

Cabinet Secretary for Education and Skills submission of 9 February 2023

PE2001/A: Withdraw the 'Supporting transgender young people in schools' guidance from Scottish schools

Thank you for your e-mail of 5 January 2023 on behalf of the Citizen Participation and Public Petitions Committee regarding Petition PE2001 seeking to withdraw the 'Supporting transgender young people in schools' guidance from Scottish schools. I am replying as this guidance falls within my portfolio of responsibilities.

The Scottish education system is founded on the principles of equity and excellence for all learners and it must support everyone to reach their full potential. The Scottish Government is clear guidance to support transgender young people in schools is needed. Research tells us they have poorer experiences at school than other pupils, they experience significantly more bullying, are likely to have poorer mental health and wellbeing, and do not achieve similar educational outcomes as their peers. The guidance supports our schools to implement and deliver a safe and supportive environment, regardless of gender, and ensure that everyone's rights are respected. The rights of all pupils, including those of transgender pupils and girls, are respected and protected. Children's rights, including their right to privacy, are fundamental foundations of a child's education. The guidance offers practical measures for schools to ensure all children's rights are respected, and links to and draws upon the guidance on the Equality Act which is already in place to support schools in fulfilling their duties. Development of the guidance for schools was informed by key stakeholder groups, including LGBT organisations, women's groups, education organisations and teaching unions.

The petitioners state the guidance "encourages teachers to affirm the social transition of children who say they are trans". It is wrong to claim that the guidance recommends that young people are encouraged to socially transition. That is an individual's choice. The guidance is clear, schools should support all young people, including those who are considering their identity.

With reference to the Cass Review, commissioned by NHS England, this only extends to current and future services offered by NHS England. The Cass Review is not considering or reviewing clinical services or pathways provided by NHS Scotland. The Scottish Government and NHS Scotland will closely consider the ongoing findings of the Cass Review within the context of NHS Scotland services, as they become available. This is consistent with our

broader commitment to improve access to, and delivery of, NHS gender identity services.

I hope the Committee finds this letter helpful.