

[Home](#) > Technical guidance for schools updated

## News

# Technical guidance for schools updated

Published: 22 September 2023

Britain's equality watchdog, the Equality and Human Rights Commission, has today updated its technical guidance for schools in England and Scotland.

Schools have legal obligations under the Equality Act 2010 not to discriminate against, harass or victimise pupils in relation to the characteristics protected by the Act, which include disability, race and sex.

The technical guidance outlines the obligations the Equality Act places upon schools regarding pupils with protected characteristics and the provision of their education. It helps school leaders to understand and comply with the Act and suggests steps schools can take to ensure they are meeting their obligations. Examples from across the protected characteristics are provided, in areas such as admissions, exclusions and access to facilities and services.

The guidance has been reviewed to ensure its references to the protected characteristics of sex and gender reassignment reflect developments in this complex area of policy and law, which continues to evolve.

The Department for Education will be issuing separate guidance for schools in England on supporting transgender students and they are expected to consult on this in due course. The EHRC has urged the Department for Education to bring forward their guidance as soon as possible, to help provide much-needed clarity for schools and families.

**Baroness Kishwer Falkner, Chairwoman of the Equality and Human Rights Commission, said:**

'As the equality regulator, we have a duty to promote and uphold Britain's equality laws. The update issued today ensures schools have access to definitive guidance on their obligations under the Equality Act 2010.'

Schools across England and Scotland can feel confident the updated guidance will support them to comply with the law'.

### **Addressing calls for guidance for schools in relation to issues of sex and gender, Baroness Falkner continued:**

'We reviewed our technical guidance because we recognise that this complex area of policy and law has evolved since it was first published in 2014.

We have now revised some areas to ensure the guidance is legally correct.

It is crucial we avoid any confusion on this important topic. Our technical guidance for schools focuses on the practical implementation of the Equality Act.

The EHRC has additionally provided the Department for Education with advice on equality law and, where appropriate, human rights. We have urged them to bring forward their guidance for schools in England as soon as possible, to help provide further clarity for schools and families'.

## **Notes to Editors**

1. Our review of the Technical Guidance for Schools concluded that some areas of the document relating to sex and gender reassignment required updating to be legally correct. The points corrected in the updated guidance include a section on the use of names and pronouns; an example of gender reassignment discrimination in relation to school exclusion; an example with respect to gender segregation in schools amended to be in line with regulations on school toilets in England and Scotland; a reference to segregation on the grounds of gender; and updated definitions of sex and gender reassignment.
2. [Read the updated Technical Guidance for Schools in England.](#)
3. [Read the updated Technical Guidance for Schools in Scotland.](#)
4. Guidance for schools in Wales is being updated separately to reflect legal and policy changes and has been temporarily removed from the EHRC website in the meantime.

## **Speak to our press office**

If you work in the media, please speak to our press office:

- During office hours (Monday to Friday, 9am to 5pm) please call: 0161 829 8102

- Or email the press office team
- For out of hours please continue to contact 0161 829 8102.  
Emails are not routinely monitored out of hours.

This phone number is for media enquiries only. For all other queries, please call 0161 829 8100, or email [correspondence@equalityhumanrights.com](mailto:correspondence@equalityhumanrights.com)

# 0161 829 8102

## Share this

[Linkedin](#)[X](#)[Facebook](#)[Email](#)[Back to the top](#)

## Latest news

### News

**Comment on court decision to refuse judicial review sought by Liberty**

6 June 2025




### News

**An interim update on the practical implications of the UK Supreme Court judgment**

25 April 2025






**News**  
Statement on meeting  
arranged for 24 April  
2025 with the Cabinet  
Secretary for...

24 April 2025

>



**News**  
Watchdog publishes  
three-year plan to tackle  
key equality and human  
rights...

21 March 2025

>

[View all news](#)