

# Trans Inclusion Schools Toolkit

Supporting trans, non-binary and gender questioning children and young people in Brighton & Hove educational settings



Brighton & Hove City Council and Allsorts Youth Project  
Second Edition, September 2017



## Foreword

I am delighted that this toolkit has been reviewed and updated. The first edition was a ground-breaking piece of guidance developed through a partnership involving Brighton & Hove City Council's Education Team, Allsorts Youth Project and schools and colleges.

We want all children and young people in our schools to feel safe and be happy. Learning can only take place when young people feel that their needs are being met and this toolkit provides information and guidance to schools and colleges in Brighton & Hove on how to effectively support trans and gender questioning pupils and students and prevent transphobia.

Many schools are already doing excellent work in this area and this will enable our schools to embed the good work they are doing and develop their approach to trans inclusion and support.



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## Note from the authors and ongoing discussions about gender identity

This toolkit was first published in 2014 and disseminated to Brighton & Hove educational settings who found it useful to inform practice and to support trans and gender questioning pupils and students in their communities. We know from feedback from trans children and young people that many of them feel well supported in Brighton & Hove educational settings.

The first edition also received positive feedback from other local authorities and schools who have used it as a basis of similar policies or guidance for their contexts.

Since 2014 there has been an increase in children and young people coming out as trans and non-binary and an increase in different ways that young people self-identify in terms of gender.

There has been a lot of discussion in the media and wider about how best to support trans and gender questioning children and young people and if and how to raise awareness of gender identity across the whole community. We recognise that this is a developing area of practice and remain open to discussion about these issues and will adapt our approach accordingly.

This version builds on that written in 2014 and has been informed by:

- the voice of trans children, young people, adults and their parents and carers (particularly those attending Allsorts Youth Project)
- a commitment to the support and wellbeing of all children and young people and to responding to the needs of individuals
- an understanding of the Equality Act.
- Please see section 1.3 for the principles that underpin this document.

# Acknowledgements

We used the following documents to inform the development of the 2014 toolkit:

- [Cornwall Schools Transgender Guidance, 2012](#)
- [Guidance on combating Transphobic bullying in schools](#), GIRES 2008
- [Guidance for schools on responding to sexist, sexual and transphobic bullying](#), DCSF 2009
- [Where do the Mermaids stand? Poetry, prose, artwork and personal stories by children, young people and their parents](#), Mermaids and Action for Children, 2010

This toolkit has been written by Ryan Gingell, Allsorts Youth Project and Sam Beal, Brighton & Hove City Council in consultation with trans children and young people and their families. Thanks to the Allsorts Young People who produced the art work contained in this document The original toolkit and this update have been disseminated widely to colleagues in schools, the community and voluntary sector and Brighton & Hove City Council for consultation and feedback.

Special thanks to colleagues from the following organisations that made helpful contributions:

- Allsorts Youth Project
- BHCC, Schools ICT Team
- BHCC, Human Resources
- BHASVIC
- Blatchington Mill Secondary School
- Navigate, Brighton
- PSHE Association
- Sex Education Forum
- St Luke's Primary School
- Stonewall

And to:

- Alice Hoyle, LGBT+ Development Worker Off The Record, Bath and North East Somerset
- Joe Butler, SEND Support, Special Educational Needs and Disability Consultancy and Training

We would particularly like to thank trans young people and their parents for sharing their experiences with us and showing us what we need to do better.

The 2017 edition has made use of the good practice ideas in place in Brighton & Hove educational settings and includes some changes to language and more content for primary school settings.

# 1 Introduction

## 1.1 Overview

Trans is an umbrella term to describe people whose gender is not the same as, or does not fully reflect, the sex they were assigned at birth. Further definitions are provided in section 2.2 and Appendix 1.

Gender is complicated and multi-faceted, and can be best understood as being a spectrum rather than necessarily needing to be a binary choice between male or female. Developing a positive sense of gender identity is an important part of growing up for all children and young people. It is essential that educational settings develop pupil and student understanding of the spectrum of gender identity and provide support to trans, gender questioning and non-binary pupils, students and staff.

There are many different ways to be trans and talking with the child or young person, and if appropriate, family members to find out what they want and need will be a guiding principle.

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

## 1.2 Purpose of the toolkit and its limitations

- The purpose of this document is to provide information and guidance to schools and colleges on how to more effectively support trans and gender questioning pupils and students and prevent transphobia. Creating safe, trans inclusive learning environments is crucial to reduce and prevent harm to trans and non-binary children and young people, but will also be of benefit to all genders as gender stereotyping, sexism, homophobia, biphobia and transphobia are challenged.
- It is recognised how complex understanding of sex and gender can be, but it is clear that there is huge range of diversity in how people feel about and express their gender. We hope that using this toolkit will build on existing good equality practice and:
  - Increase the confidence of staff to support trans pupils and students or those that are coming out as trans, non-binary or are beginning to question their gender identity
  - 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 prejudice, discrimination and bullying.

When children and young people's understanding of their own gender differs from the expectations of those around them, this can be very challenging



and young people and their families can experience high levels of distress. Some studies find trans young people to be at an increased risk of self-harm and suicide. Therefore, there is a moral imperative to ensure effective support.

Currently this guidance does not specifically address the needs of intersex children and young people. However, it is likely that some of the good practice discussed will be supportive to this group. A definition of intersex can be found in appendix 1.

### **1.3 Underlying principles and messages in the toolkit**

Some children and young people may question their gender identity for a range of reasons and in a range of ways, and some may question their gender identity from a young age.

- Provision of 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
- Listen to the child or young person and wherever possible follow their lead and preferences
- Communicate, involve and support parents and carers as much as possible without breaching the confidentiality of the child or young person
- Avoid seeing the trans or gender-questioning 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
- Gender is often an important part of our identity and developing a positive sense of gender identity is part of growing up
- Avoid gender segregated activities where there is no underpinning rationale for them and be ready to see gender as a spectrum that is broader than male and female
- Trans children and young people have the right to access facilities and support in line with their gender identity
- Trans and non-binary inclusive practice requires understanding and challenging long accepted ideas of sex and gender. All members of the school community including parents and carers may need support in developing their understanding
- No trans pupil or student 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 changes made to support them.



## 2 Developing understanding of trans and gender questioning children and young people

### 2.1 Introduction

This section aims to help to develop understanding of language and terminology related to sex and gender, but is likely to change over time. Trans and non-binary children and young people should be asked how they identify in age appropriate ways.

### 2.2 Gender identity and key terms

When considering trans identities, it is important to understand that there is a difference between the sex assigned at birth (natal sex) and gender identity. Assigned (natal) 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<sup>1</sup>). Gender concerns the internal sense of self and how this is expressed. For trans people their natal sex is not the same as gender identity.

Every person will experience difference in their assigned sex and gender identity and will respond to social circumstances in response to this. 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, non-binary or they may consider themselves to be agender.

The umbrella terms 'transgender' and 'trans' are viewed by many people as being acceptable terms. However, whenever possible individuals should be given opportunities to say how they identify or describe themselves rather than labels being ascribed to them.

**Trans** – umbrella term used to describe people who identify for example as:

- Transgender
- Gender queer
- Gender fluid
- Non-binary
- Both male and female (this may be at the same time or over time)
- Neither male or female
- A third gender
- Or who have a gender identity which we do not yet have words to describe

In this toolkit, the term trans is used to describe any person who would fit into the definition above. People who cross-dress (see definition of cross-dresser in Appendix 1) are often included in the trans umbrella, but we have not included it for the purposes of this guidance as many young children will 'dress up' in clothes which are seen as stereotypically intended for the 'opposite' gender and this alone would not mean they were trans and we aim to avoid this confusion. Any prejudice expressed to a child or young person because of what they are wearing or their gender expression should of course be challenged.

**Cisgender Person** – a person whose sex assigned at birth matches their gender identity. In other words, a term for non-trans people.

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<sup>1</sup> Intersex is defined in Appendix 1.

**Transition** – the steps a trans person may take to live in the gender they identify as. What constitutes transitioning will be different for each individual. Social transition could involve name and pronoun changes and dressing differently. Medical transition could include hormone blockers, hormones and surgeries. There is not a single route for transition: individuals' experiences are all different.

**Trans boy or man** – a person assigned female at birth and who identifies as a boy or man. 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.

**Trans girl or woman** – a person assigned male at birth and who identifies as a girl or woman. 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.

**Non-binary** – umbrella term for a person who does not identify as (solely) male or (solely) female. Non-binary people may identify as both male and female, neither male nor female, or as another gender identity. This group are under the trans umbrella but may not consider themselves trans.

**Intersex** – a term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female bodies. Intersex people can identify as male, female, or non-binary.

## 2.3 Sexual orientation

Gender identity concerns the internal sense of self and may include how this is expressed. This is completely different to sexual orientation which concerns who someone is romantically and or sexually attracted to. Both gender identity and sexual orientation are varied and complex and may change over time. Trans people, like everyone else, can have a range of sexual orientations. While gender identity and sexual orientation are very different, and this guidance focuses on the former, there is a relationship between transphobia, biphobia and homophobia. Trans people and those who do not express their gender identity in a stereotypical way often experience homophobic and biphobic as well as transphobic and sexist abuse.

## 2.4 Gender expression

Gender is considered by some to be a social construct in that children learn how to behave in a manner deemed to be in line with their assigned sex. This social construct includes the way gender can be expressed through roles, clothing and activities. However, this is not



necessarily an indication of their gender identity or their sexual orientation. For example, a boy wearing a dress is not necessarily a sign that they are trans or even questioning their gender identity.

However, anyone who challenges the gendered expectations of their natal or assigned sex can be subjected to transphobia.

Some people find [The Genderbread Person](#) helpful in developing understanding of spectrums and gender identity, sex, sexual orientation and gender expression.

**For further definitions see Appendices 1 and 2.**

## **To remember**

- **Language is subject to change**
- **Allow individuals to self-identify**
- **Gender identity, sex, sexual orientation and gender expression are all spectrums and are all different.**

## 3 Experiences of trans children and young people

### 3.1 National data

There is no national record of numbers of trans children and young people. However, the Tavistock clinic, the only centre for children and adolescents in England, has seen referral increases of about 50% a year since 2010-11. In 2016 it had an increase of 100%, up from 697 to 1,398 referrals.

Not all gender questioning children will grow up to be trans, but 40% of young people first thought they were trans aged 11 or under, compared to 25% of lesbian, gay or bisexuals aged 11 or under. [Metro Youth Chances 2014](#)

Just over 90% LGBTQ young people report learning nothing about trans in their sex and relationships education. Nearly half of LGBTQ young people say their time at school was affected by discrimination or fear of discrimination. [Metro Youth Chances 2014](#)

The [Stonewall School Report; the experiences of lesbian, gay, bi and trans young people in Britain's schools in 2017](#) has the following key findings:

- Nearly half of lesbian, gay, bi and trans pupils (45%) – including 64 per cent of trans pupils – are bullied for being LGBT at school
- Almost half of LGBT pupils (45%) who are bullied for being LGBT never tell anyone about the bullying
- Seven in ten LGBT pupils (68%) report that teachers or school staff only ‘sometimes’ or ‘never’ challenge homophobic, biphobic and transphobic language when they hear it
- Seven in ten LGBT pupils (68%) report that their schools say homophobic and biphobic bullying is wrong, but just four in ten (41%) report that their schools say transphobic bullying is wrong
- Three in four LGBT pupils (77%) have never learnt about gender identity and what ‘trans’ means at school
- More than two in five trans pupils (44%) say that staff at their school are not familiar with the term ‘trans’ and what it means
- One in three trans pupils (33%) are not able to be known by their preferred name at school, while three in five (58%) are not allowed to use the toilets they feel comfortable in.

Some studies find trans young people to be at an increased risk of self-harm and suicide. For example, [Pace 2014](#) and Stonewall’s The School Report (2017).

It is important to remember that while trans and gender questioning children and young people may face problems in some areas of their lives, many of these problems are not caused by being trans but by society’s attitude towards people who are trans or do not conform to gender norms. Transphobia can be defined as an irrational fear, hatred and abuse of trans people and those who do not conform to traditional gender norms. It can be linked to sexist and stereotypical ideas about what it means to be a man or a woman. Transphobia can take many forms including direct or indirect pressure on trans people to conform to their assigned sex and can include sexist or sexualised bullying and abuse.

## 3.2 The experiences of trans children and young people

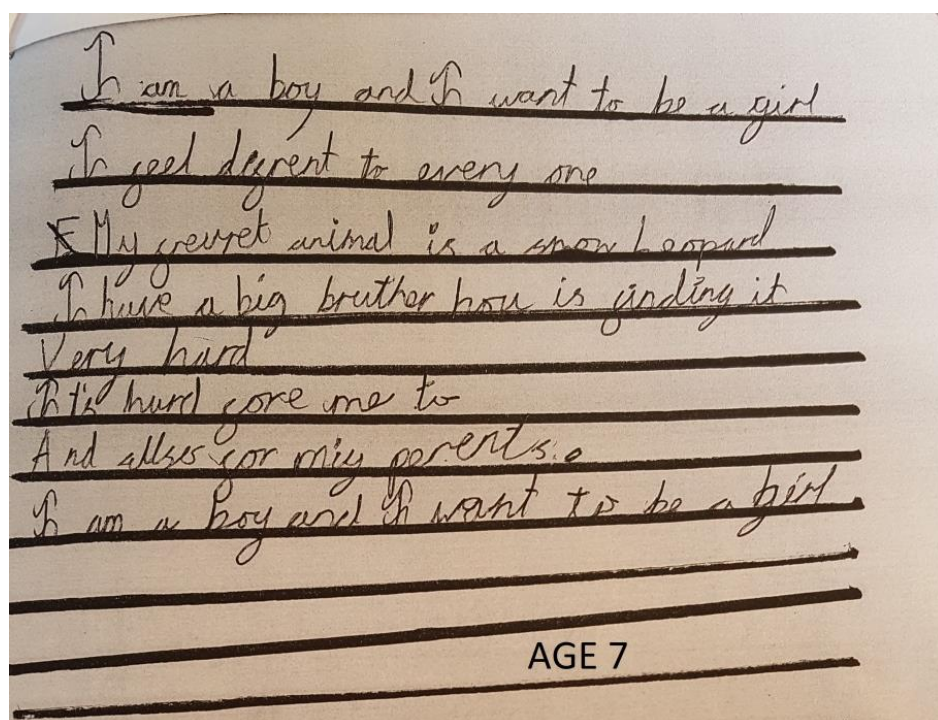
### 3.2.1 Young person, Allsorts Youth Project

*I first came out as trans at the age of fourteen; I'd told a few of my school friends but the first teacher I told was someone in pastoral support. She didn't really know how to react so gave me various fliers for Allsorts, who were really helpful in further educating my school and helping me feel as comfortable as possible in coming out and existing as trans within school.*

*Overall I would say that my experience at school was really good, I felt safe in school and had enough confidence in myself and the support I had available to me, that the occasional question or comment usually didn't faze me. The biggest issue I really had was around toilets. I definitely didn't want to use the girls' toilets and I didn't feel comfortable using the boys knowing that most of the people in there knew I was trans. I was given permission to use either of the two accessible toilets but was often questioned by staff and students whenever I was spotted leaving them, which further illustrated the feeling that I shouldn't be using them as I'm not disabled. I also found it somewhat distressing when teachers would split students by gender, some of my teachers would put me with the boys without thinking, while others would try to avoid gendering me, or would ask me where I'd rather be.*

*When I started going to college my name and gender were legally changed and although my teachers knew I was trans, I planned on not telling the other students. This didn't really work out however, as my teachers seemed to get confused by the gender I was assigned and the gender I identify with, so referred to me by 'she' even after trying to tell them otherwise. I went to pastoral, but was only met with questions about my transition that were irrelevant to my issue. I was lead to having to out myself to the other students so that they would help me get the message across to my teachers. Although I know that I am safe at college, I really wish my gender wasn't information that spread without my control as it has faced me with lots of questions and opinions that have made me feel incredibly uncomfortable in that environment.*

### 3.2.2 Seven year old, Allsorts Youth Project



### **3.3 Parent and carer perspectives**

These case studies were all written by parents and carers attending Allsorts' Sara's Group – a group for parents and carers of trans children and young people.

#### **3.3.1 Parent of 5 year old child**

*In terms of the school supporting my child we feel that they have been supportive of his choices, inclusive in their approaches and his class teacher has been particularly specific in her support of him. She's been giving him 1 to 1 'theraplay' time where they play balloon games in a quiet room and discuss issues arise. She has also been in regular email contact with us, keeping us up to date of any developments or issues she thinks we need to be aware of.*

*One of the most difficult things for my child has been which loos to use at school. We met with the school inclusion officer and the deputy head and both were very open and wishing to help to support my child on his journey. We discussed keeping him safe and supporting him to live the gender he feels he is. They were interested in allowing us to lead them in how they should support my child. We raised the issue of gender neutral toilet provision but it was said that as the school is an old building and not possible to build a new block. I have however recently emailed the school to ask them to consider making some of the loos non-binary...as a means of allowing kids who may be exploring their gender to feel welcome to do so and of course to give my child a loo to use that he feels comfy with.*

*My child had good support from his teacher to adopt a script when using the girls' toilets about him being a girl despite his clothes and short hair, and that he was allowed to use that loo. Since Christmas he has said that he wants to use the boys' loos instead and his class teacher has encouraged him and a friend to go together which has worked well to date...his current script is 'this is the loo I use, I am allowed to'. He has however not needed this yet as none of the boys have questioned him being there!*

#### **3.3.2 Parent of a 6 year old**

*My child's primary school have been fantastic with her transition and were very supportive right from the word go.*

*When my child first expressed unhappiness at school about her gender in year 2 they provided instant support to us and organised for her to have some sessions with the learning mentor which gave her a space to be able to express and explore feelings initially. Teachers and teaching assistants were very open to talking about it with her too. The learning mentor also helped us as parents face up to the issue, and put us in touch with Allsorts Youth Project.*

*Since last September she has been seeing the school counsellor every week which has also been hugely beneficial - I don't think every school provides this service, and we are hugely appreciative of it. The school counsellor has also referred us to the Tavistock.*

*Her transition to her true self a couple of months ago (in year 3) was handled brilliantly - a very matter-of-fact, no fuss approach. Being open and honest with her year group to explain to her peers what was happening. The children have been really accepting, and the school are willing to deal with any negative behaviour that might occur, and my child feels supported at school by her teachers. She continues to see the counsellor too.*

*So, all in all, a very positive experience. I think it helps that they have had experience in this already with a child in a higher year group.*

### **3.3.3 Parent of an 11 year old child**

*My child transitioned between primary and secondary school into a secondary school which had not worked with an out trans child previously. The experience has been generally positive.*

#### *Things they got right:*

- *They allocated my child a safe person - he picked him himself, and that teacher has gone out of his way to make my child's experience a good one, and feel safe and listened to.*
- *They offered and provide free counselling at the school.*
- *They discuss sensitive topic subjects with him and me before they are taught i.e. reproduction.*
- *They dealt with any bullying or gossipy moments immediately.*
- *They encouraged my child to get involved in a lot of after school clubs, particularly dance and singing - this has helped him make friends with other year groups and created a strong network.*
- *They had Allsorts in to deliver workshops to his year group.*
- *His form teacher always responds to my emails or calls if I am worried about anything; we meet termly to talk about how things are going.*

#### *Things not so right:*

- *He has access to an accessible toilet which he feels is too conspicuous, so he doesn't go to the toilet at all - ever!*
- *His old primary still have photos of him on their website of him as a girl, despite repeatedly asking them to take it down.*
- *Not all teachers are understanding.*
- *They haven't done training or workshops with all pupils so a lot of misunderstanding is still evident across the school.*
- *There is no LGBT support group in school.*

## **To remember**

- **Transphobia and bullying can result in poor mental health outcomes for some trans people**
- **Schools and colleges can and are making a positive difference to wellbeing.**

## 4 Legal context and Ofsted framework

### 4.1 Equality Act, 2010

Under the Equality Act 2010 public sector organisations, such as schools, are covered by the Public Sector Equality Duty and must have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a relevant protected characteristic and those who do not

The Act also provides protection from discrimination in respect of particular “protected characteristics” in various areas including the provision of services, employment and education. The Act, in its application to schools provides protection in respect of the Act, covers 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

As a result of the provisions in the Act, schools need to ensure they do not treat pupils and students less favourably due to the protected characteristic of gender reassignment. The Equality Act also protects those who are discriminated against because they are perceived to be trans or discriminated against because of their association with a trans person.

Gender reassignment is defined in the Equality Act as applying to anyone who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose 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<sup>2</sup>.

So far, the law has not acknowledged non- binary or genderless individuals, but schools and colleges will want to act to safeguard and include all members of their communities.

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<sup>2</sup> [Equality Act, 2010, Advice for School Leaders, school staff, governing bodies and local authorities, DfE 2014](#)



## 4.2 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 pupils safe. For example, there is nothing to prohibit trans children and young people using the changing rooms or toilets which reflect their gender identity.

The Department for Education statutory safeguarding guidance, [Keeping Children Safe in Education \(2016\)](#), is clear that governing bodies and proprietors should consider how children may be taught about safeguarding. This may include covering relevant issues through personal, social, health and economic (PSHE) education. Given the prevalence of bullying of trans and gender questioning pupils, learning about gender identity should be considered under this obligation.

## 4.3 [The common inspection framework: education, skills and early years](#), Ofsted, September 2015

- This framework states that inspectors will pay particular attention to outcomes for a range of groups of learners including 'transgender children and learners'. It also states:  
Inspectors will assess the extent to which the school or provider complies with relevant legal duties as set out in the Equality Act 2010 and the Human Rights Act 1998 promotes equality of opportunity and takes positive steps to prevent any form of discrimination, either direct or indirect, against those with protected characteristics in all aspects of their work.

Effectiveness of leadership and management will be judged by evaluating to what extent leaders, managers and governors:

actively promote equality and diversity, tackle bullying and discrimination and narrow any gaps in achievement between different groups of children and learners.

Additionally, guidance on [Inspecting safeguarding in early years, education and skills settings](#) makes clear that safeguarding action may be needed to protect children and learners from (for example):

- physical, sexual or emotional abuse
- bullying, including online bullying and prejudice-based bullying
- racist, disability, homophobic or transphobic abuse
- gender-based violence, or violence against women and girls

### To remember

- **Work to prevent transphobia and support trans children and young people is supported by Ofsted, statutory safeguarding duties and the Equality Act.**

## 5 A Whole School Approach

### 5.1 Building on good practice already in place

Many Brighton & Hove educational settings are already working to ensure that the learning environment is supportive to a range of groups of pupils and students and have the following types of good practice in place:

- A culture that celebrates similarity, difference and diversity and one in which all children and young people can see themselves represented and valued
- Systems and processes which support vulnerable children and young people
- Effective anti-bullying and equality policies which ensure the whole setting works to prevent, challenge and records all bullying and prejudice-based incidents
- A curriculum that provides opportunities to explore, understand and prevent stereotypes and all forms of prejudice
- Positive relationships with parents, carers, pupils and students that listen and respond to individual needs and preferences.

### 5.2 Developing a whole setting approach to preventing transphobia and supporting trans and non-binary children and young people

A whole settings approach is needed to create an environment in which trans members of the community feel equally welcomed and valued. If this approach is taken then negative responses to trans pupils, students and staff in the school community will be prevented or minimised. Effective whole school approaches will also create a space where children and young people feel able to come out as trans and or transition.

Educational settings will want to communicate the work they are doing in this area to the wider school or setting community and are advised to do this in the context of other equality work. For example, when explaining work for LGBT History Month or informing parents or carers of a visit from Allsorts Youth Project will want to use language such as; 'As part of our work to promote our school value of respect we are...' or 'As part of our ongoing commitment to improving equality we are...'.

This whole setting approach brings benefits and a development of understanding for all members of the community, not just those who are trans.

A whole settings approach to trans inclusion includes:

- Ensuring trans issues and transphobia are acknowledged across the policy framework and as one part of the settings approach to equality and inclusion
- Acknowledging there are or will be trans people within the educational setting such as family members, staff, governors, pupils and students and that this diversity is welcomed
- Ensuring that the curriculum and in particular PSHE education and work related to spiritual, moral, social and cultural development is used to challenge gender stereotypes, support the development of gender equality, a positive understanding of gender identity and prevent sexism and transphobia
- Closely monitoring all areas of the curriculum, resources and teaching and learning approaches to ensure trans inclusive practice that challenges gender stereotypes
- Effectively challenging, recording and dealing with transphobic abuse, harassment

and bullying and then monitoring incidence of transphobic abuse, harassment and bullying, and use this information to inform whole school developments

- Including trans issues in equality training for staff and governors and support wider community understanding of trans through training and other opportunities
- Participating in events such as LGBT History Month and Transgender Day of Visibility and ensuring the visibility of trans people and their achievements
- Communication to all parents and carers that includes reference to the work that is going on to make the educational setting trans inclusive and if appropriate signpost to opportunities for them to develop understanding of trans identities
- Provision of appropriate support to pupils who identify as trans and refer them and their families when needed to national or local services.

Please see Appendix 8 for an action planning tool that can support this whole setting approach.

### 5.3 Policy Framework

Support for trans children and young people and inclusive practice sits within and as an integral part of the work the setting is doing to eliminate discrimination, foster good relationships and advance equality of opportunity for all protected groups under the Equality Act. Educational settings will therefore, want to ensure that all relevant policies appropriately reference trans pupils and students and that there is some reference to intersectional issues i.e. the needs of SEND children and young people who are also trans. Some examples of how to do this are identified below, but this is not an exhaustive list.

<b>Policy</b>	<b>Example of trans inclusive approach (read relevant sections of this toolkit to inform writing of relevant policy section)</b>
Equality Policy	This should be in line with the Equality Act, 2010 and reference gender reassignment as a protected group. This policy could reference this <i>Trans Inclusion Schools Toolkit</i> by saying for example that the setting works within the guidance provided by Brighton & Hove City Council and Allsorts' Youth Project.
Anti-Bullying Policy	Include reference to sexist, homophobic, biphobic and transphobic bullying and explain how both bullying and prejudice based incidents are recorded by type, analysed and monitored.
PE and Physical Activity Policy	Include how trans pupils and students will be supported to participate in PE and physical activity (including swimming) and enabled to access changing facilities where they feel safe and in line with their gender identity if this is their wish. Include how changing facilities will be managed for away fixtures.
School visits, trips and residential policies	Include how pupils and students will be supported to participate in residential trips and to share facilities in line with their gender identity if this is where they feel safe. Include how discussions will be had with trans children and young people and their families to support this.
PSHE and Relationships and sex education policies	Include how the programmes support understanding of trans identities and are inclusive of trans children and young people.
Uniform Policy	Uniform items are listed, rather than listed by gender. A statement is

	included to cover approved changes to swimming costumes for trans pupils and students and those from faith backgrounds.
Safeguarding, Confidentiality, Data Protection	As appropriate these explain how changes are made to data and make clear that: <ul style="list-style-type: none"> <li>• Being trans is not a safeguarding issue</li> <li>• Commitment to not 'outing' trans members of the community without their permission</li> </ul>
Special educational needs and disabilities policies / School Offer	Include the statement that SEND pupil or student is just as likely to be trans or gender questioning as any other person and signpost to specific support that will be provided.
Teaching and learning / behaviour policies	These actively discourage unnecessary grouping or seating by gender, whilst making clear how single gender groupings will be sensitively managed when deemed necessary to support learning. These policies will also encourage approaches which are inclusive and prevent and challenge sexism, homophobia, biphobia and transphobia.

## 5.4 Staff training

School staff need to be provided with training which will develop confidence in understanding gender and trans presentation, terminology and vocabulary e.g. correct use of pronouns and names, and in challenging gender stereotypes, sexism and transphobia. It is recommended that this is provided every two years to take into account staff changes. A range of staff training can be provided by Allsorts Youth Project and/or the council, email [pshe@brighton-hove.gov.uk](mailto:pshe@brighton-hove.gov.uk).

## 5.5 Transphobic bullying and incidents

Trans, non-binary 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 siblings, parents, relatives or friends
- Lesbian, gay and bisexual children, young people and adults.

Educational settings will need to ensure that the curriculum, assemblies and environment are all used to prevent challenge gender stereotypes, sexism and binary notions of gender. Gender stereotyping is unhelpful and damaging as sexism leads us to believe that boys and girls should present themselves in certain ways and impacts on the inclusion, wellbeing and aspirations of all genders. Schools may find Brighton & Hove's [Guide to Challenging Sexist and Sexual Language](#) helpful in doing this.

Therefore, educational settings should ensure that they equally identify, record and respond to sexism, homophobia, biphobia and transphobia. [Brighton & Hove's Recording and Reporting Guidance](#) advises that all bullying and prejudice based incidents are recorded and that these are recorded separately and by type.

Recording of incidents means that the wellbeing of individual pupils and students can be tracked as can the behaviours of perpetrators. This data along with data from school surveys can also be used to target preventative interventions and measure the impact of activities.

Sexist, sexual or transphobic bullying are not the same as homophobic or biphobic bullying. However, sexist attitudes often manifest themselves in homophobic bullying as any child or young person who is perceived as not expressing stereotypically masculine or feminine traits expected of their assigned 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. Transphobic bullying may also occur in conjunction with other forms of bullying, including that related to special educational needs or disabilities or cyberbullying. Trans pupils and students can be particularly targeted with behaviours such as 'skirt lifting', 'groping' or being asked inappropriate, personal questions including about their anatomy. Again, educational settings should be vigilant in preventing and responding to all forms of sexual harassment and bullying as experienced by all genders.

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.

## 5.6 Language

- If a child or young person transitions whilst in the school community, it is important that all staff are led by the language that the child or young person is using about themselves and that all staff are advised of the name and pronoun change if applicable. Settings will need to work with the trans young person to agree how to do this. Members of the school community should then use this name and pronoun and apologise if and when mistakes are made. Deliberate reverting back to old names or pronouns as a behaviour management method or punishment should never be done.
- In general, 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). Using 'they' as a pronoun or the term 'all genders' are examples of inclusive language.

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 8's, off to your lesson now' or 'come on pupils, time to get on with your learning'.

The purpose of this thoughtful use of language 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 PSHE; 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. It also supports inclusions of non-binary members of the community and encourages discussion and reflection on assumptions and expectations made about gender and gender expression.

### 5.7 Curriculum and teaching and learning (including relationships and sex education)

The curriculum should be used to explore and raise awareness of issues of assigned sex, gender identity, sexual orientation and transphobia and to make visible and celebrate lesbian, gay, bisexual and trans people. Work to challenge sexism and champion gender equality will benefit all pupils and students, including those who are trans. Therefore trans inclusive practice is more than a one-off lesson but should be embedded in good equality practice. Ensure that any resources used challenge gender stereotypes, actively celebrate different families and members of the school community, and reflect people with SEND as positive role-models.



Be aware that for some pupils and students with SEN, particularly some on the autism spectrum, existing resources such as picture books, may need to be adapted as they are too conceptually difficult or confusing. Photo banks featuring real people might be more useful than books featuring animals or inanimate objects for some pupils. That said, exploring with older students the real themes in picture books that it is made explicit are written for much younger children, can be a good introduction to this topic, especially if it leads to them writing their own books and resources for a younger audience. One page profiles celebrating trans role models can also be very useful tools for some. Be aware that slogans such as Stonewall's 'Some People Are Trans... Get Over It' may not make sense to literal thinkers who may question 'Get over what?', and this does not translate well into symbols. Phrases like 'Some People Are Trans... It's OK' may be more useful.

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 assigned sex.

There may be times when single gender work is needed. This may include aspects of relationship and sex 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.

Particular care will need to be taken to ensure that relationships and sex education is inclusive of all genders. For example:

- In labelling the genitals make it clear that most rather than all boys have a penis and testicles and most rather than all girls have a vulva and vagina
- Start any teaching around puberty and bodies by highlighting that all people's bodies and genitals are different and that there will be a diverse range of responses to puberty (this will be supportive to intersex pupils and students)
- Present sexual health information with an awareness that for trans young people their body may not represent their gender identity
- If you know you have a trans child in the class some pre-planning and 1 to 1 support may be necessary to ensure the child gets the information they need in a way that feels validating to their gender identity
- Remember that some screening procedures (i.e. cervical screening) may be relevant to some trans men
- Have an awareness of resources that inform about trans health such as those produced by Terence Higgins Trust and Gendered Intelligence.

## **To remember**

- **Many schools have in place good practice that promotes equality and supports the needs of individual children and young people**
- **Trans issues should be referenced across the policy framework**
- **Challenge and record all incidents of bullying and prejudice by type**
- **The curriculum and particularly PSHE can be used to develop understanding of family diversity, sexual orientation and gender identity and to prevent sexism, homophobia, biphobia and transphobia.**

## 6 Supporting the individual trans, non-binary or gender questioning child or young person

### 6.1 An individualised approach to support

Given the spectrum of trans identities and experiences, it is important that any support offered to a trans child or young person starts with identifying their individual needs. An initial conversation needs to show them that their identity is validated and supported. Remember that any guidance in this toolkit will need to be tailored for each individual child or young person and that each journey will be unique. There may be additional challenges for trans and non-binary pupils and students from certain faith or cultural backgrounds or because of a special educational need or disability. It is important for educational settings to see all aspects of a child's identity in thinking about how to best support and respond.

Some trans children and young people and their families may benefit from individual support from a service such as Brighton & Hove's Allsorts Youth Project.

A good practice checklist for supporting a trans child or young person based on one developed by Gendered Intelligence can be found in Appendix 7.

### 6.2 How to support a child or young person who wants to 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'. For a social transition 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

\*Of course not all children and young people who wear clothes associated with a gender different to that they were assigned at birth will transition. Adults will need to ensure they are able to provide for a wide spectrum of gender expression and have openness to non-conformity. It is up to the child or young person to decide whether they want to transition.

Medical transition is the process by which a trans person takes steps to physically alter their body. This happens under the care of the Tavistock and Portman's Gender Identity Development Service. This may include:

- Hormone blockers
- Hormones (testosterone or oestrogen)
- Surgery (not available to young people under the age of 18 in the UK)

Some trans children and young people will be hoping to undergo both social and medical aspects of transition while some will choose just the social aspects. See Section 7.9 for more on medical transition.

A child or 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. It is vital that the staff team provide informed and consistent support to individuals who are presenting in their preferred gender. It is also important to acknowledge and be prepared for how this may change again over time.

Be aware that some pupils and students, including those with SEND, may not feel the same pressures or awareness of 'fitting in' socially, or may struggle with social empathy about how their families and friends may feel. Once they have 'come out' to one person they may have unrealistic ideas or timeframes about how their journey will progress, and this can leave little time to build a supportive plan, especially if the fixed idea they have in their head 'goes wrong' or can't happen quickly enough. Staff may have to support those with difficulties in imagination to understand the future and their potential journey, as they might only be able to focus on how they are feeling and what needs to change right now.

Some trans pupils and students will need support in developing scripts and responses to questions they may be asked about their transition. This may include phrases such as 'It's none of your business...' 'I have always been a boy/girl'. 'Non-binary means...'

### **6.3 Timing of transition including primary to secondary transfer**

It is important to acknowledge that children in primary school may socially transition. Particular needs may then arise for a child who, for example, socially transitioned in Year 4 of Primary School at the point they move up to a secondary school as they will be faced by different challenges in this new context. Where a child's trans identity is known by relevant staff then the following could be put in place:

- A meeting with the child and their parents and carers to address how they would like any issues that arise to be managed in the secondary school
- A named contact or 'trusted adult' for the child to approach if issues arise during the day.

Some children and young people, with support from their families may make a transition into their preferred gender identity at a point when they are changing schools. Secondary schools therefore, may need to be particularly aware and supportive of children transferring from a primary to secondary school who are planning to begin Year 7 with a different name and pronoun. This would include working with the students and their families from the original primary school who would 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. Young people in Brighton & Hove have for example made a successful transition during their time in secondary school. The right time to transition 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 settings will be able to effectively support a trans child or young person including those transitioning and it is to be remembered that there will also be trans children in communities who schools are not aware of.

A key principle to this support is in protecting the child's trans status or gender identity. This would not be shared with the wider community without the agreement of the child and their family.

## 6.4 Pupils and students with special educational needs and disabilities

Children and young people with SEND may need additional support in understanding or accepting their own identity, learning about those who are different to them, and understanding that difference is to be respected and celebrated.

Staff, parents, carers, and wider professionals may need support in understanding that a SEND pupil or student is just as likely to be trans or gender questioning as any other person. Indeed, lived experience and some developing incidence based research is showing that there is a higher prevalence of those who question their gender identity in those on the autism spectrum. Ensure that a pupil's words or actions are not automatically attributed to their SEND, for example, preferences for clothing types or hair length being seen as a sensory need, or behaviours described as a new special interest, fascination, curiosity or phase. Whilst these may be true, it is important to listen without judgement so that expressions of questioning gender identity are not missed or dismissed.

Emotions related to gender identity are complex for anyone to understand and express, and this could obviously be exacerbated in those with communication and interaction difficulties. Some pupils and students with SEND may not see the need to communicate, and may not understand that others don't already see them in the same way as they see themselves or know themselves to be, due to them thinking everyone knows the same things they know and shares their one perspective. This could obviously lead to increased frustration, anxiety and impact negatively on well-being and mental health. Providing 1 to 1 support for the child or young person would be beneficial to provide time and space to explore issues in a non-judgemental, safe context.

The trans pupil or student may benefit from social rules or scripts around what is socially acceptable and what is not e.g. what it is OK or not OK to say or do in different contexts. It may be that some of these rules or expectations are different for different genders socially, and some things that had to be taught to the young person originally e.g. the unwritten rules of using public toilets, may need to be taught again to help the pupil learn to socialise in their affirmed (rather than assigned) gender. Empathy difficulties may mean they need support to understand what others may be thinking or feeling, and tools like Social Stories, Comic Strip Conversations and Mind Mapping may help give ideas and strategies. In



addition, there may be potential increased vulnerabilities of a young person with SEND and so staff will need to ensure they are given increased support as needed, and are taught about general threats and risks from others including around online safety.

Further reference is made to the support needs of pupils and students with SEND throughout this toolkit and particularly in section 7 on specific issues.

## 6.5 Support services for trans children, young people and their families

Educational settings in Brighton & Hove are encouraged to work with Allsorts Youth Project to support trans and gender questioning children and young people.

Allsorts provides a safe and non-judgmental space where trans or gender questioning children and young people can be themselves and explore their gender identity (age 5 – 25).

**Allsorts Youth Project** is a Brighton based project that provides a range of support services for LGBTU children and young people. Support for trans and gender questioning children and young people includes: Groups (Transformers ages 16-25, TAG LGBTU ages 11-15, Kids Group ages 5-11) and 1 to 1 support. The Kids Group is a fun and supportive monthly group for trans and gender questioning children of primary school age (5-11 year olds) where children can meet in a comfortable and confidential setting and participate in activities with others who may be experiencing similar feelings around gender identity. Support for parents and carers includes: a peer support parents group and information, advice and guidance from staff. Allsorts also provides training for schools.

Further information can be found at [www.allsortsyouth.org.uk](http://www.allsortsyouth.org.uk)

Information on a range of national services can be found in section 10.

### To remember

- **Follow the lead of the child, young person and if appropriate their family and protect confidentiality**
- **Consider all aspects of a child and young person's identity in the tailoring of support**
- **Transition is different for different people**
- **Pupils and students may need support in developing 'scripts' to respond to questions about their transition**
- **Make use of local and national support services.**

## 7 Managing specific issues for trans and gender questioning children and young people

It is important to be aware that educational settings will come across children and young people who are at various stages of exploring their identities or transitioning. This includes but isn't limited to those who are just coming out as trans, those who have socially transitioned either partly or fully and those who are exploring their gender identity with no fixed pathway. Therefore the information which follows will be relevant to some children and young people and not others.

### 7.1 Uniform and dress

Trans and non-binary pupils and students have the right to dress in a manner consistent with their gender identity. By providing a choice of approved items of uniform and allowing pupils and students to choose what they wear, schools will allow for regulated structure and remain inclusive. Having a non-gendered school uniform list would be supportive to non-binary pupils and students but also those who are transitioning. The majority of schools in Brighton & Hove already have this in place.

For swimwear, educational settings may want to state that pupils and students can request changes to swim wear items for personal or religious reasons. This would be supportive of trans pupils and students and those from certain faith backgrounds.

Beginning to dress in the clothes associated with one's gender identity can be a very big step and potentially daunting. Care must be taken to ensure that trans 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 girl but was assigned male at birth is not a 'boy dressed as a girl' but is a girl. By allowing a trans child or young person to dress in clothes which they feel comfortable with, schools empower them to express themselves by bringing their outward appearance in line with that of their internal gender identity.

Be aware that some pupils with SEND whose needs mean they have support from a Personal Assistant, can feel a loss of privacy at having to come out to them before people of their choosing or before they are ready to e.g. due to relying on their assistant for what clothes they wear. Do not make assumptions that because a person has this support that they wouldn't choose someone else to talk with. The pupil may need practical support to access getting the clothing they want and need, especially if have learning difficulties, or find interacting with others in shops etc. difficult. This will be especially important if they are not being given support, acceptance or understanding from home or the other professionals working with them. Be aware of and sensitive to the additional difficulties faced by pupils due to sensory differences, e.g. in maybe not being able to tolerate wearing chest binders etc. and the emotional impact of this.

### 7.2 Names and pronoun changes

Some trans children and young people may wish to change their name and pronoun. Respecting a child or young person's request to change name and pronoun is a pivotal part of supporting and validating their identity. It is 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. If a mistake is made with a name or

pronoun then this can be apologised for. Intentionally not using a person's name or pronoun that they have asked for can constitute harassment.

Some people who consider their gender identity as not fitting into a binary (male or female) and may use gender neutral pronouns (for example, 'they' or 'zie').

A formal name change is not required for the school to refer to the young person by this new name and profile. The 'preferred to be known' option can be used in SIMS. Staff will need to work with the trans child or young person to agree how to communicate this change with all staff.

Gender fluid children and young people may express their gender identity differently on different days. Staff will need to establish with them an agreed sign for what name or pronoun they are using on a given day. Some young people have worn badges for this purpose.

### **7.2.1 School database**

As set out above, a pupil has the right to be addressed by a name and pronoun that corresponds to their gender identity. A change of name by deed poll is not required to make a change to school records on school database systems such as SIMS.

Currently SIMS does not have an option to record gender as anything other than male or female. This may be particularly problematic for pupils and students who identify as non-binary. Please see Appendix 4 for information on recording on SIMS.

### **7.2.2 Entry for exams and exam certificates**

The Joint Council for Qualifications paper work states that candidates should be entered under names that can be verified against identification such as a birth certificate, passport or driver's licence, and that schools should check that a pupil is using a legal name rather than a preferred 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 preferred name on an exam document a student will need to have legally changed their name by deed poll. If the name hasn't been changed by deed poll, the student will have to fill in their legal name and gender when sitting exams.

Schools should talk first with the pupil and their parents and carers, then approach the various exam boards prior to starting GCSE and A Level courses to clarify the situation and ensure that everything possible has been done to sit the exam and receive certificates in the new name.

Schools will also need to be aware that the DfE analysis of school performance may still present the student in the gender registered by their UPN.

Please see Appendix 5 for more information on this challenging issue.

### **7.2.3 Considerations involved in changing name by deed poll**

Although some young people may feel that they want to change their name by deed poll, others may not feel that this is a step that they are ready or able to take (under 16 year olds need parental permission for a legal name change). This will unfortunately mean that although they may have established themselves within the school under a chosen name

that when filling in exam documentation they will have to use their birth name. This could potentially be a source of distress for that individual and care should be taken by staff to support the young person and that it does not invalidate their identity. Staff should remain sensitive and supportive during such times.

There may be particular sensitivities for looked after children in relation to making name changes.

### **7.3 Confidentiality and information sharing**

All people, including children and young people, have a right to privacy. This includes the right to keep private one's gender identity at school. Information about a pupil's transgender status, legal name, or sex assigned at birth may also constitute confidential information. Staff should not disclose information that may reveal a pupil or student's trans status 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 agreed for the information to be shared.

Staff should not discuss trans pupils and students outside of school with friends or family members, 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 pupil or student may compromise confidentiality. When a child or young person initially discloses their trans status, it is important to talk to them about confidentiality and who, if anyone, they would like information to be shared with.

Trans and gender questioning pupils 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 family of a trans or gender questioning pupil, school personnel should use the pupil's legal name and the pronoun corresponding to the pupil's sex assigned at birth unless the pupils or students, parent, or carer has specified otherwise.

It is important to consider school and college photos and websites to ensure that these images do not reveal any confidential information. If images and names are not protected, they may be used later in the trans person life to 'out' them as trans. Ensure that the young person, parents and carers are aware of these risks and consent accordingly.

### **7.4 Working with the parents and carers of trans pupils and students**

As a key principle, educational settings will want to work in close partnership with parents and carers. Many parents and carers of a child or young person who is trans, non-binary or gender questioning will be supportive of their child at this time; however, this is not always the case. Parents and carers of trans and gender questioning children can be referred to Allsorts Youth Project for support through a parents' support group.

When working with parents and carers, settings should keep 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. Being trans or gender questioning is not a safeguarding concern in itself.

Allsorts Youth Project can provide advice to educational settings 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.

## 7.5 Toilets

Pupils and students have the right to access the toilet that corresponds to their gender identity. Single gender toilets can cause issues for pupils and students who do not identify with a gender binary such as boy / girl.

Any pupil or student who has a need or desire for increased privacy, regardless of the underlying reason (disability, trans, non-binary, faith) should be provided access to a single stall toilet, but no pupil or student should be required to use such a toilet.

Ideally and where funding and space allows; educational settings should provide a mixture of access to toilets that includes:

- Single gender toilets
- Blocks of floor to ceiling toilets that can be used by all, with sanitary bins in each cubicle ('toilets for everyone')
- Accessible single toilets.

Educational settings will want to discuss with trans pupils and students and if appropriate their families which toilet provision they would feel safest using.

Educational settings may be concerned about the responses of some parents and carers to trans pupils using the toilets or changing rooms that correspond to their gender identity and schools can reassure themselves and the wider community that this is supported by the Equality Act and not in any way a safeguarding issue. 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, 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.

## 7.6 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 all cases, trans pupils or students should have access to the changing room 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 with a reasonable alternative changing area such as the use of a private area or with a separate time to change. Any alternative arrangement should be provided in a way that protects the pupil or student's ability to keep their trans status confidential.

Many cisgender pupils and students can also feel uncomfortable when changing and it is important to ensure that these are safe environments for all by challenging underlying attitudes and bullying behaviours.

## 7.7 PE and fitness

Schools and educational settings should aim to reduce as far as possible segregating pupils and students by gender. Trans pupils and students should be supported to equally access 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.

Where pupils or students are separated by gender, PE teachers will take into account the range of size, build and ability of individuals in the class and differentiate accordingly to keep all students safe.

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 school sports, schools may need to seek advice from the relevant sporting body. For example:

The *FA Guide to Including Trans People in Football* developed with Gendered Intelligence can be found on the Gendered Intelligence [Website](#).

The handling of changing facilities at an 'away game' would also have to be sensitively managed.

In relation to activities such as swimming, the trans pupils or student may want to wear swimwear that differs from their peers. It is important to assess this on a case by case basis as it will be different for every trans person. It would be advisable to discuss with staff prior to the lessons that a child will be wearing different swimwear for personal or religious reasons.

## **7.8 Residential trips**

Discussion should be had with the trans child or young person, and parents and carers of the child if appropriate, prior to residentials. This will ensure the care and preparation is in place to enable trans pupils and students to participate in residential trips.

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.

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. 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.

Prior to residentials, educational settings will want to make clear their expectations to pupils and students about how they support, treat and make welcome all other students on the trip.

When planning overseas trips, schools should consider and investigate the laws regarding trans communities in countries considered for school visits. The International Lesbian and Gay Association (ILGA) have information on their website about countries that pose a risk to trans individuals.

## **7.9 Transition and medical intervention**

Most support for trans children and young people in schools will be around the social aspects of transition. Only some trans people will want to be able to access medical transition whilst still at school and 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 and planned the students continued education accordingly.



Referral to the Gender Identity Development Service (GIDS) Tavistock and Portman Clinic is needed prior to medical transition. Referral to GIDS can be made by CAMHS or by any professional supporting the child or young person. Parental consent is required for referrals for under 16s. Full details about the referral process can be found on the GIDS website. The GIDS carry out counselling and assessments throughout the process.

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

- Medication to block the production of the natural hormones that feminise or masculinise the body during puberty. Currently the child must be judged at a particular stage of puberty (Tanner Stage 2) for hormone blockers.
- Hormone blockers may be followed by prescribing cross-sex hormones to masculinise (Testosterone) or feminise (Oestrogen) the body. Currently the child must be around the age of 16 to receive hormones.
- Gender reassignment surgeries would not usually be carried out until a person is over 18 years.

Be aware that as hormone blockers suspend puberty it may be difficult for a trans child or young person to see their peers developing in the way they feel they should be. For example, a trans boy who is on hormone blockers will not experience his voice breaking like his male peers until he has testosterone treatment. This could cause additional stress and challenges. It is advisable the school collaborates with other services working with the child, such as CAMHS or the Tavistock, to offer the best support for the individual.

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. This may be exacerbated by long waiting times to access medical support and by a lengthy assessment process. It is a time therefore when 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.

- 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'.
- It is possible to access doctors and treatments over the internet and some families choose to do this because of long waiting times. However going through the Tavistock Clinic provides the most comprehensive assessment for under 18s.
- Further information including the referral process can be found on the Tavistock Gender Identity Development Service website: <http://gids.nhs.uk>

## **7.10 Dealing with the media**

There have been cases where the media has shown an interest in trans pupils, students and staff. In responding to media enquiries educational settings should seek advice from appropriate press officers. Any statements made will include references to the work the setting is doing to promote inclusion and equality for all and to ensure that all pupils and students are safe from bullying and feel valued.

If the press is making a link between single stall and cubicle toilets and the needs of trans pupils this should be challenged by referring to the range of reasons single stall toilets are being used in schools including to prevent bullying, smoking and other behavioural issues and for reasons of hygiene.

At all stages the confidentiality of individuals should be protected.

If press attend the family address of a young trans person unannounced then advise the family to remain calm, make no comments, and to assert that the presence of the press is not wanted and that they should leave and not return.

Advice can be obtained at [www.transmediawatch.org/](http://www.transmediawatch.org/)

A complaint can be made to the Independent Press Standards Organisation via [www.ipso.co.uk/](http://www.ipso.co.uk/)

## To remember

- **List uniform without reference to gender and provide a range of swimwear options**
- **Facilitate trans children and young people to access facilities in line with their gender identity if they want to**
- **Use the name and pronoun that the trans young person is using and apologise for any mistakes made**
- **Wearing non gender stereotypical clothes does not necessarily mean that someone is trans**
- **A pupil who identifies as a boy but was assigned female at birth is not a 'girl dressed as a boy', but is a girl**
- **Medical transition happens under the care of the [Gender Identity Development Service](#)**
- **Provide support where an official name change has not been made in preparation for exams.**

## 8 Scenarios and possible responses

Many settings we have worked with found that there were key issues which were of concern or challenging to manage. Below are some of the most common concerns voiced with suggested responses.

### Scenario 1:

**Parent to school: ‘All this talk about gender identity is confusing for children; they are too young to understand.’**

A small minority of children have a very clear understanding that their assigned sex does not align with their gender identity from a young age. Work in educational settings to challenge gender stereotyping and to explore a range of gender identities makes schools safer and more inclusive for all genders, not just those who are trans. For children who are comfortable in the gender assigned at birth there is no confusion.

### Scenario 2

**Parent to school: ‘My daughter doesn’t want a boy changing next to her, what if he looks at her body?’**

Underpinning this scenario is the idea that a trans girl is not a ‘real girl’ and this would be something that a whole setting approach would challenge through training and awareness raising. A Human Rights response would be to state that the child is a girl and as such has the right under the Equality Act to change with the girls and to be treated fairly as such.

In response to this parental concern, it would not be appropriate to remove the trans pupil from the changing rooms. Instead, it would be far more appropriate to look at offering an alternative changing arrangement for the child who feels uncomfortable around the trans pupil.

It is the responsibility of members of staff to support both trans pupils and students and cisgender pupils and students to feel comfortable around one another.

### Scenario 3

**Parent to school: ‘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?’**

Underpinning this scenario is the idea that all boys or all girls share the same physical attributes and fails to acknowledge that there is a range of differences in physical strength and ability within single gender groups. Trans boys are boys, not girls, and therefore entitled to play rugby with boys and in consultation with relevant sporting bodies. Teachers already differentiate according to ability.

Trans pupils and students are entitled to access sporting opportunities equally to cisgender pupils and students.

### Scenario 4

**Parent of a trans and gender questioning pupil to the school. ‘I refuse to allow my son to change his name or wear skirts’.**

It is understandable that some parents and carers will struggle with their child questioning their gender identity and this may involve a long process to become more accepting of this change. This challenge should be acknowledged as difficult and parents and carers can be referred to Allsorts Youth Project for support. The vast majority of parents and carers do their best to work alongside their child.

The duty of care for schools is with the child and educational settings need to accept that in some cases school may be the only place the child feels safe to be themselves. Educational settings can offer a safe space with a trusted adult for the child to discuss their feelings and thoughts about their gender identity in the same way support would be offered to any vulnerable child. The child can also be reassured that you will continue to work with them, their parents and other relevant professionals to ensure their voice is heard.

If a setting has a significant concerns about the child's wellbeing and or safety in relation to how the parents or carers are managing the exploration of the child's gender identity it may be necessary and advisable to follow safeguarding procedures.

### **Scenario 5**

**A member of staff has been informed of a child's pronoun and name change but continues to use their original name and pronoun, despite being reminded by the child in question.**

Mistakes can be made with names and pronouns and if a mistake is made the member of staff should apologise and then move on.

If it becomes clear that a staff member is deliberately using the incorrect name or pronoun for a pupil or student, settings should follow their own systems for managing staff codes of conduct to address the issue.

### **Scenario 6**

**Trans girl to school: 'I have decided I am a boy after all, I think I might be gay.'**

Everyone has a right to exploration and for some children and young people exploring gender identity is a part of understanding themselves and will pass over time. For others this is the start of a longer journey of transitioning. It is vital that when a child or young person is exploring themselves they feel safe, are supported and are listened to by the people around them.

If a child or young person does change their mind about their gender identity it is important they do not feel they are 'letting anyone down' or that they have caused an inconvenience in relation to practical changes in school. They should be supported to change names and pronouns again if they want to, change uniform, gendered groups and any other areas to ensure they remain comfortable in their gender identity and expression.

Due to the age limits currently in place on hormone treatment (testosterone and oestrogen) under 16s do not have access to irreversible treatments.

## 9 Trans staff and governors

This toolkit does not cover the needs of trans and non-binary staff and governors. However, schools have responsibilities under the Equality Act towards trans staff and governors and supportive documents and tools are available on the wave related to Equality issues and staff wellbeing at work. There is a specific for transgender employees:

- [https://wave4schools.brighton-hove.gov.uk/LGCSDocumentLibrary/Human resources/Staff support/Supporting Trangender Employees Policy.docx](https://wave4schools.brighton-hove.gov.uk/LGCSDocumentLibrary/Human%20resources/Staff%20support/Supporting%20Trangender%20Employees%20Policy.docx)

In addition: the Safer Recruitment Toolkit (includes equality in employment issues in schools):

- <https://wave4schools.brighton-hove.gov.uk/schools/Documents/HR%20for%20Schools/Safer%20Recruitment%20Toolkit-June%202014.pdf>

Schools Absence Management Procedure & Guidance (includes Fact Sheets on Absence & Disability and Access to work; Quash for Managers on Mental Health; Reasonable Adjustments Guidance for Headteachers):

- <https://wave4schools.brighton-hove.gov.uk/schools/HR/Pages/AbsenceManagementandOccupationalHealth.aspx>

Whistleblowing Policy (and other key employment policies):

- <https://wave4schools.brighton-hove.gov.uk/schools/HR/Pages/HRSignpostingforHeadteachers.aspx>

Wellbeing Framework (includes guidance on Work Life Balance, Dignity & Respect at Work and Violence at Work/Incidence reporting):

- <https://wave4schools.brighton-hove.gov.uk/schools/HealthSafety/Pages/WellbeingatWork.aspx>

Access to general information on Equality Act impact on Staff (including the Guaranteed Interview Scheme for Disabled Applicants):

- <https://wave4schools.brighton-hove.gov.uk/supportingyou/HR/ManagingTeams/Recruitmentandinduction/Pages/Equalitiesanddiversity.aspx>

Access to main council Equality advice through the Wave Intranet (including access to minority staff forums):

- <https://wave4schools.brighton-hove.gov.uk/supportingyou/Equalities/Pages/default.aspx>

# 10 Support for schools and colleges to develop trans inclusive practice

## Standards and Achievement Team Support

Staff training – identifying, challenging and recording homophobic, biphobic and transphobic language and bullying

Policy review and development

PSHE Curriculum Development – gender stereotyping / trans issues / family diversity / equality / booklists

Trans awareness training in partnership with Allsorts Youth Project

Email [pshe@brighton-hove.gov.uk](mailto:pshe@brighton-hove.gov.uk) to request support or call on 01273 293533

## Allsorts Youth Project

For information and advice related to individual children and young people and their families and for trans awareness training call 01273 721211 or [www.allsortsyouth.org.uk](http://www.allsortsyouth.org.uk)

## Useful national websites

- DSD Families <http://www.dsdfamilies.org/dsdfamilies/index.php>
- Gendered Intelligence [www.genderedintelligence.co.uk](http://www.genderedintelligence.co.uk)
- Gender Identity Development Service <http://gids.nhs.uk/>
- Gender Identity Research and Education Society [www.gires.org.uk](http://www.gires.org.uk)
- Mermaids [www.mermaidsuk.org.uk](http://www.mermaidsuk.org.uk)
- Sex Education Forum <http://www.sexeducationforum.org.uk/>
- Stonewall <http://www.stonewall.org.uk/our-work/education-resources>
- The UK Intersex Association [www.ukia.co.uk](http://www.ukia.co.uk)

## Appendix 1 – Glossary

**Agender** - Someone with no or very little connection to the traditional concepts of man and/or woman. They may see themselves as without gender, and can also be known as gender neutral or genderless.

**Asexual** - Someone who does not experience sexual attraction.

**Assigned Sex / Sex Assigned at Birth / Natal sex** - Either of the two main categories (male and female) assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes used interchangeably with 'gender' to mean 'male' or 'female'. Some people are born with sex characteristics that are not easily categorised as male or female, this is known as intersex.

**Bisexual** - Refers to a person who is romantically, emotionally and/or sexually orientation towards people of more than one gender.

**Cisgender (person)** - Someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people.

**Coming out** - When a person first tells someone/others about their identity as lesbian, gay, bisexual or trans. This may be the first time someone shares their identity, although many LGBT people will feel the need or want to come out multiple times in their life as they meet new people.

**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. Transvestite is now an outdated term.

**Gay** - Refers to a person who has an emotional, romantic and/or sexual orientation towards someone of the same gender. Both men and women may use this term to describe their sexual orientation.

**Gender Dysphoria** - Used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for a trans person, but not a term liked by all trans people.

**Gender fluid** - Gender fluid describes a person who does not identify as solely a man/boy or woman/girl, but may feel more like a combination of, or move between the gender binary. Gender fluid people may feel that their identity is more complex than an either / or choice. They may feel like neither, both, or move between the two as they feel comfortable.

**Gender Identity** - A person's internal sense of their own gender, whether male, female, or something else

**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. For some this is also a political statement and a rejection of the rigidity of gender norms and the need to identify at all.

**Gender Reassignment** - Another way of describing a person's transition. To undergo this usually means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in your self-identified gender. It is a characteristic that is protected in the Equality Act 2010.

**Gender Variant** - This is usually used in relation to children or young people for someone who does not conform to the gender roles and behaviours traditionally expected of the sex assigned to them at birth.

**Homosexual** - This is considered by many to be a more medical term used to describe someone who has an emotional, romantic and or sexual orientation towards someone of the same gender. The term 'gay' is now more generally used.

**Intersex** - A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female bodies. Intersex people can identify as male, female, or non-binary. Intersex does not usually come under the trans umbrella; however, there is a link as many intersex people who were surgically reassigned in infancy elect to transition back to their personal identity. Not all trans people are the same of course and this applies to intersex people as there are approximately 40 variations of intersex. Some individuals identify as male, others as female and others as a blend of both. Despite the common ground between trans and intersex people, information designed for trans people does not always match the needs of an intersex individual.

**Lesbian** - Refers to a woman who has an emotional, romantic and / or sexual orientation towards women.

**Non-binary** - Umbrella term for a person who does not identify as (solely) male or (solely) female. Non-binary people may identify as both male and female, neither male nor female, or as another gender identity. This group are under the trans umbrella but may not consider themselves trans.

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

**Pansexual** - Refers to a person whose emotional, romantic and or sexual attraction towards others is not limited by sex assigned at birth or gender identity.

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

**Pronouns** - Words we use to refer to people's gender in conversation - for example, 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they/their and ze/zir

**Queer** - In the past 'queer' was used as a derogatory term for LGBT individuals and continues to be viewed as derogatory by many. However, the term was reclaimed in academic circles as a way to reject gender and social norms and labels. The term is increasingly used by LGBT young people who don't identify with traditional categories around gender identity and sexual orientation, but is still viewed to be derogatory by some.

**Questioning/Unsure** - The process of exploring your own sexual orientation and/or gender identity



**Sex** - Either of the two main categories (male and female) assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes used interchangeably with 'gender' to mean 'male' or 'female'.

**Sexual Orientation** - A person's emotional, romantic and or sexual attraction to another person.

**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, gender expression and physical features.

**Trans** - An umbrella term to describe people whose gender is not the same as, or does not fully reflect, the sex they were assigned at birth. May encompass one or more of a wide variety of terms, including (but not limited to) transgender, non-binary and gender queer.

**Transitioning** - The steps a trans person may take to live in the gender they identify as, although each person's will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries. It also might involve things like telling friends and family, dressing differently and changing official documents.

**Transphobia** - Irrational fear, hatred, abuse etc. of trans people, people who are perceived to be trans or people who do not conform to traditional gender norms.

**(A) Transsexual (person)** - Used in the past as a more medical term to refer to someone who has, or plans to, transition to live in the 'opposite' gender to the one assigned at birth. This term is still used by some although many people prefer the term trans or transgender.

## Appendix 2 – Definitions - bullying and prejudice

Shared understanding of bullying and prejudice based incidents is important to prevent and respond effectively. The [Brighton & Hove Guidance for Recording and Reporting Bullying and Prejudice Based Incidents](#) recommends that all bullying and prejudice is recorded by type. In this way behaviours can be monitored and used to inform practice and to measure the impact of activities.

### Bullying

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via social media or the internet) and often involves an imbalance of power. It can involve verbal taunts, name calling, physical injury, sexual harassment and damage to property, rumour spreading, shunning or ridicule and is often motivated by prejudice against particular groups, for example on grounds of ethnicity, religion, belief, sex or gender identity, sexual orientation or disability, or because a child is in care, has caring responsibilities or mental health issues. It might be motivated by actual differences, perceived differences or as a result of association with someone else.

### Prejudice-based incidents

This is a one-off incident which is perceived by the victim or any other person, to be motivated by hostility, prejudice or ignorance, based on a person's perceived or actual ethnicity, sex, disability, religion, beliefs, sexual orientation or gender identity or their association with someone from one of these groups. These can also include indirect prejudice driven behaviour that is not targeted at one individual. The impact of this expression of prejudice against an equality group whether intentional or not can be damaging and must therefore be responded to as a prejudice related incident.

**\*'Hate Incidents' is the term widely used by the police and other sectors to describe prejudice based incidents. Schools should be aware that at their most serious both bullying and prejudice-based incidents should be reported to the police.**

## Appendix 3 – Guide to challenging homo/bi/transphobic language & gender stereotyping: a range of responses

All prejudice based language should be challenged and recorded. How the 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.

### Organisational response

- 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.
- The anti-bullying policy says that homo/bi/transphobic language is not acceptable.
- 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.

### Questioning response

- What do you think that word means?
- What makes you think that?
- Do you realise that what you said is sexist/homo/bi/transphobic?
- Can you explain what you mean by calling that 'gay'?
- That word is an insulting term for someone who is trans. Do you know what it means to be trans?
- 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?

### Confronting response

- 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.

### Personal response

- 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 sexist/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, with respect and that it is therefore wrong to use such as sexist/homo/bi/transphobic language.

## Appendix 4 – Changing Names, Gender and Exam Certificates

**Gender.** This can be legally recorded as **however the pupil prefers or identifies** and be recorded in SIMS and collected in the Census.

**Forename.** This MIS field can only differ from that on the birth certificate if it has been legally changed.

If a trans pupil/student wishes to have their personal data recognised on school systems, this needs supporting and will feed on to letters home, report cycles, bus pass information etc. Furthermore the change of name and associated gender identity should be respected and accommodated in the school.

In regards to schools recording this data, section 5.2.9 of the [School Census 2017 to 2018](#) (2017) Department for Education guidance indicates that the gender of a pupil is recorded in the format of male or female. However, **“In exceptional circumstances, a school may be unsure as to which gender should be recorded for a particular pupil. Where this occurs, gender is recorded according to the wishes of the pupil and/or parent.”**

It remains open for the school to amend the gender of any pupil, within their own management information systems, at any time, and the department does not specify that this indicator must remain static within any technical requirements. Changing name is a real indicator that the trans pupil/student is taking steps to, or proposing to move towards a gender they feel they wish to live in. It is possible to change a name on a school or college roll or register for a preferred name and when sending details of young people to exam boards. However, 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.**

Schools and colleges are encouraged to, where possible, ensure a strategy is agreed with the pupil or student and their parents or carers, then agreed with the various exam boards prior to starting the process to accredited courses.

It is possible for most documents to be changed to reflect the name or gender identity of the young person. Changing details on a birth certificate is not possible until a Gender Recognition Certificate has been issued (currently not accessible until 18 years of age).

### Recommendations:

- When sending data about the pupil or student to third parties always ensure you are sending the correct information.
- Ensure that the correct name is used on exam certificates **before** being sent to pupils and students.
- Engage with the pupil or student as well as their parents and guardians to agree a strategy for presenting the correct information to the examination boards.
- The examination officer should contact the relevant exam board to discuss their processes.

## Appendix 5 – 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.

1 Basic Details	
Legal Forename	Jane
Middle Name(s)	
Legal Surname	Abraham
Preferred Surname	Abraham
Preferred Forename	Josh

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.

Legal Forename	Middle Name(s)	Legal Surname	Reason	Date Of Change

New  
Open  
Delete

OK Cancel

Assessment mark sheets will display the Preferred Forename automatically. Displays of Registers and reports can be tweaked to do so.

### 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.

2 Display of Names

Show House after Name

Show Preferred Forename instead of Legal Forename

Show Preferred Surname instead of Legal Surname

**Order of names in registration group list**

Order names by Year Group

## 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, however, if this is something that you have not done before please contact the School ICT Service Desk for assistance.

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

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- Any questions regarding any of the steps in this guidance should be referred to the School ICT Service Desk on 293663 or via [ictsts@brighton-hove.gov.uk](mailto:ictsts@brighton-hove.gov.uk)

## Appendix 7 – Good practice statement in working with trans children and young people in our school (Exemplar)

Educational settings should include reference to the inclusion of trans children and young people across the policy framework as described in section 5.3. However, some settings may want to clarify for all staff how trans children and young people will be supported. This practice statement can therefore be adapted to reflect school based practice and shared with staff following training and as one aspect of the settings' practice to improve equality and inclusion.

We will involve the trans pupil and student in making decisions that will affect them
We will involve family members, with the agreement of the trans pupil or student, in making decisions about their child
We will respect and use the pupil/student's new name, pronouns and title (and apologise for any mistakes made)
We will update our records (X will be responsible for this and communicating changes made)
We will provide access to a range of appropriate toilets and changing facilities recognising that trans people are entitled to use facilities of their self-identified gender
We will support all pupils and students to wear uniform and PE kit in line with their gender identity
We will divide pupils and students by gender when there is an educational reason for doing so only
We will enable full access to enrichment activities for trans pupils and students
We will support trans pupils and students to access medical appointments if required
We will take confidentiality seriously and not 'out' a trans child or young person without their permission including to parents and carers
We will provide support to a trans child or young person by referring them to X and Allsorts Youth Project
We will provide support to the siblings, parents or carers of trans child or young person by referring them to X and Allsorts Youth Project and
We will use the curriculum and other opportunities to challenge gender stereotyping, sexism, homophobia, biphobia and transphobia (as part of our wider equality work)
We will identify, record and challenge <u>all</u> prejudiced incidents and bullying including that which is sexist, homophobic, biphobic and transphobic

(Based on a document produced by Gendered Intelligence:  
[www.genderedintelligence.co.uk](http://www.genderedintelligence.co.uk))

## Appendix 7 – A whole setting approach to trans inclusion – action planning tool

Area of focus	Suggested activities (these could be RAG rated)	Next steps / Actions identified	In place ✓
<p>Trans issues and transphobia are acknowledged across the policy framework</p>	<p>Reference provision that is being made or will be made for trans pupils and students in the Equality Policy.</p> <p>Include an equality objective (Public Sector Duty of the Equality Act) which supports the needs of trans children and young people.</p> <p>Reference transphobia when talking about prejudiced forms of bullying in the anti-bullying policy.</p> <p>In the uniform policy, list uniform items which are acceptable in school, but do not list by gender.</p> <p>When groups of pupils or students are referenced or discussed ensure this includes trans pupils.</p> <p>Confidentiality statements make clear that trans pupils and students have the right to privacy related to their gender identity.</p> <p>If there are 'out' trans pupils and students in the community ensure their progress and achievement is monitored.</p>		
<p>Acknowledge there are or will be trans people within the educational setting such as family members, staff, governors and pupils and that they will positively enrich the school community</p>	<p>Ensure that there is a statement in the Equality Information for the school (required under the Public Sector Duty of the Equality Act, 2010) which states that there are trans members of the community.</p> <p>Use assemblies to celebrate a diversity of trans people and ensure pupils and students understand that transphobia is unacceptable in the school community.</p> <p>Use inclusive language such as 'all genders' to avoid making assumptions about an individual's gender identity.</p>		



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<p>Closely monitor all areas of the curriculum, resources and teaching and learning approaches to ensure that where possible: trans people are visible gender stereotypes or transphobic material is avoided and trans pupils and students feel included in the classroom</p>	<p>Avoid grouping by gender whenever possible and certainly when there is no educational reason for doing so.</p> <p>Ensure the library stocks age appropriate books about a diversity of trans children, young people and adults.</p> <p>Discuss and challenge sexism, gender stereotyping and transphobia when it arises and as part of planned opportunities in PSHE education.</p>		
<p>Ensure that the curriculum and in particular PSHE education and work related to spiritual, moral, social and cultural development is used to challenge gender stereotypes, support the development of a positive understanding of gender identity and prevent transphobia</p>	<p>Books can be used in English or literacy to discuss trans identities, gender stereotyping and sexism.</p> <p>All subjects can provide role models which challenge gender and other stereotypes and raise aspirations for all groups.</p> <p>PSHE education and Relationships and Sex Education from Early Years onwards can be used to develop understanding of trans, gender stereotyping and sexism and to explain that gender identity is a spectrum.</p>		
<p>Effectively challenge, record and deal with transphobic abuse, harassment and bullying (such as name-calling, derogatory jokes, graffiti, unacceptable or unwanted behaviour, intrusive questions) and then monitor incidence of transphobic abuse, harassment and bullying, and use this information to inform whole school developments</p>	<p>Bullying and prejudice based incidents are recorded by type.</p> <p>Guidance or scripts on how to effectively challenge transphobic language and attitudes are provided to staff.</p> <p>Staff, pupils and students are provided with training and educational opportunities to develop skills in challenging all prejudiced language and behaviour including that which is sexist, homophobic, biphobic and transphobic.</p>		

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<p>Include trans issues in equality training for staff and governors and support wider community understanding of trans</p>	<p>All training about groups of pupils and students should include trans pupils.</p> <p>Training on the Equality Act and bullying should contain references to trans pupils and transphobia.</p> <p>Trans awareness training, support or information is provided to the whole school community (including parents and carers).</p>		
<p>Participate in events such as LGBT History Month and ensure visibility of trans people and their achievements</p>	<p>Mark LGBT History Month, Transgender Day of Visibility and/or International Day against Homophobia and Biphobia and ensure that trans people including trans people of colour are represented in this.</p> <p>Use displays to celebrate achievements of a diversity of trans people.</p> <p>Ensure the library stocks age appropriate books about trans children, young people and adults.</p>		
<p>Communication to all parents and carers that includes reference to the work that is going on to make the educational setting trans inclusive and if appropriate signpost to opportunities for them to develop their understanding of trans</p>	<p>Promote on newsletters and the website work going on in school related to gender equality, trans inclusion and work to prevent homophobia, biphobia and transphobia.</p> <p>Signpost from the website to organisations where parents and carers can go to find out more about what gender identity and trans.</p>		

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<p>Provide appropriate support to pupils and students who identify as trans and refer them and their families when needed to national or local services</p>	<p>Allies or trusted adults for LGBT pupils and students are identified to talk with or go to with any issues arising in a school day.</p> <p>There are a range of toilets available including toilets for everyone.</p> <p>Name and gender changes are made on systems.</p> <p>Residential trips are accessible to all pupils and students and reasonable adjustments are made when necessary.</p> <p>Signposting to national and local trans support services happens in PSHE education, school journals, school websites and in posters around the school.</p>		

