

Flourishing For All: Anti-bullying guidance for Church of England schools

PREFACE

"A new commandment I give to you, that you love one another: just as I have loved you, you also are to love one another" (John 13:34)

"There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female; for you are all one in Christ Jesus" (Galatians 3:28)

One of the central themes to the Bible is love. The above passages show the Christian message that Jesus came for all people and that we are to show love to one another in the way Jesus has shown love to us, unconditionally and lavishly. It is important that this Christian message of love is felt by all within our school communities.

Derby Diocesan Board of Education's (DBE) vision is one of transformation and growth and of building community. The way this vision is expressed is through the values of generous faith, courageous hope and life-giving love. It is paramount that all adults, children and young people within our 111 schools feel safe, represented, valued and loved. It is our vision that all children and young people will leave our schools with a strong sense of belonging and the knowledge that they are welcomed, respected and cherished.

In light of the ['Flourishing for All, anti-bullying guidance'](#) (September 2024) which has been published by the National Society for Education and the [DfE's draft guidance on gender questioning children](#) (December 2023), Derby DBE have written this preface to these documents with the hope that it will bring further clarity and support for school staff.

The DBE advises that schools pay particular attention to the definition of gender reassignment given in the [DfE's Equality Act 2010: Advice for schools](#) (May 2014 update) guidance which states the following: *'Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. 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.'*

The above definition is important if schools have any children or young people who may have decided to identify as transgender, or gender questioning and/or have decided to socially transition. The protected characteristic of gender reassignment would apply to these children and young people. The Equality Act makes it clear that it is unlawful for schools to discriminate, victimise or harass children or young people in their care in relation to admissions, in the way it provides education for pupils, in the way it provides pupils access to any benefit, facility or service, or by excluding a pupil or subjecting them to any other detriment. It is also unlawful to discriminate because of a characteristic which you *think* a person has, even if you are mistaken.

It is essential that all children and young people experience true belonging and feel safe. Therefore, the DBE recommends that the full acronym of LGBTQ+ is used to include children and young people as well as adults and that schools use the [DfE guidance on preventing and tackling bullying](#) (July 2017) within school. Particular attention should be given to page 17 which outlines organisations that offer support and advice when supporting pupils who have been bullied because of their sexual orientation or gender reassignment.

Schools do need to be aware of their statutory duties to record legal names and the biological sex of all children and young people within their care. Schools can have confidence that this does still need to be done if they have a child or young person in their care with the protected characteristic of gender reassignment. There may be implications for schools regarding changing room and toilet facilities when pupils have the protected characteristic of gender reassignment, and it is paramount that the safety and wellbeing of *all* pupils is taken into account. Schools are advised to read page 14 of the [DfE's Gender Questioning Guidance](#) (December 2023) to support them with these instances and to be aware of any ongoing changes in the law and DfE advice.

The topic of homophobic and transgender bullying is an extremely sensitive issue and one that is changing overtime in light of societal expectations, different reviews and publications. The DfE's Gender Questioning guidance can be utilised by schools but does remain a draft document. The [Flourishing for All document](#) (September 2024) was created to encourage a pastoral approach to homophobic and transphobic bullying. Schools are advised to use both documents along with this preface and other documents outlined within it. Nevertheless, if deemed necessary for a particular context, a school may create its own guidance based on these documents, and the confines of the law.

Schools are advised to handle and manage the issues discussed in this document in a lawful way and with a Christian heart. Schools are also encouraged to keep up to date with the most recent DfE guidance and updates from the National Society for Education of the Church of England.