

Emergency Motion

"That this AGM notes the recent Supreme Court judgment in the case of *For Women Scotland v Scottish Ministers* and the implications of this ruling for the rights and protections of transgender people, and also for people who are not transgender, including intersex people.

This AGM further notes that under the Equality Act 2010 the protected characteristic of gender reassignment protects against discrimination where a person is proposing to undergo, is undergoing or having undergone, a process to reassign their sex; and that this protection applies to transgender people who hold a Gender Recognition Certificate and those who do not.

This AGM reaffirms its overarching position as the principle that all young people have the right to learn, and educators have the right to work, in an educational environment that is free from discrimination, where the rights of all are equally upheld.

This AGM affirms the importance of privacy, dignity, and safety and security for all teachers, school support staff and learners, including those who are transgender and non-binary, and of the role which these human rights have in promoting equality, inclusion, health and wellbeing.

This AGM believes that educational environments should be safe and inclusive, and affirms the position that to achieve this, all learners and staff, including those who are transgender, non-binary, and/or intersex, should be treated with equal respect and should have the right to access services, spaces and education in a manner that upholds their human rights and is fully inclusive of their needs.

This AGM stands in solidarity with all transgender and non-binary people and calls on Council to:

- Call on the Scottish Government to provide guidance and support for schools and educational establishments in relation to how the decision in the above Supreme Court case is to be implemented within the legal and policy framework surrounding the delivery of education in Scotland, including health, safety and wellbeing provision, and the whole-school approaches outlined in the Scottish Government's Guidance on LGBT Inclusive Education
- Campaign nationally, alongside relevant partner organisations, including organisations to which the EIS is affiliated, for improvements to the rights and protections of transgender and non-binary people, including to ensure access to services, spaces and education, corresponding to their gender identity, equal legal recognition for acquired sex, and inclusion on the basis of gender identity
- Campaign against misinformation and disinformation, and against policies that compromise the safety, privacy and dignity of staff or learners, including those who are transgender, non-binary and/or intersex, in educational establishments.