

There's no need to change our use of 'gender' instead of 'sex' in our school equalities action plan; everyone knows what it means

Policies that relate to the law should use terms that are understood in law. There are 9 protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. "Gender" is not a protected characteristic and has no legal definition.

Although the terms 'sex' and 'gender' have been used interchangeably in recent history, changing political circumstances have made it necessary to draw a distinction between the two – particularly where legislation and policies are concerned. 'Sex' refers to the biological, reproductive classification of people as either male or female. 'Gender' until recently was used to refer to the social expectations, roles or stereotypes of each of the sexes. However, 'gender' is now used in many ways: as a biological term, as a term about an internal sense of identity, or as a term referring to social norms and stereotypes. When these are conflated, such as by conflating biology and identity, it becomes very difficult to talk about girls' sex-based rights.

Gender identity is a belief system – an ideology – with implications for women's and children's rights. 'Gender' cannot be used to replace 'sex' as a protected characteristic; this would leave the school open to legal challenge on how they are taking account of sex as a protected characteristic.