



## **WEST GLAMORGAN SAFEGUARDING BOARDS**

# **TRANSGENDER GUIDANCE FOR SCHOOLS AND OTHER YOUTH SETTINGS**

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*The body we are born into does not define who we are !*

## Foreword

In West Glamorgan, we want all of our children and young people to feel safe and happy. Learning can only take place when young people feel that their needs are being met. This Transgender Guidance will strengthen the existing initiatives and policies in place to tackle bullying and enable schools to further embed the good work they are doing in this area. It highlights areas to consider when developing whole school policy and practice that will allow transgender or gender questioning children and young people to achieve at school. It can support the confidence of staff in supporting pupils and students by providing valuable, specific and practical information on how to more effectively support transgender and gender questioning children and young people. This Transgender Guidance has been produced in conjunction with the West Glamorgan Safeguarding Board. It offers an opportunity to raise awareness of gender identity whilst providing support and guidance to create a positive and inclusive education. It is a valuable tool for all staff working with children and young people in Swansea and Neath Port Talbot. We believe it will ensure transgender and gender questioning young people are supported in an appropriate, consistent and equal manner.

It will safeguard professionals to effectively address issues children and young people face during this time and enable them to have a positive educational experience and ensure they reach their full potential as stated in the United Nations Convention of the Rights of the Child (UNCRC):

- Article 8: States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference.
- Article 28: States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity.
- Article 36: States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

In line with the Children and Young People's National Participation Standards, local young people have been consulted with regarding this policy and in relation to:

- Article 12: *"Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account"* (UNCRC).
- Underpins National guidance on Sexuality and Relationships Education.

This guidance has been produced with thanks to Wrexham County Borough Council and Merthyr Tydfil County Borough Council. Consultation was undertaken with Neath Port Talbot Youth Service LGBTQ Group, Bridgend College LGBTQ group and Bridgend Youth Council.

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## 1. Introduction

### Purpose of the Guidance

The purpose of this document is to provide information and guidance to schools and other youth settings in the West Glamorgan Safeguarding Board area on how to effectively support transgender and gender questioning pupils and students and prevent transphobia. This guidance will enable schools to further embed the good work they are doing in this area and develop their approach to Trans inclusion and support. We hope that using this guidance will:

- Increase the confidence of staff in supporting transgender pupils and students or those that are coming out as Trans or beginning to question their gender identity by providing an introduction to Trans identities and the issues Trans children and young people may face;
- Provide information that will allow schools to feel confident that they are complying with the Equality Act 2010 and Anti-Bullying guidance in relation to Trans children and young people;
- Highlight areas to consider when developing whole school policy and practice that will allow Trans children and young people to achieve at school and will reduce transphobic discrimination and bullying.

### Underlying Principles

Schools and other youth settings may be particularly challenged by the specific needs of Trans children and this guidance is intended to support settings to explore these challenges and find solutions in the best interests of the child or young person and the wider school community. This guidance can therefore support schools to review and develop policies related to equality, curriculum, anti-bullying and wider issues.

Practice to support Trans children and young people should be embedded across school policies and curriculum and build on best practice already in place to meet the Public Sector Duty of the Equality Act and eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

In developing practice to support Trans children and young people schools should try to follow these principles:

Avoid seeing the child or young person as a problem and instead see an opportunity to enrich the school community and to challenge gender stereotypes and norms on a wider scale.

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. However, gender identity is often complex and there is a spectrum of gender which is wider than just male and female.

Listen to the child or young person and their parents and carers and wherever possible follow their lead and preferences.

Providing support to a Trans child or young person at any particular point in time does not signal that they are or will conform to any single Trans identity or follow any particular path of transition.

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.

Work on challenging and preventing sexism, homophobia and biphobia – ensure that the school community is aware of this in terms of curriculum content and the challenging of prejudice and bullying.

In supporting a Trans or non-binary gender conforming child, schools and individuals may have to re-think views and practices on gender and identity which have been accepted as ‘standard’ for a long time. This can be challenging, but no pupil 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 to which they are legally entitled.

## 2. **Developing Understanding Of Trans And Gender Questioning Children & Young People**

### Definitions

Some definitions used in the area of gender identity are given below and in the **Glossary** (appendix 1).

The umbrella terms ‘transgender’ and ‘Trans’ are viewed by many people as being acceptable terms to describe people whose sense of their gender or gender identity is seen as being different from typical gender norms. However, wherever possible individuals should be given opportunities to say how they identify or describe themselves rather than labels being ascribed to them.

**Cisgender Person** – A person whose biological sex matches their gender. For example, a female sexed person who identifies with their female gender. In other words, it is a term for non-trans people.

**Transgender/Trans** – Umbrella terms used to describe people who are:

Transgender

Transsexual

Transvestite

Intersex

Both male and female

Neither male nor female

Androgynous

A third gender

Or who have a gender identity which we do not yet have words to describe.

**In this guidance, the term Trans is used to describe any person who would fit into the definition above.**

**Transgender Person** – 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.

When considering Trans identities, it is important to understand that there is a difference between biological sex and gender. Biological sex refers to chromosomal make up, genitalia, hormones etc. and as such would be used in reference to the physical anatomy of a person (for example, male, female or intersex). Gender concerns your internal sense of self and how you choose to express yourself. Gender is considered by some to be a social construction in that children learn how to behave in a manner deemed to be in line with their biological sex.

Children and young people may question their gender identity for a range of reasons and this may not mean they are definitely Trans or will go on to transition. The important thing is to validate the young person's identity as it is now and support any changes that may arise as they come to explore their gender identity further.

Every individual is unique; each person will experience their gender variance to a different degree and will respond to social circumstances differently. For some people, it is not appropriate to think of gender identity as being totally female or totally male. They may consider their gender identity to be fluid, partially male and partially female or they may consider themselves to be ungendered.

Some people who consider their gender identity to be fluid may use the term 'GenderQueer' to describe themselves. They may also use gender neutral pronouns (for example, 'they' or 'zie') or prefer people to not use any pronouns to describe them. It can be difficult to identify as GenderQueer in a society that is very gendered. In particular, school environments may have lots of areas where boys and girls are separated or treated in ways that highlight a gender binary. This may be physical segregation for certain classes like PE or it could be more subtle ways of enforcing a gender divide through the acceptance of gender stereotyping in the classroom or curriculum.

Current estimates put the number of Trans people in the UK at around 1%. However, it is likely that the number of Trans people is actually much higher than this.

There is a lack of statistical information about Trans people due to the fact that they are often not included in surveys, monitoring forms, research or the national census. As a result, estimates of the number of Trans people are often based on the number of Trans people who have contact with Gender Identity Clinics. Not all Trans people undergo medical transition so these estimate figures won't include many Trans and gender questioning people.

## Gender Identity and Sexual Orientation

As discussed, gender identity concerns your internal sense of self (male, female, neither or both) and how you choose to express yourself. This is completely different to sexual orientation which concerns who you are sexually attracted to, whether that is men, women, both or neither.

Gender identity and sexual orientation are varied and complex and may change over time. Trans people, like cisgender (non-trans) people, can have a range of sexual orientations.

Trans men may identify as:

- straight (sexually attracted to women);
- gay (sexually attracted to men);
- bisexual (sexually attracted to women and men);
- asexual (feeling no sexual attraction to anyone).

Trans women may identify as:

- straight (sexually attracted to men);
- lesbian (sexually attracted to women);
- bisexual (sexually attracted to men and women);
- asexual (feeling no sexual attraction to anyone).

Some people will also identify as pansexual which means they have a sexual or romantic attraction towards people of all gender identities including those that don't fit into a gender binary.

While gender identity and sexual orientation are very different, there is a relationship between transphobia and homophobia. Trans people often experience homophobic abuse and lesbian, gay and bisexual people will often experience discrimination based on their gender presentation.

### **3. Experiences of Trans Children and Young People**

#### National Data

Trans children and young people are a particularly vulnerable group. According to Press for Change's survey 'Engendered Penalties'(2007), 64% of transgender men (female-to-male) experienced transphobic bullying at school and 44% of transgender women (male-to- female) experienced transphobic bullying at school. Someone whose gender presentation appears different to their biological sex could be vulnerable to transphobic bullying but could also suffer from homophobic or sexist and sexual bullying. For example a Trans boy (someone who is born biologically female but identifies as male) may be assumed to be a masculine appearing girl and be called homophobic names like 'lezza' or 'dyke'. Similarly a Trans girl (someone who is born biologically male but identifies as a girl) may be called homophobic and sexist names like 'sissy' and 'poof'.

On average, transgender children leave school earlier than any other group, and a recent survey has shown that 30% have attempted suicide, and a further 42% report a history of self-harm.

(<https://www.sciencedaily.com/releases/2016/08/160831110833.htm>).

Behaviours you may notice of a Trans child or young person who may need additional support includes:

- Lack of concentration
- Poor educational performance
- Or conversely, total immersion in school work
- Reluctance to use the school toilets
- Reluctance to do physical exercise especially if it is strongly associated to the birth gender, including a reluctance to use the showers and changing rooms
- Truancy
- Sickness and Absenteeism
- Self-harm
- Often at the receiving end of bullying, sometimes severe
- Often homophobically bullied
- Few friends
- Depression
- Eating Disorders

Of course, some children may exhibit many of the above signs for other reasons than gender identity issues; however they do show that the child may be very unhappy and needs further support.

It is important to remember that while Trans and gender questioning children and young people may face problems in some areas of their lives, these problems are not caused by being Trans but by society's attitude towards people who are Trans or who do not conform to gender norms. Transphobia can be defined as an irrational fear, hatred and abuse of Trans people and people who do not conform to traditional gender norms. Transphobia can take many forms including direct or indirect pressure on Trans people to conform to their perceived sex.

Mermaids and Action for Children have produced a powerful collection of testimonies from Trans children and young people in a publication called 'Where do Mermaids Stand?' It is recommended that these are used in PSE lessons and staff training to develop understanding of the experiences of Trans children and young people; including those of primary school age.

#### **4. Legal Context**

##### Equality Act 2010

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 (for staff only)
- Disability
- Gender reassignment
- Marriage and civil partnership (for staff only)
- 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 but must be taking steps to live in the opposite gender, or proposing to do so.

### United Nations Convention on the Rights of the Child (UNCRC)

The L.A. supports the rights of children in line with:

Article 12 (respect for the views of the child). Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies to immigration proceedings, housing decisions or the child's day-to-day home life.

### Safeguarding

There are no issues under child protection or safeguarding law or practice specific to Trans children and young people aside from what is in place to keep all children and young people safe. For example, there is nothing that would prohibit Trans children and young people using the changing rooms or toilets which reflect their gender identity.

### Estyn School Inspection Framework 2015

The principles of school inspection as described in the 'Framework for School Inspection', September 2015 states that the inspection will focus on the needs of pupils

and parents by evaluating the extent to which schools provide an inclusive environment which meets the needs of all pupils irrespective of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.

The Estyn School Inspection Handbook also details how inspection will evaluate how well individual pupils benefit from the school and states it may be relevant to pay particular attention to those with protected characteristics, therefore including transgender pupils. Under spiritual, moral, social and cultural development Estyn will look for evidence where pupils:

- Develop awareness and respect for diversity in relation to, for example gender, race, religion and belief, sexual orientation and disability.

Inspectors will also consider:

- Types, rates and patterns of bullying and the effectiveness of the school's actions to prevent and tackle all forms of bullying and harassment – this includes cyberbullying and prejudice-based bullying related to special education need, sexual orientation, sex, race, religion and belief, gender reassignment or disability.

## 5. A Whole School Approach

### Developing & Building On Good Practice

Schools and other youth settings in West Glamorgan are already working to ensure that their whole environment is supportive to Trans and gender questioning children and young people by:

- Developing a culture and environment that celebrates difference and diversity and one in which all children and young people can see themselves reflected and valued;
- Developing systems and processes which support vulnerable children and young people;
- Developing effective anti-bullying and equality policies which ensure the whole school community challenges and records bullying and prejudice-based incidents effectively and is confident in challenging sexist and homophobic bullying;
- Ensuring the curriculum provides opportunities to challenge stereotypes including those based on gender and avoids making assumptions about sex, gender, gender identity and sexual orientation;
- Having positive relationships with parents, carers, pupils and students that listen and respond to individual needs and preferences;
- Acknowledging there will be Trans people within the school community as parents and carers, staff, governors and children and young people and that they will positively enrich the school community;
- Ensuring Trans issues and transphobia is acknowledged across the school policy framework;

- Closely monitoring all areas of the curriculum and sources to ensure that they do not perpetuate gender stereotypes or transphobic material;
- Ensuring that the curriculum and in particular PSE is used to challenge gender stereotypes, support the development of a positive sense of gender identity, develop understanding of Trans issues and prevent transphobia;
- Effectively challenging and dealing with transphobic abuse, harassment and bullying (eg name-calling, derogatory jokes, graffiti, unacceptable or unwanted behaviour, intrusive questions) and then monitoring incidence of transphobic abuse, harassment and bullying, and using this information to inform developments;
- Including Trans issues in equality training for staff and governors;
- Creating an environment in which all children, young people, staff, governors, families and visitors to the school, whatever their gender identity, feel equally welcome and valued and in which transphobic behaviour is challenged;
- Participating in events such as Lesbian, Gay, Bisexual and Transgender (LGBT) History Month and ensure visibility of Trans people and their achievements;
- Providing appropriate support to children and young people who identify as Trans and refer them and their families, when needed, to local and national organisations providing appropriate support services.

### Transphobic Bullying & Incidents

As was stated in the introduction, Trans and gender questioning children and young people are vulnerable to bullying as is any child or young person who does not conform to gender norms and stereotypes. Additionally children and young people with Trans family members may also be transphobically bullied. Transphobic bullying therefore may be perpetrated by pupils, students, parents, carers or staff members and directed at:

- Trans children, young people and adults inside and outside the school community
- Children, young people and adults who do not conform to gender stereotypes
- Children and young people with Trans parents, relatives and friends
- Lesbian, gay and bisexual children young people and adults

Schools will need to ensure that the curriculum, assemblies and whole school environment is used to challenge gender stereotypes and binary notions of gender to create a safe learning environment for all children and young people and to prevent bullying and transphobia.

Staff should ensure that all transphobic bullying and incidents are recorded in line with their schools Anti-Bullying Policy. If School Information Management System (SIMS) is used for this purpose then the safety of individual pupils and students can be tracked as can the behaviours of perpetrators. This data along with data from school surveys including the Bullying returns can also be used to target preventative interventions and measure the impact of activities.

Staff need to ensure that ALL incidents are taken seriously and not written off as being “just banter”.

A guide to challenging language and gender stereotyping can be found in Appendix 3.

There is also a relationship between transphobia, homophobia and sexism. Sexist, sexual or transphobic bullying are not the same as homophobic bullying. However, very often, sexist attitudes manifest themselves in homophobic bullying and any child or young person who is perceived as not expressing stereotypically masculine or feminine traits expected of their sex, might experience homophobic or transphobic bullying. Staff will need to use their professional judgement as to whether some incidents should be recorded as homophobic or transphobic, but take care not to under-record transphobia. Sexist, sexual or transphobic bullying may also occur in conjunction with other forms of bullying, such as racist bullying or bullying related to special educational needs or disabilities or cyberbullying.

If a transphobic incident occurs in public and the member of staff dealing with it is aware that the child or young person is Trans but they are not out to the rest of the community the member of staff must challenge the prejudice, but may need to take care not to label the incident as transphobic in front of other pupils and students and then as a result 'out' the person being targeted. The incident would still be recorded as a transphobic incident.

There may be occasions where transphobic bullying has wider safeguarding implications, or involve criminal behaviour, and in these cases schools need to engage the appropriate safeguarding agencies and/or the police.

### Language

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).

Staff could reflect on the use of language such as 'ladies' and 'gents', 'girls' and 'boys' to describe groups of pupils or students. Firstly, a Trans boy who is referred to as a girl or a Trans girl who is called a boy will feel excluded by this language. Secondly, the language of 'ladies' or 'gents' may give an implicit message about what it is to be a woman/man and therefore reinforces certain stereotypical ideas of femaleness/maleness. It may be preferable to say 'come on Year 8s, off to your lesson now' or 'come on pupils, time to get on with your learning'.

The purpose of this is not to deny gender as an important part of our identity, in fact this can be explored as part of learning in lessons such as PSE; however, 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.

### Curriculum, Teaching And Learning

The school environment, curriculum, assemblies and tutor time can all be used to explore issues of sex, gender, gender identity and transphobia and to make visible and celebrate Trans people.

Staff will also want to consider teaching and learning approaches that they use which may have the impact of making Trans children and young people feel confused, excluded or uncomfortable. For example, grouping pupils and students by gender may

have this impact and staff should consider whether this is vital, if and when an alternative approach could be used and how to make it clear that a child who feels safe to do so can be grouped according to their gender identity rather than their biological sex.

There may be times when single gender work is needed. This may include aspects of sex and relationship education or to support the learning needs of particular groups (e.g. boys and literacy). Providing a clear need is identified, the Equality Act allows for such provision. However, for participants it needs to be made clear that they can participate according to their gender identity. For example, a Trans boy could attend a boys reading group if his literacy required targeted support.

## **6. Supporting The Individual Trans Or Gender Questioning Child Or Young Person**

### An Individualised Approach To Support

Given the spectrum of Trans identities and experiences, it is important that any support you offer a Trans child or young person starts with identifying their individual needs. It is important that their identity is validated and supported in any work that you do. An initial conversation would be a good time to allow the child or young person to talk about how they identify or feel about their gender. Remember that any guidance in this document will need to be tailored for each individual child or young person. Some Trans children and young people and their families may benefit from individual support from a service such as Transform Cymru or Stonewall Cymru. Such support would be with absolutely no expectation that the child or young person will conform to any single Trans identity or follow any particular path of transition.

### How To Support A Child Or Young Person During Transition

‘Transition’ can mean different things to different people so it is important to find out what this means to the child or young person you are supporting. Broadly speaking, most aspects of transition can be divided into ‘social’ or ‘medical’. Social transition is choosing to live your life as your preferred gender. This could include:

- A name change
- A change in pronoun (he, she, they, zie etc.)
- Wearing clothes that are associated with their gender identity
- Use of toilets/changing rooms appropriate to their gender identity rather than biological sex

Medical transition is the process by which a Trans person takes steps to physically alter their body. This may include taking hormones and/or having gender reassignment surgeries. Some Trans young people will be hoping to undergo both social and medical aspects of transition while some will choose just the social aspects.

A young person’s goals in terms of transition may change over time and the support offered needs to reflect and support this. Once you have an understanding of the areas in which a child or young person is planning to transition you can think about how to

facilitate these changes at school and refer to the guidance below. It is vital that the staff team provide informed and consistent support to individuals who choose to present in their chosen or preferred gender. See Section 7.9 for more on medical transition.

### Timing of Transition

Some children and young people, with support from their families may choose to make a transition into their preferred gender identity at a point when they are changing schools. This may minimise the number of other members of the school community who are aware that the child or young person is trans. Secondary schools therefore, may need to be particularly aware and supportive of children transferring from a primary to their secondary school who are planning to begin Year 7 with a different name and pronoun. In particular, the school may need to consider how to work with the pupils and their families from the original primary school who may be aware of this change. Although a change of school may be a good time to transition for some, it should not be seen as the only opportunity. The right time to transition from one gender identity to another will be when the child or young person feels they are ready.

Some young people may choose to apply to attend another school at the point of transition and will have to apply through the usual admissions process.

However, it is hoped that all schools across West Glamorgan will be able to effectively support a Trans child or young person including those transitioning.

### Support Services

Schools across West Glamorgan are encouraged to work with their Local Authority's Educational Psychology Service to support Trans and gender questioning children and young people. There is no expectation to conform to any single Trans identity or follow any particular path of transition.

For useful websites and resources see Appendix 2.

## **7. Managing Specific Issues For Trans And Gender Questioning Children And Young People**

### Uniform and Dress Code

Trans and gender questioning pupils and students have the right to dress in a manner consistent with their gender identity or gender expression. By providing a choice of approved items of uniform and allowing pupils and students to choose what they wish to wear, schools will allow for regulated structure but without exclusion. Indeed, many female born students prefer to wear trousers to school or may have religious or faith based reasons for doing so.

Depending on the individual, the choice to begin dressing in the clothes associated with one's chosen gender can be a very big step and potentially very daunting. This can often represent one of the earliest stages of transition and is a profound statement of acceptance of one's identity and commitment to it. In doing so though, these pupils are making themselves more visibly different from much of the school community and effectively 'outing' themselves to the rest of the school as Trans.

Care must be taken to ensure that Trans identified children and young people are supported fully during this time. Staff training is paramount to ensure that all staff have an understanding of what it means to be Trans and exactly why a child or young person may be dressing differently. Remember that a pupil who identifies as a Trans girl but was born a genetic male is not a 'boy dressed as a girl' but is a girl who outwardly at this point resembles a boy. By allowing a Trans child or young person to dress in clothes with which they feel comfortable, schools empower them to express themselves by bringing their outward appearance in line with that of their internal gender identity at that point in time.

Inclusive practice, therefore, would suggest that schools should list items allowed to be worn as school uniform without segregating these into uniform for boys and girls. This allows for regulated structure, but does not exclude on the basis of gender identity or religion. For example:

### Names and Pronoun Change

Respecting a child or young person's request to change name and pronoun is a pivotal part of supporting and validating that young person's identity. It is also important to consistently use preferred pronouns and names in order to protect a child or young person's confidentiality and to not 'out' them in ways that may be unsafe and exposing.

Some Trans children and young people may wish to change their name to make it in line with their chosen gender identity. Although they may not have changed their name legally, individuals have the right to choose the name by which they are known to staff, friends and family. Any problems are likely to be the practical ones of proving that different names refer to the same person.

There's some useful information from the Citizens Advice Bureau at:

<https://www.citizensadvice.org.uk/family/birth-certificates-and-changing-yourname/changing-your-name/>

While a student may legally be allowed to change their name without doing anything official, the CAB article does go on to say a name needs to be changed by deed poll to change the birth certificate or get a new passport.

More information on changing names on birth certificates can be found at: [www.deedpoll.org.uk/CanABirthCertificateBeChanged.html](http://www.deedpoll.org.uk/CanABirthCertificateBeChanged.html)

As has been stated, a pupil or student has the right to be addressed by a name and pronoun that corresponds to their preferred gender identity. A change of name by deed poll is not required to make a change to school records on systems such as SIMS. To make a change of name on a SIMS record, please see Appendix 4.

## Confidentiality and Information Sharing

All people, including pupils and students, have a right to privacy. This includes the right to keep private one's Trans status or gender nonconforming presentation at school. Information about a student's transgender status, legal name, or gender assigned at birth also may constitute confidential medical information. School staff should not disclose information that may reveal a pupil or student's transgender status or gender nonconforming presentation to others, including parents, carers and other members of the school community unless legally required to do so or because the child or young person has asked them to do so. Staff should not discuss Trans pupils and students outside of school with friends and so on, even when making no particular reference to their name or personal details. The Trans community is such a small one that even a casual reference to a 'certain pupil' may be enough to out that individual or, at the very least, compromise confidentiality. When a child or young person initially discloses their Trans status it is important to talk to them about confidentiality and with whom - if anyone - they would like information to be shared.

Trans and gender questioning pupils and students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much information to share. When contacting the parent or carer of a Trans or gender questioning student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the pupils, student, parent, or carer has specified otherwise.

## Working With Parents And Carers

Many parents and carers of a child or young person who identifies as Trans or gender questioning will be supportive of their child's gender identity; however, this is not always the case. When working with parents and carers, schools should bear in mind that they are representing the interests of the child or young person. As far as possible, care should be taken to ensure the wishes of the individual pupil or student are taken into account with a view to supporting them during potential transition.

Confidential information must not be shared - even with the parents and carers - without the child or young person's permission, unless there are safeguarding reasons for doing so.

Stonewall Cymru can provide support to the parents or carers of a Trans child or young person or can provide advice to schools about how to work with parents and carers; including those who are requesting the school does not support their child to express their gender identity.

## Use of Toilets

Pupils and students have the right to access the toilet that corresponds to their gender identity. Any pupil or student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall toilet, but no pupil or student shall be required to use such a toilet.

Ideally schools would provide single stall, gender neutral, toilets that can be used by all. Some schools have already begun to use this system with success. If need be, a member of staff or designated pupils or students can be allocated as 'toilet monitor' during break times to ensure that pupils and students feel safe while using the facilities.

Some cisgendered females, however, have expressed concerns about these toilets and the fact others might know they have their periods because of time spent in the toilet. There may be a case for also exploring how this range of needs can be met.

### Using Changing Rooms

The use of changing rooms by Trans pupils and students should be assessed on a case-by-case basis in discussion with the Trans pupils or student. The goal should be to maximise social integration and promote an equal opportunity to participate in physical education classes and sports, ensuring the safety and comfort, and minimising stigmatisation of the pupil or student.

In most cases, Trans pupils or students should have access to the changing room that corresponds to their gender identity. This approach is underpinned by the Equality Act 2010 whereby refusing a child or young person access to the changing room of their true gender identity would constitute an act of discrimination.

Any pupil or student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (eg a nearby toilet stall with a door, an area separated by a curtain or a nearby office), or with a separate time to change (e.g. using the changing room that corresponds to their gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the pupil or student's ability to keep his or her Trans status confidential.

### PE and Fitness

Schools should aim to reduce - as far as possible - segregating pupils and students by gender. Trans pupils and students should be supported to enable equal access to PE and where lessons are segregated by gender should be enabled to participate in the activity which corresponds to their gender identity if this is what they request.

Most secondary schools organise PE groups as mixed gender for the first two years but later in the school system, PE groups separate into gendered groups. Concerns have been raised that some Trans pupils and students may be at a competitive advantage, particularly young Trans women, whose bodies may well have developed slightly stronger than their genetic female class mates. This however should not be a problem if lessons are carefully structured, managed and learning appropriately differentiated. Similarly concerns have been raised about Trans young men playing contact sports like rugby and potentially being of a smaller build than some male students. PE teachers are used to differentiating their lessons and taking into account the range of size, build and ability in the class to keep all students safe and so the same principles can be applied. These issues should be discussed with Trans pupils and students themselves and if appropriate with their parents or carers.

Trans and gender questioning pupils and students should be permitted to participate in competitions and sports days in a manner consistent with their gender identity if they wish to do so. It is unlikely that pre-puberty there would be any issues with a Trans child competing and representing the school. In the case of competitive secondary sports schools may need to seek advice from the relevant sporting body. The handling of changing facilities at an 'away game' would also have to be sensitively managed.

### Residential Trips

A degree of discussion, care and preparation is required to enable Trans pupils and students to participate in residential trips. To exclude Trans pupils and students from residential trips would be contravening the Equality Act.

As far as possible, Trans pupils and students should be able to sleep in dorms appropriate to their gender identity. Some Trans children and young people may not feel comfortable doing this and in such cases alternative sleeping and living arrangements should be made.

Similarly, the degree of participation in physical activities that a Trans child or young person feels comfortable with should be discussed prior to any residential trip with them and if appropriate their parents or carers. For example, young Trans men who are binding their breasts can often experience a great degree of discomfort when participating in activities such as climbing or canoeing. Where a Trans young person feels that they do not want to or cannot participate, alternative arrangements should be made to allow for those pupils to participate in a more appropriate activity. Risk assessments can be carried out prior to residential trips in order to make reasonable adjustments which would enable the participation of Trans pupils or students.

Settings should consider and investigate the laws regarding Trans communities in countries considered for visits. The International Lesbian and Gay Association (ILGA) have information on their website about countries that pose a risk to Trans individuals.

### Transition and Medical Intervention

While most support for young Trans people in schools will be around the social aspects of transition and only some Trans young people will want medical transition, it will be the case that for any young person undergoing medical transition, there will be an impact on their time at school. An understanding of some of the key stages of medical transition will enable school staff to be supportive.

Medical treatment is provided in a series of phases that include:

A Psychological assessment and counselling. Initially this would happen locally with a CAMHS worker who can then refer to a Gender Identity Clinic.

Medication to block the production of the natural hormones that feminise or masculinise the body during puberty. This may be followed by prescribing hormones to masculinise or feminise the body.

Gender Reassignment Surgeries would not usually be carried out until a person is over 18 years.

Coming to terms with your gender identity if you are Trans can be a difficult time for any person and starting the initial stages of medical transition can be particularly demanding for the young person and their family. It is a time where support could be needed. It is important to ensure that there is a procedure in place whereby the young person can access a form of counselling (if applicable) in order to support them through their time at school. This would mean that a counsellor should be knowledgeable of Trans issues and the potential challenges the young person may face in school. Mental health can be impacted during transition for a multitude of reasons; therefore recognition needs to be given and adequate support must be in place around this.

It is possible the young person may be accessing support from outside of school so provisions must be made in order for the student to be absent from school but to also maintain their confidentiality at all times when complying with absence procedures. The pupils or student may need time off for a medical appointment and it should be recorded as an M code rather than being off sick.

## **8. Supporting The Whole School Community To Have A Positive Understanding Of Transgender People**

All schools need to work towards a robust whole school approach towards developing an understanding of Trans issues and prevention of transphobia, which will minimise the potential of issues or concerns being raised by cisgender members of the school community including parents and carers about Trans children and young people accessing toilets, residential facilities etc. according to their gender identity rather than their biological sex. Raising awareness of the school's approach to transphobia and supporting Trans and gender questioning children and young people can be done through school newsletters and websites by for example:

- Having an anti-bullying week focus on transphobia
- Celebrating LGBT History Month
- Providing information about PSE lessons on gender stereotyping, gender identity and Trans issues
- Including an equality objective (Public Sector Duty of the Equality Act) which supports needs of Trans children and young people.

There will be cases where a child or young person's Trans identity is not widely known and the school should seek to protect this information, unless the Trans child or young person wishes it to be known.

Where a child's Trans identity is known to the wider school community schools will need to ensure that they have a robust language using the Equality Act and a Human Rights approach to counteract any prejudice expressed or concerns raised. Additionally, when a parent or carer raises a concern about the safety of their child when spending time in the company of a Trans identified pupil or staff member it is vital that staff focus on the 'problem' being with the person who raises the concern and not with the Trans individual. Therefore, support work should be aimed at answering

the question 'how can we make your child feel more safe?' rather than compromising the rights of the Trans person.

### **Scenario 1 - My Daughter Doesn't Want A Boy Changing Next To Her, What If He Looks At Her Body?**

For example, in this scenario it would not be appropriate to remove the Trans person from the changing rooms if a concern is raised by a parent or carer. In this situation, it would be far more appropriate to look at offering an alternative changing arrangement for the child who feels uncomfortable around the Trans person. A Human Rights response would be to state that although the individual in question may have the body of a boy, they are in every other respect a girl and as such have the right under the Equality Act to change with the girls and to be treated fairly as such. It is the responsibility of members of staff to support both Trans students and cisgendered students to feel comfortable around one another.

### **Scenario 2 - It's Not Fair That He Enters The 100 Metres Race For Girls When He Is A Boy OR Won't She Get Injured Playing Rugby With Boys?**

Similarly, pupils or students who feel that a Trans child should not be involved in certain sporting activities may themselves need to be supported to do a different activity. This kind of support acknowledges that some individuals may struggle to understand Trans people or initially feel uncomfortable around them but does not support the idea that Trans people should be treated any differently to cisgendered people. The responsibility lies with the individual who has the problem, to deal with that problem, not with the Trans person to accommodate that person's insecurity around them or their child.

## **9. Trans Staff And Governors**

Schools have responsibilities under the Equality Act towards Trans staff and governors. Additional support and advice is available through Stonewall Cymru – Welsh Government Action plan to advance Equality for Transgender people and Transition and the Transgender Guidance.

## APPENDIX 1 - GLOSSARY OF TERMS

**Assigned Sex** - The sex you were assigned at birth and raised as.

**Cisgender** - A match between your biological sex and your gender. For example a female sexed person identifying with their female gender. Also a term for non-transgender people.

**Coming Out** - A process by which a Trans person will tell friends/family/co-workers etc. about their Trans status.

**Deed Poll/Statutory Declaration** - The means by which a person can legally change their name.

**FTM/Trans man/a Transsexual man** - Someone assigned female at birth but who identifies as male.

**AFAB** - Assigned female at birth.

**Gender** - How a person feels in regards to male/female/neither/both. A cognitive process of recognising one's identity.

**Genderqueer** - A gender diverse person whose gender identity is neither male nor female, is between or beyond genders, or a combination of male and female.

**Gender dysphoria** - A recognised medical term which refers to the physical/mental/social discomfort of being perceived and living as one's assigned sex.

**GIC** - Gender Identity Clinic.

**Intersex** - A term for a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't seem to fit the typical definitions of male and female.

**MTF/Trans woman** - Someone assigned as male at birth that identifies as a woman.

**AMAB** - Assigned male at birth.

**Non binary** - To not identify within the binary male or female ideologies in Western society.

**Oestrogen** - Sex hormone which may be prescribed to some Trans women.

**Outed** – When a Trans person's gender status is made public knowledge without their consent. This can happen either by people deliberately talking about this person being Trans or by careless violation of confidentiality.

**Pansexual** – A sexual or romantic attraction towards people of all gender identities including those that don't fit into a gender binary.

**Passing** - Being seen or read as the gender you present yourself as e.g. a male identifying person being read as male.

**Pronouns** - He, him, his, she, her (gender specific) they, them, their, hir, sie, ey, zie. (gender neutral)

**Sex** - Assigned at birth in relation to ones genitals, chromosomes etc.

**Sexual Orientation** - Attraction to people i.e. gay, straight, bisexual, pansexual etc.

**Stealth** - Living in one's acquired gender without anyone knowing about one's Trans status. A person may choose to be stealth in some areas of their lives but not others.

**Testosterone** - Sex hormone prescribed to some Trans men.

**To gender** - To assign someone else a gender by noticing behaviour and body presentation.

**Top surgery** – Term used by Trans people when referring to chest surgery.

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

**Transgender Man** - Someone who was born female but identifies as male. They will often change their name to one more commonly used by men, use the male pronoun ('he') and wear clothes that are typically worn by men. They will sometimes undergo medical procedures to change their physical appearance, for example taking hormones or undergoing surgery.

**Transgender Woman** - Someone who was born male but identifies as female. They will often change their name to one more commonly used by women, use the female pronoun ('she') and wear clothes that are typically worn by women. They will sometimes undergo medical procedures to change their physical appearance, for example taking hormones or undergoing surgery.

**Transgender/Trans** – An umbrella term which can be used to describe people who are:

Transgender

Transsexual

Transvestite

Both male and female

Neither male nor female

Androgynous

A third gender

Or who have a gender identity which we do not yet have words to describe

**Transition** –What constitutes as transitioning may be different for many Trans people e.g. medical transition, social transition, etc.

**Transphobia** - Irrational fear, hatred, abuse etc. of Trans people and people who do not conform to traditional gender norms.

**Transsexual Person** - A person with a consistent and overwhelming desire to transition and fulfil their life as the opposite gender. Most Transsexual people actively desire and complete gender re-assignment surgery.

**Transvestite/Cross dresser** - A person who dresses in the clothing of the opposite sex as defined by socially accepted norms. They enjoy wearing the clothes of the opposite sex occasionally but they do not want to live their lives as the opposite gender and therefore do not seek hormone therapy or surgery.

## APPENDIX 2 – SUPPORT SERVICES

USEFUL WEBSITES AND RESOURCES	
<b>Gendered Intelligence</b>	<a href="http://www.genderedintelligence.co.uk">www.genderedintelligence.co.uk</a>
<b>Gender Identity Research and Education Society</b> <i>Including guidance on combating Transphobic bullying in schools</i>	<a href="http://www.gires.org.uk">www.gires.org.uk</a>
<b>Stonewall Cymru</b> <i>Stonewall Cymru campaigns for the equality of lesbian, gay, bisexual and Trans people across Britain.</i>	<a href="http://www.stonewallcymru.org.uk/">www.stonewallcymru.org.uk/</a>  Phone: 029 2023 7744
<b>Youth Cymru</b> <i>Youth Cymru is a charity that works with youth groups, youth workers and young people throughout the whole of Wales.</i>	<a href="http://youthcymru.org.uk">youthcymru.org.uk</a>  Phone: 01443 827840  <a href="http://youthcymru.org.uk/transformcymru/">http://youthcymru.org.uk/transformcymru/</a>
<b>Transform Cymru</b> <i>Trans*Form Cymru is a three year project run by Youth Cymru and funded by the Welsh Government to empower and support trans* young people to access their rights and to provide support to youth-facing organisations to address discrimination and exclusion often experienced by trans* young people.</i>	Transform Cymru's school charter: <a href="http://youthcymru.org.uk/transformcymru/#tab-id-3">http://youthcymru.org.uk/transformcymru/#tab-id-3</a>
<b>Mermaids</b> <i>Mermaids' supports children and young people up to 19 years old suffering from gender issues, and their families, and professionals involved in their care.</i>	<a href="http://www.mermaidsuk.org.uk">http://www.mermaidsuk.org.uk</a>  Phone: 0844 334 0550 / 0344 335 0550
<b>T*MSU – Cardiff Trans Support Group</b> <i>T*MSU is a mutual support and social group for all Gender Diverse / Trans*gender, their family, friends, supporters and allies.</i>	<a href="https://www.facebook.com/groups/tsmucardiff">https://www.facebook.com/groups/tsmucardiff</a>  Phone: 07500 741955 or 07889 620686
<b>Children and Adolescent Mental Health Services (CAMHS)</b>	<b>Phone: 01443 443008</b>
<b>Welsh Government</b>	Action plan to Advance Equality for Transgender People (March 2016) Guidance 055/2011 – Respecting Other: Sexist, sexual and transphobic bullying

<p><b>Transkids.synthasite</b>  <i>This site is primarily for teachers in primary schools. It is not just for teachers in primary schools with transgender children in their class, it is for all primary school teachers. (However there is also material here which may be useful to secondary school teachers and parents.)</i></p>	<p><a href="http://www.transkids.synthasite.com">www.transkids.synthasite.com</a></p>
<p><b>Unique</b>  <i>Unique is a voluntary group supporting Trans* (transgender) people in North Wales &amp; West Cheshire. Trans* people, from just-left-the-closet Cross-dressers to Transsexuals following Gender Reassignment Surgery, often need reassurance and support from others with similar experiences. Unique's prime aim is to help Trans* people accept themselves and find acceptance from others. Unique also provides well researched trans* awareness and equality training and guidance on transitioning in work and in education.</i></p>	<p><a href="http://www.uniquetg.org.uk">www.uniquetg.org.uk</a></p>
<p><b>Viva</b>  <i>Viva is a LGBT young people's service at the West Rhyl Young People's Project it holds 1 weekly group meeting (Tuesday 5pm - 8pm) for LGBT people aged 14-25, also a 1-2-1 service available by appointment. Viva has a small resource library and provides awareness raising training and support to local organisations working with young people.</i></p>	<p><a href="http://www.vivalgbt.co.uk">www.vivalgbt.co.uk</a></p>

## APPENDIX 3 - GUIDE TO CHALLENGING HOMO/BI/TRANSPHOBIC LANGUAGE & GENDER STEREOTYPING: A RANGE OF RESPONSES

All prejudiced language should be challenged and how that challenge is made will depend on the circumstances of the incident, the severity of the incident, who it involves, where it takes place and the intention behind the comment.

<b>Organisational Response</b>
In our school we treat everyone with respect and when you use 'gay' like that it is disrespectful of gay people.
The ground-rules we agreed at the beginning of the session said we would show respect to each other.
Some people who are transgendered find that word insulting so it's not ok to use it at our school.
The anti-bullying policy says that homo/bi/transphobic language is not tolerated.
The school policy says that we are all responsible for making this a safe place for everyone.
That kind of language is homo/bi/transphobic and makes people feel unsafe. Therefore it is unacceptable.
It's really important that at this school people feel able to express their gender however they feel comfortable so we try to avoid gender stereotypes.
At this school we want to recognise every pupil's strengths and we don't want people to feel limited by expectations that relate to their gender.
<b>Questioning Response</b>
What do you think that word means?
What makes you think that?
Do you realise that what you said is homo/bi/transphobic?
Can you explain what you mean by calling that 'gay'?
That word is an insulting term for someone who is transgendered. Do you know what it means to be transgendered?
How would you feel if someone spoke about you in that way?
Do you know what a gender stereotype is? Can you think of why some people might be upset when they hear them at school?
<b>Confronting Response</b>
Language like that is not acceptable.
You might not think that remark is offensive, but many would.
What you are saying presents a very stereotypical view of what men and woman are like. When you do that it means that people who don't fit into your way of seeing things can feel left out or ashamed.
<b>Personal Response</b>
I'm not happy with what you said.
Homo/bi/transphobic language offends me. I don't want to hear it again.
What you've said really disappoints/disturbs/upsets/angers me. I hoped you would recognise that it is important to treat everyone with respect and that it is therefore wrong to use such as homo/bi/transphobic language.
I'm really surprised and disappointed to hear you say that. I hoped you would recognise that it is important to treat everyone, including gay/bi/trans people, with respect and that it is therefore wrong to use such as homo/bi/transphobic language.

## **APPENDIX 4 - AMENDING THE PUPIL/STUDENT NAME IN SIMS TO A PREFERRED NAME**

Open the individual's record in SIMS via Focus | Pupil/Student or the button.



When the record is open, amend the Preferred Forename box to reflect the person's chosen forename. The legal name and gender must remain unchanged.

You can choose to add details on this change to the Name History area, but this is entirely optional. To do this, click on the History button on the right hand side and then click New.

Once you have made the name amendment, it is advisable to check that registers and reports will be displaying the preferred forename.

### **To Check The Registers**

Go to Tools | Setups | Attendance Setup | Module Setup

Ensure that the box 'Show Preferred Forename instead of Legal Forename' is checked and then Save.

### **Reports**

Some commonly used reports, such as the registration group reports, are set up to use the Legal Forename and Surname, therefore you may wish to amend these\* via Reports | Design Report.

Editing reports is relatively straightforward.

\*please ensure that you save any amended reports with a new unique name i.e. do not overwrite the standard reports.