

P-06-1545 Stop forcing school children to undress in front of staff peers in open communal rooms - Correspondence from the Petitioner to Committee, 25 September 2025

The letter restates existing statutory instruments and statutory guidance (Keeping Learners Safe; Education (School Premises) Regulations 1999; the Well-being Framework). It confirms safeguarding is a priority and that schools "should" make adequate and sensitive arrangements for changing. However it does **not** set measurable, enforceable standards for private changing facilities, nor does it address many of the specific risks and lived harms (privacy, use of disabled toilets as a substitute, technology risks in communal spaces, non-participation and punishment, nor operational guidance for inclusion vs. privacy trade-offs).

This document does not adequately address the issues I raised:

- It cites existing regulations that require "readily accessible changing accommodation" and separate washrooms by sex, but the wording is high-level and non-prescriptive; it does **not**:
 - Define what "readily accessible" means in practice (numbers, ratios, or minimum cubicle availability).
 - Require a guaranteed **private** changing option for every pupil who requests it.
 - Give operational guidance about avoiding disabled-toilet substitution or how to manage capacity (e.g., one disabled toilet can't reasonably serve 30+ pupils).
 - Provide clear rules on technology (phones, cameras) in changing areas or explicit prohibition of devices and staff monitoring responsibilities.
 - Reconcile inclusion guidance (supporting trans pupils) with a requirement to preserve privacy options for others in a way that reduces safeguarding risk.
 - Set inspection, reporting or enforcement mechanisms so failures are identified and remedied centrally.

The letter points to frameworks and guidance but leaves significant discretion to schools/local authorities. That discretion is the core problem as it produces inconsistent practice and leaves children reliant on goodwill rather than guaranteed rights.

Specific concerns raised:

- **Children denied the right to private dressing** → infringes on dignity and potentially the UNCRC rights as referenced in the document.
- **Risk from known and unknown predators** → local examples attached show that just relying on local safeguarding without environmental mitigations (private changing options, better supervision design) is insufficient.
- **Adults reporting historic trauma** → strong evidence of long-term harm from forced exposure or insecure changing situations; this supports need for system change, not just guidance.
- **Disabled toilet being used as the only private option** → creates access problems for disabled pupils and is an impractical and discriminatory "solution."
- **Technology risk (phones/cameras in communal changing rooms)** → requires explicit bans, supervision practices and sanctions.
- **Pupils opting out and being punished** → this is a safeguarding and equality issue (menstrual management, religious or cultural needs, neurodiversity); guidance should expressly prohibit punitive responses and require alternative arrangements.

- **Inclusion vs privacy** (trans children) → a workable policy must guarantee choice: private options for anyone who wants it, clear anonymised routes to request them, and safeguards against adults or peers exploiting inclusive policies.

I suggest the document should be asking the Committee:

1. Will the Welsh Government commit to **amending statutory guidance or regulations** to require a minimum, enforceable standard for private changing spaces (not optional guidance)? If yes, what is the proposed standard and timeline?
2. Can the Welsh Government provide recent **data/audits** showing: how many maintained secondary schools currently have (a) private cubicles, (b) number of cubicles relative to pupil roll, (c) use of disabled toilets for changing, (d) recorded incidents in changing areas?
3. Will the Government issue **clear, national operational rules** on technology in changing areas (e.g., device ban, secure signage, locker use) and require schools to publish their local approach?
4. What **enforcement/inspection mechanism** will ensure compliance with “sensitive arrangements for changing”? Will Estyn/local authorities include changing-area privacy as an inspection point?
5. Will the Government require that **no pupil is punished** for non-participation when the reason is privacy/safety, and that alternative, non-stigmatising options are provided?
6. How will safeguarding and inclusion be balanced in policy for trans pupils so that **everyone** can access private changing without creating safeguarding gaps?
7. What training/resources will be provided to schools for risk assessment of changing facilities, supervision models, and reporting routes for technology misuse?

Practical, immediate recommendations the Committee could make

(These are actionable and don't require waiting for new buildings.)

- **Statutory expectation:** require every school to provide a realistic ratio of dedicated private changing options per sex as a minimum, available on request without explanation, and not as the sole solution being a disabled toilet, forced change in open communal space, token number of cubicles or punishment for opting out or refusals for wanting privacy.
- **Non-punitive policy:** explicitly prohibit penalising pupils who decline to change publicly; schools must offer a neutral alternative (e.g., use of private room, changing in waves /rotation, or wearing PE kit to school dry sports).
- **Technology rules:** require schools to have a written, published device policy for changing areas (clear device ban, signage, sanctions).
- **Inspection & reporting:** require Estyn and local authorities to include privacy of changing facilities in inspections and to publish anonymised incident data.
- **Guidance on inclusion:** produce a model policy that guarantees choice — e.g., “any pupil (trans or not) may request a private changing space; requests will be honoured without public disclosure and without forcing other pupils to change in shared spaces.”
- **Short-term mitigations:** staggered changing times, temporary screens/portables, PE kit-on days, communicate these to parents and pupils.
- **Vetting & supervision audits:** ask for a report on recruitment, vetting and supervision policies specifically for changing areas, and lessons learned from local safeguarding case reviews.

Evidence/gaps the Committee should request now

- National audit of changing facilities (numbers, type, access arrangements).
- Incident data related to changing areas (peer abuse, camera/phone incidents, safeguarding referrals).
- Case summaries (anonymised) of safeguarding failures related to changing rooms — particularly the local examples you mentioned (the Committee should ask for these files/attachments and explanations of actions taken).
- Consultation evidence with children, parents, disabled groups and LGBTQ+ groups on needs and preferences. The letter emphasises listening to children; the Committee should ask to see outputs from any such engagements.

The document reaffirms the current legislation /guidance of safeguarding and children's rights, but concerns remain that existing guidance does not guarantee **private, accessible, and non-stigmatising** changing options for pupils. I'm asking the Welsh Government to table proposals immediately to amend statutory guidance or regulations to require minimum private changing provision, a device-free policy for changing areas, and enforceable inspection measures.

Final points:

- This is a lived, cross-generational harm: adults' trauma histories and children currently opting out show urgent need for structural change (not just reminders to "take safeguarding seriously").
- Using a disabled toilet as the primary private option is not a solution — it creates a second-order discrimination and access problem.
- The combination of: open communal changing, modern phone/camera technology, and inconsistent vetting/supervision creates an elevated risk to children that statutory guidance alone, without measurable standards or inspection, will not remove.
- The petition is not anti-inclusion; it demands **choice**. Inclusive curricula and safeguarding can both be met if children are given guaranteed, private changing options and no pupil is penalised for using them.

I thank you deeply for your time

Louise Phillips

Additional Correspondence from the Petitioner to the Committee, 29 September 2025

Dear Committee,

Thank you for the opportunity to respond to the Minister's letter regarding my petition. While I welcome the recognition of safeguarding responsibilities, I remain concerned that the response does not adequately address the core issue: compulsory communal changing without privacy undermines children's rights, dignity, and well-being.

Key Points Summary

* **Children's rights are not being upheld***: Forcing children to change in communal spaces without privacy options undermines Article 16 UNCRC (right to privacy), Article 19 (protection from harm), and disproportionately impacts disabled, religious, and LGBT+ pupils.

* **Minister's response is insufficient***: Current regulations only require "changing accommodation" but do not mandate privacy or dignity. Guidance on safeguarding does not directly address this issue.

* **Supreme Court rulings confirm children's rights must be respected** (*Gillick v West Norfolk [1985]*, *R (Tigere) v Secretary of State [2015]*). Forcing communal undressing is a disproportionate interference when less intrusive, practical alternatives exist.

* **Safeguarding risks are real***: Communal changing exposes pupils to bullying, body-shaming, harmful sexual behaviour, and heightened risks for vulnerable groups. It also creates uncertainty for staff about supervision.

* **What is needed***: Clear national guidance requiring all schools to provide privacy options (e.g. cubicles, screens, staggered changing). This balances safeguarding with dignity and well-being.

Full Response

1. Rights-Based Concerns

* The Minister highlights Wales' commitment to the **United Nations Convention on the Rights of the Child (UNCRC)**. However, Article 16 (right to privacy) is not being upheld if children are effectively compelled to change in open rooms where they feel exposed or vulnerable.

* Other relevant Articles include Article 19 (protection from harm), Article 23 (rights of disabled children), and Article 12 (the right to be heard in matters affecting them). Current school arrangements in many areas appear incompatible with these commitments.

* The **UK Supreme Court has affirmed** that children's rights are substantive and require fair balancing with legitimate state aims (*Gillick v West Norfolk & Wisbech AHA* [1985]; *R (Tigere) v Secretary of State for Business* [2015] UKSC 57). These cases reinforce that children are entitled to dignity, autonomy, and protection from disproportionate state practices. Compulsory communal undressing is a disproportionate interference when reasonable, less intrusive alternatives are possible.

2. Weaknesses in the Current Guidance

* The Minister relies on statutory safeguarding guidance (*Keeping Learners Safe*, 2021 well-being framework, and Education Act 2002 duties). However, **none of these directly address privacy in changing facilities**.

* The Education (School Premises) Regulations 1999 only require “changing accommodation” and showers. They do not define the standard, or require privacy provisions. This leaves schools inconsistent and pupils unprotected.

3. Safeguarding and Well-being Risks

Open communal changing:

- * Exposes children to bullying, harmful sexual behaviour, body-shaming, and peer pressure;
- * Disproportionately affects children who mature earlier or later than peers, those with disabilities, those from religious or cultural backgrounds requiring modesty, and LGBT+ pupils (especially transgender or non-binary learners);
- * Creates safeguarding risks for staff, who may feel uncertain about how to supervise without infringing on children’s dignity.

These are not hypothetical concerns — they are recognised in safeguarding practice, yet there is no national directive to address them.

4. What Needs to Change

- * Clear national ****guidelines**** should be issued, requiring all schools to provide ****reasonable privacy options**** (e.g. cubicles, partitions, or staggered arrangements).
- * This would not prevent communal changing for those comfortable with it, but it would guarantee privacy for those who need or request it.
- * Such a change would align practice with both safeguarding duties and Wales’ stated commitment to children’s rights.

5. Conclusion

The Minister’s response acknowledges safeguarding responsibilities in general but fails to address the gap in statutory guidance and the reality of children’s experiences in schools. Without explicit national direction, many schools will continue to leave pupils without the dignity and privacy they are entitled to.

I therefore respectfully urge the Committee to recommend that the Welsh Government:

1. Reviews regulations and guidance to ensure privacy rights are embedded in school changing arrangements;
2. Issues statutory guidance requiring schools to provide adequate privacy options in changing facilities;
3. Recognises this as a safeguarding, well-being, and equality issue, not just a facilities matter.

Thank you for your consideration.

Kind regards,

Louise Phillips