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Rev Nigel Genders,
Church of England's Chief Education Officer
Education Office
Church House
Great Smith Street
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Dear Rev Nigel Genders,

As Christian Concern and the Christian Legal Centre we are engaged with many parents, teachers and school leaders in the Anglican church who have faced huge issues due to your guidance to CofE schools. We respond to your consultation below and pray you will take note of the issues we raise.

Christian Concern Response to 'Flourishing For All'

Part A

A1. Does Part A make it clear why anti-bullying is an essential aspect of ensuring flourishing?

No. The document is framed around eradicating homophobic and transphobic bullying in a way which will lead to the bullying of Christian families and their children who do not want to promote, affirm or celebrate same-sex relationships or gender ideology. This is not flourishing for *all*, the very aspiration of the document. Christian families and their children are already being silenced, bullied and harassed due to the previous guidance. The proposed guidance does nothing to address this.

The 'flourishing for all' (e.g. cited on page 6 and elsewhere), precludes the fact that teaching of Christian truth is how the church historically believes such flourishing occurs. The document is infused with the belief that a gender identity is real. This is a false and harmful belief that Christians should not endorse. It is also out of step with the Government's draft guidance on gender questioning children, which refers to this specific worldview as an ideology and warns of its effects in relation to social transitioning.

A2. Does Part A make it clear what bullying is?

Yes

A3. Does Part A make it clear what the legal and statutory duties of schools with regards to bullying are?

No. There is no mention of the bullying and harassment of children and staff in CofE schools who respect the value of all people, but do not want to promote, celebrate and be required to affirm same-sex

relationships or gender identity ideology. Even though you explain that future guidance may cover these areas, this must be clearly stated in this guidance as so often this bullying occurs because of the approach to HBT bullying.

The Public Sector Equality Duty (PSED), as prescribed by the Equality Act 2010, requires schools to have due regard to eliminating unlawful discrimination and that they foster good relations between those with different protected characteristics. The draft guidance, as written, stigmatises Christian (and other faith-based beliefs) which do not accord with the worldview as framed by the document. The unintended consequence of the document could be that many Christians are treated less favourably than others, in how bullying prevention is promoted and how Christians are viewed for holding dissenting views to those of the guidance. At worst, **this could result in unlawful indirect or direct discrimination by schools who lean on this guidance**. At the very least, FFA promotes a dereliction of duty in relation to the PSED owed to those with the protected characteristic of religion or belief by the way it is phrased.

In addition, sex-based bullying is not addressed as there is no definition of male or female, man or woman. This must be referenced in this guidance, and not only in subsequent guidance, as the issues are strongly connected. Sex is not assigned by doctors or parents, it is recognised. This guidance is underpinned by an acceptance of gender ideology-based language which refuses to define sex, and states it is assigned. In fact, the guidance directs schools not to use 'outdated terms', without defining these terms. The glossary identifies terms which are to be promoted and does not have 'men' or 'women' defined. Amongst other issues this means bullying of young men or young women for their sex will not be properly addressed. It can easily be inferred that the 'outdated terms' schools should do away with are terms like female, male, girls, boys, women or men.

A4. Does Part A set out a clear Christian vision for anti-bullying?

No. The overarching aspiration to be 'Deeply Christian', is totally absent from this document. Christian teaching and principles are sacrificed in the name of 'inclusivity', which will result in the exclusion of Christian staff and families who do not want to promote, affirm or celebrate same-sex sexual relationships or controversial gender identity ideology, which is in contradiction to Church of England doctrine.

A truly and deeply Christian vision for flourishing must include, at the very least, an acceptance of the Church of England's doctrine of the trustworthiness of the Bible and its patterns for human flourishing. A Christian vision must also include an acceptance that those who hold those beliefs should be able to express them. A Christian vision should include that those members of the school community should not be expected to go against their conscience or risk being bullied.

In addition, the guidance is not 'Deeply Christian' because a reduced form of the gospel, is its foundation. Humans *are* created in God's image and designed to have life to the full as is frequently stated. However, they are *also* in need of a saviour due to their fallen nature, and to recognise and to repent of their sin, so they can truly flourish now and for eternity. Without this being communicated in CofE schools there can never be a clear Christian vision.

It is stated that, "*Flourishing requires every member of a school community to be valued as having inherent worth, especially the most vulnerable.*" However, this document views contested opinions about gender as of equal worth to Church teaching about identity. Christian flourishing requires that lies are not entertained and reinforced in CofE schools in the teaching and pastoral care of vulnerable children, by the members of its community.

In the employment tribunal of Rev Dr. Bernard Randall (Case no:2600288/2020) the previous CoE guidance was used to defend the actions of the church school against him. Extensive quotations were made where the limited aspects of biblical teaching were referenced, leading to the misunderstanding of Anglican doctrine by the tribunal members. This meant that the previous CofE guidance was used in court against a faithful CofE minister who upholds CofE doctrine. The CofE should be ashamed that this happened and seek to avoid this happening again at all costs. This new guidance will continue to be referenced in such a way, unless the full teaching of scripture about fallenness and the need for redemption, is included.

In the case of Nigel and Sally Rowe, the Federation of the Church Schools of Sharfleet and Yarmouth frequently quoted the previous guidance to justify its decision making when deeming it acceptable to socially transition a 6-year-old child. Thus, CofE guidance was used to discredit faithful Christians who uphold CofE doctrine. This again demonstrates how such unclear Christian guidance can be used to support what is now understood to be harmful and dangerous practice as outline by the Cass Report.

While the Bible is quoted at points in the guidance, it is only referenced with out of context 'proof texts' to enforce that there should be no expressed Christian disagreement regarding what flourishing is defined to look like in school communities. The most basic, fundamental, biblical truth about gender, that God creates us 'male and female', is quoted nowhere in the document and should be stated clearly.

The guidance even promotes compelled speech by stating that: "*Remaining silent on the topic, or avoiding it, can send a hurtful message to pupils and/or adults who are LGBT+*" This forces pupils and staff who believe CofE doctrine on marriage and sexual ethics to violate their consciences by endorsing sinful practices. As the recent EAT ruling in *Forstater v CGB Europe* made clear, such a policy could amount to **unlawful discrimination**.

A5. Does Part A explain clearly why *Flourishing for All* will address a range of protected characteristics?

No. The protected characteristic of traditional Christian belief is not referenced. This lack of clarity means Christians in Church of England schools who believe CofE doctrine on marriage and sexual ethics will continue to be bullied and harassed for their beliefs should they be expressed.

The guidance must state, as the draft government Gender Questioning Children does, that '*no teacher or pupil should be compelled to use these preferred pronouns*'. Christians should be free to use creational and biological pronouns in accordance with their conscience, since no pupil can legally change their gender.

The glossary educates the reader about pronouns, without any value judgement, that, "*Some people may prefer others to refer to them in gender neutral language and use pronouns such as they/their.*" This promotes acceptance of the changing of pronouns, without challenge, as part of supporting social transitioning. It is far from neutral language. The guidance should make clear that compelled speech regarding pronouns in CofE schools will not result in flourishing for all and should be guarded against.

While "*LGBT+ parents/ carers can bring useful insight to the development and revision of anti-bullying policies,*" Christian parents who believe CofE doctrine on marriage and sexual ethics are not encouraged in the same way to bring '*useful insights*' on how they can have their views and their children's views respected, so that *they* don't experience bullying or discrimination. This will silence sound, scientifically truthful, biblical Christian teaching by schools and individuals. Protecting children from bullying should certainly not result in the discrimination against, and even the bullying of, those who hold to the traditional Christian beliefs expressed in CofE doctrine. Christianity, holding traditional Anglican beliefs, is also protected.

A6. Is anything in Part A factually inaccurate?

No.

A7. Do you think Part A is useful for Church schools?

No. There must be a clear presentation of the traditional gospel message which the Church of England has held to for centuries. This should be combined with a clear explanation that to hold this view is acceptable and when expressed will not be viewed as an inappropriate perspective to explain in all school community circumstances. There should also be a clear statement of CofE doctrine on marriage and sexual ethics and a defence of these beliefs. There should be encouragement for schools to teach and expound CofE doctrine on marriage and family. It should be clearly stated that marriage is between one man and one woman for life and that children overwhelmingly flourish best when raised by their biological parents who are held together by the commitment of marriage. It should be clearly stated that CofE doctrine teaches that sexual expression outside of heterosexual marriage is sinful and therefore harmful for those who practice it.

A8. Do you think Part A is useful for: Non-Church schools; Diocesan Boards of Education; Multi-academy trusts; Churches and clergy; Organisations working with schools; Parents; Other (please specify)

No. For all the reasons stated under each section.

Part B

B1. Does Part B make it clear why tackling homophobic, biphobic and transphobic (HBT) bullying is an essential aspect of ensuring flourishing?

No. It does not make clear how tackling HBT bullying is essential to the flourishing of *all* children as it fails to account for the protection of those in the school community who do not wish to promote, celebrate or affirm same-sex sexual relationships or gender identity ideology, due to their Christian beliefs, who are also being silenced and often harassed.

The guidance states: *“Under current government guidance, schools are advised to undertake a period of ‘watchful waiting’ following any request from a gender questioning child or young person to socially transition at school. If a school follows this path, it is critical that the school proactively engages with the child or young person so they know they have been heard...”* It should be made much clearer that ‘*watchful waiting*’ is a helpful, non-affirming path towards long term flourishing, and that it should be expected that most children will revert to identifying with their biological sex when not affirmed in the opposite gender.

B2. Does Part B make it clear what HBT bullying is?

No. Part B creates a form of blasphemy in CoE schools obscuring what bullying really is. Polarised debates although challenging are not always bullying. *“This protection includes ensuring that they are kept safe from polarised debates about the care or place of gender questioning children and transgender people in society. This is absolutely essential in order to uphold and preserve the psychological safety of this highly at risk group”*. Engaging in such debates in school, from one side of that debate, will therefore become a form of blasphemy. This is exemplified by the following statement in the guidance which includes the banning of sharing viewpoints. *“Nor does it mean that it is acceptable for homophobic, biphobic or transphobic language or viewpoints to be shared within the school.”* No school should prohibit expression of the Christian belief that we are all created male and female.

Holding and expressing a viewpoint should not be classed as bullying. The Court of Appeal has already held that expressing Christian beliefs is not discriminatory. So much less so, should it be viewed as bullying. The guidance states that, *“It is extremely important to recognise that Church of England schools educate those of all faiths and none, including those with very varied understandings of Christian teaching on a range of subjects. In order to do this, a school will need to teach pupils how to respect different viewpoints, disagree well in their interactions and understand that families and individuals can hold beliefs that differ from one another yet still live together well.”* However, this guidance directs that they cannot have a polarised debate with any disagreement of anyone who believes in gender identity ideology and that identifies as ‘trans’ and so a staff or community member’s viewpoint is therefore silenced. The DfE’s draft guidance on gender questioning children supports the position that people who oppose gender identity ideology should have their views respected. Page 11 states, *“Other pupils, parents and teachers may hold protected religious or other beliefs that conflict with the decision that the school or college has made, these are legitimate views that must be respected”*. Respecting these views must include the ability to express them in a debate about the issues.

The bullying defined is extended to that of adults. *“To this end, Church schools should ensure their classrooms are places of constant nurture and compassion: where all are treated with dignity, where differences are appreciated and respected, and where all are provided with the utmost standard of care and protection. This includes gender questioning children and transgender adults.”* This will lead to infallible transgender adults in schools. This aspect of the guidance must be removed.

2.3 even suggests that children could be criticised for bullying LGBT adults. *“It is vital, both for the wellbeing of the adults themselves and for the messages this sends to children and young people, that any HBT bullying behaviour towards adults is tackled thoroughly.”* The schools will now be policing bullying of adults in the school community, potentially from the children who hold a different viewpoint and who express that. This is unacceptable. We are aware of many cases where children are being unfairly targeted in this way.

B3. Does Part B make it clear what the legal and statutory duties of schools with regards to HBT bullying are?

No. There is no mention of the bullying and harassment of children and staff in CofE schools who respect all people but do not want to promote, celebrate, or be required to affirm same-sex relationships or gender identity ideology. The duty to protect them links strongly with the duties you do cite.

The guidance makes no reference to the legal free speech rights of individuals in schools and is anti-free speech in its tone. The guidance is against supporting any genuine Christian who wants to speak of God’s good pattern for our lives in school. In practice, any dissent from LGBTQ ideology is branded as homophobic, biphobic or transphobic and silenced under this guidance. In fact, the guidance goes even further: *“remaining silent on the topic, or avoiding it, can send a hurtful message to pupils and/or adults who are LGBT+.”* It appears vocal endorsement and affirmation is required without exception. This is most likely illegal.

No statutory or other legal obligation arises specifically towards HBT bullying, when compared to any other form of bullying. The Equality Act 2010, which includes the PSED, does not create a hierarchy of rights. That means that deeply held Christian beliefs cannot be treated less favourably than the perceived needs of pupils who identify as gay or trans.

Both the law and relevant DfE guidance require that all forms of bullying be treated with equal seriousness. The DfE's *Keeping Children Safe in Education* (2023) notes that while HBT bullying may occur in some school settings, that each school should look at their specific circumstances rather than form a universal rule. Other forms of prejudice-based bullying may also occur (e.g. sex, race, or religious motivated bullying) in schools.

B4. Does Part B set out a clear Christian vision for tackling HBT bullying?

No. The guidance says that some people are "non-binary" (p27). If the guidance was truly about how to tackle bullying while maintaining a Christian vision of 'flourishing', it would give advice on how to uphold the Biblical truth that we are made male or female, an identity given to us by the highest authority, our Father God. It would explain how to uphold this truth with gentleness and respect to children and adults who have been led astray by harmful gender ideology. Instead, it simply accepts the language of gender ideology.

A clear Christian vision includes not only the kind of acceptance and inclusion the Jesus shows to the woman caught in adultery, but also the command to go now and 'sin no more' expressed at the end of this story.

A Christian vision for flourishing is deeply rooted in promoting the family and marriage between one man and one woman for life as the foundation of family. In the vast majority of cases, children flourish best when brought up by their biological parents who are united in marriage. This should be clearly stated.

The overarching aspiration to be '*Deeply Christian*', remains absent from this document. Christian teaching and principles are sacrificed in the name of 'inclusivity', resulting in the exclusion of Christian staff and families who do not want to promote, affirm, or celebrate same-sex sexual relationships or gender identity ideology, which is in contradiction to Christian teaching.

A Christian vision for flourishing must include, at the very least, an acceptance of the traditional Christian beliefs in the trustworthiness of the bible and its patterns for human flourishing. A Christian vision must also include an acceptance that those who hold those beliefs should be able to express them. Those members of the school community should not have to go against their conscience for risk of bullying.

The guidance is not '*Deeply Christian*' as a diluted and truncated form of the gospel is its foundation. Humans are created in God's image and designed to have life to the full, as is frequently stated. However, they are also in need of a saviour due to their fallen nature, and to recognise and repent of their sin, so they can truly flourish now and for eternity. Without this context being communicated in CofE schools there can never be a clear Christian vision.

In the employment tribunal of Rev Dr Bernard Randall (Case no:2600288/2020) the previous CofE guidance was used to defend the actions of the church school against him. Extensive quotations were made where the limited aspects of biblical teaching were referenced, leading to the misunderstanding by legislators of Anglican doctrine and legally held Christian beliefs. This meant that the previous CofE guidance was used in court against a faithful CofE minister who upholds CofE doctrine. The CofE should be ashamed that this happened and seek to avoid this happening again at all costs. This new guidance will continue to be referenced in such a way, unless the full teaching of scripture about fallenness and the need for redemption, is included.

In the case of Nigel and Sally Rowe, the Federation of the Church Schools of Sharfleet and Yarmouth frequently quoted the previous guidance to justify its decision making when deeming it acceptable to

affirm and socially transition a 6-year-old child. Thus, CofE guidance was used to discredit faithful Christians who uphold CofE doctrine. This again demonstrates how unclear guidance can be used to support what is now understood to be harmful and dangerous practice as outlined by the Cass Report.

While the bible is quoted at points, it is only referenced in out of context 'proof texts' to enforce that there should be no expressed Christian disagreement regarding what flourishing is defined to look like in school communities. The most basic, fundamental, biblical truth about gender, that God creates us 'male and female', is quoted nowhere in the document and should be stated clearly.

B5. Does Part B set out clear actions for Church primary schools to take to both prevent and tackle HBT bullying?

No. It is unclear whether, as stated in the draft government Gender Questioning Children guidance, gender identity teaching is precluded from being promoted in CofE schools. *"In the primary phase, there would not usually be a reason for differences in viewpoint around sexuality and gender to be discussed in the classroom."* The removal of transgender ideology from primary schools should be made clear and extended to books and resources which might promote contested ideas about sex and gender. Schools may seek to use such resources to create an inclusive environment for those who believe in false and unchristian transgender ideology, and must be dissuaded from doing so.

The fact that there is no legal requirement to teach LGBT themes in primary school is not referenced, and there is a bias towards its inclusion in primary schools. This is exemplified in the statement: *"Ensuring the statutory guidance for Relationships and Sex Education and Health Education is implemented. This would usually include 'teaching awareness and respect towards LGBT people.' If a school cannot show that they have properly consulted their community about this, this will be taken into account by Ofsted inspectors when making the leadership and management judgement"*. This is threatening in its tone and inappropriately biased.

B6. Does Part B set out clear actions for Church secondary schools to take to both prevent and tackle HBT bullying?

No. The use of extreme caution regarding external organisations, as in the government's guidance on planning RSHE, should be mentioned in Part B. *"Any discussion on the range of viewpoints people may hold about sexual orientation and gender identity should be thoroughly planned as part of the school's curriculum and not be entered into in an ad hoc way. This planning should involve members of the LGBT+ community as well as church and faith groups."* The 'extreme caution' should also be applied to any visiting speakers who may be considered to speak on these topics.

In providing pastoral support, the new guidance states schools should be, *"Creating safe spaces for those who are (or perceived to be) LGBT+ to meet with peers with similar identities. This allows them to build trusting positive relationships and build psychological safety."* The growth of LGBTQ+ clubs in secondary schools where affirmation from LGBTQ+ adults prevails will surely open the door to indoctrinating teaching into queer theory and harmful gender identity beliefs being endorsed through Church of England schools. Such groups should not be given a place in CofE secondary schools, and this should be made clear in the guidance.

B7. Is Part B useful for navigating difference when dealing with HBT bullying??

No. There is no recognition in this document of a parent's legal right to withdraw a child, when they are not happy about what is being taught in the sexual education realm. Parental rights in this matter must be included.

Regarding clergy, it is advised that *"it is critical that viewpoints which are homophobic, biphobic or transphobic are not presented since to do so would be harmful to both pupils and adults."* Clergy should at least be encouraged to sensitively represent the traditional Church of England doctrine on sex, identity and gender in Church of England schools.

B8. Is anything in Part B factually inaccurate?

Yes. The Christian theology underpinning this document is factually inaccurate because of what it omits. The bible does not say that we are merely made in God's image and so should be able to flourish. In addition, the bible is clear that we have a sin problem and are in need of repentance and conversion. An out of context half-truth is no truth at all.

It is factually inaccurate to state that sex is: "assigned to them at birth." Biological sex is recognised at birth.

It is factually wrong that: *"Remaining silent on the topic, or avoiding it, can send a hurtful message to pupils and/or adults who are LGBT+"* and no evidence is provided for this outrageous statement. No one should be compelled to endorse sinful behaviour that contravenes CofE doctrine on marriage and sexual ethics.

It is factually wrong to state that some people *"are non-binary"*. This is a highly contested belief. It is not the case that people are born non-binary.

B9. Do you think Part B is useful for Church schools?

No. There needs to be a clear presentation of the traditional gospel message which the Church of England has held to for centuries, combined with a clear explanation that to hold this view is acceptable and when expressed will not be viewed as an inappropriate viewpoint to explain in all school community circumstances.

Church of England schools should teach Church of England doctrine on marriage and sexual ethics and that obedience to this doctrine is the best way for people to flourish. In the vast majority of cases, children flourish best when raised by their biological parents united in marriage. This should be clearly taught and promoted in all church schools.

B10. Do you think Part B is useful for: Non-Church schools; Diocesan Boards of Education; Multi-academy trusts; Churches and clergy; Organisations working with schools; Parents; Other (please specify)

No. For all the reasons stated in the previous answers.

Feedback on Whole Document

The glossary of this new document is shaped by gender identity ideology. For example, *"Cisgender This is a term introduced to refer to people who identify exclusively with the sex assigned to them at birth,"* written as though sex is something 'assigned' and not real and permanent.

The glossary states, *"Watchful waiting: An approach by which a child/young person's gender journey is observed (without intervention) to see how their gender identity and expression naturally evolves"*. This is all set in the context of a gender journey, and assuming gender identity is real. This is deeply inappropriate.

Intersectionality as a concept is highly contested and is not a Christian or biblical understanding of personhood. The CofE has totally bought into 'Intersectionality' quoting documents such as 'Intersectionality of privilege' <https://www.dpag.ox.ac.uk/work-with-us/equality-diversity-inclusion/anti-racism-working-group/anti-racism-resources-march-2023-intersectionality-of-privilege> . It wants 'intersectionality' training for staff as seen in the guidance on key actions to be, "*Supporting staff to understand the cumulation of discrimination, intersectionality and trauma*"

Section 89(1)(b) of the Education and Inspections Act 2006 requires that head teachers in maintained schools have regard for preventing all forms of bullying. By disproportionately focusing on HBT bullying, other forms of bullying are at risk of being viewed as less serious. FFA's singular focus on inclusivity also may lead to moral bullying, if not physical or verbal bullying, of Christians who hold Biblical views on homosexual behaviour and God's creation order as pertains biological sex. The Department for Education's Frequently Asked Questions section for its July 2017 Guidance on *Preventing and Tackling Bullying* echoes this position.

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As you know Christian Concern has been a highly vocal and public critic of the previous guidance, especially since it was used to discredit some of our clients and their faithful adherence to CofE doctrine. We believe that we are a key stakeholder in relation to this guidance that you should be consulting with in relation to it. As such, I am keen to meet with you personally to discuss the points raised in our response. Do please contact me if you would like to arrange a meeting at your earliest convenience.

Thank you for your time in considering our response.

Yours sincerely,



Steve Beegoo NPQH BSc PGCE

Head of Education at Christian Concern