523142916/https://www.lgbtyouth.org.uk/media/1344/supporting-transgender-young-people.pdf>

¹¹ <https://www.gov.scot/publications/foi-201900003278/>

¹² <https://forwomen.scot/03/12/2019/lgbt-youth-scotland-foi/>

¹³ <https://www.gov.scot/publications/supporting-transgender-young-people-schools-guidance-scottish-schools/>

¹⁴ p16, <https://equality-network.org/wp-content/uploads/2015/05/Scottish-LGBT-Sports-Charter-Guidance-2017.pdf>

¹⁵ https://webarchive.nrscotland.gov.uk/20190711105349mp_/https://www2.gov.scot/Resource/0053/00539282.pdf

¹⁶ <https://wingsoverscotland.com/the-groomers-union/>

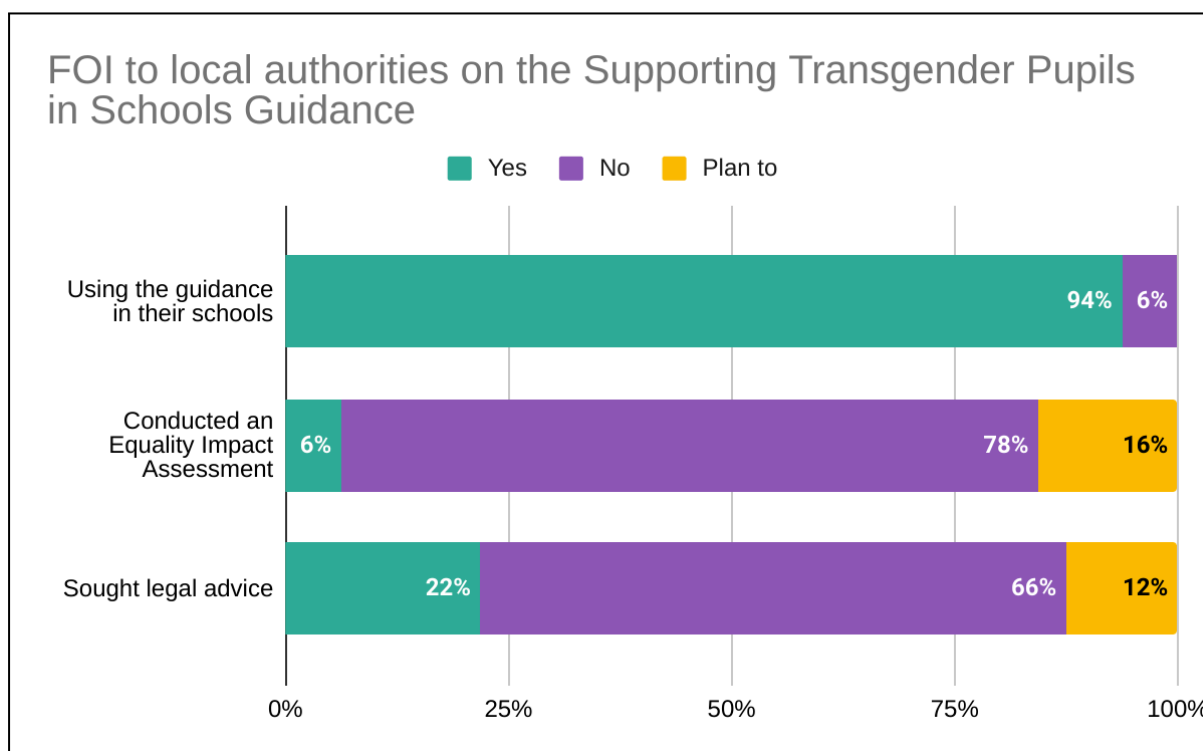
¹⁷ Incorporating males with the protected characteristic of gender reassignment (this includes those with and without a GRC) into the definition of woman conflates and confuses the two separate protected characteristics of sex and gender reassignment and is outside the powers of the Scottish Ministers. “Provisions in favour of women...by definition [in the Equality Act] excludes those who are biologically male”.

<https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-docs-for-opinions/2022csih4.pdf>

Persons without a GRC remain of their birth sex and those with a GRC hold the protected characteristic of sex according to the terms of their GRC, although may still be excluded from single-sex provision. Cont. >

Tribunal ruling in Forstater.¹⁸ A petition for it to be withdrawn was dismissed by a Scottish Parliament committee,¹⁹ and it is now non-compliant with the recommendations of the Cass Report on the best-evidenced care for gender distressed children. It is classed as non-statutory guidance on which the Scottish Government has cynically and preemptively attempted to absolve themselves of any accountability by stating it is the responsibility of local authorities and schools to take their own legal advice on such matters. It is, once again, uncritically promoted by Education Scotland and has been widely adopted by schools.

Freedom of Information requests to the 32 local authorities show that most distributed the guidance to schools shortly after it was published with the expectation it would be used as required, and within five months all bar two councils had done so. Of those two, South Ayrshire re-wrote their own guidance in line with the Government's²⁰ and Western Isles chose not to adopt the guidance at all.



Only two councils, Clackmannanshire²¹ and Moray²² conducted (very poor) Equality Impact Assessments for the guidance, both of which post-date its introduction in their schools. Numerous councils stated there was no need to seek legal advice as the guidance was produced by the Scottish Government, clearly unaware that the legal risk, so far as the Government is concerned, lies squarely at the council's door. In total, seven local authorities sought legal advice with two of them revealing it related to queries about changing a pupil's sex on the school record management system SEEMiS.

<https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-docs-for-opinions/2023csih371cb71fe0-ea75-4892-b423-4751efe6e075.pdf>

¹⁸ This ruling established that holding gender critical beliefs is a protected characteristic under the Equality Act 2010. <https://oldsquare.co.uk/forstater-v-cgd-europe-others/>

¹⁹ <https://www.parliament.scot/get-involved/petitions/view-petitions/pe2001-withdraw-the-supporting-transgender-young-people-in-schools-guidance-from-scottish-schools>

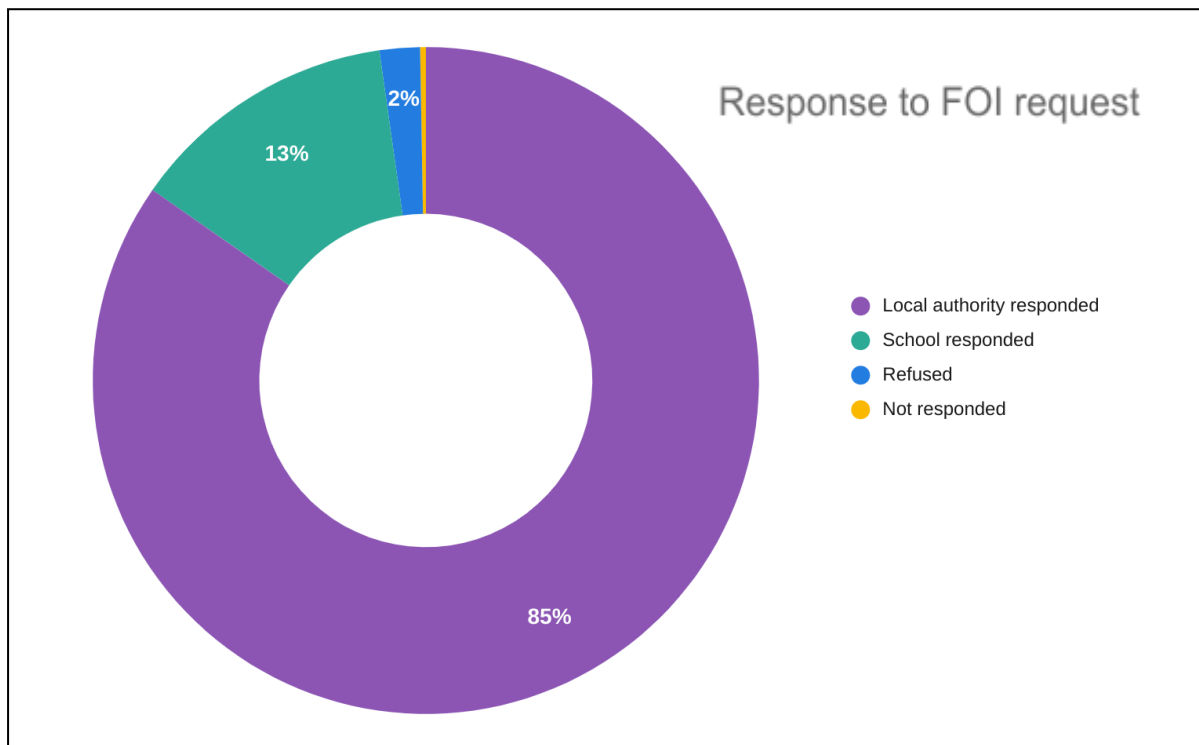
²⁰ <https://forwomen.scot/wp-content/uploads/2024/04/South-Ayrshire-trans-guidance.pdf>

²¹ <https://forwomen.scot/wp-content/uploads/2022/02/Clacks-EQIA-on-trans-guidance.pdf>

²² <https://web.archive.org/web/20240502143132/http://www.moray.gov.uk/downloads/file139768.pdf>

3. How are schools dealing with gender and sex?

In September 2023, we submitted Freedom of Information requests to the 32 local authorities in Scotland who, between them, run 359 secondary schools (not including additional support needs schools) to assess how well schools were protecting gender distressed children and their classmates, as well as what they were teaching about sex and gender. By and large, local authorities excluded ASN schools from their responses, consequently they have not formed part of our analysis. Twenty-five local authorities responded with information held about their schools with another six returning information which had been sourced directly from individual schools. These responses covered 47 schools and have demonstrated how schools diverge in their policies and decisions in practice, even within the same council area and theoretically all following the same Government guidance.



	Number of schools	
Local authority responded	304	84.7%
School responded	47	13.1%
Refused	7	1.9%
Not responded	1	0.3%
Total	359	100%

For this FOI exercise, we asked the following questions about secondary schools in Scotland. This is the same question set as used by Policy Exchange in the recently published “Asleep at the Wheel: An Examination of Gender and Safeguarding in Schools” which examined data collected from a sample of secondary schools in England.²³ This ensures consistency and allows for comparisons to be made between the two countries.

Freedom of Information request to the 32 local authorities in Scotland

For each local authority secondary school:

1. Does the school inform parents or guardians as soon as a child expresses that he or she might be a different gender to their sex, or expresses a wish to change gender?
2. Does the school operate a policy of self-ID for gender identity; in other words, whether they consider the gender of a child to be the gender that that child declares it to be?
3. Who, if anyone, would the school consult before allowing a child to socially transition (i.e. identify as a different gender to their sex)? Please name the roles of the persons and organisations contacted.
4. Does the school allow a child who identifies as a different gender to their sex to:
 - a. Use toilets defined according to their new gender, rather than their biological sex?
 - b. Use changing rooms according to their new gender, rather than their biological sex?
 - c. Take part in sporting activities according to their new gender, rather than their biological sex?
5. Does the school require other children to refer to children who have socially transitioned by their new name and preferred pronouns?
6. Which of the following ideas does the school teach:
 - a. That people have a gender identity that may be different from their biological sex?
 - b. That some people or children may be ‘born in the wrong body’?
 - c. That a person who self-identifies as a man or a woman should be treated as a man or woman in all circumstances, even if this does not match their biological sex?
7. Has the school, in the last 24 months, worked with an external provider (charity or commercial organisation) to provide lessons or resources on gender identity? If so, please give the names of these providers.

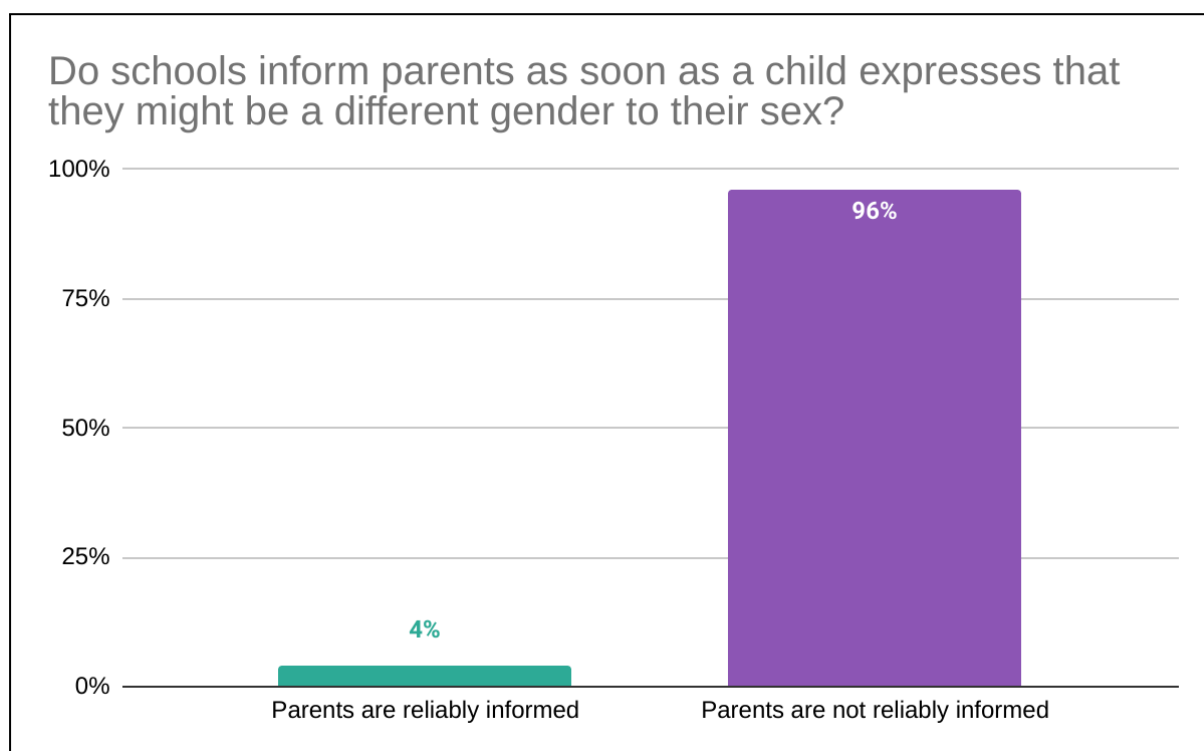
We made it clear to councils that in the questions above, sex refers to a child’s biological sex, whereas gender refers to a perceived gender identity that a person may consider they have, that may or may not match their biological sex.

²³ <https://policyexchange.org.uk/wp-content/uploads/Asleep-at-the-Wheel.pdf>

3.1 Who is informed about a social transition?

Parents

Overwhelmingly, the results show that schools are not reliably informing parents as soon as a pupil expresses the wish to change gender. Many schools stated they must respect confidentiality and would not disclose without the child's consent, although most would encourage the child to talk to their parents. The priority of the feelings and wishes of a child over the rights of parents to be kept informed by a school of matters relating to their child's development and wellbeing is close to unanimous – only 4% of parents are reliably informed when their child expresses feelings of gender distress at school.



Eight schools did not respond to the FOI request but even if they all have a policy of immediately informing parents, the total of schools doing so would only rise to 6%. This is the maximum number of parents who would be reliably informed from the entirety of mainstream state secondary schools in the country.

88% of respondents cited the Scottish Government's transgender guidance for schools in their response. Of the fourteen schools that clearly stated parents would be informed, none of them referred to the guidance.

That normal interactions and sharing of concerns and wellbeing issues between schools and parents has failed so spectacularly is due in no small part to the prominence of the Government's transgender guidance. There is a constant refrain throughout the guidance that schools need not, and indeed sometimes absolutely should not, disclose to parents information about a pupil's gender identity. Examples include:

"A transgender young person may not have told their family about their gender identity. Inadvertent disclosure could cause needless stress for the young person or could put them at risk and breach legal requirements." (page 35)

"If the young person has not told their family, school staff may want to discuss the most likely reaction with the young person. This will allow the teacher and the young person to discuss whether sharing information is in the young person's best interests, and if so, what information to share and with whom." (page 39)

"School staff, including teachers can help by: working with young people to agree what they need from their parents/carers." (page 39)

"Listen to the concerns of parents and carers without judging them; respond to concerns calmly; and correct any misconceptions." (page 39)

"Article 16 ensures a child's right to privacy. If a young person comes out as transgender there is no immediate need to inform their parents or others." (page 56)

These statements serve to place parents in opposition to their child, suggest they may present a risk, hold misconceptions that require correcting and will not act in the child's best interests. The invoking of Article 16 is a misrepresentation of the UN Convention on the Rights of the Child and ignores the wider context which underscores the importance of the child's family. Conspicuous by its absence from the list of UNCRC Articles on page 56 of the Government's guidance is Article 5, which requires the State to respect the rights of parents to provide direction and guidance to their child. Privacy is *from* the State, not *by* the State. It is also obvious that privacy rights of a child are not absolute – no report cards would ever be sent home if they were – and no child holds a veto on what can and cannot responsibly be discussed by a school with their parents. Schools should not be keeping secrets and confidentiality should never be promised to a child on any matter, which away from the gender identity focus is widely recognised. Interestingly, a lone school gave Article 16 as the very reason why it recognised that there is an immediate need to inform parents or others.

The issue is further embedded in schools via the charter scheme operated by LGBT Youth Scotland which charges local authority schools approximately £1,250 every three years to obtain or renew a Gold, Silver or Bronze award for "LGBTQ+ inclusion".²⁴ As a registered lobbying group²⁵ which was generously funded by the Scottish Government (£447,677) and local authorities (£345,893) in 2023,²⁶ it is quite the feat to take taxpayers money twice over for the same work. Achieving a charter award involves rewriting school policies in line with LGBT Youth Scotland's partisan views and training teachers, the details of which remain largely unknown as the organisation is not subject to FOI legislation and requires schools to sign a confidentiality agreement.²⁷ However, one request to a school for information did reveal that its accreditation with a Bronze award was conditional on providing further evidence that school policy was "not to out LGBT young people to their parents".²⁸

²⁴ <https://lgbtyouth.org.uk/wp-content/uploads/2024/03/LGBT-Charter-for-Education-e-use-002.pdf>

²⁵ <https://lobbying.scot/SPS/Manage/RegisteredUserSearchDetail/4c3c259e-b249-4a76-88cb-d89207af4abd?public=true>

²⁶ p27, <https://find-and-update.company-information.service.gov.uk/company/SC244805/filing-history/MzM5ODYxNjA1MGFkaXF6a2N4/document>

²⁷ §3.1, <https://forwomen.scot/wp-content/uploads/2022/02/LGBTYS-Charter-Agreement-Dunfermline-High-School.pdf>

²⁸ https://forwomen.scot/wp-content/uploads/2023/04/2021_ELF891R-Musselburgh-Grammar-LGBT-Charter-Feedback-Form.pdf

LGBT Youth Scotland claims that 212 high schools, almost 60%, have signed up for their scheme²⁹ although they no longer proudly display a (partial) list on their website. By a combination of shared FOIs and online searching we have found that 199 of the 359 local authority secondary schools are working towards or have achieved charter status.³⁰ This constitutes 55% of schools that are prepared to undermine child protection and wellbeing policies in favour of a rainbow logo to display on social media and a box ticked in approval by the school inspectors from Education Scotland.

Several schools had invoked a seemingly arbitrary age limit of 12 years old, before which they inform parents if a child disclosed a wish to change gender, but not for those older. This reflects the quite incredible statement in the Scottish Government transgender guidance, on page 60, that claims the Age of Legal Capacity (Scotland) Act 1991 states “that a child of 12 and over is presumed to have sufficient capacity to make decisions, and enter into formal agreements on their own behalf.” Such a statement runs contrary to the provisions of the Act.³¹

1 Age of legal capacity.

(1) As from the commencement of this Act—

- (a) a person under the age of 16 years shall, subject to section 2 below, have no legal capacity to enter into any transaction;
- (b) a person of or over the age of 16 years shall have legal capacity to enter into any transaction.

It appears that an assumption has been made regarding section 2(4A) which makes an exception to the general rule of no legal capacity until 16 where “a person twelve years of age or more shall be presumed to be of sufficient age and maturity to have such understanding” to instruct a solicitor in connection with any civil matter. Two other exceptions mention the age of 12: that of testamentary capacity and consenting to being adopted. None of these very specific exceptions have any relevance at all to a child deciding conversations on wellbeing between schools and parents should not take place, deciding they should be the opposite sex or deciding to socially transition. Teachers cannot absolve themselves of responsibilities on the basis of “it’s the child or young person’s choice”, “it’s not for schools to decide”, “we are led by the child”, or “the decision to socially transition rests with the young person”.

One further exception in the Act is relevant here, given that the Cass Review firmly places a gender distressed child expressing a wish to socially transition into the medical sphere, is that given in section 2(4) which is comparable to Gillock competency in the rest of the UK and allows that:

“A person under the age of 16 years shall have legal capacity to consent on his own behalf to any surgical, medical or dental procedure or treatment where, in the opinion of a qualified medical practitioner attending him, he is capable of understanding the nature and possible consequences of the procedure or treatment.”

²⁹ <https://news.stv.tv/scotland/nearly-60-of-high-schools-sign-up-for-lgbt-youth-scotland-inclusivity-scheme>

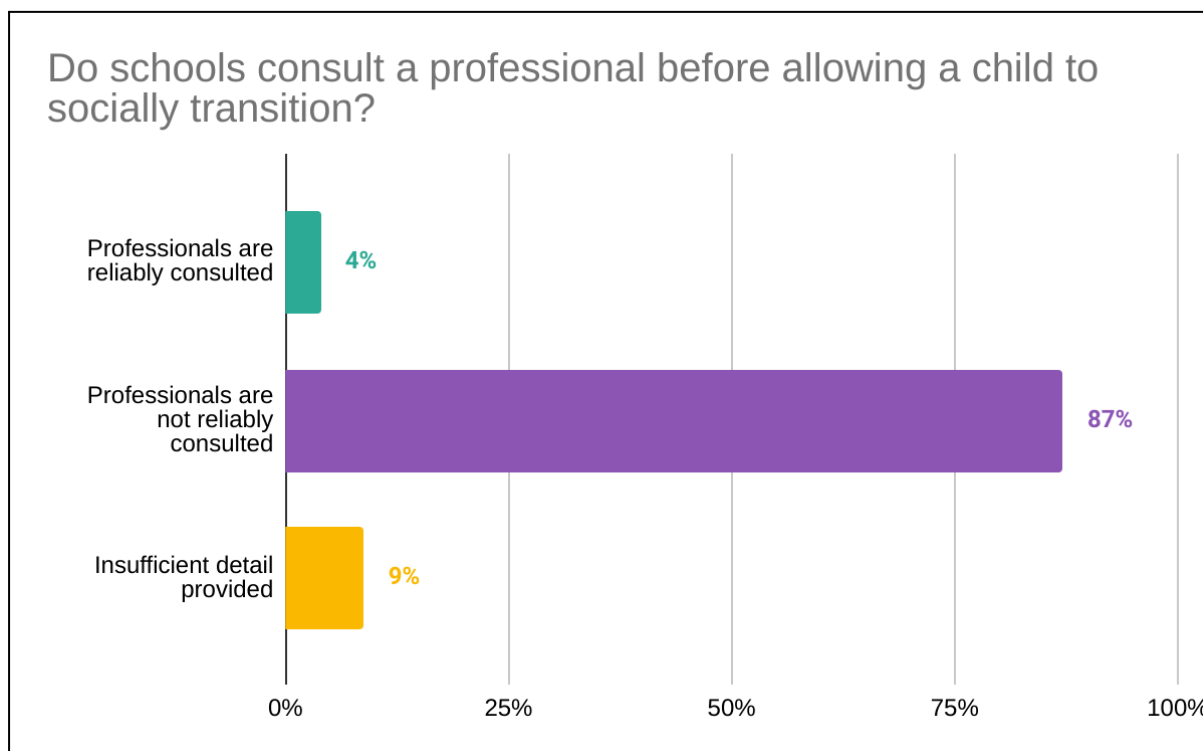
³⁰ <https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-charter-secondary-schools-May2024.pdf>

³¹ <https://www.legislation.gov.uk/ukpga/1991/50/contents>

This does not displace the duty of schools to contact and consult with the child's parents to consider the best way forward, and to follow the parents' decision on matters of gender identity. There are a multitude of positive parental responses and actions and it is not for schools to make the decision to automatically affirm a child's belief that they may transition to the opposite sex. However, in the event of a difference between the child's request and their parents' decision there might be a case for intervention from the relevant child welfare authorities to seek to resolve this issue in the best interests of the child, but this would properly involve medical evidence from treating clinicians in support of the child's view. It would never be a matter on which a school alone might act unilaterally, however well meaning its views on the wellbeing of the child.

Child protection and medical professionals

The results show that schools no more involve those with specific child protection responsibilities or medical professionals than they do parents if a child expresses gender distress.

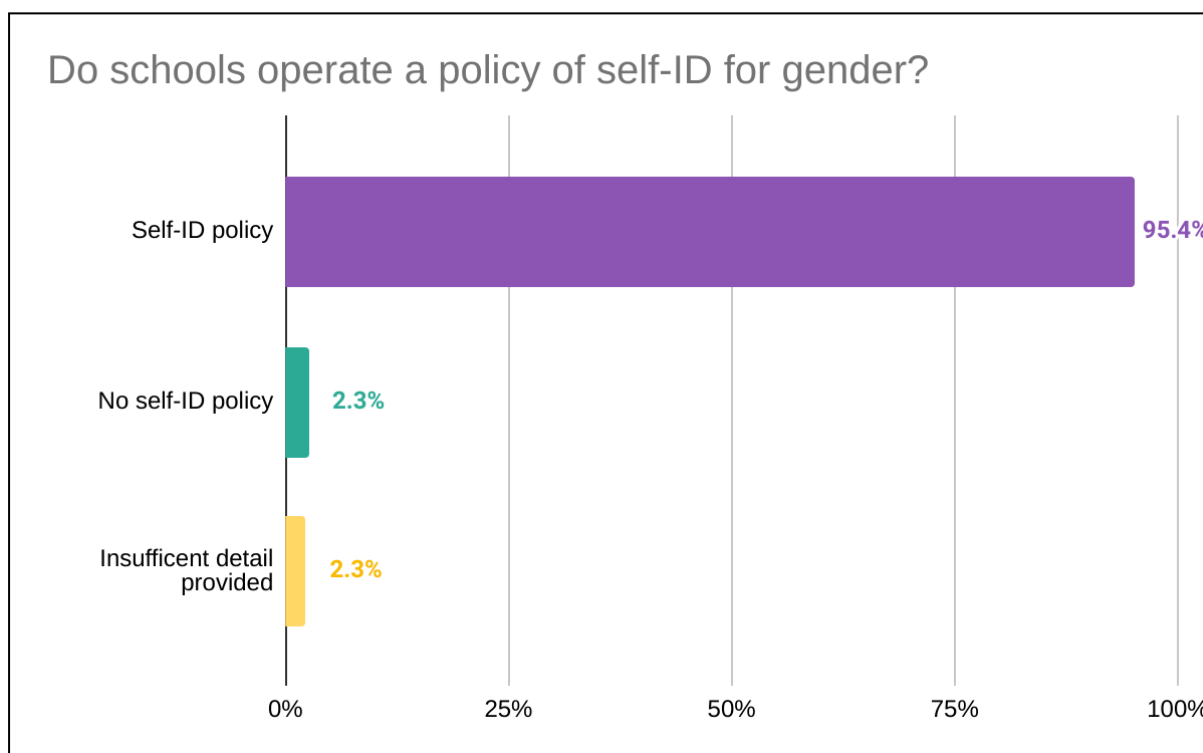


A number of schools stated they may consult with the school guidance leadership team, Child and Adolescent Mental Health Services (CAMHS), social work if already involved with the family, or unspecified healthcare professionals, but this was dependent on circumstances and consent from the child. However, only 4% said they would automatically inform a child protection lead or medical practitioner. The percentage may be the same, but there was little crossover with the 4% of schools that inform parents, with only one school stating they would inform both parents and the local authority guidance team. This is not surprising since parents, once aware of the situation, have primary responsibility to seek further assistance and medical care as necessary for their child.

Of great concern is the 51 (15%) schools that would not inform parents or child protection/medical professionals but who explained they may well seek advice or refer the child to third sector organisations. LGBT Youth Scotland were mentioned repeatedly, along with TIE, Stonewall and Four Pillars. One school said “We have a wide range of services that we can access to facilitate this process should a young person wish to socially transition”.

3.2 Do schools operate a policy of self-identification?

Very much in line with the previous results, at least 95% of secondary schools operate a policy of self-identification for gender identity. In other words, they consider the gender of a child to be the gender they declare it to be. The person’s feelings about their sense of self as a boy or a girl is considered sufficient with no need for outside medical or legal verification. A small number of schools, which were counted in the ‘does not operate a self-ID policy for gender’ category, gave further details explaining that they will support the young person to be identified as they wish only after parental permission is given.



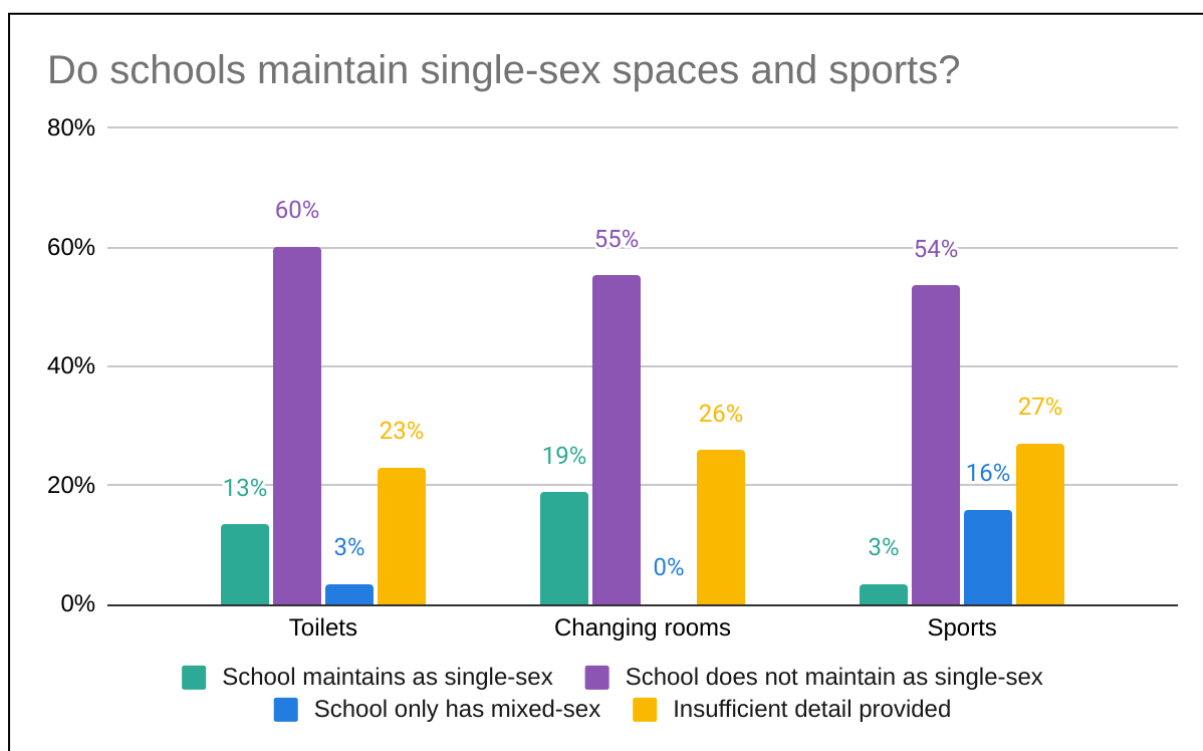
However, self-identification is not law in Scotland. Gender recognition has been a highly contested area of public debate since 2017 when the Scottish Government first proposed reforming the law to permit gender recognition certificates to be obtained on the basis of self-declaration. The eventual passing of the Gender Recognition Reform Bill in 2022 was prevented from gaining Royal Assent, and thus becoming law, by the UK Government and the Court of Session subsequently upheld their decision to do so on grounds of valid concerns on its impact on UK wide equality laws, particularly for women and children. It

therefore remains the case that gender recognition is only obtainable for those with a medical diagnosis of gender dysphoria and who are over 18 years old.

Quite what schools think they are doing here remains to be seen. Far from upholding the role of unbiased educators presenting factual information, they have succumbed to an unscientific concept with no basis in law. It is inherently political in nature, and the concept of a “transgender child” – as mentioned 134 times in the Government’s guidance for schools – does not exist. Rather, there are children who are distressed about gender, and as Dr Hilary Cass recently explained to a Scottish Parliament committee, undiagnosed autism, family and school issues or struggles with sexuality could all lie behind a child’s claim to be transgender. She told MSPs that the “single most important takeaway” from her report was that young people with gender issues should receive comprehensive holistic assessments when reporting gender distress.³²

3.3 What is the impact on other children?

We asked schools for their policies on three elements relating to single-sex provision in schools: toilets, changing rooms and sports. Overall, the results show more than half of schools fail to uphold each single-sex provision by allowing socially transitioned children access according to their gender identity rather than their actual sex. Schools are significantly less likely to maintain single-sex sports than toilets or changing rooms. A number of recent articles in the press, particularly from parents with concerns about girls’ toilets, has suggested these are problem areas for schools, and it is starkly evidenced by the data which shows the vast majority of schools are simply not complying with relevant legislation.

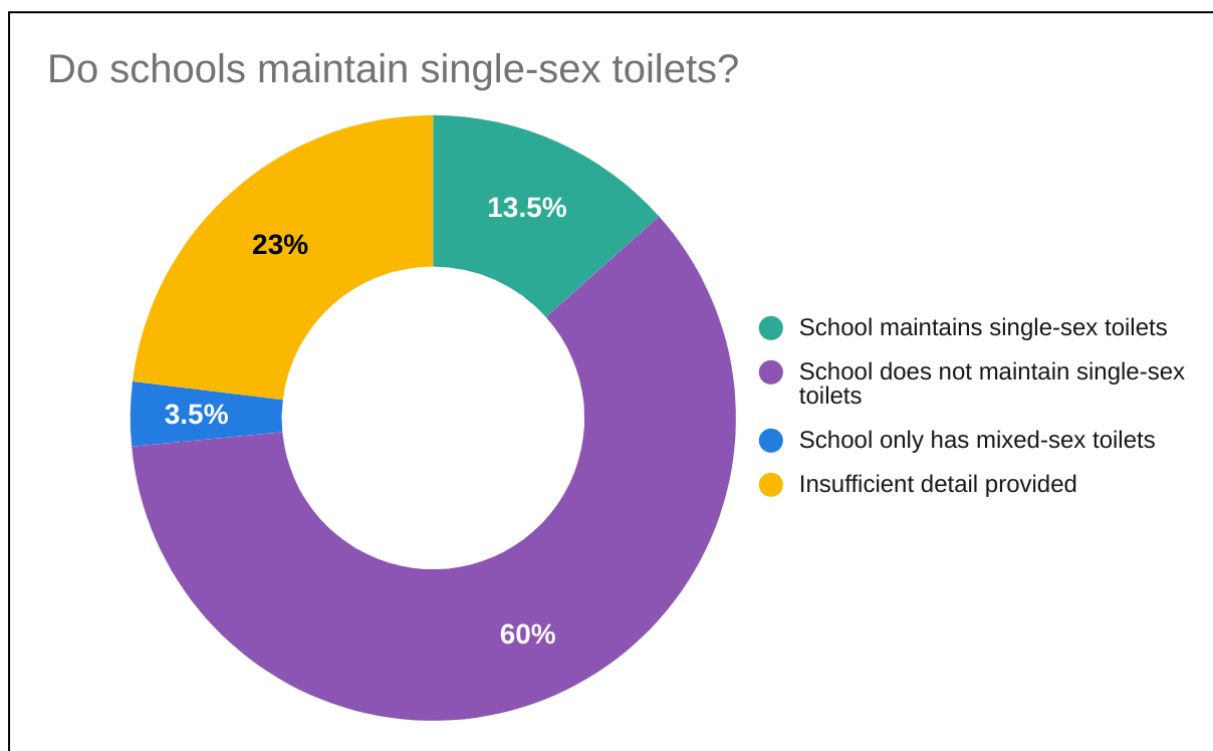


³² <https://www.scottishparliament.tv/meeting/health-social-care-and-sport-committee-may-7-2024>

Toilets

Only 13% of secondary schools stated they would uphold single-sex toilets. When categorising the FOI responses, only schools that clearly stated children could use the toilets according to their gender identity, rather than their actual sex, were included in that category. Answers along the lines of “individual unisex toilets are available as well as single-sex blocks” have been categorised as maintaining single-sex provision, even though it does not discount the possibility that a pupil would be allowed to use the single-sex toilets, if they requested to do so. The 13% figure is, therefore, a maximum figure of schools upholding single-sex toilets from the FOI responses which gave sufficient information to be categorised.

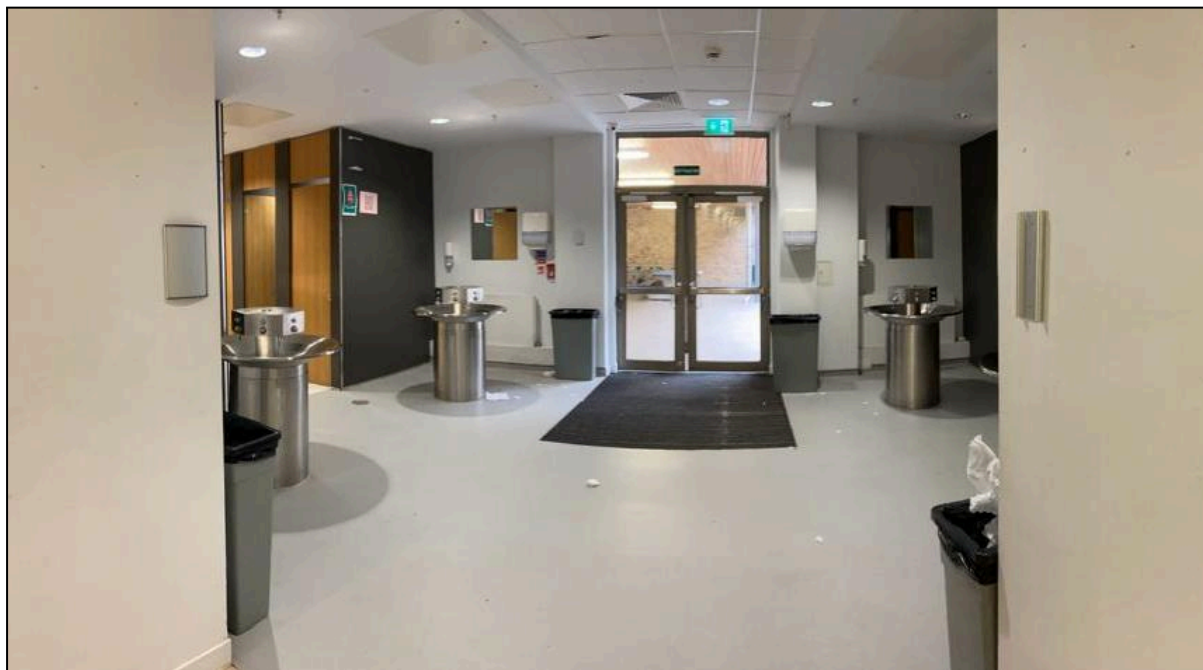
Many of the schools that stated they would not permit access to toilets for the opposite sex explained that if a child felt uncomfortable using the facilities for their biological sex then alternative facilities would be provided. This could mean giving permission to use an accessible toilet or a similar single-user facility that had been designated gender-neutral. A number of schools had adopted this practice, with comments such as: “We have 6 individual toilets throughout the school that are designated for general use and can be used by all pupils irrespective of gender.”



There are two ways the remaining schools have departed from lawful single-sex provision of toilets. The first is where the physical layout of toilets has changed, either to where the school *only* has mixed-sex toilets – communal spaces shared by both boys and girls – or where mixed-sex toilets are provided in addition to those kept single-sex. A small number of schools fall into this category and examples of their comments include:

“We have a gender neutral toilet block of 4 toilets which can be used by any person. The school has been accredited with LGBT Youth Silver award, and part of this award recognises our transgender policy.”

“The toilets in new-build schools are not gendered specifically. They are individual floor to ceiling with communal hand washing facilities.”



An example of mixed-sex toilets in an Edinburgh high school. These are typically open to communal areas and, in one school in Dundee, open to the dining hall.

The Building standards technical handbook 2022 (non-domestic)³³ gives guidance for the necessary provision of disabled/accessible toilets and states that the remainder of sanitary facilities in schools should be provided in accordance with the School Premises (General Requirements and Standards) (Scotland) Regulations 1967. This law gives the minimum number of appliances required in a school, dependent on the number of pupils on the school roll, and states that half the accommodation shall be for girls and the other half for boys (where a certain proportion of the appliances shall be urinals).³⁴ If the Regulations are upheld as they should be then urinals in the boys toilets rules out any possibility of mixed-sex provision.

The presence of mixed-sex toilets in schools is therefore of great concern and in order to find out exactly how widespread this has become, and exactly what appliances they contain, we conducted an additional FOI project, the results of which will be detailed in a forthcoming report.

The second way where schools are in breach of the law is where they provide only single-sex toilets but allow children to use those designated for the opposite sex. The

³³ <https://www.gov.scot/publications/building-standards-technical-handbook-2022-non-domestic/3-environment/3-12-sanitary-facilities/>

³⁴ https://www.legislation.gov.uk/uksi/1967/1199/pdfs/uksi_19671199_en.pdf

following is a typical response from the 60% of secondary schools who have chosen this option:

4. Does the school allow a child who identifies as a different gender to their sex to:

Use toilets defined according to their new gender, rather than their biological sex?

Yes. 'Supporting Transgender Pupils in Schools: Guidance for Scottish Schools' would be followed.

Use changing rooms according to their new gender, rather than their biological sex?

Yes. 'Supporting Transgender Pupils in Schools: Guidance for Scottish Schools' would be followed.

Take part in sporting activities according to their new gender, rather than their biological sex ?

Yes. 'Supporting Transgender Pupils in Schools: Guidance for Scottish Schools' would be followed.

The Scottish Government's transgender guidance is clear that pupils should be supported to "use the facilities they feel most comfortable with" (page 27). This is incorrect as a matter of law, and it is notable that the section on "what the law says" (page 26) makes no mention of the School Premises Regulations. Where this legislation specifies the provision and allocation of toilets for boys and girls it is referring to the pupil's sex, which is either male or female. An application for a gender recognition certificate can only be made by someone aged 18 or over so the sex of a schoolchild will always mean their biological sex.³⁵

Pupils may hold the protected characteristic of gender reassignment under the Equality Act 2010 if they are "proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex",³⁶ but this protection against discrimination does not mean that a child has changed sex for the purposes of the Act and does not give any child the right to use facilities provided for the opposite sex. There may be a case for indirect discrimination if a school fails to provide appropriate facilities for pupils and the Equality and Human Rights Commission states that a suitable alternative might be to allow the pupil to use separate private facilities.³⁷ The 13% of secondary schools that provide separate single-user toilets that can be used by either sex, as well as maintaining single-sex toilets are therefore acting entirely within the law, so long as in making this additional provision the minimum number of communal toilets for each sex do not fall below that set out in the School Premises Regulations.

The Equality Act recognises that there are only two sexes, male and female, and the protected characteristic of gender reassignment only allows for reassigning a person's sex from one to the other. This means that the characteristics of non-binary, genderqueer, genderfluid, on a spectrum between boy and girl, or being neither a boy or a girl – as outlined on page 51 of the Scottish Government's transgender guidance – do not come within the scope of the Equality Act's protections.

³⁵ Persons without a GRC remain of their birth sex and those with a GRC hold the protected characteristic of sex according to the terms of their GRC, although may still be excluded from single-sex provision.
<https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-docs-for-opinions/2023csih371cb71fe0-ea75-4892-b423-4751efe6e075.pdf>

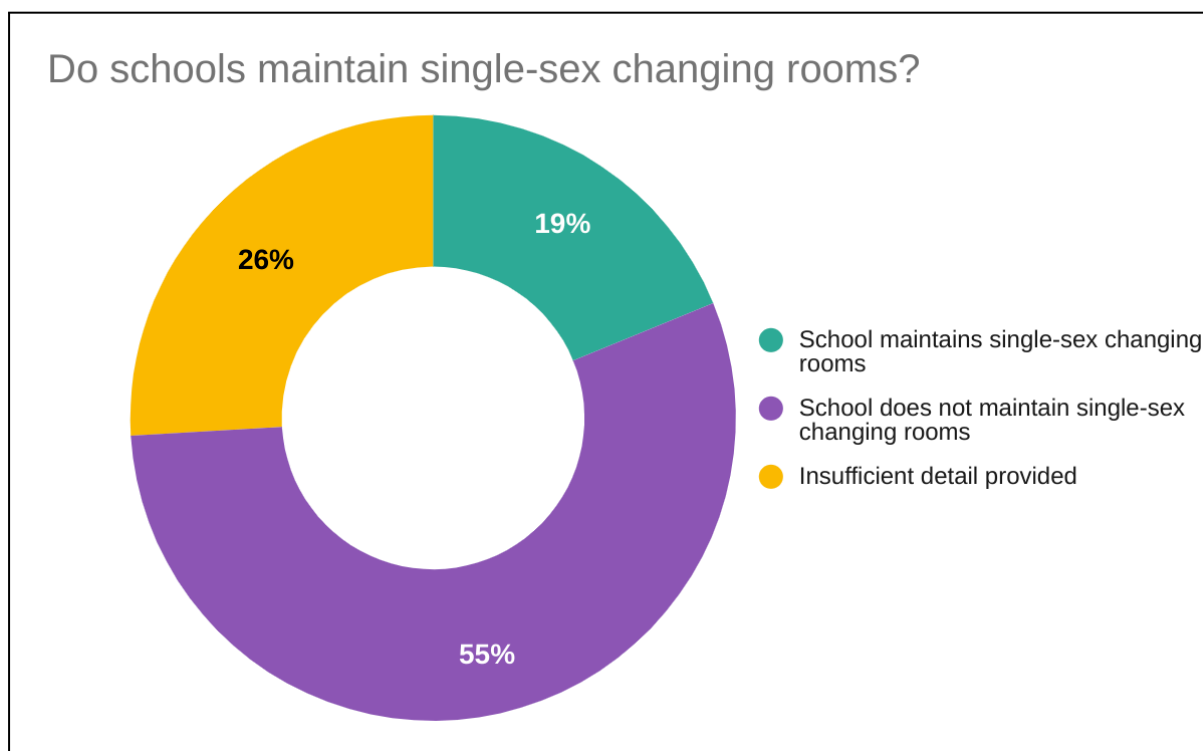
³⁶ <https://www.legislation.gov.uk/ukpga/2010/15/section/7>

³⁷ <https://www.equalityhumanrights.com/technical-guidance-schools-scotland>

A recent legal opinion from the eminent and leading human rights advocate, Aidan O’Neill KC, concluded that there is a breach under the harassment provisions of the Equality Act for schools that fail to uphold single-sex toilets for pupils. It states there is: “an enforceable legal obligation on both local authority and private co-educational schools in Scotland to make provision for separate toilets for boys and girls both in the interests of respect for privacy, preserving decency, preventing trauma and/or ensuring health and safety particularly of girl pupils; and to avoid creating what girl pupils in particular might perceive and experience as an intimidating, hostile, degrading, humiliating or offensive environment for them.”³⁸

Changing rooms

19% of secondary schools maintain single-sex changing rooms for pupils, which is slightly more than the number of schools that maintain single-sex toilets. Of these, some explained that they provide separate facilities, either individual rooms or allow the use of staff changing rooms, for any pupil who is not comfortable in single-sex areas. This is in line with the advice given by the EHRC.



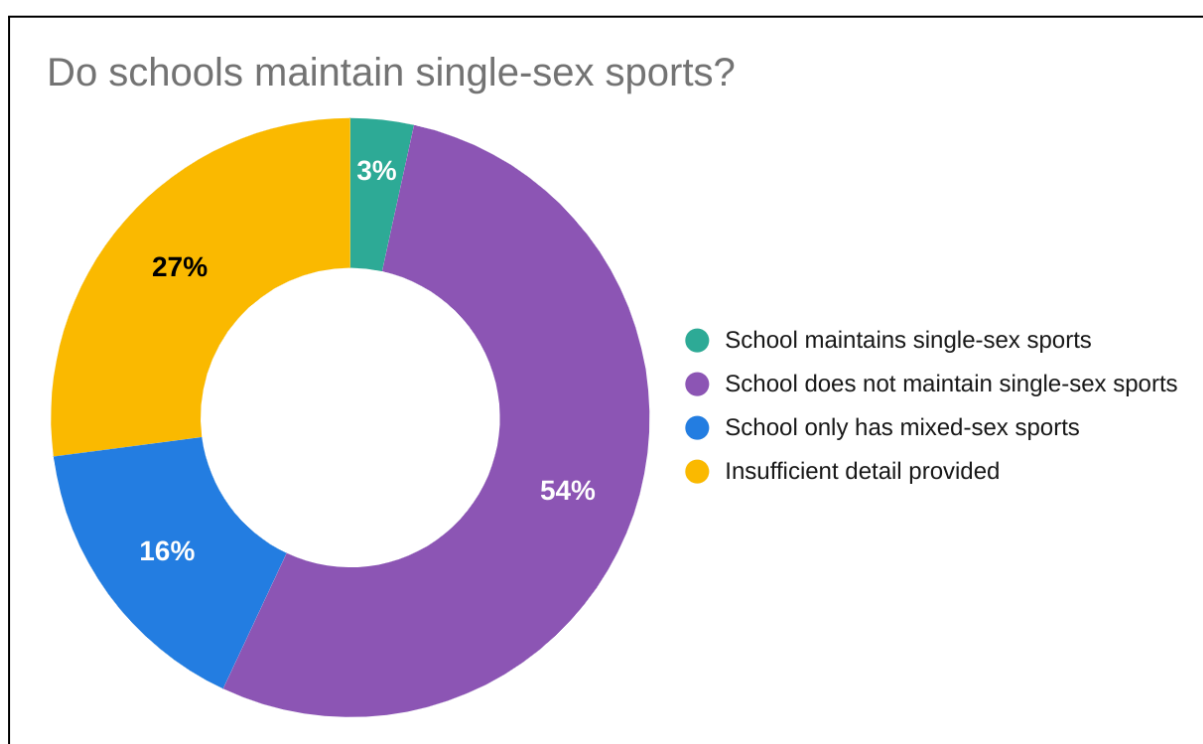
However, once again, the recommendation on page 27 of the Scottish Government transgender guidance that pupils should be supported to use the facilities in which they feel most comfortable has influenced schools to make decisions that are detrimental to the privacy and dignity of children. Even in the most newly built schools it can be seen from the floor plans published by councils that changing rooms are still largely communal spaces with little privacy. This makes it difficult to understand why at least 55% of local authority secondary schools in Scotland find it acceptable to permit gender distressed boys to access

³⁸ <https://forwomen.scot/wp-content/uploads/2024/05/Aidan-ONeill-KC-Single-sex-school-toilets-May2022.pdf>

the girls' changing rooms and undress alongside them before and after PE lessons. As with the legal opinion cited above for toilets, these schools are at risk of legal action on their failure to prevent an intimidating, hostile, degrading, humiliating or offensive environment for pupils on the grounds of their sex.

Sports

The results show that only a miniscule 3% of secondary schools maintain single-sex sports. 54% allow a socially transitioned child to join PE classes according to their gender identity rather than their actual sex, and at 16% a significant proportion of schools have opted to only provide sports in mixed-sex settings.



The Scottish Government's transgender guidance is quite specific on this matter, stating on page 30 that: "if PE classes are organised by sex, a transgender young person should be allowed to take part within the group which matches their gender identity. For a non-binary young person, ask them which group they would feel most comfortable being with". Schools have largely taken this instruction on board although we suspect the significant proportion that only offer mixed-sex classes have chosen to do so in an effort to quell any pupil upset over the obvious unfairness of a boy on the girl's team, or avoid having to refuse a request to participate with the opposite sex.

Of course, schools are not bound by section 195 of the Equality Act 2010 which permits the protection of single-sex sports where the physical differences between the sexes matters for safety and fairness.³⁹ Not making use of it is, however, an approach that is in danger of failing children, particularly girls, when 43% are dropping out of sport after primary school

³⁹ <https://www.legislation.gov.uk/ukpga/2010/15/section/195>

due to fears of being judged, feeling self-conscious about their bodies and difficulties around managing periods.⁴⁰ The same research, consistent with years of academic studies on the same topic, shows that the provision of female-only sporting opportunities can make a positive difference.

I hated being in a class with boys. They would make fun of the girls and stare at our breasts and bums. It was even worse in swimming. They also would never pass the ball to us when we did sports, and they excluded us.

Quote from the Young Women Lead report

As an example, the report by the Young Women Lead Committee notes a significant increase in PE attendance for swimming lessons at a Scottish high school after girls-only classes were introduced.⁴¹ Single-sex classes also provide teachers with the opportunity to tailor physical education and the Curriculum for Excellence framework for their specific needs. Girls from some religious groups are not permitted to participate in mixed-sex activities outside the home and the presence of any boy, regardless of his gender identity, in a girls' team or changing room will mean they are excluded from taking part.

The UK Sports Council Guidance for Transgender Inclusion in Domestic Sport, which is endorsed by SportScotland, states that the inclusion of trans identifying males in women's sport is incompatible with fairness and in some cases safety.⁴² This has led to an increasing number of sports governing bodies upholding the female category and finding other ways to ensure everyone is able to be included in sport.

If schools wish to encourage girls' participation in sport, then female-only provision must be part of the offering in PE lessons, and there are strong reasons for it to be the default position.⁴³ Section 195 of the Equality Act is clear and unequivocal that sex-segregated sport is entirely appropriate and that those with the protected characteristic of gender reassignment may be excluded to uphold safe or fair competition. Given the advice from the Sports Council and sporting bodies such as Scottish Rugby⁴⁴ on fairness and the known risk of injury to girls who play in teams with boys who are on average bigger, stronger and faster, any school failing to uphold sex-based categories is unlikely to be justified.

⁴⁰ <https://womeninsport.org/news/more-than-1-million-teenage-girls-fall-out-of-love-with-sport/>

⁴¹ p39, https://web.archive.org/web/20190708200919/https://www.parliament.scot/WebSPEIRResources/Young_Women_Lead_Report_FINAL.pdf

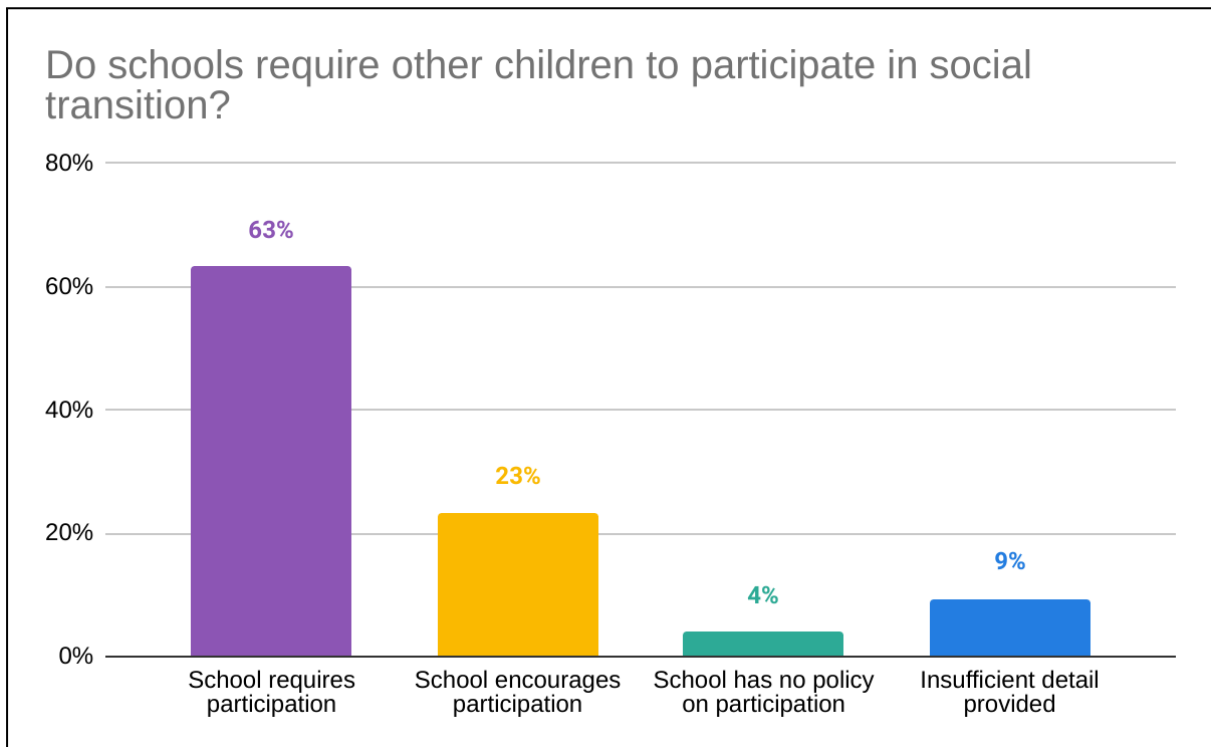
⁴² <https://movingtoinclusion.co.uk/wp-content/uploads/2023/07/Guidance-For-Transgender-Inclusion-In-Domestic-Sport-2021.pdf>

⁴³ <https://womeninsport.org/creating-change/policy-positions/mixed-sex-sport/>

⁴⁴ <https://scottishrugby.org/wp-content/uploads/2023/01/Policy-2023-FINAL.pdf>

Pronouns

We asked schools whether they required children to refer to classmates who have socially transitioned by their new name and preferred pronouns. Only 4% of schools stated they had no policy on the matter. The vast majority said preferred pronoun use was either required (63%) or encouraged (23%). However, in practice there was little difference between the two categories since many schools that encourage pronoun use also explained they viewed it as a matter of respect and any pupil deliberately using the “wrong” pronoun may be disciplined under the school’s bullying policy.



Comments from schools include the following:

*“We try to encourage an inclusive culture respecting diversity by following **UN rights of the child.**”*

*“There is no requirement for children to address each other in a particular manner in our schools as long as they are respectful to each other in accordance with a school’s relationship policy **Scottish Government’s anti-bullying strategy ‘Respect for All The National Approach to Anti-bullying for Scotland’s Children and Young People (2017) and the Equality Act 2010.**”*

*“There is an expectation that children and young people will respect another child or young person’s wishes **where these do not infringe on their own rights.** Deliberately using a peer’s previous name and pronouns would be considered prejudiced behaviour and all children and young people involved (those experiencing*

the behaviours and those displaying the behaviours) would be supported, following our authority procedure for Preventing and Responding to Bullying and Prejudice.”

“As part of a social transition there would likely be some work around preferred pronouns using resources from the RSHP website”

“Most young people are well able to manage this process themselves – it tends to be adults who have more difficulty here.”

Several schools referenced the UN Convention on the Rights of the Child which sets out the obligations of the State to each child within their jurisdiction. These do not include any requirement to treat a child as if they were the opposite sex, and nor do they direct on how one child may speak about another. The mention of the Equality Act by a small number of schools is equally irrelevant here. This Act protects a person with any of the nine protected characteristics against discrimination, for which it always treats a child as their biological sex and does not mention preferred names or pronouns.

Only one school recognised that an expectation of preferred pronouns may infringe upon others rights but then immediately disregarded that entirely by stating non-participation would be considered prejudicial behaviour and the child may be subject to punishment.

The majority of schools referenced the Scottish Government’s transgender guidance which repeatedly stresses pronouns and their importance, including use of ‘zie’, ‘ey’ and ‘per’, and instructs that “staff and young people should avoid misgendering a transgender young person. Using the correct pronouns is the right and respectful approach to including transgender young people.” (page 25) It does not give any choice in the matter or recognise others may legitimately take a different position, instead claiming that deliberately using the wrong name and/or pronoun is transphobic bullying and prejudice (page 17). Advice is then given on reporting hate incidents and hate crimes to Police Scotland.

The Government’s transgender guidance also states that schools’ anti-bullying policies should reflect its national approach to anti-bullying for Scotland’s children: “Respect for All”⁴⁵ and that advice and practical help is available from Scotland’s anti-bullying service “respectme”.⁴⁶ All three of these follow the same ideological position on gender identity, assert that using natural language for someone’s sex is transphobic bullying, and take no account of the protected philosophical belief to reject the theory of gender identity. The Respect for All guidance is particularly inadequate in addressing the needs of girls as it fails to acknowledge the shocking increase in sexual harassment and violence faced by girls at school,⁴⁷ or offer any advice on how to tackle it. The one mention of the word “sexism” in the guidance serves only to make the claim that “Sexism and gender stereotypes feed into homophobia, biphobia and transphobia”.

It is not surprising, therefore, to discover that not only was the political activist group LGBT Youth Scotland the major contributor to the Scottish Government’s transgender guidance for schools, but it was also a member of the Government working group⁴⁸ that developed

⁴⁵ <https://www.gov.scot/publications/respect-national-approach-anti-bullying-scotlands-children-young-people/>

⁴⁶ <https://respectme.org.uk/>

⁴⁷ <https://www.thescottishsun.co.uk/news/scottish-news/7316818/scots-girls-sexually-assaulted-harassed-schools/>

⁴⁸ <https://www.gov.scot/publications/foi-18-02833/>

Respect For All. The service that helps local authorities and schools write anti-bullying policies, respectme, was also a member of the same working group. Respectme is managed by LGBT Youth Scotland and Scottish Action for Mental Health⁴⁹ and is fully funded by the Scottish Government, receiving more than £1.5 million over the last five years.⁵⁰ Little wonder then, that everything is in lockstep and seemingly all avenues to which a teacher might turn for advice on this sensitive topic are dominated by the partisan views of LGBT Youth Scotland.

In addition, LGBT Youth Scotland has trained or briefed up to 90% of teachers in almost 200 of Scottish secondary schools that signed up for its charter award scheme, part of which mandates a review of the school’s anti-bullying policies to bring them into line with Respect for All and the prioritising of “gender identity”.⁵¹ There is certainly no shortage in lesson plans and promotional material to be found in the average high school on the “correct” use of pronouns.

Is it just kindness...or compelled speech?

SHARING PRONOUNS

If somebody shares their pronouns with you it is important to note that they may not be comfortable sharing these pronouns with everyone and may want to keep them private.

Teachers and pupils should consider the points below:

- Ask the person who has shared their pronouns if you should use these pronouns when referring to them when chatting to other people.
- Ask the person if you should use these pronouns in front of their family.
- Ask the person if there is anyone they should not use these pronouns in front of.

Revealing somebody's pronouns without their consent can put that person at risk in certain situations. It is important that you respect a person's wishes and boundaries about their pronouns.

FINAL TAKEAWAY

Try to remember these 3 words following todays lesson

<p>ASK</p> <p>politely ask for somebody's pronouns if you do not know them.</p>	<p>RESPECT</p> <p>If somebody shares their pronouns with you respect it and try your best to use them even when the person is not around.</p>	<p>PRACTICE</p> <p>Practice introducing yourself with name and pronouns and practice using others pronouns in conversation.</p>
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WE CELEBRATE TRANSGENDER VISIBILITY

SHE HE THEY

RESPECT EVERYONE'S GENDER IDENTITY. USE THE PRONOUNS PEOPLE ASK YOU TO USE.

Contact: [redacted] is available to chat more about gender identity and transgender people if you have questions.

LGBT YOUTH SCOTLAND

International Pronoun Day lesson plan⁵²

Pronoun poster for schools⁵³

⁴⁹ <https://respectme.org.uk/about/> (<https://archive.ph/Ephcr>)

⁵⁰ <https://find-and-update.company-information.service.gov.uk/company/SC082340/filing-history>

⁵¹ p13 of the Gold Award workbook states “Anti-bullying policies must be reviewed”, and § 2.1 and 2.2 state that 60% of staff must receive awareness training and 90% to receive a briefing:

<https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-Gold-Workbook.pdf>

The 199 schools undertaking or achieved a LGBT charter:

<https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-charter-secondary-schools-May2024.pdf>

⁵² <https://lgbtyouth.org.uk/wp-content/uploads/2023/12/she-he-they-poster-1.pdf>

⁵³ <https://lgbtyouth.org.uk/wp-content/uploads/2023/12/international-pronouns-day-teachers-notes.pdf>

Perhaps local authorities and schools should be paying more attention to the disclaimer from LGBT Youth Scotland that their advice “will relate only to LGBT inclusion and will form no guarantee of legal compliance”.⁵⁴ Not only does this disclaimer provide no legal protection to LGBT Youth Scotland if they are “instructing, causing or inducing” schools to act in an unlawful and discriminatory manner⁵⁵ but it really should have alerted schools to the need for caution and to seek legal advice prior to taking instructions from an external agency.

The Cass Review explains that the distress felt by children about gender will be resolved by ways other than affirming a claimed gender identity in the vast majority of cases. Expressing a wish to transition can indicate trauma, mental health issues or autism, or signify child protection risks such as unsupervised online activity, grooming into a trans-identity or use of harmful breast binders or non-prescription medication. In failing to explore these issues and instead actively affirming and socially transitioning a child by use of preferred name and pronouns, schools are making medical decisions for which they are not qualified, and which may cause psychological harm to the child. In requiring other children to participate in this medical treatment, perhaps against their wishes and beliefs, schools are at serious risk of causing wider psychological harm and breaching human rights.

There is no evidence to support the claim that everyone has an inner gender identity and the right to reject such a notion has been upheld by the Employment Appeal Tribunal which found that believing biological sex to be real, important, immutable and not to be conflated with gender identity is protected under the Equality Act and Article 9 of the Human Rights Act 1998.⁵⁶ The European Court of Human Rights affords very significant weight to rights under Article 9, which include the prohibition of compelled speech.

86% of Scottish secondary schools have therefore put contested ideas about gender identity, as sold by LGBT Youth Scotland and repeated by the Scottish Government, before fact and law. Allowing this to happen has led to a failure in adhering to their child protection duties to all children in their care.

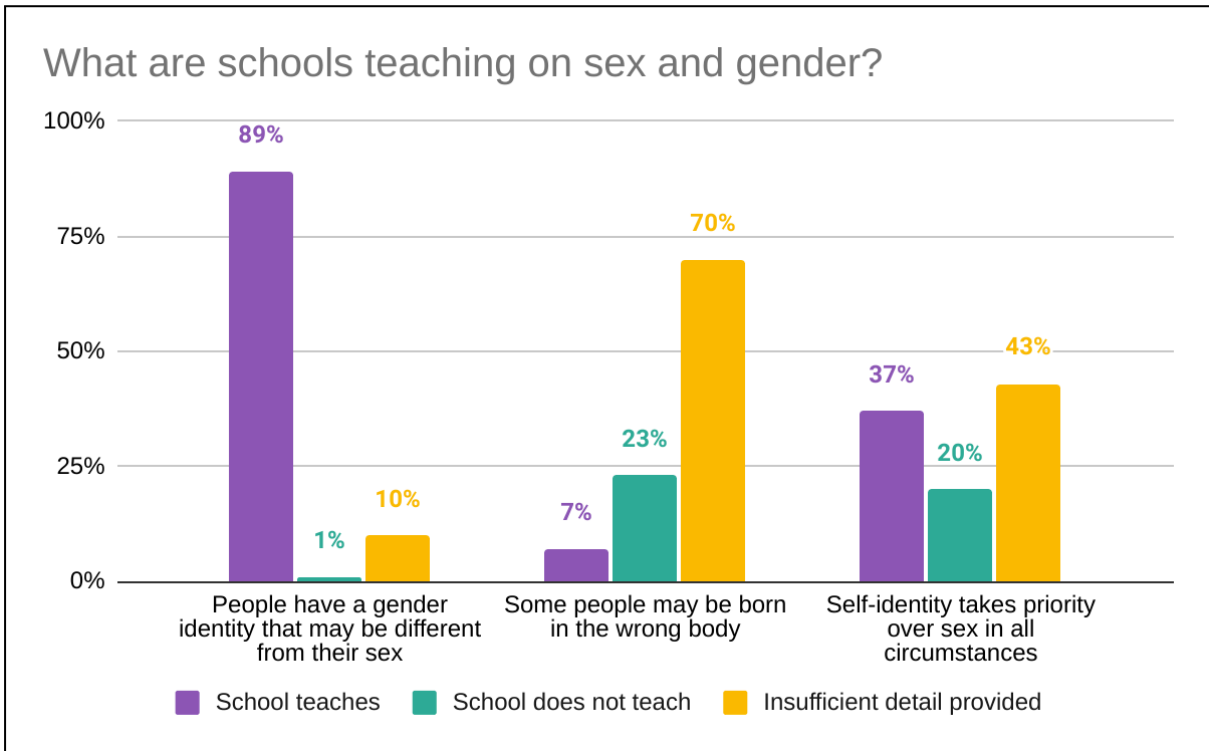
3.4 What are schools teaching on sex and gender?

We asked secondary schools three questions related to teaching on gender identity. Firstly, we asked about the core belief that underpins gender ideology, to which 89% of schools stated that they teach pupils that people have a gender identity that may be different from their biological sex. A much smaller number, only 7%, of schools teach that some people may be born in the wrong body. And in answer to the final question, 37% of schools stated that they teach pupils that a person who self-identifies as a different gender should be treated as such in all circumstances, even if this does not match their biological sex.

⁵⁴ p12: <https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-Bronze-Workbook.pdf>

⁵⁵ See ongoing case at the EAT by Allison Bailey claiming Stonewall caused or induced her employer to discriminate against her: <https://allisonbailey.co.uk/updates/update-13-my-appeal-against-stonewall/>

⁵⁶ <https://oldsquare.co.uk/forstater-v-cgd-europe-others/>



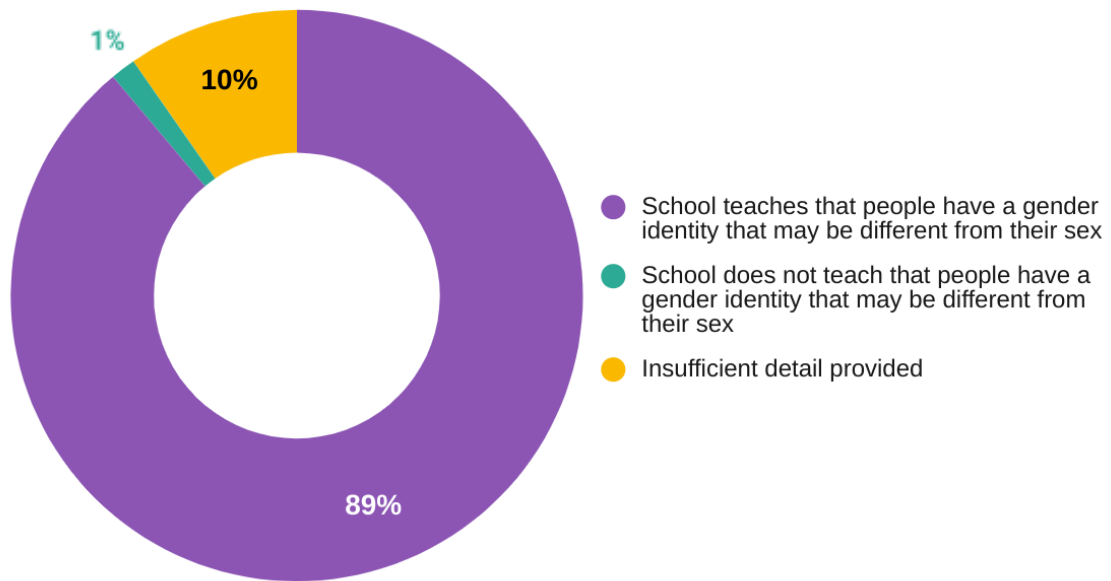
Gender identity

The results show that nine out of ten schools are teaching gender identity as if it were a settled and agreed fact, yet evidence of people having such an essence can never be demonstrated and it cannot even be satisfactorily defined – some describe it as fixed and innate and others as a fluid changeable feeling. It is not a concept that is recognised in law. The Scottish Government transgender guidance confuses and conflates gender identity with the protected characteristic of gender reassignment in the Equality Act. Not everyone who holds this protected characteristic believes in the notion of gender identity and many who claim a gender identity, such as non-binary or genderqueer, are not protected against discrimination under gender reassignment. LGBT Youth Scotland’s charter award suggests similar, that schools “may wish to use broader terms than ‘gender reassignment’, such as stating that it is inclusive of all ‘transgender identities’, or ‘all forms of gender identity and expression’”⁵⁷ Both documents misrepresent the law and unfairly lead pupils to believe that they hold rights they do not actually hold.

Education on LGBT has been embedded across the curriculum so the teaching of gender identity as a fact has been widespread and frequently repeated to pupils. It should, however, be more accurately described as a belief, and one that is widely contested. There is no agreed position here and it is a political issue with different schools of thought between political parties. Teachers are required to impart factual information to pupils and to do so without bias. If the belief is to be taught at all, then it should be taught alongside the fact that the Equality Act protects those holding gender critical or religious beliefs about the immutability of a person’s sex, and that rejecting gender ideology is not a matter of disrespect.

⁵⁷ p12, <https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-Silver-Workbook.pdf>

Do schools teach that people have a gender identity that may be different from their sex?



Born in the wrong body

For years, transgender activist groups such as Mermaids promoted the idea that people could be born in the wrong body and that it was the clothing, toy and friendship choices made by children that indicated they were transgender. It’s quite surprising then to see only 7% of secondary schools teaching this idea (although a high number, 70%, did not provide sufficient information to categorise either way). One school commented that it would not be taught from “such a negative perspective” and a number explained that the wording in the national Relationship, Sexual Health and Parenting (RSHP) resource encourages schools to use the explanation that people who describe themselves as transgender feel that the sex they were born doesn’t match how they feel inside.

“And the kids were amazing. I remember the head teacher saying to me that she’d overheard a conversation between two of the little girls and one girl said “Why is Jack growing his hair and wearing girl clothes?” and the other girl went “Oh, didn’t you know? He’s got a girl brain in a boy body!” and the other little girl went “Oh, okay”. Unfortunately, some of the parents weren’t so open minded.”

Susie Green, CEO of Mermaids, TEDx, 2017⁵⁸

Mermaids
@Mermaids_Gender

Follow ...

No child is born in the wrong body ✓
 Children should be encouraged to wear what they want, play with what they want ✓
 Without putting stereotypical adult gender conforms on them if a girl plays with cars and boy's with dolls ✓
 leave them alone...
 → If only people would. ✓

7:05 PM · Sep 24, 2020

Mermaids tweet⁵⁹

⁵⁸ <https://web.archive.org/web/20180208161747/https://www.youtube.com/watch?v=2ZiVPh12RQY>

⁵⁹ https://x.com/Mermaids_Gender/status/1309192315467116547 (<https://archive.ph/GK4sn>)

The concept has moved from a stated fact that was, quite rightly, ridiculed as unscientific nonsense, to a description of how someone feels. The backtrack from Mermaids that the phrase was no longer helpful⁶⁰ notably came within hours of the UK Government publishing guidance that stated “teachers should not suggest to a child that their non-compliance with gender stereotypes means that either their personality or their body is wrong and in need of changing”.⁶¹

The impact of this guidance has clearly had some positive influence on both activists and practices within schools across the UK, however it remains concerning it is still suggested that feeling discomfort or distress with your body may mean a person is transgender. This is a particularly dangerous message to give teenagers who naturally feel anxious and discomfort with their changing body as they go through puberty.

Just turned 17, Katherine told a special closed session at Holyrood, attended by MSPs, parents and childcare experts: “I didn’t even know what transgender meant until I was introduced to it at school when I was 10 or 11 years old.

“I was in care, and social workers told me as I reached puberty that my discomfort over my developing body was because I had been born in the wrong body. That I was a boy, not a girl.

“They did not talk about my abuse as a reason for my discomfort. They just ordered me tight chest binders and told me that, with hormone pills and surgery to change my body, I’d be happy.

“They never said a word about the life-threatening side effects of taking powerful drugs, or the awful physical effects of radical surgery, which would change me forever.

“They made it sound so easy – no wonder I believed them.”

The Sunday Post, 19 May 2024⁶²

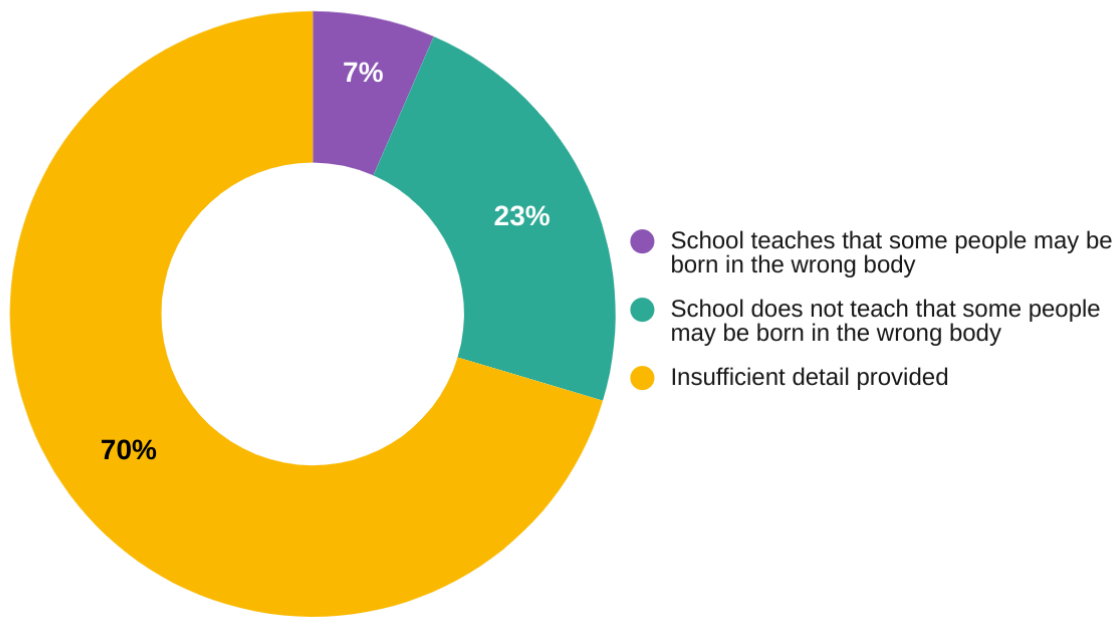
The Scottish Government transgender guidance advises schools that a “young person who has developed unwanted breasts might bind their chest to flatten it” and, rather than view this as a child protection issue, teachers should “allow a young person to decide for themselves about whether or not to wear a binder” as it can “have a positive impact on a young person’s mental health” (page 31). This urgently needs to be reviewed.

⁶⁰ <https://mermaidsuk.org.uk/news/do-you-still-use-the-phrase-born-in-the-wrong-body/>

⁶¹ <https://www.gov.uk/guidance/plan-your-relationships-sex-and-health-curriculum>

⁶² <https://www.sundaypost.com/fp/holyrood-summit-hears-from-teens-parents-and-experts-who-claim-children-are-pressured-by-activists-into-swapping-genders/>

Do schools teach that people may be born in the wrong body?

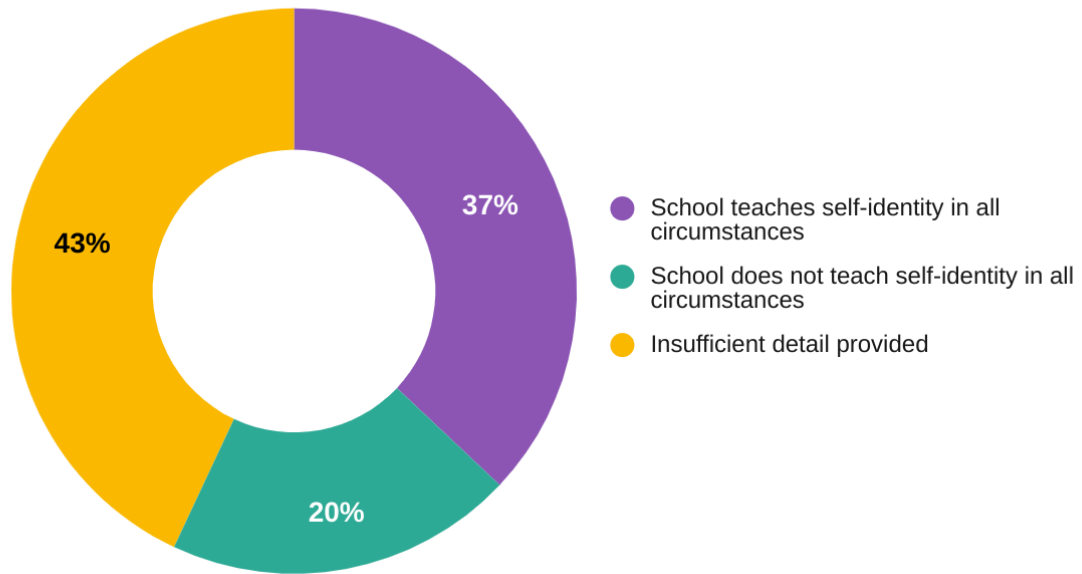


Self-identification for all circumstances

The results show that more than a third of schools teach pupils that a person who self-identifies as a man or a woman should be treated as such in all circumstances, even if this does not match their biological sex. This is a clear misrepresentation of the law and shows that many schools have been influenced by the Scottish Government's stated position in favour of self-identification rather than the actual legislation and clarifications from recent, and widely publicised, judicial review decisions.⁶³ The Equality Act specifies circumstances where exceptions to the general rule of non-discrimination allow for the provision of services on the basis of sex. Sex and gender reassignment are separate and distinct protected characteristics in the Act and should not be conflated. It is important for pupils to be educated accurately on their sex-based rights, and it is particularly important for girls to understand the protections afforded to them by law for upholding their privacy, dignity and safety.

⁶³ See reference 17

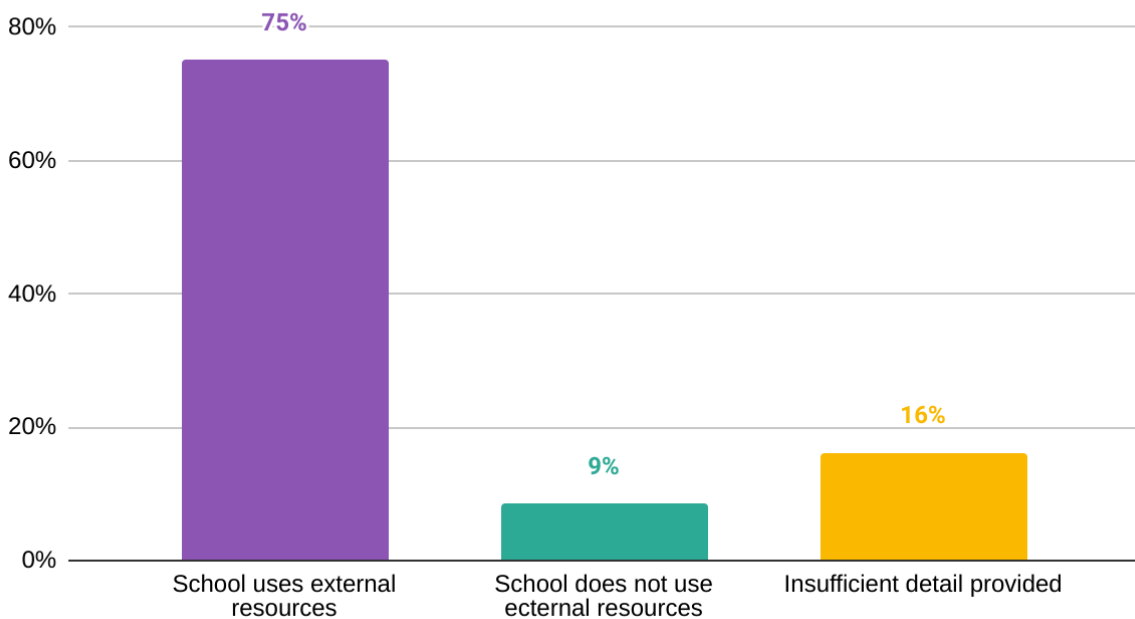
Do schools teach that people who self-identify as a man or a woman should be treated as such in all circumstances?



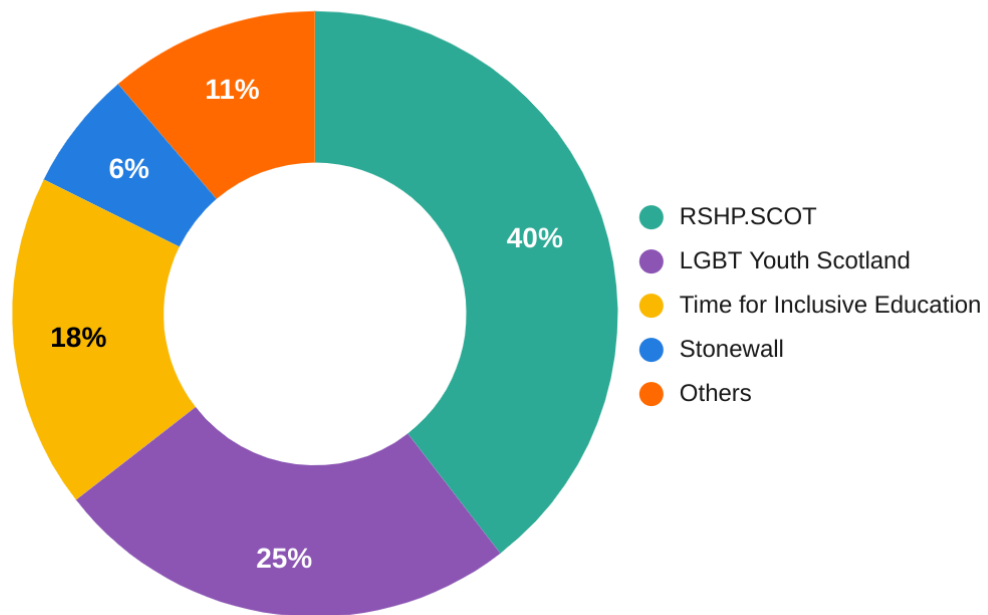
3.5 What external resources are used?

We asked schools whether they had worked with an external agency to provide lessons or resources on gender identity. Three quarters of schools stated they had, and three organisations in particular were mentioned frequently.

Do schools use external resources for gender identity lessons?



External organisations used by schools



Relationships, Sexual Health and Parenthood

40% of schools stated that they use materials from the website rshp.scot, which is described as “the national resource for relationships, sexual health and parenthood (RSHP) education for children and young people”.⁶⁴ Before the resource was rolled out across Scotland’s schools in 2018, RSHP’s draft guidance was headlined in the press as “Primary one children will be told ‘your gender is what you decide’”.⁶⁵ Much of the material was highly unsuitable, inaccurate and not age appropriate. It linked stereotypes of clothes and hairstyles to whether a person thinks or feels they are male or female and, after a deluge of complaints from parents, the guidance was hastily reviewed.⁶⁶ Not all concerns were addressed⁶⁷ and it took far too long to remove the link to a video promoting porn as fun, with a search list of genres including hentai and BDSM.

Although the information is no longer available on the RSHP website, an archive shows that an agency, TASC Scotland, was originally commissioned to develop and maintain the resource.⁶⁸ Concerns had been repeatedly raised about the director Colin Morrison’s suitability for the job and the agency’s involvement came to an end in 2022, shortly after it was reported that he had previously said he wanted to “break down the barrier between sexuality and childhood”.⁶⁹ The resource is now maintained by staff from Sandyford Sexual Health Services (which also hosts the gender service for children).

⁶⁴ <https://rshp.scot/>

⁶⁵ <https://www.edinburghnews.scotsman.com/news/primary-one-children-will-be-told-your-gender-is-what-you-decide-582881>

⁶⁶ <https://forwomen.scot/19/12/2018/gender-lessons-in-schools/>

⁶⁷ <https://forwomen.scot/29/09/2020/rshp-education/>

⁶⁸ <https://web.archive.org/web/20201101024605/https://rshp.scot/about-the-resource/#getinvolved>

⁶⁹ <https://www.scottishdailyexpress.co.uk/news/scottish-news/concerns-over-doctor-appointed-scottish-26439239>

The two specific RSHP activity plans referenced by schools are “Being transgender” and “More about gender”.⁷⁰ These are still somewhat muddled, encouraging “young people to be whatever kind of girl or boy they want to be, free from stereotypes and gender-biased expectations”, yet linking not identifying with gender expectations with being transgender. They also incorrectly state that not respecting preferred pronouns is prejudice based bullying. However, the wider political debate is generally recognised and differences in views are allowed to be expressed by pupils.

As you work through the slides maintain an openness to the differences of opinion or views young people will have, matters of gender and gender identity are played out in the media young people are engaged with. They might support or challenge the use of some of the language, they might have different views about gender and gender identity, all of this okay if managed within the normal parameters of discussions with RSHP learning – questions or challenges should not be personalised nor unkind.

The additional material at the end of the Being Transgender activity plan links to a video about a mother and her transgender child called “How to be a girl” which is greatly concerning. It is entirely based on regressive sex stereotypes and asserts, clearly wrongly, that a girl can have a penis. It presents the immutable and biological reality of sex as less important than a child’s feelings and clothing choices, in this case a three year old infant. The cutesy, simplistic presentation also fails to explain the consequences of affirming a young child on a trans pathway, guaranteeing a distressing puberty with difficult choices that will most likely lead to lifelong medication, surgery, debilitating side-effects and infertility.



Screenshot from the video: How to be a girl⁷¹
It would be more accurate to say it shows a boy with long hair.

⁷⁰ <https://rshp.scot/wp-content/uploads/2019/07/Part-3.-Being-transgender-Activity-plan.pdf>,
<https://rshp.scot/wp-content/uploads/2020/03/Part-2.-More-about-gender-Activity-plan-APRIL-2020.pdf>

⁷¹ <https://www.youtube.com/watch?v=2WCLouQT9fs>

LGBT Youth Scotland

LGBT Youth Scotland was the next most frequently used external organisation, cited by 25% of schools. This seems on the low side given that at least 55% of schools are involved with their charter award scheme which embeds extreme gender ideology into policy documents and incorporates its ideas in the classroom.

LGBT Youth Scotland was originally Stonewall Youth Group before renaming and registering as a charity and a limited company in 2003. It is well known that the founder and Chief Executive, James Rennie,⁷² was convicted in 2009 of running a paedophile network in what was described as “Scotland's worst child sex abuse trial”.⁷³ However, an FOI shows that the Scottish Government did not see fit to commission an investigation into the organisation following the trial⁷⁴ and continued to fund it generously. LGBT Youth Scotland saw no need to investigate either, describing their policies at the time as “robust”.⁷⁵ Clearly not robust enough to prevent employing the worst paedophile Scotland has ever seen, allow him to provide emotional support and advice for about twenty youngsters or notice that the IT system was used to distribute vile abusive images of children. It is perhaps not surprising then, that allegations of historic abuse and grooming of teenage boys have surfaced recently.⁷⁶

Last year, the company declared income of £1,641,246, of which grants from the Scottish Government, local authorities and the NHS accounted for £947,593. Trading activity brought in another £129,687, which largely consists of charter award fees paid by local authorities.⁷⁷ Approximately 65% of total funding therefore comes from the public purse, with the remainder including sizable donations from the Robertson Trust, Henry Smith Charity, the Gannochy Trust and the Paul Hamlyn Foundation.⁷⁸ It is an extremely well funded organisation with most of the expenditure on staffing costs to support young people with group and individual work, provide online help and run 23 youth groups across Scotland. The charter award scheme has been responsible for training over 5,000 teachers in a two year period and involves working with around 100 schools every year. LGBT Youth Scotland estimates they are reaching a minimum of 30,000 young people through this programme of work.

The charter award scheme is the main entry point for LGBT Youth Scotland into schools and is sold as helping schools to be a more inclusive environment in line with the Equality Act. Unfortunately, they are not very accurate about the Act, wildly reinventing the definitions of protected characteristics. The following image from LGBT Youth Scotland's Equality, Diversity and Human Rights Policy shows their definition of “sex” in which the word is immediately replaced with “gender”.⁷⁹ The Equality Act states sex is a reference to a man or

⁷² <https://find-and-update.company-information.service.gov.uk/company/SC244805/filing-history/MTA5ODk4MTE3YWRpcXprY3g/document?format=pdf>

⁷³ <https://www.scotsman.com/news/horror-upon-horror-that-unfolded-in-worst-ever-abuse-trial-2443859>

⁷⁴ https://www.whatdotheyknow.com/request/reasons_for_lack_of_investigatio/response/2000208/attach/html/3/Response%20202200285579.pdf.html

⁷⁵ <https://www.thepinknews.com/2009/10/29/former-gay-charity-head-jailed-for-sex-attack-on-baby/>

⁷⁶ <https://reduxx.info/exclusive-two-survivors-allege-they-were-groomed-sexually-exploited-by-staff-at-scottish-lgbt-youth-charity/>

⁷⁷ <https://find-and-update.company-information.service.gov.uk/company/SC244805/filing-history/MzM5ODYxNjA1MGFkaXF6a2N4/document?format=pdf>

⁷⁸ <https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-EHRF-2021-24-Application-Form-REDACTED.pdf>

⁷⁹ <https://forwomen.scot/wp-content/uploads/2024/05/LGBTYS-Equality-Diversity-Human-Rights-Policy-for-EHRF-2021-24-REDACTED.pdf>

a woman, where a man means a male of any age and a woman means a female of any age. It certainly does not refer to gender identity or include non-binary. Nor does the definition need to be expanded to include “intersex people” as those with the more accurately termed differences of sex development are male or female, so are already included. In the same document, LGBT Youth Scotland has also changed sexual orientation to a gender attraction which includes queer, pansexual and asexual, and expanded gender reassignment to include all those with a transgender identity.

This policy document was submitted with LGBT Youth Scotland’s application for funding from the Scottish Government’s Equality and Human Rights Fund, so it can safely be assumed it met with their approval. However, it really should not have been allowed to stand – as the Scottish Government found out, to their own cost (over £216,000), that it can be an expensive mistake to redefine protected characteristics.⁸⁰

4.2 Below are equality statements related to the nine protected characteristics within the Equality Act (2010). They include LGBT Youth’s perspective as well as the Equality and Human Rights definition for the protected characteristic within the Act.

- **Sex** - People can face disadvantage and discrimination because of their gender¹. This is called sexism – the belief that a certain gender/ sex is better than another. Sexism can mean an individual’s gender/sex is the subject of negative stereotypes and attitudes, and that people are treated as inferior or denied the same quality of life as others. It can also mean they face harassment, victimisation, hatred and violence. Historically, this is particularly the case for women.

In terms of the Equality Act (2010) the term ‘sex’ is defined as: ‘*someone being a man or a woman*’. However, we know that some people feel that their gender identity cannot be simply defined by the binary terms of ‘man’ or ‘woman’. Instead, they experience their gender in another way. Typically, this group of people are referred to as being ‘non-binary’. More information on non-binary identities can be found under the heading Gender Reassignment and Transgender Identity.

We also expand this definition to include **intersex people**. The term intersex is most commonly defined as a term used for people who are born with variations of sex characteristics, which do not always fit society’s perception of male or female bodies.²

LGBT Youth Scotland clearly carries its ignorance of the Equality Act into schools, only awarding a silver charter award to one school after it revised its equalities policy to include the protected characteristics of age and marriage. As section 84 of the Act makes clear, these characteristics do not apply to schools, and there are good reasons why schools may need to treat children differently according to their age.

⁸⁰ <https://forwomen.scot/21/09/2022/judicial-review-finances/>

3. Policy	Pass	<input checked="" type="checkbox"/>
	Revisions (Specify in Section B)	<input type="checkbox"/>
	Fail	<input type="checkbox"/>
Comments Several policies have been submitted for consideration as part of the LGBTQ+ Charter. The Equalities Policy includes all nine protected characteristics included and it's good to see reference to LGBTQ+ and equality groups as well as recognising commemorative days. It's noted that 'age and marriage and civil partnerships are not applicable in schools' – I would suggest that you revisit this policy and remove this wording, as they can still apply in some circumstances.		

UPDATE: █████ High School provided information on communications with the council to update the policies to ensure that they included all nine protected characteristics and included gender-neutral language – it's great to see that the school brought forward changes and these were accepted by the council quickly, which demonstrates a good working relationship. It's also great to see that this feeds into wider work taking place within the council and its policies.

Anti-discrimination policy now includes all nine protected characteristics and the sentence around age and marriage/civil partnerships not being applicable in schools has been removed – this has satisfied the revisions required to pass this standard.

On top of this, the language of the school handbook has also been updated to be gender-neutral, for example, in relation to uniform.

█████ High School has not only met the revisions required but has taken extra steps towards ensuring their policies are inclusive of LGBTQ+ identities through working closely with their council.

There are multiple examples of poor, and even unlawful, resources from LGBT Youth Scotland. Many are openly on their website, such as telling children there are 17 genders and 11 sexualities (apparently “queer” is both a gender and a sexual orientation),⁸¹ and many more examples have been discovered via FOIs to schools. A “coming out” guide for staff at a charter school in East Lothian irresponsibly informs teachers that it is “good practice” not to inform parents about a child’s social transition from one gender to another as it may cause needless stress for the young person or put them at risk.⁸² Another school advises teachers and pupils to avoid using “boys and girls” and to say parent instead of mother, to avoid upsetting pupils who identify as trans.⁸³

The following image is from a lesson plan that was submitted to LGBT Youth Scotland as part of a school’s portfolio of evidence that it was meeting the requirements for a charter award and teaches children the contested belief that sex is on a spectrum. It is not based on evidence and states man and woman are not sexes, but gender identities, and a person can somehow lie on a sliding scale between them.

⁸¹ <https://web.archive.org/web/20240404091457/https://lgbtyouth.org.uk/lgbt-a-to-z/>

⁸² <https://www.telegraph.co.uk/news/2024/04/19/lgbt-charity-scotland-teachers-parents-trans-children/>

⁸³ <https://www.telegraph.co.uk/news/2023/03/23/dont-know-who-fancy-queer-schools-tell-children/>

GENDER
Gender, gender identity & sex exist on a spectrum.

Sex
Male — Intersex — Female

Gender Expression
Masculine — Androgynous/Neutral — Feminine

Gender Identity
Man — Genderqueer/Genderfluid/Neutral-gender — Woman

● Agender/Genderless

- Pronouns
- Preferred names
- Dead naming
- Mistakes are okay

Schools are required to prove that marketing materials for LGBT Youth Scotland are displayed around the school, directing children to its website where they can access more resources and chat with staff directly.

6 Promotional Materials and Resources

6.1 Website includes links to LGBT Youth Scotland and other relevant LGBT organisations (if online)

- Website PDF (hover over bulleted list for live links) in folder 6.1 and at [https://\[redacted\]/schoolsite/index.cfm?fuseaction=page.display&pageid=E9490F89-D090-5264-D08A180F90DC9470&siteID=8457F6CC-0AF4-4668-\[redacted\]](https://[redacted]/schoolsite/index.cfm?fuseaction=page.display&pageid=E9490F89-D090-5264-D08A180F90DC9470&siteID=8457F6CC-0AF4-4668-[redacted])
-

6.2 Posters and marketing materials for LGBT Youth Scotland and other relevant LGBT organisations made available (for staff and pupils)

- Photos of noticeboards in folder 5.8

6.3 LGBT Charter of Rights is visibly displayed in your school/headquarters and on-line if possible

- Photos of noticeboards in folder 5.8. Link at the bottom of the webpage in folder 6.1.

As far as we know, LGBT staff have no medical, education or child development qualifications. Certainly the staff member who allowed children to attend an unsecured online staff training event, and then displayed an image of a noose alongside scary, but unverified, suicide statistics, came from a drama background.⁸⁴ We do know that they will automatically affirm any identity declared by a child, sending them down a pathway of escalating interventions.

⁸⁴ <https://forwomen.scot/13/12/2020/george-watsons-college-staff-transgender-training/>

“That was when I found the LGBTY pamphlets and club in the school. I’d never heard of them before. But it seemed kids who were a bit different ended up joining in, so I did too.”

The Sunday Post, 28 April 2024⁸⁵

LGBT Youth Scotland has repeatedly claimed, without providing any supporting evidence, that children start to become aware of their gender identity from three years of age.⁸⁶ A similar statement was included in the original transgender guidance for schools but was removed from the updated guidance produced by the Scottish Government. Perhaps this spurious claim was a step too far, even for them. Nevertheless, LGBT Youth Scotland are now stepping away from their charitable remit of 13-25 year olds, and expanding the charter award scheme into primary schools and are partners in a “gender friendly nursery” scheme in Glasgow.⁸⁷

Children begin to identify their own gender identity from three years old and for children who do not conform to these expectations, school can be a very challenging environment. Children are quick to police gender stereotypes and this behaviour can easily develop into bullying incidents as children are mocked for their likes, personalities, friendships or interests.



⁸⁵ <https://www.sundaypost.com/fp/sex-abuse-victim-told-change-gender-to-be-happy/>

⁸⁶ p15, <https://lgbtyouth.org.uk/wp-content/uploads/2023/12/addressing-inclusion-2020.pdf>

⁸⁷ <https://web.archive.org/web/20230516044342/https://www.nhsggc.org.uk/media/253686/gender-friendly-nursery-support-pack-dec-2018.pdf>

The above images are from a homophobic guide that is still on LGBT Youth Scotland's website despite many complaints. It is accessible by any child directed to their website, including primary age children, and advises that lesbians should use condoms "if you or your partner has a penis".⁸⁸ It should hardly need saying that no lesbian has a penis and such offensive material from an organisation that claims to support lesbians is very likely to cause confusion and lead to teenage boys thinking it's acceptable to breach young lesbians boundaries.

Following the Cass Review, LGBT Youth Scotland reacted with "anger" to its recommendations and NHS Scotland's subsequent decision to suspend puberty blockers and cross-sex hormones for new patients under the age of 18. A statement on its website claimed the decision was "to the detriment of trans young people" who should have "autonomy" and freedom "to do what we want with our own body". It described gender affirming care and puberty blockers as "wonderful" and called for Sandyford Young People Gender Service to reverse its decision.⁸⁹ It was quite the remarkable outburst and too little attention has been paid to it. Let's be very clear here: an organisation with a principal objective to preserve and protect the physical good health of children⁹⁰ has openly denounced the Cass Review and is demanding that children have the right to decide to take experimental and powerful drugs that have been banned due to legitimate and evidenced safety concerns. Quite frankly, LGBT Youth Scotland should have been closed down on the spot with all access to children via schools, chat lines and youth clubs removed. The Scottish Green Party were removed from Government for far less.

Time for Inclusive Education

While LGBT Youth Scotland peddle extreme gender ideology under the umbrella of inclusion, TIE's gateway to schools is under the umbrella of anti-bullying. After several years campaigning the Scottish Government and seemingly not operational at all in the year to March 2021, TIE was awarded £380,900 in Government funding⁹¹ to manage a project to embed LGBT inclusive education across the school curriculum.⁹² The two founders of the organisation stood down as unpaid directors at this point to become paid employees despite no evidence that either holds professional qualifications or expertise to deliver these services.

Unlike RSHP content which is wholly online, and LGBT Youth Scotland's partial availability of material, only registered teachers can access TIE's detailed online resources and lesson plans.⁹³ The Scottish Union for Education looked at an example of a maths question about money and found it to be grammatically incorrect and poorly structured. Another, inappropriately talks about suicide in the midst of a maths lesson on coding.⁹⁴

⁸⁸ <https://lgbtyouth.org.uk/good-sex-is-women-who-have-sex-with-women/>

⁸⁹ <https://lgbtyouth.org.uk/news-statement-april-2024/>

⁹⁰ p4, <https://find-and-update.company-information.service.gov.uk/company/SC244805/filing-history/MzI5NTY4MjcZmFkaXF6a2N4/document?format=pdf>

⁹¹ https://tie.scot/wp-content/uploads/2023/07/TimeforInclusiveEducationCharityAccounts30March2022_signed.pdf

⁹² <https://lgbteducation.scot/>

⁹³ https://lgbteducation.scot/login/?redirect_to=https%3A%2F%2Flgbteducation.scot%2Ftoolkit%2Ftoolkit-journey%2F&arc_restricted=1&timecode=1716355558

⁹⁴ <https://scottishunionforeducation.substack.com/p/scottish-union-for-education-newsletter-42a>

The public face of TIE has been less than reassuring with social media posts that show bias in advocating for one side of the political debate on gender recognition reform,⁹⁵ working with drag queens in primary schools⁹⁶ and an open letter that misrepresented equality law to deny pupils single-sex facilities.⁹⁷ Appallingly, the chair of TIE referred to women who do not share her belief that “self identifying trans women are women”⁹⁸ with the rhyming slang “JeremyHunts”.⁹⁹



Stonewall and Others

The history and influence of Stonewall in embedding gender ideology in schools and other institutions has been thoroughly covered in “Asleep at the Wheel”¹⁰⁰ but, while their resources are used by a small number (6%) of secondary schools, other organisations are more predominant and problematic in Scotland. Additional sources of teaching materials used by schools include the Genderbread Person,¹⁰¹ which promotes a belief in a sliding scale of female-ness and male-ness, and Rape Crisis Scotland. While their input in lessons on consent is fairly commonplace, its teaching on gender-identity is worrying given the recent finding by an employment tribunal that one of their network centres had unlawfully discriminated against an employee in a “heresy hunt” against holding gender critical beliefs.¹⁰²

⁹⁵ <https://twitter.com/tiecampaign/status/1221381285765091329> (<https://archive.ph/Lg7Bd>)

⁹⁶ <https://twitter.com/tiecampaign/status/940894574293213185> (<https://archive.ph/c8d5L>)

⁹⁷ <https://forwomen.scot/30/03/2019/tie-letter-legal-response/>

⁹⁸ <https://twitter.com/RhiannonV/status/1050690536628195329> (<https://archive.ph/rFZbH>)

⁹⁹ <https://twitter.com/RhiannonV/status/1146895089173704704> (<https://archive.ph/ZOaBp>)

¹⁰⁰ p68, <https://policyexchange.org.uk/wp-content/uploads/Asleep-at-the-Wheel.pdf>

¹⁰¹ <https://www.itspronouncedmetrosexual.com/2018/10/the-genderbread-person-v4/>

¹⁰² <https://www.thetimes.co.uk/article/edinburgh-rape-crisis-centre-condemned-gender-critical-worker-pzj35f0fi>

4. Conclusion

The results show that for every metric tested, with the exception of teaching that some people may be born in the wrong body, Scottish secondary schools returned far poorer, and more worrying, results in comparison to those in England. At least 95% of Scottish schools operate a policy of self-identification, in England it is 40% of schools. Only 4% of parents in Scotland can expect to be informed if their child expresses distress about gender at school, in England it's 28%. In Scotland, 60% of schools will allow a child access to toilets designated for use by the opposite sex, in England only 28% will.

There is a misconception that the occasional headlines in the press about children socially transitioned without parents knowledge or boys causing upset by using the girls' toilets represent isolated incidents, and that such practices are only happening in a small number of schools. This report conclusively disproves that theory. 98% of local authority run secondary schools in the country provided answers to the FOI questions and analysis shows that virtually all are disregarding basic child protection protocols for gender-distressed children and their classmates.

The transgender guidance provided by the Scottish Government clearly has a significant influence on decisions made by schools which, by and large, unquestioningly follow its advice, even when it is out of date, unlawful and supports an unscientific, contested belief system that has more in common with religious studies than it does with biology lessons.

Whether the Scottish Government is overly influenced by lobbyists or whether it heavily funds those lobby groups which reflect the social and cultural strategy of the Government remains to be seen. The end result is the same for schools who are facing enormous pressure from both Government and activists to open the classroom door to ideologies that simply do not belong in schools at all. Every year, LGBT Youth Scotland, Stonewall, Respectme and TIE are jointly in receipt of over £1.97 million of public funds. Unaccountable organisations with substantial funding, Government support and the ability to influence schools – on policy, guidance, teacher training, provision of learning and promotional material, and direct access to shaping children's minds.

Over the last few years, the medical treatment of gender-distressed children has come under intense scrutiny and the recent publication of the final Cass Report laid bare the serious failings with the nature of affirmative practices by gender clinics. The evidence shows that nearly all children who express gender distress will be reconciled with their bodies once they go through puberty and mature. Intervening in this process, including the psychological intervention of social transitioning, is a multi-disciplinary clinical decision involving parents, it is not within the role of school staff.

Gender ideology is deeply embedded in schools, but it needn't be. Schools must take their cue from the well-evidenced clinical Cass Report. The Scottish Government transgender guidance is non-statutory and can be safely ignored, as it should be. Lobby groups, no matter who they are, have no place in schools where there is a duty to present unbiased, factual information and they must be immediately removed. When activists LGBT Youth Scotland are openly opposing the evidence of Cass and calling for known harmful drugs to be prescribed to children on demand there should be no doubt, and no delay.

5. Recommendations

1. Update the Scottish Government “Supporting Transgender Pupils in Schools: Guidance for Scottish Schools”

This has been the main route for gender ideology to enter schools and must now be withdrawn and replaced with guidance compliant with the Cass Review, School Premises Regulations and the Equality Act. If a school is to agree to social transitioning at all, it should follow the Cass recommendations and only after a diagnosis and clinical decision is agreed.

2. End the involvement of LGBT Youth Scotland and other activist organisations

Registered lobby groups promoting political and ideological advice have no place in schools that have a duty to provide factual, evidenced and unbiased information.

3. Review the involvement of external agencies in school education

The McCormack Review from 2012 concluded external agencies make important contributions to children’s experiences, that current arrangements work well overall, and that no further national guidance is required.¹⁰³ This should be revisited in light of the substantial influence lobby groups have since been able to exert.

4. Improve child protection protocols

Activist groups have successfully removed a child expressing gender distress from being a child protection concern. Confidentiality has inappropriately been assured and parents not informed. This must be immediately rectified.

5. Review the draft statutory guidance on the delivery of relationships, sexual health and parenthood education

As seen in the recent public consultation, the draft guidance incorporates gender ideology.¹⁰⁴ The Scottish Government only has power to provide guidance on “sexual matters” and gender identity does not fall into this remit. The draft guidance should be rewritten before proceeding any further.

6. Allow parents to view materials used in sex and gender identity education, and to remove their children from lessons

Parents have the right to withdraw their children from sex education lessons. However, gender ideology is not only incorporated into sex education classes but is embedded in LGBT education across the whole curriculum, which effectively removes the ability to withdraw a child. Any teaching on gender identity must be uncoupled to restore this right.



*For Women Scotland
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¹⁰³ <https://education.gov.scot/media/fi4hwzzb/involvementofexternalexpertsinschooleducation.pdf>

¹⁰⁴ <https://forwomen.scot/21/11/2023/statutory-guidance-for-rshp-in-schools/>