

Dawlish Federation of Special Schools

Policy number/version	1
Date Issued	13/11/2016
Originator	Click here to enter text.
Date Reviewed	Click here to enter a date.
Committee	Curriculum
Next Review Date	13/11/2018



Transgender Policy and Guidance

To be read in conjunction with

Schools Transgender Guidance

Compliance and Legislation

This guidance is written using the DfE's 'The Equality Act 2010 and Schools departmental advice for school staff, governing bodies and local authorities' and the 'Cornwall Schools Transgender Guidance', 2012.

The Equality Act 2010 ensures legal protection against discrimination (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 schools and young people.

The Act makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a pupil or potential pupil:

- in relation to admissions,
- in the way it provides education for pupils,
- in the way it provides pupils access to any benefit, facility or service, or
- by excluding a pupil or subjecting them to any other detriment.

Under the Equality Act, gender reassignment is a protected characteristic and it is unlawful for a school to discriminate against a pupil or prospective pupil by treating them less favourably because of their gender reassignment.

Aims

This policy aims to outline how The Dawlish Federation of Special Schools (DFSS) protects pupils of diverse gender variants from discrimination and the Positive Action provisions which allows the school to target measures to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. This is in line with Law, Ofsted requirements and DFE best practice guidance.

Terminology and Language

It is good practice to focus on correct terminology and the use of language in school. Terminology and language can be confusing around transgender issues. Different organisations and individuals sometimes prefer different terms to identify themselves and the nature of being transgender, DFSS generally uses the term 'transgender'.

In addition, there may be a need to focus some education in class around sexual orientation and gender, depending on the age of the pupil and peer group, so that young people have a clear understanding that sexual orientation (being heterosexual, bisexual, gay or lesbian) and gender (being male or female), are completely different things.

As part of our regular training diary, staff will have access to appropriate advice and guidance re: LGBT.

Transgender pupils may choose a different first name for their new identities and want documentation and records to reflect this, for example, school records, class register, end of year reports and names on books and trays DFSS believes it is extremely important, as a matter of fairness, respect and inclusion, to ensure that the correct gender, name and pronouns are used uniformly by all staff and pupils to address transgender pupils. Hearing people use 'him' or 'her' incorrectly can be uncomfortable or seriously detrimental for a transgender pupil to hear, especially when they are trying hard to confirm people's awareness of a new identity. It can be very difficult a transgender pupil, and the school, to get used to the change of name or gender if the pupil has not been known by that identity since the start of their school career. DFSS recognises that for transgender pupils, who are changing gender, some errors and mistakes with names and pronouns may occur and while unfortunate, this will happen on occasion in the initial stage. If there is difficulty in '*getting it right,*' the use of the chosen first name will help to overcome this.

School Uniform and Regulations

School uniform should not present an issue for transgender pupils: just as for any other pupil, they should be expected to follow the school uniform policy. At DFSS School, there is a broad range of clothing available for all genders so that pupils can have a '*gender neutral*' option or wear items of their choosing. Transgender pupils are able to wear the uniform of their true gender. This includes PE kit and swimwear for swimming lessons.

Use of Toilets and Changing Facilities in School

At DFSS School, toilets for pupils are allocated to girls, boys and disabled pupils. Where possible, some toilets are also labelled 'unisex' or 'toilet' to reduce the stigma of using a toilet commonly identified as 'Disabled Toilet'. This will help ensure DFSS respects the dignity and privacy of transgender pupils, whilst also ensuring their safety. This will be pupil led in line with DFE best practice. Facilities should be carefully considered and sensitive to their needs.

Physical Education and Extra-Curricular Sport

Sports and Physical Education is a key aspect of the national curriculum and crucial to the physical and mental well-being of young people. Physical education develops pupils' competence and their 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 pupil has the same right to physical education and fitness as other young people.

With regard to transgender pupils of primary school age, there should be reasonably few, if any issues regarding participation within the sports of their true gender where most lessons will be mixed gender.

Changing for PE, including swimming also needs to be carefully considered, but should be sensitive to their needs. Within DFSS, all pupils will be able to get changed for PE lessons within their classroom, or in the year group's shared area if they require more privacy. In Years 7-11, pupils get changed for PE in the girls' and boys' changing area or another identified area they prefer. This will be discussed and agreed with pupil, parent/s and teacher so that it is appropriate and manageable for all concerned.

For swimming lessons, preferred options will be shared with parents, teacher and pupil re: changing facilities and be student led. Clear risk assessments will be made around swimming activities; students needs and feelings will be considered.

Within the competitive and representative aspects of school sports (outside of PE lessons), there is currently little clarity regarding participation of transgender pupils in competition and representation at school level. DFSS would seek the advice of the various sporting governing bodies and also consult with the local schools' associations where and if appropriate.

Specific health and medical needs will be carefully risk assessed such as binding and physical size and strength relative to their peers.

Personal Social Health Education and Curriculum

PSHE lessons are an important part of developing pupils' personal skills and preparing young people for some of the issues that they will come across in their lives. Awareness of transgender issues are embedded within DFSS's whole-school PSHE curriculum and also addressed through Circle Time and assemblies, where appropriate. There are organisations that DFSS draws on for resources; lesson plan ideas and up-to-date advice (see appendices). Where appropriate, cross curricular links are made so that transgender issues are made more mainstream, e.g. transgender historical figures or transgender artists

Trans-phobia and bullying

Transgender people can be the subject of prejudice and can fear of bullying because of their 'difference'. This can be compounded by a lack of understanding and clear explanations; which in turn can generate confusion causing people to revert to negative gender stereotyping. Transphobic behaviour may be directed to the actual transgender pupils, a friend or classmate, or anyone that may be perceived to be transgender (whether they are transgender or not).

A robust and preventative anti-bullying policy will deal with many of the possible issues that could arise. Transphobic incidents or crimes will be recorded and dealt with in the same manner as other incidents that are motivated by prejudice or hate e.g. racist and homophobic incidents. If a trans-phobic incident occurs, DFSS will investigate and report the incident, in line with expectations, policy and procedures from the Local Authority.

Dealing with the Concerns of Staff, Families and Carers

Staffs concerns can be dealt with by providing appropriate training and having a clear policy ('Equality Policy' and 'Transgender Policy').

Confidential information about pupils must not be shared with any other person.

Parents who have queries, questions and concerns are encouraged to speak firstly to their child's class teacher, the appropriate Head of School, SENCO, Family Support or Executive Headteacher.

'Outing'

Outing of any LGBT students needs to be carefully risk assessed. Staff are aware that:

- It is illegal to out a person without their consent.
- It is not appropriate to out a child to their parents without their permission.

However, if there are safeguarding concerns, 'outing' may be the only option to ensure the safety of the person or those around them.

Transition from one school to another

Changing schools can be seen as a new start so this may well be the point at which young transgender pupils make a conscious decision to be known by their true gender. At times this may be problematic, negatively effecting friendships and behaviours. However, changing schools can also be a very empowering time if the correct support and preparation is in place. It must be remembered that in school transition young transgender pupils may, for the first time, find they are able to express themselves and be truly happy.

The management of a move between schools and colleges needs consideration and good communication between the old and new school and/or college. The thoughts, concerns and wishes of the young Trans person and their family or carers need to be sought and considered at the earliest opportunity. Preparations might include identifying a single point of contact in the next school or college so that the young Trans person has the opportunity to develop a relationship with that single contact prior to arrival. This will help make the transition from one school or college to the other as seamless as possible. The new school then takes on a responsibility for preparing their school community in a safe and secure way so that the child is supported in the most appropriate way for them.

Training

Through the process of induction, appraisal and self-evaluation, DFSS may identify a knowledge and understanding need amongst staff, governors, volunteers and other stakeholders in the subject of transgender in which case it is necessary to source training in the subject. Devon County Council and Torbay Children's Service may also help with identifying and supporting the school's training needs. DFSS also draws on the advice and support from:

- CAMHS
- Mermaids
- The Classroom, LGBT teaching
- The Intercom Trust
- Tavistock and Portland Clinic

To develop the skills of staff, governors, volunteers and other stakeholders to support and teach transgender pupils, the following important training topics are considered in training needs assessment:

- Confidentiality;
- Gender identity;
- Privacy and dignity;
- Tackling trans phobia; and
- Relevant legislation

Policy written to ensure all pupils are treated with respect and dignity, but most importantly as individuals.\

Useful Resources and Websites

- <http://www.transfigurations.co.uk/index.html>
- <http://transkids.synthasite.com/>
- <http://www.mermaidsuk.org.uk/>
- <http://www.tavistockandportland.nhs.uk>
- Intercom Trust
- Schools Transgender Guidance
- DFE