

East Lothian Council

FOI Ref: 2021/ELF793

The response to a FOI request submitted earlier this year revealed that four options for refurbishment were considered, including Option 4 which would provide for designated male and female separate blocks.

https://www.whatdotheyknow.com/request/754960/response/1832437/attach/3/NMcD%20Final%20Options%20Appraisal%20for%20ELC%20toilets%20redactions%20required%20002%20Redacted.pdf?cookie_passthrough=1

In the response to the FOI request , the Council stated: "Option 4 was not provided as an option to the pupils and parents. It has been described as not being in line with our lawful obligations under equalities legislation." Who "described" option 4 as "not being in line with lawful obligations", and on what basis?

East Lothian Council Officers, having taken cognisance of the only guidance available to them, in the form of 'Supporting Transgender Young People in Schools Guidance' –

[\(https://www.gov.scot/publications/supporting-transgender-young-people-schools-guidance-scottish-schools/](https://www.gov.scot/publications/supporting-transgender-young-people-schools-guidance-scottish-schools/)

Took the view that Option 4 was not fully compatible with this guidance. During the pupil consultation, Musselburgh pupils expressed a desire for the toilets to be fully inclusive for all individuals and genders.