



GOOD PRACTICE STATEMENT IN WORKING WITH TRANS CHILDREN AND YOUNG PEOPLE

Equality Act 2010

Under the Equality Act 2010 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 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 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.

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.

Developing a whole school approach towards supporting trans children

SWR is fully inclusive and embraces a whole school approach that provides a space where young people are able to come out as trans and or transition.

Our whole settings approach to trans inclusion will include:

- 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 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

Trans Gender Practice Statement

Relevant policies relating to the Equality Act 2010 are currently under review to reflect SWR's inclusive approach towards supporting trans children. The practice statement (below) reflects school based practice and will form staff training in January 2019.

- 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 student's new name, pronouns and title** (and apologise for any mistakes made)
- **We will update our records and ensure that we accurately use the student's preferred name on SIMs**
- We will provide access to 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 Phoenix and external support (where appropriate)
- 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 all prejudiced incidents and bullying including that which is sexist, homophobic, biphobic and transphobic