



Transgender Policy

2019-20

This policy is to be read in conjunction with the *Anti-Bullying Policy*.

Legal Framework

The Equality Act 2010 (“the Act”) prohibits discrimination against those who are transsexual, i.e. where the gender identity of an individual differs from the gender assigned to them at birth. For example, a person who was born female decides to start living as a male.

In the Act, it is known as gender reassignment. Accordingly, gender reassignment is a ‘protected characteristic’ under the Act. It is unlawful for schools to treat pupils less favourably because of their gender reassignment. This covers all aspects of school life including admissions and exclusions, provision of education and access to any benefit, facility or service provided by the school, or subject them to any other detriment.

Initial Considerations

The first step is recognising when a pupil is afforded protection. The Act defines gender reassignment 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 means that in order to be protected under the Act, a pupil will 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. A pupil may wish to start wearing clothes that are associated with their gender identity, change their name or pronoun (he/she/they), or wish to use facilities appropriate to their gender identity rather than biological sex.

At Hollygirt

Our ethos embeds the principle that pupils are all individuals, who are each treated with equality, kindness and respect. We provide an inclusive environment which meets the needs of all pupils irrespective of gender. Our teaching does not discriminate against pupils on the basis of gender and their welfare, health and safety is promoted and safeguarded in the school curriculum, assemblies and whole school environment.

We are ensuring that anti-bullying and equality policies are effectively implemented and monitored and the school challenges and records bullying and prejudiced based.

Equality training for staff and trustees which covers all aspects of discrimination is undertaken.

Specific Considerations

Pupils are given the opportunity to say how they identify or describe themselves. All such conversations will be logged and shared with the Senior Teacher (pastoral) or the Deputy Head. This will help inform us as to how best to accommodate such pupils. We are aware that these discussions can be particularly challenging for younger pupils (or those with a learning difficulty) who may need the support of parents (where appropriate) or a trusted adult to assist them in making their preferences known.

We will ensure:

- Good communication between the school and those concerned, subject to any duty of confidentiality
- Documentation of discussions of what adjustments may be considered or needed including timescales for any agreed action.
- Follow up to ensure what has been agreed is working in practice.

Uniform and Dress

Our uniform list is currently gender specific. As a transgender pupil has the right to dress in a manner consistent with their gender identity, pupils will be given the choice of approved items of uniform; a gender-neutral or flexible dress code which is not discriminatory on gender grounds

Name

A pupil will be registered at the school in their legal name rather than their preferred name. However, a pupil's wish to be known by a different name (in line with their chosen gender identity) should be respected and all staff should be informed of the chosen name and pronoun. For exams and exam certificates, pupils must use their legal name rather than their preferred name i.e. the name referred to on a pupil's birth certificate or passport.

School Facilities

Where reasonably practicable, transgender pupils will be able to access facilities around the school (such as changing rooms and toilets) which correspond to their gender identity. At Hollygirt there are gender neutral toilet facilities in all buildings. Use of changing facilities by transgender pupils will be carefully risk assessed, in discussion with the individual pupil, to ensure the safety and comfort of all pupils (including the pupil concerned) and minimise any perception of social exclusion. Reasonable alternatives will be considered as part of the risk assessment such as the use of a private area or a separate time to change.

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