

Dear Committee Members,

Safeguarding Our Schools – Scotland is a grassroots organisation of parents, teachers’ educational and child protection professionals who are raising questions around the teaching of gender identity ideology in schools, safeguarding children and young people and empowering parents, carers, and teachers to have often difficult conversations about this topic. We welcome all commitments to strengthening protections for children and young people from making irreversible decisions and from being encouraged towards one particular path.

Our focus on the issue of ‘gender identity ideology’ and the Gender Recognition Reform sits primarily with the protection and safeguarding of children and young people, and it is from this angle we present our concerns.

We write to you today as we have been following the evidence sessions currently being presented to the Equalities, Human Rights and Civil Justice Committee with regards to the Gender Recognition Reform Bill. We note that there has yet been evidence given with consideration to the impact that gender identity ideology and gender recognition reform is having/will have in schools in Scotland. We appreciate that we have yet to hear all sessions, and this may be something that will be covered; however, we also understand that the divergence and difficult tone of this debate has resulted in several potential witnesses (namely parents and teachers) feeling unable to put themselves forward to share evidence with the Committee. We have heard from parents whose children have been affirmed in school against parental and medical advice, who have then been the subject of a social work referral when they disagreed with this interference in their families lives. Parents are scared to speak on this issue because they've seen what has happened when others do. On this basis, we would appreciate the Committee considering this particular issue as a matter of urgency and would urge members to begin to ask questions.

We recognise that there are a variety of different views in relation to gender recognition reform and many are felt deeply, and all should be welcomed to express these views. However, children and young people in school with questions about gender identity ideology are telling us, through their parents and teachers, that they feel excluded from conversations on decisions that are impacting how they are treated, taught, nurtured, and included in school life and community. We would encourage the Committee to consider how a space could be created that is rights based and allows all those with opinions and concerns to feel safe to raise them.

As an organisation we have been contacted by these concerned parents and teachers, who feel unable to speak publicly due to the toxic nature of this debate and the concern about placing their children in precarious positions. They have raised concerns with us which include, but are not limited to:

- Single sex facilities in schools
- Current Scottish Government Guidance – Supporting Transgender Pupils in Schools
- Bullying and intimidation of children, young people and teachers
- Gender identity ideology teaching
- Lobby groups having unprecedented access to the school curriculum with no balance of views
- Resources (posters etc) being provided which limits conversations, curiosity, and debate
- Discrimination of children and young people in schools with the protected characteristics of religion, sex, belief, and disability

We would appreciate the Committee asking the following questions:

1. Currently the School Premises (General Requirements and Standards) (Scotland) Regulations 1967 states that half the accommodation of school toilets shall be for boys, and the other half for girls. Whilst we know that several local authorities and some schools have attempted to remove single sex toilets, many have had to reverse these decisions due to the law and due to parents and pupils raising complaints regarding not being consulted. If the age of obtaining a Gender Recognition Certificate is reduced to 16, the impact will ripple through schools, including single sex facilities such as toilets, changing rooms and overnight/residential trips. At present a male child/young person self-identifying as a female child can be prevented from accessing the facilities of the opposite sex. However, when in possession of a GRC these safeguards will be removed. The same consideration should be given for female children/young people identifying as male and the potential increased risk this places them in when accessing male toilets, changing rooms and overnight trips.
 - What impact assessments have been done to consider the risk imposed on female children?
 - How will schools be supported to manage the risks and what, if any, consultations have taken place with teachers, school pupils and parents to allow them to express their views on this?
 - ❖ We would encourage all Committee members to look at the list of Scottish schools, colleges and universities listed on the Everyone's Invited website, where children and young people have shared their experienced of sexual harassment and assault. In April 2021, Everyone's Invited triggered a ground-breaking Ofsted review in schools that reviewed safeguarding policies and practices relating to sexual abuse. It should be questioned how providing GRC's to school children will impact safeguarding policies, as yet there appears to have been no consideration given to this area.
 - ❖ We would also advise you to speak with your government colleagues on the Gender Based Violence in Schools Working Group on this issue.
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2. As part of the Public Sector Equality Duty, parent councils, head teachers, special educational needs co-ordinators and staff at all maintained primary and secondary schools and including other education providers are required to support good relations between people with different protected characteristics. Under their general equality duty, public bodies are required to have "due regard" when making decisions and developing policies to the need to:
 - Eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act 2010.
 - Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
 - Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.
 - What impact assessments have been done to consider how to balance the rights of young people with a GRC and those with the protected characteristic of faith and belief? We consider specifically the rights of female New Scots young people and how sharing a space with a male will be managed if it breaks their religion.

- What support will be given to schools to adhere to their PSED in a situation where the rights of 2 different protected groups of young people appear in conflict?

- 3. As an organisation, one of the main concerns being raised with us is around bullying. We have heard from parents, teachers and children and young people who tell us that if they disagree, ask questions, or refuse to adhere to things such as preferred pronouns and compelled speech, are being bullied, ostracised, excluded, and harassed, on school grounds. This is often prejudiced based bullying based on sex, disability or belief. An example is a young person who has dyslexia and memory processing issues being targeted for being unable to remember to change pronouns for another child. He was threatened with a hate crime charge. Another is a primary school child who was bullied to the point of self-harm due to her belief in sex and deciding to prioritise her own belief when discussing these areas.

- ❖ Whilst these examples may not directly relate to the GRRB, there needs to be consideration of what impacts there will be when having a certificate is easily obtained, without need for diagnosis and how teachers and schools will be able to manage these issues and what support the Scottish Government will provide. The current non-statutory guidance offers very little support in the way of managing conflicts such as these, leaving schools open to litigation from pupils and/or parents and teachers if they believe they are being discriminated against.

- 4. We appreciate that the Interim Cass review was discussed at a previous session, however we don't feel that this has been given anywhere near the amount of attention required and would echo the calls to invite Dr Hilary Cass to give evidence. In respect to schools, we believe that when the message is coming from Government, through the GRRB, that social transition and allowing young people in school to legally change their sex is not a neutral act and will present significant safeguarding risks for schools. We would suggest that the Committee considers also speaking with the group Bayswater Support who provided this excellent document on the Cass Review and its impact and relevance to schools.

Thank you

Safeguarding Our Schools - Scotland