

The government has recently published draft non-statutory guidance for schools and colleges around gender identity. This is **guidance, not law** and it is **non statutory** – there is no legal duty for schools to follow it.

As a charity that works directly with trans and gender-questioning young people and their parents/carers, we urge schools to continue to follow best practice guidance and research about what keeps young people safe, as many schools have been doing for years.

We know that statistically trans young people are already at increased risk of mental ill-health; according to a RaRE Research study; 89% trans young people having considered ending their own life.²

Moreover, young trans people experience disproportionate levels of bullying, with 64% trans young people having experienced transphobic bullying at school, and 8 in 10 trans students skipping school because of these experiences, as seen in the Stonewall School Report and Trans Report.³

Research shows that affirming a young person's gender identity, including using their preferred pronouns, is associated with improved mental health, reduction of suicidal thoughts and increased help-seeking⁵. If we refuse to allow young people to socially transition in school; changing their name, changing pronouns, or wearing uniform that feels comfortable; we risk causing negative outcomes for these young people. In denying gender diversity in our schools and shutting down open conversation and exploration of gender norms, we risk giving the green light to transphobic and queerphobic bullying.

Moreover, a child exploring or thinking about their gender, or coming out as trans, is not a risk or safeguarding concern in and of itself. This is the child or young person's information to share if and when they feel safe and ready to. If a teacher was to out a young person or instantly inform parents/carers that their child had been exploring this, it could put the young person at serious risk of harm if their parents/carers do not understand, accept, or support trans people⁶.

We appreciate that at the current time it probably feels like a minefield for schools knowing how to support their trans and LGBTQ+ students when there is so much misinformation around. However, it is worth considering what we believe the risks to be in supporting a child or young person to change their name/pronoun/clothing. There is no research which suggests that allowing and affirming these social changes would do harm either to this young person, or to any of their peers.

This is why trans and gender questioning young people must be supported as many schools are already doing.

Young people must be at the centre of any decisions about them. Those working with young people need to have a clearly documented rationale for any parental disclosure. **They need to be certain that their decision to disclose does not increase risk of harm to the young person.**

Key things to consider:

- What is the young person saying? Make sure you are listening to them and that they are at the centre of the decision-making process.
 - Have you assessed the young person's capacity to make decisions about themselves?
 - Is the young person accessing support around their gender identity? If not, can you offer this?
 - Remember, social transitioning isn't treatment or necessarily permanent. The young person may be experimenting, exploring their identity, and trying out different pronouns. There is no evidence that this causes any harm to the young person or their peers.
 - Being transgender/questioning or coming out is not in itself a safeguarding matter but reactions (including yours) to it can be.
 - If you decide to make a parental disclosure, how do you intend to do it and what safeguards will you put in place for the young person and what support will you offer the parents?
 - Have you assessed if there is a risk to the young person by disclosing to their parents? Remember the young person will know their parents best. Trans young people are at increased risk of Honour Based Violence, homelessness, and conversion practices, emotional/physical abuse as well as hate crime and transphobic bullying.
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¹ [New trans guidance for schools is 'unlawful', barrister says | CYP Now](#); [Trans guidance: Schools risk breaking law, say DfE lawyers](#)

² [RaRE Research Project](#)

³ [Stonewall Schools Report 2017 and Stonewall Trans Report 2017](#)

⁴ [Barras and Jones 2023](#)

⁵ [The Equality Act 2010 – TransActual](#)

⁶ [Why We Need To Stop Outing LGBTQIA Students \(parents.com\)](#)