

Inclusion or Restriction?

**A report on the risks posed to LGBTIQ+ communities
by the statutory guidance on relationships sex and
health education.**



Marty Davies (b. 1986), *Protect the Children*, 2026, Eraser assemblage in an acrylic case. (Exhibited at Brixton (Tate) Library in the 'Under our Skin' exhibition in February 2026)

The work was created in opposition to elements within the updated RSHE guidance and insists that trans, non-binary and intersex people will not be rubbed out.

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Executive Summary

This report, prepared by Pride in Education, analyses the revised Relationship and Sex Education and Health Education (RSHE) guidelines scheduled for implementation in September 2026. This report serves as the formal response from Pride in Education following our "Open Letter Campaign" and associated focus group and surveys that secured 5,137 signatures, including nearly 1,000 education professionals, major unions like the NASUWT, and prominent public figures. The report argues that the current draft creates a "**climate of uncertainty and reputational anxiety**" for educators, reminiscent of the historical Section 28 legislation.

Key Findings

- **Safety and wellbeing risks:** Research indicates that inclusive school environments are critical protective factors against suicide and mental health issues for LGBTIQ+ youth. The report warns that reducing gender identity to a "debate" undermines this safety and risks exacerbating existing distress among vulnerable pupils.
- **Ambiguity and inconsistency:** The guidance contains internal contradictions. While correctly noting that gender reassignment is a protected characteristic under the Equality Act 2010, the guidance suggests that the identities of people who have that protected characteristic are a matter of "significant debate". This creates "legal uncertainty and defensive practice" among school leaders, given that it frames a legally protected characteristic as one that can be debated.
- **Omissions of identity:** The 2026 guidance fails to explicitly mention intersex people and asexual/aromantic identities. By oversimplifying and not validating identities explicitly, it risks reinforcing invisibility and spreading scientifically inaccurate information.
- **Professional impact:** Surveys of educators reveal high levels of anxiety, with staff reporting they are "scared what to say" and fearing professional sanctions for inclusive teaching. There are early indications that LGBTIQ+ educators are being "driven further into the closet" or leaving the profession entirely due to these changes.

Core Recommendations

The report calls for an immediate revision of the RSHE 2026 guidance to:

1. **Affirm and include:** Ensure trans, non-binary, and intersex people are actively represented and affirmed. As the UN's Free and Equal campaign describes being transgender as a "natural part of human diversity"
2. **Remove exclusionary language:** Delete phrasing that silences discussion on gender identity or frames human existence as a "debate".
3. **Clarify scientific definitions:** Update terms like "biological sex" to reflect contemporary scientific consensus on human diversity.
4. **Embed asexuality:** Include asexual and aromantic identities to ensure all young people see their experiences reflected.

Terminology Use

Aromantic (Aro) A person who experiences little to no romantic attraction to others.

Asexual (Ace) An umbrella term used to describe a person who experiences little to no sexual attraction to others. Asexuality is a sexual orientation recognised within the broad legal definition of sexual orientation under the Equality Act 2010.

Biological Sex A term referring to the physical, hormonal and chromosomal characteristics typically used to categorise people as male or female. This report notes that biological sex is not binary in all cases as intersex variations demonstrate that human biology exists on a spectrum. This report distinguishes between the legal use of the term "sex" under the Equality Act 2010 and its broader biological meaning.

Cisgender A term describing a person whose gender identity aligns with the sex they were assigned at birth. Often shortened to "cis."

Gender Diverse An umbrella term describing people whose gender identity, gender expression or lived experience of gender differs from the sex assigned to them at birth. The term may include, but is not limited to, transgender, non-binary, gender-fluid and other identities outside traditional binary understandings of male and female. This is the term used throughout this report in preference to "gender questioning," which implies uncertainty rather than affirming a person's identity.

Gender Expression The external presentation of a person's gender through clothing, behaviour, appearance, name and pronouns. Gender expression may or may not reflect a person's gender identity and does not determine sexual orientation.

Gender Identity A person's deeply held internal sense of their own gender, which may or may not correspond with the sex they were assigned at birth. Gender identity is distinct from biological sex, gender expression and sexual orientation.

Gender Non-Conforming A term for people whose gender expression does not align with traditional societal expectations of the gender they were assigned at birth. Gender non-conforming people may or may not identify as transgender or non-binary.

Gender Reassignment A protected characteristic under the Equality Act 2010. It refers to anyone who is proposing to undergo, is undergoing, or has undergone a process for the purpose of reassigning their sex by changing physiological or other attributes of sex. Crucially, this protection is not limited to those who have undergone medical intervention, it extends to social transition and to those questioning their gender identity.

Intersex An umbrella term for people born with natural variations in sex characteristics, such as hormones, chromosomes or anatomy, that do not fit typical binary notions of male or female bodies. Intersex is a naturally occurring aspect of human biological diversity. Intersex people may identify as any gender. While intersex is not a standalone protected characteristic under

the Equality Act 2010, intersex individuals may be protected under provisions relating to sex discrimination, disability or gender reassignment depending on their circumstances.

LGBTIQA+ An acronym encompassing Lesbian, Gay, Bisexual, Trans, Intersex, Queer or Questioning, and Asexual and Aromantic people, with the + signifying the full breadth of identities within this community.

Non-Binary An umbrella term for people whose gender identity does not fit exclusively within the categories of man or woman. Non-binary people may identify as both, neither, or somewhere outside the traditional gender binary. Non-binary identities may be covered by the protected characteristic of gender reassignment under the Equality Act 2010 depending on individual circumstances.

Protected Characteristic A characteristic protected from discrimination under the Equality Act 2010. The nine protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. This report primarily engages with the protected characteristics of gender reassignment, sex and sexual orientation in the context of RSHE education.

RSHE Relationships and Sex Education and Health Education. The statutory curriculum subject governed by the guidance that is the subject of this report, scheduled for implementation in September 2026.

Section 28 A former legislative provision under the Local Government Act 1988 that prohibited local authorities from intentionally promoting homosexuality or publishing material with the intention of promoting homosexuality, and from promoting the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship. It was repealed in Scotland in 2000 and in England and Wales in 2003. Section 28 is referenced throughout this report as a historical parallel - educators who lived and worked through that period have drawn direct comparisons between the confusion, fear and institutional silence it created and the climate being generated by the RSHE 2026 guidance today.

Social Transition The process by which a person changes their outward appearance and social role such as name, pronouns and clothing, to align with their gender identity, without necessarily undergoing medical intervention. Social transition is protected under the gender reassignment provisions of the Equality Act 2010.

Trans / Transgender An umbrella term for people whose gender identity differs from the sex they were assigned at birth. Trans is used in this report as an inclusive term encompassing transgender men, transgender women, non-binary people and others whose gender identity does not align with their sex assigned at birth. Trans people may or may not choose to undergo medical or social transition.

Variations in Sex Characteristics An umbrella term similar to Intersex used to describe physical sex development which differs from what is generally expected of 'males' or 'females'. These variations are congenital and may be chromosomal, gonadal, anatomical or hormonal.

Who We Are

Pride in Education is a volunteer-led unincorporated association founded in March 2020 by Laïla El-Métoui in response to cuts in UK Government funding for anti-homophobia, biphobia and transphobia (HBT) bullying work in schools.

We are a small but dedicated team of volunteers committed to advancing LGBTIQ+ justice across the education sector. Over the past five years, the organisation has grown from a UK-based virtual conference into an international platform supporting thousands of educators worldwide to create welcoming, inclusive and affirming learning environments.

We envision an education system where every learner and educator is safe, valued and represented, where LGBTIQ+ lives, histories and contributions are embedded across all areas of learning and where inclusion is not an exception, but the norm. We believe when schools create fully inclusive environments, everyone benefits: learners achieve better outcomes and progress further, whilst staff experience greater wellbeing and professional fulfilment.

We believe education should be a place where people feel they belong and feel represented. We believe that education should empower young people to understand themselves and each other through honest, evidence-based and inclusive teaching.

For more information, please contact info@prideineducation.co.uk

Introduction: An increasingly hostile environment for young LGBTIQ+ pupils and staff

In as little as five years, schools have faced rapid and cumulative developments relating to gender diversity, both directly and indirectly impacting the education sector. The RSHE 2026 guidance is the latest and most direct expression of a pattern of harm that has accelerated rapidly, leaving educators, pupils and families increasingly without support, clarity or protection. These include:

- **2020** - The withdrawal of dedicated funding tackling homophobic, biphobic and transphobic (HBT) bullying
- **2021** - Litigation affecting youth gender services (Bell v Tavistock)
- **2023** - Draft non-statutory advice on gender questioning children
- **2023** - The permanent ban on puberty blockers extended beyond the initial pause
- **2024** - Independent review of gender services (Cass Review – NHS England)
- **2024** - Pause on routine prescription of puberty blockers for trans adolescents only (i.e. treatment still used in cases of precocious puberty, hormone-sensitive diseases and certain gynaecological and oncological conditions)
- **2025** - Supreme Court judgment and subsequent (now withdrawn) interim guidance and the now-delayed EHRC guidance and 2026 High Court ruling
- **2025** - Relationships and Sex Education and Health Education (RSHE) guidance for September 2026 published with updated guidance around gender identity
- **2026** - Keeping Children Safe in Education – 2025 draft update consultation

Taken together, these developments have created:

- **Overlapping legal and regulatory signals** leading to knee-jerk responses - e.g. EHRC interim guidance and individual company and institutional responses
- **High levels of public and media scrutiny** without balanced voices from trans and non-binary people – leading to disproportionate sensationalised reporting in the media and misreporting)
- **Prolonged delays between draft guidance, litigation and final clarification** – creates uncertainty, anxiety and diverging responses from organisations and institutions based on multiple legal advice

For the education sector, the cumulative effect since 2020 has been to increase institutional caution, particularly in cases involving trans, non-binary or gender-diverse pupils which has undeniably impacted the lives of young trans, non-binary and gender-diverse people.

All of this has arisen amidst the backdrop of rising hate crime against LGBTIQ+ people, an increasingly hostile international environment resulting in the defunding of vital community support, and numerous sustained media attacks on LGBTIQ+, particularly trans, identities.

The evidence we have gathered through our campaign and other research shows the potential for the 2026 RSHE guidance (alongside all other pieces of guidance) to contribute to schools defaulting to defensive interpretations that prioritise institutional risk management over proportionate safeguarding and wellbeing support. This report outlines our concerns backed up with evidence from the sector and beyond.

International Scrutiny and Alarm

In 2015 the UK topped the **ILGA-Europe** Rainbow Map ranking for LGBTIQ+ rights, signalling strong legal protections and an inclusive environment. However, by 2025 the UK had fallen dramatically to 22nd place overall and the lowest position in Western Europe apart from Italy, with an overall score of around 45 per cent on key legal equality indicators. This decline reflects backsliding in areas including legal recognition, protection from discrimination, and the legal environment affecting trans and non-binary people (as well as the hostile environment towards people seeking asylum).

In addition, the **Lemkin Institute for Genocide Prevention** issued, in 2025, a “Red Flag Alert” on anti-trans and intersex rights in the UK, warning that recent legal and policy developments, including judicial rulings and regulatory guidance, risked stripping trans and intersex people of privacy and treating them as “others” to be excluded.

These global institutions represent a growing fear among international human-rights observers that current trends in the UK could erode basic protections and undermine dignity for already vulnerable communities.

Inclusivity and Wellbeing: An undeniable relationship

A substantial body of existing UK evidence from the last 2-3 years demonstrates a consistent relationship between inclusive school environments and improved mental health, safety and future outcomes for LGBTIQ+ young people. The detailed research underpinning this section is set out in Appendix A however below is a summary of the principal themes and their relevance to the forthcoming 2026 RSHE guidance.

Supportive Schools as a Protective Factor

Research from **The Trevor Project** (UK Survey on Mental Health of LGBTQ+ Young People, 2024) shows a marked association between school acceptance and suicide risk. Young people in schools described as ‘accepting’ reported substantially lower rates of suicide attempts than those in ‘unaccepting’ environments. **School climate therefore functions as a critical protective factor.**

The same survey identifies particularly acute vulnerability among trans and non-binary young people, with very high proportions reporting having considered suicide in the past year. These findings indicate a cohort already experiencing significant distress, for whom the presence or absence of affirmation and safety within school settings may be incredibly influential.

Staff support is a central component of this protective effect. Where staff were perceived as unsupportive, rates of depression and anxiety symptoms were markedly higher. Guidance that limits clarity, confidence or capacity among staff to provide appropriate support may therefore risk exacerbating existing mental health inequalities in trans and non-binary young people.

In addition, family support cannot be assumed. Survey evidence indicates that only around half of trans and non-binary young people report having at least one supportive family member. For a significant minority, **school may represent the only consistent source of affirmation**, safeguarding and trusted adult support. To take this away by reducing trans and non-binary gender identity to a 'debate' risks taking this vital space of potential sanctuary away from them and potentially risk the safety of young people living with unsupportive family or carers.

School Climate and Long-Term Outcomes

Findings from **Just Like Us** (Positive Futures Report, 2023) further demonstrate the long-term implications of school environment. LGBTIQ+ young adults who attended 'supportive' schools report significantly higher levels of optimism about their future than those from 'unsupportive' settings. The difference is substantial and attributable to school climate.

The benefits of inclusive school environments extend beyond LGBTIQ+ pupils. Non-LGBTIQ+ respondents who attended 'supportive' schools also reported higher levels of optimism. This suggests that **inclusive practice contributes to whole-school wellbeing**, rather than benefiting one group at the expense of others.

The report also highlights that awareness of sexual orientation and gender identity commonly begins in late primary or early secondary years, with a meaningful minority of LGBTIQ+ respondents reporting awareness before age 11. For trans and non-binary young people, **early adolescence is frequently a critically formative period for understanding identity**. These findings are directly relevant to inclusive RSHE content and again, implying gender identity is a matter of philosophical debate rather than a fact of natural human diversity, risks impacting this incredibly important phase of young people's lives.

Emerging Evidence on Mortality and Over-Representation

Analysis published by **QueerAF** (2026), drawing on data from the NHS-funded National Child Mortality Database at the University of Bristol, provides new insight into LGBTQ+ representation among child suicide deaths in England.

Between 2019 and 2025, LGBTQ+ children accounted for a notable proportion of recorded child suicide deaths, including a number of trans children. While direct population comparisons are constrained by the absence of comprehensive sexual orientation and gender identity data for under-16s, available national statistics suggest that LGBTQ+ and particularly trans young people may be over-represented.

Child Death Overview Panels identified gender dysphoria as a contributing factor in a proportion of cases involving trans children, underscoring the importance of appropriate mental health support, safeguarding and early intervention. This underpins the critical importance of inclusive and compassionate teaching around gender identity.

Increasing confusion and anxiety amongst trans and non-binary people in light of the Supreme Court ruling

In May 2025, **Pride in Education** convened a national webinar, *Beyond the Supreme Court Ruling: Upholding Inclusive Education for All*, following the April 2025 judgment of the Supreme Court. The event brought together over 420 educators and sector professionals, alongside legal experts and leaders from major LGBTIQ+ education organisations. The discussion focused on the practical implications for schools and the importance of proportionate, legally grounded responses while awaiting finalised guidance from the Equality and Human Rights Commission.

The discussion emphasised **the importance of legal proportionality** and cautioned against premature policy change. The April 2025 judgment of the Supreme Court of the United Kingdom does not require immediate revision of school policies. Interim guidance issued by the Equality and Human Rights Commission, subsequently withdrawn and challenged in the High Court, was non-statutory and subject to consultation. Schools were advised to **avoid reactive or restrictive measures** pending formal clarification. At the High Court challenge by the Good Law Project in February 2026, the judge did comment that people had misunderstood the guidance and rushed to over comply.

Participants also highlighted the **risks of oversimplification**. Narrow interpretations of “biological sex” may exclude intersex and non-binary people and risk embedding reductive understandings of sex and gender into education policy. It was argued that educational settings should reflect biological diversity and lived experience rather than adopt restrictive definitions not required by statute.

The session reaffirmed a **commitment to inclusive, whole-school practice**. Schools were encouraged to maintain rights-based policies and to embed inclusion through staff training, anti-bullying frameworks and strong governance arrangements.

Safeguarding and wellbeing were identified as central considerations. Trans young people experience disproportionately high levels of bullying and poor mental health (see Appendix A) and visibility, allyship and consistent staff support were recognised as protective factors. Treating pupils' identities as matters for institutional debate was seen as potentially undermining safety and dignity.

Relevance to RSHE 2026 Guidance

Taken together, the evidence demonstrates:

- **The link between supportive school climates and wellbeing** with lower suicide risk and improved mental health among LGBTIQ+ young people (including not only trans and non-binary but also other marginalised groups especially intersex and asexual people).
- **The already challenging environment for trans and non-binary young people** who experience elevated vulnerability and require consistent, evidence-based safeguarding responses.
- **Identity development commonly begins during primary and early secondary education** making age-appropriate inclusion (across all identities including trans, non-binary, intersex and asexual) critically relevant.
- **The need for clear, unambiguous, evidence-based and inclusive advice** is required for schools to prevent knee-jerk reactions, exclusion of trans, non-binary and intersex pupils and staff and further marginalisation of asexual people.
- **Ignoring intersectionality fails to recognise real lived experiences** for young people facing challenges as a result of complex concurrent identities.

Pride in Education's Open Letter Campaign: summary, response and insight

In July 2025, Pride in Education launched an open letter campaign aimed at the 2026 RSHE guidance and the harmful effects its updated wording on teaching gender identity could have on young people. Many, through our engagement, have commented that they see this as a dangerous new Section 28 for this generation. This letter has secured **5,137 confirmed signatures**, including:

- Almost 1000 **education professionals** working directly with young people
- **Parents** concerned for their children's wellbeing and education
- **Young people** demanding the right to see themselves in their learning
- **Allies** committed to equality and evidence-based policy

This is clearly not a fringe or niche concern; it is central to safeguarding and supporting vulnerable young people. This is an unequivocal sign that things need to change, supported by thousands of people across England, many fearing the direct impact the changes will have on themselves and loved ones.

Prominent Public Figures, Activists and Leaders Supporting the Campaign

The campaign has secured endorsements from widely respected public figures, including:

- **Parliament and public life** - Lord Michael Cashman (Actor, activist and former MEP), Lord Charles Edward OBE JP, Caroline Russell, Councillor Sam Coleman, and over 30 civil servants and local authority officers
- **Sport** - Dame Kelly Holmes
- **Arts, entertainment and media** – Sir Stephen Fry, Cyril Nri, Russell Tovey, Ant Lexa, Annie Wallace, Ki Griffin, Paloma Faith, Kate Nash, Dan Gillespie Sells, Jedward, Daniel Lismore, Gail Porter, Jennie Kermode, Fox Fisher, Roz Kaveney, James Oswald, Robin Stevens and Patrick Ness.
- **Activists, academics and campaigners** - Christine Burns MBE, Laks Mann MBE, Marc Thompson, Peter Tatchell, Katie Neeves (Cool2BTrans), Dr Natacha Kennedy (Goldsmiths University of London) and Professor Emeritus Sue Sanders (co-founder of LGBT+ History Month).
- **Charity founders, CEOs and community leaders** - Aderonke Apata (CEO African Rainbow Family), Alice Skye Appleby (Hexham Pride), Avril Clark, Bobbi Pickard (CEO Trans in the City), Danielle St James (CEO Not A Phase), Helen Belcher OBE, Jay Crawford, Joel Robinson (Spectra), Laila El Metoui, Laura Rose Thorogood, Mark Healey (National Hate Crime Awareness Week), Marty Davies, Matt Dabrowski (OutBritain), Matthew Axbey, Paul Levene (TransLucent), Paul Martin (CEO LGBT Foundation), Rebecca Don Kennedy (Equality Network), Revd Jide Macaulay (House of Rainbow),

Sarah Savage (Trans Pride Brighton), Stewart O'Callaghan (OUTpatients), Yasmin Benoit (Asexual Activist) and Lesbians Against Fascism and Transphobia (LAFT).

"I urge ministers to listen to Trans+ people, redraft this guidance and embed truly inclusive, respectful dialogue in curricula that safeguards every young person's right to see themselves reflected in what they learn."

Lord Michael Cashman

So many of these people above are on the frontline of supporting LGBTIQ+ people, especially young people and can see the damaging effect that these guidance updates, recent rulings and some of the knee-jerk responses from organisations and businesses, have had on trans and non-binary people and also completely ignored intersex variations and other marginalised sexual orientations, notably asexual people.

Institutional Support: NASUWT Support

The NASUWT, the Teachers' Union, has formally backed the Pride in Education campaign. This significant support from one of the UK's largest teaching unions shows the severity of concerns about the RSHE 2026 guidance from the education sector and the need to support our campaign and calls for urgent revision.

"We have serious concerns about the changes to the RSHE guidance for schools. In its current form the guidance seeks to guide schools to adopt approaches to teaching learning and support that do not reflect the obligation on schools to operate in the best interests of the child."

Matt Wrack, General Secretary of NASUWT

The Major Concerns with the RSHE 2026 Guidance

As outlined in our open letter, the Pride in Education campaign has identified concerns with the RSHE 2026 guidance and believe these pose serious risks to young people and staff.

Internal inconsistency within the Equality Framework

Paragraph 67 of the guidance correctly states that pupils should learn about the protected characteristics under the Equality Act 2010, including sexual orientation and gender reassignment. However, subsequent provisions appear to undermine this principle. Paragraph 69 asserts that those with the protected characteristic of gender reassignment should be treated with “respect and dignity,” yet Paragraph 70 implies that trans identities are matters of “significant debate.”

There is an inherent tension in requiring schools to uphold dignity while simultaneously framing the existence or legitimacy of trans, non-binary and intersex people as contestable and debatable. Teaching that a group of people are subject to debate risks diminishing their agency and undermines the respect the guidance elsewhere seeks to protect as a legal duty under the Equality Act 2010.

Ambiguity and Risk of Restrictive Interpretation

The guidance suggests that teachers should avoid content that could be perceived as encouraging questioning of gender or affirming trans identities. This language is imprecise and open to very broad interpretation. In practice, it risks leading schools to restrict discussion of trans lives and experiences in ways that could impact young LGBTIQ+ people (see appendix A).

Paragraph 70 implies that even acknowledging gender identity may be construed as promoting a particular viewpoint. This creates uncertainty for educators seeking to deliver balanced, factual and age-appropriate teaching. This may render inclusive education about trans, non-binary and intersex people practically unworkable.

Intersex Omission and Biological Oversimplification

The RSHE 2026 guidance does not explicitly reference intersex people and presents “biological sex” in simplified, binary terms. Intersex individuals, those born with natural variations in sex characteristics such as chromosomes, hormones, or anatomy, represent a recognised part of human diversity. While intersex is not a standalone protected characteristic under the Equality Act 2010, individuals may be protected under provisions relating to sex discrimination, disability (in some cases), or gender reassignment. The absence of explicit recognition in the RSHE guidance risks reinforcing invisibility and embedding inaccurate representations of sex in the curriculum.

The guidance also oversimplifies biological concepts in ways that do not reflect scientific consensus. Criticism of this simplified approach has been heard from those within the medical profession, including the British Medical Association’s Resident Doctors Committee who termed the ruling “biologically nonsensical.” Legal interpretation, including those arising from the April 2025 Supreme Court ruling,

clarifies the operation of the protected characteristic of sex under the Equality Act 2010 but does not (or should not) negate the biological reality of intersex variation. The RSHE guidance must distinguish between legal terminology and biological fact.

Omission of Asexual Identities

While the guidance references sexual orientation as a protected characteristic (under the Equality Act 2010), it does not explicitly acknowledge asexual or aromantic identities.

The absence of explicit reference within the updated RSHE guidance risks perpetuating invisibility and misunderstanding. Pupils who identify as asexual or aromantic may not see their experiences reflected within RSHE and feel a degree of confusion and isolation at such a formative period of their lives. Educators may also lack clarity about how and whether these identities can be discussed.

Given that RSHE is intended to provide inclusive, comprehensive education about relationships and sexuality, clearer recognition would support pupil wellbeing and inclusion whilst remaining compliant with the Equality Act 2010.

Interaction with the Equality Act 2010

Under the Equality Act 2010, the protected characteristic of gender reassignment is not limited to individuals who have undergone medical transition or obtained a Gender Recognition Certificate. It extends to those proposing to undergo, are undergoing, or have undergone a process of transition. As stated, it is not only limited to medical transition or phase within this but also includes social transition and those questioning their gender identity.

Restrictions on how schools may teach about social transition risk conflicting with the breadth of the statutory protection within the Equality Act 2010. In effect, the guidance may create a situation in which young people who are themselves protected under the Equality Act 2010 receive partial, inconsistent or negative representation within RSHE. This raises concerns about compliance, equal treatment and safeguarding.

Impact on Teachers and School Leaders

The combined effect of these provisions places teachers and school leaders in a difficult position. On the one hand, they are required to promote equality, prevent discrimination and foster respect under the Equality Act 2010. However, on the other, they are cautioned against affirming gender identity or presenting trans, non-binary and intersex experiences in ways that could be incorrectly perceived as endorsement.

This contradiction risks legal uncertainty and defensive practice. It may also lead to further marginalisation of trans and non-binary pupils.

Pride in Education's Position

Trans people exist. Intersex people exist. Non-binary people exist. Asexual and Aromantic people exist. They are pupils, teachers, parents, carers and members of school communities. Excluding or minimising these realities within RSHE does not enhance safeguarding. Rather, it limits pupils' ability to understand themselves and the diversity of the society in which they live.

A balanced, factual and age-appropriate curriculum should enable young people to develop empathy, respect self-understanding and critical thinking skills. Guidance that creates ambiguity around the legitimacy of certain identities risks undermining those core educational objectives.

Our Evidence: Engagement with the Education Sector

Alongside our open letter campaign, we have engaged with the education sector, particularly with members of the LGBTI+ branches of NASUWT and the NEU as well as, parents and guardians of trans and non-binary young people and of course, young trans and non-binary people as well.

Union Engagement

We conducted joint union-Pride in Education focus groups (both NEU and NASUWT) and surveys with teachers and school leaders working across primary and secondary schools in England.

The report from our survey is detailed in full in appendix C however below are the main themes:

Increased Anxiety and Uncertainty due to unclear and contradictory guidance

Most participants reported that the guidance is increasing anxiety and uncertainty among staff. Educators described confusion about what they are now permitted to do and concerns that the guidance will make it harder to support pupils effectively. Very few participants felt that the guidance would reduce stress for staff or make it easier to support students. Educators also consistently described the guidance as unclear and difficult to implement. One respondent commented:

“[The RSHE guidance is] Ambiguous. Conflicting statements. Various contradictions throughout the document. Unclear guidance. Impossible to deliver. Unkind statements. Inhuman statements and guidance.”

Secondary school teacher, NASUWT survey

Several educators drew comparisons with Section 28. Educators and those who were students at the time of Section 28 remember the isolating and harmful impact of this ambiguous (and mis-interpreted) addition to the Local Government Act 1988 that was subsequently repealed by the then Labour government in 2000 (Scotland) and 2003 (England and Wales). The comparisons are undeniable with the sense of confusion this guidance has created.

Ethical and Professional Tensions in Curriculum Delivery

Participants expressed uncertainty about how to approach curriculum content and classroom discussion under the guidance. Teachers are requesting practical clarity on how to handle RSHE and curriculum content, including the selection/discussion of gender-diverse exemplars and fears of sanctions.

One teacher asked: *“How am I supposed to approach the works of gender diverse exemplars in my subject? We need to uplift diverse voices in our curriculum. Will I be sanctioned if I pull works by a transgender author or composer for my lessons and discuss how their experiences have shaped their work?”* **Secondary school teacher, NEU survey**

Another noted: *“How do I talk to my students about what’s going on if we’re supposed to be preaching diversity and equality?”* **Secondary school teacher, NASUWT survey**

Many reported being “scared what to say”, having “more points to take into consideration and be afraid of getting wrong”, and concerns about possible professional sanctions for inclusive practice.

Concerns About Safety and Wellbeing of Trans and Non-Binary Staff

Many respondents focussed on emotional wellbeing, feeling unsafe, and a potential chilling effect on help-seeking. Several mention safeguarding risks if staff feel unable to support pupils. Participants raised concerns about the potential effects on trans and non-binary staff. Predicted impacts included colleagues being:

- “driven further into the closet”
- leaving schools “for their own safety”
- experiencing “fear for their lives and existence”

- avoiding seeking support, leading to physical and mental health concerns
- Practical issues highlighted included toilet access, mental health support and workplace safety.

"Since the decision in April and then the proposed 2026 RSE changes, I have less confidence in myself. I am making myself smaller. I am worried at what will be expected of teachers in terms of minimising a student's gender identity. I definitely feel less secure with supporting any trans and non-binary students, as any backlash is likely to focus on me being a non-binary teacher. I do not feel able to cope with that"

Non-binary Secondary School Teacher, NEU survey

Inconsistent School Responses Create Uneven Support for Pupils

Educators reported inconsistent responses across schools. Some schools were preparing to restrict support for trans and gender-diverse pupils, while others had no clear direction. A small number were seeking ways to continue inclusive practice, but most participants were unsure how their schools intended to respond with fears that risk aversion would cause schools to reduce supportive age-appropriate conversations amongst pupils.

The need for Clear, Practical and Consistent Guidance

Teachers are requesting practical clarity on how to handle RSHE and curriculum content, in light of this 2026 guidance including the selection/discussion of gender-diverse exemplars and fears of sanctions. Respondents have called for:

- Clear guidance without contradictions
- Comprehensive training
- User-friendly resources
- Materials suitable for faith school contexts
- Advice on discussing gender diversity with students of different faiths
- Clear guidance on supporting trans and non-binary pupils

"I am a queer, non-binary person based in Lincolnshire about to start teacher training in a few weeks. I have been shocked with how the Labour government has turned its back on LGBTQ+ people, especially trans and gender diverse people. I'm scared not just for myself but for future generations.

There will be some people who will see me even just existing openly as a queer person, especially as one who is non-binary, as encouraging students, and deliberately interpret this guidance however they want."

Queer, Non-Binary Teacher Trainee, Lincolnshire, NEU survey

Parents and Carers

Through our open letter campaign, we have received insight from parents. The RSHE guidance has contributed to what could be described as a hostile climate, with some parents describing safeguarding concerns resulting in them feeling that they had no choice but to home educate. One parent, Emma, raised real concerns around the inhumane and undignified experience that she and her son have endured:

"My child is not gender questioning. He is a boy. He has always known this, and he has told us so with unwavering consistency. Yet listening to how a young person feels is wholly absent in the current guidance. We are denying young people the right to name their own identity, to claim their own truth. Their wellbeing and dignity must be at the heart of everything we do, not an afterthought. These are our children, asking simply to be seen for who they are."

Emma, parent of a seven-year-old trans boy

Young People's Voices

Pride in Education partnered with **Blossom LGBT CIO** to conduct a dedicated digital focus group with 31 young LGBTIQ+ people aged 16 to 25, of which 75% identified as trans and non-binary, specifically to ensure that the voices of young people themselves are heard alongside those of educators and parents in this evidence base. 100% of Trans and Non-binary respondents confirmed they had been victims of bullying and unequal treatment at school because of their trans/non-binary identity

"I underwent a social transition without any medical intervention over the school holidays with an agreed plan to come back to school under a new name and gender as if I was a new student to help prevent bullying. I wore a hyper realistic wig, padding, and the girls school uniform. On my first day back a teacher told me I couldn't use the bathroom facilities in front of a group of girls in my year, which is when

the bullying started. Other students used to throw water bottles at me telling me to 'go pee in that instead of molesting children'. The bullying became so intense that I went through a breakdown and was taken to a psychiatric hospital. I did not return to school."

Transgender respondent

70% of Trans and Non-binary respondents felt that teachers were not appropriately equipped to support them manage their school experiences

"One teacher laughed at me when I said that I wanted to transition. She told me that I was 'just confused' and that I should 'try out some girly hobbies'. She did not refer me to the pastoral care unit nor did she help me access any kind of support navigating the school system."

Transgender respondent

Qualitative testimony from Blossom LGBT CIO's engagement suggests three recurring themes:

- **Policy-Level Barriers** - Schools lacking clear trans-inclusive name, pronoun, uniform and facilities policies.
- **Inconsistent Staff Competency** - Individual supportive teachers were often constrained by wider school systems.
- **Curriculum Exclusion** - A lack of LGBTQIA+ representation within RSHE, literature, history, and sex education contributed to feelings of abnormality and invisibility.

Recommendations and Next Steps

This report represents a clear and substantial body of evidence. It reflects the support of 5,137 signatories, professional consensus from educators and trade unions, and the community authority of LGBTIQ+ leaders. It draws upon established research evidencing the harmful impact of unsupportive school environments on young LGBTIQ+ people, alongside insights gathered through events, national webinars hosted by us at Pride in Education and research collated in collaboration with unions and other charities. It also includes direct testimony from parents and guardians, educators and trans+ staff describing current lived harm and anxiety and of course, young people who fear about the future within the current system.

Pride in Education's assessment is that the current RSHE guidance is creating significant fear and confusion among educators, while excluding entire communities from meaningful recognition. It frames the identities of vulnerable pupils as matters for debate, despite consistent research demonstrating that affirmation and inclusion are protective factors for wellbeing and safety. There is growing evidence that the guidance is contributing to LGBTIQ+ educators leaving the profession and is generating inconsistent practice across England, resulting in a postcode lottery of support for young people.

Based on our findings, the guidance will fail young people and those in the education profession. The profession knows it, the unions know it, the research proves it and with 5,137 people behind our open letter we feel this is an unequivocal sign that things must change.

Pride in Education calls upon the DfE to take the following actions:

- **Immediately revise the RSHE guidance** to ensure it actively affirms and includes trans, non-binary, i gender non-conforming and intersex people throughout.
- **Remove contradictory and exclusionary language** that silences discussions of gender identity and undermines the protected characteristics under the Equality Act 2010.
- **Clarify definitions** and expectations around terms like 'biological sex' in a way that reflects contemporary science and human diversity and legal responsibility.
- **Embed asexual and aromantic identities** in discussions about sexual orientation to ensure that young people are aware that not having sexual or romantic attraction is normal.
- **Provide clear, consistent support for educators** to deliver inclusive, factual and age-appropriate content without fear of disciplinary action.

- **Engage meaningfully with the LGBTIQA+ community**, especially trans, non-binary and intersex young people, in redrafting this guidance. The voices of those impacted are missing from this guidance and that needs to change

“The evidence we have gathered directly from teachers, parents, young persons, and school communities is devastating. We will continue to work directly with the profession centring teachers' unions, young people and partners to demand the revision of the RSHE 2026 guidance. It must protect pupils, support staff and centre the voices of the Trans and gender diverse communities it affects. The current direction of travel is failing the sector and ultimately harming young people. Teachers know it, unions know it and now the evidence is undeniable.”

Laïla El-Métoui, Founder, Pride in Education

For any queries and responses, please contact Pride in Education – info@prideineducation.co.uk

Appendix A – Background Evidence and Insight

The Trevor Project: UK Survey on Mental Health of LGBTQ+ Young People (June 2024)

Sample: Over 6,600 LGBTQ+ young people aged 13-24 across the UK

School Acceptance and Suicide Risk

School acceptance is a critical protective factor for LGBTQ+ young people's mental health. The Trevor Project's 2024 UK National Survey found that suicide attempts were reported by **13%** of young people in schools where pupils were very accepting, compared with **35%** in schools where pupils were not accepting.

This demonstrates that supportive school environments reduce the risk of suicide attempts by more than half.

Mental Health Risk for Trans and Non-Binary Young People

Trans and non-binary young people face particularly acute mental health risks. In the past year, **69%** of gender-fluid young people, **72%** of transgender men and **68%** of transgender women reported considering suicide. These figures indicate a population already experiencing severe distress and heightened vulnerability.

Impact of Staff Support

Staff attitudes play a decisive role in young people's wellbeing. Where school staff were described as very or somewhat unsupportive, more than **75%** of LGBTQ+ young people experienced symptoms of depression and over **81%** experienced anxiety. Guidance that limits staff capacity to provide affirmation and support is therefore likely to worsen mental health outcomes.

Discrimination and School Climate

Discrimination remains widespread for gender-diverse young people. **68%** of LGBTQ+ young people reported experiencing discrimination because of their gender identity, reinforcing the need for schools to function as spaces of protection rather than further exclusion.

Family Support and the Unique Role of Schools

Family support cannot be assumed. Only **50%** of transgender and non-binary young people reported having a supportive family member. For the remaining half, school may be the only consistent source of affirmation and safeguarding.

Just Like Us: Positive Futures Report (June 2023)

Sample: 3,695 young people aged 18-25, including 1,736 LGBT+ young adults, across the UK

School Support and Future Optimism

This report demonstrates a strong relationship between school environment and young people's outlook on life. Among LGBT+ respondents who attended supportive schools, 84% reported feeling optimistic about their future some or all of the time. This compares with 63% of LGBT+ respondents from unsupportive school environments, representing a 21 percent gap in optimism attributable to school climate alone.

Benefits of Inclusive School Environments for All Students

The findings also show that supportive and inclusive school environments benefit non-LGBT+ students as well. Among non-LGBT+ respondents, 85% from supportive schools reported optimism about their futures, compared with 75% from unsupportive schools. This indicates that creating inclusive environments improves wellbeing and future outlooks for all students, not only those who identify as LGBT+.

Early Awareness of Sexual Orientation and Gender Identity

The report highlights that awareness of identity often begins in childhood. Approximately 15% of LGBT+ respondents (around 3 in 20) reported knowing they were LGBT+ before the age of 11, during primary school or earlier. For trans and non-binary young people, the average age at which they first understood their gender identity was 13.

QueerAF: Under Pressure – LGBTQ+ Mortality Rates (January 2026)

Sample: National dataset of 647 child suicide deaths in England (2019–2025) from the NHS-funded National Child Mortality Database (University of Bristol), with sexual orientation and/or gender identity recorded in 107 cases, including 46 trans children.

One in six children who died by suicide were LGBTQ+

Analysis published by QueerAF in January 2025, based on a Freedom of Information request to the National Child Mortality Database (NCMD), provides the first national insight into LGBTQ+ representation among child suicide deaths in England.

Between April 2019 and March 2025, 107 of the 647 children who died by suicide in England were recorded as LGBTQ+ (16.6%). Of these, 46 were trans, representing approximately 7% of all child suicide deaths during this period.

These figures were drawn from an NHS-funded database managed by the University of Bristol.

Direct population comparisons are limited by the absence of official data on sexual orientation and gender identity for under-16s in England. However, Office for National Statistics data shows that around 8% of 16–24-year-olds identify as lesbian, gay or bisexual, and Census data indicates around 0.5% of adults identify as trans. When compared with these estimates, LGBTQ+ and trans young people appear over-represented in child suicide figures.

Further detail from the NCMD indicates that among the trans children who died, a proportion were recorded as experiencing gender dysphoria, and in more than half of those cases this was identified by Child Death Overview Panels as a contributing factor. This highlights the importance of mental health support and safeguarding responses for trans and gender-diverse young people.

Stakeholders responding to the findings have emphasised the need to focus on prevention rather than political debate. As Lucy Brisbane, campaigner on preventable deaths, stated:

“Every preventable death of a child is unacceptable... we need to understand the factors that are contributing to deaths and take action to address them.”

This newly released evidence reinforces concerns raised elsewhere in this report: that LGBTQ+, and particularly trans and non-binary young people, experience elevated vulnerability and require supportive, inclusive and evidence-based approaches across education, health and safeguarding systems. Policy and guidance affecting schools should be assessed in light of these risks and the need to strengthen protective factors rather than weaken them.

Beyond the Supreme Court Ruling, Pride in Education (May 2025)

Pride in Education hosted the national webinar *“Beyond the Supreme Court Ruling: Upholding Inclusive Education for All”* in May 2025 which was attended by over **420 educators and sector professionals**. The panel brought together legal experts and leaders from major LGBTIQ+ education organisations. Contributors emphasised that the Supreme Court ruling does not require immediate policy change in schools and that the EHRC interim guidance was non-statutory. Schools were advised to avoid premature or restrictive action while formal guidance remains under consultation.

Concern About Exclusion and Oversimplification

Panel members raised concerns that current interpretations of “biological sex” exclude intersex and non-binary people and risk reinforcing overly simplified understandings of sex and gender. The discussion highlighted the need for education policy to reflect

biological diversity and lived experience, rather than narrowing recognition within school settings.

Commitment to Inclusive Educational Practice

The webinar reaffirmed that schools should maintain inclusive, rights-based policies and avoid segregating trans and non-binary pupils. Panel members encouraged institutions to embed inclusion across whole-school culture through staff training, anti-bullying frameworks and the use of established sector resources.

Safeguarding and Wellbeing as Core Priorities

Evidence shared during the session noted that trans young people experience higher levels of poor mental health and bullying, and that visibility, allyship and staff support act as protective factors. Panel members advised that pupils' identities should not be treated as matters for debate, as this can undermine safety and dignity in educational settings.

Early Indications from Education Settings

Survey feedback gathered ahead of the webinar suggested emerging impacts across schools and universities, including policy rollbacks, increased staff uncertainty and inconsistent institutional responses. Participants reported concern about rising hostility and fear of "saying the wrong thing," alongside legal uncertainty about how to interpret the ruling in practice.

Shared Position from the Sector

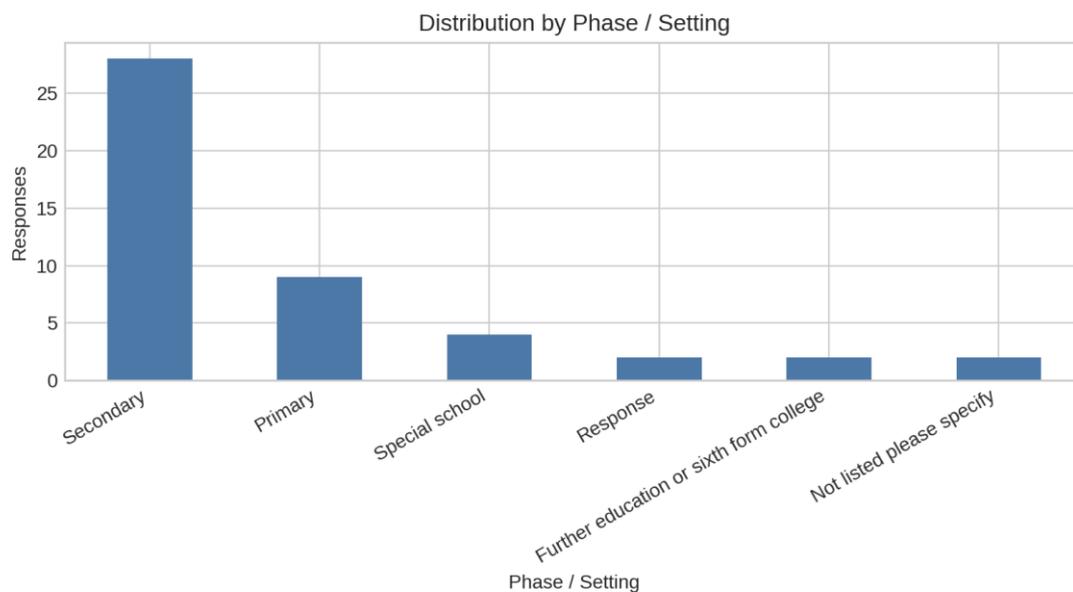
The webinar concluded that inclusive education should remain evidence-based and proportionate. Participants were encouraged to delay policy changes until statutory guidance is issued, engage with the EHRC consultation process, and continue supporting inclusive practice through training, governance structures and collaboration with specialist organisations.

Appendix B – NEU/NASWUT Survey Results

Quantitative Analysis of Responses (NASUWT + NEU)

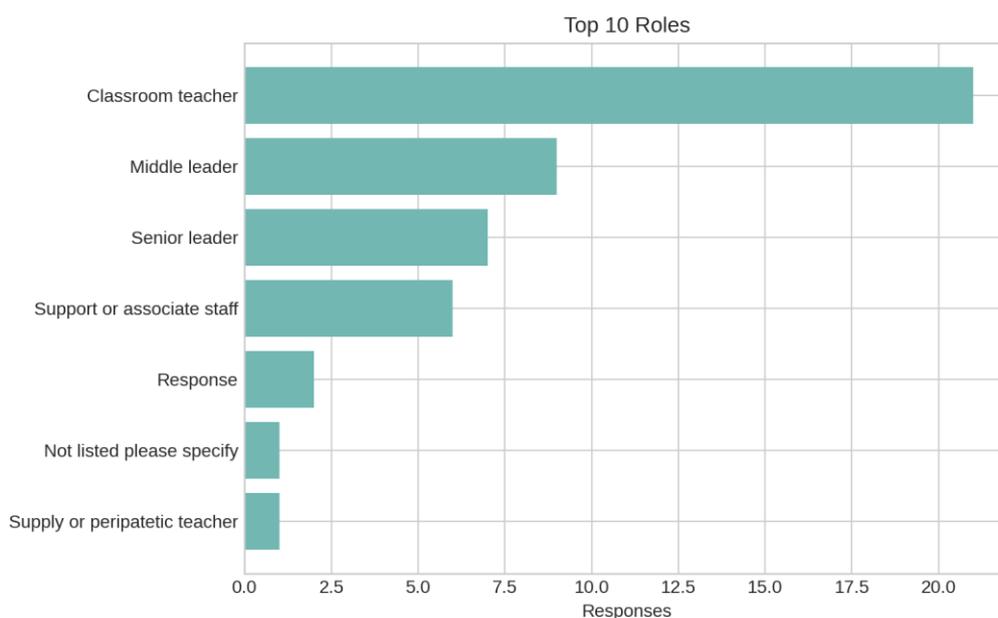
This quantitative report summarises sample composition, multi-select impacts, and perceived school stance across the NASUWT and NEU datasets. Charts complement the tables to help stakeholders scan key patterns at a glance.

Distribution by Phase / Setting

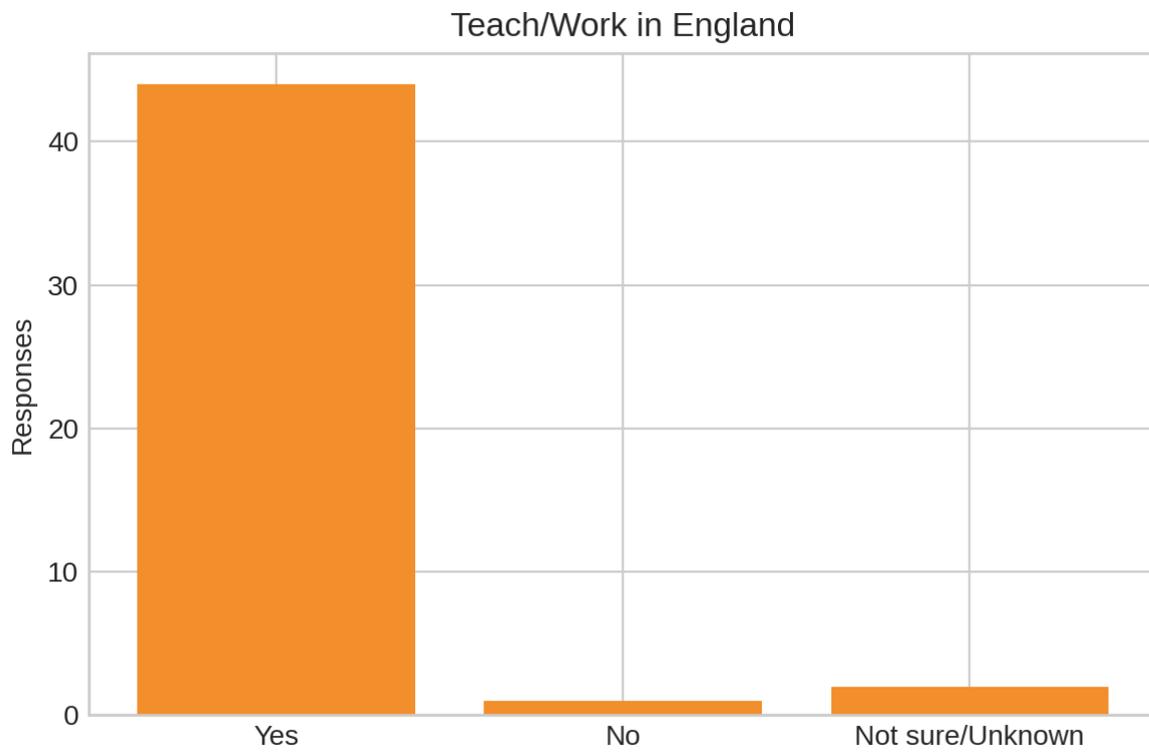


Top 10

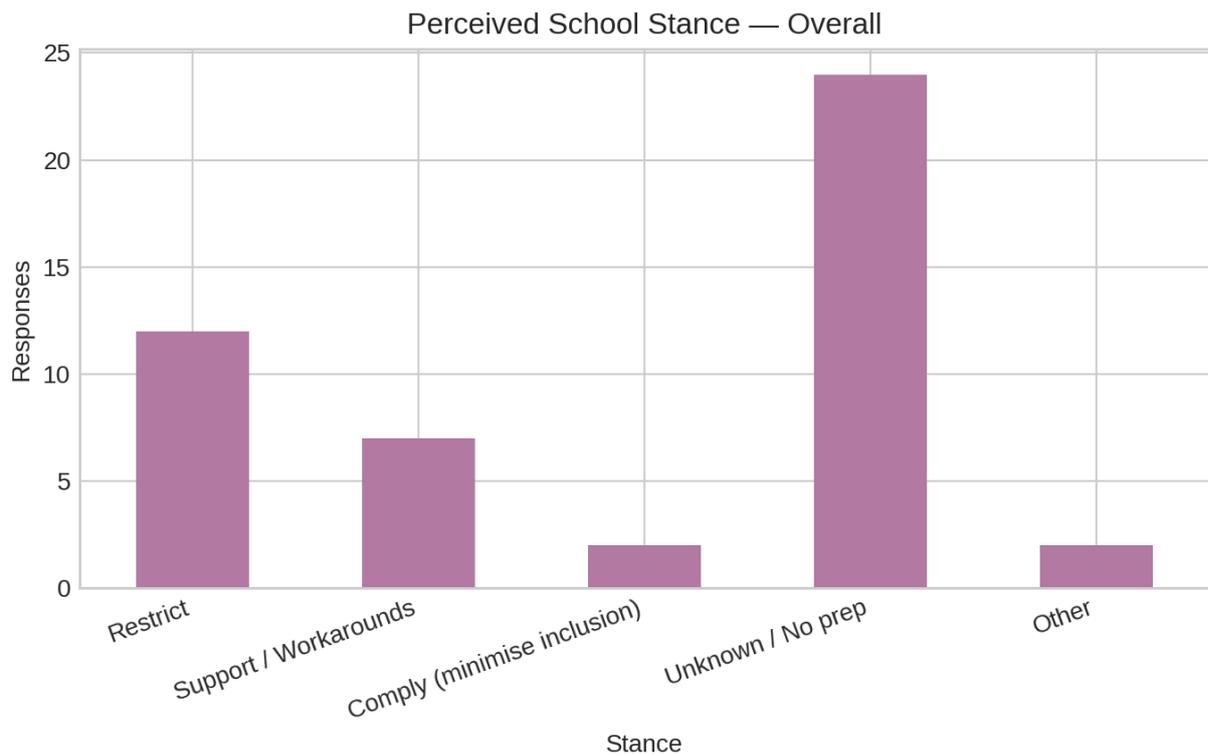
Roles



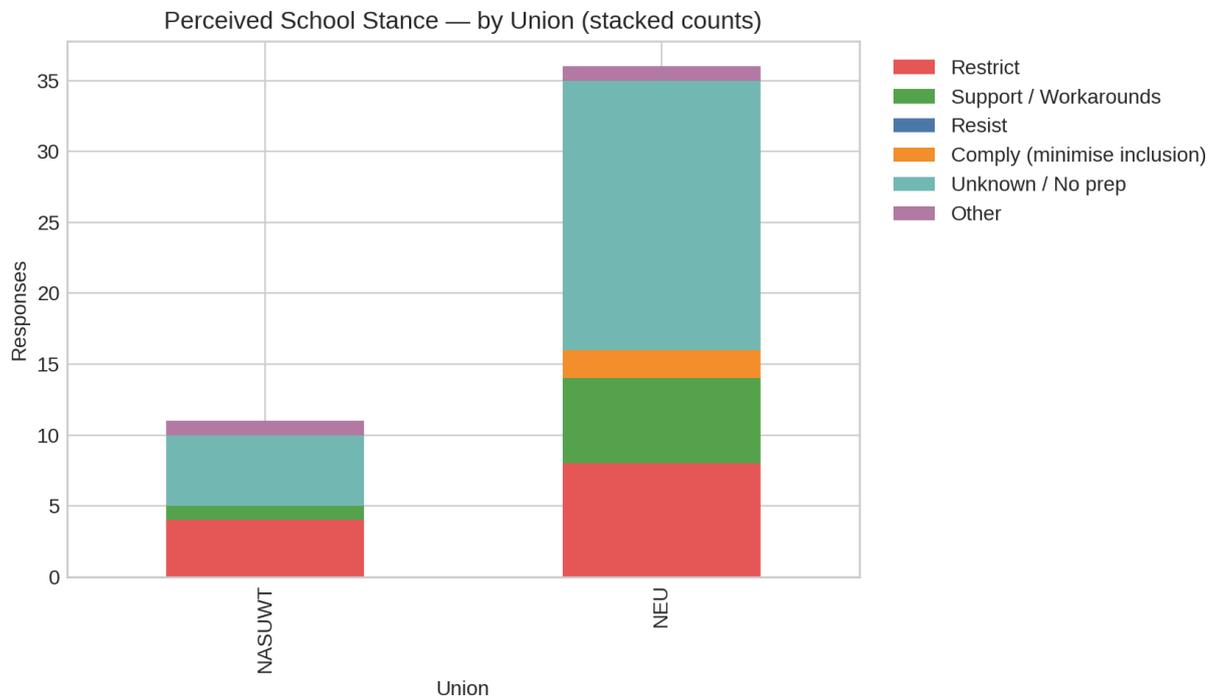
Teach/Work in England



Perceived School Stance - Overall



Perceived School Stance by Union



Open-Ended Response Analysis Report

Executive Summary

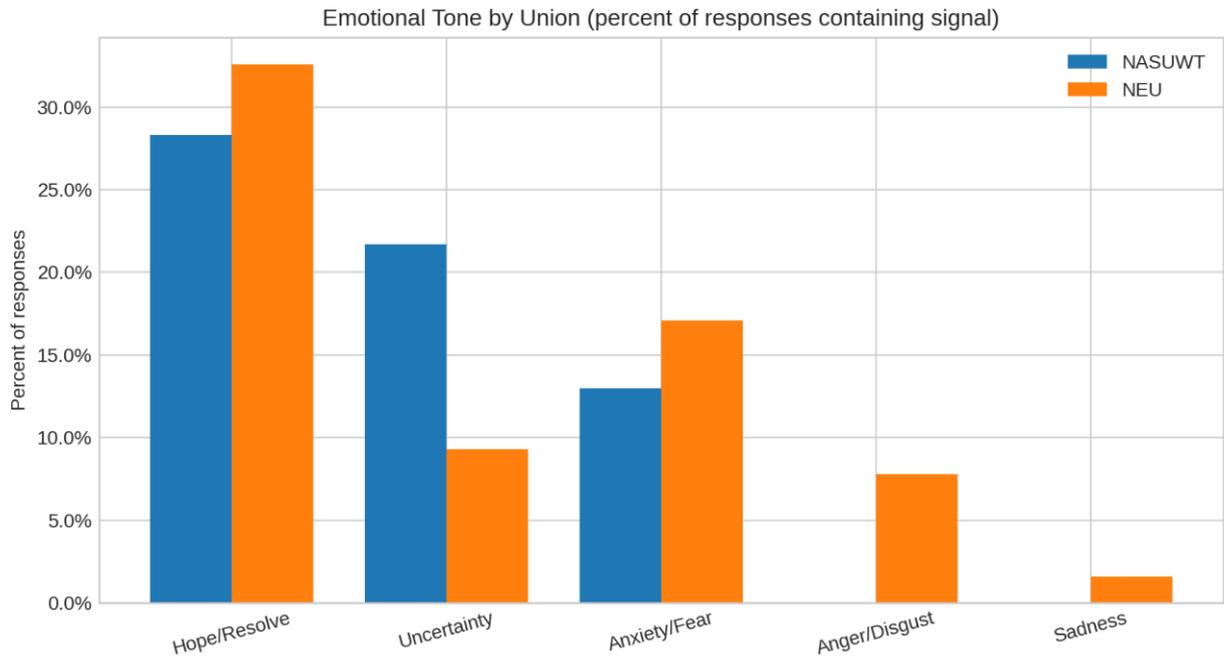
- Widespread uncertainty and perceived lack of preparation at school/college level; frequent references to unclear or contradictory guidance.
- Strong commitment to continue inclusive practice; many respondents ask for clear, practical “dos & don’ts”, CPD, and leadership alignment.
- Safety and wellbeing concerns for trans and gender-diverse pupils; worries about a chilling effect on help-seeking and staff support.
- Pressure from parents/guardians is a recurring theme, particularly in NEU responses.
- Practical questions concentrate on PSHE/curriculum delivery and facilities (toilets/changing rooms).

Dataset at a Glance

NASUWT text rows: 46 | NEU text rows: 129

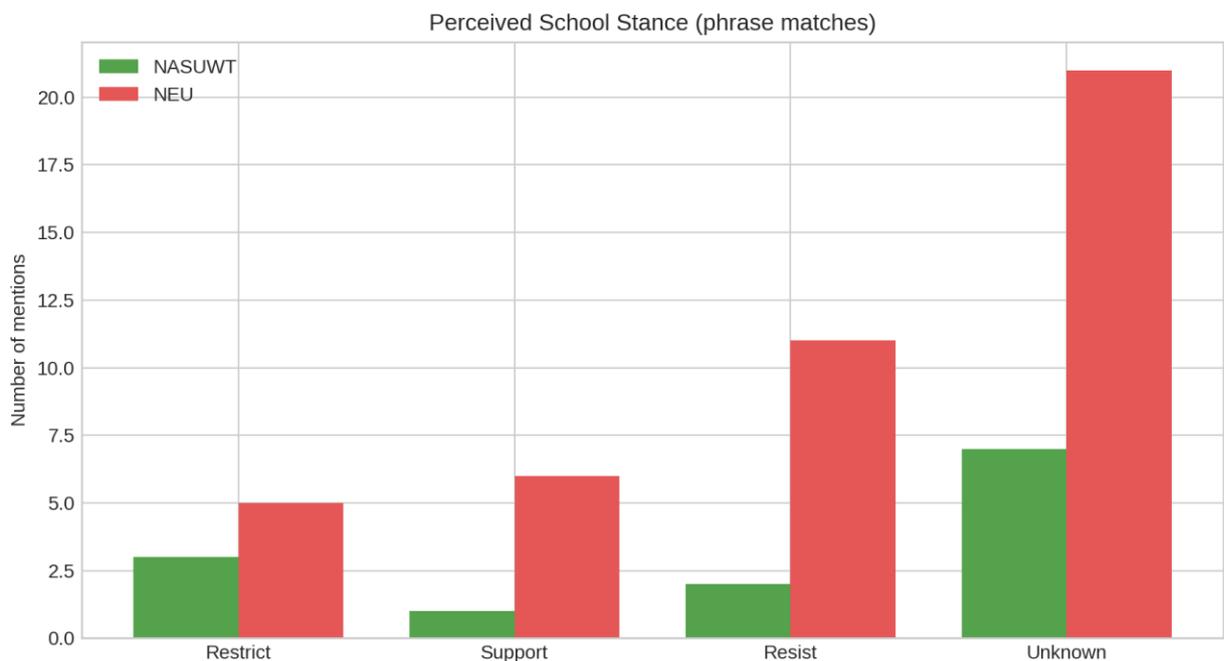
Emotional Tone

Share of responses containing each tone signal (dictionary-based, presence/absence).



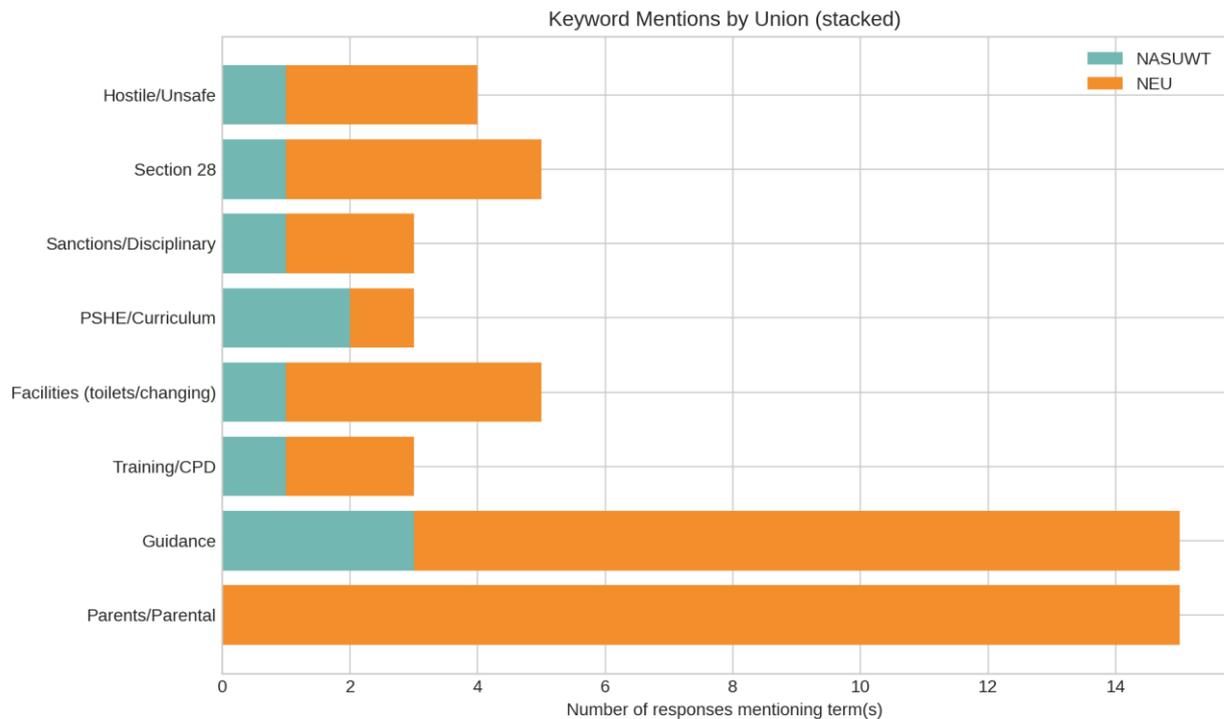
Perceived School Stance

Counts derived from explicit phrase matches in the responses (e.g., “mainly preparing to restrict”, “continue supporting and including”).



Keyword Mentions by Union

Term families grouped for readability (e.g., Parents/Parental; Facilities).



Analysis Narrative

Clarity & Preparedness Gap

Many respondents describe ambiguity or contradictions and report a lack of clear preparation or direction within their institutions.

Inclusion vs Restriction

Respondents fear that implementation will restrict support and inclusion for trans and gender-diverse pupils and staff, while many also state an intent to continue inclusive practice and look for workarounds.

Safety, Wellbeing & Safeguarding

Concerns focus on emotional wellbeing, feeling unsafe, and a potential chilling effect on help-seeking. Several mention safeguarding risks if staff feel unable to support pupils.

Curriculum & RSHE Delivery

Teachers request practical clarity on how to handle PSHE and curriculum content, including the selection/discussion of gender-diverse exemplars and fears of sanctions.

Facilities & Practicalities

Day-to-day logistics such as toilets and changing rooms feature repeatedly, reflecting the need for workable, respectful solutions.

Analysis Appendices

A. Representative Quotes (anonymised excerpts)

1. **Uncertainty/Confusion** “Ambiguous. Conflicting statements. Various contradictions throughout the document. Unclear guidance. Impossible to deliver. Unkind statements. Inhuman statements and guidance.”
2. **Inclusion vs Restriction**
 - “the confusion and challenges that are now in place as the ruling doesn’t include some of the biology”
 - “Go further underground and not seek support leading to physical and mental health concerns”
 - “Mainly preparing to restrict support for trans non binary and gender diverse pupils”
3. **Safety & Wellbeing**
 - “My concerns are how the education system, policy and practice is going to support trans and non-binary learners. I am concerned with how this will impact the learners’ safety, wellbeing and ability to thrive.”
 - “We are in a world where teachers may not feel confident in supporting TNB youth and we will see safeguarding cases rise as a result.”
 - “Uncertainty about what teachers are allowed to do or say leading to a lack of support for students potentially harming their emotional wellbeing.”
4. **Curriculum & PSHE** “Senior management are trying to intimidate trans staff into silence and following up parental complaints that are obviously LGBT-phobic while failing to sanction (rare) instances of student transphobia, including malicious allegations”
5. **Facilities (toilets/changing)**
 - “Questions around which toilets and changing rooms young people can use.”
 - “I’m worried that if the school finds out that trans student use the toilet that matches their acquired gender they will try to stop it.”
 - “We can't pee if there's no gender neutral bathroom - it's just embarrassing and cruel”

B. Methodology

- Scope: All free-text columns in both spreadsheets were concatenated and cleaned (lowercasing, whitespace normalization).
- Token analysis: Unigram and bigram frequencies were computed using CountVectorizer (English stopwords removed) to highlight salient language.
- Tone signals: A transparent dictionary approach flagged presence/absence of uncertainty, anxiety/fear, anger/disgust, sadness, and hope/resolve cues. Percentages represent the share of responses containing at least one cue, not sentiment intensity.

- Themes: Qualitative synthesis + simple phrase matching (e.g., “mainly preparing to restrict”) were used to estimate perceived stance.
- Topic modeling (internal check): TF-IDF features with NMF helped validate clusters but are not shown to avoid over-interpretation in small corpora.
- Limitations: Presence-based tone is conservative; results are sensitive to exact wording and may undercount nuance. Duplicate phrases in the source (“No clear preparation...”) are preserved as signals.

C. Data Summary

| Top Words | Frequency |
|-------------|-----------|
| gender | 36 |
| trans | 35 |
| clear | 27 |
| pupils | 26 |
| support | 21 |
| diverse | 20 |
| students | 19 |
| direction | 18 |
| non | 18 |
| preparation | 18 |

References and Bibliography

Primary Sources

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- **Pride in Education (2025).** *Open Letter to the Secretary of State for Education regarding RSHE Guidance.*
- **NASUWT – The Teachers’ Union (2026).** *Member Survey on RSHE Implementation*
- **NEU (2025-26).** *Member Survey on RSHE Implementation*
- **Blossom LGBT CIO (2026).** Digital Focus Group with Young LGBTIQ+ people

Supporting Research & Organisational Data

- **Just Like Us (2023).** *Positive Futures: The impact of inclusive schools on the outcomes of LGBT+ young people.*
- **The Trevor Project (2024).** *National Survey on LGBTQ Youth Mental Health.* [International context used for mental health protective factors].

Media & Cultural References

- **Davies, M. (2026).** *Protect the Children.* [Artwork/Exhibition]. *Under our Skin Exhibition*, Brixton Tate Library (5–26 February 2026).

Acknowledgements

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