# Scottish councils slow to act on court mandate for single-sex school toilets amid rising complaints



Young girls in Scotland are grappling with the reality of sharing school toilets with boys, despite a recent judicial decision advocating for single-sex facilities. Over the past three years, local councils have recorded nearly 100 complaints relating to gender-neutral loos, yet many are taking their time to implement the changes mandated by a landmark ruling from the Court of Session in Edinburgh last month.

This ruling confirmed that Scottish state schools must provide single-sex toilets, a decision prompted by concerns raised primarily by parents who argued that such arrangements are essential for the dignity and comfort of their children. However, several of Scotland’s 32 local authorities are still “considering” the implications of this verdict before making necessary modifications. Data highlights that East Dunbartonshire has encountered the most significant backlash, receiving 51 complaints regarding its “inclusive” toilet policy, albeit a spokesperson stated that only two were formally lodged.

Scottish Conservative MSP Pam Gosal has been vocal about the issue, labelling the situation “totally unacceptable.” She pointed out that some councils seem to be acknowledging these complaints while others do not. This inconsistency raises questions about how seriously local authorities are taking parental concerns regarding the sharing of such intimate spaces.

The ongoing debate is intensified by a separate recent legal victory for parents over the new Earlston Primary School in Berwickshire, which reinstated separate facilities. Lawyer Rosie Walker of Gilson Gray stated that gender-neutral toilets contradict regulations established as far back as 1967, further illustrating the legal complexities surrounding this issue.

Following the court decisions, many councils have been asked to clarify their positions regarding single-sex facilities. Of the 19 councils that responded to inquiries, only two—Glasgow and East Lothian—reported alterations to signage in some schools. A total of six councils confirmed that they had already implemented single-sex provisions, while many others are still deliberating their options. The Scottish Government has also entered the conversation, with a spokesperson revealing that the Education Secretary is in discussions with Cosla to address the implications of the court ruling.

The sentiment against mixed-gender toilets resonates not only in complaints but also in grassroots movements. In Aberdeenshire, a mother raised concerns that the introduction of such facilities has negatively impacted girls, leading them to avoid using these toilets and subsequently missing valuable class time. This experience echoes wider worries, as a women’s campaign group has called for an urgent investigation into gender-neutral toilets in Tayside schools due to potential violations of national safeguarding standards. The group has highlighted that such mixed facilities may lack privacy and could heighten the risk of sexual harassment, particularly for girls.

Reports indicate that behaviours exhibited by some boys, such as mischief with sanitary products, have exacerbated avoidance of shared facilities among girls, raising the stakes in discussions about their safety and comfort at school. Cases of vandalism and deliberate disruption in shared toilets have been documented, leading to a consensus among parents and advocates for the need for separate spaces.

Parents in Highland have added their voices to the chorus calling for single-sex facilities, launching an online petition that articulates fears surrounding privacy and safety in unisex toilets. Highland Council has reassured that there is no overarching policy mandating unisex toilets, placing the responsibility of final decisions on headteachers, along with consultation from parents and pupils.

Amidst the localised challenges and dissatisfaction, the Scottish Government is gearing up for potential changes to regulations established decades ago. There is significant opposition to the proposed updates, with women’s rights activists warning that such changes may infringe upon the rights and safety of young girls in educational settings.

As calls for clarity and action intensify, it remains to be seen how Scottish councils will adapt to this evolving landscape, all while navigating the sensitive balance of inclusivity and the protection of young students' rights and dignity.

### Reference Map

1. Paragraphs 1, 2, 3
2. Paragraph 4
3. Paragraph 5
4. Paragraph 6
5. Paragraph 7
6. Paragraph 8
7. Paragraph 9

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.dailymail.co.uk/news/article-14722787/Girls-forced-share-loos-boys-despite-schools-facing-94-complaints.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data
2. <https://www.tes.com/magazine/archive/mixed-gender-toilets-have-negative-impact-girls> - A mother criticizes the introduction of mixed-gender school toilets in Aberdeenshire, arguing that it negatively affects girls who feel embarrassed sharing spaces with boys. She claims that many girls avoid using these facilities, leading to missed class time. The council defends the move as part of a national initiative to promote inclusion, but the mother contends that it disregards the needs and safety of girls.
3. <https://www.thecourier.co.uk/fp/education/schools/826939/womens-campaign-group-calls-for-urgent-investigation-into-gender-neutral-toilets-at-tayside-schools/> - A women's campaign group has called for an urgent investigation into the use of gender-neutral toilets in Tayside schools, alleging that they may violate national safeguarding standards. The group points to specific schools where mixed-sex facilities are in use, expressing concerns about the lack of privacy and potential increased risk of sexual harassment for girls. Local authorities are considering the group's concerns before responding.
4. <https://scotlandtimes.com/scottish-schoolgirls-boycott-gender-neutral-toilets> - The implementation of gender-neutral toilets in Scottish schools has faced challenges, with reports of girls refusing to use these facilities due to misbehavior and vandalism by boys. In one school, incidents such as boys waving sanitary products and urinating in sanitary bins have been reported. This has led to girls avoiding the shared facilities, raising concerns about the effectiveness and safety of mixed-sex toilets in schools.
5. <https://www.ross-shirejournal.co.uk/news/highland-petition-opposing-unisex-only-toilets-in-schools-ga-268060/> - Parents in Highland have launched an online petition demanding separate toilets for boys and girls in all schools, expressing concerns over the impact of unisex facilities on young girls. The petition highlights issues such as lack of privacy, safety, and potential increase in harassment. Highland Council has stated that unisex toilets are not a policy and that headteachers, parents, and pupils can make final decisions about their operation.
6. <https://www.scotsman.com/education/snp-warned-of-strong-opposition-to-law-change-on-gender-neutral-school-toilets-as-new-consultation-looms-4984333> - The Scottish Government faces strong opposition to proposed changes in the law regarding gender-neutral toilets in schools. Ministers plan to modernize regulations dating back to 1967, which require separate facilities for boys and girls. Women's rights campaigners have expressed concerns that such changes could lead to mixed-sex facilities, potentially infringing on the rights and safety of girls.
7. <https://sex-matters.org/posts/press-releases/schools-in-scotland-must-provide-separate-toilets-for-boys-and-girls-says-equality-commission/> - Sex Matters has issued a briefing for Scottish headteachers following updated guidance from the Equality and Human Rights Commission (EHRC), emphasizing that schools must provide separate toilets for boys and girls. The briefing clarifies that the Equality Act requires schools to avoid unlawful discrimination based on sex and that providing mixed-sex facilities could constitute discrimination against women.