

Support agreed before September 2026: reviewing existing arrangements

For designated safeguarding leads and school leaders in England whose school agreed support for a gender-questioning child before *Keeping children safe in education 2026* (KCSIE) came into force in September 2026. Numbers in brackets are KCSIE paragraphs. Tick each item as the school works through it.

MUST the law requires it **SHOULD** follow it unless there is good reason not to **STATED** what KCSIE says, without “must” or “should”

1 What applies now, whatever was agreed before

- ☐ Toilets: children must not be allowed into toilets designated for the opposite biological sex, including where the school is supporting any degree of social transition. **MUST** [108]
- ☐ Changing rooms: when supporting any degree of social transition, a school must not allow a child access to changing rooms designated for the opposite sex. No child aged 11 or older at the start of the school year may undress in front of a child of the opposite biological sex. **MUST** [115]
- ☐ Overnight: no child may share overnight accommodation with a child of the opposite biological sex, or have access to boarding or residential accommodation designated for the opposite sex. **MUST** [200]
- ☐ Trips: in allocating dormitories, tents or shared rooms, have regard to Equality Act duties, safeguarding obligations and the relevant standards. **MUST** [201]
- ☐ Sport: where single-sex sport is needed for safety, there are no exceptions. **MUST** [99, 276]
- ☐ Record the child’s biological sex accurately wherever it is recorded. **MUST** [282]
- ☐ Consider whether an alternative toilet, changing or washing facility, or a separate room, can be provided without compromising single-sex provision or anyone’s safety, comfort, privacy or dignity. **SHOULD** [111, 117, 202]
- ☐ Explain these limits to the child sensitively. **SHOULD** [278]

2 What to reconsider

- ☐ Consider whether each decision taken before KCSIE 2026 came into force remains appropriate, taking into account the impact of making any changes on the child. **STATED** [281]
- ☐ Involve the DSL immediately when deciding whether to review a decision. **SHOULD** [280]
- ☐ A review takes into account the same factors as a new request, including involving the child’s parents or carers. **STATED** [280]
- ☐ Start from the best interests of the child and of other children. The outcome may not be the same as the child’s wishes. **STATED** [265]
- ☐ Engage parents or carers as a matter of priority. Only if involving them would be a greater risk to the child than not involving them does the DSL first determine what action is needed, before parents are contacted or any decision is taken. **SHOULD** [268]
- ☐ Take a very careful approach. Primary schools should exercise particular caution. **SHOULD** [272, 273]
- ☐ Consider everything that could be affecting the child, including wider health issues or neurodiversity. **SHOULD** [266]
- ☐ Document the review, the decision and the reasons for it. **SHOULD** [261, 263, 74]

3 Protecting the child through any change

- ☐ Stay aware of the child’s possible vulnerabilities, including complex mental health and psychosocial needs and discriminatory bullying. **SHOULD** [257]
- ☐ Take a strong, proactive stand against all forms of bullying. **MUST** [259]
- ☐ Children who may be living in stealth: be particularly conscious of their vulnerabilities, and involve the DSL. **SHOULD** [283]
- ☐ Make sure relevant staff are aware of the child’s biological sex. Keep information confidential and store it securely. **SHOULD** [282, 74]
- ☐ Explore how best to support conversations with parents, including offering a staff member to be present or to speak to parents on the child’s behalf. **SHOULD** [270]
- ☐ If the child wants to fully or partially reverse what was agreed, work closely with parents or carers and relevant experts so the child is supported. **SHOULD** [284]
- ☐ Keep a clear record of any alternative arrangements, make sure they are communicated appropriately, and review them regularly. **STATED** [112, 118]

The rules on toilets, changing rooms, overnight accommodation and sport apply to schools, colleges in the further education sector and 16–19 academies; other colleges should take independent legal advice [97, 114, 199]. Some colleges do not have a designated safeguarding lead. “Data protection laws” means the Data Protection Act 2018, the UK GDPR and the Data (Use and Access) Act 2025 [104]. This checklist summarises statutory guidance for England. It is not legal advice and does not replace KCSIE 2026 or the school’s own policies.