



Okehampton College

Transgender Policy

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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 male/female.

Okehampton College aims to support transgender and gender non-conforming students. Practice to support trans children is embedded across school policies and curriculum and builds on best practice already in place to eliminate discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

This Policy seeks to provide a broad overview of the needs of transgender children and their families.

Legal framework

The DFE document 'The Equality Act 2010 and Schools' states;

- Protection from discrimination because of gender reassignment in schools is new for pupils in the Equality Act, although school staff are already protected. This means that for the first time it will be 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 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 but must be taking steps to live in the opposite gender, or proposing to do so.
- The protection against discrimination because of gender reassignment now matches the protection because of sexual orientation in schools. That is protection from direct and indirect discrimination and victimisation, which includes discrimination based on perception and on association. Schools need to make sure that all gender variant pupils, or the children of transgender parents, are not singled out for different and less favourable treatment from that given to other pupils. They should check that there are no practices which could result in unfair, less favourable treatment of such pupils

Principles

In developing practice to support trans children, schools should try to follow these principles:

- Listen to the child, their parents, carers and siblings. Wherever possible follow their lead and preferences.
- No child 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 child as a problem and instead see an opportunity to enrich the school community and to challenge gender stereotypes and norms on a wider scale.
- Challenge bullying and discrimination.
- Promote positive attitudes to gender diversity by including trans issues within activities relating to discrimination, hate crime, diversity, inclusion, SRE and PSHE.

Early Help Process

It is important that any support offered to a transgender child or young person starts with identifying their individual needs. It must be understood that some trans people may not want any treatment. Some may choose to be known by a different name or to wear different clothes. However, most or all young trans people (and their families) will need some expert/ specialist support as they grow up and develop.

A trans pupil may benefit from Early Help. Okehampton College will (with the agreement and in consultation with the pupil and parent/carer) consider Early Help and will signpost trans children to services such as the Intercom Trust, Tor Support and other agencies to give support.

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 pupils 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 correctly to address transgender pupils.

Members of the school community should strive to use the preferred pronoun for a trans child, young person or adult. In addition, staff should think carefully about the language they use and when possible, attempt to use language which does not reinforce a binary approach to gender (i.e. there are just males and females). The purpose of this is not to deny gender as an important part of identity. But care needs to be taken to avoid excluding those who do not see themselves as male or female, or make assumptions about someone's gender identity because of how they appear.

Names and pronoun change

Respecting a child or young person's request to change name and pronoun is crucial in supporting and validating that young person's identity. 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 by which they are known to by staff and fellow pupils. Changes can be made on SiMs.

However, entry for exams and exam certificates are more complex. The Joint Council for Qualifications paper work states that:

'The centre agrees to: enter candidates under names that can be verified against suitable identification such as a birth certificate, passport or driver's licence. You may need to check that the name the candidate is using within the centre is his/ her legal name rather than a 'known as' name.'

Furthermore, once a result is accredited, it will need to be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which existed in the school census information submitted in January of the exam year. UPNs and ULNs are only linked with legal names, not preferred names. In order to use a chosen or preferred name on an exam document, a student will need to have changed their name by deed poll. If the student is under 16 then the consent of all people with parental responsibility is required. Once the student is 16, they can apply for a deed poll in their own right. Parental consent is not needed.

School Attendance

Okehampton College will make reasonable adjustments to accommodate absence requests for any treatment or appointments with external sources 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 but confidentiality must be maintained at all times when complying with absence procedures. 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 such rather than being off sick.

School Photos

Trans children may feel fine with having their photograph taken at school but steps must be taken to ensure that these images do not reveal any confidential information. Okehampton College will always seek parental/carer permission to publish photos in line with the school policy.

Transphobic Bullying

Okehampton College has a robust anti-bullying policy. In line with this policy, transphobic 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.

Physical Education

Sports and Physical Education is a key aspect of the national curriculum and the physical and mental well-being of young people. Physical Education develops pupil'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 person has the same right to Physical Education as other young people. With regard to young Transgender people at school, there may be some issues regarding participation within PE.

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 within a carefully and sensitively managed lesson context. 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 pupil 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 discretely.

Openly identifying as trans is a difficult move for a young person to take. In order to support trans students their preference for the type of PE class should be taken into account wherever possible - it would be usual for them to move if in single gender classes but it may be that they wish to remain in their old gendered group if they feel they have more support there from other students. An exception 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.

Changing Room Facilities

The use of changing room facilities will be carefully considered in discussion with the trans pupil. The goal should be to maximise social integration and promote an equal opportunity to participate in PE, ensuring the safety and comfort, and minimising stigmatisation of the pupil or student. Refusing a child or young person access to the changing room of their gender identity would constitute an act of discrimination. Facilities for transgender pupils 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.

Toilet Facilities

There is provision at Okehampton College for unisex toilets. Transgender students will be able to use these facilities.

School Uniform

Transgender students will be expected to follow the School Uniform Policy, which covers uniform, make-up and jewellery and hairstyles. There is a broad range of uniform available which is non-gendered.

Residential Trips

Careful consideration and preparation is needed where a transgender pupil is taking part in a residential trip – to exclude a transgender pupil would be contravening the Equality Act 2010. The sleeping arrangements will need to be thought about carefully before the trip takes place. Risk assessments should be carried out prior to residential trips so that reasonable adjustments can be made to allow the pupil to participate.

Work Experience

Where Okehampton College is considering work experience 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. The 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 pupil and parents or guardians, will occur to find the most suitable way forward to ensure the placement is successful.

Media and Parental Interest

Staff must know their duties and responsibilities around GDPR so that they fully understand why information is protected, and when, how and to whom certain information can be released. Confidential information about pupils will not be shared with other parents. The following suggested suitable response is for staff to offer should they be asked questions in relation to trans issues:

"We value all our pupils and care for them, whatever their personal circumstances. Our main job is to give them a good education in a happy school environment. That is what we are focusing on, and we would ask everyone to respect the privacy of all our pupils."

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. Information about a child, young person or staff member's trans status, legal name, or gender assigned at birth also constitutes confidential medical information.

School staff should 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. Staff need to be careful about discussing the transgender child beyond the confines of the school.

Trans children and staff 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 child or young person, school personnel should use the child or young person's legal name and the pronoun corresponding to their gender assigned at birth unless the child, young person, parent, or carer has specified otherwise.

Best practice

In order to facilitate a student transitioning in the College staff should

- Have a meeting between the tutor, Student Progress Leader, other relevant staff and the student and parent/guardian
- Use this document to discuss the various aspects of the process of transition in College
- Ensure that correct pronouns and names are used
- Make an offer of Early Help to the student by signposting other services
- Ensure that SIMS is updated
- Make all class teachers and other relevant staff aware
- Discuss any points of concern e.g. toilets, PE, Curriculum Extension Week, residential
- Make the trans student and parent/guardian aware of the College's robust policy on dealing with homophobic and transphobic bullying.

With help from Devon County Council LGBT toolkit and East Sussex Schools Transgender toolkit.