

Children, Young People & Skills Committee

Date: **14 June 2021**

Time: **4.00pm**

Venue **Hybrid/ Virtual/Council Chamber, Hove Town Hall**

Members: **Councillors:** Clare (Chair), John (Deputy Chair), O'Quinn (Opposition Spokesperson), Brown (Group Spokesperson), Grimshaw, Hamilton, Lloyd, McNair, Meadows and Nield

Co-optees

Trevor Cristin (Diocesan Director of Education), Ben Lewis and Simon Parr

Non-Voting Co-optees

Louise Brown (Young People's Council Rep)

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AGENDA

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

2 MINUTES

7 - 28

To consider the minutes of the meeting held on 8 March 2021 (copy attached)

3 CHAIR'S COMMUNICATIONS

4 CALL OVER

(a) Items (5 – 11) will be read out at the meeting and Members invited

to reserve the items for consideration.

- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

5 PUBLIC INVOLVEMENT

29 - 40

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on 8 June 2021;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on 8 June 2021.

6 MEMBER INVOLVEMENT

41 - 48

To consider the following matters raised by Councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

7 NOTICE OF MOTION - MOULSECOOMB PRIMARY SCHOOL - SURVEY OF PARENTAL VIEWS

49 - 52

Report of the Executive Director Families, Children and Learning (copy attached)

Contact Officer: Richard Barker

Tel: 01273 290732

Ward Affected: All Wards

8 THE FUTURE OF SECONDARY SCHOOLS PLACES IN BRIGHTON AND HOVE

53 - 64

Report of the Executive Director Families, Children and Learning (copy attached)

Contact Officer: Richard Barker

Tel: 01273 290732

Ward Affected: All Wards

9 ENVIRONMENTAL EDUCATION STRATEGY

65 - 78

Report of the Executive Director Families, Children and Learning (copy attached)

Contact Officer: Richard Barker
Ward Affected: All Wards

Tel: 01273 290732

10 TRANS INCLUSION SCHOOLS TOOLKIT VERSION 4

79 - 174

Report of the Executive Director, Families, Children and Learning (copy attached)

Contact Officer: Sam Beal
Ward Affected: All Wards

Tel: 01273 293533

11 EARLY HELP REVIEW AND DEVELOPMENT OF A CITY-WIDE STRATEGY TO SUPPORT CHILDREN, YOUNG PEOPLE, AND FAMILIES AT RISK OF DISADVANTAGE

175 - 190

Report of the Executive Director Families, Children and Learning (copy attached)

Contact Officer: Caroline Parker
Ward Affected: All Wards

Tel: 01273 293587

12 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to Council for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Lisa Johnson, (01273 291228, email lisa.johnson@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL

CHILDREN, YOUNG PEOPLE & SKILLS COMMITTEE

4.00pm 8 MARCH 2021

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Clare (Chair)

Also in attendance: Councillor Hills (Deputy Chair), Allcock (Opposition Spokesperson), Brown (Group Spokesperson), Grimshaw, Hamilton, Lloyd, McNair, Nield and Simson

PART ONE

69 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

69.1 Mr S Parr was present as a substitute for Ms B Connor

(b) Declarations of Interest

69.2 Councillor Simson declared that she was a trustee of the Deans Youth Project

(c) Exclusion of Press and Public

69.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

69.4 **RESOLVED:** There were no part two in the agenda.

70 MINUTES

70.1 Councillor Simson requested that the voting on Item 61 School Admission Arrangements 2022/23 be set out in the minutes.

It is confirmed that for Item 61, Recommendations (i) – (xvi) were agreed. However, it should be noted that:

1. Recommendations (i) – (xvi) - Mr T Cristin and Mr S Parr abstained on all of the recommendations.
2. Recommendation (ix) Councillors, Brown, McNair and Simson voted against the recommendation.

70.2 **RESOLVED:** That the Minutes of the meeting held on 11 January 2021 (as amended) be agreed as a correct record.

71 CHAIR'S COMMUNICATIONS

71.1 The Chair gave the following communication:

Welcome to this virtual meeting of the Children Young People & Skills Committee. Please note that this meeting is being webcast and is capable of repeat viewing.

Today, many of our city's children went back to school. I want to thank everyone for their hard work in managing the return to school safely and to who children with home learning during this difficult period. Nobody wants to be in a position where not all children are in school. So I will say this. While we have been presented with a roadmap out of the pandemic, we are not out of the woods yet. The best way to prevent another long period where not all children are in school, and the best thing for our children and young people's wellbeing, is to remain vigilant. Please remember to wash your hands, cover your face and keep to a 2m distance.

Since the last meeting, the council has approved its annual budget. While we saw some cuts to our directorate in this budget – I am pleased to say that also came with some investments. We invested funding into Brighton Youth Centre, which we will address later on this agenda. We invested £100,000 into our anti-racist schools strategy – agreed by this committee in November. This important work can now continue to progress with the level of investment it needs. We invested with the climate crisis affecting the lives of our city's young people in the years to come, I'm pleased we have nearly £100,000 to support with projects to educate and involve young people in the solution. A report on this funding will come to a future meeting of this committee. We invested £25,000 into a city disadvantage strategy too, which will give us the space to get to the root of the issues that we need to address. The class divide deputation on this agenda highlights part of this – and I look forward to reporting back in upcoming meetings with our plans and ideas. And finally, £15,000 into youth voice, to make good of our commitments to support young people.

While we are on the topic of youth voice, may I highlight that our Youth Council are currently looking for more members. If you know a young person aged 13-19, or up to 25 if they have SEND, then please encourage them to get in touch.

Young people are facing more challenges now than ever; and this includes with unemployment. We know that the youth unemployment figures throughout the pandemic have risen. That's why I'm pleased to repeat the news I gave at policy & resources recovery subcommittee last week; that we have been successful in a funding application

to open both a physical and virtual youth employment hub. This hub will also include work on the kickstart scheme – providing real-life placements for young people to get into work. All of this is part of the city employment and skills plan, that was presented to the same committee last week. I am looking forward to seeing this plan as it progresses and want to thank our skills team, along with other partners, for all their work on this.

At the next meeting of Policy & Resources Committee in 10 days time, Councillors will also vote on our plans to spend our winter grant funding, that we have recently secured from Government, to provide food support over Easter. This is different to the Holiday Activities and Food Plan on today's agenda.

I know there are some questions ahead on today's agenda, and I wanted to express again how I know and understand that it some families are facing stressful, upsetting and difficult time as a result of national offer day last week.

Our pupils projections suggest that demand for places next year (2022) in the Dorothy Stringer and Varndean catchments will again exceed supply, but by fewer than this year. The extent to which it will be appropriate for the schools to absorb this will depend on the circumstances and factors at the time. Varndean has already permanently increased their PAN by 30. Our expectation is that both schools will still be operating to the maximum number of pupils allocated under the admissions arrangement. The forecast from 2023 is very different. This is something we need to take into account. From 2023 the projections for places needed in the catchment will be below the current PAN of 630. In 2023 the projection is for 601 pupils within catchment. From then the projections continue to be under the PAN, and in 2025 the numbers currently projected are well under the PAN at 581.

In due course the council will need to think about reviewing the catchment areas for all schools to take into account that new reality.

Continually expanding two schools beyond the capacity for which they were constructed, against the analysis of the schools, is not the right approach for the schools or the city.

This is particularly the case in the context of:

- a global pandemic where overcrowding presents a health risk;
- other good schools in the city having spare capacity; and
- knowing that it is projected that any such expansion will not be needed from 2023.

However, I do appreciate that understanding why the decision has been taken offers small comfort for the young people and families involved.

With this in mind we've asked BHISS to link with the schools concerned and explicitly check if any of the 62 children need specific support. We will also be also looking at any transportation issues with families.

Of course, all these pupils still have a right of Appeal. There may be some pupils where there are exceptional circumstances that weren't apparent to us from their application

forms. Those cases can be considered by the independent Appeals Panel on their merits.

In previous years some pupils have been allocated places from the Waiting List. But I recognise that it is going to be the case that some pupils will have to attend the school they have been directed to.

These are good schools who will welcome them with open arms. I hope that the council, schools and families can support those pupils together to embark on this new chapter of their school life.

It would be remiss of me to not end on a point of reflection. Today is International Women's Day, and I'm pleased we have a fantastic Families, Children and Learning Directorate led by a team of brilliant women and this committee is lucky to have some brilliant women supporting it to.

To Natasha Watson, our committee lawyer, thank you for keeping us straight and narrow!

To Lisa Johnson, our Democratic Services Manager who services this committee, for not only minuting this meeting but doing all the preparation work too and making it run flawlessly.

To Carolyn Bristow, our Service Manager, thank you for keeping the directorate on track with our plans and strategies.

To Louise Hoten, our Head of Finance, thank you for managing the complexities of the large amount of funding this directorate covers.

To Jo Lyons, our Assistant Director of Education and Skills – thank you for everything you do, not in the least having supported our city's schools through many a challenging period over the last year.

To Georgina Clarke-Green, our Assistant Director of Health, SEN and disability, thank you for your ambition, passion and drive to improve the lives of our city's families, adults and children with SEND.

To Anna Gianfrancesco, our Interim Assistant Director of Safeguarding and Care, thank you for keeping our children open to social work safe and well.

And last but not least, Deb Austin, our newly appointed Executive Director of Families Children and Learning. May I use this opportunity to publicly congratulate you on your appointment. Your passion, expertise and drive to improve the lives of all children, young people and families in our city will be key to addressing the challenges they face going forward.

There are many more brilliant women in our team and across the council; too many to name – but there are some more of our brilliant women who will be presenting reports today too. You all give me great pride in working with you and seeing how every day you make a difference. We will later on this agenda hear a presentation on some of the work done to support young women in our city.

With regard to the order of the agenda I have agreed to move two items:

Item 84 '*International Women's Day*' will be taken as the first substantive item after Public and Member Involvement

Item 82 '*How The Council, Schools and Other Providers Response To The Pandemic is Proceeding and What Could Be Done Better*'. Will be taken after Item 75

72 CALL OVER

72.1 The following items on the agenda were reserved for discussion:

- Item 75 – Children's Social Work Model of Practice
- Item 76 – Youth Service Grants Commissioning Programme
- Item 77 – Central Youth Hub
- Item 81 – Moulsecomb Primary School
- Item 82 – Schools Response to the Pandemic
- Item 83 – School Uniforms

72.2 The following items on the agenda were agreed without discussion:

- Item 78 – Holiday Activities and Food Programme
- Item 79 – School Ofsted Presentation
- Item 80 – Education Capital Resources and Capital Investment Programme

73 PUBLIC INVOLVEMENT

73(a) Petitions

73.1 There were no petitions.

73(b) Written Questions

73.2 There were four Written Questions

73.3 1. Ms I Harris asked the following question:

Children have suffered so much during the past twelve months of the Covid- 19 pandemic and the national lockdown, can the Council advise why the mental health and wellbeing of 62 children is not being prioritised within the decision making process in relation to secondary school places this year?

73.4 The Chair gave the following response:

Your question raises really important issues and so I hope you don't mind if I give a really full answer. I'm going to answer your question in two parts. Firstly, to explain the decision-making process around secondary schools, and secondly to talk about the wellbeing of young people- because we know how much the period of lockdown has impacted our city's young people.

In relation to the allocation of school places Councillors are very aware of the impact of the allocations. All our secondary schools are good, but we understand the anguish that has been caused for the minority of pupils who have missed out on their preferences. We took this issue really seriously, and so we considered whether bulge classes could be used to address the problem.

The council and the schools in the Dorothy Stringer/Varndean catchment have a duty of care to the intake of 2021. But we also have a duty of care to all the pupils in these schools, as well as the schools across the city. So in considering whether bulge classes are appropriate, the capacity of the schools to safely absorb considerable additional numbers had to be considered.

In previous years Dorothy Stringer/Varndean indicated that with additional resources, including building works (which are still ongoing in the case of Varndean), that they were able to provide additional places above the PAN. The analysis of the schools and the Council this year is different. We have concluded that they cannot safely absorb the numbers required on top of the additional numbers they have already taken, and so the schools do not feel able to make that offer for entry in 2021. As I will explain the reasons for this are well founded.

In 2018 Dorothy Stringer took extra pupils knowing that additional accommodation would be provided in 2019 and 2020 as part of the agreed expansion. This means they currently have three bulge year groups making their way through the school. These are reliant on four temporary classrooms which have had to be crammed into the site.

Varndean has a permanent increase to their PAN – which is why they are having additional building works taking place. These works are not yet complete and add to the logistical burden for the school whilst they are ongoing.

The impact on schools of taking additional pupils is more than providing temporary accommodation, challenging as that is. There are additional planning and practical requirements to be taken into account. These include timetabling, available staff, and very practical logistical implications such as overcrowding in the corridors, the number of toilets and canteen facilities. For example, Dorothy Stringer already has a requirement for additional toilets based on its current numbers, without any additional bulge class.

Schools also have to consider how to manage the movement of pupils within the school site. This is a major consideration this year of all years as we continue to face

the pandemic. The council also has to be mindful of the additional traffic around the neighbourhood of the school site.

In addition, the council needs to think about whether the bulge classes are needed for the city as a whole – and whether these additional resources are going to be needed going forward for the catchment.

They are not necessary to meet our statutory obligation. This is because as there are more than enough school places available for all pupils in the City. I would also like to underline here once again the fact that all the secondary schools in the city are rated 'Good' by Ofsted.

In terms of the Dorothy Stringer/Varndean catchment, the forecast from 2023 is very different. This is something we need to take into account. From 2023 the projections for places needed in the catchment will be below the current PAN of 630.

Taking everything into account the Council and the schools have reached a joint decision that making the schools even bigger is not going to be the right thing for the schools or the City.

However I do appreciate that for the young people and families involved understanding why the decision has been taken offers small comfort, which is why BHISS has been asked to link with the schools concerned and explicitly check if any of the 62 children need specific support. We will also be also looking at any transportation issues with families, which brings me to the issue of -

Wellbeing more generally:

There is no doubt that young people have been particularly impacted by the period of lockdown and extended periods of schools being closed to most pupils. The pandemic has impacted on everyone, but for young people in particular the impact on their independence, their social life and ability to keep in contact with friends, or even make new friends, has been huge.

In January's meeting of the Children, Young People and Skills Committee, Green and Labour Councillors proposed a notice of motion which included a request to Government for additional funding issued to NHS Trusts to help children and young people manage the impact of the pandemic – exactly because we know how much the period of lockdown has impacted our city's young people. I'm afraid we haven't received an answer to this request.

However, I know that our schools and our support services are alive to this issue, and so there is help if you need it. Any parent who is concerned about the impact of the decision on their child's mental health should discuss this with their child's current school and GP as necessary. And as I have indicated we are looking at how we can offer additional support for pupils who are allocated schools outside of catchment

Lastly, I would say to any young person who is suffering at this moment, whether it is to do with admissions, or just feeling overwhelmed with everything that is going on, you are not alone. Many of us feel this way. Please ask for support.

73.5 Ms Harris asked the following supplementary:

I am concerned about the psychological impact on this group of children. You are asking children, including my child who is barely eleven, to travel to not just a neighbouring catchment but to travel to a further catchment area. It does not seem that their needs and vulnerabilities have been taken into account to undertake such long journeys across the City, and nor does it fit the agenda of sustainable and active travel.?

73.6 The Chair gave the following response:

We are alive to the issues and that is why we have asked for additional support to be put in place, and we do understand how hard it is for everyone involved but unfortunately this is the situation we are in. Officers are hoping to arrange a meeting in the coming weeks and this will be linking in with families. I encourage you to take that support when offered.

73.7 2. Mr G Harris asked the following question:

In view of the fact there are 62 families in the Dorothy Stringer and Varndean catchment area whose children have been allocated a school out of the catchment area, will the Council reconsider the number of places available at both schools for the September 2021 intake?

73.8 The Chair gave the following response:

Although our admissions policy has always made clear that there is no guarantee of a place for applicants living within a catchment area, I want to reassure you that the council and the schools have already considered this.

I hope in my earlier answers I have made it clear that the council and the schools have understood the disappointment and stress for some families of allocation outside of catchment, and so we did look to see whether it would be appropriate to offer additional places.

For the reasons I have explained after careful consideration the council and the schools reached a joint conclusion that this would not be the right thing to do this year, with all pupils still being offered a place at good schools in the city.

73.9 Mr Harris asked the following supplementary question:

At the open evening at Dorothy Stringer last year, a Deputy Head Teacher said that they believed that the school would be taking 360 pupils in September 2021, and in a separate session the Head Teacher said that there would be the same number of places for catchment area pupils this year as last year. As we were led to believe that there were the same number of places available, and therefore less risk of not

getting a catchment school, do you think it's fair that so many families have not been allocated any of their preferences which were based on misinformation.

73.10 The Chair gave the following response:

I have been made aware of the comments made at the open evening. We have offered places in line with the published admission criteria. I am afraid I cannot speak for the school, but the admission booklet did set out the published admission number. When you applied for places you were asked to read the admission booklet. I will provide you with a written reply once the Council have looked into the comments of the school more fully.

73.11 3. Ms A Aziz asked the following question:

Can the Council advise when discussions took place, and when a decision was made, to reduce the intake at Dorothy Stringer School by 30 places for the September 2021 intake?

73.12 The Chair gave the following response:

There have been no discussions to reduce the intake at Dorothy Stringer by 30 places. We have admitted up to the maximum number of pupils allocated under the admissions arrangements this September. I think what the question is referring to is that an additional class had been agreed with the full support of the school in the last 2 years, but this was not intended to be a permanent change, and the PAN for this round of admissions was agreed by this committee in 2020.

Overall Dorothy Stringer will be maintaining the same number of pupils at their school as in the current academic year. If the school were to take additional pupils in 2021 not only would they be admitting above the PAN, it would make the school even larger than it is at present, because those temporary bulge classes are still going through the school. This year of all years the implications of overcrowding for all our pupils is an especially serious issue.

After consulting with our secondary schools we all agreed that it would not be the right decision for the school or the city for the school to be asked to accommodate even more than they have already. So for the reasons I talked about earlier, both the council and the school have reached a joint conclusion that places should be allocated in line with our published admissions policies.

73.13 Ms Aziz asked the following supplementary question:

You say that there was joint decision between the Council and schools, but I had an email today from the Head Teacher of Dorothy Stringer which said that as a maintained secondary state school the admission arrangements are made by the Local Authority. So he isn't saying that this was their decision or that it was a joint decision, so can you clarify that.

73.14 The Chair gave the following response:

The admission arrangements are set by this Committee, and the decision that was made by the School Organisation Working Group was made in consultation with the head teachers, and so while it is formally our decision the school was consulted on that decision.

73.15 4. Ms L Murphy asked the following question:

What has happened to the funding that was to be made available to existing secondary schools to enable them to provide additional student places, following the decision in 2018 not to go ahead with the opening of a new secondary school?

73.16 The Chair gave the following response:

As mentioned in the Education Capital Resources and Capital Investment Programme 2021/2022, also on this meeting's agenda, in October 2018 the Policy Resources & Growth Committee agreed to the methodology and allocation of £17.8 million of capital funding to the City's secondary schools from Basic Need funding and Section 106 funding.

Funding has been allocated to Varndean and Dorothy Stringer which has supported them to take an increased number of pupils overall. This has included the permanent increase of places at Varndean school by a form of entry in each year group, and a temporary increase at Dorothy Stringer school in the last 2 years. Building works at Varndean are ongoing and there are plans to permanently increase the amount of toilets facilities at the Dorothy Stringer.

Those facilities are in use and still needed for the 2021 intake. If the schools were to take additional pupils, additional facilities would be needed. As I have explained earlier the council recognises that both schools currently face issues of overcrowding because of their total numbers across all year groups, as the bulge classes work their way through the school.

This funding is to ensure there are sufficient places across the city for all children who need one. Enhancements are taking place across the city in consultation with each school allocated funding, and there are sufficient places at good schools across the city.

73.17 Ms Murphy asked the following supplementary:

In 2018, 2019 and 2020 millions of pounds were spent to allow all children to attend their catchment school. The decision in 2018 was made after the school allocations were announced. In light of this why are our children not worth spending basic needs funding for additional places when Year 7 children in the last three years were worth it, and why have we been told it is too late to take a bulge class this year when it happened at this stage in 2018.

73.18 The Chair gave the following response:

This is not about the worth of children, it really is about the practical and physical implications as outlined earlier. There are health risks of over-crowding, there are

physical implications of the amount of space these schools have, there are building works at Varndean and temporary classes at Dorothy Stringer but there is not the capacity to offer more places. This is not about the worth of children and we had to consider many issues when coming to the decisions we had to make.

73(c) Deputations

73.19 The Committee considered a deputation referred from Full Council held on 28 January 2021 regarding Class Divide. Ms C Goldsmith who presented the deputation at Full Council was in attendance to hear the Chair's response.

73.20 The Chair provided the following response:

Thank you once again for coming to the meeting today. The Green Administration has made it clear that improving the lives of disadvantaged young people in our city is a priority – one that has for too long not progressed as far as it should have. I'm pleased to say that since the meeting of Full Council which you attended we have had two things progress. Firstly, we have recruited our Exec Director of Families Children and Learning so are now progressing with work on this and secondly we have agreed our annual budget which includes £25,000 to work on this issue. We will be bringing details to the next meeting of this committee on how this work will be progressing. This is likely to include a cross-party working group to work on the strategy, alongside members of the community and experts in the field.

I look forward to meeting you again over the coming weeks and months.

73.20 **RESOLVED:** That the deputation be noted.

74 MEMBER INVOLVEMENT

74 (a) Petitions

74.1 There were none

74 (b) Written Questions

74.2 There were none

74 (c) Letters

74.3 Councillor Allcock presented his letter which said:

On the 22nd January you and Councillor Phélim Mac Cafferty issued a council corporate briefing stating that at Policy & Resources Committee on 21st January, councillors voted to award all council staff a special "Thank You Day", an additional day of leave to be taken in the 2021/2022 business year – April 2021 to the end of March 2022. This was a way of showing appreciation and recognition for the 'care and compassion, dedication to the city and excellent public service to their colleagues, councillors and the communities we serve'.

In para 3.13 of the report to Policy and Resources Committee on 21st January officers reported that:

A key consideration has been the potential impact on schools, where annual leave arrangements are different from those applying to non-school staff. Additional leave is harder to accommodate, and also likely to be less impactful. Feedback from the Schools Block Working Group (a representative group of Headteachers) confirmed that individual governing bodies would be determining appropriately how to thank staff in schools and using their delegated authority they will determine how to recognise the work of their staff.

Following the announcement of the decision to award the *Thank You Day* to Council staff, trade unions received a significant number of queries from staff in schools who were upset and disappointed that they are not being treated the same as the rest of the Council's workforce and asking why. I believe there is no contractual or statutory reason why an additional day off could not be granted and that this is at the discretion of the school/governing body. I understand that there are operational issues about how this could be managed in a school environment, but that there are definitely ways that the *Thank You Day* for both teachers and support staff could be realised during the 21/22 financial year. The impact of Covid-19 on our city's economy has been profound. We know how tough this time has been for many in our community. We have learnt how much we desperately need good public services. We understand how important it is to value our Public Sector staff including teachers and others who work in schools that have remained open to the children of critical workers and vulnerable children, and also shown dedication and innovation in supporting families with home-schooling and remote learning.

I am calling on Councillor Clare as Chair of the Children and Young People and Skills Committee and the Leader of the Council to:

- Strongly advise Headteachers and Governing bodies to identify a consistent approach across schools to provide the opportunity for all their staff to take the *Thank You Day* at an appropriate time during the next financial year, offering council officer support in achieving this if required.
- Issue a public statement on behalf of the Council thanking all school staff and governing bodies for their incredible work during the pandemic and confirming that it is the council's advice that all school staff be granted the *Thank You Day* to show appreciation and recognition for their commitment.

74.4 The Chair gave the following response:

Thank you for your letter. I understand the concerns raised regarding the thank you day and how the policy & resources report, which you will remember as a member of the committee, referred only to directly employed staff. I know that this has caused some upset – and I wanted to reiterate that the council has apologised to headteachers for how the matter has been handled. We are now in a productive place of working together on a solution. As a result, the asks of your letter are not something that would be helpful to pursue at this juncture.

Officers in our education and skills team are currently in the process of discussing with Headteacher representative groups and offering advice as they consider if and how schools might be able to accommodate the ask from Trade Unions and, if possible, have

a consistent approach. The issue is complex as schools have to ensure provision during term time and staff do not usually have the ability to take time out during term time for this reason. In addition to this, schools across the city are a wide range of complex organisations with different circumstances and issues which is why individual schools have the delegated authority to make this decision for their staff and recognise their own individual circumstances.

We know that schools also already recognise and reward their staff in a range of ways in line with their operational requirements. For this reason, it would be inappropriate for the local authority to strongly advise or recommend a course of action in this case when we could not appropriately consider and reflect on the issues affecting each individual school. We of course want to continue to thank and recognise the work and commitment of all staff and governors in schools during this pandemic. They have navigated many challenges and despite this continue to provide high-quality education to our city's young people.

We will continue to explore how our schools can accommodate a thank you day with them in a consistent way.

74.5 **RESOLVED:** That the letter be noted.

74 (d) **Notices of Motion**

74.6 There were none.

75 **CHILDREN'S SOCIAL WORK MODEL OF PRACTICE**

- 75.1 The Committee considered the report of the Executive Director Families Children & Learning which updated the Committee on the implementation and progress of the changes that were introduced in children's social work services in October 2015. The report was introduced by the Principal Social Worker Children's Services.
- 75.2 Councillor Hills said that safeguarding children was an important role of the Council and noted the impressive level of improvement in the service. The latest Ofsted rated the service as 'Good' and asked what could be done to make the service 'Outstanding'. The Principal Social Worker said that two areas were identified in the last Ofsted inspection, one was how we support social workers to record information which would be meaningful for both other practitioners and children and families, and the second was improving support for children in need. To address those areas the Team would be moving to a new recording and IT system in April 2021, and now had a more robust process in place to support children in need which included providing more regular reviews and more managerial oversight of the work.
- 75.3 Councillor Hills was pleased to note the involvement of families in the evaluation of the service and asked for more information on how families would be consulted and on what aspects. The Principal Social Worker said that there were two pieces of work being taken forward. One was looking at parents leading the next evaluation of the service and the second was involving parents in setting up a peer mentoring project.

- 75.4 Councillor Allcock noted the change of process in 2015 to not use agency staff where possible and asked how much money had been saved since then. The Principal Social Worker Children's Services said that around £9m had been saved by not using agency staff, and after you had accounted for the salary of permanent staff the saving was around £6m.
- 75.5 Councillor Brown was pleased to note the high level of continuity of a social workers working with children and families which was good for everyone concerned, the reduction in use of agency social workers and that vulnerable children were still having face to face contact with their social workers.
- 75.6 **RESOLVED:** That the Committee noted the report.
- 76 YOUTH SERVICE GRANTS COMMISSIONING PROGRAMME (1ST OCTOBER 2021 TO 31ST MARCH 2025)**
- 76.1 The Committee considered the report of the Executive Director Families Children & Learning which provided the them with a proposed Youth Service Grants Programme commissioning prospectus along with timescales for the re-commissioning process and request agreement to proceed. The report was introduced by the Head of Service - Integrated Team for Families, Youth & Parenting.
- 76.2 Councillor Simson noted that there was only a 1% increase in funding for Brighton Youth Centre (BYC) and asked if that would impact on Turner as they received a proportion of BYC's funding. The Head of Service said that there was a new process and so there would be a number of bids from different youth providers and so it was not currently possible to say who would be successful, however, the process would be transparent and fair. Councillor Simson noted that the appendix to the report referred to the 'The Youth Service Grants Programme 2021-2024' whereas it should say 'The Youth Service Grants Programme 2021-2025'.
- 76.3 Mr Muirhead said that youth providers in the City were delighted that the Youth Service Grants Programme had been protected in the budget and were grateful for the timeline for tendering which allowed for full planning.
- 76.4 Councillor Hills noted two of errors in the report. In the appendix, page 55, there was a missing link to the report on the review of youth services, and on page 64 the link to the ward map was out of date. Councillor Hills referred to the traffic light system on page 65 and asked for more information. The Head of Service said that the traffic light system would be used to measure outcomes and confirmed that the Youth Service Grants Programme 2021-25 Framework was a draft document and would be updated.
- 76.5 Ms Brown was pleased that the funding would continue and suggested that the youth groups should be promoted more to encourage as many young people as possible to attend.
- 76.6 Councillor Brown asked if the Hangleton & Knoll youth bus was used by other providers in the city and was advised that it could be.

76.7 Councillor Allcock referred to the Quality Standards in the draft Framework and said that it was important to be clear on the outcomes the Council were looking for in performance monitoring standards. The Head of Service agreed and said that the required outcomes were set out on page of the draft Framework and were based on the National Youth Agency's 'Theory of Change for Youth Work' 2018.

76.8 RESOLVED: That the Committee –

- (i) Noted and agreed the proposed Youth Service Grants Programme commissioning prospectus and timescales;
- (ii) Agreed that the Council commence the Youth Service Grants Programme re-commissioning process as outlined in the proposed timeline.

77 CENTRAL YOUTH HUB

- 77.1 The Committee considered the report of the Executive Director Families Children & Learning which provided information on the option to form a partnership with OnSide and Brighton Youth Centre (BYC) to bid for funding from the Government's Youth Investment Fund (YIF) to develop a Youth Zone in the city and outlined the Council's financial commitment if there was agreement to proceed. The report was introduced by the Head of Service - Integrated Team for Families, Youth & Parenting, and by Mr M Roe (BYC) and Ms C Kanakides (Onside).
- 77.2 Ms L Brown supported the idea of a youth centre but was concerned that if it were located in the centre of the City it may not be accessible for young people living further away, particularly with the cost of bus fares, and suggested that the funding be distributed to a number of projects across the whole City instead. The Head of Service said that was a good point, but data showed that young people did travel across the City to access youth centres. Ms Kanakides said that one of the issues being considered was providing a minibus and/or providing a bus pass to allow people to travel for free.
- 77.3 Councillor Simson noted that there may be an option of selling the Council the land and building and asked what the financial implications maybe for the Council. The Head of Service said that would need to be discussed further before any decision was made. Councillor Simson noted that OnSide Centres worked with 8 -19 yr olds and asked where the funding would come from to work with those aged 8 -11 as currently the funding from the Council that was given to youth provision was from age 11 upwards. Mr Roe said that they already worked with those aged 8-11 as funding came from a variety of sources so there would be no demand on the Council to provide finance for that age group. Councillor Simson was also concerned that having a Centre in the middle of the City could be detrimental to those living in the outlying areas who for various reasons may not be able to access it. The Head of Service said that there was a commitment to retain the neighbourhood projects, which would be linked to the Central Youth Hub and would support access.
- 77.4 Councillor Hamilton noted that this was the first step in a long process, and that a funding application was being made which may or may not be successful. The report said that ideally the venue would be built on land owned by the Council in the centre of the City, but he understood that the only possible sites were in Moulsecoomb, Coldean

and Portslade and so the Brighton Youth Centre was really the only viable option. He said that recommendation 2.3 was important and asked that the fringe areas were not sacrificed for a central venue.

- 77.5 Councillor Brown said that the Conservative Group did have some reservations, and whilst they fully supported the idea were concerned about the financial implications of such a large project. She noted that the capital investment required from the Council, even with a successful bid to the Youth Investment Fund, had increased from £2.1m to £2.7m since the pre-meet held a few weeks before this meeting, which was a concern. Only £30m of the £500m of the investment fund would be released and that made our chance of securing the money slimmer. The report said that the land could be bought for a nominal fee but there was no indication of what that fee would be or of the long-term financial implications for the Council. The Head of Service referred to the change to the finances and said that when the papers were prepared for the pre-meet the figure was £2.1m, but it had increased as usually councils would be asked to contribute £400k a year for the three years, and an agreement had been made previously that instead of paying £400k this Council would pay £200k and pay £600k up front in capital, so that was where the difference of £600k came from. The Chair added that the revenue money put in the budget this year covered that funding and that would cover the capital funding and but also some revenue which could be save up to the point that the revenue was available.
- 77.6 Councillor Hills said that it would be good to have a state of the art centre for young people in the City. She noted that the venue may be in the pilot low-traffic neighbourhood and asked if there would be provision to store bicycles and hoped that the building would have a low environmental impact. Mr Roe said that he hoped that there would be places to park bicycles and the building would be environmentally friendly.
- 77.7 Mr Muirhead said that youth investment could only be a good thing and was pleased that BYC would be a key provider.
- 77.8 Councillor McNair asked if the new partnership would work with other groups such as Scouts etc. Mr Roe said that the facilities would be available to all groups and expected there to be more interaction with other youth groups.
- 77.9 Councillor Allcock said that it was important to invest in young people and welcomed the investment from OnSide. It would be important to ensure that the project was as sustainable.
- 77.10 The Committee voted on the recommendations. The Conservatives confirmed that they would be abstaining, and all others were in favour of the recommendations.
- 77.11 RESOLVED:** That the Committee –
- (i) Agreed that the Council could enter into a non-legally binding Memorandum of Understanding with Brighton Youth Centre and OnSide as a basis to submit a funding application and to develop proposals for a Youth Zone in the centre of Brighton;

- (ii) Agreed to submit a joint funding application with OnSide and Brighton Youth Centre to the Youth Investment Fund;
- (iii) Noted that any revenue the council commits to this scheme would not detract from the existing neighbourhood focused Youth Service Grants to areas 1, 2 and 3.

78 HOLIDAY ACTIVITIES AND FOOD PROGRAMME

78.1 This item was agreed without discussion.

78.2 **RESOLVED:** That the Committee noted the programme and agreed the proposed approach

79 SCHOOL OFSTED PRESENTATION

79.1 This item was agreed without discussion.

79.2 **RESOLVED:** That the presentation be noted.

80 EDUCATION CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2021/22

80.1 The report was agreed without discussion.

80.2 **RESOLVED:** That the Committee -

- (i) Noted the level of available capital resources totalling £9.916 million for investment relating to education buildings financed from capital grant;
- (ii) Agreed the allocation of funding as shown in Appendices 2 and 3 and recommend this to Policy & Resources Committee on 18 March 2021 for inclusion within the Council's Capital Investment Programme 2021/22;
- (iii) Agreed to recommend to Policy & Resources Committee that they grant delegated authority to the Assistant Director of Property & Design to procure the capital maintenance and basic need works and enter into contracts within these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.

81 UPDATE MOUSLECOOMB PRIMARY SCHOOL

81.1 The Committee considered the report of the Executive Director Families Children & Learning which provided an update on Moulsecoomb Primary School. The report was introduced by the Head of Education Standards & Achievement.

81.2 Councillor Grimshaw was very concerned that the school could move to an academy, despite the school, parents and the Council all being opposed to it. The school valued and supported every child and continued to improve, which had been acknowledged by an Ofsted/HMI visit last year.

- 81.3 Councillor Nield was disappointed that the school moving to an academy was now back on the agenda. She noted that the Regional School Commissioner had offered additional funding school improvement support if the school moved to an academy but not if it remained in the control of the Local Authority.
- 81.4 Councillor Allcock said that recent reports from Ofsted had shown that the school was improving, and yet still wanted the school to move to an academy.
- 81.5 Councillor Hills echoed the comments of other Councillors and despite no local people wanting the school to move to an academy and the school improving, the process was continuing.
- 81.6 Ms Watson (lawyer) said that the Government had changed the statutory guidelines last year to give further examples of what would provoke the Secretary of State to rescind an Academy Order. One example given would be if the school were re-inspected by Ofsted and judged to be Good or Outstanding and the Secretary of State was satisfied that these improvements could be sustained without the support of a strong sponsor. That was something which could be pursued with the Regional Commissioner if members which to do that.
- 81.7 The Chair noted that the school had been visited by Ofsted the week before. The Head of Education Standards & Achievement said that that visit would not give a new grade but was to assess how the school had dealt with the pandemic. There was currently no information on when Ofsted would resume their visits.
- 81.8 The Chair reminded everyone that there would be a Hands Off Mouslecoomb Primary School event at 6pm on 10 March 2021 which people could register to attend, and both she and Councillor Allcock would be speaking.
- 81.9 **RESOLVED:** That the Committee noted the report including the fact that:
- (i) The school currently remains a Local Authority maintained school;
 - (ii) No academy sponsor has been found;
 - (iii) The academy order remains in place.

82 HOW THE COUNCIL, SCHOOLS AND OTHER PROVIDERS RESPONSE TO THE PANDEMIC IS PROCEEDING AND WHAT COULD BE DONE BETTER.

- 82.1 The Committee considered the report of the Executive Director Families Children & Learning which outlined how the Council, schools and other providers were responding to the pandemic. The report was introduced by the Head of Education Standards & Achievement and was accompanied by Ms M Southern (Head Teacher Hove Junior School) and Mr J McKee (Head Teacher at Patcham High School).
- 82.2 Councillor Grimshaw noted that some children had received laptops to assist them in home working and asked if they now had to hand them back. Mr McKee and Ms Southern said that no child had been asked to return their laptops.

- 82.3 Councillor Brown asked how children had engaged with home learning. Mr Mckee said that during the first lockdown there had been some difficulty in engaging all children but that had got much better and there were now high levels of engagement, and the school had been able to introduce Parent's Evenings and feedback sessions online. Ms Southern agreed and said that during the first lockdown only 50% of disadvantaged pupils were engaging but that had risen to 85% during the second lockdown.
- 82.4 Councillor Hills noted that initially some parents struggled to engage with online lessons and asked if there were support for them. Ms Southern said that her school had done their best to assist them, and the most vulnerable pupils were still attending the school. Mr McKee said that parental engagement was less important at secondary schools, but support was given where necessary and their most vulnerable pupils were also attending school. The Head of Education Standards & Achievement said that schools were providing a bespoke service for each child.
- 82.5 Councillor Nield asked what steps the schools had taken to make the environment as safe as possible. The Head of School Organisation said the Council had held workshops for all schools and had reiterated the need for cleaning, hand washing and ventilation etc. Mr McKee said that the school had a live risk assessment which was adjusted as and when new guidance was received. The school had protocols on hand washing, social distancing etc, and the layout of classrooms had changed, and all year groups were kept in separate bubbles. All children had been tested and further tests were on going and the results were received within 30 minutes. All staff and pupils wore masks whilst at school. Ms Southern said that there were similar steps in place at her school with risk assessment being constantly updated, support staff not mixing across bubbles and a video had been prepared for parents to explain the school's protocol.
- 82.6 Councillor Hamilton noted that the schools had reopened today and asked what the attendance levels had been. Ms Southern said that there had been 99% attendance at Hove Junior School, and Mr Mckee said that there had been 97% attendance at Patcham High School.
- 82.7 Councillor McNair noted that there had been changes in the way that education was delivered and asked which changes the schools would like to keep in place going forward. Mr McKee said that there had technological advances for everyone and Microsoft Teams had been used for remote learning and they would continue to use that method for feedback on students work and to give them other options for doing their homeworking in different formats. Ms Southern agreed and said that student's knowledge of IT had improved hugely during lockdown, and communication with parents had improved as the school could email parents and have online meetings which were quicker and more efficient for all parties.
- 82.8 The Chair noted that there was an amendment from the Labour Group and asked Councillor Allcock to propose it.
- 82.9 Councillor Allcock said that he was pleased with the rollout of vaccines but was aware that some staff were concerned about returning to schools and said that the vaccine for front line key workers should be accelerated. The Council as the employer had a responsibility to protect and support staff and to use its influence to that end which is

what the amendment was asking for. Councillor Hamilton seconded the proposed amendment.

82.10 Councillor Hills said that the Green Group agreed with the need to protect staff, but the schools were carrying out risk assessments and the roll out of vaccines was continuing and all those aged 50+ would be invited to have their injection in the next few weeks, and so did not think there was value in supporting the amendment.

82.11 The Committee voted on the amendment and the Green and Conservative Groups abstained, others voted for.

82.12 RESOLVED: That the Committee –

- (i) Noted the information in this report;
- (ii) Requested the Director of Families, Children and Learning writes to School Governors and Headteachers across the city, recommending that staff in clinically vulnerable groups are protected through permission to work from home or additional protective measures;
- (iii) Requested the Director of Families, Children and Learning writes to the Minister for COVID Vaccine Deployment, the Joint Committee on Vaccination and Immunisation, and the Sussex Health and Care Partnership – proposing the development of a scheme that allows school and Early Years staff, including those over 50, to be offered vaccinations as a priority, in line with social care staff.

83 SCHOOL UNIFORM

83.1 The Committee considered the report of the Executive Director Families Children & Learning regarding the cost of secondary school uniforms. The report was introduced by the Head of Standards and Achievement: Education and Skills.

83.2 Councillor Allcock said that having a school uniform was beneficial for a number of reasons including providing a sense of belonging to one school, reducing inequality amongst the pupils, removing peer pressure to wear the latest clothes etc, but if parents/carers could not afford to buy the school uniform that impacted on the benefits. He noted that many schools had said that they provided support for parents if they could not afford to buy the required uniform but that wasn't always made known to parents.

83.3 Councillor Grimshaw noted that one secondary school did not give any information on help available and one school did make reference to second-hand clothes but did not explain how a parent could access those clothes. She had looked at the required school uniform for one school in the City and the cost for a new Year 7 pupil would be £218. Councillor Grimshaw asked that all schools give information on how parents could receive help and/or buy second-hand uniforms as it could be embarrassing for parents/carers to have to ask the school for help and so the information should be available to them straight away. She asked that a further report on whether schools were providing more information on help for those who were having difficulties buying the necessary clothes come to a future meeting of the Committee. The Chair agreed.

83.4 Councillor Nield was surprised that the report listed both boy and girl uniforms and thought that schools now had a generic uniform. The Head of Standards and Achievement: Education and Skills said that there were options at most schools and pupils could either wear skirts or trousers.

83.5 RESOLVED: That the Committee -

- (i) Agreed that the report be noted and referred to for consideration;
- (ii) Noted that further options to be discussed with secondary school Headteachers and Governors include:
 - More detailed information to be provided on school websites to support families in accessing cheaper school uniform.
 - For secondary schools to consider the number of branded items required, removing these where at all possible so that uniform cost is minimised.
 - That secondary schools do not frequently change their uniform requirements for pupils.

84 INTERNATIONAL WOMEN'S DAY

84.1 The Committee received a presentation on International Women's Day from the Service Manager – Policy & Business Support who was accompanied by Helen Baxter from the Hangleton and Knoll Project. The presentation provided a reflection on work that supported girls and young women in the City.

84.2 The Committee agreed to note the presentation.

85 ITEMS REFERRED FOR COUNCIL

85.1 No items were referred to the next meeting of Full Council.

The meeting concluded at 7.40pm

Signed

Chair

Dated this

day of

Subject:	School Places for Catchment Children – Items referred from the Council meeting held on 25 March 2021		
Date of Meeting:	14 June 2021		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following petition for consideration which was debated at and referred from the Council meeting held on the 25 March 2021.

2. RECOMMENDATIONS:

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter. It is recommended that the petition be noted.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 The petition is detailed below:

SCHOOL PLACES FOR CATCHMENT AREA CHILDREN

Lead Petitioner – Amy Hyland

We the undersigned petition Brighton & Hove Council to review the number of secondary school places available at Dorothy Stringer and Varndean School for the September 2021 intake.

Justification:

There are 62 children in the Dorothy Stringer/Varndean catchment area who couldn't be offered a catchment area school this year. These children have already missed many months of school and contact with their friends over the past twelve months. The impact of the pandemic and a national lockdown has been huge. Their emotional resilience is at a low. Instead of being able to look forward to the next stage in their education with , they are now having to contend with extreme disappointment and anxiety, as they have been offered places far from their homes and their local community.

In previous years, Dorothy Stringer and Varndean have taken additional students to reduce the impact of students being deprived of local school places. It seems that this year, neither school is being asked to provide any additional capacity. Indeed, capacity at Dorothy Stringer has been reduced by 30 spaces. This is despite the fact that in 2018, the Council decided not to go ahead with plans for a new secondary school on the basis of additional capacity being provided by existing schools, notably Dorothy Stringer and Varndean School, with funding being freed up to support this.

The council's data would have shown that there would be additional demand for secondary school places for September 2021. As a consequence of reducing the school spaces available, children are not able to go on to attend a secondary school in an area they have grown up and where they are part of their local community. There is a ripple effect of this reduced intake which is negatively impacting on families in other catchments areas too.

We call on the Council to review the places available at Dorothy Stringer and Varndean School.

Children have suffered enough over the past year; the Council cannot champion the importance of young people's mental health and well-being and then deprive this group of the opportunity to attend a local school for this next significant chapter of their lives.

- 3.2 An extract from the proceedings of the council meeting held on the 25 March is detailed below for information.

**COUNCIL
4.30pm 25 MARCH 2021**

VIRTUAL

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

PART ONE

122 (2) PETITIONS FOR DEBATE.

- 122.1 The Mayor noted that the Council's Petitions Scheme provides that where a petition secures 1,250 or more signatures it can be debated at a meeting of the full Council and said that he had been informed of one such petition for today's meeting. The

Petition concerned school places for children in catchment areas and he called on Ms Anna Cole to present the petition.

122.2 Ms Cole thanked the Mayor and stated that she was representing a group of 62 families who all lived in the catchment area for Dorothy Stringer and Varndean schools. These parents simply wanted their children to be able to attend one of their local schools but had been allocated schools across the city which meant they would have to catch several buses and would be separated from their friends. A number had been allocated schools that were further away than other schools outside of the catchment area which also seemed unfair. However, the main concern was that it was felt Dorothy Stringer School should be able to take an additional 30 pupils above its number as it had in previous years and given that it was under capacity at present. She then read out some statement from the children affected by the decisions not to award places in the catchment area. She hoped that the matter could be reviewed, and appropriate action taken to enable the children to attend their local school.

122.3 Councillor Clare thanked Ms Cole for presenting the petition and stated that first and foremost she wanted to underline that understood that this has been a distressing episode for some families at a time of significant upheaval and uncertainty. She wanted to assure Ms Cole that councillors and offices were trying their best to alleviate the stress and fallout this has caused. There had been continued dialogue with the schools to see if a sustainable, long term solution could be found but currently it was not possible to have an additional class.

She noted that prior to national offer day the council had already reviewed whether it would be appropriate for bulge classes to be used to meet the demands within catchment. In considering whether bulge classes are appropriate and could be accommodated, the capacity of the schools to safely absorb additional pupils had to be considered, and of course this included consultation with our schools. Since 2018 both Dorothy Stringer and Varndean schools have admitted more pupils when it's been possible to do so safely, and Varndean School has become permanently bigger as a result. Stringer had also agreed to expand but only on a temporary basis. The analysis of the schools and the council this year is different. Schools have admitted up to the published admissions number for this year. Varndean is experiencing ongoing disruption of the building works needed to provide for this expansion, works that were already funded to allow for additional classes to be absorbed safely.

On top of this, Dorothy Stringer is already still managing an additional 31 pupils going through the school from previous bulge classes. They have a number of teaching spaces that are too small to take bigger classes and this causes issues around

both exam season, and some specific classes where there are health and safety requirements, like Design and Technology. They also have temporary classrooms on site.

This has meant the schools are in a good position to analyse from that real experience the impact upon existing and future pupils of growing the school still larger, and we have listened to that feedback and taken it on board. In conjunction with the schools and following cross-party discussions, the council has concluded that they should not absorb the numbers required on top of the additional numbers they have already taken.

I appreciate this is a difficult conclusion to hear for those affected. There has been some speculation that Dorothy Stringer could absorb additional pupils than is currently being managed. I'm afraid this has been followed up and is not the case. There are additional planning and practical requirements to be taken into account. These include timetabling, available staff, and very practical logistical implications such as overcrowding in the corridors, stairwells, the number of toilets and canteen facilities.

The impact on schools of taking additional pupils is more than providing temporary accommodation, and making individual class sizes bigger, challenging as that is. Dorothy Stringer school has highlighted from its experience that larger year groups have a detrimental effect on students' attitude to learning and progress. In larger classes the individual attention given to each child is reduced. This particularly affects lower attaining students who are working in significantly larger groups than the school would like.

The Council also has a responsibility to look at the situation of all schools in our city and to think about whether the bulge classes are needed for the city as a whole, and whether these additional resources are going to be needed going forward. Taking everything into account, we believe that making the schools even bigger is not going to be the right thing for all our schools or the city and in particular, for our children, especially in a year where issues of overcrowding have real implications for the health of pupils and staff.

While this is small comfort, it is very likely that some will eventually be offered places within the catchment, without requiring the schools to go above the PAN. Some pupils will be able to be taken off the waiting list when it is known what offers have been accepted across the city. There is also a mechanism for the families of the children affected to challenge the decision via the independent Appeals mechanism.

However I do appreciate that for the young people and families involved understanding why the decision has been taken offers small comfort, which is why I give my commitment that we will

support every child who has been impacted by the decision. I have discussed with council officers and requested that they invite all of those families affected for this September to meet and discuss their situation in the coming days.

Our schools' wellbeing service will also be supporting the transition, as they do for all year 6 pupils, and are putting in additional support for those affected. As I have already highlighted, I want to put steps in place to ensure we look at the long-term sooner, rather than later. Finally, I want to again thank you for your engagement on this issue and offer you both my understanding but also my assurance that we want a long-term, sustainable solution for children, young people and schools in our city.

- 122.4 Councillors Brown and Allcock acknowledged the difficulty and concerns raised by the petition and that there was a need to look at how the situation could be addressed in the future. However, it was not possible to increase class sizes and a decision had been taken this time by both the schools and the council. It was noted that the Working Group would be looking at the catchment area and it was hoped that changes to the process could be made for the future. The council took the well-being of its pupils seriously and the provision of high-quality education in the city.
- 122.5 Councillor Janio stated that he had listened to the comments and questioned why the situation could not be resolved, it was only a bulge that was going through the system and it could be addressed.
- 122.6 Councillor Clare noted the comments and stated that the situation had been looked at and unfortunately there was nothing that could be done at this stage, although the process would be reviewed and hopefully improvements made for the future.
- 122.7 The Mayor then put the recommendation to note the petition to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:
- 122.8 Councillor Mac Cafferty stated that the Green Group were in favour of the recommendation and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the recommendation and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were in favour of the recommendation and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she wished to abstain from voting on the matter;

Councillor Fishleigh confirmed that she was voting for the recommendation;

Councillor Janio confirmed that he was voting against for the recommendation;

Councillor Knight confirmed that she was voting for the recommendation.

122.9 The Mayor confirmed that the recommendation to note the petition had been carried.

122.10 **RESOLVED:** That the petition be noted.

Subject:	Climate Change and Plant Based Days in Schools. Items referred from the Council meeting held on the 25 March 2021		
Date of Meeting:	14 June 2021		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer: Name:	Mark Wall	Tel:	01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following deputation which was presented at and referred from the full Council meeting held on the 25 March 2021.

2. RECOMMENDATIONS:

- 2.1 That the Committee responds to the deputation either by noting it or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options and writes to the deputation spokesperson setting out the committee's decision(s). It is recommended that the Committee note the Deputation and that there is report later on the agenda.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 To receive the following deputation along with the extract from the council meeting which is detailed in appendix 1:

(1) Deputation concerning Climate Change and Plant Based School Days in Schools

Spokespersons Anna Cole / Alison Plaumer

We are delighted that Brighton & Hove council, declared a Climate emergency in 2018, and a climate action plan was written early this year. A major opportunity was missed however, on actions that could be taken by the council, about emissions from the consumption of food in council-controlled establishments.

Depending on which science article you read, emissions from food vary from about one quarter, to a third of everyone's carbon footprint. Food production alone is set to push Earth past 1.5°C of warming according to an Oxford University meta analysis in 2018. "If we don't change what we do with food, we would miss the 1.5°C target within 30 to 45

years,” says Professor Michael Clark. He adds, “The most effective one seems to be transitioning to a plant-based diet”.

“Animal agriculture and fishing industries are leading causes of deforestation, ocean dead zones, water pollution, biodiversity loss, and species extinction. Not only that, intensive animal farming poses a significant threat for the development of new pandemics, and for furthered antibacterial resistance to emerge.”

A myriad of other academic articles, Professors, Scientists, the United Nations, The Lancet EAT study and many, many more show same / similar results and call for massive reductions in meat and dairy.

Other councils

- 70% of UK councils have declared a climate emergency and of those, so far
- [Enfield](#) council has stopped serving meat at its council events
- Lewisham council has voted to provide exclusively plant-based options at theirs.
- [Leeds](#) council have taken measures to introduce one meat-free day and another fully plant-based day per week across 182 schools.

Our request

We request that B&H Council implement a carefully managed transition to at least 2 plant-based days in all state-run schools as soon as is practically possible. We also request that all council run events be plant based (post pandemic) plus any other council run establishments (e.g. day centres etc).

In addition, we also request that B&H Council lobby central government to revise the current National food standards for school children in line with sustainability targets, so they include up to date scientific evidence, such as reducing the amount of animal based foods, and increasing plant based foods to effectively reduce personal carbon footprints.

We are a small number of signatories who represent a growing number of residents frightened of the approaching climate chaos and want to do everything in our power to help reduce the impact for future generations.

Additional / supporting evidence

Please see below a small collection of evidence, from the overwhelming amount of evidence that supports this request.

1/ Climate emissions from food

[A 2018 Oxford study stated that the biggest change we can all make to reduce our environmental impact is to adopt a plant-based diet](#)

[Schools need plant-based day \(soilassociation.org\)](#)

<https://www.youtube.com/watch?v=3lrJYTsKdUM&feature=youtu.be>

[The EAT-Lancet Commission on Food, Planet, Health - EAT Knowledge \(eatforum.org\)](#)

<https://www.theguardian.com/environment/2018/may/31/avoiding-meat-and-dairy-is-single-biggest-way-to-reduce-your-impact-on-earth>

<https://drive.google.com/file/d/19C8-Zw->

[ScQDEMk0rvqPEkj8w8rtD9sCz/view?usp=drivesdk](https://drive.google.com/file/d/19C8-Zw-ScQDEMk0rvqPEkj8w8rtD9sCz/view?usp=drivesdk)

[Avoiding meat and dairy is 'single biggest way' to reduce your impact on Earth | Environment | The Guardian](#)

2/ Children's health

Lots of studies cite the negative health consequences of animal produce, please see a selection below;

The consumption of LDL cholesterol, only found in animal based foods, contributes to development of atherosclerosis. A [Harvard Nurse's Health study](#), showed that consuming the amount of cholesterol found in a single egg a day, appeared to cut a woman's life short as much as smoking 5 cigarettes a day for 15 years. [Studies also show that atherosclerosis begins in childhood](#), with nearly all western children as young as 10 being found with fatty streaks in their arteries, the level of which is directly correlated to the amount of LDL cholesterol found in their diet. [Inflammation and stiffening of the arteries occurs within minutes of consuming the bacterial endotoxins found in animal products](#), predisposing children to the development of arterial occlusion and insulin resistance. [The World Health Organisation categorises processed meat as a class 1 carcinogen](#) and another [Harvard health study](#) found a single serving of processed meat a day increased a person's risk of diabetes by 51%.

Additionally, [there is no strong link between milk consumption and bone health](#), in fact scientific evidence points to the opposite, that increased dairy consumption is linked to osteoporosis and hip fractures. A [2020 study](#) revealed that consuming one glass of milk a day increased a woman's risk of developing breast cancer by 50% and 2-3 cups increased risk by 80%.

The current [School Food Standards Guide](#) require 'a portion of meat or poultry on three or more days each week & oily fish once or more every three weeks.' The reason given is that this provides 'protein and essential minerals, including iron and zinc. Oily fish provides omega-3 fatty acids and vitamins A and D'. Similarly, the standards say that dairy products should be available on a daily basis as they are 'a rich source of energy, protein, calcium, vitamin A and riboflavin'.

As you know these can all be found in plant based foods, and the same guideline.
We are lobbying to change this outdated guidance.

3/ BAME community

In addition, it is estimated 65% of the world's population are lactose intolerant, the majority of whom are of BAME descent. As such, there is an inherent racism to have national food standards that, if followed, would make the majority of people of colour ill. Plant based foods suit all diet types, as well as religious dietary guidelines e.g. halal

4/ Local Brighton community / parents

Lots of Brighton's vegan parents want this to happen in schools (Please see recent campaign by a Brighton mum) [Plant-powered Mum Launches Schools Campaign For Vegan-inclusion | Vegan Life Magazine](#) .

I have a petition supporting this on the council website

<https://present.brighton-hove.gov.uk/mgEPetitionDisplay.aspx?ID=751&RPID=40670721&HPID=40670721&fbclid=IwAR1kreBQkQbli-YWuaJwMBn4bYcawlhMpEeeN7s-z6e1FRRW6D9ysikpxGM>

5/ What children want

“People’s Climate Vote”, UN Development Programme, 27th Jan 2021
86% of young people (under 18) in the UK believe climate change is a global emergency.

Of the people that said climate change is a global emergency, 59% said the world should do everything necessary and urgently in response.

Plus 43% of people in the UK, said in this report, they believe we should promote plant-based diets to tackle the climate crisis

6/ Resilience in a changing world

Children learn habits at a young age.

Given the worlds resources have been, and are dwindling since 2008, learning to eat whole food plant based food as a much larger portion of daily food intake is a necessity, which is much less resource intense .

Plant based foods are cheaper

7/ Help from professional organisations

<https://proveg.com/uk/> This fabulous organisation can help with this. They go, into schools, work with chefs, organise fun events for children, help those delivering more plant based meals with the importance of messaging, and much more.

They can provide menu consultation packages to suit the needs of each council. This includes menu planning, recipe ideas, chef training, impact assessments, parent communications, and PR support.

[Home - Plant Based Health Professionals UK](#) Health professionals who can help

[Feed Our Future: Plant Based Meals In Schools](#) Useful web site

8/ Our Local MP

We wrote to our MP Caroline Lucas in January 2021 about this. A quote from her email:

“I think we need to utterly transform our food production systems. In my work as your MP I will be using the remaining stages of the Environment Bill to advocate for a food production system designed to maximise human health, animal health and the health of our ecosystems.”

9/ Youtube video

Please wach the video - <https://youtu.be/dcVC4RmEJZA>

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 25 MARCH 2021

VIRTUAL

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

PART ONE

121 DEPUTATIONS FROM MEMBERS OF THE PUBLIC

(1) DEPUTATION CONCERNING CLIMATE CHANGE AND PLANT BASED DAYS IN SCHOOLS

- 121.1 The Mayor reported that five deputations had been received from members of the public and that he would invite the spokespersons to introduce their deputation and for the relevant Chair to respond. He noted that 15 minutes were set aside for the consideration of deputations.
- 121.2 The Mayor invited Ms Alison Plaumer as the spokesperson for the first deputation to come forward and address the council. The deputation related to climate change and having plant-based days in schools in Brighton and Hove.
- 121.3 Ms Plaumer spoke on the deputation relating to the issue of climate change and having plant-based days in schools.
- 121.4 Councillor Hills thanked Ms Plaumer for her deputation and stated that she fully supported the aims outlined and hoped that the committee would give it full consideration.
- 121.5 The Mayor thanked Ms Plaumer for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Children, Young People & Skills Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 121.6 **RESOLVED:** That the deputation be noted and referred to the Children, Young People & Skills Committee.

Subject:	Future Funding to Mitigate the Impact of Covid-19 on Children, Young People & Households. Items referred from the Council meeting held on the 25 March 2021		
Date of Meeting:	14 June 2021		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer: Name:	Mark Wall	Tel:	01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following Notice of Motion which was debated at and referred from the full Council meeting held on the 25 March 2021.

2. RECOMMENDATIONS:

- 2.1 That the Committee responds to the motion concerning the provision of Future Funding to Mitigate the Impact of Covid-19 on Children, Young People & Households, either by noting it or where it is considered more appropriate, calling for an officer report on the matter as requested, which may give consideration to a range of options. It is recommended that the Committee call for a report.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 The following resolution from the full council meeting held on the 25 March 2021 for the committee to consider is detailed below:

COUNCIL

4.30pm 25 MARCH 2021

VIRTUAL

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

PART ONE

NOTICES OF MOTION

131. SUPPORT FOR EXCLUDED UK AND THOSE EXCLUDED FROM COVID SUPPORT SCHEMES IN THE CITY

- 131.1 The Mayor informed the meeting that he had been informed by Councillors Yates and Littman of a request to withdraw their notices of motion listed as Items 131 and 135 respectively on the agenda and to replace them with a new composite notice of motion. He states that he was happy to accept the request and for the new motion which was listed in addendum 2 for the meeting to be taken and regarded as Item 131. In so doing, he was required to ask both movers of their motions to confirm their wish to withdraw the motions before putting this to the council for confirmation.
- 131.2 Councillor Yates formally requested that the motion listed as Item 131 on the agenda should be withdrawn.
- 131.3 Councillor Littman formally requested the motion listed as Item 135 on the agenda should be withdrawn and both motions then replaced by the new motion 131 as listed in addendum 2.
- 131.4 The Mayor noted the both motions were to be withdrawn and sought confirmation from the Council which was agreed. He then invited Councillor Littman to move the new motion 131 as detailed in addendum 2.
- 131.5 The Notice of Motion as listed in addendum 2 was proposed by Councillor Littman on behalf of the Green and Labour Groups and an Independent Member, Councillor Knight and formally seconded by Councillors Allcock and Knight.
- 131.6 Councillor Brown moved an amendment on behalf of the Conservative Group, which was seconded by Councillor McNair and accepted by Councillor Littman.
- 131.7 The Mayor noted that the amendment had been accepted and therefore put the following motion as amended to the vote:

This Council recognises and acknowledges:

1. The challenging financial, social, wellbeing and educational impacts the pandemic has brought to children, young people and households city-wide;
2. That additional Government funding (Emergency Assistance Grant) expires 31 March;
3. The significant support the city's services, community groups and the Government have provided to alleviate these impacts, including commissioning of money advice services, third sector funding, welfare support and housing benefit teams, to ensure families and individuals are supported;

Council therefore resolves to:

- 1) Join the Children's Society 'Funding local crisis support,' campaign by asking the Chief Executive to detail to government our support and concerns regarding funding ending 31 March;
- 2) Request the Chief Executive writes to Robert Jenrick MP, recognising the resources provided by the Government to date, and calling for long-term, dedicated Treasury funding to enable councils to provide a safety-net for the most vulnerable;
- 3) Request a report to a CYPS committee in this council year to outline the impacts of Covid-19 and lockdown on children and young people, and further support to mitigate these impacts including:
 - a) Mental health and wellbeing support;
 - b) Rebuilding young people's community support networks;
 - c) Ensuring every child on Free School Meals has access to nutritional food through School Holidays, not just term time;
 - d) Enabling greater access to existing council services through increased concessionary fees;
 - e) Enabling free travel for young people across the city and learners with disabilities who attend college;
 - f) Broadening out-of-school and after-hours educational support long-term, to address new and entrenched disadvantage.

131.8 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion as amended and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion as amended and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion as amended and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion as amended;

Councillor Fishleigh confirmed that she was voting for the motion as amended;

Councillor Janio confirmed that he was voting for the motion as amended;

Councillor Knight confirmed that she was voting for the motion as amended.

131.9 The Mayor confirmed that the motion as amended had been carried.

Subject: Moulsecoomb Primary School. Items referred from the Council meeting held on the 25 March 2021

Date of Meeting: 14 June 2021

Report of: Executive Lead Officer for Strategy, Governance & Law

Contact Officer: Name: Mark Wall **Tel:** 01273 291006

E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following Notice of Motion which was debated at and referred from the full Council meeting held on the 25 March 2021.

2. RECOMMENDATIONS:

- 2.1 That the Committee responds to the motion concerning the Future of Moulsecoomb Primary School either by noting it or where it is considered more appropriate, calling for an officer report on the matter as requested, which may give consideration to a range of options. It is recommended that the Committee notes the Notice of Motion and that there is a report later on the agenda.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 The following resolution from the full council meeting held on the 25 March 2021 for the committee to consider is detailed below:

COUNCIL

4.30pm 25 MARCH 2021

VIRTUAL

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

PART ONE

NOTICES OF MOTION

132. SUPPORT FOR EXCLUDED UK AND THOSE EXCLUDED FROM COVID SUPPORT SCEMES IN THE CITY

132.1 The Notice of Motion as listed in the agenda was proposed by Councillor Grimshaw on behalf of the Labour and Green Groups and formally seconded by Councillor Clare.

132.2 Councillor Knight spoke in favour of the motion.

132.3 The Mayor then put the following motion the vote:

This Council notes;

- 1) The Regional Schools Commissioners (RSC) Office has identified three trusts as potential academy sponsors for Moulsecoomb Primary;
- 2) An academy sponsor is due to be appointed by the RSC at a meeting on 25 March;
- 3) The trajectory of improvement Moulsecoomb Primary is on, following the 2019 'inadequate' Ofsted judgement;
- 4) The recent Ofsted monitoring visit reporting that effective action is being taken with the school's improvement plan described as 'fit for purpose';
- 5) The overwhelming support for keeping Moulsecoomb Primary within local authority control, with a ballot showing 96% of parents were opposed to academisation;

This Council therefore:

- 1) Reaffirms its commitment to stand by parents, staff, unions and community in opposing the forced academisation of Moulsecoomb Primary, as there should be no academisation without community consent;
- 2) Requests the Chief Executive writes to the Secretary of State for Education, urging them to revoke the academisation order on Moulsecoomb Primary and requesting an urgent reinspection to enable the school to demonstrate its ongoing journey of improvement;
- 3) Requests the Chair of the Children, Young People & Skills Committee to call a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecoomb Primary on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the RSC; and
- 4) Requests the Council's School Improvements team continue to support the school on its journey to being a 'Good' school.

132.4 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative wished to abstain from voting on the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she wished to abstain from voting on the motion;

Councillor Janio confirmed that he was voting against the motion;

Councillor Knight confirmed that she was voting for the motion.

132.5 The Mayor confirmed that the motion had been carried.

Subject:	Notice of Motion - Moulsecoomb Primary School Survey of Parental Views		
Date of Meeting:	14 June 2021		
Report of:	Executive Director Families, Children and Learning		
Contact Officer:	Name:	Richard Barker	Tel: 01273 290732
	E mail:	Richard.barker@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 At Full Council on 25 March 2021 a Notice of Motion requested a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecoomb Primary School on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the Regional Schools Commissioner.
- 1.2 The pre-election period meant that the matter is being considered at the first Children, Young People and Skills (CYP&S) committee meeting since the elections held on 6 May 2021.
- 1.3 This report recommends that the CYP&S Committee do not facilitate the holding of a further ballot by the school for the reasons set out in this report.

2. RECOMMENDATIONS:

- 2.1 That the Committee does not pursue a further ballot of parents and carers of children at Moulsecoomb Primary School.
- 2.2 That the Committee note that the Department for Education have announced the appointment of Pioneer Academy Trust as the sponsor for the school.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 On 16 September 2019 the CYP&S Committee noted that a ballot of parents/carers was to take place at Moulsecoomb Primary School with the full results of the ballot being reported at the next CYP&S Committee meeting.
- 3.2 The ballot was only for parent/carers who had children registered at the school at the start of the academic year 2019/20. Parents/carers were able to respond either yes or no to the question, "Do you want the school to become an academy?"
- 3.3 The report detailed that it was appropriate to allocate one response form to the family of each child registered at the school and it required the family to determine how they vote should the views within the family not be the same.

- 3.4 On 7 October 2019 a count of ballot papers took place. 142 ballots were counted (61% turnout). Of these 137 said 'No' when asked should the school become an academy. 96.5% of ballots said that the school should not become an academy.
- 3.5 The Notice of Motion at Full Council on 25 March 2021 included a request that the Chair of the Children, Young People & Skills Committee call a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecomb Primary School on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the Regional Schools Commissioner (RSC).
- 3.6 Since then the Department for Education has announced that Pioneer Academy Trust will be the sponsor of the school. In response to this announcement a range of local protest initiatives are taking place including a staff strike in April 2021. A special meeting of the Committee was planned but was unable to proceed due to the pre-election period for the local by-elections and election of the Police and Crime Commissioner and the subsequent process.
- 3.7 Whilst the previous survey of views took place 18 months ago it is unclear that there would be a significant benefit to have a more up to date view of parents and carers that will be able to inform the governing body and council of the strength of opinions.
- 3.8 Any survey will remain outside of the academy process and therefore does not play a statutory role in the process.
- 3.9 Whilst the school considered it was possible to undertake the process of surveying parents and carers this would have been an additional logistical challenge whilst maintaining Covid secure arrangements.
- 3.10 In addition to remaining focussed on building on the progress of improving the delivery of education at the school, the circumstances following the announcement of the sponsor mean that careful consideration must be given to the benefit of holding a ballot of parents and carers.
- 3.11 The impact of the Covid pandemic may affect the response rate which was 61% in October 2019. Parents and carers may feel uneasy about handling ballot papers and have an impact on the quantity of response forms received back.
- 3.12 A ballot paper and return envelope that sends the ballots back to the council could be arranged and similar Covid mitigations will need to be in place to verify and count the ballot papers. The first class return postage would be £0.62 per item and the school would incur costs from initially posting out the ballots and letters unless they are given to the children or parents are required to collect them from the school directly.
- 3.13 There would also be a cost for count staff depending upon how this was conducted.
- 3.14 The governing body are currently focussed on taking the steps it considers appropriate to represent the community and the best interests of the school

under the Academy Order. The necessary engagement of the governing body to undertake a further survey of parent and carer's views may lead to the governing body being unable to fulfil its wider role and jeopardise the continuity in leadership that they have achieved.

- 3.15 Ofsted have completed monitoring inspections on 24 February 2021, 20 October 2021 and 4 February 2021. On each occasion Ofsted said, "Leaders and managers are taking effective action towards the removal of the serious weaknesses designation." The last monitoring visit to the school was on 5 May 2021 and at the time of writing no report has been published.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The survey is not part of the formal academy order process and the council is not compelled to help facilitate any survey undertaken by the school's governing body. However, a previous ballot was undertaken and it would be possible to do so again. Supporting a ballot at the current time would place the governing body in a very difficult position given the appointment of an academy sponsor and the continuity and community representation that they hold would be lost.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The governing body could wish to seek the views of parent/carers with children in attendance at the school irrespective of the council's decision. However, a previous ballot held in 2019 provides an indication of the strength of feeling of parents and carers with children at the school, at that time.

6. CONCLUSION

- 6.1 The Committee are asked to consider the need to conduct a further survey of parent and carer views.
- 6.2 Following discussion with the Chair of Governors it can be expected that the governing body would not support proposals to undertake a further ballot to provide a more up to date view of parent/carers responses to the Academy Order for reasons outlined in paragraphs 3.7 - 3.14.
- 6.3 This is not a formal part of the academy order process. Whilst the council has previously provided support and guidance to the governing body of the school and can do so again this report does not recommend that such action is taken. The appointment of the sponsor by the Department for Education, the logistical challenge of undertaking a ballot during Covid restrictions and the potential impact on the governing body of supporting such action indicates that the benefits of a ballot are outweighed by not taking steps to hold a ballot.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Financial implications relating to a survey of parental views would be minimal however the recommendation is for such a survey to no longer be carried out.

Wider financial implications regarding the budget position of the school and ownership of a deficit should the school transfer to sponsored academy status were included in the report to committee in March 2021.

Finance Officer Consulted: Steve Williams

Date: 10/05/21

Legal Implications:

- 7.2 The Local Authority and the school have a duty under section 5B of the Academies Act 2010 to take all reasonable steps to facilitate the conversion of the school into an Academy. This includes facilitating the making of academy arrangements with the sponsor.
- 7.3 As stated in the body of the report, any ballot conducted of parent/carer views would not form part of the statutory conversion process. The RSC would be under no obligation to consider these views when making decisions about the future of the school.

Lawyer Consulted: Serena Kynaston

Date: 10/05/21

Equalities Implications:

- 7.4 An Equality Impact Assessment has not been carried out. The report recommends that the committee do not undertake a ballot. Should one take place the school and council are confident that all parent/carers with children attending the school at the start of the academic year 2020/21 will be able to respond to the survey and have their views recorded as such.

Sustainability Implications:

- 7.5 There are no sustainability implications because of this report.

Brexit Implications:

- 7.6 There are no Brexit implications in relation to this report.

Any Other Significant Implications:

None

Subject:	The Future of Secondary School Places in Brighton and Hove		
Date of Meeting:	14 June 2021		
Report of:	Executive Director Families, Children and Learning		
Contact Officer:	Name:	Richard Barker	Tel: 01273 290732
	Email:	Richard.barker@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report considers the future projection of secondary aged pupils needing places in the city's schools and compares this to the number of places currently available.
- 1.2 The report proposes that a pre-consultation engagement activity is undertaken to consider what proposals should be put forward in a future formal public consultation regarding the admission arrangements for the city's secondary schools.
- 1.3 The council is actively seeking to develop a strong consensus across the city about what action should be taken.

2. RECOMMENDATIONS:

- 2.1 That the committee note the secondary school pupil forecasts from September 2022 – September 2031 detailed in Appendix 1 and recognise that from September 2028 – September 2031 these are illustrative and not calculated using a recognised methodology as detailed in a [previous committee report](#).
- 2.2 That the committee approve the recommendation to undertake a pre-consultation engagement between 21 June 2021 and 18 July 2021 including 8 public events held remotely in order to ensure early community involvement and a survey hosted on the council's [Have Your Say](#) portal.
- 2.3 That the committee note that the responses will be used to inform future discussions about the admission arrangements for secondary schools which will be subject to public consultation.

3. CONTEXT/ BACKGROUND INFORMATION

September 2022

- 3.1 This report is concerned with the medium to long term provision of school places in the city. However, it is accepted that there will be questions about the

allocation of secondary school places in September 2022 following on from the allocation of place this year.

3.2 There are 2560 school places in the city's secondary schools for September 2022. The current forecast of secondary school places needed (see Appendix 1) is 2431. Therefore, the council can meet its statutory responsibility to ensure all children who require a school place have one available to them. The surplus capacity is 5% and the council works towards a surplus capacity range of 5%-10%.

3.3 The following catchment areas are expected to have more pupils than places available:

- Varndean/Dorothy Stringer Schools – 651 pupils for 630 places
- Patcham High School – 237 pupils for 225 places

As detailed in the information booklet to parents, the council does not guarantee that catchment area children will be offered a place at their catchment school(s). At this point no capital works are planned to address this shortfall of places for children living in the catchment area.

3.4 Parents are encouraged to use their three preferences in an informed way. Following feedback received after National Offer Day 2021 the council will be reviewing its communication to make it more clear to parents.

It is not until December 2021 that the council will be aware of the general implications of parent's patterns or preference, the expected allocations to King's School and Cardinal Newman Catholic School as well as applications made by families resident in Brighton and Hove to schools in East Sussex and West Sussex. As a result, the need to consider admitting pupils above the PAN of the catchment school(s) will need to await until analysis of this information has concluded. Currently there are no plans to consider additional places at any of these three schools.

September 2023

3.6 Admission arrangements for pupils who will start school in September 2023 will not be determined by the council until January 2022. It is anticipated that a public consultation will be held in the autumn 2021 to consider any proposed changes to existing arrangements. Under the School Admissions Code a consultation cannot start until 1 October 2021 and arrangements must be determined by 28 February 2022.

3.7 There are 2560 school places in the city's secondary schools for September 2023. The current forecast of secondary school places needed is 2436. The surplus capacity is expected to remain at 5%. Therefore, the council can meet its statutory responsibility to ensure all children who require a school place have one available to them.

3.8 The council's current forecast of pupil numbers shows that PACA will have 9 children living in the catchment area more than places available. This is the only catchment area which is expected to be oversubscribed with pupils from within its

catchment area. The council's pupil forecasts are updated once a year in late autumn and therefore this will be kept under review prior to the determination of admission arrangements in January 2022.

Longer term planning – forecast numbers

- 3.9 The council's place planning methodology allows us to predict the demand for school places until September 2027. The table below shows the anticipated reduction in the numbers of children requiring places. Between 2022 and 2027 the number of places required is expected to reduce by 165 pupils.

Year	Forecast Pupil Numbers	Surplus Places	%
2022	2431	129	5%
2023	2436	124	5%
2024	2358	202	8%
2025	2360	200	8%
2026	2356	204	8%
2027	2266	294	11%

- 3.10 The council has also extrapolated the forecast data for children who have not yet started primary school to provide an indication of anticipated demand for secondary school places until September 2031. It is important to make clear that the methodology used has not been reviewed for this purpose and therefore the information must be considered with a certain amount of caution. Nevertheless, it indicates how the current trend of reducing primary school children will affect secondary schools in the medium to long term.
- 3.11 The table below shows the percentage of surplus places that will be in each catchment area between 2028 and 2031 as well as the surplus amount of places across the city. The number of catchment areas exceeding the suggested range of 5% - 10% surplus places are:

2028 – 4 catchment areas
 2029 – 4 catchment areas
 2030 – 6 catchment areas
 2031 – 6 catchment areas

Catchment area	2028		2029		2030		2031	
	Surplus places	% of surplus	Surplus places	% of surplus	Surplus places	% of surplus	Surplus places	% of surplus
PACA	36	16%	43	20%	37	16%	77	35%
B Mill/H Park	-18	0%	33	6%	68	13%	97	19%
PHS	43	19%	53	24%	99	44%	107	48%
DS/V	13	2%	26	4%	78	12%	87	14%
BACA	24	13%	61	34%	59	33%	59	33%
Longhill High School	53	20%	107	40%	98	36%	121	45%
Citywide	199	8%	372	14%	487	19%	597	23%

- 3.12 In the following catchment areas and years there will be fewer than 180 pupils in these catchment areas. Whilst it is dependent upon several factors, the council consider that a secondary school's viability would be compromised if cohort numbers were below 180 pupils. Other issues associated with timetabling and curriculum delivery may mean that schools consider a minimum PAN would need to be higher than this figure but this will be dependent on individual school circumstances. The table below shows the schools and years where that is expected to be the case.

Catchment area	Year and estimated pupil numbers								
	2023	2024	2025	2026	2027	2028	2029	2030	2031
PACA					177		177		143
PHS							172	126	118
BACA	137	128	146	136	145	156	119	121	121
Longhill							163	172	149

- 3.13 It can be expected that whilst we are entering a period of falling birth rates this will change in 15-20 years' time as the demographic factors change. As a result, the council needs to consider that the secondary school accommodation we currently have will be needed again in future years but only after a period of redundancy. Therefore, it is not intended that any school site will be disposed of or permanently re-purposed.

Impact of new homes

- 3.14 The effect of new housing developments in the city is small compared to the impact of changing birth rates. 10,760 units of accommodation are to be delivered by 2030. Based on previous experience this would generate an additional 856 secondary age pupils by 2030. If the pupils were generated evenly over the next 10 years, we would only expect an additional 18 secondary age pupils per year group across the whole city.

Toads Hole Valley

- 3.15 Within the current development plans for Toads Hole Valley an area of 5 hectares is reserved for a six form-entry secondary school for ages 11-18, or a through school, in order to meet identified needs. This proposal has been identified for a significant number of years and ensured that the city had access to a suitable site for any long term need for additional school places. The site is allocated under policy DA7 of City Plan Part One which covers a period up until 2030. A review of this Plan is due to be commenced next year, and the current forecast of future pupil numbers could have an implication on the future designation of this site within the City Plan.

Longer term planning – impact of falling pupil numbers

- 3.16 Most school funding is determined by pupil numbers. Therefore, the fewer pupils in a school the less funding they will receive. Whilst approximately 80% of school budgets will be spent on staffing costs and fewer staff will be required to teach fewer children there will be a minimum level of staffing and equipment that any school will be required to employ to ensure that a varied and rich curriculum is

available to all pupils. This is also achieved through supporting the city's family of schools as a whole and wherever possible avoiding actions that have a detrimental impact on other schools.

- 3.17 School budgets are determined each year and falling pupil numbers over a period of years will require schools to potentially make annual adjustments in staffing although there will be a certain amount of staff turnover each year. However, there will be more uncertainty for schools affected by reducing pupil numbers over several years as they adapt to the varying numbers of children offered places at their school.
- 3.18 Where schools do not fill all their places from within the catchment area it will mean that children will be able to attend the school from outside the catchment area. This would then have a knock-on, negative impact on the child's actual catchment area school. Whilst this will ensure that parental preference is maximised it will place a further burden on schools where families seek to place them in a school in a different catchment area.
- 3.19 Currently the oversubscription criteria for the council's admission arrangements is random allocation. Therefore, ensuring that all children have an equal chance of obtaining a place at the school. When a school fills from children who are outside of the catchment area this will mean that children could gain a place from anywhere else in the city. The council could use a distance measurement to ensure that children who lived outside of the catchment area were prioritised for a place based on how close they were to the school.

Longer term planning – who can determine what?

- 3.20 The council is the admission authority for 6 of the 10 secondary schools in the city. This means it is the council that determines the admission arrangements including the school's Published Admission Number (PAN), the number of children who will be admitted into each year group, and the catchment area for the schools.
- 3.21 The remaining schools: PACA, King's School, Cardinal Newman Catholic School and BACA determine their own admission arrangements. For the purpose of the forecasting of pupil numbers it has been assumed that there is no change in the PAN of any school. The Council will continue to engage with all admission authorities in the city as we seek to develop a common approach to the problems presented by fewer pupils needing school places.
- 3.22 Similarly, the council has determined catchment areas for 8 schools other than King's School and CNCS that admit pupils from across the city and in the case of CNCS beyond the city. For the forecasting of pupil numbers, it has been assumed that there is no change in the catchment areas of any schools. However, both PACA and BACA could decide to amend their catchment areas or remove them entirely.
- 3.23 It would be in the gift of the 4 schools who are their own admission authority to amend either their PAN or catchment area (where relevant) under their own volition. PACA have recently undertaken a consultation to amend their admissions arrangements for September 2022.

- 3.24 Under the School Admission Code, changes to admission arrangements must be consulted upon, unless own admission authorities are increasing their PAN. Objections to arrangements can be raised to the independent Schools Adjudicator if it is considered that arrangements are unlawful, or not in compliance with the Code or relevant law relating to admissions.
- 3.25 The school admission code allows the governing bodies of community schools to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. The Code is clear that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection.
- 3.26 Therefore, whilst the council can propose to make changes to admission arrangements relating to secondary school places not everything is in the gift of the council to be implemented because where changes are determined governing bodies can object to those decisions.
- 3.27 The Schools Adjudicator has recently responded to objections raised by governing bodies of some primary schools in the city following the setting of admission arrangements for September 2022. In their determinations there is clear evidence of what factors the Adjudicator will have regard to in reviewing future admission arrangements including the primacy of parental preference and the need to provide strong evidence demonstrating the likely risk of closure of another, undersubscribed, school if there are too many surplus places in the city.
- 3.28 As a result of this the council is actively seeking to develop a strong consensus across the city about what action should be taken and reduce the likelihood of a governing body or parent of a prospective pupil objecting to the admission arrangements set that address this issue.
- 3.29 A dialogue has already started with secondary school Headteachers to explore on a school by school basis the issues from their perspective and this will develop into more collective discussions as a group and with the inclusion of governing bodies.
- 3.30 By also seeking the views of residents as part of a non-committal pre-consultation engagement activity it is hoped that the results will further inform the discussion with Governing Boards, Trusts, Dioceses and other interested parties.

Longer term planning – what do we want to know?

- 3.31 The council wants to understand what residents think the key areas are to consider when reviewing ways to address the impact of fewer children needing secondary school places.
- 3.32 At this stage the council is not putting forward any proposals as to how admission arrangements can be changed. It is expected that after this engagement activity that results will assist in proposals being developed that can then be consulted upon. The council wants to understand the importance residents place on various elements that impact on secondary school place planning.

- 3.33 In broad terms the council wants to know if it's more important to allow parents every opportunity to maximise the prospect to attend a school that they want or if it is important to ensure children attend a local school to where they live. It will be interesting to know if residents think that the catchment areas should be adjusted, and the council also wants to know what other factors should be taken into consideration. It will also be helpful to know what additional information may be needed to better inform a future public consultation.
- 3.34 The results of this engagement activity will not automatically determine the proposals that are consulted upon in future years but will inform the discussion that takes place with secondary school governing bodies and within the cross-party school organisation working group.
- 3.35 The engagement activity will run for a minimum of 4 weeks and in addition to the consultation being hosted on the Council's 'have your say' portal there will be a number of public video conference events to outline the issues in more detail and answer any questions that come up.
- 3.36 It is proposed that the engagement activity (to be held in advance of any formal public consultation on any changes) starts on Monday 21 June 2021 and runs until the 18 July 2021. Public events, via Microsoft Teams, will be held on the following dates and times:
- Wednesday 23 June 2021 – 10am
 - Thursday 24 June 2021 – 6pm
 - Tuesday 29 June – 2pm
 - Wednesday 30 June – 6pm
 - Thursday 1 July - 10am
 - Tuesday 6 July – 10 am
 - Tuesday 6 July – 2pm
 - Wednesday 7 July – 6pm

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report seeks approval for a pre-consultation engagement activity to inform future decision making that will be subject to a formal public consultation. The council is not obliged to undertake this activity but believes it is a rational and reasonable approach to obtain responses that will inform future proposals.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This report seeks approval for a pre-consultation engagement activity. With on-going uncertainties regarding the response to Covid-19 it is proposed that the accompanying public events held in addition to the consultation response form will be virtual meetings via Microsoft Teams.
- 5.2 The responses received will inform the development of future proposals and the timing of any future public consultation.
- 5.3 All schools and nurseries will be informed of the engagement activity and will be asked to make parents aware of the events and how to participate.

6. CONCLUSION

- 6.1 The council is aware that in future years there will be an increase in the number of surplus secondary school places in the city. This will affect schools differently based upon the number of children forecast to be in the catchment area for each school.
- 6.2 A rise in surplus places could have a negative impact on schools in the city who will need to manage varying pupil numbers and the associated impact on school finances and staffing levels.
- 6.3 Recent determinations by the Schools Adjudicator demonstrate the need to carefully consider the provision in the School Admissions Code which states, 'there is a strong presumption in favour of an increase in the PAN' should a school object to a decrease in their PAN when there are strong patterns of parental preference for that school.
- 6.4 As a result, the council is proposing to undertake a 4-week pre-consultation engagement activity to help inform the development of proposals to address this issue, that will be formally consulted upon in due course.
- 6.5 It is proposed that in addition to a consultation response form hosted on the council's 'have your say' portal a series of eight public events are held over the duration of the event to provide an opportunity to discuss the issue in more detail and help respondents complete their replies.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The vast majority of school revenue funding is driven by pupil numbers. For the 2021/22 financial year, over 95% of the formula budget for secondary schools and academies in the city is generated through pupil-led funding factors.
- 7.2 Clearly reductions in pupil numbers will impact on individual school funding levels. School budgets are determined annually and falling pupil numbers over a period of years will require schools to plan ahead on a multi-year basis to make adjustments to workforce levels in line with changes to pupil numbers and funding levels.

Finance Officer Consulted: Steve Williams

Date: 10/05/2021

Legal Implications:

- 7.3 Local Authorities are under a statutory duty to have sufficient school places available in their area (section 14 Education Act 1996). Section 14A requires them to consider parental representations as to the exercise of the section 14 power.

- 7.4 The School Standards and Framework Act 1998 and School Admissions Code 2014 set out the statutory framework that Local Authorities must follow when consulting and determining school admission arrangements. This proposed pre consultation engagement activity will not form part of this statutory process. Instead it will seek to inform the proposals which the Council will put out for statutory consultation in the future.

Lawyer Consulted:

Serena Kynaston

Date: 10/05/2021

Equalities Implications:

- 7.5 An Equality Impact Assessment has not been undertaken for this report. The report is seeking permission to undertake a pre-consultation engagement activity. Residents will be able to contribute to this activity in several ways to facilitate those without internet access or IT skills to contribute.
- 7.6 Responses will be analysed to take consideration of the characteristics of respondents and where they state they are living.

Sustainability Implications:

- 7.7 There are no sustainability implications because of this report. Pre-consultation engagement events will be held remotely to avoid unnecessary travel and to mitigate for any Covid restrictions in place.
- 7.8 The response form will include questions on the views of residents about the consideration that needs to be made regarding travel to school. These responses will inform any future public consultation on proposals the council puts forward.

Brexit Implications:

- 7.9 There are no Brexit implications in relation to this report.

Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices:

1. Secondary School Pupil Forecasts 2022- 2031

Data from Oct 20 school census & Nov 20 GP data

existing catchment areas	numbers take from GP data (-10%)				school year in Sept 20						
	-4	-3	-2	-1	1	2	3	4	5		
Year of secondary entry	2031	2030	2029	2028	2027	2026	2025	2024	2023	2022	
PACA catchment	220	187	227	221	228	221	263	260	240	273	237
reduced by 0%		187	227	221	228	221	263	260	240	273	237
adjusted for CN & Kings		143	183	177	184	177	219	216	196	229	193

Difference between Oct 20 and Oct 19

10 1 13 -2 1

number of FSM pupils	46	45	48	56	72	56
% of pupils in catchment receiving FSM	21	17	18	23	26	24

Hove Park & Blatch catchment area	510	743	774	810	864	789	783	852	769	834	802
reduced by 5%		706	735	770	821	750	744	809	731	792	762
adjusted for CN & Kings		413	442	477	528	457	451	516	438	499	469

Difference between Oct 20 and Oct 19

-502 -569 -496 -533 -518

number of FSM pupils	105	114	154	114	114	138
% of pupils in catchment receiving FSM	13	15	18	15	14	17

Stringer & Varndean catchment area	630	635	644	698	711	670	706	674	701	695	746
reduced by 3%		616	625	677	690	650	685	654	680	674	724
adjusted for CN & Kings		543	552	604	617	577	612	581	607	601	651

Difference between Oct 20 and Oct 19

2 -10 -29 -28 -4

number of FSM pupils	110	141	167	142	137	155
% of pupils in catchment receiving FSM	16	20	25	20	20	21

Longhill catchment area	270	225	252	241	304	296	324	304	322	345	339
reduced by 13%		196	219	210	264	258	282	264	280	300	295
adjusted for CN & Kings		149	172	163	217	211	235	217	233	253	248

Difference between Oct 20 and Oct 19

11 11 7 7 11

number of FSM pupils	76	95	79	103	95	96
% of pupils in catchment receiving FSM	26	29	26	32	28	28

BACA catchment area	180	144	144	142	181	169	160	170	152	161	160
reduced by 5%		137	137	135	172	161	152	162	144	153	152
adjusted for CN & Kings		121	121	119	156	145	136	146	128	137	136

Difference between Oct 20 and Oct 19

-3 -3 -2 -11 -3

number of FSM pupils	56	71	82	65	78	72
% of pupils in catchment receiving FSM	33	44	48	43	48	45

Patcham catchment area	225	149	158	206	217	239	243	222	298	256	275
reduced by 5%		142	150	196	206	227	231	211	283	243	261
adjusted for CN & Kings		118	126	172	182	203	207	187	259	219	237

Difference between Oct 20 and Oct 19

9 12 16 14 8

number of FSM pupils	31	43	38	53	41	49
% of pupils in catchment receiving FSM	13	18	17	18	16	18

Total for catchment area Schools	2035	1486	1596	1711	1884	1769	1859	1863	1861	1939	1934
Difference between Oct 20 and Oct 19							-23	-42	-54	-54	-36

Total for all Schools	2560	1983	2093	2208	2381	2266	2356	2360	2358	2436	2431
Difference between Oct 20 and Oct 19							-7	-26	-38	-38	-20

Subject:	Brighton & Hove Environmental Education Strategy		
Date of Meeting:	14 June 2021		
Report of:	Executive Director Families, Children and Learning		
Contact Officer:	Name:	Richard Barker	Tel: 01273 290732
	Email:	Richard.barker@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The report provides an outline of the provision of Local Authority coordinated environmental education in the city and considers some future actions to enhance this over a longer period.
- 1.2 There is already a wide range of initiatives taking place in the city and this report acknowledges that whilst seeking to raise awareness and outline additional activities that will be undertaken in the coming year. Aiming to deliver consistency of practice is a central aim, alongside the promotion of skills and techniques to educators in the city that will help them to improve their confidence in delivering environmental content to children and young people.
- 1.3 The report considers how the £96,000 one-off investment in an Environmental Education Strategy can be committed in 2021/22.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the outline of the environmental education strategy funded by assigned £96,000 in 2021/22
- 2.2 That the committee note the indicative allocation of funding to each area of the strategy as outlined in the report (Appendix 1).
- 2.3 That the committee agree to receive a report at the CYP&S committee on the work undertaken as part of the Environmental Education Strategy no sooner than June 2022.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council's plan 2020 - 2023 has identified becoming a sustainable city and a growing and learning city as outcomes. In the 2021/22 budget, Climate Action & Sustainability was a priority area that included proposals to invest in an environmental education strategy.
- 3.2 Whilst the report considers how the funding allocated for 2021/22 can be utilised alongside existing recurring funding, it is important not to see it in isolation and to contemplate some of the broader issues that need to be considered in relation to

the delivery of environmental education in the city. Brighton & Hove declared a climate and biodiversity emergency in December 2018 and the council has pledged to become carbon neutral by 2030 by reducing as much climate-damaging carbon emissions as possible and offsetting any remaining carbon emissions that cannot be eliminated.

3.3 The council held a climate assembly, hosted a Brighton & Hove Schools climate Q&A with local politicians, a youth climate assembly and a Headteacher Climate Change Conference. Brighton & Hove City Council are also lead partner in The Living Coast, Brighton & Lewes Downs UNESCO World Biosphere Reserve. One of the three biosphere objectives is 'environmental learning, awareness & engagement'.

3.4 In its broadest form, the environmental education strategy needs to cover the following areas:

- Determining a clear definition and purpose for the city's education providers of what is meant by environmental education and what role the council plays in that, including an agreed vision and multi-year delivery plan.
- Promote the work already taking place in relation to this work and support a programme that further develops the capacity, skills, knowledge and confidence of the education sector on sustainability and climate change and makes appropriate links to other strategies such as the Anti-Racist Schools Strategy
- Maximisation of local, national and global resources, external expertise, council and city priorities, initiatives, programmes, campaigns and projects for contributing to shaping a structured and comprehensive environmental & climate educational programme for schools and youth in the city.
- Close liaison with The Living Coast Biosphere programme so as to benefit from its projects and partnerships.
- Reviewing existing travel options for children and young people working alongside colleagues in the School Travel team and organisations such as Sustrans as they work to promote cycling to schools.
- Taking action to address the council's commitment to become carbon neutral by 2030 (CN2030).
- Providing a hub of local resources, materials and training to support the teaching of environmental education including the central branding and hosting of resources.
- Promote the engagement of education settings in the delivery of environmental education and the opportunities to sustain that engagement through on-going activities such as volunteering.
- Supporting the council's work on addressing those at risk of disadvantage (both social/economic and nature deprivation), the green skills agenda and the priorities of the SEND Strategy.
- Supporting on-going youth engagement including the potential of Youth Ambassadors and the involvement of young people in wider council consultations/processes through a well-publicised route.
- Contribute to the promotion of staff and pupil well-being in education settings.

- Build on previous bi-annual pupil events to establish a yearly conference for young people and consider the feasibility of an annual inset programme for school staff.
 - Establish a cross-directorate oversight group with relevant sub-groups such as education leadership, curriculum development and the role of food and travel within the strategy.
 - Follow up the spirit of the Notice of Motion from September 2019 when the Green group asked each head to nominate one teacher in their school to become a Lead Teacher for Climate Change Education and encourage teacher training providers to include the Climate Change Teacher course as part of their PGCE and Cert Ed qualifications.
- 3.5 Whilst the national curriculum covers environmental education through a range of subjects and approaches it does not provide a clear definition applicable to all education settings. Environmental education is already a feature of the curriculum in Brighton & Hove schools.
- 3.6 Environmental education is a life-long learning process that helps individuals, communities and organisations connect, learn and understand more about their local environment, explore environmental issues to gain a deeper understanding of the relationship between humans and the environment and develop critical thinking skills that enable responsible decision making and environmental activism going forward. It opens up an area of practical and academic skills that will enable participation in a more sustainable future society and support a green recovery as part of wider economic growth.
- 3.7 There is a high level of intersectionality with other initiatives that hold a current relevance to the curriculum and young people which makes this work even more timely. For example, the PSHE Team have ensured that teaching about periods includes discussing reusable and plastic free products.
- 3.8 To ensure that any initiatives started by this one-off funding are long lasting and self-sustaining the city must work to a common understanding and purpose.
- 3.9 It has been identified that further work can be undertaken by education settings to help the council meet its CN2030 commitment. Whilst construction works at schools are commissioned to meet the council's own environmental expectations there are a range of services that need to be reviewed specifically from the perspective of reducing the city's carbon emissions including the provision of school meals, the sourcing of water and energy, home to school transport and travel, school excursions, waste and resource management and procurement strategies.
- 3.10 The Council's 2030 Carbon Neutral Programme includes a focus on areas such as active travel which includes the School Street initiative, Greater Brighton Energy and Water plans, a focus on reduce and reuse when it comes to waste generation, the City Downland Estate Plan, the exploration of a Decarbonisation Skills Academy and Sustainable Urban Drainage schemes.
- 3.11 There is a plethora of materials and resources available from council teams, The Living Coast biosphere partnership, national organisations, and local groups as well as facilities and local sites to enable the delivery of environmental education.

These are hosted in a variety of places and are often dependent upon local knowledge which is inefficient and time consuming for teachers to maximise their use.

- 3.12 It is proposed that in the short-term funding is committed to cataloguing what is available and undertaking a gap analysis to see what additional materials should be commissioned. Two prominent areas of information on environmental education are the [Brighton and Hove Environmental Education website](#) and [The Living Coast website](#). It is proposed that consideration is given to a unified branding of future resources to promote environmental education in the city alongside a central depository available for education settings in the city to access. This will include consideration of the role the Council's existing [BEEM](#) portal can play as a school focussed depository of information and communication channel.
- 3.13 A longer-term prospect is the further exploration of how the council's own sites can be utilised as an environmental education hub. The Wilding Waterhall project would be an ideal opportunity to consider what additional capital works could be undertaken to give environmental education a physical hub that would be accessible to many children and young people. It is proposed that further feasibility work is undertaken to consider what is feasible and how that may be financed. In addition, the reduction in pupil numbers is meaning a proportion of school buildings could be available to host an environmental education hub.
- 3.14 The development of the City Downland Estate Plan is a further opportunity to look at how we use or local resources into the future. Through the development of a vision which makes the most of the inherent and unique physical characteristics such as: landscape, geology and soil types and protected habitats within the terms and conditions of our contractual commitments as they emerge from time to time and are shown to be financially viable.
- 3.15 Education settings must continue to produce the spark of inspiration through the teaching of environmental education so the flame must be kept burning in children and young people through opportunities to participate in environmental work and to continue to develop the thinking skills that embed responsible decision making and environmental engagement into adult life.
- 3.16 To provide the necessary support and challenge to the city's educators requires passion, skilled pedagogy and persistence alongside a knowledge of the opportunities available to make it happen. The investment in 2021/22 needs to facilitate the work of either an individual or individuals to engage schools and colleges especially those who have not developed a strong environmental programme and to ensure that access and take-up of environmental and climate education is consistent across all schools across the city. Consideration must be given to how the best elements of the UN accredited training are dispersed through the education workforce and other programmes such as [AimHi](#) can be used.
- 3.17 In building on the good practice already in place within the city's education settings the links to PHSE are crucial. Whilst environmental education is obviously wider than PSHE this is the area of the curriculum where learning will take place in regard to active citizenship, thinking about rights and

responsibilities and the relationship between mental wellbeing and our environment.

- 3.18 Yet, PSHE Lead teachers are funded by Public Health and currently would not have capacity to develop this aspect of the curriculum. It could be that a secondment from an education setting would assist working to consider appropriate links to enhance pupil learning. Exploration of potential contributors such as [Thoughtbox](#) will also be pursued to augment the offer in the city.
- 3.19 There are two distinct but linked areas of major focus at this time, the climate and an anti-racist strategy. Both require educators to engage in difficult conversations with pupils and students. The relationship between climate and racial 'justice' is a focus being explored internationally in the way that people of colour have increased vulnerability to climate change impacts and by extension other global crises that may emerge. Whilst this requires further exploration in relation to an environmental education strategy, these two significant areas intertwine and will feature in future work.
- 3.20 The benefits of physical exercise, time outdoors, community participation, voluntary and service-based activity on mental wellbeing and happiness are part of the statutory relationships sex and health education in primary schools. In secondary schools this also includes the positive associations between physical activity and promotion of mental wellbeing, including as an approach to combat stress.
- 3.21 Consideration must be given to how the city council can reach beyond government funded education establishments and seek to reach out to teachers and pupils in the private sector.
- 3.22 This needs to be part of an approach that links the theoretical with the practical and which can continue to harness and develop the youth engagement that has emerged through the Climate 4 Change marches, the city climate youth assembly, the work of two youth ambassadors, youth representation at UNESCO's global Education for Sustainable Development conference and the work towards having local youth representation at COP26 Glasgow 2021.
- 3.23 It is unlikely that one individual will be able to provide both the educational input and the youth development work. Ensuring that the investment facilitates a self-sustaining approach, the engagement of more than one individual to facilitate this work, perhaps on secondment, is crucial. To do so avoids the need to undertake a timely recruitment process and the commitment of a large proportion of the allocated funding to the employment of one person.
- 3.24 The current Brighton & Hove Environmental Education (BHee) programme is planned for retender during the 2021/22 academic year, to be in place for Autumn 2022. The future BHee programme and any further resourcing of this work needs to be shaped around the intelligence, outcomes and recommendations collated during this coming year's strategic planning work.
- 3.25 The impact of Covid-19 is still to be understood however, concerns about the impact of restrictions on children and young people's mental health is known. The practical elements of environmental education must support the work to

- address mental health concerns through outdoor learning and a greater connection to nature. The environmental education strategy must forge strong connections to the work of relevant council teams including the Schools Wellbeing service, PSHE Service, public health teams, the Sports & Leisure team, Parks and The Living Coast Biosphere programme manager.
- 3.26 This then the council has introduced a cross-service Forest School therapeutic group offer to young people currently unable to access school as an alternative to a traditional group approach. Consideration should also be given to promoting active travel alternatives to public transport journeys that can be anxiety-inducing for less confident young people.
- 3.27 In addition to the council's priorities to address carbon neutrality and developing a more sustainable city, there is a focus on tackling disadvantage and enhancing green growth with a focus on addressing skills shortages and improving growth in low-carbon environmental goods and services sectors.
- 3.28 The strategy must look to provide opportunities to improve the lives of disadvantaged children and young people in our city, to reconnect families with learning and provide education opportunities and environments that meet the needs of the young people. The focus must be to engage those who are yet to understand the environmental changes taking place, make the nature on our doorstep more accessible to these individuals and for them to play their part despite what may be a lack of support or opportunity within their community. But also, for those individuals to benefit from the emerging opportunities through the green skills agenda. Alignment to the council's developing strategy on disadvantage, SEND strategy and [City Employment Skills Recovery Plan \(CESRP\)](#).
- 3.29 A recent school and college leadership conference on climate change evoked strong support for the establishment of a yearly conference for children and young people as well as INSET programmes for teaching staff in the city.
- 3.30 Feedback from the conference including the 10 point plans that schools were challenged to write and implement will be able to shape the areas to prioritised and there appears to be enthusiasm for a steering group of education leaders and teaching staff to help inform the strategy and develop the support required. It is likely that this will be sub-groups to an overarching, cross-directorate oversight group for the strategy as outlined in Appendix 1.
- 3.31 UNESCO recently held a global conference on Education for Sustainable Development and the [Berlin declaration on Education for Sustainable Development](#) demonstrates the relevance of the council's intended approach of a 'whole school, whole city' approach.
- 3.32 Exploring the impact of certain diets has upon carbon emissions, the environment and human health will be a feature of this work. It is likely that a sub-group will focus on the role that food plays and what can be implemented within the city. Whilst taking account of the complex tinter-related issues of parent and child preferences, the supported given to families by free school meals and outside of school programmes such as HAF and Chomp alongside health considerations such as the child health programmes.

- 3.33 The existing Eco-Schools programme will feature alongside consideration of other schemes that education settings in the city may want to promote in the future for example, Let's Go Zero and Plastic Free Schools. Or it may be possible to start our own accreditation that may take the building blocks such as the key elements of each topic that features in Eco-Schools: Food, Travel, Water, Energy, Litter, Waste, Biodiversity, School Grounds, Marine, Healthy Living, Global Citizenship.
- 3.34 Already the building works we undertake seek to improve the thermal performance of the building overall. This can include items such as repointing, replacing curtain walling with aluminium systems which have better lifecycle costs, recyclability and energy efficiency. When replacing or refurbishing roofs we look to exceed Approved Document L requirements in terms of energy efficiency. The insulation we install when undertaking roofing works are rated A+ (the highest) in the BRE Green Specification Guide.
- 3.35 Detailed planning of projects at educational establishments takes account of the implications of Brighton & Hove's policies in relation to sustainability issues generally. Projects within the planned programme are procured using the new building maintenance frameworks put in place last year. The successful contractors have to demonstrate that they would minimise waste, meet targets for reductions in waste to landfill and optimise the recovery, reuse and recycling of waste. In addition to this they must describe the steps they will take to minimise the use of resources (water, fuel, energy from fossil fuels) and improve sustainable sourcing.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report provides an outline of work to be undertaken as part of the council's investment in environmental education. It has followed a number of internal discussions to inform the aspects to be covered. Whilst alternative options could be considered the funding is £96,000 and time limited thereby placing a restriction on what can be undertaken.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This report has been informed by discussion with colleagues in council teams especially the International and Sustainability Team, The Living Coast Biosphere Programme Manager, Sussex Wildlife Trust (who is currently delivering the council contract for schools and youth engagement on climate engagement) and schools. The views of several community groups are known by colleagues working in the council and represented through the discussions that have informed this report.
- 5.2 It is evident from the feedback after the climate assembly and more recently the headteacher conference that there is significant support to continue with facilitating the advancement of the work being undertaken in the city around climate change and environmental awareness.

6. CONCLUSION

- 6.1 The council has allocated £96,000 to the environmental education strategy. This report details the areas of focus that the strategy will cover during the 2021/22 financial year and provides an outline of the funding that will be assigned to each area.
- 6.2 The principle is for a this work to instigate a self-sustaining approach to environmental education in the city that highlights the best of the existing resources available, identifies what is missing and locates this in a convenient location with branding that helps to draw together the many facets of resources and facilities available.
- 6.3 It recommends that inspirational roles are required to support and challenge education settings to deliver high quality environmental education that dovetails into opportunities for further youth engagement and participation that generates long term responsible decision making and environmental engagement especially in disadvantaged communities.
- 6.4 The strategy is a framework by which the spark generated in children is carefully fuelled to ensure a long-lasting response that helps the council reach its climate commitments and ensures a sustainable city into the future whilst equipping our children with the knowledge and skills they need for the future.
- 6.5 Outline costings for the proposed use of the one-off funding are detailed in Appendix 1.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 At Budget Council on 25th February 2020 one-off funding of £0.096m was agreed in 2021/22 for investment in the Environmental Education Strategy. This is currently available within the Education & Skills budget within Families Children & Learning Directorate. The outline proposals for the Strategy are presented in this report and a broad draft spending plan is presented in appendix 1. The detailed spending plan will be developed in the coming weeks and reviewed to ensure the effective use of the funding is aligned with the agreed proposals.

Finance Officer Consulted: David Ellis

Date: 24/05/21

Legal Implications:

- 7.2 There are no legal implications arising from this report.

Lawyer Consulted: Serena Kynaston

Date: 10/05/2021

Equalities Implications:

- 7.3 This report details proposals for how a one-off allocation of funding can be utilised to develop an environmental education strategy that helps to reiterate the availability of existing local resources as well as identifying new work to be undertaken.

- 7.4 The aim is to provide greater awareness in education settings across the city of the resources available, to make this more accessible and identifiable and to also support other initiatives designed to better inform the city's children and young people about environmental issues and the climate emergency.
- 7.5 It is believed that certain groups of children and young people are not able to benefit from the existing work to inform and take action on environmental and climate issues especially those from particular groups including those with disabilities, those where English is an additional language and those with a disadvantaged background.
- 7.6 As a result, the strategy will look to ensure that specific opportunities for these groups are identified so that they can benefit from the range of opportunities outlined in this strategy.

Sustainability Implications:

- 7.7 The report is focussed upon the investment in environmental education during 2021/22. The activities described are designed to provide a self-sustaining approach to enhancing the quality of and opportunity for environmental education in the city.
- 7.8 This report proposes a strategy for supporting delivery of key environmental priority areas including the CN 2030 commitment and supporting action plan, and The Living Coast Biosphere programme.
- 7.9 Recommendations from the work will seek to ensure that the future of the environmental education work, and accompanying resources, are developed and delivered in a way that has minimal environmental and carbon impact.

Brexit Implications:

- 7.10 There are no Brexit implications in relation to this report.

Any Other Significant Implications:

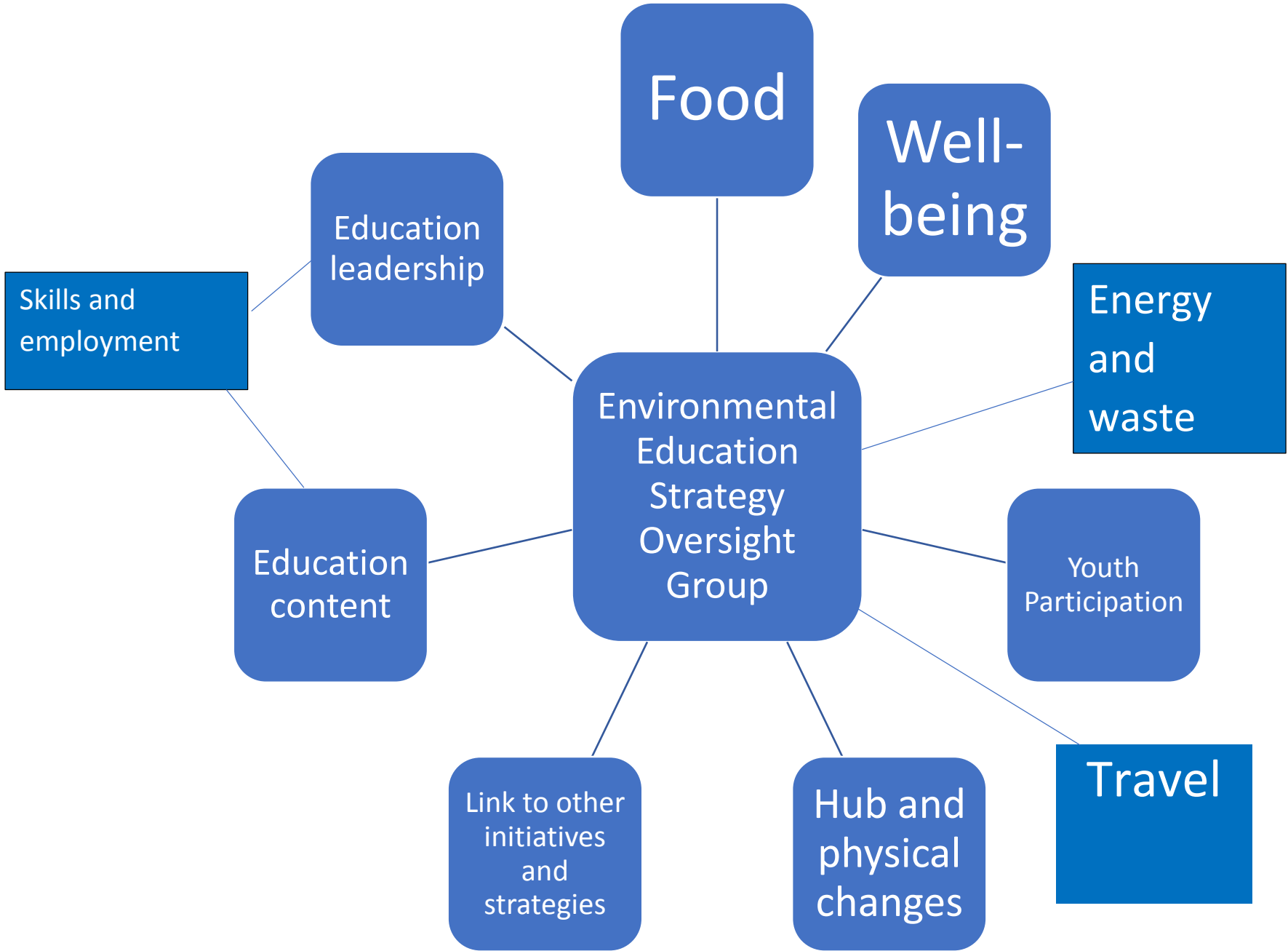
None

SUPPORTING DOCUMENTATION

Appendices:

1. Outline costing plan for the Environmental Education Strategy 2021-22

Environmental Education Oversight Model and Draft Costings Plan



Theme	Actions	Indicative Funding allocation	Timescale
Clear definition and purpose including an agreed vision and multi-year delivery plan.	Determining a clear definition and purpose for the city's education providers of what is meant by environmental education and what role the council plays in that, including an agreed vision and multi-year delivery plan.	N/A	By September 2021
Develop knowledge and confidence in the education sector with links to other strategies such as the Anti-Racist Schools Strategy alongside general upskilling of school staff	Promote the work already taking place in relation to this work and support a programme that further develops the capacity, skills, knowledge and confidence of the education sector on sustainability and climate change and makes appropriate links to other strategies such as the Anti-Racist Schools Strategy	£13,000	By December 2021
Maximisation of local, national and global resources to shape a structured and comprehensive environmental & climate educational programme for schools and youth in the city.	Explore external expertise, existing council initiatives and projects. Providing a hub of local resources, materials and training to support the teaching of environmental education including the central branding and hosting of resources.	£45,000	By February 2021
Review the role travel providers and various journeys have in relation to environmental education	Reviewing existing travel options and possible new initiatives for children and young people.	£5,000	By October 2021
Ensure opportunities for children and young people to actively participate in climate and environmental action; as well as engagement in wider council consultations/processes	Promote the engagement of education settings in the delivery of environmental education and the opportunities to sustain that engagement through on-going activities such as volunteering and the recognition of a singular route to participate in council engagement.	£3,000	By December 2021

Establish an annual conference for young people and make available Inset training materials annually.	Build on previous bi-annual pupil events to establish a yearly conference for young people and consider the feasibility of an annual inset programme for school staff.	£2,000	By October 2021
Consider the roll out of training for lead teachers that builds on the UN programme, explores alternative programmes and includes training for prospective teachers.	Follow up the training of the city's first climate change teacher with a programme to roll out training for one teacher in each school and including the relevant elements of the Climate Change Teacher course as part of PGCE and Cert Ed qualifications delivered in the city.	£5,000	By February 2021
Environmental Education Strategy Oversight Group	Establish relevant sub-groups such as education leadership, curriculum development and the role of food and travel within the strategy.	N/A	By September 2021
Address inequalities in access to opportunities to participate in climate and environmental education of those with protected characteristics.	Supporting the council's work on addressing those at risk of disadvantage (both social/economic and nature deprivation), the green skills agenda and the priorities of the SEND Strategy.	£7,500	By December 2021
Provide management oversight for the Environmental Education Strategy 2021-22	Co-ordination of work by Head of School Organisation	£7,500	
Undertake viability work for a physical environmental education hub	Explore opportunities and outline designs for re-purposed accommodation to be used as a teaching and training base.	£5,000	By March 2021
Explore support for the work linked to Green Skills and Employment.	Collaborate with education institutions and businesses to plan for future skills needs and increase take up of apprenticeships.	£3,000	By December 2021
Total		£96,000	

Subject:	Trans Inclusion Schools Toolkit Version		
Date of Meeting:	14th June 2021		
Report of:	Executive Director Families Children & Learning		
Contact Officer:	Name:	Education and Skills	Tel: 01273 293530
	Email:	educationandskills@brighton-hove.gov.uk	
Ward(s) affected:	All		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 *The Trans Inclusion Schools Toolkit* a Brighton & Hove City council document, one of a range of guides developed to support schools in the city with their equality and inclusion practice. Schools then decide which guidance documents or aspects of guidance to implement in their communities.
- 1.2 The Toolkit was first published in 2013 and has been subject to frequent reviews since. The committee is being asked to consider Version 4, which has been the subject of an extensive review and two stages of consultation.
- 1.3 The purpose of this report is to present the final Trans Inclusion Schools Toolkit version 4 for consideration, informed by the consultation process, and accompanying equalities impact assessment.

2. RECOMMENDATIONS:

- 2.1 That committee agree the guidance for dissemination to Brighton & Hove schools in September 2021.
- 2.2 That the Trans Inclusion Schools Toolkit should be reviewed on an annual basis or as necessary to consider feedback from school communities, and any updates required arising from changes to the law or relevant guidance.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City council's *Trans Inclusion Schools Toolkit* was first disseminated to schools in 2013. It was developed in partnership with Allsorts Youth Project and schools in response to a need identified by schools for support with a small number of children and young people who were saying that their gender identity did not align with their gender assigned at birth. At a similar time, the City's Trans Needs Assessment, the [report](#) of which was published in 2015, also identified a further need for improving school practice in this area. Further information on the context for the 2013 Toolkit can be found in Appendix 1 of version 4.
- 3.2 The Toolkit was written to provide guidance to schools on how to support trans, non-binary and gender exploring children and young people. In 2013 there was no Department for Education or Equality Office guidance to provide this support for schools and this remains the case.

- 3.3 The Toolkit has been used by a range of other local authorities and promoted as good practice by a range of services.
- 3.4 There remains a need for a *Trans Inclusion Schools Toolkit*. Lesbian, gay, bisexual and trans children and young people remain a vulnerable group within Brighton & Hove. This is a complex area in which schools continue to benefit from guidance to assist them in understanding how to promote the welfare of trans pupils and navigate individual issues.
- 3.5 Consultation began on version 4 of the Toolkit in September 2020. Consultation was challenging during the pandemic because there were more immediate priorities for some of the stakeholders. However, in the Autumn Term 2020, opportunities for engaging with Version 4 were provided to school staff and governors via training sessions. National LGBT organisations were consulted via email. There were also consultation meetings with sexual and domestic violence community and voluntary sector partners in the city via TEAMS. Feedback was also sought from Brighton & Hove's Standing Advisory Council for Religious Education, the two local diocese and colleagues in other local authorities. Transgender Trends Schools Resource Pack and Equality Impact Assessment on an earlier version of the Trans Inclusion Schools Toolkit were read as were emails sent to the council raising concerns about the Toolkit.
- 3.6 This first phase of consultation led to significant changes including:
- clarifying what is meant by 'trans' and using definitions for key terms from national organisations
 - reminding schools about the importance of equality impact assessing when policies are changed
 - reminding schools about ensuring safety for all pupils and students in all areas of the school and for pupils and students to report when they are feeling unsafe
 - adding a section on intersectionality
 - adding a section on governor duties
 - making clear that support for children and young people to explore their identity in a range of ways does not and should not assume a child or young person is on any one pathway or journey
 - guidance on balancing the needs of different groups including those with strongly held religious beliefs
 - reference to September 2020 non-statutory guidance from the [Department for Education](#) in relation to the delivery of sex, relationships and health education.
- 3.7 The re-drafted version of the Toolkit was then sent as part of an online consultation directly to all school governors in March 2021. Head teachers of Brighton & Hove Infant, Junior, Primary, Secondary and Special schools were then asked to send the consultation out to all members of staff and all parents and carers. Secondary schools were also asked to send to Year 10 students. These requests were made via email, schools bulletin and Head teacher meetings. School communities were chosen as the audience for this wide consultation because the guidance is relevant to these settings and written for school staff and governors.

- 3.8 A consultation [report](#) has been written. In summary, the majority of those who responded to the survey consider the Toolkit to be important guidance and are in support of its contents. However, the consultation also shows that views on how best to support trans pupils is divided with concerns expressed about whether the guidance is detrimental to the wellbeing of girls. Having carefully reviewed the Toolkit again, it is felt that the Toolkit offers sufficient guidance on how to balance the needs of all groups. The Equality & Anti-Bullying, PSHE and Safeguarding Services and BHSS are continuing to offer support to schools on how to address sexist and sexual bullying and harassment and peer on peer abuse.
- 3.9 In March 2021, consultations via TEAMs were held with a total of 12 young people from the Hangleton and Knoll Project, Brighton Youth Council, Brighton Youth Centre, and Allsorts Youth Project. The young people spoken to were all supportive of the approach taken in the Toolkit.
- 3.10 In response to the this and the school-based consultations a number of further amendments were made:
- Added sentence about value of schools as diverse communities (young people's consultation)
 - Added sentence about trans and non-binary pupils being a small group within school (staff consultation)
 - Clarified that the Toolkit is not about staff and added a section about staff needs above the signposting in section 7 (staff feedback)
 - Added to principles: "There is more than one way to be a boy or a girl" (parent feedback)
 - Changed how we referred to discussions about language (staff feedback)
 - Sex assigned at birth (parent feedback) changed to sex registered at birth (as used in the census 2020)
 - Added example to gender expression section (young people's feedback)
 - Changed definition of Intersex to include differences in sex development (from Autumn term consultation, but just added)
 - Changed definitions of trans boy and trans girl (staff feedback)
 - Added illustration of spectrums, as this was not always understood in consultation responses
 - Added that the council recommend written record of EIA (staff feedback)
 - Clarified we mean only social transition in school context (parent feedback)
 - Separated a paragraph in safeguarding section to highlight guidance that schools will seek to inform and involve parents (staff feedback)
 - Clarified that one member of staff shouldn't hold a disclosure on their own (feedback from Autumn term)
 - Added sentence in introduction to whole school approach about all members of the community are equally valued (parent feedback)
 - Added reminder of where schools can seek support for work on other equality issues to support balance (parent feedback)
 - Added need for 'all' staff to have training (staff feedback)
 - Added bullet point about listening to parent concerns respectfully (parent and staff feedback)
 - Added sentence about complaints policy (Autumn term feedback)

- Added reference to ‘banter’ in bullying section (young people’s feedback)
- Deleted sentence ‘binary notions of sex and gender’ (parent and staff feedback)
- Added ‘diversity’ of faith views so as not to imply people of faith think and believe in the same way (staff feedback)
- Added sentence about staff needing training to manage difficult conversations (staff feedback)
- Added puberty to list of resources schools can access from PSHE / BEEM (parent feedback about puberty as difficult time)
- Added sentence about long wait times for treatment (staff feedback)
- Clarified the Toolkit is not advocating removal of single sex spaces (staff and parent feedback)
- Changed order of uniform section (student feedback)
- Changed reference to sanitary bins to bins for menstrual products (staff feedback)
- Reviewed name change section (staff feedback).

3.11 An Equality Impact Assessment was carried out alongside the review of version 4 of the Toolkit.

3.12 Not all the feedback given in the extensive consultation led to changes in the Toolkit. The approach taken within version 4 of the Toolkit aligns with that taken by Brighton & Hove City Council on [gender diversity](#) and the January 2021 [Notice of Motion, Joint Green, Labour and Conservation Groups, Trans Inclusion](#).

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 This is a review of an existing guidance for schools.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Please see sections 3.6, 3.7, 3.8 and the Equality Impact Assessment.

6. CONCLUSION

6.1 The consultation has shown that whilst the majority of those consulted with support the approach taken in the Trans Toolkit there remains a significant number of people who do not support some aspects of the approach. However, on balance we are confident that Version 4 provides helpful advice to schools to meet the needs of a vulnerable group. The guidance will need to be supported by staff training and communications to parents and carers from September 2021. The Toolkit will be subjected to a process of regular review and updates.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The cost of the current review and consultation on the Toolkit has been met by officer time within existing budget, as will future reviews of the toolkit.

Finance Officer Consulted: David Ellis

Date: 07/05/21

Legal Implications:

The updated Trans Inclusion Schools Toolkit is a Brighton & Hove City council document, one of a range of guides developed to support schools in the city with their equality and inclusion practice. Under the Equality Act 2010 a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. This can include pupils. The development of the toolkit has been the subject of consultation and an equalities impact assessment referred to within the report. The committee is being asked to recommend the use of the toolkit to schools. It will be a matter for schools whether they wish to adopt some or all of the toolkit. The draft toolkit has been the subject of legal advice and review in relation to the legal framework referred to therein. As well as providing reference materials, including existing national guidance, to promote equalities it provides schools with guidance as to considerations to take into account when faced with issues in promoting the welfare of transgender pupils in the context of the wider the school community. The guidance is clear that the approach of the school in relation to some issues will need to be case specific.

Lawyer Consulted: Natasha Watson

Date: 28 May 2021

Equalities Implications:

- 7.3 The trans needs assessment and other evidence quoted in the context statement in Appendix 1 of the Toolkit provides the basis for the need for the Toolkit. The Toolkit advises schools to place their trans inclusion work within a wider equality framework and practice that includes work to prevent gender stereotyping and sexism and aims to meet the needs of all gender and sexual orientations.

The Toolkit reminds schools that trans pupils and students will have intersectional identities and provides some guidance on meeting the needs of trans pupils and students who are Black, Asian and Minority Ethnic, who have special educational needs and disabilities, who are adopted or are in care.

The toolkit is a guidance document to support inclusive practice, but it recognises that every situation will be different, and schools will make decisions on a case by case basis with the wider school context in mind, as they would with any guidance document.

Ongoing tailored support is also available to schools beyond the toolkit to help them respond effectively to any pupil's individual needs.

The toolkit is reviewed regularly and updated at least annually in line with best practice, national guidance, and to ensure that it is effective in the changing context.

- 7.2 An Equality Impact Assessment is included in these papers.

Sustainability Implications:

- 7.3 None

Brexit Implications:

7.4 None

Any Other Significant Implications:

7.6 None

Crime & Disorder Implications:

7.5 None

Risk and Opportunity Management Implications:

7.6

Public Health Implications:

7.7 There is evidence to show that trans and gender question children and young people who are not supported can suffer from mental health challenges.

Corporate / Citywide Implications:

7.8

SUPPORTING DOCUMENTATION

Appendices:

1. The Trans Inclusion Schools Toolkit Version 4
2. Equality Impact Assessment, May 2021

Trans Inclusion Schools Toolkit (Version 4) 2021

A guide to supporting trans children and young people in education settings

DRAFT

DRAFT for committee June 14th, 2021

This is a plain text version of the Trans Inclusion Schools Toolkit Version 4. Once agreed by committee in June 2021 design and pictures will be added to improve readability. Hyperlinks will also be changed to web links. There will also be a final proof-read and language check.

To read about the context of this Toolkit please go to appendices 1 and 2.

Foreword Version 4, September 2021

Trans Inclusion Schools Toolkit

We are pleased to present this updated version of the *Trans Inclusion Schools Toolkit*. Trans children and young people are vulnerable to bullying and prejudice and poor mental health outcomes if they are not effectively supported.

There is no equivalent national guidance available yet and so we see this as an important addition to the range of equality and anti-bullying resources and guidance we provide to education settings in Brighton & Hove.

This version of the Toolkit has been widely consulted on and changes made following this. We thank everyone who has contributed to the consultation process.

We know from conversations with young people and their families how vital they have found this toolkit and the support our schools have offered them.

We believe this guidance provides ideas for policy and practice that will keep trans children and young people safe and help to create environments which prevent and respond to gender stereotypes.

The Toolkit will be subject to ongoing review and development and we encourage continual discussion and engagement in this process.

Please read it carefully as this is a complex area of practice where careful thought and balance of needs is required.

Thank you in advance for your support with this matter.

Councillor Hannah Clare, Deputy Leader, Brighton and Hove City Council, Chair, Children Young People and Skills Committee

Deb Austin, Executive Director Families, Children & Learning, Brighton & Hove City Council

Contents

(to be added at design stage)

Acknowledgements

(to be added at design stage)

1 Introduction

1.1 Brighton & Hove City Council commitment to equality and inclusion

Brighton & Hove City Council is firmly committed to equality and inclusion. Our vision is for a more equal city where no one is left behind. We believe everyone deserves to be valued and treated with respect.

As an organisation, we apply the Equality Act 2010 to ensure the dignity and respect of all our residents. We provide a range of guidance, resources and consultancy to support schools in their equality practice in relation to all groups protected under the Equality Act.

As part of our Public Sector Equality Duty we take active steps to remove or minimise disadvantages suffered by people due to their protected characteristics. We work to meet the needs of people from protected groups where these are different from the needs of others and encourage those from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Brighton & Hove City Council's Equality and Inclusion Strategy and approach supports those who are experiencing the greatest disadvantage. We also reflect on a range of evidence and equality challenges identified and respond to issues proactively. We do this in several ways, including using positive action to proactively address areas of underrepresentation and inequality.

The approach taken within version 4 of the Toolkit aligns with that taken by Brighton & Hove City Council on [gender diversity](#) and the January 2021 [Notice of Motion, Joint Green, Labour and Conservation Groups, Trans Inclusion](#).

We understand that social and political contexts and landscapes change over time. We also recognise that identities evolve and are relative to different contexts. Therefore, we remain open to learning from schools, different communities, new research, new case law, and best practice and use this to continually review our practice to ensure it remains relevant and up to date.

1.2 Overview

Educational settings are diverse communities that reflect wider society and are places where children and young people learn about valuing and respecting themselves and others. Children and young people spend a great deal of time in these settings and should feel safe and able to be themselves.

Schools and educational settings have a responsibility to ensure that all children and young people in their care feel safe and supported to reach their potential and be the best version of themselves. Trans and non-binary children and young people may be a small group within a school community, but a potentially vulnerable one.

This Trans Inclusion Schools Toolkit is a Brighton & Hove City Council guide for educational professionals supporting trans, non-binary and gender exploring children and young people in the city's schools. It has been in place since 2013.

'Transgender' or 'trans' is an umbrella term for people whose gender identity is different from the sex assigned [registered] at birth.¹ This Toolkit uses the phrase 'sex registered at

¹ Office for National Statistics

<https://www.ons.gov.uk/economy/environmentalaccounts/articles/whatisthedifferencebetweensexandgender/2019-02-21> (Retrieved 14.5.2020)

birth' to bring the Toolkit in line with the Census 2021². A person's sex registered at birth is based on physical characteristics in utero and at birth.

'Gender is increasingly understood as not binary but on a spectrum. Growing numbers of people are identifying as somewhere along a continuum between man and woman, or as non-gendered (neither man nor woman) While more people are identifying as non-binary, this is not a new concept and has existed for many years across different cultures around the world.'³

When children and young people's understanding of their own gender differs from the expectations of those around them, they and their families can experience high levels of anxiety. Some studies find trans young people to be at an increased risk of self-harm and suicide (see Appendix 2) and studies find that this risk is significantly reduced when the young person is effectively supported⁴. The Royal College of Paediatrics and Child Health Care recognises as we do 'the discrimination that arises as a result of misleading and prejudiced information, and the additional significant harm this can cause to LGBTQ+ children, young people and their families'⁵.

Creating safe, inclusive learning environments is crucial therefore to reduce and prevent harm to vulnerable trans and non-binary children and young people such that they can learn and thrive at school.

Every trans child and young person's view, experience, needs and journey will be different, and they should be consulted and involved in the support they are offered. The Gender Identity Development Service (GIDS)⁶ recommends a non-judgemental and respectful approach which involves listening to the child or young person in order to understand and support them to come up with their own solutions.

This Toolkit does not address the needs of children and young people with differences in sex development, although it is possible some of the inclusive practice outlined will provide support. Neither do all parts of this guidance refer to all trans, non-binary and gender exploring children and young people. The content related to single sex spaces for example refers only to children and young people who fit the definition of 'gender reassignment' described under the Equality Act and as clarified in the DfE Equality Advice (see section 3).

This Toolkit recognises that there will be trans and non-binary staff and governors in Brighton & Hove schools. Section 7 signposts to resources that may be supportive to creating a working environment that supports and values these members of the community.

Trans inclusion is one part of a much wider equalities agenda for schools. This Toolkit focuses on trans children and young people for the reasons set out in the context statement in Appendix 1. Therefore, supporting trans pupils forms just one vital part of efforts to celebrate difference and tackle all forms of discrimination, including homophobia, biphobia, sexism, racism, religiously based prejudice and ableism. For guidance and training on these other important areas of work contact the Equality and Anti-Bullying Service and or the PSHE Service and refer to the relevant pages on www.BEEM.org.uk

² Census 2021 <https://census.gov.uk/help/how-to-answer-questions/online-questions-help/is-the-gender-you-identify-with-the-same-as-your-sex-registered-at-birth>

³ Office for National Statistics

<https://www.ons.gov.uk/economy/environmentalaccounts/articles/whatisthedifferencebetweensexandgender/2019-02-21> (Retrieved 14.5.2020)

⁴ <https://www.sciencedirect.com/science/article/abs/pii/S1077722918300385>

⁵ <https://www.rcpch.ac.uk/resources/supporting-lgbtq-children-young-people#key-messages-for-health-professionals> (accessed 24.9.20)

⁶ <https://gids.nhs.uk/about-us#main-content>

1.3 Target audience for the toolkit

The Trans Inclusion Schools Toolkit is intended for use by relevant staff and governors in Brighton & Hove primary, secondary and special maintained schools, free schools and academies. Some of the content and principles will also be of use to Further Education and Early Years Settings. Independent schools within our city are welcome to access it.

It will be of particular interest to senior leaders involved in developing and leading whole school policy across a range of areas of practice and to pastoral staff working directly with trans children and young people. However, all members of the school community should have a good level of trans awareness.

1.4 Statement from the Catholic Diocese and the Anglican Diocese

Young people who identify as transgender are treated with the respect, understanding and dignity that is provided to all young people in faith schools. Faith schools are communities that nurture human dignity and are dedicated to both the spiritual and human development for all. Faith schools consciously create an environment where young people who feel marginalized, rejected, or vulnerable can experience a safe, nurturing, inclusive community where support and guidance for each individual is sought where necessary. Faith schools seek to create and promote a school environment where loving respect is reflected throughout its ethos ensuring that they reach out to all young people with unconditional love. Those teaching in our faith schools must have a clear understanding about their Church's teaching, accompanied by a similarly clear understanding about their duty of pastoral care, to enable all young people to be supported to grow and flourish as whole persons.

For schools in the Catholic diocese of Arundel & Brighton wishing to know more about diocesan policy when teaching the protected characteristics including trans, please contact the Diocesan Education Service schools@abdiocese.org.uk Tel: 01293 511130

For schools in the Anglican Diocese of Chichester wishing to know more about diocesan policy when teaching the protected characteristics including trans, please contact the Diocesan Education Service at schools@chichester.anglican.org Tel: 01273 425687

1.5 How to use the Toolkit

Different sections of the Toolkit will be relevant to different members of staff depending on whether their role is pastoral or curriculum based. It is recommended that at least one member of staff and one member of the governing body has an in-depth knowledge of the contents of the Toolkit. Additionally, Allsorts Youth Project's [Top Tips](#) leaflet could be shared with all staff to highlight key elements of good practice.

Appendix 9 can also be adapted to reflect your school practice and shared with staff to reinforce your approach to support trans children and young people. In Appendix 10 you will find an audit tool which may provide a useful starting point to developing trans inclusive practice.

Education settings are reminded that whenever significant changes to policies are made, due regard must be given to equality implications (See section 3 and Appendix 5) and safeguarding procedures must be followed.

This guide does not cover all possible scenarios. Settings and schools are encouraged to seek further advice on any section of this guidance, or in relation to individual cases, from Brighton & Hove City Council (pshe@brighton-hove.gov.uk) or Allsorts Youth Project (info@allsortsyouth.org.uk).

1.6 Underlying principles and messages in the toolkit

- Educational settings should develop effective equality and anti-bullying policies across all protected characteristics of the Equality Act 2010 and in line with the values and ethos of the setting
- Transphobia and bullying can contribute to poor mental health outcomes for trans children and young people (see Appendix 1 and 2)
- The need to prevent and challenge gender stereotyping, sexism, homophobia and biphobia is central to reducing and preventing transphobia and in this way a whole school approach to trans inclusion will benefit all children and young people as
- Representation of diversity in education settings is an opportunity to learn and prepares children and young people for life in modern Britain
- Identities are developing throughout childhood and adolescence and into adulthood, and some children and young people may explore and express their gender identity in different ways. This can start from a young age and may change over time
- There is more than one way to be a boy or a girl
- Non-conformity to gender stereotypes or support to a gender exploring child does not mean that a child or young person is or will be trans.
- Children and young people have a right to explore their identities, be accepted and change their minds.
- Schools should adopt a “watch and wait policy, which does not place any pressure on children to live or behave in accordance with their sex registered at birth or to move rapidly to gender transition”⁷.
- Training staff should increase their confidence, implement inclusive practice and support trans, non-binary and gender exploring pupils and students so they feel happy in themselves and can learn and achieve
- Support for individual trans children and young people should be provided on a case by case basis in discussion with them, their family and professionals around them
- Children and young people who have undergone a process of gender reassignment as described under the Equality Act may access facilities in line with their gender identity should they wish to (see section 6)
- Members of the school community may need support in developing an understanding of trans and non-binary identities and experiences and educational settings need to consider how to do this and show understanding of different faith and other perspectives
- Children, young people and their families should be signposted to any additional support they may need.
- Decisions about medical transition are made outside of education settings and under the care of the Gender Identity Development Service.

⁷ Retrieved from [PS02_18.pdf \(rcpsych.ac.uk\)](#)

2 Developing understanding of trans, non-binary and gender exploring children and young people

2.1 Introduction to terms

This section provides an overview of key concepts and terminology used in this toolkit. For a fuller list of definitions please go to one of these glossaries:

<https://gids.nhs.uk/glossary>

<https://www.stonewall.org.uk/help-advice/glossary-terms>

Language is constantly changing and not everyone agrees with the definitions used in this Toolkit. This section will be regularly reviewed.

Identity is personal and individual and may be subject to change. The umbrella terms 'trans' and 'non-binary' are generally accepted, however it is important to avoid making any assumptions about an individual based on how they look, their clothes or their voice and allow the pupil or student to self-describe.

There is a difference between the sex registered at birth and gender identity. Sex is normally assigned at birth based on the external genitalia of a child, but is also used to reference chromosomes, as well as hormones and secondary sex characteristics that won't become apparent until the child is older. Hormone levels, genitalia and secondary sex characteristics change throughout a course of a person's lifetime, and some trans people use medical intervention to make or direct these changes down a path they find most comfortable. Gender identity concerns the internal sense of gendered self, for example whether a person feels they are a boy, girl, neither, both or without a gender at all.

2.2 Key definitions

Gender dysphoria

Gender dysphoria is a term that describes a sense of unease that a person may have because of a mismatch between their biological sex and their gender identity. This sense of unease or dissatisfaction may be so intense it can lead to depression and anxiety and have a harmful impact on daily life⁸.

Gender and gender identity

The World Health Organisation states that:

Gender refers to the socially constructed characteristics of women and men – such as the norms, roles and relationships that exist between them. Gender expectations vary between cultures and can change over time. It is also important to recognise identities that do not fit into the binary male or female sex categories. Gender norms, relations and roles also impact the health outcomes of people with transgender or intersex identities.⁹

The Office for National Statistics states that:

⁸ NHS [Gender dysphoria - NHS \(www.nhs.uk\)](https://www.nhs.uk) (Retrieved 9.12.20)

⁹ World Health Organisation <https://www.who.int/gender-equity-rights/news/factsheet-403/en/> (Retrieved 10.6.20)

- ... gender identity is a personal, internal perception of oneself and so the gender category someone identifies with may not match the sex they were assigned at birth
- where an individual may see themselves as a man, a woman, as having no gender, or as having a non-binary gender – where people identify as somewhere on a spectrum between man and woman¹⁰

Cisgender or cis

Someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people.¹¹

Gender expression

How a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not conform to societal expectations of gender may not, however, identify as trans.¹²

It is very usual for children to experiment and explore through dressing up. Many children will 'dress up' in clothes which are seen as stereotypically intended for a different gender and this alone would not mean they were trans. All children and young people should be free to explore their gender expression without having their gender identity questioned. For example, a boy wearing a dress does not signify that he is a girl, regardless of whether the boy is a cis boy or a trans boy. Schools can play a part in normalising for example boys having long hair or wearing jewellery without insinuations that they are gay or trans.

Any prejudice expressed to a child, young person or adult because of their gender expression (for example, what they are wearing) or because they are gender non-conforming should be challenged.

Gender stereotypes

The World Health Organisation explains that 'While most people are born either male or female, they are taught appropriate norms and behaviours – including how they should interact with others of the same or opposite sex within households, communities and work places.'¹³

Whilst there is nothing wrong with a person's gender identity and or gender expression being stereotypical, gender stereotyping becomes harmful when it limits an individual's capacity to develop, make choices and pursue careers outside of a stereotype. 'When individuals or groups do not "fit" established gender norms they often face stigma, discriminatory practices or social exclusion – all of which adversely affect health.'¹⁴

¹⁰ Office for National Statistics

<https://www.ons.gov.uk/economy/environmentalaccounts/articles/whatisthedifferencebetweensexandgender/2019-02-21> (Retrieved 14.5.2020)

¹¹ Stonewall <https://www.stonewall.org.uk/help-advice/glossary-terms> (Retrieved 14.5.20)

¹² Stonewall Glossary <https://www.stonewall.org.uk/help-advice/faqs-and-glossary/glossary-terms> (Retrieved 29.7.2020)

¹³ World Health Organisation <https://www.who.int/gender-equity-rights/knowledge/glossary/en/> (Retrieved 14.5.2020)

¹⁴ World Health Organisation <https://www.who.int/gender-equity-rights/knowledge/glossary/en/> (Retrieved 14.5.2020)

The wellbeing of boys and girls can be harmed by stereotyping¹⁵. All education settings will want to prevent and challenge gender stereotypes and give the message that there are many ways to be a girl or a boy. This approach will be of benefit to the wellbeing and aspirations of all children and young people and contribute to reducing and preventing sexism, homophobia, biphobia and transphobia. This work will also benefit trans and non-binary children and young people as unrealistic expectations about what it means to be a man, woman, boy or girl in society can do harm to those who don't conform to the gendered expectations placed on them.

Intersex or differences in sex development (DSD)

Intersex people are individuals whose anatomy or physiology differ from contemporary cultural stereotypes of what constitute typical male and female¹⁶. Differences in sex development (DSD) is a group of rare conditions involving genes, hormones and reproductive orders, including genitals. It means a person's sex development is different to most other people's¹⁷.

Non-binary

An umbrella term for people whose gender identity doesn't sit comfortably within 'man' or 'woman'. Non-binary genders and identities are varied and can include people who identify with some aspects of binary identities, while others exist outside of those categories entirely.¹⁸ Non-binary people may use the pronoun 'they' but may also use 'he', 'she' or another pronoun. Pronouns do not equal gender, for example a person may be a non-binary gender but use 'he' or 'she' pronouns.

Orientation

Orientation is an umbrella term describing a person's attraction to other people. This attraction may be sexual (sexual orientation) and or romantic (romantic orientation). These terms refer to a person's sense of identity based on their attractions, or lack thereof.¹⁹ Trans people, like everyone else, can have a range of sexual orientations.

Sex

The Office for National Statistics states that the UK government defines sex as:

- referring to the biological aspects of an individual as determined by their anatomy, which is produced by their chromosomes, hormones and their interactions
- generally male or female
- something that is assigned at birth²⁰

¹⁵ The Children's Society How gender roles and stereotypes affect young people <https://www.childrenssociety.org.uk/what-we-do/blogs/how-gender-roles-affect-young-people> (Retrieved 2.12.20)

¹⁶ The UK Intersex Association <http://www.ukia.co.uk/about.html> (Retrieved 4.12.20)

¹⁷ NHS [Differences in sex development - NHS \(www.nhs.uk\)](https://www.nhs.uk)

¹⁸ Stonewall <https://www.stonewall.org.uk/help-advice/glossary-terms> (Retrieved 14.5.20)

¹⁹ Stonewall <https://www.stonewall.org.uk/help-advice/glossary-terms> (Retrieved 14.5.20)

²⁰ Office for National Statistics <https://www.ons.gov.uk/economy/environmentalaccounts/articles/whatisthedifferencebetweensexandgender/2019-02-21> (Retrieved 14.5.2020)

Trans

A term for people whose gender identity is different from the sex assigned at birth²¹ including those who identify as:

- transgender
- gender queer
- gender fluid
- non-binary
- both male and female (this may be at the same time or over time)
- neither male nor female
- a third gender
- or who have a gender identity which we do not yet have words to describe

There are many cultures across the world who have a different gender system to the western world. A person who identifies as a gender from within their culture that does not exist within UK culture may not identify as trans, although others might.

Trans boy or man

A person assigned female at birth and whose gender identity is that of a boy or a man.

Trans girl or woman

A person assigned male at birth and whose gender identity is that of a girl or woman.

Transition

The steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. Transitioning might involve things such as telling friends and family, dressing differently and changing official documents.²² For some it may also involve medical intervention, such as puberty blockers, hormone therapy and surgeries, but not all trans people want or are able to have this. A young trans person cannot have surgery in the UK until they are an adult.

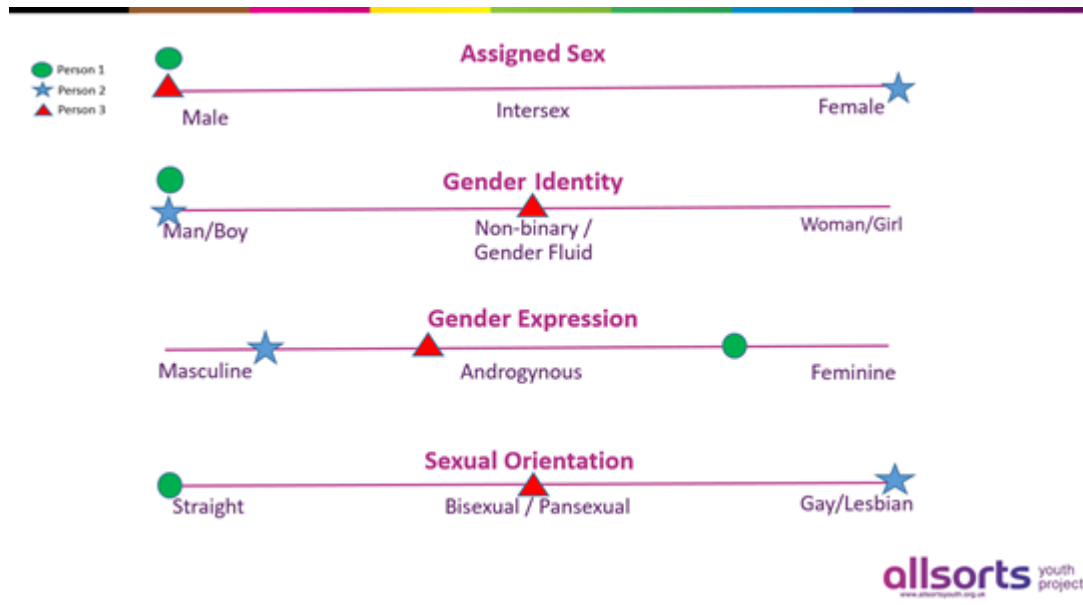
To remember

- **Language is subject to change over time**
- **Allow individuals to self-describe**
- **Children and young people will explore their identity and gender expression in a range of ways, this does not necessarily mean they are trans**
- **Gender identity, sexual orientation and gender expression are all spectrums, and all describe different things (as illustrated in the diagram below which Allsorts Youth Project use on training)**

²¹ Office for National Statistics

<https://www.ons.gov.uk/economy/environmentalaccounts/articles/whatisthedifferencebetweensexandgender/2019-02-21> (Retrieved 14.5.2020)

²² Stonewall <https://www.stonewall.org.uk/help-advice/glossary-terms> (Retrieved 14.5.20)



These spectrums represent some of the ways in which gender, gender expression and sexual orientation can be experienced by individuals. It shows how a person can be sexed in a certain way at birth, but their experience and sense of self moves and is separate to this. It also highlights how we should not make assumptions about gender expression being connected to other parts of who we are. For example, if a man's gender expression is feminine, this does not mean he is gay or trans but rather just enjoys and feels more comfortable expressing himself in a more stereotypically feminine way.

It is a simplistic model of presenting complex parts of who we are and should be used with caution as there are many terms people use around gender and sexual orientation which may not be represented here.

3 Legal context and Ofsted framework

Information on the United Nations Rights of the Child and the Public Sector Duty of the Equality Act can be found in Appendix 4.

3.1 Equality Act, 2010

Gender reassignment is defined by the Equality Act as follows:

A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.²³

The [Department for Education Advice on the Equality Act 2010](#) further states:

This definition means that in order to be protected under the Act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender or proposing to do so.²⁴

The Act provides protection from direct and indirect discrimination in respect of the characteristic '*gender reassignment*' and the same protection to the following groups:

- age (for staff only)
- disability
- marriage and civil partnership (for staff only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Decision makers in schools must be aware of the duty to have "due regard" when making a decision or taking an action and must assess whether it may have particular implications for people with particular protected characteristics.

Schools should consider equality implications when developing policy and taking decisions, not as an afterthought, and this should be kept under review.

The [Department for Education Advice on the Equality Act 2010](#) states:

It is good practice for schools to keep a written record to show that they have actively considered their equality duties and asked themselves relevant questions. There is no legal requirement to produce a formal equality impact assessment document, although for key decisions this might be a helpful tool.²⁵

²³ Section 7, The Equality Act <https://www.legislation.gov.uk/ukpga/2010/15/section/7> (Retrieved 19.5.20)

²⁴ Equality Act; Advice for Schools (2018) p17 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Retrieved 19.5.20) and re-stated <https://commonslibrary.parliament.uk/research-briefings/cbp-8969/>

²⁵ Equality Act; Advice for Schools (2018) p31 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Retrieved 19.5.20)

Please see Appendix 5 for an example tool for providing a written record and contact the Equality and Anti-Bullying Service for further advice or training on considering equality implications. Brighton & Hove City Council highly recommended that education settings keep a written record.

The Equality Act, 2010 “allows providers to offer single-sex services that exclude transgender people if it is proportionate to do so and it achieves a legitimate aim”²⁶. Please see section 6 for more on single-sex spaces in schools.

3.2 The Equality Act 2010 & trans pupils and students in Brighton & Hove education settings

There is no hierarchy to the characteristics included in the Equality Act 2010, and it is expected that educational settings in Brighton & Hove work to safeguard all groups of pupils and students and balance varying needs.

Children and young people who have socially transitioned and judged to be undergoing or have undergone a process of gender reassignment as described under the Equality Act, and clarified by Department for Education Advice on the Equality Act, may choose to access facilities and provision in line with their gender identity (See section 6 for more information).

The law is still developing with regard to recognition of non-binary people (Jaguar Case September 2020)²⁷. It is vital to have a supportive approach to non-binary pupils and students with the understanding that schools have a duty to safeguard and prevent and respond to all forms of bullying. The [Department for Education Advice on the Equality Act 2010](#) provides this further clarification in relation to discrimination based on perception and on association:

protection against discrimination because of gender reassignment now matches the protection because of sexual orientation in schools. That is protection from direct and indirect discrimination and victimisation, which includes discrimination based on perception and on association. Schools need to make sure that all gender variant pupils, or the children of transgender parents, are not singled out for different and less favourable treatment from that given to other pupils. They should check that there are no practices which could result in unfair, less favourable treatment of such pupils.²⁸

3.3 Safeguarding

Safeguarding the mental and physical health of children and young people is paramount. Some trans and non-binary children and young people may be particularly vulnerable and require additional support.

All schools should follow the Department for Education statutory safeguarding guidance, [Keeping Children Safe in Education \(2020\)](#). There are no provisions in child protection and safeguarding legislation specific to trans, non-binary and gender exploring children and young people aside from what is in place to keep all pupils and students safe. Settings should follow their usual safeguarding policies remembering that being trans is not in itself a safeguarding issue.

²⁶ House of Commons Library Research Briefing, 2020 <https://commonslibrary.parliament.uk/research-briefings/cbp-8969/>

²⁷ Jaguar Case Sept 2020

²⁸ Equality Act; Advice for Schools (2018) p17 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Retrieved 22.9. 20)

The guidance highlights how emotional abuse that “may involve serious bullying”²⁹ is a safeguarding issue. The higher prevalence of bullying which is likely to be experienced by trans and gender exploring children and young people, outlined in Appendix 2, means that tackling transphobic bullying should be a high priority for all schools and educational settings.

3.4 Confidentiality and information sharing

Most parents and carers of trans children and young people will be involved in working in partnership with the school and their child to appropriately plan and deliver support (see section 5). Settings will encourage pupils and students to talk with their parents and carers about their trans or gender exploring status, including offering to talk with the parent or carer on the child’s behalf.

All people, including children and young people, have a right to privacy. Staff should not discuss trans or gender exploring children and young people outside of school with friends or family members. The trans community is such a small one that even a casual reference to a child or young person may compromise confidentiality.

When a child or young person initially discloses their trans or gender exploring status, it is important to talk to them about confidentiality and who, if anyone, they would like information to be shared with. The member of staff should make clear that they will need to share the information with at least one other member of trained staff and then discuss who else will be told from there.

Information about a child or young person’s trans status, legal name, or sex registered at birth should not be shared without permission or unless there is a legally permissible reason to do so. Educational settings should follow their usual policies related to information sharing to support the wellbeing of a child or young person.

In keeping with safeguarding policies, confidentiality should only be broken to safeguard a child or young person. A child or young person being lesbian, gay, bisexual, trans or exploring their gender identity does not in itself constitute a safeguarding concern, nor is it something the child’s parents or carers must be informed of. When contacting a child’s family, therefore, respecting a trans or gender exploring child’s confidentiality may occasionally require staff to use their legal name and the pronoun corresponding to their sex registered at birth.

It is important to consider school and college photos and websites to ensure that these images do not reveal any confidential information. If images and names are not protected, they may be used later in the trans person’s life to ‘out’ them as trans. Ensure that the child or young person (and their parents and carers if appropriate) are aware of these risks and consent accordingly. Under General Data Protection Regulations (GDPR) individuals also have the right to have personal data removed.

3.5 General Data Protection Regulations and Gender Identity

Schools and educational settings are required to comply with General Data Protection Regulations (GDPR) in respect of all children and young people (data subjects) and personally identifiable information relating to individuals. They will be aware of the regulations in relation to processing and sharing of personal data. Such data includes any information that can identify a person or their family and this sort of data remains “personal” even if an individual chooses to publicise it.

²⁹ Keeping Children Safe in Education (2019), p8 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Retrieved 19.5.20)

Under GDPR Article 9, 'special category data' relates to more sensitive topics which may pose a risk to people's privacy and which can only be processed under certain conditions. This [guide](#) from the UK Information Commissioner's Officer (ICO) provides further information on this data.

GDPR does not prevent processing or sharing of personal information, but requires that when we do so, we must have a specific and limited purpose for doing so, ensure that the data used is proportionate to that purpose and ensure that data is stored and shared securely. Where personal data is of special category (such as medical/mental health, sexual orientation or gender identity) there are additional controls around when it can be lawfully processed. This will be allowable where there is legal duty to do so or where processing meets a substantial public interest such as safeguarding. For a list of recognised substantial public interests, refer to Schedule 1, Part 2 of the Data Protection Act 2018 and also the ICO guidance on [processing](#) of special category data.

3.6 Ofsted Education Inspection Framework

Under the [Ofsted Education Inspection Framework \(2019\)](#):

Inspectors will assess the extent to which the school or provider complies with relevant legal duties as set out in the Equality Act 2010 and the Human Rights Act 1998 promotes equality of opportunity and takes positive steps to prevent any form of discrimination, either direct or indirect, against those with protected characteristics in all aspects of their work.³⁰

Inspectors will make a judgement on behaviour and attitudes by evaluating the extent to which:

- Leaders, teachers and learners create an environment where bullying, peer-on-peer abuse or discrimination are not tolerated.³¹

Additionally, guidance on [Inspecting safeguarding in early years, education and skills settings \(2019\)](#) makes clear that safeguarding action may be needed to protect children and learners from (for example):

- physical, sexual or emotional abuse
- bullying, including online bullying and prejudice-based bullying
- racist, disability, homophobic or transphobic abuse
- gender-based violence, or violence against women and girls³²

To remember

- **Work to prevent transphobia and support trans children and young people is supported by Ofsted, statutory safeguarding duties and the Equality Act**

³⁰ Ofsted, The education inspection framework(2019), p5
<https://www.gov.uk/government/publications/education-inspection-framework> (Retrieved 19.5.20)

³¹ Ofsted, The education inspection framework(2019), p10
<https://www.gov.uk/government/publications/education-inspection-framework> (Retrieved 19.5.20)

³² Inspecting safeguarding in early years, education and skills settings (2019), p5
<https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills> (Retrieved 19.5.20)

4 A Whole Setting Approach

4.1 Introduction

Many Brighton & Hove educational settings are already working to ensure that the school environment and curriculum celebrates similarity, difference and diversity such that all children and young people see themselves and their families represented and valued. This Toolkit provides guidance on how to ensure trans members of the community feel equally welcomed, represented and safe. Educational settings are skilled in supporting vulnerable pupils and students and this practice can be used to inform support provided to trans children and young people.

If a whole setting approach is taken then harmful bullying and harassment of trans pupils, students and staff in the school community will be prevented or minimised and all pupils and students prepared for life in the modern world.

For specific guidance on creating safe learning environments for other groups protected under the Equality Act contact Brighton & Hove's Equality & Anti-Bullying Service pshe@brighton-hove.gov.uk

The review and development of the whole setting approach can be supported by the audit tool in Appendix 10.

4.2 Role of Governors

The governing body has responsibilities under the Equality Act as described in Department of Education [Advice](#) and responsibilities for safeguarding. It is recommended that at least one member of the governing body has attended trans awareness training and has read this Toolkit. In terms of trans children and young people the governing body could ask the following questions in governor meetings:

- Can we see data on bullying and prejudice-based incidents by type?
- What is being done to prevent and challenge gender stereotypes?
- What changes have been made to policies and practice to support the needs of gender exploring, trans and non-binary children and young people? Have these changes been through an equality impact assessment?
- What are we doing to keep parents and carers updated on our equality practice?

4.3 Staff training

All staff need to be provided with training which develops trans awareness and confidence in terminology and vocabulary e.g. correct use of pronouns and names, and in challenging gender stereotypes, sexism and transphobia. Staff working with individual trans and gender exploring children and young people will need additional, specialist training to provide pastoral support.

PSHE teachers, but other staff will need support in delivering trans awareness sessions and managing debate.

It is recommended that training is provided every two years to take into account staff changes. Staff training can be provided by Allsorts Youth Project or Brighton & Hove City Council, email pshe@brighton-hove.gov.uk

4.4 Parent and carer community

It is hoped that educational settings will have positive relationships with all groups of parents and carers and will be using a range of methods to break down any barriers to

enable open and transparent conversations about equality practice. All parents and carers should feel that their child and family is represented within the educational setting.

Educational settings will want to communicate the work they are doing to support trans inclusion to parents and carers in the context of other equality work. For example, when explaining work for LGBT History Month or informing parents or carers of a visit from Allsorts Youth Project educational settings will want to use language such as: 'As part of our work to promote our school value of respect we are...'; or: 'As part of our ongoing commitment to improving equality and prevent bullying we are...'.

Settings may also want to signpost from their website to where parents and carers can go to find out more about trans and non-binary identities. Parents and carers often report that their children and young people are more aware of these issues than they are.

Settings may find they are approached by parents and carers about their trans inclusive practice. Settings can listen openly and respectfully to any questions or concerns, provide information that does not break confidentiality of trans or non-binary individuals and offer the following kinds of reassurance:

- The setting acknowledges there are a diversity of views about trans inclusion and will listen respectfully to concerns
- The setting is working within local authority guidance and the Equality Act to prevent and respond to all forms of bullying and prejudice and to ensure all children and young people feel safe to learn
- The setting is preparing children and young people for life in modern Britain where they are going to meet and work alongside a range of people
- The setting is working to develop its equality practice across all protected groups and efforts are being made to ensure all groups feel represented and included.

Educational settings can also contact the local authority about concerns raised by members of the school community. Any complaints made will follow school complaints policy.

4.4 Policy Framework

Educational settings will want to ensure that all relevant policies appropriately reference trans pupils and students and that there is some reference to intersectional issues. Some examples of how to do this are identified in Appendix 8, but this is not an exhaustive list.

In Appendix 9 you will find a document that could be adapted and used as a summary of your school's approach to trans inclusion.

4.5 Transphobic and sexual bullying and harassment

For definitions of bullying, prejudice and scripts for challenging prejudice please see Appendices 6 and 7. Education settings may also want to be mindful about how so-called 'banter' or jokes are used in peer groups and can cause harm.

Educational settings should ensure that they identify, record, respond to and monitor all forms of bullying and prejudice. *Brighton & Hove's Recording and Reporting Guidance* (available on www.beem.org.uk) advises that all bullying and prejudice based incidents are recorded and that these are recorded separately and by type.

Recording of incidents means that the wellbeing of individual pupils and students can be tracked as can the behaviours of perpetrators. This data along with data from school surveys can also be used to target preventative interventions and measure the impact of activities.

Trans, non-binary and gender exploring children and young people are vulnerable to bullying, as is any child or young person who does not conform to gender norms, and

stereotypes. Additionally, children and young people with trans family members may also be transphobically bullied. Transphobic bullying therefore may be perpetrated by pupils, students, parents, carers or staff members and directed at:

- Children, young people and adults who do not conform to gender stereotypes or are perceived to be trans
- Trans children, young people and adults inside and outside the school community
- Children and young people with trans siblings, parents, relatives or friends
- Lesbian, gay and bisexual children, young people and adults.

As a key preventative measure for transphobic bullying, settings should ensure that the curriculum, assemblies and environment are used to prevent and challenge gender stereotypes and sexism. Gender stereotyping is harmful as sexism leads us to believe that boys and girls should present themselves in certain ways and this can lead to bullying and harassment.

[Keeping Children Safe in Education](#) has a strong emphasis on preventing and responding to peer on peer abuse and recognises the gendered nature of some forms of abuse in schools. Schools may find Brighton & Hove's *Guide to Challenging Sexist and Sexual Language* (available on www.beem.org.uk) helpful in developing this area of practice.

Identifying the nature of any bullying will assist the school to understand and then address any trends in the school community. Sexist, sexual or transphobic bullying are not the same as homophobic or biphobic bullying. However, sexist attitudes often manifest themselves in homophobic bullying as any child or young person who is perceived as not expressing stereotypically masculine or feminine traits expected of them, might experience homophobic or transphobic bullying.

Staff will need to use their professional judgement as to whether some incidents should be recorded as homophobic or transphobic but take care not to under-record transphobia.

Transphobic bullying may also occur in conjunction with other forms of bullying, including that related to special educational needs and disabilities or cyberbullying. Trans and gender exploring pupils and students can be particularly targeted with behaviours such as 'skirt lifting', 'groping' or being asked inappropriate, personal questions. Again, educational settings should be vigilant in preventing and responding to all forms of sexual harassment and bullying.

If a transphobic incident occurs in a group situation and the member of staff dealing with it is aware that the child or young person is trans but they are not 'out' to the rest of the community the member of staff must challenge the prejudice, but may need to take care not to label the incident as transphobic in front of other pupils and students and then as a result 'out' the person being targeted. The incident would still be recorded as a transphobic incident.

Brighton & Hove's Community Safety Team can provide advice to schools in addressing bullying or prejudice and case work support to families and children experiencing bullying or prejudice. Phone: 01273 292735 or e-mail: communitysafety.casework@brighton-hove.gov.uk

There may be occasions where transphobic bullying has wider safeguarding implications, or involve criminal behaviour, and in these cases educational settings need to engage the appropriate safeguarding agencies and or the police.

Further resources to support anti-bullying practice can be found on www.beem.org.uk.

4.6 Language

Staff being thoughtful about the use of gendered terms is important for all children and young people. For example, the language of 'ladies' and 'gents' may give an implicit message about what it is to be a woman or man and therefore reinforce certain stereotypical ideas of femaleness or maleness. Equally asking for two strong boys to move a piece of classroom furniture implies that girls cannot be physically strong.

In addition, care needs to be taken to avoid excluding those who do not identify as male or female (e.g. non-binary), as well as not making assumptions about someone's gender identity based on their gender expression. We encourage the use of language which does not reinforce a binary approach to gender particularly when the gender of a person or people being referred to is not known. A trans boy who is referred to as a girl or a trans girl who is called a boy and non-binary students will feel excluded by this language. Settings can develop a repertoire of gender-neutral language that reflects their community such as learners, Year 8, folks, partner, all genders etc. and use when appropriate.

The purpose of this thoughtful use of language is not to deny sex and gender as important parts of our identity, in fact we need to use binary language to talk about sexism, sexual harassment and sex specific life experiences. Equally, where someone's gender is known then of course we would use mum, grandma, him when referring to someone specific.

All staff, pupils and students should use the name, pronoun and honorific (Ms/Mr/Mx) requested. It is usual for it to take time to adjust to a new name and or pronoun, particularly when you have known the pupils or student for a long period of time, however an effort should be made to get it right and if mistakes are made to thank someone for pointing this out and do better next time. For further guidance on name and pronoun changes see section 6.

Some adults in the community may add their pronoun to email signatures and their introductions as a way of modelling open discussion about pronouns and to normalise the understanding that a person's pronouns and gender identity may not be obvious from their appearance.

4.7 Curriculum

Celebrating difference and challenging gender stereotypes in Early Years and beyond

The statutory [Early Years Foundation Stage Framework](#) enshrines the importance of children developing a positive sense of themselves as part of personal, social and emotional development. Schools and educational settings should promote and develop with all children an understanding of 'self' and who they are in relation to other people. They should support pupil voice, choice and advocacy around celebrating their unique identity.

Gender stereotyping can limit the life chances and choices of everyone. It is important to consider how gender stereotyping shapes the learning and play environment. Children who do not conform to gender stereotypes can feel that 'being different' is a bad thing and in these environments may feel that they are doing something wrong.

Develop an inclusive environment for play and learning in early years and in age appropriate ways continue this in primary and secondary education:

- Use a wealth of resources, images and books that challenge gender stereotypes and represent a range of gender expression across the curriculum.
- Invite visitors into settings to provide a range of positive role models to support this work.

See the PSHE resources pages on www.BEEM.org.uk for further resources that challenge gender stereotypes and the [Getting Started \(Early Years\) Toolkit](#) from Stonewall.

A curriculum that represents diversity

Trans identities and awareness should be taught in age appropriate ways within a whole school curriculum where all protected characteristics are represented.

Use diversity as a thread running through the whole curriculum:

- Include in school assemblies, lesson plans, pupil-led campaigns, and in the wider community
- Use equality calendar events LGBT History Month (February) International Trans Day of Visibility (31 March) as opportunities for further work.
- Ensure that resources and displays challenge gender stereotypes, actively celebrate different families and LGBT people (along with all protected groups).

Teaching and learning approaches and supporting learning needs

Some teaching and learning approaches may make trans children and young people feel confused, excluded or uncomfortable.

- Consider whether grouping by sex is educationally necessary

There may be times when single sex groups are needed. This may include aspects of relationship and sex education or to support the learning needs of groups (e.g. boys and literacy). Providing a clear need is identified, the Equality Act allows for such provision.

- Speak to the trans child or young person in advance to see how they would like to be accommodated in these groups and decide whether any additional support is needed.

Statutory Guidance, Relationships Sex and Health Education recommends that all pupils have access to the same information about puberty:

Puberty including menstruation should be covered in Health Education and should, as far as possible, be addressed before onset. This should ensure male and female pupils are prepared for changes they and their peers will experience³³.

For some pupils and students with special educational needs and disabilities, particularly some on the autism spectrum, existing resources such as picture books, may need to be adapted as they are too conceptually difficult or confusing.

- Photo banks featuring real people may be more useful than books featuring animals or inanimate objects for some pupils. Stonewall has developed a [suite of materials](#) with Widgit symbols for use with SEND pupils and students.

Personal, Social, Health and Economic Education including statutory relationships, sex and health education

Brighton & Hove schools are signposted to the [PSHE Association Programme of Study](#) which takes an age appropriate, inclusive approach to LGBT identities. Brighton & Hove's

³³ Statutory Guidance, Relationships, Sex and Health Education
<https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education> (p31. Retrieved 24.9.20)

PSHE Service provides additional guidance and resources to support schools in effective delivery of this curriculum.

LGBT inclusive practice could be embedded in the following PSHE topics as age and stage appropriate:

- Families
- Gender stereotyping including career aspirations
- Diversity and community
- Discrimination and prejudice
- Healthy relationships
- Sexual health
- Anti-bullying, including specifically anti-homophobic, biphobic and transphobic bullying
- The law on marriage, civil partnerships and age of consent.

Statutory Guidance, Relationships, Sex and Health Education makes clear that:

Schools should ensure that all of their teaching is sensitive and age appropriate in approach and content. At the point at which schools consider it appropriate to teach their pupils about LGBT, they should ensure that this content is fully integrated into their programmes of study for this area of the curriculum rather than delivered as a standalone unit or lesson. Schools are free to determine how they do this, and we expect all pupils to have been taught LGBT content at a timely point as part of this area of the curriculum.³⁴

Relationships and sex education lessons must not reinforce harmful stereotypes, including those which might imply gender stereotyping or that a person may be trans based on their gender expression or behaviours. The non-statutory DfE Guidance 'Plan your relationships, sex and health curriculum' states that:

Materials which suggest that non-conformity to gender stereotypes should be seen as synonymous with having a different gender identity should not be used.³⁵

Children and young people should have access to a diverse range of resources including those that show stereotypical and non-stereotypical gender expressions, masculine girls and feminine boys, different families, trans and non-binary people and men and women in a wide range of careers. Brighton & Hove materials and resources on gender stereotyping make it clear there is more than one way to be a boy or a girl.

Schools should refer to the appropriate language when discussing gender identity, including key terminology and teachers should feel confident in the definitions whilst never placing those labels onto individual children or young people.

Additional ideas for making relationships, sex and health education trans inclusive include:

- Ensuring language is gender neutral and inclusive, when appropriate. For example, when talking about relationships use terms such as 'partner' rather than 'boyfriend or girlfriend' and in discussing families, use 'grown up' rather than 'mum or dad'. When

³⁴ DfE, Statutory Guidance, Relationships, Sex and Health Education <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education> (Retrieved 26.4.20)

³⁵ DfE Guidance Plan your relationships, sex and health curriculum <https://www.gov.uk/guidance/plan-your-relationships-sex-and-health-curriculum#ensuring-content-is-appropriate> (Retrieved 25.9.20)

talking specifically about known family members or relationships, gender specific language is appropriate.

- Consider the use of gender-neutral names when designing case studies, scenarios or characters for use in PSHE lessons.
- Represent trans and non-binary people in scenarios and resources used.
- Start any teaching around puberty and bodies by highlighting that all people's bodies and genitals are different and that there will be a diverse range of responses to puberty
- When labelling the genitals consider the message that these relate to biological sex rather than gender. Consider using the language that most, rather than all boys have a penis and testicles and most, rather than all girls have a vulva and vagina
- Present sexual health information with an awareness that for trans young people their body may not sit comfortably with their gender identity
- If you know you have a trans child in the class, some pre-planning and one-to-one support may be necessary to ensure the child gets the information they need in a way that feels supportive to their gender identity
- Some screening procedures, for example cervical screening, are sex specific
- The Terrence Higgins Trust and Gendered Intelligence have resources for older students, that inform about trans health.

It is good practice to explore different viewpoints as part of relationships, sex and health education, and pupils and students may bring a range of genuinely held religious and other beliefs about trans identities to discussion. In these circumstances, teachers will need to be mindful of the diversity of views within faith groups, manage the discussion such that no harm is done to a trans child or young person or the person expressing genuinely held views. Teacher must ensure that the lesson does not become a debate about the rights of any group protected in law. Training may be needed to manage these discussions.

Education providers under the Public Sector Equality Duty should foster good relationships between different protected characteristics, and between certain protected characteristics and those without them.

Schools are at liberty to teach the tenets of any faith on the protected characteristics. For example, they may explain that same-sex relationships and gender reassignment are not permitted by a particular religion. However, if they do so, they must also explain the legal rights LGBT people have under UK law, and that this and LGBT people must be respected.³⁶

It is important for schools and educational settings to engage with parents and carers around relationships and sex education. Some parents and carers may have concerns about the education provided contradicting their faith or beliefs and settings should work with these families to hear and respond to these concerns as outlined in section 5.4 and guidance provided by the PSHE Service.

Schools are reminded that:

³⁶ Inspecting Teaching of the Protected Characteristics, Ofsted, 2020
<https://www.gov.uk/government/publications/inspecting-teaching-of-the-protected-characteristics-in-schools/inspecting-teaching-of-the-protected-characteristics-in-schools>

“the religious background of all pupils must be taken into account when planning teaching [of Relationships, Sex and Health Education]”³⁷

For further resources to support teaching and learning about relationships and sex education including puberty, gender stereotyping, family diversity, LGBT identities and anti-bullying please go to www.BEEM.org.uk and contact the Brighton & Hove PSHE Service.

4.8 Single-sex schools

This guidance is equally applicable to single-sex schools and educational settings, however there may need to be greater emphasis on ensuring the safety and inclusion of trans pupils and students in single sex schools. Those who transition to a different gender from that of the school they are in (e.g. a trans girl at a boys' school) should be allowed to remain at that school if they wish to with discussions taking place on how to accommodate the transition within school policies and processes.

To remember

- **Many schools have existing good practice that promotes equality and supports the needs of individual children and young people**
- **Trans inclusion should be referenced across the policy framework**
- **Challenge, record and monitor all incidents of bullying and prejudice by type**
- **The curriculum and particularly PSHE can be used to develop understanding of family diversity, sexual orientation, gender stereotyping and gender identity and to prevent sexism, homophobia, biphobia and transphobia**

³⁷ Statutory Guidance, Relationships, Sex and Health Education
<https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education> (Retrieved 29.7.20)

5 Supporting the individual trans, non-binary or gender exploring child or young person

5.1 An individualised approach to support

There is not a one size fits approach in supporting a trans, non-binary or gender exploring child or young person. Allocating a key member of staff, as would be done for any other vulnerable pupil or student, is an important first step.

It is vital that each child and young person is met with the kindness, compassion and support needed to keep them and their peers safe and well. There may be additional challenges for trans and non-binary pupils and students from certain faith or cultural backgrounds or because of a special educational need or disability. It is important for education settings to see all aspects of a child's identity and experience in thinking about how to best support and respond. Each journey will be unique. Allsorts Youth Project offers support for trans children and young people and their families.

A good practice checklist for supporting a trans child or young person can be found in Appendix 9.

Non-binary children and young people

Certain sections of this guidance refer to binary trans children and young people, however the principles of this toolkit and the sections related to pronoun change, dress, curriculum and gender stereotyping are relevant to the inclusion of non-binary children and young people.

Gender exploring

It is important to acknowledge that some children and young people will go through a period of exploring their gender identity. Over time some of this group may realise they are comfortable with their registered sex, for others this may be part of a longer journey. This exploration can come in many forms and appear at different ages. It may include using a different name and or pronoun. It may include exploring gender expression for example changes in what they wear or how they present and for others it may relate to their sexual orientation.

The Royal College and Paediatrics and Child Health calls on Health professionals to:

Help parents, schools and other agencies to adopt a supportive, flexible and responsive attitude to affirm a child's expressed sexuality and gender, whilst being sensitive to change over time. This will involve making appropriate adjustments³⁸.

Coming out

It is important to recognise that coming out is a hugely significant step in any LGBT person's journey and the initial response can have a lasting impact on the individual. The choice to come out is a personal one and will be done when the time feels right for the child or young person. They may come out to some people and not others, may share it very openly in school or a wider community or only want one person to be aware.

³⁸ RCPH Supporting LGBTQ+ children and young people <https://www.rcpch.ac.uk/resources/supporting-lgbtq-children-young-people#key-messages-for-health-professionals>

If a child or young person makes the decision to come out to you, it is a big step and they have realised you are a trusted person in their life. Acknowledge what they say, be empathic and thank them for speaking with you. If you aren't sure about terms the young person is using it is okay to ask. A first step may be to gently ask some questions 'Can you tell me more about how you feel...?' 'How long have you been thinking this...?' 'Have you spoken with anyone else / family members...?'

If you are not sure if you can provide effective support seek permission to share the disclosure with another member of staff or support the child or young person to disclose to another member of staff. Remember that coming out as trans is not in itself a safeguarding issue (See section 3.3).

It is important to be mindful that for changes such as names and pronouns to be acknowledged in the wider community, a level of information sharing will need to happen amongst staff and pupils. This should, as much as possible, be led by the child or young person making those changes and may include an educational element. Allsorts Youth Project can provide support with this process.

In some school communities, the child or young person may have transitioned in a previous school setting. School staff should be mindful that this child or young person may only come out to a small number of school staff or their peers and as such their information must be kept private and confidential (unless confidentiality needs to be broken for safeguarding reasons).

Whilst a child or young person and their family may be keen to come out and make transitions as quickly as possible, school staff may need to work with them, to ensure they are supported and manage this process thoughtfully. This will help to ensure the safety of the child or young person who is coming out and to support their peers in understanding any changes.

5.2 Working with the parents, carers and siblings of trans pupils and students

As a key principle, educational settings will want to work in close partnership with parents and carers. Parents and carers will often be the ones to approach the setting about the needs of their trans child.

Many parents and carers of a child or young person who comes out as trans, non-binary or gender exploring will be supportive of their child; although they may also experience some shock, concern and grief for the child they feel they may lose and the future they imagined for them. They may also fear community reactions. Very occasionally, parents and carers will seek to prevent their child from making any steps towards a transition and extra time, support and care will need to be offered to this family.

Parents and carers of trans and gender exploring children can be referred to Allsorts Youth Project for one to one discussion or support through a parents' support group. Further information can be found [here](#) and a leaflet written by parents for parents of trans children can be found [here](#).

When working with parents and carers, settings should keep in mind that they are representing the interests of the child or young person. As far as possible, care should be taken to ensure the wishes of the individual pupil or student are considered with a view to supporting them during potential transition.

Siblings of a trans child or young person may need support especially if they attend the same school. They may find the situation difficult themselves and find it hard to accept their sibling's gender identity. Even if they are supportive to their sibling, they may also encounter transphobia and transphobic bullying as a result of having a trans family

member. Parents and carers may be distracted and be giving more attention to a trans or gender exploring child which can lead to issues for siblings. They should be given opportunities to discuss their own feelings with pastoral members of staff. Support may be needed over an extended period and this can also be provided by Allsorts Youth Project.

5.3 Transition

Transition can be divided into 'social' and 'medical' transition. Support for trans children and young people in schools will be around the social aspects of transition.

Social transition

A social transition could include:

- A name change
- A change in pronoun (he, she, they, zie etc.)
- Wearing clothes that are associated with their gender identity*
- The option of using toilets and changing rooms appropriate to their gender identity

*Of course, not all children and young people who wear clothes associated with a gender different to that their sex registered at birth are trans. Educational settings should provide for a wide spectrum of gender expressions and have openness to the diversity shown by children and young people. It is vital that work on sexism, gender expression, gender stereotyping and particularly masculinity and femininity is done across the school to ensure all children and young people feel respected in their gender expression. Equally, a trans person may choose not to wear clothes stereotyped as being for their gender identity.

A child or young person's goals in terms of transition may change over time and the support offered needs to reflect and support this. For example, a child or young person may start on a transition pathway, realise this isn't the right path for them and reverse some or all aspects of their social transition.

Once school staff understand the areas in which a child or young person is planning to transition, they can think about how to support these changes at school. It is vital that the staff team provides informed and consistent support to individuals who are transitioning. More information on social aspects of transition can be found in section 6.

Be aware that some pupils and students, including those with SEND, may not feel the same pressures or awareness of 'fitting in' socially, or may struggle with social empathy about how their families and friends may feel. Once they have 'come out' to one person they may have unrealistic ideas or timeframes about how their journey will progress, and this can leave little time to build a supportive plan. Schools will need to develop plans that meet the needs of an individual but provide effective support for them and the wider community.

Some trans pupils and students will need support in developing scripts and responses to questions they may be asked about their transition. This may include phrases such as 'It's none of your business...' 'I have always been a boy / girl'. 'Non-binary means...' This support can be done with a trusted adult at school, family and working in collaboration with another appropriate professional.

Medical transition

It is not the role of educational settings to make decisions about medical treatment. This section is for information and to clarify misconceptions about ages and types of treatments.

Medical intervention to assist physical transition happens under the care of a Gender Identity Service. For under 18s, this is the Tavistock and Portman Clinic (NHS). There are long waiting times for treatment. Not all trans people will want or be able to access medical transition whilst still at school. Treatment can only be offered if it is judged to be in the best interests of the child and only after an extensive assessment that will take into account the child's age, understanding and maturity and needs.

Referrals to the NHS Tavistock and Portman Gender Identity Development Service (GIDS) is needed prior to accessing elements of medical transition through the NHS pathway. Referral to GIDS can be made by the Child and Adolescent Mental Health Service (CAMHS) or by any professional supporting the child or young person. Parental consent is required for referrals for under 16s. Full details about the referral process can be found on the [GIDS website](#).

GIDS carry out counselling and assessments throughout the process with the child and their family. GIDS will work with other professionals such as schools and social workers where appropriate. NHS information on the treatment of gender dysphoria can be found [on the NHS website](#).

Medical treatment is rare and should only be provided if sanctioned as medically appropriate under strict rules governing the prescription by GIDS after extensive assessment as to what is in the young person's best interests. Any medical treatment will be given in a series of phases that can include:

- Medication to block the production of the natural hormones that feminise or masculinise the body during puberty. Currently the child must be judged at a particular stage of puberty (Tanner Stage 2) for hormone blockers.
- Hormone blockers may, after further assessment, be followed by prescribing cross-sex hormones to masculinise (testosterone) or feminise (oestrogen) the body. Currently the child must be aged 16 or over to receive cross-sex hormones.
- GIDS do not provide transition-related surgery – a trans person must be aged 18 or over to be eligible for surgery.

Be aware that as hormone blockers suspend puberty it may be difficult for a trans child or young person to see their peers developing in the way they feel they should be. For example, a trans boy who is on hormone blockers will not experience his voice breaking like his male peers until he has testosterone treatment. This could cause additional stress and challenges.

It is advisable for the school to collaborate with other services, such as the Child and Adolescent Mental Health Services (CAMHS), GIDS or Allsorts Youth Project to ensure a child is offered the most appropriate support.

Coming to terms with gender identity if you are trans can be a difficult time at any age. Starting the initial stages of medical transition (16+) can be particularly demanding for a young person and their family. This can be exacerbated by [long waiting times](#) to access medical support and the lengthy assessment process involved. It is therefore a time when support is likely to be needed.

Pupils or students needing time off for a medical appointment should be recorded with an M code.

5.4 Timing of transition (including primary to secondary transfer)

The right time to transition will be when a child or young person feels they are ready. Schools will have pupils and students at different stages of transition; including those who have transitioned prior to attending their school so the school may not be aware of the

gender identities of all in their community. The level of and type of support needed will vary according to the individual and their stage of transition.

Some trans children may socially transition at primary school. Before they move on to secondary school, the following is recommended:

- Have a meeting with the child (and their parents or carers) to find out if they have any worries and discuss how they would like any issues that arise to be managed
- Allocate a named contact or 'trusted adult' for the child to approach if issues arise during the school day. This will limit the number of adults they will have to come out to or explain their story to if there are any challenges.

Some children and young people, with support from their families, may make a transition into their preferred gender identity at a point when they are changing schools. Secondary schools will therefore need to be particularly aware and supportive of children transferring from a primary to secondary school who are planning to begin Year 7 with a different name and pronoun. This would include working with students from the original primary school who would be aware of this change.

All settings should be able to effectively support a trans child or young person, including those transitioning.

5.6 Pupils and students with additional vulnerabilities

Intersectionality

Trans and gender exploring children and young people could have intersecting minority identities or experiences. For example, they could come from a faith background, be Black, Asian or Minority Ethnic or have a disability. As a result, their outcomes and access to safe, appropriate services can be even poorer.

Therefore, all educational settings should recognise the uniqueness of their children and young people, address their needs holistically and challenge all forms of prejudice.

Special Educational Needs and Disabilities (SEND)

Children and young people with SEND may need additional support in understanding or accepting their own identity, learning about those who are different to them, and understanding that difference is to be respected and celebrated.

Staff, parents, carers, and wider professionals may need support in understanding that a SEND child or young person is just as likely to be lesbian, gay, bisexual trans or gender exploring as any other person. There is some developing research showing that there is a higher prevalence of those who question their gender identity in those on the autism spectrum. There is likely to be a range of reasons for this increase. The National Autistic Society includes articles on its [website](#) about this.

It is important that a child or young person's words or actions are not automatically attributed to their SEND, for example, preferences for clothing types or hair length being seen as a sensory need, or behaviours described as a new special interest, fascination, curiosity or phase. Whilst this may be true in some instances, it is important to listen without judgement so that expressions of questioning gender identity are not dismissed.

Emotions related to gender identity are complex for anyone to understand and express, and this could be exacerbated in those with communication and interaction difficulties.

Some children and young people with SEND may not see the need to communicate and may not understand that others don't already see them in the same way as they see

themselves or know themselves to be. This could obviously lead to increased frustration and anxiety and impact negatively on well-being and mental health. Providing one-to-one support for the child or young person to explore issues in a non-judgemental, safe way with conversations that go at the child's pace will be important.

Difficulties with empathy and social communication may mean specific support is needed. Social Stories, Comic Strip Conversations and Mind Mapping may help with strategies to manage complex settings such as toilets.

In addition, there may be potential increased vulnerabilities of a young person with SEND. Staff will need to give increased support as needed and teach children about online safety.

Stonewall has resources to support SEND children and young people on their website.

Support is also available from the Brighton & Hove Inclusion Support Service (BHISS) and Allsorts Youth Project.

Black, Asian and Minority Ethnic (BAME) children and young people and children and young people from faith backgrounds

BAME trans people are likely to face discrimination based on their race and gender, and this can make seeking support harder. By coming out as trans some children and young people of faith may risk losing their communities.

All major faiths have LGBT inclusive groups, and these may be a helpful resource for professionals and some children, young people and their families.

This guidance written by Sabah Choudrey reminds of the importance of effective BAME awareness training and non-tokenistic representation of BAME trans people:

www.sabahchoudrey.com/inclusivity

Allsorts Youth Project also have a [BAME inclusion worker](#) and resources written by and for young [LGBT BAME people](#) and [young people of faith](#).

In conversation with children, young people and their families, schools may also encourage, if appropriate, the seeking of support from faith, cultural and community leaders or groups.

Children who are in care/care experienced children

Children and young people who are living in a care setting or have experienced care are likely to come with additional vulnerabilities due to their experience. This could include previous traumas, attachment difficulties and challenges with managing emotions. For children living in care, it will be vital that the communication between professionals, school, carers and child is clear and transparent.

Children in care who are wishing to change their name legally may have additional challenges due to the differing levels of legal responsibility the adults around them have to input into legal decision making. This may mean that a child may not be able to change their name by deed poll until they are 16, and the position should be clarified with the child's social worker. Schools should be alert to this issue and ensure they are able to support the child to use a preferred name in their setting where possible.

Children and young people in care may often have experiences of neglect and feeling unheard. Further frustrations around a delayed name change is likely to amplify these feelings.

If a looked after child wants to be known by a different name, it is important to share this with their social worker. They can take legal advice on steps to achieve this, if it is considered to be in the child's best interests.

The child or young person in care may have to come out multiple times to various professionals involved in their care. Equally, they may only come out to one person but find multiple people are aware. The child or young person should be informed of what information is being shared and to whom.

5.7 Signposting to additional support

In Brighton and Hove there is specialist locally based support for children, young people and their families and schools.

Allsorts Youth Project supports trans and gender exploring children and young people and children who identify as lesbian, gay, bisexual or unsure of their sexual orientation.

The project provides a safe and non-judgmental space where trans or gender exploring children and young people (aged 5 to 25) can be themselves and explore their gender identity. They also provide training and education for schools.

Further information can be found at www.allsortsyouth.org.uk

Trans children and young people with other vulnerabilities including mental health needs can be referred on to appropriate services through the usual school pathways.

Information about services can be found in section 8.

Remember

- **Follow the lead of the child, young person and their family, keep confidentiality where appropriate and take appropriate, timely action that protects the wellbeing of those involved**
- **Be alert to any safeguarding concerns and use the appropriate safeguarding procedures**
- **Consider all aspects of a child and young person's identity in the tailoring of support**
- **Transitioning is a unique journey**
- **Make use of local and national specialist support services.**

6 Managing specific issues for trans and gender exploring children and young people

6.1 Access and safety for all

The Equality Act promotes access to facilities, the curriculum and extra-curricular opportunities to all children and young people. Educational settings should ensure that the welfare of trans pupils is included in exactly the same way.

Educational settings will come across children and young people who are at various stages of exploring their identities or transitioning. This includes but isn't limited to those who are just coming out as trans, those who have come out as non-binary, those who have socially transitioned either partly or fully and those who are exploring their gender identity with no fixed pathway. Therefore, the information which follows will be relevant to some children and young people and not others. Educational settings should consider the guidance below and apply on an individual, case by case basis and seek advice if needed.

As part of ongoing work to ensure safe learning environments, settings should carry out a range of activities that ensure respectful behaviour by all pupils and students in all areas of the school building, including toilets and changing rooms. This will include, as part of a settings' ongoing anti-bullying work the encouragement to all pupils and students to report any areas of the building where they feel unsafe. Any child or young person acting inappropriately in toilets or changing rooms should be challenged or sanctioned in line with the school's behaviour policy.

The Toolkit is not promoting the removal of single sex spaces but encourages a mixed model of provision, where possible. Enabling access to single sex provision in schools such as toilets, changing rooms, residential accommodation and competitive sport refers only to trans children and young people who have taken 'steps to live in the opposite gender'³⁹.

The Equality Act allows providers to offer single-sex services that exclude transgender people if it is proportionate to do so and it achieves a legitimate aim⁴⁰ The Equality & Human Rights Commission explains the significant requirements to prove objective justification:

- the aim must be a real, objective consideration, and not in itself discriminatory (for example, ensuring the health and safety of others would be a legitimate aim)
- if the aim is simply to reduce costs because it is cheaper to discriminate, this will not be legitimate
- working out whether the means is 'proportionate' is a balancing exercise: does the importance of the aim outweigh any discriminatory effects of the unfavourable treatment?
- there must be no alternative measures available that would meet the aim without too much difficulty and would avoid such a discriminatory effect: if proportionate alternative steps could have been taken, there is unlikely to be a good reason for the policy or age-based rule⁴¹.

³⁹ Equality Act; Advice for Schools (2018) p17 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Retrieved 19.5.20)

⁴⁰ <https://commonslibrary.parliament.uk/research-briefings/cbp-8969/> (Retrieved 13.4.21)

⁴¹ Equality and Human Rights Commission <https://www.equalityhumanrights.com/en/advice-and-guidance/commonly-used-terms-equal-rights> (accessed 24.9.20)

Staff are best placed to evaluate how to balance any competing sensitivities whilst actively supporting the welfare of trans students. Brighton & Hove City Council has seen no evidence either in research or in the city's schools that a trans child or young person (as defined under the gender assignment definition in the Equality Act) in a single sex facility presents any more of a threat to another child or young person than any member of their peer group.

It is recommended that schools carry out equality impact assessments when making changes to provision with the purpose of reducing or preventing any potential negative impacts of changes. See Appendix 5 for example format. For more advice on individual cases, showing due regard and undertaking Equality Impact Assessments please contact the Equality and Anti-Bullying Service pshe@brighton-hove.gov.uk

6.2 Toilets

Reg 4(2) of the School Premises (England) Regulations 2012 provides that

'Separate toilet facilities for boys and girls aged 8 years or over must be provided except where the toilet facility is provided in a room that can be secured from the inside and that is intended for use by one pupil at a time'⁴²

The use of toilet facilities by trans children and young people should be assessed on a case-by-case basis in discussion with the individual child or young person. Brighton & Hove recommends that in making that assessment schools should consider the fact that for some trans children accessing the toilet which corresponds to their gender identity can be extremely important. There are health risks such as urinary infections for children unable to access toilets during the school day. We would therefore encourage schools to enable this wherever possible if asked for.

Anecdotal feedback from trans children and young people is that many will opt for a gender-neutral toilet for fear of bullying or harassment rather than a large multi occupancy single sex facility. Single sex toilets can also cause issues for children and young people who do not identify with the gender binary of boy or girl.

Ideally, where funding and space allows; educational settings should provide pupils and students with a mixture of access to toilets that includes:

- single sex toilets
- blocks of floor to ceiling cubicle toilets that can be used by all, with bins for menstrual products in each cubicle ('toilets for everyone')
- accessible single toilets.

6.3 Changing rooms

Regulation 4 (4) of the School Premises (England) Regulations 2012 provides that

'Suitable changing accommodation and showers must be provided for pupils aged 11 years or over at the start of the school year who receive physical education'.⁴³

The Equality and Human Rights Commission further states:

⁴² <https://www.legislation.gov.uk/uksi/2012/1943/regulation/4/made> (Retrieved 28.7.20)

⁴³ <https://www.legislation.gov.uk/uksi/2012/1943/regulation/4/made> (Retrieved 28.7.20)

“A school fails to provide appropriate changing facilities for a transsexual pupil and insists that the pupil uses the boys’ changing room even though she is now living as a girl. This could be indirect gender reassignment discrimination unless it can be objectively justified. A suitable alternative might be to allow the pupil to use private changing facilities, such as the staff changing room or another suitable space”⁴⁴.

The use of changing rooms by trans children and young people should be assessed on a case-by-case basis in discussion with the individual child or young person. The goal should be to maximise social integration and promote an equal opportunity to participate in physical education classes and sports, ensuring safety and comfort.

Brighton and Hove recommend that in making an assessment, schools should consider the fact that for trans children accessing the changing room which corresponds to their gender identity can be extremely important. We would therefore encourage schools to enable this wherever possible.

Any pupil or student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area or with a separate time to change. Any alternative arrangement should be provided in a way that protects the child or young person’s ability to keep their trans status confidential.

6.4 PE and sports

All children and young people have the right to take part in sports and physical education in school. Trans children and young people (who fit the gender reassignment protected characteristic under Equality Act and have taken ‘steps to live in the opposite gender’) should be able to take part in lessons or teams in accordance with their gender identity as appropriate to their age, stage of development and guidance from sporting bodies.

Schools and educational settings should avoid stereotyping sports as being for one sex or the other. PE teachers, as part of their usual practice, should take account of the range of size, build and ability of individuals in the class and differentiate accordingly to keep all pupils and students safe. Some activities may be segregated for example providing spaces for girls to develop their football skills.

There should be few issues at primary level where most lessons will be mixed sex. At secondary level lessons are more often segregated by sex. The issue of physical risk within certain sports should be managed properly within the lesson context rather than by preventing young trans people from participating, which would be discriminatory.

The exception to this is where their exclusion is ‘a proportionate means to achieve a legitimate aim’⁴⁵ in that specific case, see section 6.1.

It is unlikely that pre-puberty there would be any issues with a trans child competing and representing the school. In the case of competitive secondary school sports, schools may need to seek advice from the relevant sporting body. For example:

- The *FA Guide to Including Trans People in Football* developed with Gendered Intelligence can be found on the [Gendered Intelligence website](#)
- *UK Athletics Transgender Policy*
- *England Rugby DRAFT Policy for the participation of Transgender and Non-binary players consultation*

⁴⁴ <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-schools-england> (Retrieved 13.5.21)

⁴⁵ Equality and Human Rights Commission <https://www.equalityhumanrights.com/en/advice-and-guidance/commonly-used-terms-equal-rights> (accessed 24.9.20)

The handling of changing facilities at an 'away game' would also have to be sensitively managed. Staff should try and ensure there is appropriate sensitive provision available.

In relation to activities such as swimming, the trans child or young person may want to wear swimwear that differs from their peers. Please see section 6.6.

6.5 Residential trips

Brighton & Hove recommends that as far as possible trans children and young people should be supported to be able to stay in residential accommodation appropriate to their gender identity.

However, discussion should be had with the trans child or young person, and their parents prior to residential trips to firstly identify what the trans child or young person wants and needs, and how this can be accommodated in discussion with appropriate others including relevant friendship groups in a way in which confidentiality is protected. Risk assessments can be carried out prior to residential trips in order to make reasonable adjustments which would enable the participation of trans children and young people.

Some trans pupils and students may choose to use different kinds of undergarments to support them in feeling comfortable in their gender identity. Therefore, privacy on residential trips and in changing rooms will be of key importance to them. Trans young people should be encouraged to avoid constricting bandages or inflexible tape that may be injurious to their health, and to access specialist advice from responsible sources that understand their needs. If there are concerns that the young person is engaging in a practice which is causing injury this may need to be escalated with empathy and understanding. Gendered Intelligence⁴⁶ has produced guidance about trans inclusive residential trips, which may be useful to schools.

Prior to residential trips, educational settings will want to make clear their expectations to all children and young people about how they support and treat each other.

When planning overseas trips, schools should consider and investigate the laws regarding trans communities in countries considered for school visits. The International Lesbian and Gay Association (ILGA) have information on their [website](#) about countries where trans individuals may be at risk. In addition, legal documentation such as the child or young person's passport may not have been changed to the name and/or gender they are using. This will need to be handled sensitively by the leaders of the trip.

6.6 Uniform and dress

Having a non-gendered school uniform list would be supportive to all pupils and students and particularly those who express their gender differently to stereotypes and those who are trans and non-binary. By providing a choice of approved items of uniform and allowing children and young people to choose what they wear, schools will allow for regulated structure and remain inclusive. Most schools in Brighton & Hove already have this in place.

Staff training is recommended to ensure that all staff understand what it means to be trans, non-binary and gender exploring and that children and young people express their gender in a range of ways that are not connected with being trans. PSHE programmes will be challenging gender stereotypical ideas that to be a woman or a man you have to look a certain way.

⁴⁶ [14-03-31-GI_youth_residential_INTERACTIVE.pdf \(genderedintelligence.co.uk\)](#)

Trans and non-binary children and young people must be able to dress in a manner consistent with their gender identity. Beginning to dress in the clothes associated with one's gender identity can be a big step and potentially daunting. Care must be taken to ensure that trans children and young people are supported fully during this time as it may be a very visual representation of the transition process.

Be aware that some pupils with SEND whose needs mean they have support from a Personal Assistant, can feel a loss of privacy at having to come out to them before people of their choosing or before they are ready to e.g. due to relying on their assistant for what clothes they wear. The pupil may wish to speak to someone else about their needs and identity.

6.7 Names and pronoun changes

Some trans children and young people may wish to change the name they are known by and their pronoun (e.g. he, she, they). Often this will be supported by and in communication with parents and carers, if this is not the case, the school will need to offer additional support and if necessary, seek further advice. See section 5.2.

Respecting a child or young person's request to change name and pronoun is a pivotal part of supporting and validating their identity as evidenced in [research](#). Some people who consider their gender identity as not fitting into a binary (boy/girl or man/woman) and may use gender neutral pronouns (for example, 'they' or 'zie').

The use of pronouns and gender identifiers are important to children and young people. When health care professionals use identifiers inappropriately, or don't ask children and young people in the first place, they lose trust in those caring for them.⁴⁷

It is important to consistently use correct pronouns and names to protect a child or young person's confidentiality and to not 'out' them in ways that may be unsafe and exposing. If a mistake is made with a name or pronoun then this can be apologised for.

Where staff become aware that an adult or child is deliberately calling someone by their birth name after they have changed their name, or misgendering them (using the wrong pronoun or referring to them as their previous name) then appropriate challenge should be made with reference to the schools equality policies and if necessary action should be taken through the setting's anti-bullying policy.

Staff will need to work with the trans child or young person, to agree how to communicate any changes to names and pronouns to their wider staff team.

School Data Recording; name and gender

If a trans pupil or student wishes to have their personal data recognised on school systems, this should be supported and will feed on to letters home, reports, bus pass information etc.

Last name

The pupil's full legal surname should be recorded, as the school believes it to be. Schools are **not** expected to have verified this from a birth certificate or other legal document.

Forename and deed poll

⁴⁷ RCPH Supporting LGBTQ+ children and young people <https://www.rcpch.ac.uk/resources/supporting-lgbtq-children-young-people#key-messages-for-health-professionals>

The law is clear that a child over the age of 16 has the right to change their legal name by deed poll without the consent of those with parental responsibility (PR). For a child or young person under 16 consent from all those with parental responsibility is required to legally change the name. Where there is an absent parent or lack of parental support this will hinder the process.

If the pupil does not legally change their name schools can still support their wishes to be known by a different name if it is considered in their best interests to do so. The Department for Education guidance is that a formal name change is not required, for the school to refer to the young person by a new forename and profile. The new name should be recorded as the pupil's 'preferred name'. The same goes for the use of a preferred pronoun. However, the register should still show the pupil's original, legal name.

Although some young people may feel that they want to change their name by deed poll, others may not feel that this is a step that they are ready or able to take. This will mean that although they may have established themselves within the school under a chosen name, they will have to use their birth name when filling in exam documentation.

This could potentially be a source of distress for that individual and care should be taken by staff to support the young person and that it does not invalidate their identity. Staff should remain sensitive and supportive during such times.

There may be sensitivities for looked after children in relation to making name changes.

Legal name field and exams

To make changes to the child or young person's Legal Name field, evidence is required. The issuers of documents of 'value' (such as passports, driving licences, degree/exam certificates) have a duty to prevent fraud and typically ask for evidence of name change as part of that duty. This evidence is generally a deed poll, described above.

Theoretically young people can be entered under any name with an exam board and it is possible for exam certificates to be issued in the name asked for, but this will require careful thought. Schools and colleges should ensure a strategy is agreed with the young person and their parents and carers, then agreed with the various exam boards prior to starting accredited courses, as some exams may be sat in Year 10 and the length of time the process of re-registering may take has to be considered. Exam boards may be experienced in working with trans children and young people and be able to guide the school or college through the process. It is possible to change names on exam certificates but there may be a charge for this.

Once an exam result is accredited it will be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which existed in the school census information submitted in January of the exam year. UPNs and ULNs are only linked with legal names (Legal Name refers to the name in which a pupil or student arrives in education for the first time; this is often the name on their birth certificate), not preferred names. Schools need to be aware that the DfE analysis of school performance may still present the young person in the gender registered by their UPN.

Recommendations:

- When sending data about the pupil or student to third parties always ensure you are sending the correct information
- Ensure that the selected chosen name is used on exam certificates before being sent to pupils and students

- Engage with the pupil or student as well as their parents and guardians to agree a strategy for presenting the correct information to the examination boards
- The examination officer should contact the relevant exam board to discuss their processes.

Gender and the school census

The School Census (and some school MIS systems) requires the recording of gender as male or female. This may be particularly problematic for pupils and students who identify as non-binary. Government guidance clarifies that self-declared gender can be recorded in the Schools' MIS and collected in the School Census:

Gender should be self-declared and recorded according to the wishes of the parent and / or pupil. Individuals are free to change the way their gender is recorded. There is no requirement from the DfE for any legal change or gender recognition certificate and it remains open for the school to amend the gender of any pupil, within their own MIS, at any time⁴⁸.

If a pupil does not want to be known by either gender, the DfE have advised that schools may leave the field 'blank', however LAs have fed back to the DfE that MIS systems do not allow this. For any cases where it is appropriate for the gender field to be 'blank' in the school census, schools should securely e-mail the School Data Team the details of the pupil or student. The team will then manually remove the gender from the census and make an appropriate notepad entry in the DfE system (COLLECT). Academy/Free School data colleagues will need to do this themselves in COLLECT (supported by the School Data Team if required) the return will be authorised by the DfE. (DfE Forum, 2019).

The full census guidance is here: <https://www.gov.uk/guidance/complete-the-school-census/data-items>

6.8 Confidentiality and information sharing

All people, including children and young people, have a right to privacy, although that right is not absolute. Information about a pupil's transgender status, legal name, or sex registered at birth may also constitute confidential information.

Please see sections 3.3 & 3.4 for further information.

6.9 Relationships and sex education

See section 4.7 for general guidance on an LGBT inclusive curriculum.

Some schools may very occasionally use single sex groups to support teaching about puberty for example. Trans pupils and students can access the group in line with their gender identity if they wish to. Where it is known a child or young person is trans a trusted and trained member of staff should discuss with them which group they would like to attend.

Educational settings can provide additional support via a school nurse for example so that a trans pupil or student has the opportunity to explore and get support for the puberty they may experience which may not be in line with the puberty they would like to have.

For more guidance, please go to Brighton & Hove City Council's Relationships and Sex Education: Guidance for Educational Settings, 2015 on www.BEEM.org.uk

⁴⁸ <https://www.gov.uk/guidance/complete-the-school-census/data-items>

6.10 Work experience

Where an educational setting is considering a work experience placement for a trans student, the setting must complete a suitable assessment on the potential placement to establish if there is any risk (physical or otherwise), taking account of rights of privacy - as a general principle personal information on the young trans person must not be shared.

Schools must be sensitive to this in their planning before any trans young person is placed in any business or organisation. Careful discussion about the placement with the students and parents and carers needs to happen as early as possible to find the most suitable way forward to ensure the placement is successful.

6.11 Vaccinations

Historically, vaccinations have been given to young people of all genders together in a large space such as a sports hall. More recently, GP surgeries provide some schools with their vaccinations at the surgery while some vaccinations are given in school.

Consideration should be given to trans pupils and students if the vaccination is gender-specific i.e. a trans boy might find it very difficult to stand in a queue of girls awaiting a female-specific vaccination, or to be left behind when one gender is invited to leave class for a vaccination. Sussex Community Foundation Trust immunisation team will facilitate an individualised appointment for the young person in this case.

It should also be recognised that vaccinations are not always separated by gender (male/female) and if it is still necessary to have mass vaccination sessions in school, then a mixed gender queue could be used, as well as screens for the person receiving the vaccination be supplied to promote privacy whilst being included in the mainstream.

6.13 Dealing with the media

There have been cases where the media has shown an interest in trans pupils, students and staff. The council's communications team (news@brighton-hove.gov.uk) can advise on media queries. It is recommended that statements to the media include references to the work the setting is doing to promote inclusion and equality for all and to ensure that all pupils and students are safe from bullying and feel valued. At all stages the confidentiality of individuals should be protected.

A complaint can be made to the Independent Press Standards Organisation via www.ipso.co.uk/

To remember

- **Staff are best placed to evaluate how to balance any competing sensitivities whilst actively promoting the welfare and equalities of trans students**
- **List uniform without reference to gender and provide a range of swimwear options**
- **Trans children and young people (who fit under Equality Act definition of gender reassignment) can access facilities in line with their gender identity if they want to**
- **Use the name and pronoun that the trans young person is using and if a mistake is made learn and do better next time**

- **Wearing non gender stereotypical clothes does not mean that someone is trans**
- **Medical transition happens under the care of the [Gender Identity Development Service](#)**
- **Provide support where an official name change has not been made in preparation for exams**
- **A change of name by deed poll is not required to make a change to school records on school database systems such as SIMS**
- **Seek support if you are not sure how to support an individual and or their family.**

7 Trans and non-binary staff and governors

This toolkit does not cover the needs of trans and non-binary staff and governors. However, trans staff and governors can experience similar challenges to those outlined in the Toolkit including bullying and harassment. Education settings are encouraged to think about ensuring they have good policies and practice in place to support these staff members. Unions may be useful for this purpose. Educational settings may also find this guidance from Stonewall helpful:

<https://www.stonewall.org.uk/resources/first-steps-trans-inclusion>

In addition, there are supportive documents and tools available on the Wave related to Equality issues and staff wellbeing at work. There is a specific section for trans employees:

- [https://wave4schools.brighton-hove.gov.uk/LGCSDocumentLibrary/Human resources/Staff support/Supporting Transgender Employees Policy.docx](https://wave4schools.brighton-hove.gov.uk/LGCSDocumentLibrary/Human%20resources/Staff%20support/Supporting%20Transgender%20Employees%20Policy.docx)

In addition:

The Safer Recruitment Toolkit (includes equality in employment issues in schools):

- <https://wave4schools.brighton-hove.gov.uk/schools/Documents/HR%20for%20Schools/Safer%20Recruitment%20Toolkit-June%202014.pdf>

Schools absence management procedure and guidance (includes fact sheets on absence and disability and access to work; Quash for managers on mental health; Reasonable adjustments guidance for headteachers):

- <https://wave4schools.brighton-hove.gov.uk/schools/HR/Pages/AbsenceManagementandOccupationalHealth.aspx>

Whistleblowing Policy (and other key employment policies):

- <https://wave4schools.brighton-hove.gov.uk/schools/HR/Pages/HRSignpostingforHeadteachers.aspx>

Wellbeing Framework (includes guidance on work life balance, dignity and respect at work and violence at work / incidence reporting):

- <https://wave4schools.brighton-hove.gov.uk/schools/HealthSafety/Pages/WellbeingatWork.aspx>

Access to general information on Equality Act impact on staff (including the Guaranteed Interview Scheme for disabled applicants):

- <https://wave4schools.brighton-hove.gov.uk/supportingyou/HR/ManagingTeams/Recruitmentandinduction/Pages/Equalitiesanddiversity.aspx>

Access to main council equalities advice through the Wave Intranet (including access to minority staff forums):

- <https://wave4schools.brighton-hove.gov.uk/supportingyou/Equalities/Pages/default.aspx>

8 Additional support and materials for schools and colleges

Included in the toolkit are several appendices which provide useful resources to assist schools in their utilisation of the toolkit. Further additional materials that may be of use are highlighted below. In accessing any resources locally or nationally please ensure they align with the values and ethos of your school community.

Equality and Anti-Bullying Service and PSHE Service

- Staff training – identifying, challenging and recording homophobic, biphobic and transphobic language and bullying
- Policy review and development
- PSHE curriculum development and teacher training
- Trans awareness training in partnership with Allsorts Youth Project

Email pshe@brighton-hove.gov.uk to request support or call on 01273 293533
<https://www.beem.org.uk/Services/1931>
<https://www.beem.org.uk/Services/4340>

Allsorts Youth Project

For information and advice related to individual children and young people and their families and for trans awareness training call 01273 721211 or www.allsortsyouth.org.uk

Brighton & Hove Inclusion Support Service (BHISS)

Contact for referrals for any mental health and wellbeing needs.
BHISS@brighton-hove.gov.uk or call on 01273 293481
<https://www.beem.org.uk/Services/1695>

Front Door for Families

The service is made up of professionals with different areas of expertise who work together to assess, decide and coordinate how best to support children, young people and their families where there are concerns.

Email the team at FrontDoorforFamilies@brighton-hove.gov.uk

Telephone 01273 290400 during working hours (9am to 5pm, Monday to Thursday and 9.00am to 4.30pm on Fridays).

Outside of our working hours please contact the Emergency Duty Service on 01273 335905 or 01273 335906.

Community Safety Team

Brighton & Hove's Community Safety Team can provide advice to schools in addressing bullying or prejudice and case work support to families and children experiencing bullying or prejudice. Phone: 01273 292735 or e-mail:

Appendix 1 Trans Inclusion Schools Toolkit – Context Statement

Brighton & Hove City Council commitment to equality and inclusion

Brighton and Hove City Council's commitment to equality and inclusion is unwavering. Our vision is for a more equal city where no one is left behind. Everyone deserves to be valued and treated with respect.

As an organisation, we work under the Equality Act 2010 to ensure the dignity and respect of all residents in the city, children and young people in our schools, and our staff.

As part of our Public Sector Equality Duty we take active steps to remove or minimise disadvantages suffered by people due to their protected characteristics, meet the needs of people from protected groups where these are different from the needs of other people, and encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Brighton & Hove City Council's Equality and Inclusion Strategy and approach rightly supports those who are experiencing the greatest disadvantage. We also reflect on a range of evidence and equality challenges identified and respond to issues proactively. We do this in several ways, including using 'positive action' to proactively address areas of underrepresentation and inequality.

The approach taken within version 4 of the Toolkit aligns with that taken by Brighton & Hove City Council on [gender diversity](#) and the January 2021 [Notice of Motion, Joint Green, Labour and Conservation Groups, Trans Inclusion](#).

We understand that social and political contexts and landscapes change over time. We also recognise that identities evolve and are relative to different contexts. Therefore, we remain open to learning from schools, different communities, new research, new case law, and best practice and use this to continually review our practice and ensure it remains relevant and up to date.

Research base

Research in the area of trans inclusion is limited and often difficult to navigate. Trans Actual have collated a research base, some of which provides some relevant context for this toolkit:

<https://www.transactual.org.uk/research>

<https://www.transactual.org.uk/facts-about-trans>

Allsorts Youth Project

Brighton & Hove City Council works with Allsorts Youth Project to support LGBT+ and unsure (LGBTU+) children and young people in schools. Allsorts Youth Project believes that young LGBTU+ people deserve to feel safe and thrive at home, at school and in their communities. Allsorts Youth Project aims to improve young LGBTU+ people's lives via a two-pronged approach;

1. Providing specialist youth services, such as groups and one-to-one emotional support to children & young people from the ages of 5-25 who are LGBTU+

2. Training the wider community, schools and professionals so all spaces and organisations can be safer and more inclusive for LGBTU+ people.

Trans Inclusion Schools Toolkit – context and history

Brighton & Hove City Council has a long history of working with community and voluntary sector partners to support and challenge schools to provide safe learning environments for all pupils and students.

Since the early 2000s, the PSHE Service has published resources for schools for use in PSHE which explored issues of sexual orientation and gender stereotyping. Work to challenge prejudiced language gained momentum in 2010 with the publication of a Safe Spaces Leaflet which provided scripts for challenging homophobic language. This was provided to schools alongside staff training and Allsorts Youth Project supported with workshops for secondary aged students.

In 2012 Brighton & Hove were placed first in Stonewall's Education Equality Index in recognition of work done with schools to prevent and challenge homophobic bullying.

At this time, perhaps because of the strength of practice related to anti-homophobic bullying a small number of primary and secondary schools began contacting the local authority about children and young people who were saying that their gender identity did not align with their gender assigned at birth. Schools were asking questions about how to support this child and their family and how to ensure that the school was able to respond to any changes related to name, pronoun and dress.

At the same time, public sector organisations across Brighton & Hove identified that this was an area they needed better understanding. In 2013 the Brighton & Hove Trans Equality Scrutiny Panel set out to ask: *what needs to be done to make things fairer for trans people to live, work and socialise in the city?* Panel members listened to trans people's stories of discrimination, disadvantage, transphobia and invisibility. Their final report made several recommendations, one of which was to conduct a full needs assessment to understand the extent of the issues. Extensive qualitative and quantitative research took place led by NHS and Brighton & Hove City Council in partnership with University of Brighton and Community and Voluntary Sector organisations in the city. [The Trans Needs assessment report](#) was published in 2015.

The Trans Needs Assessment highlighted the level of discrimination and prejudice that is ongoing in Brighton & Hove for trans people, but also the strengths of the local trans community and, importantly, provides practical recommendations on how inequality can be tackled and local and national services can be improved. We believe there is no similar needs assessment in the UK.

Allsorts Youth Project appointed its first trans youth workers in 2012 and were then able to offer trans awareness training to teachers and school staff in school. The response from school staff was positive and the feedback was that more support was needed for staff and trans children and young people.

The council decided to write a guidance to support schools that would also build on the good practice already in place to challenge homophobia and biphobia. At that time there were only two documents that offered similar – one from GIREs and another from Cornwall. We used these to support us in developing the first version of the Toolkit. The approach was informed by:

- The Equality Act 2010

- The expertise and lived experience of trans adults at Allsorts
- The experience of trans young people accessing Allsorts' services
- The needs of staff in schools and their experience of what worked to ensure all young people felt included in the school community
- DCSF Sexist and sexual bullying guidance, 2009
- Consultation with GIRES and Gendered Intelligence
- Brighton & Hove Trans Needs Assessment 2015

Since the publication of the first Toolkit the contents have been regularly reviewed looking at new evidence that emerges.

In 2017, Stonewall published 'The Stonewall School Report; the experiences of lesbian, gay, bi and trans young people in Britain's schools', detail on this report can be found in Appendix 2.

We have welcomed contributions and feedback on our Toolkit from national charities such as Stonewall and the Sex Education Forum. We have been reflective about the needs of other groups and given clear messages about how in best practice trans inclusive work is underpinned by work which promotes equality, challenges gender stereotypes and does not condone sexist and sexual bullying and harassment. We have also added to the Toolkit to ensure it takes an intersectional approach. We agree with the RCPCH approach to 'adopt supportive, flexible and responsive attitude to affirm a child's expressed sexuality and gender, whilst being sensitive to change over time'.⁴⁹

The Toolkit has been used by:

- A range of local authorities, for example East Sussex
- Promoted by national organisations – SEF, Stonewall, Mermaids, The Proud Trust, Sexual Education Forum, The Key, NUT and ATL
- Shared on platforms such as The Key for School Leaders
- Recommended by NHS UK – Gender Identity Development Service

In 2019, Brighton & Hove City Council was awarded gold in Stonewall's Children and Young People Services (CYPS) Champion award. Feedback from Allsorts Youth Project members on the Toolkit can be found in Appendix 3.

The work continues – particularly in raising the awareness of parents and carers about spectrums of gender identities.

The Toolkit will be subject to continual review and change in consultation with partners and schools.

Alongside this Brighton & Hove provides support to schools in other equality areas - taking where possible an intersectional approach.

⁴⁹ <https://www.rcpch.ac.uk/resources/supporting-lgbtq-children-young-people#key-messages-for-health-professionals>

Appendix 2 National data

The Government Equalities Office [estimates](#) that less than one per cent of the population is trans. Not all children who explore their gender identity will grow up to identify as trans or non-binary. In recent years, there has been a significant increase in the number of young people seeking specialist support from NHS Gender Identity Development Services⁵⁰; although in terms of overall numbers, the proportion of young people accessing these services is still far less than one per cent of the youth population.

In the [Metro Youth Chances Report, 2016](#) over half of trans respondents (58%) knew they were trans by the age of 13.

Various research studies have shown that mental ill health, suicidal ideation, attempted suicide and completed suicide are of higher prevalence for trans people than cisgender people. Some studies have found trans young people to be at an increased risk of self-harm including the [Stonewall School Report, 2017](#).

The Stonewall School Report, 2017 also found:

- Nearly half of lesbian, gay, bi and trans pupils (45%) – including 64 per cent of trans pupils – are bullied for being LGBT at school
- Almost half of LGBT pupils (45%) who are bullied for being LGBT never tell anyone about the bullying
- Seven in ten LGBT pupils (68%) report that teachers or school staff only ‘sometimes’ or ‘never’ challenge homophobic, biphobic and transphobic language when they hear it
- Seven in ten LGBT pupils (68%) report that their schools say homophobic and biphobic bullying is wrong, but just four in ten (41%) report that their schools say transphobic bullying is wrong
- Three in four LGBT pupils (77%) have never learnt about gender identity and what ‘trans’ means at school
- More than two in five trans pupils (44%) say that staff at their school are not familiar with the term ‘trans’ and what it means
- One in three trans pupils (33%) are not able to be known by their preferred name at school, while three in five (58%) are not allowed to use the toilets they feel comfortable in

In its Annual Reports Allsorts Youth Project also reports on the wellbeing of those attending the project. In 2020, for example 28% of those surveyed reported having done something to injure or harm themselves.⁵¹

It is important to remember that while trans and gender exploring children and young people may face problems in some areas of their lives, many of these problems are not caused by being trans but by the transphobia they experience.

Caution must be exercised when sharing any data on mental health, self-harm and suicidality with children and young people. Guidance on developing suicide aware schools can be found on www.BEEM.org.uk and here:

<https://www.samaritans.org/how-we-can-help/schools/> and <https://papyrus-uk.org/>

⁵⁰ Gender Identity Service <https://gids.nhs.uk/number-referrals>

⁵¹ Allsorts Annual Reports <https://www.allsortsyouth.org.uk/resources/other-publications>

Appendix 3 Support for the Toolkit from Brighton & Hove young people and their parents and carers

The following quotes were gathered at Allsorts Youth Project in 2020.

"For me, the biggest benefit of my school using this toolkit was that it helped me feel like a normal student. My school was prepared to accommodate my needs as a trans student and when they didn't know, they knew how to talk to me about it."

Young person, aged X

Quote from parent 1:

"My son told me he was trans when he was 10 years old. He'd been telling me he was a boy from the moment he could speak, but it wasn't until he started using the word trans that I finally took him seriously. He was so excited that I finally got it. He had waited his whole life to finally be heard and for everyone to start seeing him as a boy. His excitement and enthusiasm for beginning his social transition knew no bounds. He was desperately keen that he tell his friends in school, and all his teachers. We had a meeting with his school, who were wonderfully supportive of him, and they were keen to do whatever we wanted to support him. The problem was we didn't know how to support him. We didn't know how we wanted school to handle his social transition. We barely understood what being trans meant and we did not know any other trans people. It was a bewildering time, and the more questions the school asked the more stressful we felt at our own lack of confidence and information. We were juggling our own feelings around his coming out, questions from family, questions from friends and now questions from school. In a time when we were no longer certain of anything it was totally overwhelming.

Then along came the Trans Inclusion Schools Toolkit. It was such a relief to read some clearly thought out advice on how to handle situations such as changing for PE, using the toilet and behaviour. Our child has been in three different schools and each time he started at a new school we worked with them to look at the Toolkit so everyone could understand how they can support not only our child, but other students. In his most recent school, the effect of this has been that he has felt fully included and safe in school and is now accessing education after many months of school refusal. For us, his parents, we have not had to offer solutions and try and explain the legalities and why these approaches are so effective. The whole process has been quicker and I cannot emphasise what a relief it is to feel like we are all in the hands of experts across many different organisations who have many years of experience in both education and in supporting young LGBT+ people.

The Trans Inclusion Schools Toolkit has enabled parents and educators to quickly, simply and legally see how all children can be supported in schools. Without it I suspect our son would be unable to access mainstream education. With it he is thriving and accessing his lessons which is incredibly important for vulnerable students. His experiences of being trans combined with the gift of education means he is determined to use all of his talents as a working adult to make his community a better place. Thank you"

Quote from parent 2:

"The toolkit was really empowering as parents. The school was pretty reluctant and clueless so having clear guidance (from an official council/local authority document) on what they should be doing definitely made a difference. It was helpful for us as a guide on what we should be asking for/expecting from the school. It's easy to feel like a 'problem'

when asking for an organisation to make changes to accommodate your child especially when it all feels very new. What I liked about the toolkit was that it was very clear that trans children aren't the problem and that schools should accommodate all children and challenge prejudice."

Appendix 4 Further legal framework information

United Nations Convention on the Rights of the Child (UNCRC)

The 54 articles which make up the UNCRC apply to all children and young people and underpin the approach to the rights of all children in the United Kingdom. Here are some extracts:

Article 2

The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity.

For more information see: [UNICEF Conventions on the Rights of the Child](#)

Public Sector Duty of the Equality Act

Under the [Equality Act 2010](#), the [Public Sector Equality Duty](#) requires public sector organisations, such as schools, to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a relevant protected characteristic and those who do not.

It also requires education settings to have equality objectives and information published on their websites.

Appendix 5 Example Equality Impact Assessment Tool

What is an Equality Impact Assessment (EIA)?

An EIA is a considered way of analysing the effect of a policy, practice or project different people (including those with protected characteristics – outlined below) and whether it potentially may have a disproportionate effect on one or more groups.

EIAs help us ensure we are not unlawfully discriminating against certain individuals or groups and that we are promoting our positive equality duties. It is a way to ensure we are meeting the diverse needs of all our pupils, staff and those associated with them (e.g.: families).

EIAs should help ensure that diversity, equality and inclusion run through all areas of school life. It is a process of thinking that should be included as part of the usual policy review cycle. EIAs can also be considered for all new policies and specific projects, e.g. use of the school playground, changes to uniform or toilet facilities.

It is not about more paperwork and should not be done as a ‘tick-box’ exercise. It is a commonsense approach to thinking about what effect policies and actions will have on different people. The effect could be positive, neutral or negative.

Undertaking EIAs help us identify barriers and remove them before they create a problem, increasing the opportunities for positive outcomes for all groups, and using and making opportunities to bring different communities and groups together in positive ways.

What the law says...

Schools have a legal duty (under the Equality Act 2010) to demonstrate due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act,
- Advance equality of opportunity between people who share a ‘protected characteristic’ (see below for list) and people who do not share it,
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

An Equality Impact Assessment (EIA) process can support you to develop inclusive practices (whilst meeting the legal obligations under the Equality Act) in several ways:

- Developing an EIA can help you to reflect on your practices, consider how they might be experienced by different people, and support you in developing a practical action plan to address any issues and further promote good practices.
- The duty to have “due regard” to equality considerations means that whenever significant decisions are being made or policies developed, thought must be given to the equality implications and these must be considered.
- It is good practice for schools to keep a written record to show that they have actively considered their equality duties and asked themselves relevant questions. Publishing it will help to demonstrate that the due regard duty is being fulfilled.

EIA is a practical process and there is no longer a legal requirement for a specific EIA document to be completed. However, evidencing your EIA and the actions you are making as a result, enables schools to evidence compliance with the law. Having this record also helps future decision making.

We have developed the below EIA Toolkit to help you to undertake an EIA and record your assessment.

Groups to consider in your EIA

'Protected Characteristics' in the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Race / Ethnicity
- Religion or belief (including lack of religion or belief)
- Sex
- Sexual Orientation
- Pregnancy and Maternity
- Marriage and Civil Partnership

Key definitions:

Age - people of all ages

Disability - a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities

Gender reassignment - someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

Race / Ethnicity - this includes ethnic or national origins, colour or nationality, including refugees and migrants and Gypsies and Travellers

Religion or belief - religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

Sex - men/boys and women/girls are covered under the Act

Sexual orientation - the Act protects bisexual, gay, heterosexual and lesbian people

Marriage and civil partnership - only in relation to due regard to the need to eliminate discrimination

Pregnancy and maternity - protection is during pregnancy and any statutory maternity leave to which the woman is entitled

Other relevant groups: Every context and situation will be different. We advocate reflecting on the diversity of the group impacted by your practice. This means considering people's needs/strengths beyond the legal minimum set by the Equality Act and thinking more broadly than the protected characteristics. E.g. consider carers, people experiencing domestic violence, substance misusers, homeless people, looked after children, etc. tailored to your specific context.

The Equality Act 2010 duties require consideration of:

- How to avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- How to promote equality of opportunity. This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- How to foster good relations between people who share a protected characteristic and those who do not. This means:
 - Tackle prejudice
 - Promote understanding

Developing your EIA – key questions and steps

- What are the aims of the policy, practice or project?
- What are the specific outcomes you hope to see?
- Who are the intended beneficiaries of this policy or practice? (E.g. all staff/students?)
- What evidence do you have to inform your thinking? This can include data, e.g. attainment data, and qualitative information.
- Can you identify any potential adverse or negative effects/impacts in the implementation of this policy, practice or project for certain individuals or groups – on the basis of their ethnicity, religion or belief, disability, SEN, sex, sexual orientation, age, pregnancy/maternity status, gender identity and other criteria (for example EAL, asylum seekers)?
- Identify whom and how?
- Are there any positive effects/impacts? On whom and how can you maximise these?
- What opportunities are there for ‘fostering good relations’ between groups (also called ‘community cohesion’)?
- Define your priority actions and build them into work plans ensuring they are SMART.
- Who can you involve in your policy/practice review or project proposal which will help you identify any differential effect/impact? Information from beyond your school elsewhere in the city or even nationally may be useful here. You can also draw on EIAs that have been undertaken in the past for information.

If you have thought through the effects/impact of a policy or action and involved people in this thinking, you may still not have uncovered the likely differential effect/impact on certain individuals or groups. That is OK, that will sometimes happen. The point is to bear this in mind in the monitoring and review process and allow flexibility to respond to new information.

If your assessment process identifies that you don’t collect data that would be useful in making this decision, plan to start collecting it and to use in the next assessment.

Action planning and monitoring and evaluation

Your assessment will probably identify several possible actions. Prioritise these so they are meaningful and build them into existing work plans with dates and a named individual who is responsible for the action, to ensure they are completed and monitored.

Make sure that you monitor and evaluate progress to ensure that you are achieving your positive goals and not inadvertently creating barriers for any groups. Review your practice and any changes made as a result of the EIA regularly. You can do this with appropriate groups, to accommodate any changes to your school, community or the law. If you have documented your EIA in an EIA form (see below), you can also use this to record any information about reviews undertaken.

Example Equality Impact Assessment Toolkit - for undertaking and recording your assessment

1. Title of policy, project or practice being reviewed or planned

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2. Outline the aims, objective and purpose of the change including any positive impacts on protected groups.

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3. Does, or could these changes have an adverse effect on members of a protected group? Identifying a negative impact is not necessarily a problem, as it gives you an opportunity to remove the barrier, find a way around it, or offer an alternative.

Protected Characteristics / Group	Yes (brief explanation)	No
Age (staff only)		
Disability		
Sex		
Gender reassignment		
Marriage / civil partnership		
Pregnancy / maternity		
Race / ethnicity		
Religion / belief		
Sexual orientation		
Other group(s) (context specific)		

4. Is there a way to modify the decision to remove or mitigate the negative impact on protected groups while still achieving this aim? How can you maximise positive outcomes and foster good relationships?

5 Outline the decision made and actions planned (with dates).

Appendix 6 – Definitions - bullying and prejudice

Shared understanding of bullying and prejudice-based incidents is important to prevent and respond effectively. The *Brighton & Hove Guidance for Recording and Reporting Bullying and Prejudice Based Incidents* (available on www.beem.org.uk) recommends that all bullying and prejudice is recorded by type. In this way behaviours can be monitored and used to inform practice and to measure the impact of activities.

Bullying

“Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.”⁵²

Transphobic Bullying

Transphobic bullying is when someone is bullied because they are trans, or perceived to be trans.

Where children and young people are perceived not to be conforming to the dominant gender roles that may be widely expected of them, schools should be alert for signs of bullying. Transphobic bullying is commonly underpinned by sexist attitudes and can affect any child or young person. An individual may also experience transphobic bullying as a result of perceptions that a parent, relative or other significant figure does not confirm to stereotypes about gender expression or is trans.

Prejudice-based incidents

This is a one-off incident which is perceived by the victim or any other person, to be motivated by hostility, prejudice or ignorance, based on a person’s perceived or actual ethnicity, sex, disability, religion, beliefs, sexual orientation or gender identity or their association with someone from one of these groups. These can also include indirect prejudice driven behaviour that is not targeted at one individual. The impact of this expression of prejudice against an equality group whether intentional or not can be damaging and must therefore be responded to as a prejudice related incident.

‘Hate Incidents’ is the term widely used by the police and other sectors to describe prejudice-based incidents. Schools should be aware that at their most serious both bullying and prejudice-based incidents should be reported to the police

Transphobic Hate Crime

"Any incident/criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice against a person who is transgender or perceived to be transgender"⁵³.

⁵² Preventing and Tackling Bullying, DfE 2013

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf (Retrieved 26.5.20)

⁵³ Crown Prosecution Service <https://www.cps.gov.uk/legal-guidance/homophobic-biphobic-and-transphobic-hate-crime-prosecution-guidance>

Appendix 7 – Guide to challenging homophobic, biphobic and transphobic language and gender stereotyping: a range of responses

All prejudice-based language should be challenged and recorded. How the challenge is made will depend on the circumstances of the incident, the severity of the incident, who it involves, where it takes place and the intention behind the comment. Further guidance available on www.BEEM.org.uk

Organisational response

- In our school we treat everyone with respect and when you use 'gay' like that it is disrespectful of gay people.
- The ground-rules we agreed at the beginning of the session said we would show respect to each other.
- The anti-bullying policy says that homophobic, biphobic and transphobic language is not acceptable.
- The school policy says that we are all responsible for making this a safe place for everyone. That kind of language is homophobic, biphobic and transphobic and makes people feel unsafe. Therefore, it is unacceptable.
- It's important that at this school people feel able to express their gender however they feel comfortable, so we try to avoid gender stereotypes.
- At this school we want to recognise everybody's strengths and we don't want people to feel limited by expectations that relate to their gender.

Questioning, exploring and explaining

- What do you think that word means?
- What makes you think that?
- Do you realise that what you said is sexist, homophobic, biphobic and transphobic?
- Do you understand what the law says about LGBT people?
- Can you explain what you mean by calling something 'gay'?
- That word is an insulting term for someone who is trans. Do you know what it means to be trans?
- How would you feel if someone spoke about you in that way?
- Do you know what a gender stereotype is? Can you think of why some people might be upset when they hear them at school?

Confronting response

- Language like that is not acceptable.
- You might not think that remark is offensive, but many would.
- What you are saying presents a very stereotypical view of what men and woman are like. When you do that it means that people who don't fit into your way of seeing things can feel left out or ashamed.

Personal response

- I'm not happy with what you said.
- Sexist, homophobic, biphobic and transphobic offends me. I don't want to hear it again.
- What you've said really disappoints / disturbs / upsets / angers me. I hoped you would recognise that it is important to treat everyone with respect and that it is therefore wrong to use such as sexist, homophobic, biphobic and transphobic language.
- I'm really surprised and disappointed to hear you say that. I hoped you would recognise that it is important to treat everyone with respect, and that it is therefore wrong to use such sexist, homophobic, biphobic and transphobic language.

Appendix 8 Trans Inclusive policies – some ideas

Policy	Example of trans inclusive approach (read relevant sections of this toolkit to inform writing of relevant policy section)
Equality Policy	This should be in line with the Equality Act, 2010 and reference gender reassignment as a protected group. This policy could reference this <i>Trans Inclusion Schools Toolkit</i> by saying for example that the setting works within the guidance provided by Brighton & Hove City Council.
Anti-Bullying Policy	Include reference to sexist, homophobic, biphobic and transphobic bullying (alongside bullying of all groups with protected characteristics) and explain how both bullying and prejudice-based incidents are recorded by type, analysed and monitored.
PE and Physical Activity Policy	Include detail on what is in place to ensure all those using changing rooms are kept safe. Include how trans pupils and students will be supported to participate in PE and physical activity (including swimming) and enabled to access changing facilities where they feel safe. Include how changing facilities will be managed for away fixtures.
School visits, trips and residential policies	Include how pupils and students will be supported to participate in residential trips. Include how discussions will be had with trans children and young people and their families to support this.
PSHE Education policies	Include how the PSHE curriculum (including statutory relationships, sex and health education) will support understanding of trans identities and be inclusive of trans children and young people.
Uniform Policy	Uniform items are listed, rather than listed by gender. A statement is included to cover approved changes to swimming costumes for trans pupils and students and others for whom adjustments are needed such as those from faith backgrounds.
Safeguarding, Confidentiality, Data Protection	As appropriate these explain how changes are made to personal information and make clear that: <ul style="list-style-type: none"> ● Being trans is not a safeguarding issue ● Commitment to not 'outing' trans members of the community without their permission unless there are safeguarding reasons for doing so
Special educational needs and disabilities policies / School Offer	Include the statement that SEND pupil or student is just as likely to be trans or gender exploring as any other person and signpost to support their needs.
Teaching and learning / behaviour policies	These actively discourage unnecessary grouping or seating by gender, whilst making clear how single gender groupings will be sensitively managed when deemed necessary to support learning or needs of a particular group. These policies will also encourage approaches which are inclusive, representative of the community and prevent and challenge sexism, homophobia, biphobia and transphobia.

Appendix 9 – Template for good practice statement in working with trans children and young people in our school

Educational settings should include reference to the inclusion of trans children and young people across the policy framework as described in section 4.4. However, some settings may want to clarify for all staff how trans children and young people will be supported. This practice statement can therefore be adapted to reflect school-based practice and shared with staff following training and as one aspect of the setting's practice to improve equality and inclusion.

We will take our lead from children and young people and involve them in making decisions that will affect them
We will involve family members, with the agreement of the trans pupil or student, in making decisions about their child
We will respect and use the pupil's / student's new name, pronouns and title (and apologise for any mistakes made)
We will update our records ("named supporting individual" will be responsible for this and communicating changes made)
We will provide access to a range of appropriate toilets and changing facilities recognising that trans people (as defined under gender reassignment in the Equality Act) can use facilities of their self-identified gender
We will support all pupils and students to wear uniform and PE kit in line with their gender identity
We will only divide pupils and students by gender when there is an educational reason for doing so
We will enable full access to enrichment activities for trans pupils and students
We will support trans pupils and students to access medical appointments if required
We will take confidentiality seriously and not 'out' a trans child or young person without their permission including to parents and carers
We will provide support to a trans child or young person by referring them to "named supporting individual", Allsorts Youth Project and other services as appropriate
We will provide support to the siblings, parents or carers of trans child or young person by referring them to "named supporting individual" and Allsorts Youth Project
We will use the curriculum and other opportunities to challenge gender stereotyping, sexism, homophobia, biphobia and transphobia (as part of our wider equality work)
We will identify, record and challenge <u>all</u> prejudiced incidents and bullying including that which is sexist, homophobic, biphobic and transphobic

(Based on a document produced by Gendered Intelligence:
www.genderedintelligence.co.uk)

Appendix 10 – A whole setting approach to trans inclusion – action planning tool

Area of focus	Suggested activities (these could be RAG rated)	Next steps / Actions identified	In place✓
<p>Trans issues and transphobia are acknowledged across the policy framework</p>	<p>Reference provision that is being made or will be made for trans pupils and students in the Equality Policy.</p> <p>Include an equality objective (Public Sector Duty of the Equality Act) which supports the needs of trans children and young people.</p> <p>Reference transphobia when talking about prejudiced forms of bullying in the anti-bullying policy.</p> <p>In the uniform policy, list uniform items which are acceptable in school, but do not list by gender.</p> <p>When groups of pupils or students are referenced or discussed ensure this includes trans pupils.</p> <p>Confidentiality statements make clear that trans pupils and students have the right to privacy related to their gender identity.</p> <p>If there are 'out' trans pupils and students in the community, ensure their progress and achievement is monitored.</p>		

<p>Acknowledge there could be trans people within the educational setting such as family members, staff, governors and pupils and that they will positively enrich the school community</p>	<p>Ensure that there is a statement in the Equality Information for the school (required under the Public Sector Duty of the Equality Act, 2010) which states that there may be trans members of the community.</p> <p>Use assemblies to celebrate a diversity of trans people and ensure pupils and students understand that transphobia is unacceptable in the school community.</p> <p>Use inclusive language such as 'all genders' to avoid making assumptions about an individual's gender identity.</p>		
Area of focus	Suggested activities (these could be RAG rated)	Next steps / Actions identified	In place✓
<p>Closely monitor all areas of the curriculum, resources and teaching and learning approaches to ensure that where possible:</p> <p>trans people are visible</p> <p>gender stereotypes or transphobic material is avoided and</p> <p>trans pupils and students feel included in the classroom</p>	<p>Avoid grouping by gender whenever possible and certainly when there is no educational reason for doing so.</p> <p>Ensure the library stocks age appropriate books about a diversity of trans children, young people and adults.</p> <p>Discuss and challenge sexism, gender stereotyping and transphobia when it arises and as part of planned opportunities in PSHE education.</p>		
<p>Ensure that the curriculum and PSHE education and work related to spiritual, moral, social, and cultural development is used to challenge gender stereotypes, support the development of a positive understanding of gender identity and prevent transphobia</p>	<p>Books can be used in English or literacy to discuss trans identities, gender stereotyping and sexism.</p> <p>All subjects can provide role models which challenge gender and other stereotypes and raise aspirations for all groups.</p> <p>PSHE education and Relationships and Sex Education from Early Years onwards can be used to develop understanding of trans, gender stereotyping and sexism and to explain that gender identity is a spectrum.</p>		
<p>Effectively challenge, record and deal with transphobic abuse, harassment and bullying (such as name-calling, derogatory jokes, graffiti, unacceptable or unwanted behaviour, intrusive questions) and then monitor incidence of transphobic abuse, harassment and bullying, and use</p>	<p>Bullying and prejudice-based incidents are recorded by type.</p> <p>Guidance or scripts on how to effectively challenge transphobic language and attitudes are provided to staff.</p> <p>Staff, pupils and students are provided with training and educational opportunities to develop skills in challenging all</p>		

<p>this information to inform whole school developments</p>	<p>prejudiced language and behaviour including that which is sexist, homophobic, biphobic and transphobic.</p>		
<p>Area of focus</p>	<p>Suggested activities (these could be RAG rated)</p>	<p>Next steps / Actions identified</p>	<p>In place✓</p>
<p>Include trans issues in equality training for staff and governors and support wider community understanding of trans</p>	<p>All training about groups of pupils and students should include trans pupils.</p> <p>Training on the Equality Act and bullying should contain references to trans pupils and transphobia.</p> <p>Trans awareness training, support or information is provided to the whole school community (including parents and carers).</p>		
<p>Participate in events such as LGBT History Month and ensure visibility of trans people and their achievements</p>	<p>Mark LGBT History Month, Transgender Day of Visibility and/or International Day against Homophobia and Biphobia and ensure that trans people including trans people of colour are represented in this.</p> <p>Use displays to celebrate achievements of a diversity of trans people.</p> <p>Ensure the library stocks age appropriate books about trans children, young people and adults.</p>		
<p>Communication to all parents and carers that includes reference to the work that is going on to make the educational setting trans inclusive and if appropriate signpost to opportunities for them to develop their understanding of trans</p>	<p>Promote on newsletters and the website work going on in school related to gender equality, trans inclusion and work to prevent homophobia, biphobia and transphobia.</p> <p>Signpost from the website to organisations where parents and carers can go to find out more about what gender identity and trans.</p>		
<p>Area of focus</p>	<p>Suggested activities (these could be RAG rated)</p>	<p>Next steps / Actions identified</p>	<p>In place✓</p>
<p>Provide appropriate support to pupils and students who identify as trans and refer</p>	<p>Allies or trusted adults for LGBT pupils and students are identified to talk with or go to with any issues arising in a school day.</p>		

<p>them and their families when needed to national or local services</p>	<p>There are a range of toilets available including toilets for everyone.</p> <p>Name and gender changes are made on systems.</p> <p>Residential trips are accessible to all pupils and students and reasonable adjustments are made when necessary.</p> <p>Signposting to national and local trans support services happens in PSHE education, school journals, school websites and in posters around the school.</p>		
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Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (e.g.: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Trans Toolkit Version 4	ID No.⁶	FCL22
Team/Department⁷	Standards and Achievement, Education and Skills		
Focus of EIA⁸	<p>Brighton & Hove City Council has a long history of working with community and voluntary sector partners to support and challenge schools to provide safe learning environments for all pupils and students. This has included the development of a range of guidance and resources for example:</p> <ul style="list-style-type: none"> • Guidance on identifying, challenging and reporting bullying and prejudiced based incidents • Faith and Belief Guidance for Education Settings • Feeling Good, Feeling Safe (Protective Behaviours Programme for Primary Schools with Safety Net) • Guide to challenging sexist language (for staff) • Anti-Racist Schools Strategy 		

Education settings can choose which of these to apply to policy and practice within their communities.

Since the early 2000s, the Equality & Anti-Bullying and PSHE Services have published resources for schools for use in PSHE which explored issues of sexual orientation and gender stereotyping. Work to challenge prejudiced language gained momentum in 2010 with the publication of a Safe Spaces Leaflet which provided scripts for challenging homophobic language. This was provided to schools alongside staff training and Allsorts Youth Project supported with workshops for secondary aged students.

In 2012 Brighton & Hove were placed first in Stonewall's Education Equality Index in recognition of work done with schools to prevent and challenge homophobic bullying. At this time, perhaps because of the strength of practice related to anti-homophobic bullying a small number of primary and secondary schools began contacting the local authority about children and young people who were saying that their gender identity did not align with their gender registered at birth. Schools were asking questions about how to support this child and their family and how to ensure that the school was able to respond to any changes related to name, pronouns and dress.

In 2013 the Brighton & Hove Trans Equality Scrutiny Panel set out to ask: *what needs to be done to make things fairer for trans people to live, work and socialise in the city?* Panel members listened to trans people's stories of discrimination, disadvantage, transphobia and invisibility. Their final report made a number of recommendations, one of which was to conduct a full needs assessment to understand the extent of the issues. Extensive qualitative and quantitative research took place led by NHS and Brighton & Hove City Council in partnership with University of Brighton and Community and Voluntary Sector organisations in the city. [The Trans Needs assessment report](#) was published in 2015 with a recommendation for work in schools to support trans children and young people.

Allsorts Youth Project appointed its first trans youth workers in 2012 and were then able to offer trans awareness training to teachers and school staff in school. The response from school staff was positive and the feedback was that more support was needed for staff and trans children and young people. The council decided to write a guidance to support schools that would also build on the good practice already in place to challenge homophobia and biphobia. At that time there were only two documents that offered similar – one from GIRES and another from Cornwall. We used these to support us in developing the first version of the Toolkit. The approach was informed by:

- The Equality Act 2010
- The expertise and lived experience of trans adults at Allsorts
- The experience of trans young people accessing Allsorts' services

- The needs of staff in schools and their experience of what worked to ensure all young people felt included in the school community
- DCSF Sexist and sexual bullying guidance, 2009
- Consultation with GIRES and Gendered Intelligence
- Brighton & Hove Trans Needs Assessment 2015

Since the publication of the first Toolkit in 2013, the contents have been regularly reviewed looking at new evidence that emerges.

In 2017, Stonewall published 'The Stonewall School Report; the experiences of lesbian, gay, bi and trans young people in Britain's schools', which continued to highlight the difficult experiences and needs of LGBT young people. Our Toolkit has also been informed by other research and reports as outlined in the appendix in the Toolkit.

We have welcomed contributions and feedback on our Toolkit. We have been reflective about the needs of other groups and given clear messages about how in best practice trans inclusive work is underpinned by work which promotes equality, challenges gender stereotypes and does not condone sexist and sexual bullying and harassment. We have also added to the Toolkit to ensure it takes an intersectional approach.

The Toolkit has been used by:

- A range of local authorities
- Signposted to by national organisations at different times – Stonewall, The Proud Trust, Sex Education Forum and teaching unions
- Shared on platforms such as The Key for School Leaders
- Recommended by NHS UK – Gender Identity Development Service

In 2019, Brighton & Hove City Council was awarded gold in Stonewall's Children and Young People Services (CYPS) Champion award.

The need for this Toolkit remains as there is no national agreed guidance or guidance written by the Department for Education or Equality Office.

The Trans Inclusion Schools Toolkit was written in response to identified needs of trans children and young people, as for example the 'Faith and Belief Guidance for Education Settings' was informed by needs of pupils and students of faith and schools asking how best to support them.

	The consultation on version 4 of the Toolkit showed that there were concerns related to the potential impact of the Toolkit on other groups. This EIA document describes and aims to address these concerns, by clarifying what has been included in the Toolkit to ensure balance of needs of pupils and students at a school level.
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2. Update on previous EIA and outcomes of previous actions⁹

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)
As explained in section 1, the 2013 / 2014 <i>Trans Inclusion Schools Toolkit</i> was an outcome of identified needs.	Schools were reassured to have guidance. Parents and carers of trans children and young people attending Allsorts' parents group reported positively about support being provided in schools.	Continual review of the Toolkit to ensure it reflects changes in guidance and understanding.
Second edition of the <i>Trans Inclusion Schools Toolkit</i> (2017) resulting from feedback from schools	Additions were made in response to questions and requests from schools: <ul style="list-style-type: none"> • Policy development • Auditing and reviewing the whole school environment • Transfer from primary to secondary school • Non-binary children and young people 	Continual review of the Toolkit to ensure it reflects changes in guidance and understanding.
Third edition of the <i>Trans Inclusion Schools Toolkit</i> (2018) resulting from feedback	Small changes were made to content and language used particularly in the following areas: <ul style="list-style-type: none"> • Supporting gender questioning children and young people in a child and young person led way • Promoting gender equality and ensuring environments that are free from bullying and harassment for all • Safeguarding 	Continual review of the Toolkit to ensure it reflects changes in guidance and understanding.

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹⁴	The Trans Toolkit has been written for use in infant, junior, primary, secondary and special schools. It will also be shared with sixth form colleges.	<p>In the online consultation (March 2021), there was a criticism made that guidance was not provided to support trans and non-binary staff.</p> <p>25% of parents of primary age pupils thought the Toolkit was not important (March 21) and this is the group which show highest levels of disagreement with the approach taken. Comments show concern about the “indoctrination” of young children.</p>	There is no evidence of harm being done to primary age children since the Toolkit was introduced in 2014. However, more needs to be done to reassure and explain to parents what trans inclusive practice looks like in primary settings. There is no change to the key principles in the Toolkit as the advice is relevant to primary settings.	<p>A paragraph about trans staff has been added to the Toolkit.</p> <p>The Trans Toolkit is clear that the role of schools is to work with each child on an individual basis in partnership with parents and carers when possible and without making assumptions.</p> <p>The PSHE curriculum at primary age is concerned with work to challenge gender stereotypes and to represent the diversity that is within school communities.</p>
Disability	LGBT disabled pupils are more likely to experience homophobic, biphobic and transphobic bullying than non-disabled LGBT pupils (60 per cent	A parent of an ASC child warned that the lack of understanding of social constructs (i.e. gender) is causing some young people confusion and	More research is needed ¹ to understand relationship between ASC and gender identity. This section of the	We have reviewed the information in the Toolkit related to young people with Special Educational Needs and Disabilities and have:

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>compared to 43 per cent)¹.</p> <p>There is some evidence to show a link between gender dysphoria and autism, and that autistic people may be more likely than other people to have gender dysphoria².</p>	<p>sometimes to identify as trans, when in fact they are simply not able to fit in the 'traditional ' box.</p> <p>The online consultation (March 2021) raised concern that children with SEND might be sanctioned for not understanding about trans identities.</p>	<p>guidance will need to be regularly reviewed.</p>	<p>-signposted to the National Autistic Society which includes a page of research related to ASC and trans identities.</p> <p>- recommends providing individual support on case by case basis that does not make assumptions and signposts schools to ask the council if further support is needed</p> <p>- explains that some pupils with SEND may need support in understanding a range of differences within the school community.</p> <p>Staff from Brighton & Hove's Inclusion Support Service are providing training to schools on supporting ASC trans pupils and acknowledge the potential range of</p>

¹ Retrieved from https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf

² Retrieved from <https://www.autism.org.uk/advice-and-guidance/what-is-autism/autism-and-gender-identity>

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>reasons for the larger numbers of trans young people who are ASC.</p> <p>School based workshops delivered by Allsorts Youth Project will support secondary age student understanding of LGBT identities and the impacts of LGBT bullying.</p>
Gender reassignment¹⁵	<p>Trans pupils are at particular risk of bullying: half (51 per cent) are bullied at school for being trans. One in three trans pupils (33 per cent) – don't feel safe in their school. More than two in five trans pupils (44 per cent) say that staff at their school are not familiar with the term 'trans' and what it means. More than four in five trans young people (84 per cent) have deliberately harmed</p>	<p>Young people interviewed in focus groups (March 2021) fed back that there was inconsistency in school staff understanding of trans issues, that negative 'banter' was experienced by trans pupils and students along with not using correct names and pronouns. "Some people can be nasty and then people should be dealt with as trans children shouldn't have to deal with hate and discrimination". Year 10 survey, March 2021.</p>	<p>There is a continued need for the Trans Inclusion Schools Toolkit</p>	<p>The review of the Toolkit:</p> <ul style="list-style-type: none"> -clarified the definition of trans pupils and students able to access single sex spaces (Using language of Equality Act and DfE Advice for schools) - further emphasised that schools are not involved in medical transition - clarified safeguarding procedures for trans pupils and students.

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	themselves at some point. ¹	Young people spoken to and in the Year 10 student survey were clear that more work needed to be done to challenge gender stereotypes.		
Pregnancy and maternity¹⁶	N/A			N/A
Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	Children and young people from racially minoritised communities may also be trans which may bring additional layers of complexity and for some accessing support more difficult. 51% of BAME LGBT+ people have experienced racism in LGBT+ spaces ²	Consultation on the Anti-Racist Schools Strategy has highlighted the need for deep and effective improvement in anti-racist practice in schools.	We need to continue to develop anti-racist practice in schools and continue to acknowledge that people's identities are not separate and always intersect. There is a need to continue to engage with a diverse range of communities on school equality and anti-bullying practice.	Added further advice and intersectionality in the Toolkit with signposting to specific resources. Brighton & Hove City Council is developing a Five Year Anti-Racist Schools Strategy. This Toolkit will be reviewed in the light of this strategy. Will continue to support schools to engage with diverse range of communities in their schools on equality issues.

¹ Retrieved from https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf

² Stonewall <https://www.stonewall.org.uk/news/racism-rife-lgbt-community-stonewall-research-reveals>

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Religion or belief¹⁸	Children and young people from faith communities may also be trans which may bring additional layers of complexity and for some accessing support more difficult.	<p>There was a range of views expressed about the Trans Toolkit by faith community representatives at the Standing Advisory Council for RE, although all were keen to prevent bullying. One concern raised was about how a child with strongly held faith beliefs about LGBT identities which may be counter to some views would be treated in classroom discussion about the issues.</p> <p>There is diversity within and between faith communities and so care needs to be taken not to assume that someone of faith is 'anti-trans' (school staff feedback via email, April 2021).</p> <p>The local dioceses want to offer support to Church of England and Catholic schools for trans children</p>	There is a need to continue to engage with faith and belief communities about school practice in this area to build understanding.	<p>Following feedback and consultation we have strengthened sections:</p> <ul style="list-style-type: none"> - on engaging with parent communities and on dealing with difference in view-points in classroom discussion - taken an approach which avoids assumptions being made about faith communities attitudes to LGBT communities <p>Added a section signposting Church of England and Catholic schools to their relevant diocese for support with trans children and young people.</p>

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		and people. In the consultation concern was raised that this might mean pupils in different schools get different support.		
Sex¹⁹	<p>There are national concerns about sexist and sexual bullying in education settings.</p> <p>Brighton & Hove City Council has seen no evidence either in research or in the city's schools that a trans child or young person (as defined under the gender assignment definition in the Equality Act) in a single sex facility presents any more of a threat to another child or young person than any member of their peer group.</p>	<p>In the Year 10 survey (2021) a participant wrote: "I think it is imperative that resources should be used on addressing misogyny and sexism in the school, seen as this affects far more pupils and the outcomes for girls who become women in the future." The need to do work in schools to challenge misogyny and sexism is echoed in the parent and staff surveys.</p> <p>From the online consultation - "It is essential that we are able to discuss sex as a material reality in school, without fear of complaint to ensure that students</p>	<p>Schools supported by the council need to continue and strengthen efforts to prevent and respond to sexist and sexual bullying and harassment.</p> <p>Trans Inclusion is an area of continuing discussion with a polarisation of views locally, nationally and internationally.</p>	<p>There has been and continues to be support offered to schools to prevent and challenging sexist and sexual bullying and harassment. The Trans Toolkit also supports this by noting the central importance of work to prevent and challenge gender stereotypes.</p> <p>The Toolkit clarifies discussions about sex-based oppression will still happen in schools – this can sit alongside use of inclusive language when appropriate.</p> <p>The concerns about girls' safety in toilets, changing rooms and concerns raised about trans girls</p>

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		<p>understand the reality of sex-based oppression”</p> <p>Some responses to the consultation also raised concerns that the Toolkit was a threat to the rights and safety of girls. This concern about the Toolkit was also raised by some individuals in the Autumn term 2020 consultation and some individuals outside of the consultation who may be aligned with a “gender critical” perspective.</p> <p>Criticism of use of the terms “sex assigned at birth” and “cisgender” by some in the online and face to face consultation.</p> <p>Anecdotal evidence from young people at Allsorts Youth Project is that the majority of trans young people do not use single sex toilets.</p>		<p>and sports have been listened to and adjustments have been made to the Toolkit in response. For example:</p> <ul style="list-style-type: none"> -The Toolkit has always recommended a mixed model of toilets where possible and where resources allow a block of single stall floor to ceiling toilets which would also provide a solution for non-binary pupils and students. - Revisited terms i.e. sex and gender using national or international sources - Acknowledged there are different perspectives on language. - Sex assigned at birth” has been changed to “sex registered at birth”- aligning with the language of the national census 2021. - clarified that access to single sex spaces is only

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		All the young people spoken to in the focus group consultation (March 2021) supported trans people being able to use a toilet in line with their gender identity. The majority of respondents in the online consultation (March 2021) agreed with the approach taken in section 6 of the Toolkit.		for those who fit the definition of gender reassignment and made clear the need to use a case by case basis and to seek further support from the council if needed. <ul style="list-style-type: none"> - highlighted need for a school-based EIA when making for example changes to toilets -reminded schools of duties to ensure all pupils feel safe in all parts of the school and to report when they don't feel safe - strengthened the principle that there is more than one way to be a boy or a girl, to keep safe from bullying those who do not dress or act in gender stereotypical ways -signposted to national guidance in relation to access to competitive sports.

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>The council continues to support access to a single sex space by someone who fit the definition of gender reassignment outlined in the Equality Act 2010 under the provisions outlined in the Toolkit.</p> <p>The council will continue to do its best to ensure discussions on this issue in and around schools are respectful.</p>
Sexual orientation²⁰	<p>Data from Stonewall and Allsorts Youth Project continues to show the vulnerability of lesbian, gay and bisexual pupils to bullying.</p> <p>Two in five LGBT pupils (40 per cent) are never taught anything about LGBT issues in school or college¹</p>	<p>Young people in the focus groups said that gay name calling and homophobic bullying occurs in schools.</p>	<p>Work to challenge homophobic, biphobic and transphobic bullying needs to continue in school settings.</p>	<p>The Toolkit shas strengthened its messages that:</p> <ul style="list-style-type: none"> -there is more than one way to be a girl / boy - those who do not confirm to gender stereotypes should not be assumed to be trans and should equally be protected from bullying and prejudice

¹ Retrieved from https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>- that trans inclusive practice sits alongside work on LGBT+ inclusion more widely.</p> <p>Brighton & Hove secondary schools continue to access support from Allsorts Youth Project to support LGB students and classroom activities that raise awareness of the impact of LGB bullying.</p>
Marriage and civil partnership²¹	N/A			N/A
Community Cohesion²²		The consultation showed polarised views on how to approach trans inclusion in schools.	The local discussion of these issues mirrors national debate. However, Brighton & Hove City Council takes the position that the approach taken in the Trans Inclusion Schools Toolkit supports the needs of a small vulnerable group without, risk over and above that already existing, to the	<p>Communicate effectively about the range of support the council provides to schools in relation to anti-bullying and equality.</p> <p>Ensure that all strategic work to support groups in schools is joined up and intersectional.</p>

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			wellbeing of other groups.	Support schools to effectively engage with diverse groups of parents and carers about their equality and anti-bullying practice and their relationships, sex and health education curriculum.
Other relevant groups²³	Currently, non-binary and people with differences in sexual development are not covered by the Equality Act, but may be subject to bullying and prejudice in schools. Gender non-conforming and gender exploring young people may also be subjected to bullying and prejudice (see sex section for additions to the Toolkit in response to this.)	In the consultation we were asked to include more ideas for the inclusion of non-binary pupils and those with differences in sexual development in schools.	We need to reflect further on the needs of these groups and in reviewed versions of the Toolkit or other related guidance ensure support is provided relevant to their needs.	Updated definition of Intersex to refer to differences in sexual development. Added more information in relation to non-binary students.

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Cumulative impact²⁴	<p>We know that people with intersecting identities can experience multiple oppressions and barriers to asking for support. (See sections above).</p> <p>We also know that transphobia, homophobia, biphobia, stigma and discrimination and social isolation can have a significant impact on the mental health of LGBT+ people¹.</p>	See sections above	See sections above	<p>See above for intersectional approach.</p> <p>We have added further signposting to mental health support in the Toolkit.</p>
Assessment of overall impacts and any further recommendations²⁵				
<p>Following extensive consultation and a process of listening and reflection in response to that consultation changes and clarifications have been made to Version 4 of the Trans Inclusion Schools Toolkit. Some of these changes are captured in the final column of the grid above. The Toolkit maintains an approach to trans inclusive practice in line with that held by Brighton & Hove City Council.</p> <p>However, we undertake assessment of equality impact on an ongoing basis and this Equality Impact Assessment along with the Trans Inclusion Schools Toolkit will be subject to annual review.</p>				

¹ Mind <https://www.mind.org.uk/information-support/tips-for-everyday-living/lgbtiqplus-mental-health/about-lgbtiqplus-mental-health/>

4. List detailed data and/or community feedback that informed your EIA / informed Version 4 of the Toolkit

Title (of data, research or engagement)	Date	Gaps in data	Actions taken to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
School and Sixth Form staff / head teachers engagement via email / bulletins, Trans Awareness Training and Head teacher meetings	Between Summer Term 2020 and Spring Term 2021	Some responses were made, particularly following training. However, responses were limited – this was during Covid and lockdown and schools were faced with considerable challenges.	Online consultation devised which schools were asked to disseminate to all school staff.
Governor engagement via trans awareness training	Autumn term 2021	This was offered to all governors with a group of 20 signing up for the training and consultation.	Online consultation devised which was sent to all governors.
National and local LGBT organisations	Autumn Term 2021	A good response from national organisations.	Continue to engage with local LGBT groups supporting adults in the community.
Meetings with Catholic and Church of England diocese	July 2020	None	Ongoing discussions as part of council's relationship with the diocese.
Local youth organisations	Autumn 2020	None	None
Engagement with Standing Advisory Council for RE (SACRE) and diocese	October 2020	Two sessions were offered to SACRE members to attend and discuss the Toolkit. Not all faith groups were represented at these meetings.	Reached out to key individuals offering further opportunities for discussion. Continue to engage with faith and belief communities about school practice in this area to build understanding.

Engagement meeting(s) with services supporting women in Brighton & Hove (The Women's Centre, Rise, Oasis Project and Survivors Network) and emailed Mankind.	November 2020	None	Continue to work in partnerships to support violence against women and girls' agenda.
Reading and consideration of: <ul style="list-style-type: none"> • Transgender Trend EIA on 'Allsorts Toolkit' (2018 version): • Reading of Transgender Trend's Resource Pack for Schools, 3rd Edition • Reading of small number of emails sent to the council in opposition to the Toolkit 	Autumn Term 2021	None	None
Young people's consultation via TEAMS – 12 young people across 4 settings	December – March 21	Access to discussions with children and young people about the Toolkit was problematic because of COVID and lockdown.	Online consultation devised which schools were asked to disseminate to all Year 10 students.
Relevant Council Teams	September – December 2020	None	Ongoing discussions to ensure joined up work across teams and strategies.

5. Prioritised Action Plan²⁶

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
Support for trans children and young people in schools	Present report to Children, Young People and Skills Committee	The Trans Toolkit signed off and recommended for dissemination to schools.	Trans children, young people and their families report positively on support provided by schools (reported to Allsorts Youth Project and via surveys)	12 th June, 2021
Support for trans children and young people in schools	Design of Toolkit	Improve accessibility and readability of the Toolkit for school staff	Trans children, young people and their families report positively on support provided by schools (reported to Allsorts Youth Project and via surveys)	End of August 2021
Support for parent and carer understanding of equality and anti-bullying practice in schools	Design of web page on Brighton & Hove City council website for parents and carers which shares and signposts to information about bullying and equality. This will include key messages in relation to support for trans children and young people.	Increased knowledge of council support for schools' equality and anti-bullying practice. Increased knowledge of where to go for help if child is experiencing bullying and prejudice.	Increased parental understanding of work in schools to support groups protected under the Equality Act	September 2021
Support for trans children and young people in schools	Dissemination of Toolkit to Brighton & Hove schools and sixth form colleges	Pdf version of the Toolkit emailed to schools and disseminated via the Bulletin. The Toolkit will be hosted on	Trans children, young people and their families report positively on support provided by schools (reported to	September 2021

		www.beem.org.uk and Allsorts Youth Project resources page.	Allsorts Youth Project and via surveys)	
Support for trans children and young people in schools	Trans awareness training for school staff provided through the council and Allsorts Youth Project.	Increased confidence in supporting trans children and young people	Trans children, young people and their families report positively on support provided by schools (reported to Allsorts Youth Project and via surveys)	Ongoing
Support for non-binary and Intersex / Young people with Disorders of Sex Development	Continue to develop understanding of the needs of these groups through training.	Changes to the Toolkit or additional guidance if required.		September 2022
Support for trans children and young people in schools	Review of EIA and the Trans Inclusion Schools Toolkit in line with new guidance, research and any needs identified. Review will also take into account relevant strands of the council's Anti-Racist Schools Strategy and any other resources or guidance developed to ensure these are 'joined up'.	Changes to the Toolkit.	Trans children, young people and their families report positively on support provided by schools (reported to Allsorts Youth Project and via surveys)	September 2022 (and annually)
Support for all groups in schools protected under the Equality Act	Continue to offer and provide anti-bullying, equality and PSHE guidance, resources, consultancy and training to schools in relation to sex, race, religion and belief and disability, sexual orientation and gender reassignment.	Continued provision of guidance, resources, consultancy and training.	Pupil and student surveys show reductions in reported prejudiced based bullying.	Ongoing delivery through council services including: Equality & Anti-Bullying Service, PSHE Service, Gypsy Roma Traveller Service, BHISS, Ethnic Minority Achievement Service, SEND support.

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment: Sam Beal

Date: 14.5.21

Directorate Management Team rep or Head of Service/Commissioning: Mark Storey

Date: 25.5.21

CCG or BHCC Equality lead:

Anna Spragg

Date: 25 May 2021

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

-
- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
 - **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
 - **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
 - **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
 - **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
 - **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
 - **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their ‘protected characteristics’ (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups’ vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give ‘due regard’ (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved

-
- The numbers of people affected
 - The size of the likely impact
 - The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

4 When to complete an EIA:

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

5 Title of EIA: This should clearly explain what service / policy / strategy / change you are assessing

6 ID no: The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

7 Team/Department: Main team responsible for the policy, practice, service or function being assessed

8 Focus of EIA: A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.

-
- How does it fit with other services?
 - Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
 - What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
 - What do existing or previous inspections of the policy, practice, service or function tell you?
 - What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write ‘not applicable’.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹² Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.

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- Be realistic: don't exaggerate speculative risks and negative impacts.
 - Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
 - Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹³ Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹⁴ **Age:** People of all ages

¹⁵ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁶ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁷ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁸ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁹ **Sex/Gender:** Both men and women are covered under the Act.

²⁰ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²¹ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²² **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²³ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁴ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁵ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁶ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

Subject:	Early help review and development of a city-wide strategy to support children, young people, and families at risk of disadvantage		
Date of Meeting:	14 June 2021		
Report of:	Executive Director of Families, Children and Learning		
Contact Officer:	Name:	Caroline Parker / Carolyn Bristow	Tel: 01273 293587
	Email:	Caroline.parker@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE.**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Council is committed to improving outcomes for the most disadvantaged families and children. It is recognised that there are multiple factors creating and compounding issues of disadvantage for children, young people, and families across our city. These often result in poorer educational, health and skills outcomes. In addition, while there are areas of deprivation in wards across the city, some areas have significantly high indices of deprivation (measured in low super output areas) compared to others. The longer-term impact of Covid for families and communities is likely to be significant, particularly in relation to factors known to increase disadvantage, such as poverty, living conditions, unemployment, relationships, mental health, and wellbeing.
- 1.2 Nationally the Government has committed to extending the Troubled Families Programme and has renamed this as the Supporting Families Programme. The paper explains Supporting Families in more detail and the commitments the Council has signed up to.
- 1.3 Locally the Council plans to lead a multi-agency review of early help with the aim of improving the coordination of services to improve the outcomes of disadvantaged families. This will include transforming the way data is shared across different services and organisations.
- 1.4 This report also outlines plans to develop a strategy to support children, young people, and families at risk of disadvantage.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the national requirements of the Supporting Families Programme.

- 2.2 That the Committee notes the proposal for a multi-agency programme to review and develop early help services to improve the outcomes of disadvantaged families. This will include reviewing children's centres and considering the option of children's centres delivering services for a wider range of children and families including developing a Family Hub model of support. Consultants will be used to support the review.
- 2.3 That the Committee notes plans to develop a strategy to support children, young people, and families at risk of disadvantage.
- 2.4 That the Committee agrees to create a new task and finish cross-party Member working group to support and inform the Early Help review and strategy development.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 Working Together to Safeguard Children states "Providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years. Early help can also prevent further problems arising; for example, if it is provided as part of a support plan where a child has returned home to their family from care, or in families where there are emerging parental mental health issues or drug and alcohol misuse".
- 3.2 There is a 'Whole Family Working – A Strategy for Early Help,' which was agreed by the Local Safeguarding Children's Board in March 2018. The purpose of the strategy was to agree a collective commitment that whole family working, and early help is the responsibility of everyone who works with children and families. Whole family working means: an assessment that takes account of every family member, a single outcomes-focused plan and one lead worker for the family who coordinates the plan and the work of other professionals. There is a focus on reducing duplication of intervention, the 'referring on' culture and the number of professionals involved with a family, whilst recognising that sometimes specialist help and advice is necessary. The aim of the strategy was to transform services to improve outcomes for vulnerable families and reduce the demand for high cost services. This strategy now needs updating.
- 3.3 The Council leads a multi-agency early help partnership which brings together services both within and outside the Council. The aims of the Partnership are to:
 - Provide effective leadership to further develop multi-agency integrated commissioning and delivery of support for vulnerable families
 - Promote a multi-agency early help and whole family approach within and across partner services and organisations with a focus of addressing need early and preventing escalation into statutory services
 - Develop a digital transformation strategy to ensure that technology, data, and information are shared across the early help system to better coordinate interventions, assess vulnerability / risk and deliver value for money

- 3.4 A peer review by the Local Government Association (LGA) in January 2020 found that there are good services, provided by a range of agencies or in partnership, which are leading to better outcomes for children and families. But the whole system is not yet coherently aligned to make the best and most efficient use of these resources. A Summary of the LGA Review is at Appendix 1. An in-depth Early Help System review was completed in December 2020 using the national Troubled Families self-evaluation framework. This identified areas which are well developed, improving and less developed in Brighton and Hove. A summary is at Appendix 2.
- 3.5 The SEND Strategy includes an action to: “Review the early help offer in the city to reduce health and social care inequalities and to improve support for children and families with SEND.
- 3.6 Covid has led to changes in the way that services work and there is a high demand for support.

The Supporting Families Programme (previously known as Troubled Families)

- 3.7 The Supporting Families Programme (SFP) is led by the Ministry of Housing, Communities and Local Government (MHCLG). It aims to transform the way family services are delivered in local areas, making them more coordinated, family-centred and data driven. The programme champions whole family and multi-agency working to support vulnerable families, that is those experiencing multiple disadvantages such as worklessness, domestic abuse, and poor mental health. In March MHCLG has announced details of the transition from Troubled Families to Supporting Families to focus on supporting vulnerable families to build resilience and thrive and on enabling system change locally and nationally.
- 3.8 Funding beyond 2021 / 22 has not been announced, but it has been made clear that the current year is to be spent preparing for a new Supporting Families programme to be launched in April 2022. Future funding may be linked directly to achieving transformation, as a means of incentivising change.
- 3.9 The mandatory grant conditions for 2021/22 are:
- to integrate and transform local public services to embed whole family working using the Early Help System Guide to inform the development, refinement and implementation of early help and data strategies
 - achieve outcomes for 398 families, plus submit progress data on any other families supported
 - establish a strategic partnership data governance forum to explore data sharing from population to person level, partnership investment in shared data transformation, development of joint analytics, identification of and overcoming barriers and sharing of good practice.
 - participate in a data sharing pilot project to share all early help data on families from the point of referral through to outcomes, plus share population measures used to track impact of support in reducing crime, homelessness and demand for children’s social care.
 - provide sufficient coordination to achieve the required commitments and ensure sufficient developmental and analytical resource to deliver data

transformation.

- 3.10 The Council is bidding for funding from the Government's Local Data Accelerator Fund. The £7.9 million fund aims to support exemplar data projects that improve outcomes for children and families. The outcome of the bid should be known in June or July. Bids have to include two or more local authorities and Brighton and Hove is partnering with Newcastle as they also use Eclipse.

Family Hubs

- 3.11 Across the country there are over 150 Family Hubs registered with the Family Hub Network. Family Hubs provide a central access point for integrated family services, whether this is a building named a Family Hub, a building with another title, or a virtual access point. They aim to ensure families with children and young people aged 0-19 receive early help to overcome a range of difficulties and build stronger relationships. Family Hubs have been developed from a range of different buildings including children's centres.
- 3.12 In March 2021 the Government published the "Best Start in Life: A Vision for the First 1001 days. These 1,001 critical days are a unique period for a baby that sets the foundations for lifelong emotional and physical wellbeing. The recommendations included a welcoming hub for families: family hubs as a place for families to access Start for Life services. In this model services are focussed on children under 5.

Early Help Review and Development Programme

- 3.13 An organisation called Peopletoo have been commissioned to support the Council with reviewing and developing proposals to improve early help. The Review will also contribute to developing a citywide strategy to improve the outcomes of disadvantaged children, young people, and families.
- 3.14 The review and development programme will include:
- Creating a visual map of the existing Early Help system across the city, including the role of external partners.
 - Working with parents, children and young people, staff, and partners to identify what needs to change, what success would look like, and how to make change happen focused on the priority of tackling disadvantage.
 - Developing an overarching Outcomes Framework for disadvantaged children and families, linking across to wider Council and citywide work on disadvantage as it develops.
 - Identifying whether there are inefficiencies and duplications in the existing Early Help system, including looking at family journeys and experiences.
 - Considering options for digital transformation including improved information sharing and data integration.

- Defining a future model for early help and developing a business case for any proposed changes including any possible efficiency savings or invest to save opportunities.
 - Consulting on any proposed changes and amending proposals to take account of feedback.
- 3.15 The review will look at the models of Family Hubs used in different local authorities and consider the advantages and disadvantages of changing the way children’s centres operate in the city. The review will also look at the very different way children’s centres have worked during Covid.
- 3.16 Co-production is fundamental to the way People work. They intend to engage with a wide a range of internal and external partners, children and young people and parents and carers to understand individual and service perspectives to inform and influence the work. Specific engagement will take place to understand the needs of Black and Minority Ethnic families in the current system.
- 3.17 Outline timescales for the early help review are as follows:

May - Aug 2021	Scoping work as described above
July 2021 onwards	Establishment of Cross Party Member Working Group
Sept - Dec 2021	Progress report to the November Children, Young People and Skills Committee Discussion at the Early Help Partnership Board Submission of Full Business Case to Corporate Modernisation Board Preparation for any consultation
Jan - Mar 2022	Formal public and staff consultation process if needed
April 2022 onwards	Public consultation outcomes and start of implementation – timing to be determined based on the proposed changes

Development of a city-wide strategy to support children, young people, and families at risk of disadvantage

- 3.18 There is a city commitment to working in partnership to better identify and support those children, young people, and families in need. Those who are most at risk of being disadvantaged, those who face increased barriers to reaching success. The drivers for developing this strategy now include
- The need to update the whole family working / early help strategy
 - The findings from the LGA review and the early help system guide self-evaluation
 - Our local involvement in the Supporting Families programme
 - The early help review and development programme as set out above

- The impact of Covid particularly on those who are at risk of being disadvantaged
 - Disparity between how different communities in the city achieve
 - Importance of community engagement on this matter
- 3.19 The local authority intends to support and facilitate the development of a city wide, multi-agency, coproduced strategy.
- 3.20 Coproduction is a central principle of strategy development. This means speaking directly with children, young people, and their families to learn from their lived experience and include them in designing our future.
- 3.21 The work to develop a strategy will be at the centre of the work of the Early Help review and this will include:
- Talking to stakeholders including families about what we all understand by being at risk of disadvantage
 - Consider the impact of Covid on residents included in the scope of this strategy
 - Exploring what outcomes we want to see for families – what do we want to see change
 - Looking at what data is available to understand the experience of families at risk of disadvantage and explore digital transformation opportunities to better support them
 - Mapping what work is already happening to support families in the city so this can be better promoted and accessed by those that need it most
 - Aligning the strategy to existing work e.g. on mental health / youth work / skills and employment agenda/ anti-racism/anti-poverty/community wealth building
- 3.22 Working to develop a focused strategy to tackle disadvantage is a way to ensure there is coherent and coordinated approach to combatting disadvantage.
- 3.23 Funding of £25,000 has been allocated to support the development of this strategy and work is underway to develop and appoint to a new engagement and project manager role, who will support the coproduction of the development of the strategy.
- 3.24 It is anticipated there will be a draft strategy available for full consultation in Spring 2022

Cross Party Member Working Group

- 3.20 The proposal is also to create a new time limited cross -party working group to oversee the early help review and the development of the disadvantaged strategy. The group will last for six months with the option of extended the work by a further six months if needed.
- 3.21 A copy of the draft terms of reference and membership is given in Appendix 3.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 An alternative option would be to just focus on Council services rather a citywide approach to improving outcomes for disadvantaged families, but this would be less effective and limit the impact and success.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The review will consider how best formally to involve families, community representatives and staff in co-designing the shape of future services. The involvement of stakeholders in this work is crucial and will be a key part of the development of future services.

6. CONCLUSION

- 6.1 A holistic review of existing preventative services and early help provision is the best way to ensure that future financial decisions are focused on reducing inefficiencies and duplication across the system, whilst addressing gaps and targeting resources to support those families most in need and at risk of multiple disadvantage. This includes FCL services, wider BHCC services working with families (e.g. housing), health services (including health visiting and school nursing, both child and adult mental health, and drug and alcohol services), the police, schools and voluntary sector services working with families.
- 6.2 The work planned for the Early Help review is the necessary preparatory work for developing a citywide wide strategy for tackling disadvantage in families

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Funding for the Supporting Families Programme has been extended for 2021/22. This is £0.946m and contributes to the Council funding for the Integrated Team for Families, Front Door for Families and management and performance support. Council core funding for the Integrated Team for Families is £0.653m

The Children's Centre budget for 2021/22 is £1.456m.

Corporate Modernisation Funding of £80,000 has been agreed to pay for the early help review in 2021/22. The cost of the consultants is £47,000. Funding of £25,000 was agreed in the budget to develop the disadvantaged strategy.

Finance Officer Consulted: Steve Williams/ David Ellis Date: 29 April 2021

Legal Implications:

- 7.2 Local authorities, under section 10 of the Children Act 2004, have a responsibility to promote inter-agency co-operation to improve the welfare of all children. The

council has statutory duties to identify and provide services to children in need under the Children Act 1989. Early help is recognised as vital to prevent children becoming in need of protection.

- 7.2.1 Local Authorities must have sufficient children's centres to meet the needs of young children and parents living in the area, particularly those in greatest need of support. In summary the discharge of the sufficiency duty involves the Local Authority considering and assessing three things: the need for children's centres in their area; what provision would be enough to meet that need; and what number of children's centres it would be reasonably practicable for the Local Authority to provide, taking into account such matters as affordability, and practical considerations such as the availability of appropriate buildings, geographic location, and accessibility.
- 7.2.2 There is a need for a consultation before any decision is made: Section 5D of the 2006 Act provides that:
- (a) An English local authority must secure that such consultation as they think appropriate is carried out –
 - (b) before any significant change is made in the services provided through a relevant Children's Centre.
 - (c) before anything is done that would result in a relevant children's centre ceasing to be a children's centre...”.
- 7.2.3 The consultation should explain how the local authority will continue to meet the needs of families with children under 5 as part of any reorganisation of services. It should also be clear how respondents' views can be made known and adequate time should be allowed for those wishing to respond.

Lawyer Consulted: Natasha Watson Date: 11 May 2021

Equalities Implications:

- 7.3 The aim of the review will be to ensure that outcomes for disadvantaged families improve. This will include completing a detailed Equalities Impact Assessment as part of the review.

Sustainability Implications:

- 7.4 Sustainability implications will be considered including how far families have to travel to access services.
- 7.5 By supporting families most in need earlier reduced demand on more expensive targeted services, enabling service provision in the city to be more sustainable and available to others who are in need.

Brexit Implications:

- 7.6 Not yet known and will be considered as part of the review.

Any Other Significant Implications:

7.7 Will be considered as part of the review.

Crime & Disorder Implications:

7.8 One of the Supporting Families eligibility criteria is: Staying safe in the community: Parents or children involved in crime or antisocial behaviour

Risk and Opportunity Management Implications:

7.9 Will be considered as part of the review.

Public Health Implications:

7.10 The aim of the Supporting Families Programme, early help review and disadvantaged families strategy will be to improve health outcomes for families.

Corporate / Citywide Implications:

7.11 Will be considered as part of the review.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of the Local Government Peer Challenge
2. Summary of the Early Help System Review
3. Terms of Reference for the Task and Finish Cross Party Member Working Group on early help and disadvantage

Background Documents

1. [Working Together to Safeguard Children 2018 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681206/Working-Together-to-Safeguard-Children-2018.pdf)
2. [Supporting Families - 2021-22 and beyond - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/681206/Supporting-Families-2021-22-and-beyond-GOV.UK.pdf)
3. [The best start for life: a vision for the 1,001 critical days - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/681206/The-best-start-for-life-a-vision-for-the-1001-critical-days-GOV.UK.pdf)

Appendix 1

Key Findings from the Local Government Association Peer Review

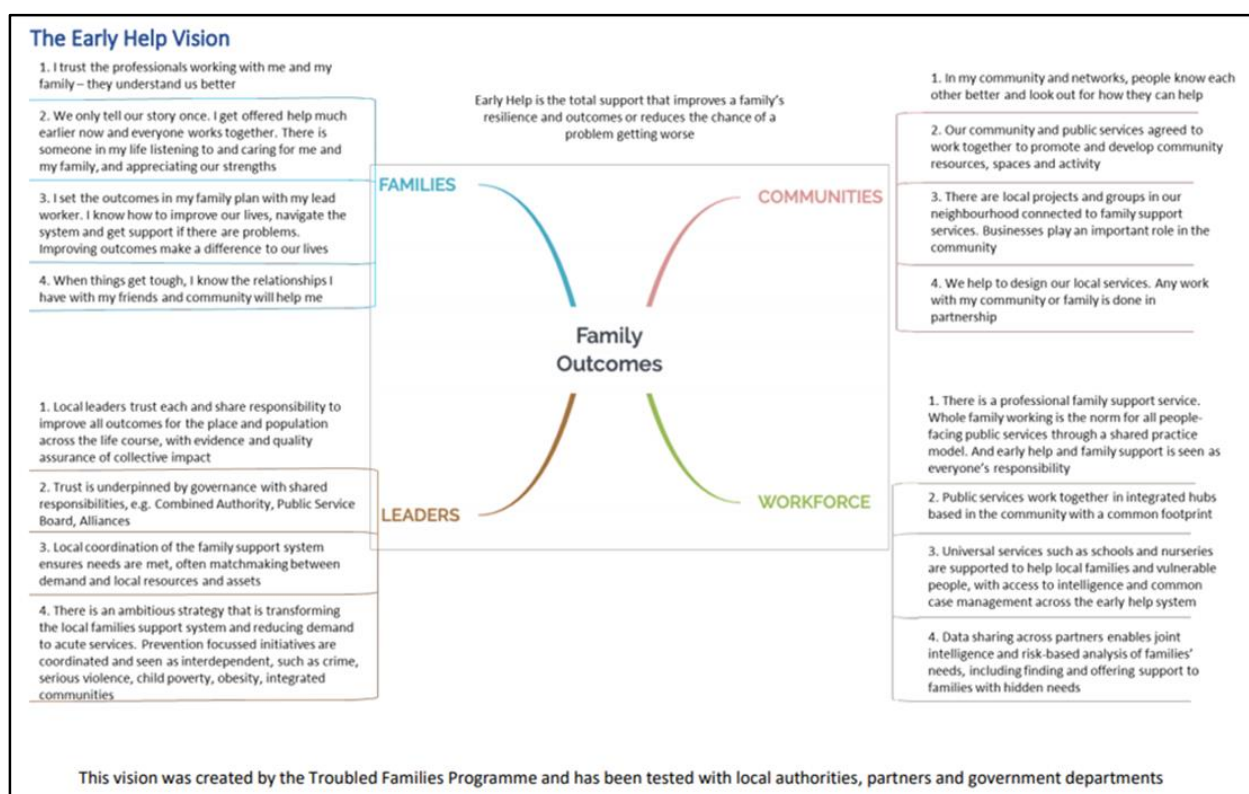
The Local Government Association was invited to complete a Preventative Services Peer Review in January 2020. This review noted that there are several good services, provided by a range of agencies or in partnership, which are leading to better outcomes for children and families. But the whole system is not yet coherently aligned to make the best and most efficient use of these resources. Since the review the name of the Whole Family Partnership Board (WFPB) has changed to the Early Help Partnership Board. The main recommendations were:

- To ensure the success of the whole family approach, all partners need to own and drive the vision, agree cohesive governance arrangements, and be actively engaged in the Whole Family Partnership Board (WFPB)
- Strategic leaders should ensure that the whole family approach is communicated effectively across all levels of the partnership and delivery teams and is well embedded
- The WFPB should consider the development of a fully integrated preventative model, based on multi-agency and multi-disciplinary teams, potentially located within the existing children's centre more integrated and multi-agency system can be developed including considering the creation of Family Hubs.
- Strategic leaders should give greater attention to evidencing impact and outcomes for families, to enable best use of existing resources and with a view to developing the business case for further investment in preventative services
- Partners should utilise the opportunity to maximise capacity by reducing duplication alongside simplifying the service offer and referral routes
- The WFPB should develop and implement a joint commissioning strategy across the Council, CCG, and other key partners in support of the whole family approach
- As part of that joint commissioning strategy, the WFPB should work with the CVS to identify additional preventative services they may be able to offer and map against existing provision

Appendix 2

Key findings from the self-assessment of the Early Help system

- 1.1 The Ministry for Housing, Communities & Local Government (MHCLG) MHCLG's [Early Help System Guide](#) is based upon a national vision for early help. This is defined as *'the total support that improves a family's resilience and outcomes or reduces the chance of a problem getting worse. The vision looks at the early help system from the point of view of families, communities, people in the diverse workforce and leaders.'*
- 1.2 As part of the grant funding conditions for Troubled Families, Local Authorities were required by the MHCLG to complete a self-assessment of their Early Help systems using this guide, looking at:
- the maturity of the Early Help system, including how embedded the whole family working model is
 - the maturity of data systems and processes to support the Early Help system
- 1.3 The following diagram is a visual representation of the national vision for early help. This summarises an 'ideal' model:



- 1.5 The self-assessment was completed using a combination of desk research including reviewing existing strategies, plans and the findings of the commissioned LGA review; together with a series of 1:1 and group discussions with representatives from within and outside of the Council.

1.6 Findings can be summarised as follows:

Well developed
<ul style="list-style-type: none">• Relationship-based practice is integral across the system• There is a lot of information and support available to families, with services and organisations willing to go the extra mile to ensure families can navigate and access this• There is an established whole family support service (ITF), which is well regarded• Much focus is placed on strengthening family and parental relationships• Good working relationships exist between local leaders at all levels and across the wider Early Help system, including VCS and public bodies• There is a sense of collective responsibility for supporting families facing multiple disadvantage• There is a comprehensive workforce development offer, free at the point of access and shared with partners across the system• The 'team around the school' model is well regarded
Improving
<p>A 'think family' approach is increasingly employed by partners across the system</p> <ul style="list-style-type: none">• Co-design and coproduction work are taking place with families as well as young people, to help shape both strategy and service offers• Feedback is being used to support changes in practice• Some work is underway to impact demand by building community capacity• Quality assurance of Early Help practice, with whole family work monitored through the FCL Performance Framework• Joint work around prevention initiatives• An increased focus on addressing wider issues outside of initial reason for referral e.g. the six TF themes
Less developed
<ul style="list-style-type: none">• No shared ownership of a family outcomes framework across the partnership• Lack of joint commissioning or system design to support a shared outcomes framework• Limited coordination across the Early Help system, with many elements working well but independently from each other e.g. multiple points of triage / access / allocation / intervention• Systemwide practice model is not well defined, although good practice does exist within individual services• Outside of safeguarding, limited data sharing between partners• Multiple case management systems with limited interoperability, making it difficult to see a whole family picture and bring together information without time-consuming, costly manual processes• Sometimes multiple service involvement without coordination of a single assessment, plan, or approach; leading to families having to tell their story several times and on occasion, practitioners being unaware of the role of other professionals• Limited case working of whole families outside of ITF, social work, and Early Help Coordinators• Limited data-driven analysis to inform strategic decision-making, service and practice development, insight modelling and needs analysis

Appendix 3

Proposed Terms of Reference for Early Help Review and Disadvantaged Strategy development **Cross Party Member Working Group**

To be fully drafted June 2021

1. Name

Early Help Review and Disadvantaged Strategy development Cross Party Member Working Group

2. Purpose

The purpose of the Early Help Review and Disadvantaged Strategy development Cross Party Member Working Group will be:

- To maintain oversight of this area of work
- To consider actions required to progress both areas of work, ensure that the Council fulfils its duties to city residents and to advise the Children and Young People & Skills Committee (CYPS) accordingly
- To advise the CYPS committee regarding the progress of the area work
- To comment on the next steps

3. Status

The Early Help Review and Disadvantaged Strategy development Cross Party Member Working Group shall be an advisory board to the CYPS committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

4. Areas of focus

The Member Working Group (MWG) will focus on the review and development programme around early help for families and the development of a strategy to help those at risk of disadvantage.

5. Reporting

The MWG will report to CYPS Committee with recommendations as necessary.

6. Membership

The Chair of the MWG will be appointed from the largest political group unless Policy & Resources Committee has made other express provision.

Membership of the Board shall consist of 6 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council. Nominees will be selected from the membership of the relevant parent committee(s).

7. Quorum

A minimum of two MWG members, inclusive of the Chair, are required for the MWG meetings to proceed.

8. Meetings and ways of working

The timing and number of meetings will be dictated by the volume of business for the MWG.

At the first meeting the Group will agree ways of working appropriate to the role and remit of the Group.

8. Review

This is an ad hoc group established for a limited time. The work of the group is expected to finish by (TBC) when it will report back to the CYPS Committee.

9. Management of the MWG

Administration for the MWG will be provided by Families, Children & Learning

The agenda and accompanying papers will normally be circulated one week in advance of meetings, but additional material may be sent later or tabled where necessary.

Papers and minutes of each meeting will be issued within seven days of the meeting and will be confidential; Members will decide at the end of the meeting those items which may be discussed more widely.

The Working Group will be advised by the Head of Early Years and lead for Early Help Strategy and by the Service Manager for Policy & Business Support and other officers as may from time to time be required.

The Working Group may call upon specialist advice from legal, financial, property and other officers of the Council, and external consultants, as it sees fit.

