



Achieving Excellence Together in a Caring Community

Transgender Equality Policy

Date of Approval: January 2021

Review Date: September 2021

Statement of Purpose

Gender is an important part of an individual's identity, however gender identity is often complex. We recognise that there is a spectrum of gender which is wider than just male and female. It is also recognised that for some people, their personal identity and gender does not correspond with their birth sex. This policy seeks to ensure that the needs of all children are met, regardless of their gender identity, with a particular focus on the needs of transgender children and their families.

As a school, we aim to utilise best practice to eliminate discrimination, harassment and bullying associated with gender identity.

Definitions

- Gender Identity - an individual's personal sense of having a particular gender.
- Transgender - denoting or relating to a person whose sense of personal identity and gender does not correspond with their birth sex.
- Gender Dysphoria - the condition of feeling one's emotional and psychological identity to be at variance with one's birth sex.
- Non-Binary - a spectrum of gender identities that are not exclusively masculine or feminine; identities that are outside the gender binary.
- Gender reassignment - the process, typically involving a combination of surgical procedures and hormone treatment, undertaken by a transgender person in order to alter their physical sexual characteristics to match their gender identity.
- Transitioning – adopting permanently the outward or physical characteristics of the gender one identifies with, as opposed to those associated with one's birth sex.
- Transphobia - dislike of or prejudice against transsexual or transgender people.
- Stealth - when a transgender person chooses to present solely as their preferred gender.
- Cisgender - denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex.

Legal Framework

Equality Act 2010

It is illegal to discriminate directly or indirectly against people who are trans. Gender reassignment is one of the nine protected characteristics under the Equality Act 2010.

The Act specifies that it applies to schools and young people - the age of the child makes no difference to the application of the law.

Under the Act, gender reassignment is defined as a personal process rather than a medical process so a pupil does not have to be undertaking a medical procedure to change their sex, but must be taking steps to live in the opposite gender, or proposing to do so. This is explained in the Department for Education guidance on the Act.

Public Sector Equality Duty (PSED)

The Equality Act places further duties on schools through the Public Sector Equality Duty. This duty requires schools to operate with "due regard" to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people

Education and Inspections Act 2006

Schools must have measures in place to prevent all forms of bullying, including transphobic bullying, in line with section 89 of the Education and Inspections Act 2006.

United Nations Convention on the Rights of the Child (UNCRC)

The UNCRC protects the rights of young people under 18. This includes the right to:

- Say what they think should happen when adults are making decisions that affect them and to have their opinions taken into account
- Freely express their thoughts and opinions, and to get and share information (as long as it is not damaging to them or others)

Key Principles

When a child at Dorchester Primary School identifies as trans or gender questioning, we will:

- embrace the opportunity to enrich the school community and to challenge gender stereotypes and norms on a wider scale
- listen to the pupil and their parents and wherever possible follow their lead and preferences
- avoid, where possible, gender segregated activities and where this cannot be avoided, allow the pupil to access the activity that corresponds to their gender identity if that is their choice
- ensure trans pupils are supported to equally access all school activities, including but not limited to class activities, PE, competitions and sports days
- ensure the school community is aware of the need to challenge transphobia, as well as sexism, homophobia, and biphobia

All Staff

- will be given training on sexual orientation and gender identity so they are knowledgeable about LGBT+ issues
- will be given support on the definitions relating to transgender and gender questioning children
- will be given a shared vocabulary to use if children raise questions
- will not tolerate transphobic language or any language which diminishes the importance of a child's right to identify with a certain gender
- will deal with transphobic bullying separately from homophobic bullying so the two issues are not confused

Affirming Language

- It is important to use affirming language to respect transgender children
- It is integral that phrasing which implies that trans identities are false are never used
- Affirming language when approaching children who have transitioned could be: "X is a boy/ girl, and always has been. To live his/ her true self, X will be presenting as a boy/ girl in school, and he/ she will be using male/ female pronouns"
- Phrasing such as "X is now a boy/ girl, X used to be a girl/ boy" can potentially be damaging. It is important to recognise that people who have transitioned are being true to themselves, rather than inferring that they have changed who they are

Whole School Approaches

- We promote a culture that celebrates difference and diversity and one in which all pupils can see themselves reflected and valued
- We have in place systems and processes that support vulnerable pupils
- We have a gender neutral uniform policy
- We embed effective anti-bullying and equality policies which ensure the whole school community challenges and records bullying and prejudice-based incidents effectively and are confident in challenging sexist, transphobic and homophobic bullying
- We provide a curriculum that offers opportunities to challenge stereotypes including those based on gender and avoids making assumptions about sex, gender, gender identity and sexual orientation; we aim to ensure that curriculum resources do not contain gender stereotypes or transphobic material
- We foster positive relationships with parents and children so that we can listen and respond to individual needs and preferences
- We ensure trans issues and transphobia are acknowledged across the school policy framework
- We include trans issues in equality training for staff and governors
- We participate in events such as LGBT History Month and ensure visibility of trans people and their achievements
- We will discuss with trans pupils and their parents/carers which toilet provision they would feel safest using and support them in doing so. Pupils will be supported to access the toilet that corresponds to their gender identity, i.e. trans girls can use the girls' toilets and trans boys the boys' toilets. Should a pupil wish to use a unisex toilet, the school will provide these facilities, labelled sensitively and appropriately but no pupil will be required to use such a toilet.
- Where a trans child is partaking in swimming lessons or any other events organised by the School that take place outside the school premises, a risk assessment will be completed and there will be careful consideration of the needs of the child, and the parents will be involved in the decision making, to protect the pupil's ability to keep their trans status confidential.
- Where a trans child is partaking in residential trips, a risk assessment will be completed and there will be careful consideration of the needs of the child, and the parents will be involved in the decision making.

Bullying and Transphobia

The school will not tolerate any form of transphobia, harassment, discrimination or bullying. Transphobic behaviour could include name-calling, derogatory jokes or gestures, intrusive or hostile questioning, threatening to 'out' someone as trans, as well as unwanted physical contact and violence. Harassment does not have to include overtly unpleasant words or actions but can include:

gossiping about a trans person

ignoring an individual

passing judgment about how convincing a trans person is in their acquired gender

refusing to address the person in their acquired gender or new name

purposefully disclosing confidential information

School staff will immediately investigate all cases of possible discriminatory harassment. If an investigation concludes that bullying or harassing conduct has occurred, staff will act quickly to stop the behaviour in line with the

School's behaviour and anti-bullying policies. We will consider gender identity when monitoring complaints of bullying and/or harassment."

Safeguarding

Our usual safeguarding considerations will be in place when planning for and supporting transgender pupils; these may include observing signs that additional support might be needed for example lack of concentration, reluctance to use public toilets, reluctance to participate in PE especially if the activity is strongly associated with the assigned birth gender, few friends, signs of depression, signs of self-harm. Gender dysphoria can be psychologically distressing and it is vital that children are protected to ensure their wellbeing, with any concerns picked up and addressed promptly.

The school will not tolerate any form of transphobia, harassment, discrimination or bullying. Transphobic behaviour could include name-calling, derogatory jokes or gestures, intrusive or hostile questioning, threatening to 'out' someone as trans, as well as unwanted physical contact and violence. Harassment does not have to include overtly unpleasant words or actions. More subtle examples of other behaviours that could be considered harassment include:

gossiping about a trans person

ignoring an individual

passing judgment about how convincing a trans person is in their acquired gender

refusing to address the person in their acquired gender or new name

purposefully disclosing confidential information

School staff must investigate possible discriminatory harassment—as soon as they know or reasonably should know—even if a parent or student does not file a formal complaint. If an investigation reveals that harassing conduct created a hostile environment, staff must act quickly to stop the behaviour and put an end to the hostile environment. These are all serious disciplinary (and in some cases criminal) offences and will be dealt with in accordance to our XXX Policy. The School will consider gender identity when monitoring complaints of harassment."

Confidentiality

All people have a right to privacy. This includes the right to keep one's gender status private. Information about a pupil's transgender status, legal name, or sex assigned at birth constitute confidential information. School staff will not disclose information that may reveal a child 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 child or parent/carer has given permission for them to do so. Transgender and gender non-conforming members of the school community have the right to discuss and express their gender identity openly. It is important to consistently use preferred pronouns and names in order to protect a child's confidentiality and to not 'out' them in ways that may be unsafe and exposing.

Monitoring and Evaluation

This policy will be monitored and evaluated by the PSHE lead, head teacher and governors. It will be updated annually, or as needed.

Adopted by staff and governors: January 2021

To be reviewed: September 2021