

Third party providers and the Supreme Court ruling April 16th 2025

The organisations below have all been misusing the Equality Act 2010, telling schools that the legislation gives rights to 'transgender' people and that having these rights means teachers and pupils *must* treat trans-identified pupils as if they have changed sex. It's always been a willful misreading of the EA. But now the Supreme Court has ruled, they will be breaking the law if they continue with these distortions. Most of them have expressed dismay at the ruling in activist language, creating confusion and fear where there should be none.

We'd advise teachers, parents and school leaders to avoid using resources and policies, training, and offers of assemblies or talks from the following groups and bodies. They should also follow the latest update from the [EHRC](#) which clearly states that sex in the EA means biological sex and that this has implications for schools.

No Outsiders/Andrew Moffat

No Outsiders is sold as being compliant with the Equality Act. However the resources have consistently misled teachers and pupils. There is more evidence [here](#).

On the day of the ruling Andrew Moffat implied that it protected "trans kids":

"I'm seeing today's court ruling as an opportunity to teach more in schools about the Equality Act 2010. If you are a boy, a girl, a trans kid, you are welcome alongside all the protected characteristics. You can be you and be assured that you belong in my class. You are safe here."

A Q&A on the No Outsider's [website](#) contains this:

"Q: Chloe use to be a boy but now he says he is a girl. Can you change from a boy to a girl?
A: Fantastic! Good for Chloe that she can finally be herself. Chloe hasn't changed - she used to think she had to try to be a boy but now she knows she can be Chloe. I'm really pleased for her. We are all different aren't we; we just need to make sure Chloe knows we accept her now she is being true to herself."

This is not compliant with the Supreme Court ruling. A child who identifies as transgender is protected from discrimination and harassment under gender reassignment, but does not change sex as Andrew Moffat implies here.

EqualiTeach

EqualiTeach said this of the ruling:

"This week's Supreme Court ruling is causing widespread upset. It is important to stress

trans people remain protected from discrimination by the Equality Act 2010 under both gender reassignment and perceived sex. The Court specifically said that this ruling should not be weaponised. EqualiTeach supports settings to create inclusive and welcoming spaces for trans and non-binary people, and this ruling will not change this.”

Their [Free to Be](#) resource is based on a misreading of the Equality Act. This is a selection from many such examples:

“Toilets: Young people have the right to access the toilet that corresponds to their gender identity. This approach is underpinned by the Equality Act (2010) whereby refusing a child or young person access to the changing room or toilet of their gender identity would constitute an act of discrimination (UK Government, 2010).”

“If a transgender young person wishes to change their name and pronouns, this must be respected, and changes implemented as necessary. Failure to use a child’s preferred name and pronouns can be tantamount to harassment under the Equality Act 2010.”

Brighton and Hove City Council Trans Inclusion Schools Toolkit 2024

This toolkit was written originally by the Brighton based LGBT+ charity Allsorts but its 5th version is now published by [Brighton and Hove City Council](#). This Toolkit is used by many other education authorities in England. It says it is legally aligned with the Equality Act 2010.

It starts from the premise that there are trans children in schools who will be transitioning and gives muddled advice about the need for single-sex spaces. It is now *not* compliant with the Supreme Court ruling or latest guidance from the EHRC which says:

“Pupils who identify as trans girls (biological boys) should not be permitted to use the girls’ toilet or changing facilities, and pupils who identify as trans boys (biological girls) should not be permitted to use the boys’ toilet or changing facilities. Suitable alternative provisions may be required.”

The BHCC toolkit endorses social transition and offers scripts to help pupils and teachers lie about a child’s biological sex.

“Some trans children and young people 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’.” Section 3.3

“There are likely to be children and young people at various stages of exploring their identities or transitioning within schools.”

“The Toolkit encourages a mixed model of provision rather than the removal of single-sex

spaces.” Section 4.1

Rainbow Flag Award

This award scheme is run by the larger regional LGBT+ groups, **Allsorts**, **The Proud Trust** and **The Kite Trust**. Individually and as part of the Rainbow Flag Award these groups are not compliant with the Equality Act.

Allsorts said on Instagram:

“All the staff, volunteers, and trustees at Allsorts want to share a message of care and support for everyone in our community who is affected by recent Supreme Court rulings. Everyone at Allsorts is driven by our values and our commitment to social justice and equality for LGBT+ people, so we want to acknowledge the harm and pain the Supreme Court ruling has caused and will continue to cause for many in our community.”

Allsorts have contracts to deliver training to pupils and teachers in Sussex which teaches gender identity, LGBT+ identities and inclusion. If they continue to advocate for policies based on gender identity rather than sex they will be non-compliant with the Equality Act.

The Proud Trust

The Proud Trust says it is consulting its legal advisors following the Supreme Court ruling. The advice in their Trans Inclusion Toolkit that “All students should be able to use toilet facilities that correspond with their gender identity” is now non-compliant with the Supreme Court ruling and the latest EHRC guidance.

We have a detailed analysis of The Proud Trust’s toolkit [here](#).

The Kite Trust

The Kite Trust said on Instagram on April 16th:

“Today is a challenging day, and we are deeply concerned at the widespread, harmful implications of today’s Supreme Court ruling.”

On the section for schools and teachers on their website they claim “Under the definition of ‘Gender Reassignment’ in the Equality Act (2010), trans young people have a right to access the toilet that reflects their gender identity.”

This was never the law and the Supreme Court and the EHRC have now made it clear that schools must provide facilities on the basis of biological sex.

Gendered Intelligence

Gendered Intelligence offer educational consultancy services to schools.

They have [previously](#) said of the Equality Act that “Enabling trans people to use the toilets, changing facilities and sleeping accommodation that best fit with their gender identity is consistent with the Act.”

The Supreme Court ruling has shown this to be a misreading of the law.

On [Instagram](#) Gendered Intelligence advises individuals to ignore the Supreme Court’s clarification of the law, saying “We encourage all trans people to keep on using the toilets and facilities that they are used to” and that “Politics and law have often been used or misused to silence and suppress the queer community.”

Just Like Us

Just Like Us (JLU) work in schools promoting LGBT+ equality mainly through their own scheme, School Diversity Week. They have also teamed up with the large online educational platform Twinkle to produce LGBT resources. They train teachers and Pride groups for LGBT+ students in schools.

JLU’s reaction to the Supreme Court ruling echoed most trans activist groups:

“At Just Like Us, we stand with trans and gender diverse young people today and every day. You matter - exactly as you are. If you need support, please reach out to the support services listed above.”

Gendered Intelligence is one of the support groups.

In its policy document Supporting Trans+ Pupils in schools, JLU misrepresent the Equality Act saying:

“If a transgender young person wishes to use the toilets and changing rooms of their self-identified gender rather than gender assigned at birth, it is unlawful to prevent them from doing so under the 2010 Equality Act.”

“For many transgender people, changing their name and having their gender identity recognised is a key stage of the transitioning process and should be accommodated and respected by the school.”

“Transgender pupils should be able to sleep in dormitories consistent with their gender identity if they so wish.”