



# **The Castle School**

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## **Transgender Students**

**Date: January 2023**

Headteacher: James Lamb

Due for review: Spring Term 2025

Our school is committed to ensuring a strong sense of belonging, safety and achievement for all students. We have a robust whole school approach to developing an understanding of transgender challenges and preventing transphobia.

This policy sets out our approach to meeting the needs of our students in terms of their gender identity, ensuring that individuals who are undergoing, have undergone or are proposing gender-reassignment receive the same respect and fair treatment as all other students.

#### **Key documents read and used in writing this policy:**

[School inspection handbook - GOV.UK \(www.gov.uk\)](https://www.gov.uk) – reference to protected characteristics

[Trans Inclusion Schools Toolkit 2021 \(brighton-hove.gov.uk\)](https://brighton-hove.gov.uk)

[Guidance for maintained schools and academies in England on provision for transgender students \(ascl.org.uk\)](https://ascl.org.uk)

[Equality Act Advice Final.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

[Keeping children safe in education 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

#### **Roles and responsibilities:**

The Headteacher is responsible for ensuring the consistent implementation of this policy, particularly with regard to supporting transgender students and in ensuring all members of the school community, staff and students, respect the wishes and privacy of transgender students. The Headteacher may delegate responsibility to specific members of the pastoral team in fulfilling the requirements of the policy for individual transgender students subject to their full involvement.

**Key definitions:** for terms used in the Policy can be found in the [Guidance for maintained schools and academies in England on provision for transgender students \(ascl.org.uk\)](https://ascl.org.uk)

#### **Legislation:**

The legislation states that schools must not discriminate against a student because of their transgender status. There is no legal requirement for schools, as there is with disability, to make 'reasonable adjustments' for transgender students.

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). It is unlawful for schools to treat students less favourably because of their gender-reassignment. This definition means that in order to be protected under the act, a student will not necessarily have to be undertaking a medical procedure to change their sex. Students who are undergoing a social transition, for example, going by a preferred name or pronoun are protected by the Equality Act.

**General Principles:**

- Listening to the student, their parents, carers and siblings and following their preferences wherever possible.
- Transgender students will enrich the school communities.
- When working with transgender students, there is an opportunity to encourage us all to challenge gender stereotypes.
- Avoid where possible gender segregated activities and where this cannot be avoided, allow the student to access the activity that corresponds to their gender identity.
- Challenge transphobic bullying and discrimination.
- Promote positive attitudes to gender diversity by including transgender issues within activities relating to discrimination, hate crime, diversity, inclusion and PSHE.

**Names and pronoun change:**

The school will use the student's new name if it is changed legally. Social transitioning (such as changing name and pronouns) is a significant intervention. Respecting a student's request to change their name and pronoun is key to supporting and validating the student's identity. Some transgender students may wish to change their name so that it corresponds with their chosen identity. Although they may not have changed their name legally, they have the right to choose the name they would like staff and fellow students to use.

All students will be allowed to change their names informally (within reasonable limits, such as that students cannot change names again and again). Students should not be limited to names associated with their sex. Students should treat each other with kindness and respect. No student should be admonished or disciplined for using ordinary sex-based pronouns for others. The school should respect the freedom of speech, religion and conscience of all students, including those with special educational needs and disabilities that make it hard for them to make this adjustment.

Staff should apologise if and when mistakes are made and never revert to the former name or pronoun to manage behaviour or as a punishment. School staff will require training and support as part of the continuous professional development cycle, where language and terminology are understood. It is particularly important that staff know that sexual orientation and gender identity are different things.

Students will be taught the language and terminology through the PSHE curriculum.

**Information sharing and communication:**

Transgender students will be at the centre of when and how their personal information is shared. Personal information about any transgender students must be shared sensitively, if appropriate. Staff should not discuss transgender students outside the schools.

Transgender students have the right to keep private their transgender status or gender-nonconforming presentation if they wish.

When contacting the parents or carers of a transgender student, school staff should use the student's preferred name and pronouns corresponding to their preferred gender, unless the student has specified otherwise. It may be agreed in some circumstances that a different name and pronouns are used when communicating with parents or carers.

Transgender students should be consulted with when making adjustments during their time at school. The school's Pride Group and student voice group, as well as individual meetings with students, are current mechanisms for bespoke consultation. Governors and leaders in the school meet with transgender students. Universal surveys and feedback opportunities also involve transgender students.

### **Transphobia and bullying:**

Transphobia incidents will be recorded and dealt with in the same way as other incidents that are motivated by prejudice, e.g. racist or homophobic incidents. The transgender student should not be made to feel responsible for another student's confusion. They should be sanctioned in the same way as other students if they perpetrate any bullying or unkindness themselves.

### **Attendance:**

The school will work with parents, carers, transgender students and gender-questioning students in understanding any barriers to their good attendance. Transgender students may be accessing support from outside agencies so the school must make provision for the student's absence in these circumstances. When the student needs time away from school for a medical appointment, this should be recorded using the M code rather than being off sick.

### **School photos:**

Transgender students should be consulted about the arrangements for school photos in advance. If students transition during their time at the school, they should be allowed the opportunity for their photograph to be updated.

### **Physical education:**

A transgender student has the same right to Physical Education as other students and there should be few, if any, issues restricting their participation in the sports of their chosen gender. As puberty develops, there may be sports where male to female (M2F) transgender students have a physical advantage over other girls. PE staff should consider the risks to a transgender student and their peers inherent in contact sports and mitigate for any physical risks within the context of the lesson. If a student is binding their chest, they should be monitored carefully during strenuous activities and in hot weather, since binding could cause discomfort or even impair breathing. Short breaks from activity could be offered discretely.

### **Changing rooms and toilets:**

That a student wants to use facilities intended for those of the opposite sex is not sufficient reason to allow them to do so, since this might mean they intrude on the privacy of other students. Gender-questioning students will always be welcomed in facilities for students of their sex. If a student feels unsafe in the appropriate facilities, single-occupancy unisex facilities, where feasible, would be an appropriate alternative for them and for other students who need extra privacy.

### **Residential trips and visits:**

Careful consideration and preparation are needed where a transgender student is taking part in a residential trip; excluding a transgender student would be contravening the Equality Act. The transgender student should be involved in planning, alongside their parents if appropriate. An individual risk assessment could be conducted well in advance if necessary, so that reasonable

adjustments can be made to allow the student to participate. This will include careful consideration regarding sleeping arrangements.

**Work Experience:**

The school should assess the suitability of any placement to establish if there are risks to the transgender student. This should take account of the student's right to privacy. The transgender student and their parents should be consulted with, in selecting and confirming any placements.

**Record keeping:**

Information regarding students will be placed on their electronic safeguarding file chronology as a mechanism for holding information – not because there is a direct safeguarding concern, but that transgender students are a vulnerable group.

The school holds a spreadsheet of information that collates preferred names, pronouns and other information that students deem important for school colleagues to be aware of, in terms of supporting their needs.