

Appendix 2

Consultation summary

The consultation ran from 23 July 2024 to 11 October 2024 through the online platform Your Voice. The consultation related to the redrafted toolkit published in July,

The Toolkit now found at Appendix 1 has since been further amended, informed by the results of the consultation, the results of which are now summarised in this document

A total of 448 consultation responses were received, all of which have been read by the officers who have updated the Toolkit further.

All responses in full, including written submissions, are being made available to Cabinet as background papers.

Organisation responses from:

BHISS, Brighton Women's Liberation Collective, B&H LGBT Switchboard, Diocese of Arundel and Brighton, PSHE Brighton, four primary schools, The Clare Project, The Proud Trust, The Queery, Transgender Trend, a College

4 other written submissions:

Letter from an MP
Letter from a secondary school governing board
Letter from a primary school governing board
Allsorts parents

Introduction

This document will seek to reflect the outcome of the different elements of the consultation process.

There were responses from a variety of stakeholders as follows:

Parents and carers: 216
Young people: 70
Teachers: 32
Support staff: 24

Other responses came from organisations and interested individuals.

158 respondents have a child or children at a Brighton and Hove School.

It is important to acknowledge the significant variation in responses between different groups. Consequently, we are presenting the outcomes from multiple perspectives to offer a more nuanced understanding of the consultation's findings. While the responses from each group exhibited

consistency across most survey questions, we have highlighted areas that garnered significant written feedback and those particularly pertinent to individual groups.

It is evident some of the responses were copied from master or shared sets of answers. We have included these, but only once.

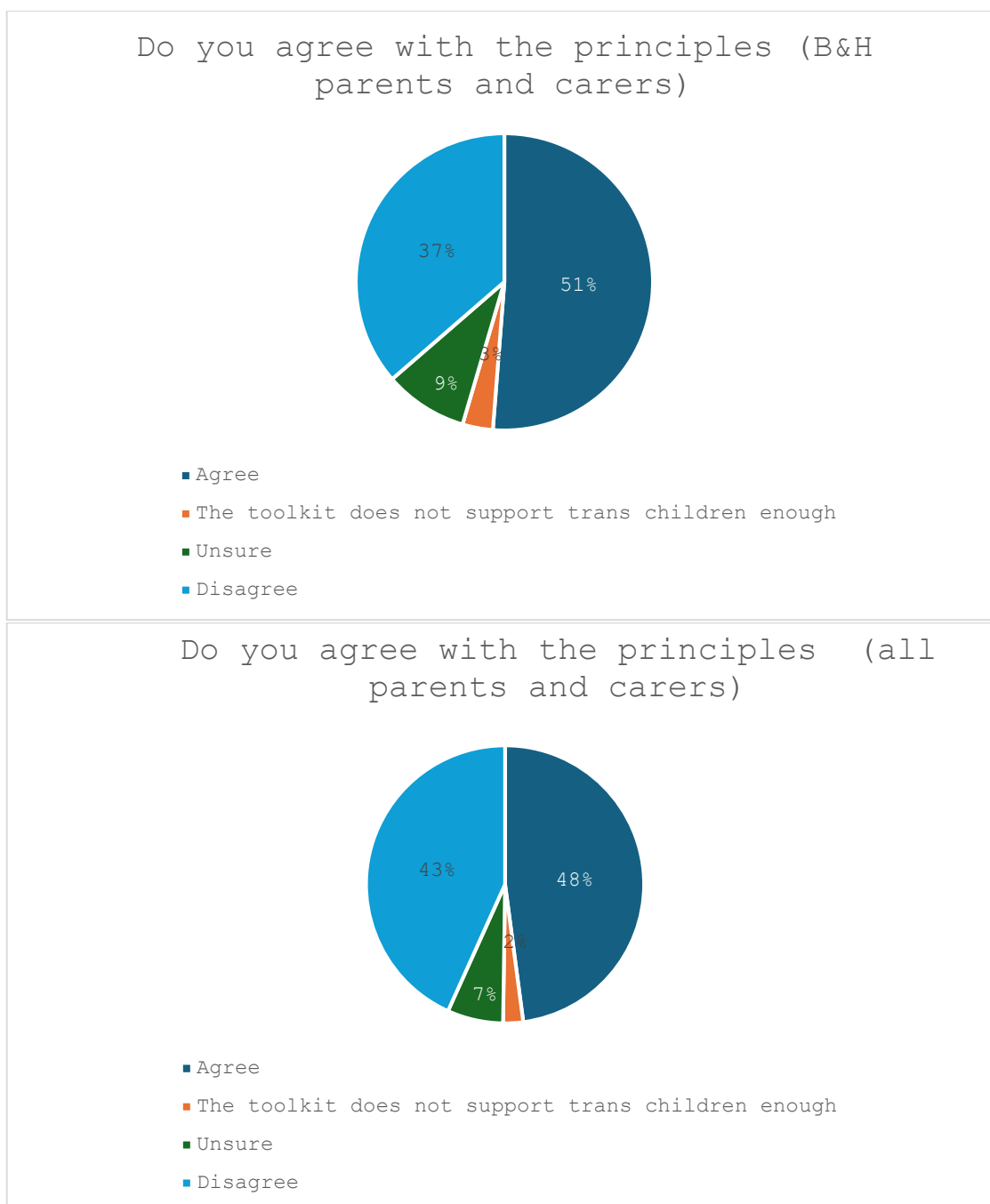
Where individuals expressed disagreement with specific sections of the toolkit, a notable proportion indicated this was due to a desire for increased support for transgender children. To accurately reflect these sentiments, responses that stated 'no' but clearly advocated for greater support for transgender children have been categorised as 'The toolkit does not support trans children enough'.

We have used respondents' words in this summary.

Parents and Carers

159 respondents were from a B&H postcode, whilst 57 were from outside the city.

Principles



In general parents and carers were more supportive of the principles than not.

Many of the respondents that commented in this section were parents of trans children who felt the toolkit principles were clear and important. Several talked about the toolkit offering their child support, making school a better place.

'As a mother to a nine-year-old trans child, I agree with all these points. I would suggest adding some information that emphasises the vital importance of supporting children in expressing their gender identity at home and at school, as not doing so risks poor mental health outcomes for the child. We have seen such a positive change in our child since they began to wear the clothes

corresponding to their gender identity at school and changed their name and pronouns. My child is confident at school and feels happy in their skin but this was not the case before their social transition. There are also some studies emphasising this:

<https://www.tandfonline.com/doi/full/10.1080/26895269.2024.2359934#abstract>

'The toolkit being in place has been supportive of my child & their mental health'

'It is helpful that the toolkit seems to come from the starting point of helping schools to support some of their most vulnerable children, i.e. trans children. It is good that it is explicit that decisions should be made on a case by case basis, so trans kids can get the support they need.'

A significant number of negative responses were rooted in the belief that transgender children do not or cannot exist in law and that school staff, as non-clinicians, are not qualified to make relevant decisions. Several respondents also expressed the view that the guidance was not legally sound. *'I do not think our teachers, governors and educators are in a position to make clinical decisions.'*

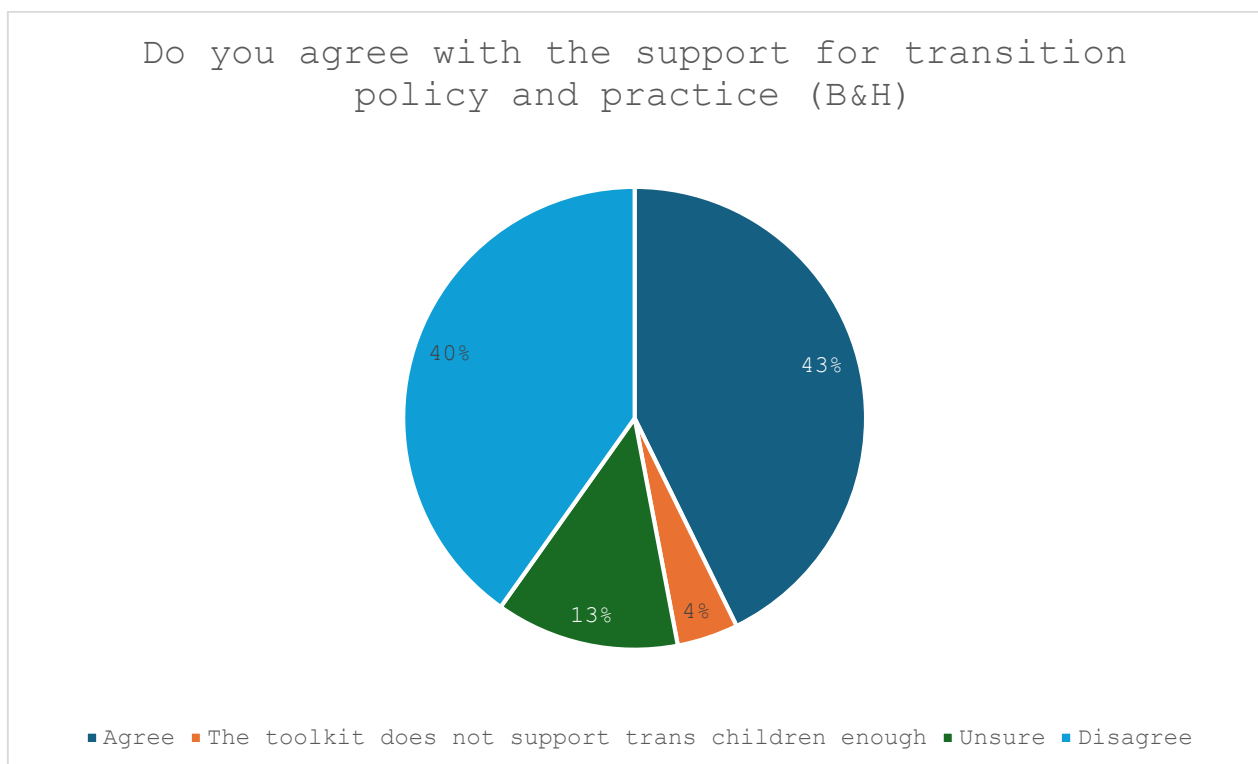
'Schools and colleges are not clinically qualified to decide if a child is 'trans'.'

'BHCC teaching and any payrolled staff are being guided to make clinical decisions and prescribe interventions'.

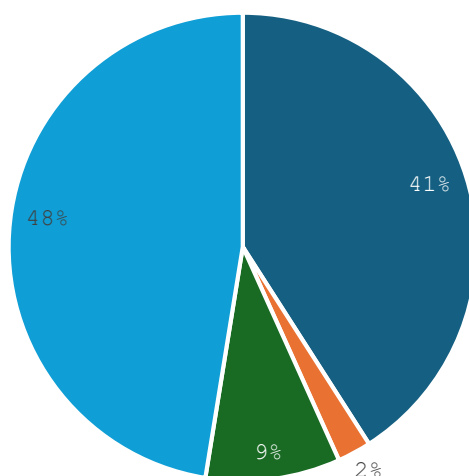
'Firstly no child is legally 'trans'.'

' Children should be put first not their parents,, the toolkit states otherwise'

Support for developing policy and practice regarding the transition of trans children



Do you agree with the support for transition policy and practice?



■ Agree ■ The toolkit does not support trans children enough ■ Unsure ■ Disagree

This was an area of the toolkit that attracted a lot of comments. Again, there is a difference in response between Brighton & Hove parents and carers and those from outside the city.

A significantly smaller number of written comments accompanied supportive responses. Those that were included highlighted the importance of clear policies and practices for transgender children and their families.

'It is so important that families do not feel restricted in supporting their child by schools. Children of all ages should have the freedom to transition.'

'The guidance is clear and lucid and does not pay any credence to unhelpful myths and stereotypes about trans young people.'

'The draft DfE guidance sets out to hinder the transition of children at primary schools. This is harmful to transitioning children as it teaches them and their peers that their true identity is not acceptable to trusted adults i.e. teachers.'

'Our primary school has drawn heavily on the previous version of the trans inclusion toolkit to support our transgender daughter. It has been very important for her wellbeing to be recognised as and treated as a girl at school.'

Many of the 'not sure' responses appeared to be broadly in favour of the toolkit but were less sure of the wording or approach and felt more clarification was needed.

'In my experience a lot of people equate "transition" with medical transition and are unclear about the various gradients involved in a social transition. This should be made clearer in the toolkit.'

'For the most part there is a high level of advice. But the toolkit is very clear that an individualised approach should be used in each case. This does appear to leave a school with decisions to make on it's own. Which I do think is correct as school staff will know each child well. What isn't clear

without a well defined national policy is to what extent the school, senior leadership and governing bodies would be liable if a legal challenge to policy and practice was launched.'

'Not sure how "watchful waiting" can be implemented without a parent putting off or ignoring children who tell them they are trans.'

'I'm concerned that sections 3.2 and 3.3's references to the Cass Report could be misinterpreted by gender-critical individuals and used to prevent young children from expressing their gender at school.'

Some of the more negative comments did not appear to relate directly to the content of the toolkit . *Absolutely terrifying that you are considering supporting children to write letters saying that they have 'always been a boy/girl'.'*

Several negative comments referenced mental illness, gender dysphoria, and comorbidities, suggesting that teachers should not be involved in decision-making and that these matters should be handled by Child and Adolescent Mental Health Services (CAMHS) or mental health nurses. There was concern that parents might not be informed.

'this is a sensitive political area, we know children have been harmed beyond repair and schools have been complicit with transitioning children. We are in a period of change as more and more can see the physical harm done to children by irreversible transition and schools need to be really clear with their guidance and help teachers and governors to have a clear unified response. this is weak sauce and doesn't help them. Don't hang them out to dry. Be braver and clearer.'

Some respondents considered that individuals must have undergone surgery to before having a protected characteristic under the Equalities legislation and expressed the view that children cannot be transgender.

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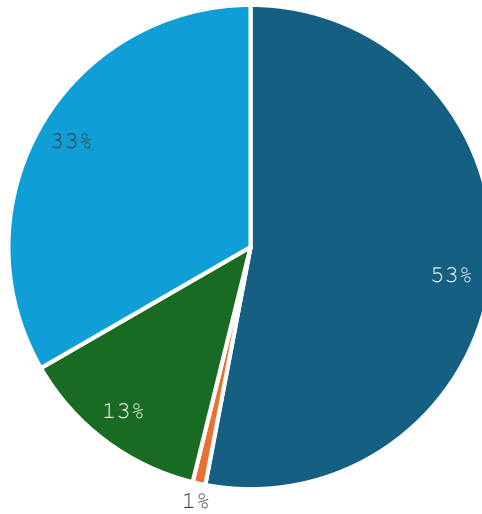
Some "no" responses appear to consider the guidance was not supportive enough of trans young people: :

'Too much is drawn from contentious non statutory guidance and national reviews which do not have to have any bearing on the approach taken by the city council. Previous guidance provided an affirming approach to helping trans+ children and young people. This guidance unnecessarily delivers a damaging and life limiting approach to trans+ CYPs lives and needlessly uses non-statutory guidance to do this, where the city has a wealth of evidence and learning to counter that. This should have been drafted with the involvement of trans+ people.'

'Trans children are not a threat to girls. Again children have the right to privacy and autonomy and should be put first - not their parents.'

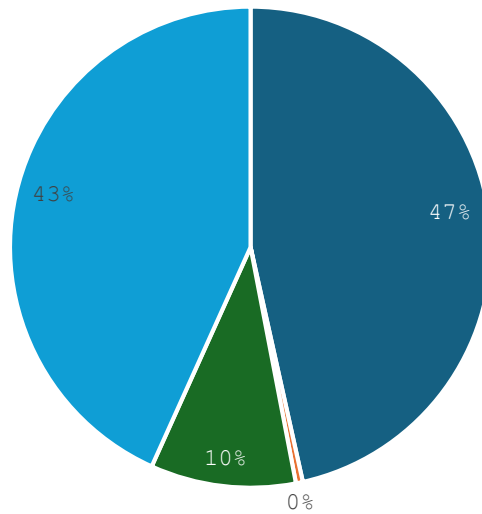
Supporting additional considerations

Supporting Additional Considerations (B&H parents)



■ Agree ■ The toolkit does not support trans children enough ■ Unsure ■ Disagree

Supporting Additional Considerations



■ Agree ■ The toolkit does not support trans children enough ■ Unsure ■ Disagree

A few comments implied a link between the number of SEND children who are transgender, especially autistic children, and questioned the toolkit's guidance on protecting these children, and the limited explanation of the perceived danger. Several parents of both cisgender and transgender children asserted that, irrespective of any additional needs or vulnerabilities, all facets of a child's identity should be respected.

'My cis daughter is autistic and I like that it doesn't assume that this is a learning or developmental disability and that she is clear on who she is. I have confidence that other autistic children who tell us who they are should be treated with dignity rather than people dismiss their identity because of their disability. Disabled people can be LGBTQ.'

'I think this is a hugely important part of the toolkit. As a parent of BAME children with SEN i am worried about how they can be marginalised; this section seeks to support schools to understand the needs of such pupils in a more considered way.'

Other comments argued for the need for more information and detail :

'This is a great example of the cart leading the horse. Autistic children are more likely to seek some explanation via a trans identity and are especially vulnerable. There is not enough information on this, rather this section suggests that the autism should be less of a factor than the 'trans-ness'.'

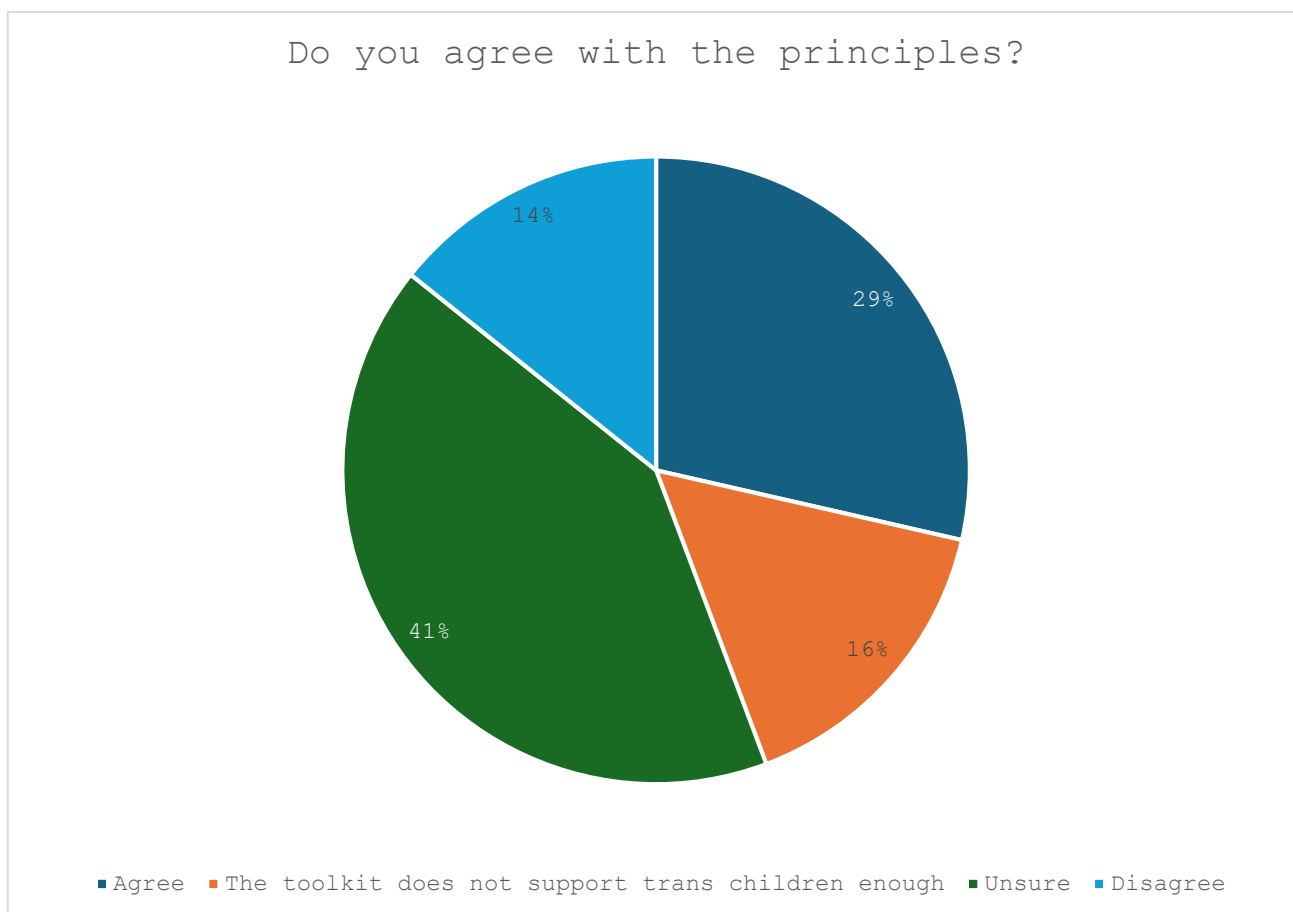
'By failing to recognise the complex and improperly understood relationship between ADHD/ASF and gender dysphoria, the toolkit adopts an approach which potentially causes harm to these children, and is potentially unlawfully discriminatory.'

Young People

70 responses were received from young people. A few responses were clearly not young people (for example one response stated they were a grandparent). Overall, only a small proportion of young people were negative about the toolkit without giving a reason.

Written criticisms centre around the toolkit not going far enough in providing support to trans children. There were no clear written arguments against the redraft aside from this point of view.

Principles



Most were broadly supportive of the principles, with the main point of contention being the involvement of parents and carers. Many young people expressed the view that children and young people should have the right to explore their identity without the involvement of their parents or carers.

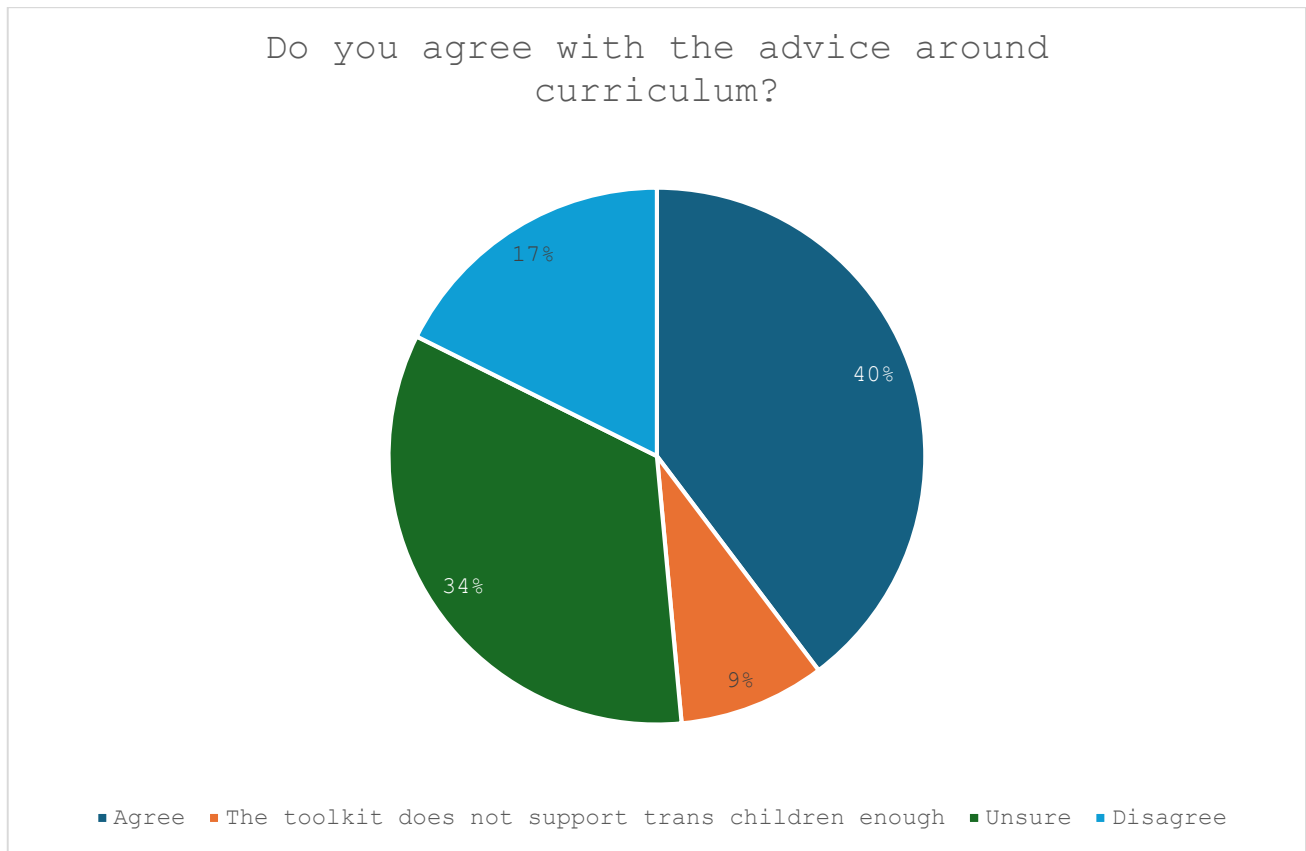
the family and parents should only be contacted under the consent of the child, the parents can be transphobia and not know best or even harm the child

I agree with most of it, however parents/families of children should not always be directly involved. Outing trans and gender questioning children to the parents could be exposing them to dangerous and harmful environments by unaccepting or abusive parents. Schools should be providing a safe space for children to discover their identity with their own freedom and autonomy.

Some also expressed their concerns that questioning identity could be seen as a safeguarding issue:

Being trans is not a safeguarding issue.

Curriculum



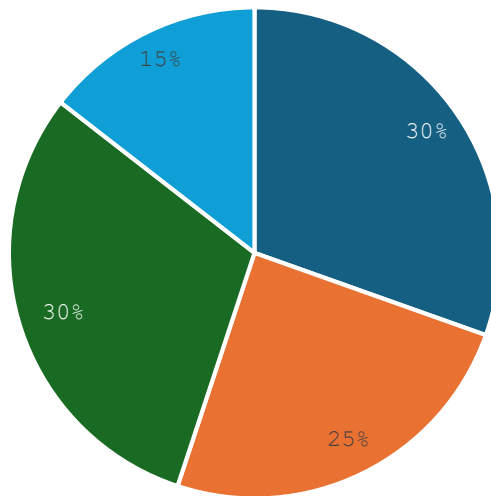
The comments in this section broadly focus on ensuring a more inclusive approach to education.

I find it biased for the toolkit to give more examples and weight to excluding trans kids from sex based groups than it does for including them; there are many reasons and situations where inclusion is more appropriate. Including education about trans kids in the curriculum is essential, using equality calendar events is a nice way to achieve this. Representing trans people in a range of scenarios is very valuable.

I reject a few of the points here. Especially the one about keeping young people from debating topics that involve religion and/or gender. I think this section will be relatively effective in helping some new teachers, but this toolkit is still based on the Cass review so how can someone take the advice given without questioning how accurate and effective it will be, when so many different organizations and respected healthcare personnel have rejected the Cass review.

Support for developing policy and practice regarding transition of trans children

Do you agree with support for transition policy and practice



■ Agree ■ The toolkit does not support trans children enough ■ Unsure ■ Disagree

There were many comments in this section arguing the toolkit was not supportive enough, was “too conservative” and made too much reference to the Cass review.

It does not take into account the significant mental health issues that will emerge from outing children to families and taking away their right to socially transition.

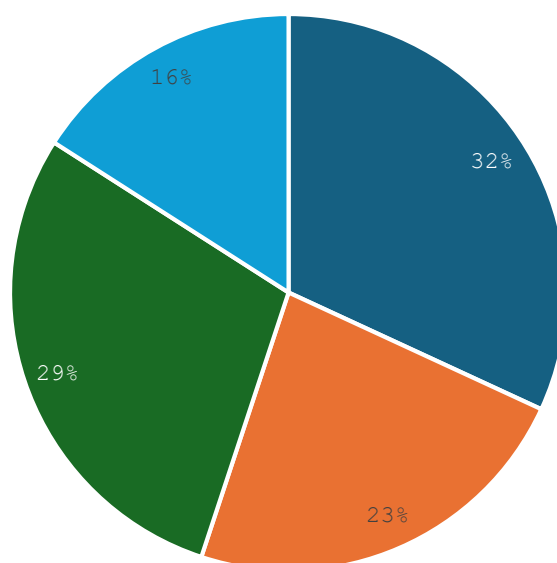
Very little reference to the safety of the trans young people, frequent mention of the comfort and safety of cis children and children of faith. Of course, all children should feel safe at school. Guidance needs to be clarified to note that inappropriate behaviour in bathrooms refers to students teasing or bullying trans students using facilities that align with their identities.

The approach to social transition is far too conservative, social transition is harmless experimentation and fully reversible.

The policy of discussion with parents carries potential harm where parents will react negatively; children and young people should always be asked before telling parents.

Supporting an individual trans child or young person

Do you agree with the advice regarding personalised support



■ Agree ■ The toolkit does not support trans children enough ■ Unsure ■ Disagree

Similar to previous questions, most comments argue for more support and greater autonomy for young people.

the section talks about working with the child but goes against what is previously written about supporting a child that comes out by "working with the parent" when the section also states that's parents may " seek to prevent their child from making any steps towards a transition" which is the best case scenario of a disapproving parent who might want to send their child to conversation therapy or abuse and goes against the will of the child who has a right to withhold that information for their own safety

The Cass review has been widely discredited and is not appropriate to include. There are more accurate and useful documents available to use in place. Many cases it is cited unnecessarily.

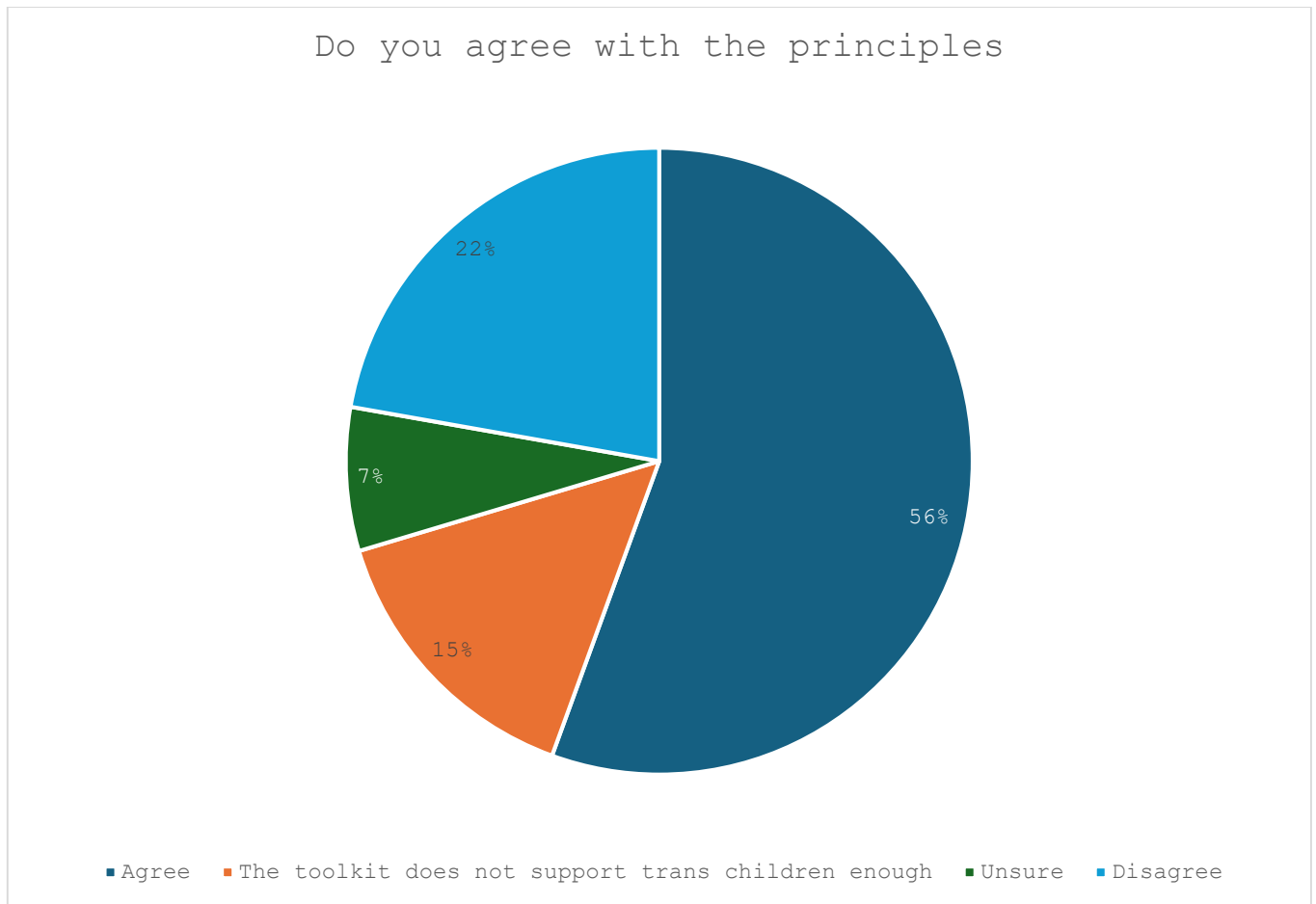
There is no reason for schools not to support social transitioning, and to tell the child's parents has the capacity to put the child at risk of abuse or bullying at home, up to physical violence or conversion therapy. Gillick competence is used for medical decisions, a much lower standard of competence should be needed for social transitioning.

VERY VALUABLE to include "a child or young person with SEND is just as likely to be lesbian, gay, bisexual, trans or gender exploring as any other person" and "All major faiths have LGBT inclusive groups",

Teachers and support staff

There was a total of 56 responses from professionals working in schools

Principles



The negative responses are mixed, with some suggesting the toolkit should not be used at all and some critical of the language used, even suggesting the toolkit is transphobic.

'This ideology does not belong in our schools'

"Schools may wish to consider a watch and wait policy, not placing any pressure on children or young people to live or behave in accordance with their sex registered at birth or to move to gender transition" - schools are not pressuring children to transition. This implies a brainwashing of CYP. This is transphobic.'

Some negative responses appear to be in favour of the toolkit but want more clarity.

'The wording implies that no child can be trans. This is factually untrue. Children as young as 5 have clear understandings of their own gender'

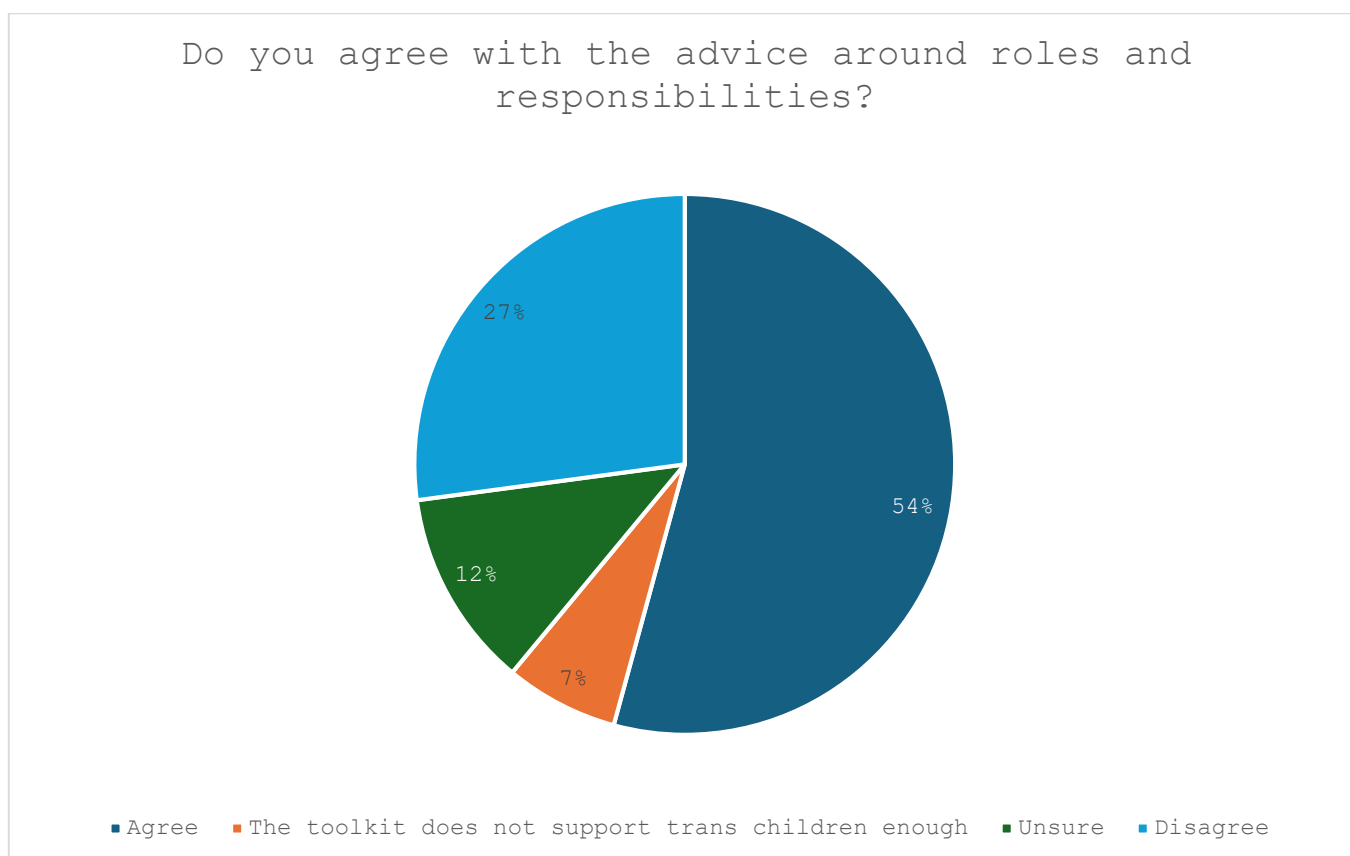
'Trans students should be front and centre'

The positive responses indicate the view that the principles support trans children and reflect an inclusive ethos.

'It's reasonable and fair to treat all students as individuals who should feel safe and supported to explore their gender identity, have their chosen gender identity respected at all times, and for schools and educators to strive to facilitate this as best they can'

'I agree with the underlying principles. The toolkit is about supporting and educating staff and has been made by people who have an honest investment in supporting both LGBT+ young people and CIS and straight young people.'

Roles and Responsibilities



Many agreed the roles of staff were clear.

'I think the most important responsibility highlighted is that schools should ensure that young people feel safe and supported to fulfil their potential.'

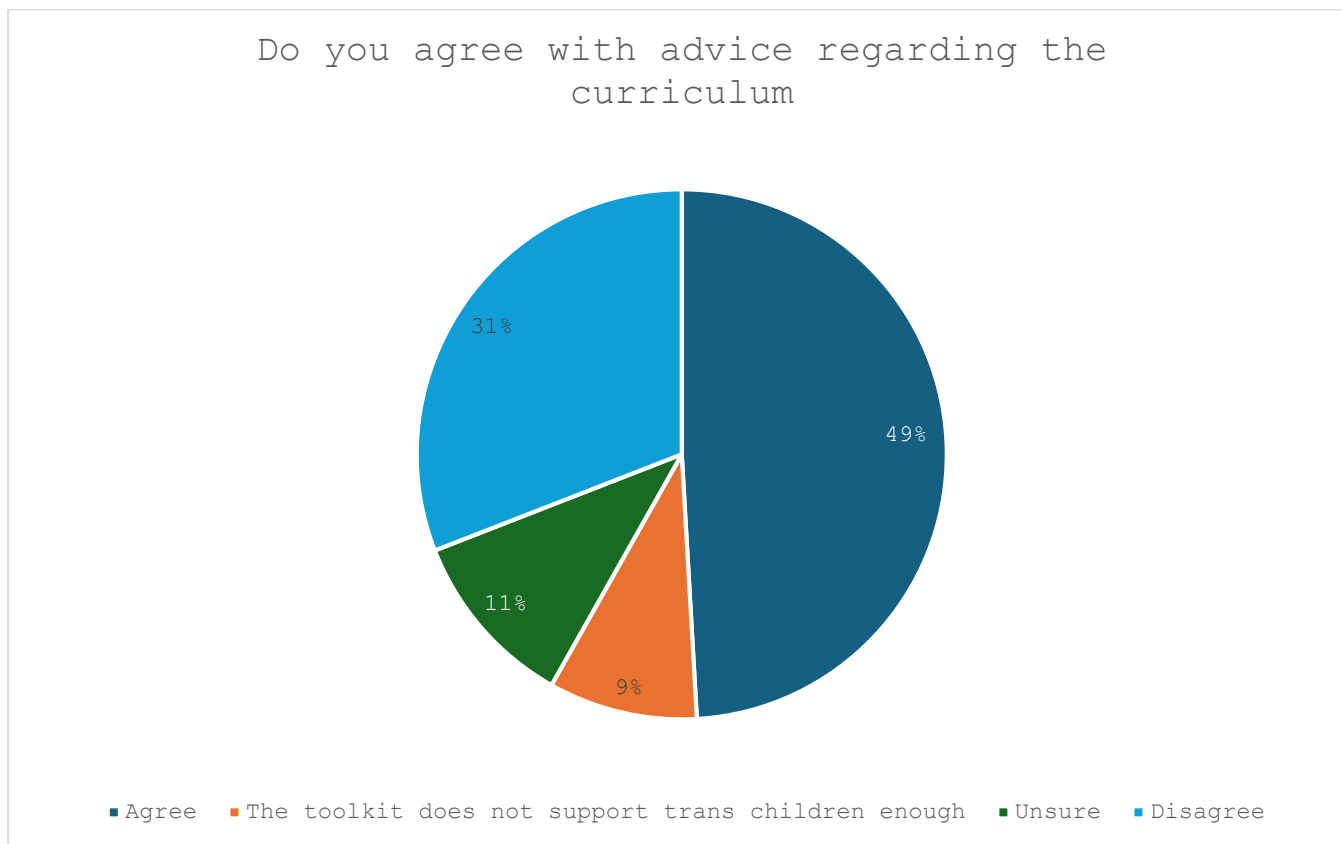
'very clear'

Again, some of the negative responses appeared to be in favour of the toolkit but felt the messaging was not right.

'The aforementioned approach leads to friction between children and educators. Educators are required to inform and work with the parents of a potential trans child. The toolkit downplays the risks faced by the child at home from transphobic parents.'

'clarity over other roles in school needs to be made more explicit.'

Curriculum



The positive responses felt this section was clear and offered appropriate guidance for teachers

'Good, clear support provided. Easy to follow.'

Here again several negative responses appear to be in favour of the toolkit but feel the language is not right.

'Training may be needed to manage these discussions". This is so deeply inappropriate. Can you imagine asking a teacher to facilitate a neutrally-presented discussion about "all viewpoints" on homosexuality (including homophobia) or race (including racism)? Presenting transphobic narratives neutrally, justified by the fact that they are linked to (some) people's religious beliefs, but qualifying that trans people are "allowed" in UK law would absolutely cause trauma to trans CYP in the classroom.'

"the point at which schools consider it appropriate to teach CYP about LGBT" implies there is something inappropriate about LGBTQ+ people.'

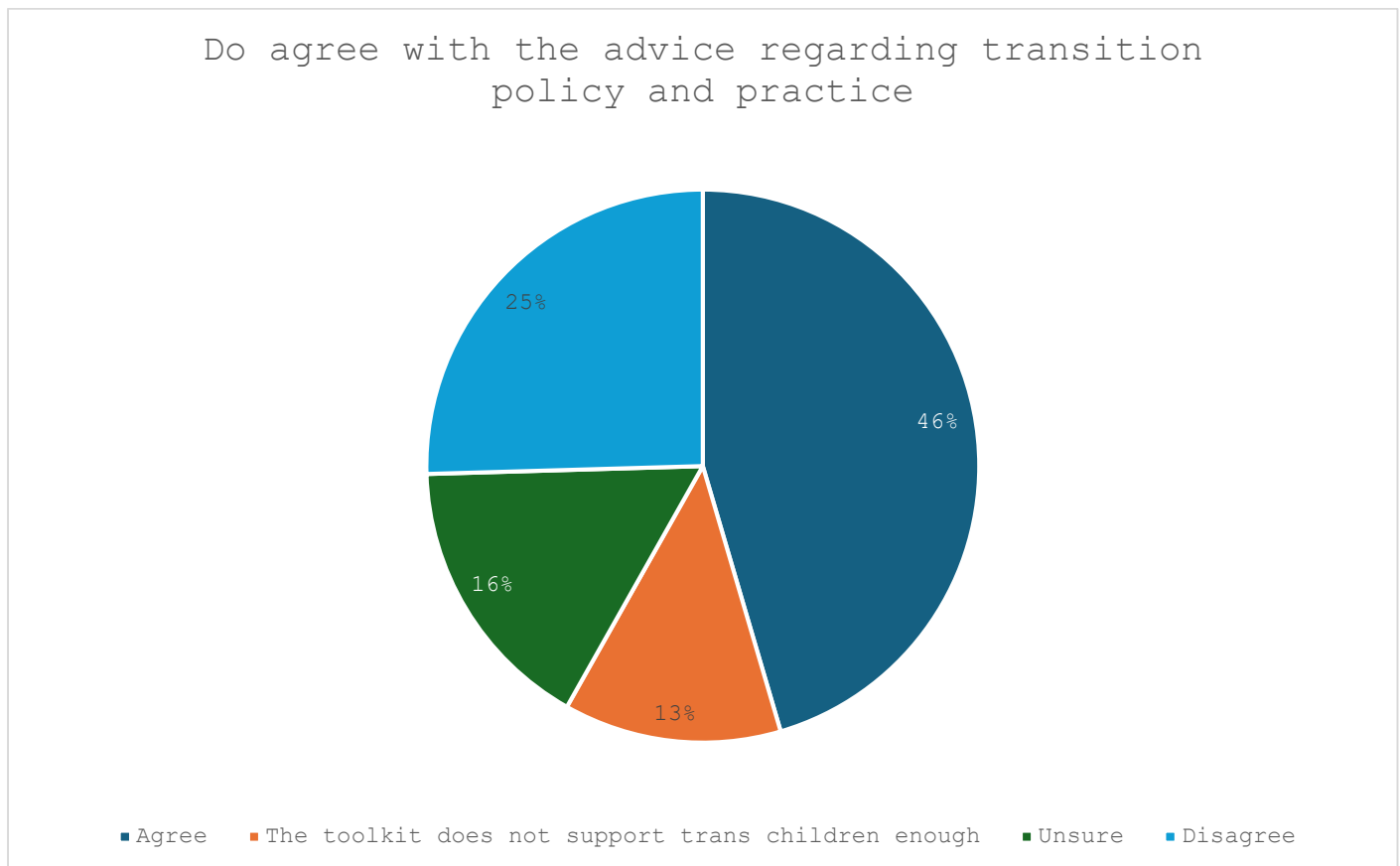
'Some students are trans and there is not enough guidance. Support staff will also be the ones having conversations and doing the pre teaching work mentioned with the trans students and they need the most training.'

Some teachers argued this area should not be part of a school curriculum or that the information was not clear or was biased:

'Teachers should not be involved in pushing this ideology on our young people'

"all people's bodies and genitals are different". This is untrue. Men have genitals; women have genitals. They might be different colours or shapes, but physiology falls into those discrete categories.'

Support for developing policy and practice regarding transition of trans children



Some agreed with this area of the toolkit:

'I believe this covers very well the most relevant cases and issues that are likely to arise and provides a good groundwork to develop and evaluate policy and best practice.'

Once again, several negative responses appear to support the toolkit but feel the approach and language is incorrect or disagreed that parents/carers should be central to any decision making.

'Children should be able to explore their identities without the assessments of a group of school staff. The need to tell parents will subject children to abuse at home by parents that are not accepting of their identities.'

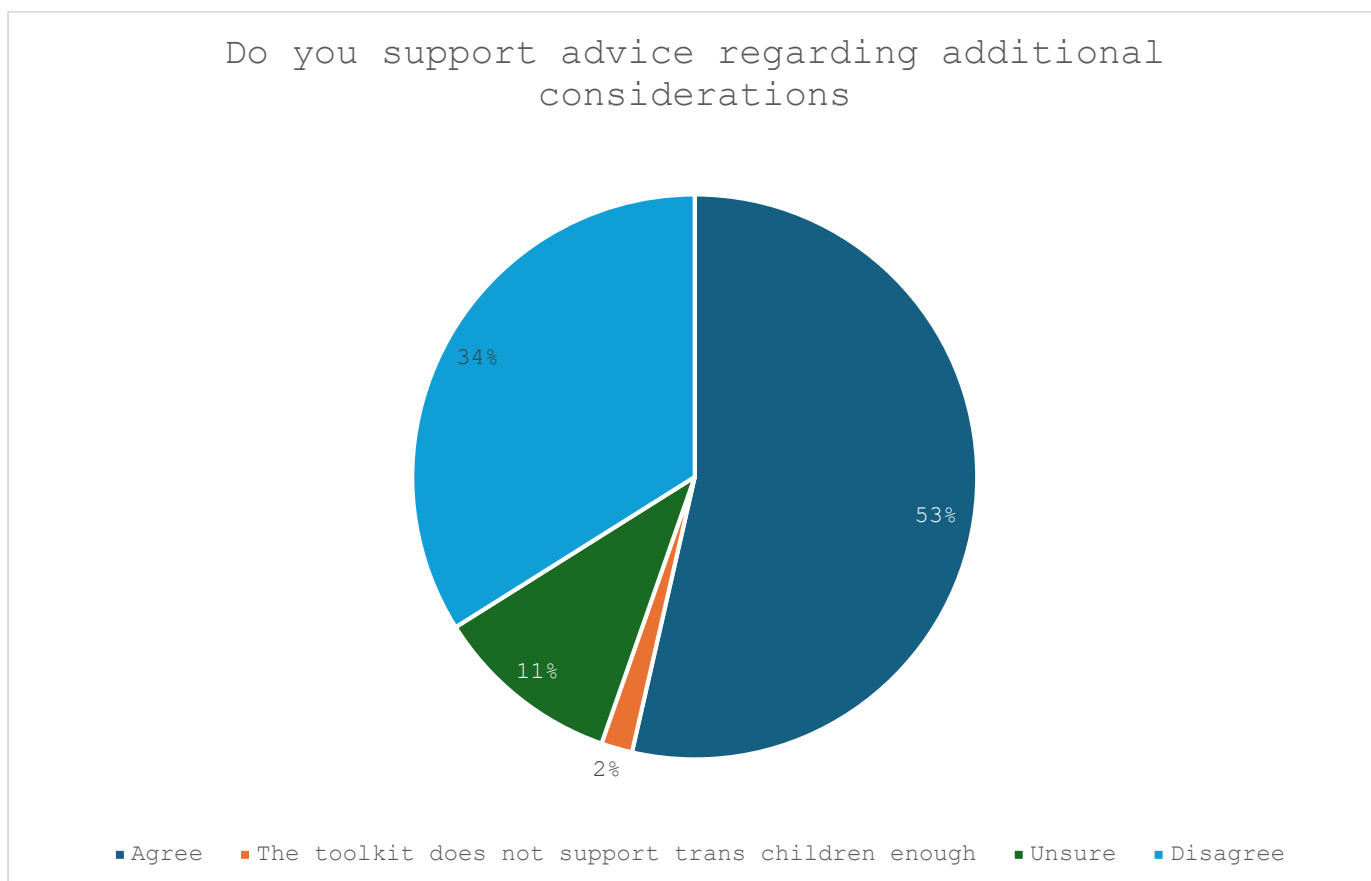
'The repeated reaffirming of the rights of girls and those with a religion or belief is solidifying the transphobic narrative that the existence of trans CYP violate.'

Several responses indicate that the toolkit leans too heavily into the rights of girls, those with held belief or religious views and the rights of parents.

'The practice around the use of toilets and changing rooms once again prioritises the concerns of "all other children and young people including girls and those with religious beliefs." over the safety and comfort of the schools trans students.'

There was again concern over the inclusion of references to the Cass Review.

Students with additional considerations



Lots of positive comments in this section.

'Really good acknowledgement of extra barriers and or vulnerabilities for the trans students with extra layers of need or cultural and faith differences that can impact them.'

'It's great to see the consideration of intersecting identities and how this can impact young people's experiences.'

'Pleased with the approach to this section and understanding of potential complexities for young people with additional vulnerabilities.'

There were a small number of responses that had concerns around SEN children and ideology and safeguarding 'extra vulnerabilities' such as 'LGBT'. Some raised concerns that vulnerable students were somehow being coerced:

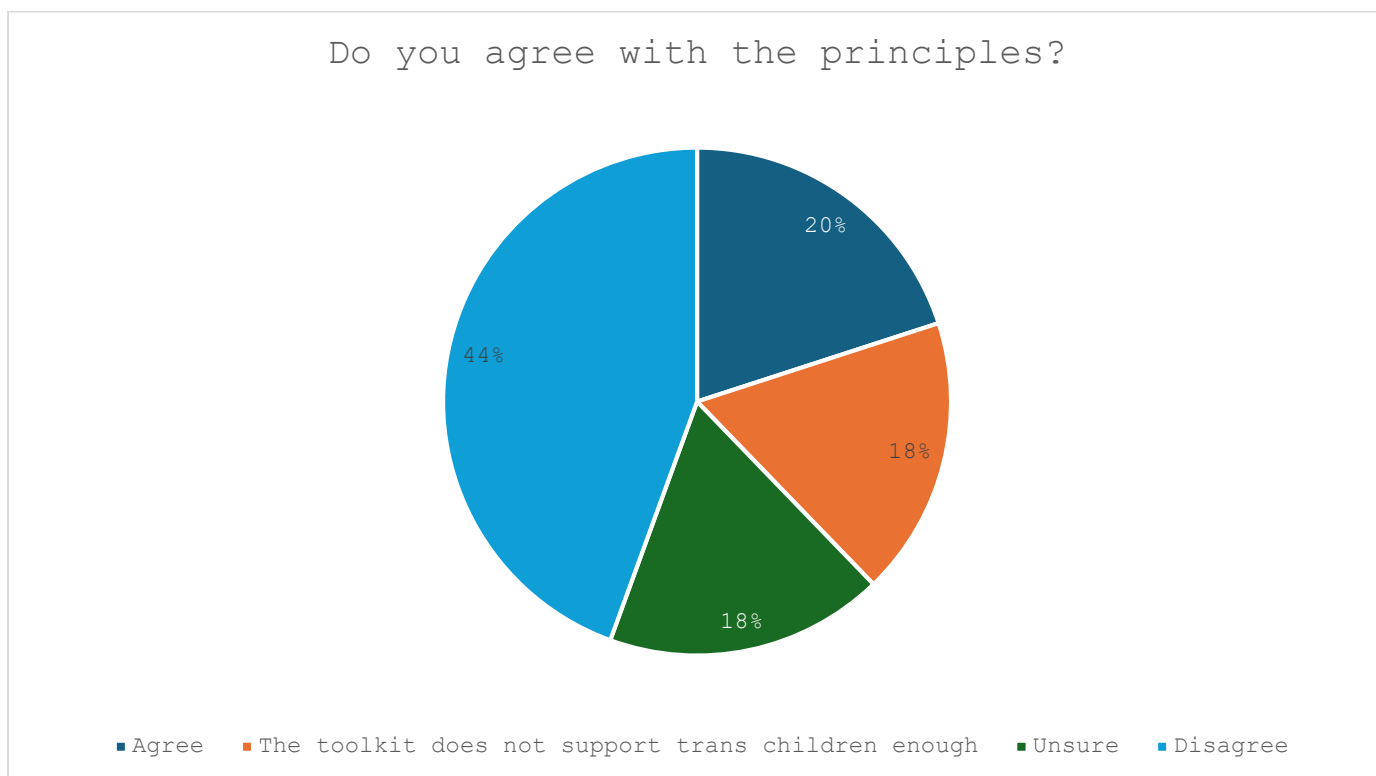
"Vulnerable students are more prone to this indoctrination, as statistics have shown."

Other individual respondents

There were 90 other people who responded. This included members of the public, residents, other professionals (e.g. NHS doctors) and residents.

In general, this group were much more critical than other groups, with a large number of respondents arguing that the toolkit is “unscientific” and based on contested belief. There was also a large subgroup of people, often labelling themselves as “trans allies”, who felt the toolkit made too much reference to Cass and potentially undermined the support of the current advice. This pattern of response was repeated across the different areas of the consultation.

Principles



There was considerable disagreement with the principles from this group, although many responses were general statements that did not directly link to particular points:

'The Cass review is harmful and inaccurate and has been deemed unscientific by countless scientific bodies'

'I believe the underlying principles are flawed and inappropriate. They encourage an excessive clinical approach towards gender affirmation, leading to clinical decisions being made by schools and local authority services. This exceeds the clinical expertise of the practitioners involved.'

'You talk about "gender identity" which is a fiction that's confusing children into believing they're something that they can't be - i.e., the opposite sex. You talk about homophobia and sexism, but this is exactly what transgender ideology is - it's homophobic and it's sexist. You refer to non-binary, which can't exist - no-one can be neither male nor female. You don't refer to anyone who isn't "trans" and how they will be affected by these guidelines.'

Governing bodies

Governors were a small, but important subset of submissions. We had responses from a number of governing boards and also held a consultation drop in for governors. In total, we had engagement from governors from ten different schools.

In general, governors were supportive of the toolkit:

“we continue to support the principles and guidance of the draft Toolkit”

The main theme regarded the clarity around roles and responsibilities, specifically for governors and school staff:

“We are concerned, given our experience, that any revisions to the Toolkit should clarify the responsibilities of Governors and school staff in this very complex legal space.”

“...our experience as a school suggests that where there is a difference of view between a young person and their parents or carers on what action a school should take, this can become a concern, or be used as a way of attacking the school.”

In conclusion, but would like to see a more explicit approach to the balance of responsibility between Governors, teaching staff and the City Council as employer for community schools.”

Summary of key themes:

Key Themes:

Cass Review – reference to the Cass review is a strong theme that runs right through the survey responses. There are occasional neutral references or the view that the review findings have been misrepresented. However, most references are negative arguing it is too heavily referenced. The responders used language in relation to the Cass review as follows: *biased and transphobic, flawed, dangerous, flawed methodology, unscientific, controversial, discredited by medical organisations, politically driven ideology, Cass review references should be removed from toolkit, biased and damaging.*

Terminology – issues around terminology and language is apparent throughout the responses: *Impossible to challenge stereotypes if using gender neutral terms, confusing for children using gender neutral terms, the word trans not recognised in law – political definition, use of the word trans when describing child – preferred to use ‘gender questioning’, no such thing as a trans child, child should not be referred to as trans- there will be reasons why child not conforming, freedom of speech denied (illegal) if gender critical children not able to express views, use of the word ‘transexual’ is outdated, ‘trans-gender’ - ideological and socially contested beliefs, gender is a contested concept, trans is street slang, no reference to gender recognition act, the term gender identity is ideological and harmful concept.*

Safeguarding – concerns were raised regarding the involvement of parents and carers, particularly the perceived pressure to inform and involve parents if a child discloses gender questioning. It was feared that children might be at risk or danger if parents were in denial of the issue. Other comments included: *racist and homophobic assumptions made about some parents, not involving parents also referred to as safeguarding issue, ‘social transition is not a neutral act’ a phrase from the Cass review is quoted at various times throughout the survey- possibly a safeguarding issue, ‘colluding’ with the child if agreeing to social transition, social transition places child on a medical pathway, all children need protection, safety of gender critical children,* Concerns were also raised regarding girls’ rights and consent – *girls need a safe place, increased risk of sexual assault on girls, opposing views: toolkit seems to imply trans children a threat to girls -trans children are not a threat to girls, and safety of girls a risk,*

Role of School – The need for training for all staff and governors comes up often. Confusion and need for clarification over what is taught in schools. There seems to be some confusion about the role of a school in supporting a child - views such as: *schools having a clinical overreach* this came up often – some responders seeming to confuse medical transition with social transitioning and that schools should not be making such decisions or be involved: *should be led by professionals not teachers and governors, teachers shouldn’t be acting as doctors, not role of school staff to agree to social transitioning, Toolkit is vague and open to misinterpretation, toolkit not specific...schools may be under the impression they can make clinical decisions*

