

Statement on The Department for Education's Consultation – 'Gender Questioning Children: Non-statutory guidance for schools and colleges in England'

(11th January 2024)

On the 19th December 2023 the Department for Education (DfE) released a draft of their non-statutory guidance for schools on Gender Questioning Children.

What does this mean?

- **The guidance is a draft which is open to public consultation (closing 12th March).** It can not and should not be enforced or enacted upon.
- **No laws have been changed or implemented.** The rights of trans pupils in schools and other educational settings have not changed.
- **Existing laws have not changed** which means that trans, non-binary and/or gender questioning children (and adults) are still protected under the Equality Act 2010.

What can you do?

- **Find out more.**
 - You can read more about the draft consultation guidance on the TNB Educator's website alongside news, updates and statements from national organisations.
 - [Latest news](#) on the guidance on the TNB Education website.
 - Trans & Non-Binary [Education's Guidance Response \(Easy Read\)](#).
 - [Commentary](#) on the guidance from a Barrister from Old Square Chambers.
 - Statements from the [National Education Union](#), [NASUWT](#) and leading [Children's Charities](#)
- **Sign the [petition](#) on [Change.org](#)** which was started by the parent of a trans child.
- **Write to your MP.** Mermaids have set up an [easy to use template](#)
- **Share this information** as much as possible.
- **Have your say** - fill in the [consultation](#).
- **Get support** - we are [here for you](#).

Who are Allsorts Youth Project?

[Allsorts Youth Project](#) has been supporting LGBT+ children, young people and their families for 25 years in Brighton and across Sussex. We are a proud member of the [Institute for Youth Work](#) and follow their [code of ethics](#), alongside our own core [values](#) rooting us in youth & community work.

For more than a decade we've worked with Brighton & Hove City Council and schools across Sussex to help them support their LGBT+ and exploring children and young people. We contributed our expertise to the development of their [Trans Inclusion Schools Toolkit](#), ensuring that the lived experience of trans children, young people and their families were represented.

We were also a founding delivery partner of the DfE funded (2017) [**Rainbow Flag Award**](#), a national quality assurance framework for all schools, colleges and youth-centred organisations.

It's safe to say we are experts in this field which is why it's important to share what we think about the draft guidance.

We believe that the guidance has not been written in the best interest of any children, young people or their families. This is evident in the lack of information about how pupils will be supported in conjunction with the drafted guidance. The guidance's attempts to provide policies for 'reporting' trans pupils far outweigh any attempt to support them and doesn't mention or support the 'best interest' principle introduced by the United Nations Conventions on the Rights of the Child (UNCRC 1989, article 3).

Trans young people are protected in schools under the Equality Act (2010).

The guidance's understanding of the term 'transgender' in relation to the protected characteristic of 'gender reassignment' is incorrect, and the erasure of the term 'transgender' from the document is intentional and misleading.

Trans young people who are proposing to undergo, are undergoing or have undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex are protected under the Equality Act (2010).

If you are a trans young person or a family member with a trans young person in your family, know that the groups acting to harm you are a minority. There are countless people, organisations and networks across the country working to support and advocate for you every day as we work towards equality, and we are proud to be contributing to this network.

What Are Allsorts Doing About The Guidance?

Allsorts centres the voice and experiences of LGBT+ young people and their families in all that we do. We will therefore be collecting feedback from the people this guidance will impact the most, which will inform our organisational response to the consultation.

We will also hold sessions to discuss the guidance, the impact of the current draft and ensure that our youth & family community have their say. We will also be providing similar opportunities for people working in schools, educators, local authorities, youth centred organisations and professionals working with children and young people so they can support people in their communities to have their say too.

allsorts youth
project
www.allsortsyouth.org.uk