

# **Briefing for the Citizen Participation and Public Petitions Committee on petition [PE2043: Change the way gender theory is presented in schools](#), lodged by Phillipa Jackson**

## **Brief overview of issues raised by the petition**

The petitioner is “calling on the Scottish Parliament to urge the Scottish Government to redefine the Relationships, Sexual Health and Parenthood (RSHP) lessons pertaining to transgender and not present the information as fact.”

The petitioner refers to the [Cass Review](#). This was commissioned by NHS England and NHS Improvement in Autumn 2020 to make recommendations about the services provided by the NHS to children and young people who are questioning their gender identity or experiencing gender incongruence.

“The Cass Review states that social transition is not a neutral act and could possibly lead to unnecessary medical consequences.”

The Cass Review [interim report](#) states that better information is needed about outcomes:

“There are different views on the benefits versus the harms of early social transition. Whatever position one takes, it is important to acknowledge that it is not a neutral act, and better information is needed about outcomes.”

The petitioner also refers to the increased number of autistic young people, who refer to England’s Gender Identity Service.

The interim Cass Review states that from a baseline of 50 referrals per annum in 2009, there was a steep increase from 2014-15, and in October 2020 there were 2,500 children and young people being referred per annum, with 4,600 on a waiting list with a waiting time of over two years for their first appointment. Further:

“This increase in referrals has been accompanied by a change in the case-mix from predominantly birth-registered males presenting with gender incongruence from an early age, to predominantly birth-registered females presenting with later onset of reported gender incongruence in early teen years. In addition, approximately one third of children and young people referred to GIDS have autism or other types of neurodiversity. There is also an over-representation percentage wise (compared to the national percentage) of looked after children.”

## What is RSHP?

[Education Scotland](#) (Scottish Government executive agency) provides an overview of RSHP education. It forms part of the Curriculum for Excellence and sits within one of eight curriculum areas – Health and Wellbeing. It is “intended to support children and young people build positive relationships as they grow older and should present facts in an objective, balanced and sensitive manner within the framework of curricular values and an awareness of the law.”

As Scotland does not have a statutory curriculum, it is for teachers, head teachers and other professional educational practitioners to decide how best to deliver the curriculum based on local needs and circumstances.

## Current statutory guidance

[Conduct of relationships, sexual health and parenthood education in schools](#) (2014) is statutory guidance, required under [section 56 of the Standards in Scotland's Schools etc. Act 2000](#).

Paragraph 36 of the guidance states that it is important the RSHP education reflects issues relating to lesbian, gay, bisexual, transgender and intersex (LGBTI) young people or children with LGBTI parents.

Paragraphs 54-61 concern taking the views of children and young people into account and informing and responding to parents and carers. It states that it is good practice for schools to regularly seek the views of parents and carers about key aspects of the curriculum, such as RSHP education. There is also provision for a parent/carer to withdraw their child from a planned sexual health education programme. The child or young person can also withdraw themselves.

## Draft statutory guidance

The Scottish Government is consulting on [Delivery of relationships, sexual health and parenthood education in Scottish schools: draft guidance](#) (consultation ends 23 November 2023). This will update the current guidance referred to above.

Again, it includes guidance to give parents and carers an opportunity to view key teaching materials and covers the withdrawal of children from the sexual health elements RSHP education.

It provides more detail on certain aspects of RSHP education and includes more resources. It specifically covers:

- consent and healthy relationships
- faith and belief

- gender inclusive education
- understanding Variations in Sex Characteristics (VSC) sometimes referred to as Differences in Sex Development (DSD) or Intersex
- LGBT Inclusive Education.

On LGBT Inclusive Education it:

- promotes the inclusion of LGBT pupils to help “them feel like they belong and that who they are is not wrong, therefore increasing their engagement in learning.”
- states that content should be age and stage appropriate and linked to the [Experiences and Outcomes](#) within Curriculum for Excellence.

The draft guidance includes a recommendation from the [LGBTI Inclusive Education Working Group’s report](#) (2018) to use a ‘thematic outcomes’ based approach that should cover various themes related but not exclusive to LGBT equality and inclusion, including:

- terminologies and identities
- the impact of social prejudice and the history of social rights movements
- the equality of people, families and relationships represented in an inclusive manner
- how to recognise and respond to prejudice within school and wider society while respecting individual rights and privacy.

There is also now a one stop platform for teachers to access materials and resources linked to Scotland’s Curriculum to support the implementation of LGBT Inclusive Education – [lgbteducation.scot](http://lgbteducation.scot).

Further resources in the draft guidance include:

- LGBT Youth Scotland research  
<https://www.lgbtyouth.org.uk/media/1354/life-in-scotland-for-lgbt-young-people.pdf>
- LGBT Youth Scotland curriculum guide  
<https://www.lgbtyouth.org.uk/media/1585/lgbtys-curriculum-inclusion.pdf>
- LGBT Youth Scotland anti-bullying resource  
<https://www.lgbtyouth.org.uk/media/1299/addressing-inclusion-2020.pdf>
- Stonewall: The School Report 2017  
<https://www.stonewall.org.uk/school-report-2017>
- TIE Icons  
<https://www.tie.scot/primary>

<https://www.tie.scot/secondary>

- Supporting transgender young people in schools: guidance for Scottish schools <https://www.gov.scot/publications/supporting-transgender-young-people-schoolsguidance-scottish-schools/pages/1/>

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The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at [spice@parliament.scot](mailto:spice@parliament.scot)

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