



Sidcot
Live Adventurously

Policy Name: Equal Opportunities Policy Students

Policy Number: 2.11

Date: 12th May 2021

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1 Introduction

1.1 Sidcot School (the School) is an independent mainstream boarding and day school for girls and boys aged from 3 to 18 years; it has a strong international presence. The School is a registered charity with a Quaker ethos and welcomes staff, workers, volunteers, students, parents, applicants and governors from all different ethnic groups, backgrounds and creeds. This policy links to Quaker Faith and Practice 1.0: Advice and queries; 1.02, 22: “*Respect the wide diversity among us in our lives and relationships. Refrain from making prejudiced judgements about the life journeys of others. Do you foster the spirit of mutual understanding and forgiveness which our discipline asks of us? Remember that each of us is unique, precious, a child of God*”. The term School Community includes staff, governors, students, parents, visitors and volunteers.

1.2 The School recognises the benefits of having a diverse School Community, with individuals who value one another, and the different contributions everyone can make. Students are taught to value and respect others. The School’s values are linked to its Quaker foundation, and reinforced through the Centre for Peace and Global Studies. The School is committed to being an equal opportunities education provider and is committed to equality of opportunity for all members of the School Community. In the provision of equal opportunities, the School recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:

- disability
- gender reassignment (see Sidcot School – Guidance for supporting transgender students – Appendix 1)
- pregnancy and maternity
- race
- religion or belief (including where an individual does not subscribe to a particular religion or belief)
- gender
- sexual orientation
- marital or civil partnership status and age (in the case of adult members of the school community)
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These are called the **Protected Characteristics**. The School also opposes all bullying and unlawful discrimination on the basis that a person has a special educational need (**SEN**) or learning difficulty, or because English is an additional language (**EAL**).

1.3 The School aims to ensure that all policies and practices conform with the principle of equal opportunities. The School will tackle inappropriate attitudes and practices through staff leading by example, through the personal, social, health and economic education (**PSHE**) programme, through the supportive School culture and through the School’s policies.

2 Scope and Distribution

2.1 **Scope:** This policy is for the benefit of prospective and existing students of the whole school including the Early Years Foundation Stage. The whole student community is expected to observe and implement its terms.

2.2 A separate Equal Opportunities Policy for staff (9.1) applies.

2.3 This policy is available on the School’s website, on the staff intranet, and in hard copy in alternative formats where possible.

3 Aims

3.1 Through the operation of this policy we aim to:

- communicate the commitment of the School to the promotion of equal opportunities;
- promote equal treatment within the School for all members of the School Community;
- create and maintain an open and supportive environment, which is free from discrimination;
- foster mutual tolerance and positive attitudes so that everyone can feel valued within the School;
- remove or help to overcome barriers for students where they already exist;
- ensure that there is no unlawful discrimination against any person on any ground listed at paragraph 4.1;
- make it clear that, and ensure that all discriminatory words, behaviour and images are treated as unacceptable and
- take reasonable steps to avoid putting disabled people at a substantial disadvantage (the 'reasonable adjustments' duty).

4 Forms of Discrimination

4.1 Types: Pursuant to the Equality Act. Discrimination may be direct or indirect, or arising from disability and it may occur intentionally or unintentionally.

4.2 Direct discrimination: Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic as set out in paragraph 1.2 above. For example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race would be direct discrimination.

Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic. For example, if a student is harassed or victimised because a sibling is disabled, this would be direct discrimination against that student.

4.3 Indirect discrimination: Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which affects one or more of the protected characteristics and puts them at a particular disadvantage because of, for example, their sex or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with gender, they would be indirectly discriminatory on the grounds of gender.

4.4 Discrimination arising from disability: Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a student with cerebral palsy who is a wheelchair user is told they will be unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

5 Harassment

5.1 There are three types of harassment that are unlawful under the Equality Act 2010.

5.1.1 Harassment related to a relevant protected characteristic: as defined in paragraph 1.2. Harassment occurs when a person engages in unwanted

behaviour which is relevant to one of the relevant protected characteristics and which has the purpose or effect of:

- (a) violating a student's dignity; or
- (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the student.

5.1.2 Sexual harassment: This occurs when a person engages in unwanted behaviour which is of a sexual nature and which has the purpose or effect of:

- (a) violating a student's dignity; or
- (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the student.

5.1.3 Less favourable treatment of a student because they submit to or reject sexual harassment or harassment related to sex.

6 Victimisation

6.1 Victimisation means treating someone badly because their behaviour amounts to a "**protected act**" (or because the School believes that a person is or will undertake a protected act). Treating a student less favourably because they have taken such an action will be unlawful victimisation.

6.2 A "**protected act**" is:

6.2.1 making a claim or complaint of discrimination (under the Equality Act 2010 as set out above) or

6.2.2 helping someone else to make such a claim by giving evidence or information or

6.2.3 making an allegation that the School or someone else has breached the Equality Act 2010 or

6.2.4 doing anything else in connection with the Equality Act 2010.

7 Admission

7.1 **Applicants:** Subject to Section 11, below, and subject to age considerations; the School accepts applications from, and admits students irrespective of their Protected Characteristics and will not discriminate on these grounds in the terms on which a place is offered. The School will treat every application in a fair, open-minded way.

7.2 **Selection:** Every application will be considered on its merits within the School's criteria for selection on grounds of the student's ability and aptitude, but this will not be done as a way of excluding students with a disability or special educational needs, subject to section 10 below.

7.3 **Admissions Policy:** The School's Admissions Policy (3.3) reflects the School's approach towards equal opportunities and is consistent with this policy.

8 Education and Associated Services

8.1 **Equal access:** Subject to considerations of age, safety and welfare, paragraph 8.2 and section 11, below, the School will afford all students equal access to all benefits, services, facilities, classes and subjects including all sports and after school clubs/activities, irrespective of their Protected Characteristics (although subject to their age).

8.2 Positive action: The School may afford students of a particular racial group, or students with a disability or special educational needs, access to additional education or training to meet the special needs of the students in that group, for example, special language training for groups whose first language is not English.

8.3 Exclusions: Subject to section 11 of this policy, the School will not discriminate against any student by excluding him or her from the School, or by subjecting him or her to any other detriment, on the grounds of his or her sex, sexual reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief, or special educational needs.

8.4 Teaching and School materials: Efforts are made to recognise and be aware of the possibility of bias (for example, gender or racial), so that this can be eliminated in both the School's teaching and learning materials and teaching styles. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias. The School's PSHE curriculum encourages respect for other people, with particular regard to the Protected Characteristics.

8.5 Student interaction: All students are encouraged to work and play freely with, and have respect for, all other students, irrespective of their Protected Characteristics, subject to considerations of safety and welfare. Positive attitudes are fostered towards all groups in society through the curriculum and ethos of the School, and students will be encouraged to question assumptions and stereotypes.

8.6 Bullying: The School will not tolerate bullying or cyberbullying **for any reason**.

Please refer to the School's Anti-Bullying Policy (5.4). In some circumstances, bullying may amount to a safeguarding or child protection concern, in which case the School's Child Protection and Safeguarding policy (2.1) will apply. Both policies are available on the School's website, staff intranet and in hard copy form upon request, and in accessible formats wherever possible.

8.7 Behaviour – The School recognises that where challenging behaviour is related to a student's special educational needs or disability, use of positive discipline and reward methods may enable the School to manage the student's behaviour more effectively and improve their educational outcomes.

8.8 When considering sanctions, the needs of students with special educational needs or any disability will be specifically considered.

9 School Uniform

9.1 The School Uniform requirements as outlined in The Blue Book apply equally to all students, irrespective of their gender, gender reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief or special educational needs, subject to considerations of safety and welfare. However, the School will consider reasonable requests to alter the School Uniform, for example, for genuine religious requirements, and reasonable adjustments for disabled children. The School offers gender-neutral uniform choices.

9.2 **Symbols of faith:** Certain items of jewellery, such as the Kara bangle, and certain items of headwear, such as the turban and headscarves may be worn by students when doing so is genuinely based on manifesting religious or racial beliefs or identity. This is subject to considerations of safety and welfare and the School's existing uniform requirements as outlined in The Blue Book. Where there is uncertainty as to whether an item may be worn under this section, the issue must be referred by the student or his or her parents to the Headmaster, whose decision will be final, subject to the Complaints procedure.

9.3 Disabled students: Reasonable adjustments may be required to the School Uniform for disabled students who require them. The student or his or her parents should refer the matter to the Headmaster to ensure all reasonable adjustments are made to accommodate the student.

10 Religious Belief

10.1 Religion: The School's ethos and weekly Meeting for Worship is centred around Quakerism, but the School respects the right and freedom of individuals to worship in accordance with other faiths, or no faith.

11 Disability and Special Educational Needs

11.1 Our approach: We are a mainstream School which welcomes members of the School Community with disabilities and special educational needs subject to being able to reasonably accommodate their needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the School, and we will not treat a member of the School Community less favourably on these grounds without justification. We will do all that is reasonable to ensure that the School's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Special Educational Needs and Disability in Practice Policy (6.4) and Supporting Students with medical conditions and disabilities policy (4.2) is consistent with this policy and is available on the School's website, on the staff intranet and in hard copy form upon request.

11.2 Definitions:

Children have **Special Educational Needs** if they have a learning difficulty which calls for special educational provision to be made for them. A learning difficulty or disability is a significantly greater difficulty in learning than the majority of others of the same age (SEND Code of Practice 2015).

A **disability** is a physical or mental impairment which has a "substantial and long term adverse effect" on a person's ability to carry out normal day-to-day activity (Equality Act 2010).

11.3 Reasonable adjustments:

11.3.1 The School has an on-going duty to make 'reasonable adjustments' for disabled students and students with special educational needs in respect of the education and associated services provided, to ensure that such students are not placed at a substantial disadvantage in comparison with other students.

This is a broad expression that covers all aspects of School life, for example:

- the curriculum
- classroom organisation and timetabling
- access to school facilities
- clubs and visits
- school sports and
- school policies.

11.3.2 Reasonable adjustments may typically include:

- making arrangements for a child in a wheelchair to attend an interview in an accessible ground floor room
- allowing extra time for a dyslexic child to complete an assessment
- providing examination papers in larger print for a child with a visual impairment
- rearranging the timetable to allow a student to attend a class in an accessible part of the building

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- arranging a variety of accessible sports activities.

11.3.3 The School is not legally required to make adjustments which include physical alterations such as the provision of a stair-lift or new ground floor facilities, or a new library. However, the needs of disabled people will be considered when building or renovating school facilities.

11.3.4 In making 'reasonable adjustments' the School is required to provide auxiliary aids and services for disabled students. The School will carefully consider any proposals made by parents and will not unreasonably refuse any requests for such aids and services. The cost to the School, however, is a factor that may be taken into account. Each case is treated on its own merits.

11.3.5 Many disabled children will have a special educational need (SEN) and may need auxiliary aids which are necessary as part of their SEN provision; in some circumstances as part of an Education Health and Care Plan (EHCP). There should be no assumption, however, that if an auxiliary aid is not provided under the SEN provision that it must be provided as a reasonable adjustment.

12 Informing the School

12.1 **Prospective students:** Please refer to the Admissions Policy (3.1) regarding the duties of parents to inform the School when making an initial inquiry, of any special circumstances relating to their child which may affect their child's performance in the admissions process and ability to fully participate in the education provided by the School. Parents are also under an ongoing duty when their child has been enrolled, to keep the School apprised of any change of circumstance.

12.2 **Existing students:** Where the School becomes aware of an existing student's disability or special educational need, the School will do all that is reasonable to assist the student whilst at the School, which may include making reasonable adjustments. If in the professional judgement of the Headmaster, and after consultation with the parents and the student (where appropriate), the School cannot provide adequately for the student's physical and educational needs, after all reasonable adjustments have been made, parents will be asked to withdraw the student.

12.3 **Access:** The School will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to others who are not disabled. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises. The School has conducted an audit of our provision for students with disabilities. The results of the audit have informed our 3-year school accessibility plan which is a written action plan with targets and which is kept under review and revised as necessary by the Director of Operations. The Plan is available on request.

13 Students with EHC Plans (formerly known as statements of special educational need)

13.1 The School implements its Special Educational Needs and Disability in Practice Policy (6.4). The School's Special Educational Needs Co-ordinator (SENCO) is responsible for the co-ordination of the Special Educational Needs provision within the School.

14 Students with English as an Additional Language

14.1 Please refer to policy 6.13 – English as an Additional Language.

15 Provision for Students with Particular Religious, Dietary, Language or Cultural Needs

15.1 The School will make individual provision for such students where necessary and in accordance with this policy. As a Quaker school, we have a very tolerant and supportive ethos which welcomes students of all faiths and none. Provision will be made, as requested, for separate Acts of Worship both in school and in boarding houses.

15.2 The Housekeeping department work closely with students with dietary needs and our catering provision is diverse and monitored through the Food Committee on which several students sit. The School cherishes diversity and organises several multi-cultural events through the year such as ‘International Day’, Chinese New Year and “European Day of Languages”.

16 Responsibilities

16.1 All members of the School Community are expected to comply with this policy and therefore to treat others with dignity at all times.

16.2 **Overall responsibility:** The Governing Body has overall responsibility for the effective operation of the School's Equal Opportunities Policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board of Governors has delegated day-to-day responsibility for operating the policy and ensuring its accessibility, availability, maintenance and review to the Senior Leadership Team.

17 Reporting, Recording and Monitoring Breaches of this Policy

17.1 The School has an “open door” policy and encourages open and positive communication as this often results in positive outcomes.

17.2 The School also has a Complaints Procedure (2.6), which is available on the School's website, on the intranet and in hard copy in other formats wherever possible, upon request. The School will treat any potential breaches of this policy in confidence.

17.3 **Reports:** Any person wishing to report a breach of this policy that does not constitute a complaint under paragraph 17.2 above, should contact the Deputy Head (Pastoral) or other member of the School's Senior Leadership Team (contact details available in the Blue Book and upon request).

17.4 **Enforcement:** We will treat seriously and urgently investigate every complaint and report. Disciplinary action may be taken against any member of the School Community who is found to have acted in contravention of this policy.

17.5 **Record and Monitor:** All reported breaches of this policy will be recorded and this record will be reviewed annually by the Deputy Head (Pastoral) and reported to the responsible governor. In appropriate circumstances, the Board of Governors as a whole will be made aware of relevant breaches or concerns.

17.6 This policy is the responsibility of the Deputy Head (Pastoral), and will be reviewed annually.

18 Related Policies

- 2.6 Complaints Procedure
- 3.1 Admissions Policy
- 4.2 Supporting students with medical conditions and disabilities
- 5.1 Behaviour Policy – Senior School
- 5.4 Anti-Bullying Policy
- 6.4 Special Educational Needs and Disability in Practice
- 6.13 EAL Policy
- 7.1 PSHE Policy
- 7.3 Sex and Relationships Education Policy
- 9.1 Equal Opportunities (Staff)
- 9.9 Whistleblowing Policy

19 Document Change History – document any changes since policy redrafted in January 2016.

Date of change	Detail significant changes and any new legislation / guidance taken into account
20 January 2016	Board Adopts Redraft of Policy
27 April 2018	Reviewed and adopted by Board Paragraph 9 – reference to gender-neutral uniform choices Paragraph 11 – “mainstream” substituted for “inclusive” to be consistent with admissions policy.
27 March 2019	Policy reviewed and updated
12 May 2021	Review of document, minor wording changes, review and replacement of Appendix ,1 Sidcot School Transgender Plan with Sidcot School: Guidance for supporting transgender individuals

Appendix 1:

Guidance for supporting transgender individuals

RATIONALE

This guidance is to inform School staff and enable them to support members of the School Community who are questioning their gender identity.

The guidance aims to minimise distress and disruption and embed good practice by:

- promoting inclusion for all at the School;
- ensuring that all staff are able to deal with transgender matters inclusively;
- provide practical guidance on specific issues.

INTRODUCTION

Gender is often an important part of an individual's identity and developing a positive sense of gender identity is part of growing up. However, gender identity is often complex and there is a spectrum of gender which is wider than just boy/man or girl/woman.

Practice to support transgender individuals should be embedded across school policies and curriculum and build on best practice already in place to eliminate discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

The following sections of the policy seek to provide a broad overview of the needs of transgender individuals and their families.

EMBEDDING BEST PRACTICE

In developing practice to support transgender individuals, members of the School should try to follow these principles:

- listen to the student, their parents, carers and siblings. Wherever possible follow their lead and preferences;
- no student should be made to feel that they are the ones who are causing problems or that they owe anything to their school in return for being treated with the equality they deserve and are legally entitled to;
- avoid seeing the student as a problem;
- allow where possible the student to access the activity that corresponds to their gender identity;

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- challenge bullying and discrimination;
 - promote positive attitudes to gender diversity by including transgender issues within activities relating to discrimination, hate crime, diversity, inclusion, through RSE and PSHE.

EARLY HELP

It is important that any support offered to a transgender student or young person starts with identifying their individual needs. It must be understood that some transgender individuals may not want medical interventions. Some may choose to be known by a different name or to wear different clothes. However, many transgender individuals (and their families) may need some expert/specialist support.

A transgender student may benefit from an Early Help Assessment in line with North Somerset Safeguarding Board procedures to identify any additional needs arising from transgender issues. Sidcot School would (with agreement and in consultation with the student and parent/carer as appropriate) complete an Early Help Assessment to identify specific information that the young person would like to be shared with those working with them to avoid them having to repeat themselves.

When completing the assessment, particular attention should be paid to the sections on emotional health and wellbeing, family and social relationships, behaviour and an action plan should then be put in place to address these issues and ensure the young person has a robust support plan. The allocated Lead Professional (usually the Housemaster or Housemistress) should always be someone who knows and gets on well with the student and will need to work closely with the Safeguarding Team.

There are several specific issues that those supporting transgender students should recognise.

1. Terminology and language

The correct terminology and language should be used and in order to do this there may need to be some education in lessons around sexual orientation and gender so that staff and students have a clear understanding that sexual orientation and gender identity are two completely different things. For the matter of fairness and inclusion it is extremely important that the correct gender, name and pronouns are used to address transgender students.

2. Names and pronoun change

Some transgender children and young people may wish to change their name to make it in line with their chosen identity. Although they may not have changed their name legally, individuals have the right to choose the name and pronouns by which they are known by staff and fellow students.

More information on changing names on birth certificates can be found at

www.deedpoll.org.uk/CanABirthCertificateBeChanged.html

3. School Uniform

Transgender students will be expected to follow the School Uniform Policy which covers uniform, makeup, jewellery and hairstyles, following either the 'skirt uniform' or the 'trouser uniform'. Further arrangements may be required on a case-by-case basis and these will be considered.

4. Housing allocation, residential arrangements (boarding) and residential trips

Careful consideration and preparation is needed where a transgender student is part of a boarding community or residential trip. Housing, rooming allocation and available facilities e.g. toilet and washing facilities, will need to be considered.

The sleeping arrangements will need to be thought about carefully before the trip takes place.

Risk assessments should be carried out for a boarding arrangement and prior to residential trips so that reasonable adjustments can be made.

5. School Attendance

Sidcot School will make reasonable adjustments to accommodate absence requests for any appointments with external agencies in line with their absence policy. It is possible that the young person may be accessing support from outside of school so provision must be made in order for the student to be absent from school. Confidentiality must be maintained when complying with absence procedures and sensitive care will be taken when recording the reason for absence. The young person may need time off for a medical appointment and it should be recorded as an M code rather than being off sick.

6. Transphobia and Bullying

Sidcot School has a robust anti-bullying policy. In line with this policy, transphobia incidents will be recorded and dealt with in the same manner as other incidents that are motivated by prejudice, e.g. racist or homophobic incidents. Staff should be aware that LGBT+ individuals may be vulnerable to peer-on-peer abuse and are statistically more likely to suffer poor mental health.

7. Physical Education

Sports and Physical Education are key aspects of the co-curriculum and promote physical and mental wellbeing. Physical Education develops student's competence and confidence to take part in a range of physical activities that become a central part of their lives, both in and out of school.

A young transgender individual has the same right to Physical Education as other young people. With regard to young trans people at school, there should be reasonably few, if any, issues regarding participation within sports.

There may be sports where, as puberty develops, male to female (M2F) Transgender participants may have a physical advantage over other girls but this should not present a problem. The issue of physical risk within certain sports should also be managed properly within the lesson context rather than preventing young Transgender people from participating (which would be discriminatory).

If a student is binding their chest, they should be monitored carefully during particularly physical activities and in hot weather. There is a chance that the binding could cause discomfort or even impair breathing. Short breaks from activity could be offered discreetly.

It may be that due to the nature of contact and physicality of sports such as rugby, the school would consider whether a Transgender person participating in full contact lessons is appropriate towards the latter stages of puberty.

The student should be given the choice as to whether they wish to partake in swimming lessons or not. If the transgender student wishes to partake in swimming lessons then a risk assessment of the changing facilities should be completed. There must be careful consideration, in consultation with the student and in line with the health and safety policy of the leisure centre or swimming pools health and safety procedures. For example, it may be against health and safety regulations to wear a t-shirt in the swimming pool and therefore it may be more appropriate for a F2M student to wear an all in one wetsuit or similar.

8. Changing Room Facilities

The use of changing room facilities will also be carefully considered. Facilities for Transgender individuals will be sensitive to their needs and also recognise the needs and sensitivities of other students. When competing at another school or outside venue, school staff must ensure there is appropriate sensitive provision available.

9. Toilet Facilities

There is some provision at Sidcot School for gender neutral toilets for student use. Transgender students will be able to use these facilities as outlined. Where a student is off site on a trip, staff should be aware of the needs of the student throughout the trip.

10. Medical support, the role of the Health Centre and vaccinations

Sidcot School will be sensitive to the needs of any gender specific treatment (such as routine vaccinations administered to females) and suitable arrangements will be made with the

student.

11. Work Experience

Where Sidcot School is considering a work experience placement, the school will complete a suitable assessment on the potential placement to establish if there is any risk to the young Transgender person, taking account of the young Transgender person's right to privacy – as a general principle, personal information on the young Transgender person must not be shared.

School will be sensitive to this in their planning before any young Transgender person is placed in any business or organisation. Careful discussion about the placement with the student and parents or guardians, will occur to find the most suitable way forward to ensure the placement is successful.

12. Information sharing

Confidential information about students or staff will not be shared with other parents.

Staff must know their duties and responsibilities around data protection so that they fully understand why information is protected, and when, how and to whom certain information can be released.

School will not engage with the press.

13. Confidentiality

All people have a right to privacy. This includes the right to keep private one's trans status or gender non-conforming presentation at school or workplace. Information about a transgender student's status, legal name, or gender assigned at birth also constitutes confidential special information.

School staff should not disclose information that may reveal a student or young person's transgender status or gender non-conforming presentation to others, including parents/carers and other members of the school community unless legally required to do so or because the student or parent/carer has given permission for them to do so. **Staff need to be careful about discussing the transgender student beyond the confines of the school.**

Transgender students have the right to discuss and express their gender identity openly and

to decide when, with whom, and how much to share information. When contacting the parent or carer of a trans student school personnel should use the student's legal name and the pronoun **corresponding to their gender assigned at birth unless the student, parent, or carer has specified otherwise.**

15. Dealing with the questions of staff, students, families and the wider community

The decision to transition can be much harder for the family of the young person to accept than their teachers or peers. Having a lead professional to talk to at school can help any student facing challenges and change; this key person, chosen by the transgender student, can help the student have the confidence to initiate potentially difficult conversations with their family. There may be many questions that are asked by various people and it is important to be as clear and informative as possible. However, every circumstance is different, due to the unique experience of individual children and their families.

ADVICE ON SUPPORTING A TRANSGENDER STUDENT

1. Language

It is appropriate to discuss how other colleagues/students will be informed. The individual should never feel coerced into a decision with which they feel uncomfortable and should always feel supported.

Should they wish to share the information themselves or want it done on their behalf, it is important that the transgender student maintains and feels in control of what people are told and the language that is used. It is extremely important that this forms an integral part of the action plan.

2. Name change

Identify which of the following cards/name badges will need to be changed:

- Student ID card;

3. Consider the need to alter the following documents and materials (in line with GDPR regulations):

- Online records, e-portfolio/record of achievements;
- Student databases;
- Admissions forms;
- Financial records;
- Curriculum programme and module lists;
- House and Tutor records;
- Health centre records;
- Official documentation e.g. certificates, academic transcripts, UCAS or other references.
- School login including Microsoft Teams

SOURCES OF FURTHER INFORMATION

The Gender Identity Research and Education Society (GIRES) have produced some helpful training tools which can be used in school. Staff and Council can also use the materials as part of their Continuing Professional Development. The resources can be found at:

www.gires.org.uk/schools.php

Tavistock and Portman Clinic - Gender Identity Development Service
www.tavistockandportman.nhs.uk/childrenyoungpeoplegenderidentityissues

Mermaids - Family and Individual Support for Teenagers and Children with Gender Identity Issues
www.mermaidsuk.org.uk

Press for Change - The UK's Leading Expert in Transgender Law www.pfc.org.uk

NHS Live Well - Support for Young People
www.nhs.uk/Livewell/Transhealth/Pages/Transyoungpeople.aspx

Equality Advisory Service www.equalityadvisoryservice.com

QGSDC Quaker Gender and Sexual Diversity Community www.qgsdc.org.uk

Sidcot School Pride Club

GLOSSARY OF TERMS

Binding – a F2M adolescent that is developing breasts may strap down their chest so that it is less obvious. This can be hot, uncomfortable and restrictive but very important to their psychological and emotional wellbeing. It might make certain PE lessons difficult for them to participate in and could sometimes lead to breathing difficulties, skeletal problems and fainting.

F2M – Female to Male, a person that was identified as Female at birth but came to feel that their true gender is actually Male.

Gender – the socially constructed way that a person feels about themselves in relation to their physical and mental self as opposed to their biological sex at birth.

Gender Dysphoria – the medical condition that describes the symptoms of being Transgender. Gender dysphoria is a strong, persistent discomfort and distress with one's gender, anatomy, birth sex, and even societal attitudes toward their gender variance. This term is not often used by the trans communities due to the connotation of something being 'wrong'.

Gender Role – the social role/interaction with others, which gives expression to the inner gender identity and reinforces it.

M2F – Male to Female, a person that was identified as Male at birth but came to feel that their true gender is actually Female.

Packing – a F2M person may wear a prosthetic item in their pants that will give a "bulge" in their trousers so as to appear more male.

Sex – the biological categorisation of male or female due to the way a person's body appears. Used, sometimes wrongly, to indicate their gender.

Transgender – a person that feels the assigned gender and sex at birth conflicts with their true gender.

Transsexual – a Transgender person who lives full time in their true gender.

True Gender – the gender that a person truly feels they are inside.

LEGISLATIVE FRAMEWORK

The legislation states that schools must not discriminate against a student because of their transgender status. This guidance will outline the adjustments and steps that the School may need to take to meet the needs of transgender individuals.

General Data Protection Regulation, 2018

Personal data must be looked after properly following the six data protection principles, which include ensuring personal data is accurate, secure and processed fairly and lawfully.

Information about a person's health and medical data are regarded as special category data. See: <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted> for categories and exemptions.

Failure to change a person's title, name and gender when requested could lead to the following offences under the Act:

- Disclosure of personal information that is used, held or disclosed unfairly, or without proper security
- Failure to ensure personal information is accurate and up-to-date
- Processing of data likely to cause distress to the individual

The Human Rights Act, 1998

The following Articles from The Human Rights Act 1998 support the rights and needs of Transgender people to live their lives in their true gender. Specifically Article 8: right to respect for private life and family life; Article 10: freedom of expression; Article 14: the prohibition of discrimination.

The Gender Recognition Act, 2004

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth certificate to match their true gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to.

Equality Act, 2010 (Great Britain)

The Equality Act 2010 ensures legal protection against discrimination, harassment and victimisation (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment (also known as Transgender). Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to School and young people.

The Equality Act 2010 (2:1:7) states that:

“A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex. The Act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a student will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so. The school governing body has a responsibility to ensure that the school is complying with its requirements under the Equality Act.”

Sex Discrimination (Gender Reassignment) Regulations 1999

Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, school and vocational training (including higher education study).

Less favourable treatment relating to absences arising from gender reassignment is unlawful if:

- the treatment is less favourable than if it had been due to sickness or injury;
- the treatment is less favourable than if it had been due to some other cause and, having regard to the circumstances of the case, it is reasonable not to be treated less favourably;
- Less favourable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

Discrimination

As stated, The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act, one of which is Gender Reassignment.

The legislation states that a school must not discriminate against a student because of their Transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible school uniform rule which offers no “unisex” options such as trousers for girls, and which would therefore create a particular difficulty for a F2M student.