Policy briefing (CST, Friday 13 February 2026)

DfE: Gender questioning guidance and KCSIE 2026

The DfE has proposed including guidance regarding gender questioning children as a new section within its safeguarding guidance, [Keeping children safe in education (KCSIE)](#). The new sections of KCSIE would focus on the issues that could arise when considering how best to support children who are questioning their gender, and new sections on single-sex sports and single-sex spaces. Gender questioning guidance was consulted on from December 2023 to March 2024 but was not published, and has been used to inform the proposed new sections of KCSIE.

The Department has made its case for these changes in a policy paper on [Including guidance on children who are questioning their gender in KCSIE](#) and published a separate [consultation on the updated Keeping children safe in education guidance](#).

Draft guidance on gender questioning children:

- *Pronouns, names, and uniforms*: The guidance states that schools and colleges should first consider what is in the best interests of the child. This should apply to any element of social transition, including requests to support change of uniform, pronouns, or names. KCSIE states that schools and colleges should consider policies relating to social transition in light of their safeguarding duties and their obligations under the Equality Act and the Human Rights Act.

- *Single sex facilities*: The proposals on gender questioning children confirm that single sex spaces should remain, for example there should be no sharing of toilet facilities over 8 years old or mixed sex sleeping arrangements on trips. The government proposal makes clear that schools must not permit children over the age of 8 to access toilets designated for the opposite biological sex, children over the age of 11 to access changing rooms designated for the opposite biological sex, and must not allow children to share boarding or overnight accommodation with those of the opposite sex. The guidance advises that schools and colleges should look to provide suitable alternatives for children who do not want to use the facilities designated for their biological sex, while also being clear that this should not compromise the provision of single-sex facilities.

- *Single sex sports*: A proposal in KCSIE makes clear that where sports need to be played in single-sex groups from a certain age to ensure children's safety, no exceptions are made. Where this is not the case, schools and colleges should undertake a balanced consideration of the request taking into account the full range of factors including fairness.

- *Single sex admissions*: The school admissions code permits discrimination on these grounds for admissions arrangements.

The Department has given a rationale for including the guidance in KCSIE: "The Department proposes including guidance for schools and colleges on children who are questioning their gender in 'Keeping children safe in education (KCSIE)' because they argue that schools and colleges have obligations to safeguard and promote the welfare of all children in their care, and children who are questioning their gender are no exception. The government's intention is to provide a framework for schools and colleges as they consider these issues."

In addition to changes on gender questioning, the government has proposed [further structural changes in KCSIE 2026](). Whereas the 2025 iteration was primarily technical updates, the 2026 draft introduces new thematic sections on misogyny, serious violence, grooming gangs, and domestic abuse. Another development is the expanded treatment of misogyny, which the draft positions as a factor intersecting with harmful sexual behaviour and online risks. Additional proposals strengthen information-sharing duties between agencies ahead of pupil transfers and introduce clearer expectations on managing mobile phone-related safeguarding risks. The [consultation on KCSIE]() closes 22 April 2026, with a view to implementing the new policy from September 2026.