



TRANSGENDER POLICY



THE
BRIAN CLARKE
CHURCH OF ENGLAND ACADEMY

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Contents

1. Policy Statement	1
2. Objectives of the policy	1
3. Principles for ensuring an inclusive community to support transgender students	1
4. Definitions	1
5. Legislation	1
5.1 Data Protection Act 1998 (UK)	2
6. Support:	2
7. Bullying and Transphobia:.....	3
8. School Uniform:	3
9. Toilets and changing rooms:.....	3
10. Physical Education:.....	3
11. School Visits:.....	3
12. Education, Training and Promoting Equality.....	4
13. Tackling inequality.....	4

1. Policy Statement

We want all our students to be everything they can be and everything they are meant to be – to be able to live life in all its fullness (John 10.10).

At Brian Clarke we are committed to providing a secure and happy environment free from threat, harassment and any type of bullying behaviour. Every member of the school will treat others with kindness and respect. Everyone This policy promotes practices within the school to reinforce our vision.

This policy should be read in conjunction with:

- Safeguarding and Child Protection Policy
- Equality Policy
- Behaviour Policy
- Anti-Bullying Policy

2. Objectives of the policy

- To ensure appropriate support for transgender students
- To provide a fully inclusive environment for any transgender student
- To ensure the school community is aware of issues on transgender
- To enable transgender students to enjoy their education and achieve their potential

3. Principles for ensuring an inclusive community to support transgender students

- Consider gender as a spectrum and take a non-binary approach to gender. Gender is often an important part of our identity and developing a positive sense of gender identity is part of growing up
- Listen to the child or young person and their parents and carers, and wherever possible follow their lead and preferences
- Avoid, where possible, gender segregated activities and where this cannot be avoided, allow the child or young person to access the activity that corresponds to their gender identity

4. Definitions

Transgender: A person whose gender identity is different from the sex they were assigned at birth. Some transgender people will choose to transition socially, and some will also take medical steps to physically transition (with the help of hormone therapy and/or surgery) to live in the gender role of their choice.

5. Legislation

Under the Equality Act, 2010 schools must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The act refers to the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership

- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Equality Act provides protection from discrimination because of gender reassignment in schools. This means that it is unlawful for schools to treat pupils less favourably because of their gender reassignment, and that schools will have to factor in gender reassignment when considering their obligations under the new Equality Duty. Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone, or is proposing to undergo, a process (or part of a process) of reassigning their sex by changing physiological or other attributes.

This definition means that in order to be protected under the act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex. Pupils who are undergoing a social transition, for example, going by a preferred name or pronoun are protected by the Equality Act¹

5.1 Data Protection Act 1998 (UK)

Information about a person's transgender status is considered sensitive personal data and is subject to tighter controls than other personal data. Explicit consent, in the form of a signed letter from parents/carers, is required before it can be processed.

From this point, the student will be identified as their chosen gender and name on all internal systems. This means that all reports and communication with home, will identify the student with their preferred name and gender.

For exam certificates, a student is identified by their Unique Pupil Number (UPN) which are only linked to legal names, not preferred names. Changing the gender on a birth certificate is not possible until a Gender Recognition Certificate has been issued. The Citizens Advice Bureau and Transgender Support Organisations will be able to offer further advice and support on this topic.

6. Support:

- All young people at Brian Clarke are supported through a pastoral and wellbeing curriculum which enables them to explore thoughts, feelings and opinions in a safe, respectful environment
- The pastoral curriculum welcomes and celebrates diversity and the understanding of relationships
- Strong pastoral relationships and systems ensure all students have someone who they can talk to should any issues or concerns arise
- A young person may identify as transgender at any point in their life. At the point in which a student wishes to identify as transgender, a support and planning meeting must be held involving the student, their parents/carers and the Deputy Headteacher. During this meeting, a support plan will be agreed which will consider the students wishes and feelings, the sharing of information and the mechanisms for support in school
- Transgender students will have access to a school mentor and where appropriate, regular meetings with the student and/or family, will be arranged to discuss transition and adapt support
- Close monitoring of the curriculum and resources to ensure that they do not contain gender stereotypes or transphobic material

¹ Equality Act 2010

- Participation in events such as LGBT History Month and ensure visibility of trans people and their achievements
- Regular review of inclusion and behaviour policies to ensure they are robust enough to safeguard transgender students from discrimination

7. Bullying and Transphobia:

Brian Clarke Academy takes all forms of prejudice-based bullying seriously. Guidelines for preventing, tackling and dealing with any form of bullying, including transphobia, can be found in the school's Anti-Bullying Policy.

8. School Uniform:

The only difference between male uniform and female uniform is that girls can choose to wear either a skirt or trousers.

For Female to Male (F2M) transgender students, the uniform regulations will allow students to choose their preferred uniform at any point.

For Male to Female (M2F) transgender students, the transition can be more difficult if they wish to wear a skirt or a summer shirt. In these cases, transition will be discussed with the student.

Regulations regarding make-up and jewellery must be adhered to by all students.

9. Toilets and changing rooms:

Transgender students will be advised to use accessible toilets. Arrangements will be made for them to be able to collect a key for usage. All toilets (male and female) are housed in individual cubicles.

When students participate in PE, they arrive to school in PE kit and remain in their kit for the duration of the school day, negating the need for individual changing room needs.

10. Physical Education:

PE is a valued subject on our curriculum for supporting and developing the physical and mental well-being of young people. A transgender student has the same right physical education as all other students.

There may be some sports where M2F students may have a physical advantage over other girls. In these instances, the teacher should carefully plan for inclusion, considering groupings and the type of activities required.

Some contact sports, such as rugby, may present difficulties, particularly for M2F students. In these instances, planning should take place with the teachers, students and their parents/carers well in advance of the lesson and suitable adaptations will be made.

11. School Visits:

School visits, including residential visits are a valuable part of an enriching curriculum. If a transgender student wishes to participate in a school trip of any kind, that reasonable planning and consideration will take place in advance.

Students usually have an element of choice over their sleeping arrangements. Where the accommodation offers single rooms, transgender students will be given first choice over these. If a transgender student would prefer to share a room with friends, this may be approved but each individual case will be considered separately.

With regards to a visit abroad, anyone can be searched at border and other places. When a transgender student is participating in a school visit to a different country, the school will contact the relevant border

control or agency in advance to clarify that country's policies and procedures and to ensure that any risk assessment is completed in line with the relevant policy.

12. Education, Training and Promoting Equality

We actively promote equality and celebrate diversity. We are proud of the fact that our school ethos fosters an inclusive safe and caring environment which ensures that every person in our school community feels valued and confident and that we actively celebrate *the light within us all and the light we are all drawn to – the light which enables us to grow, thrive and understand.*

12.1 For pupils

Character traits which promote equality such as tolerance, humility and compassion are modelled by staff on a daily basis during all interactions with young people. However, where more carefully coordinated training and teaching of more complex topics such as transgender is needed, provision is built into our pastoral curriculum in order to raise awareness in a structured setting. Such opportunities to promote and educate young people on issues connected to transgender and transphobia are included in the wellbeing curriculum, within form time and during year and school assemblies. These activities are led by form tutors, Heads of Year, members of the Senior Leadership Team and external providers where appropriate.

13. Tackling inequality

Incidents of bullying are thankfully rare, however, should a student become a victim of prejudice-based bullying (including transphobia), the school will act immediately in line with the Behaviour Policy. Whilst it may be necessary to issue a sanction, an important part of the process in dealing with prejudice-based bullying is to provide opportunities for reparation. This may then include restorative interventions to help support both the young person who has been harmed and also to support the pupil responsible to correct their behaviour.