

## Supporting Gender Questioning, Transgender and Transitioning Students Policy

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| Linked Policies:                      | Equalities Policy, Action Against Bullying Policy, Behaviour and Rewards for Learning Policy, Admissions Policy, Health and SRE Education Policy. |

### 1. Context

This policy has been developed with reference to the 2010 Equality Act, the Technical guidance for schools in England | EHRC and the Gender Questioning Children - non-statutory guidance.

Waldegrave is an 11-16 girls' school, with a coeducational sixth form. Admissions to key stage 3 and 4 remain single sex. The legal definition of 'Sex' is understood as binary – being male or female – with a person's legal sex being determined by what is recorded on their birth certificate, based on biological sex.

### 2. Aim

At Waldegrave School, we are committed to promoting equality of opportunity and tackling discrimination in all its forms. We believe that discrimination is unacceptable. All students should have access to the whole curriculum and be able to take part fully in school life, regardless of race, culture, religion, disability, sexual orientation or gender identity. Opportunities are offered for all to develop to their full potential and achieve success. We similarly respect the equal rights of our staff, families and other members of our school community. We are opposed to and will challenge all forms of discriminatory, racist, disablist, sexist or homophobic, biphobic or transphobic (HBT) language or behaviour.

We recognise that:

- the terms people use to describe themselves may change over time
- sexual orientation and gender identity are not the same thing
- not everyone thinks of themselves as 'male' or 'female'
- not everyone identifies with the sex that they were assigned at birth
- as a school with a single-sex intake in Key Stages 3 and 4, students who may be transgender, or questioning their gender, may find the environment challenging and require support
- using gender specific terms of address, such as 'girls', 'guys' or 'ladies' can be distressing for gender-questioning students, and those who identify as transgender (trans\*) or non-binary. We would encourage staff teaching gender questioning students to use non-gendered collective terms, such as "Year 9" or "folks" instead
- HBT discrimination, including use of HBT slurs, deliberate use of 'dead names' and misgendering, is bullying and will be taken very seriously and actioned in line with our Action Against Bullying and Behaviour and Rewards for Learning Policies.

### **3. Legislative background - The Equality Act 2010**

The Public Sector Equality Duty requires all schools in England to eliminate discrimination on the grounds of sexual orientation and gender reassignment. Schools must promote equality of opportunity and foster good relations. This means doing more than just tackling homophobic, biphobic and transphobic bullying by taking proactive steps to support LGBTQ+ students and promoting respect and understanding of LGBTQ+ people and issues across the whole school community.

The Equality Act 2010 applies gender reassignment 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 of sex'. The Technical Guidance for Schools states that a child can have the protected characteristic of gender reassignment. This means that schools must protect any student taking steps to reassign their sex and gender, whether those steps are social (for example changing their name, the pronouns they prefer, and the way they dress or look) or include medical intervention (for example accessing hormone therapy or having surgery). In this document we have used the commonly accepted term transgender or trans\* to refer to students who have started this process.

### **4. Support for students**

- At Waldegrave we create an inclusive environment to support students questioning their identity in a number of ways, such as having a non-gendered uniform policy. This enables the school and families to engage in a period of watchful waiting before making formal decisions.
- Being transgender or gender-questioning is not a safeguarding issue, however, we recognise that the process of transitioning socially can be challenging and potentially stressful.
- Students who start the process of transition while on roll in Years 7-13 will be supported to ensure they feel valued and have equality of experience with their peers.
- Heads of Year will work with students and their parents / carers to ensure individuals receive the support they need.
- Staff will be mindful of circumstances where a child's wishes are in conflict with the stated wishes of their parent(s). In these situations school will act on the basis that the welfare of the child is paramount.
- Staff will be alerted to the change and guidance issued to ensure a smooth and supportive transition process, for example alternatives to the use of gender-specific language in the classroom.
- Where appropriate, students will be signposted to No Straight Answer, the AfC specialist services for LGBTQ+ student.
- The school is not able to refer students to the NHS Gender Identity Development Service. Families will need to see their GP, or another medical professional.

### **5. Managing specific issues for transgender and gender questioning students**

We recognise that issues surrounding toilets, changing facilities, PE lessons, school trips, exchanges and overnight stays should be addressed on a case-by-case basis, in consultation with the student and their family, seeking expert advice where necessary. Outlined below are the key concepts that will guide our practice in school.

## **5a. Names**

Respecting a child or student's request to change name and pronoun is a pivotal part of supporting and validating that student's identity. Until then staff and students should:

- inform the headteacher and designated safeguarding lead of the child's wish to change their preferred name and / or pronouns, who will ensure conversations are had with the student and parents/carers, unless there is a safeguarding reason not to
- engage in a period of 'watchful waiting'
- use preferred names or initials when agreed – for example, RJ Smith may prefer to be referred to as RJ.
- use preferred pronouns when agreed. Non-binary people may adopt non-gendered pronouns, for example 'they', 'them', 'their' rather than 'she' or 'her'.

Sixth form students who join the school after starting the process of transition will be referred to in a manner consistent with their gender identity. Information about their transition will be kept confidential and shared on a need to know basis, unless the student and their parent / carer requests the information is shared. Students over the age of 16 can apply to change their legal name by deed poll without parental consent.

## **5b. Record-Keeping & Exam Entries**

- A change of name by deed poll is not required to make a change to school records on systems such as SIMS.
- Records should be updated and gender markers changed in consultation with the student and their family. In England, Department for Education (DfE) guidance allows schools to amend the gender of any student at any time within their own management information systems.
- Unique Pupil Numbers and Unique Learner Numbers are linked with legal names (that is the name under which a student starts their education, often the name on their birth certificate), but preferred names can be used extensively, including official registers.
- It is possible to change a name on a school or college roll or register for a preferred name and when sending details of students to exam boards.
- Students can be entered under any name with an exam board. 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.
- Exam certificates can be issued in a preferred name but individual exam boards may require evidence of a change of name by deed poll.

## **5c. Uniform**

- We have an inclusive uniform policy. Students in Years 7 – 11 are given the choice of a skirt, shorts, or trousers to enable them to choose whatever they feel most comfortable and practical wearing.
- Students in the Sixth Form are allowed to wear their own clothes, in accordance with the smart/casual dress code.

## **5d. Toilet and changing facilities**

Sex segregation is permitted in certain situations, such as where it is necessary and appropriate to preserve privacy and decency. The law requires schools to provide single sex toilet facilities for children over eight and single sex changing facilities for children over 11. These may be either in sex-segregated communal facilities or in single-user lockable rooms.

- There are currently two sex-segregated communal changing rooms available in school, which contain some individual stalls.
- Where necessary, appropriate alternative changing arrangements will be put in place for individuals. Any student who has a need or desire for increased privacy, regardless of the underlying reason, can access a single stall toilet, or changing room, but no one is required to use such a toilet.
- There are gender-neutral, single stall accessible toilets in each of the main school buildings (e.g. opposite the School Hall, next to the Learning Space, and next to the stairs in the Performing Arts Block) and on every floor of the 6<sup>th</sup> Form building. Wherever possible, signage on these toilets will indicate that they are gender-neutral and accessible, not exclusively for people with disabilities.

## **5e. Residential Trips**

- To exclude trans\* students from residential trips would be contravening the Equality Act.
- A degree of discussion, care and preparation is required to enable trans\* to participate in residential trips. Students, families and school leaders, including the DSL will be involved in these discussions.
- Practical considerations such as sleeping arrangements will be considered on a case by case basis and safeguarding of all students will remain the school's priority.

## **5f. Participation in competitive sport**

- Decision making in this area will be guided by the national and international governing bodies for individual sports.

## **6. The Curriculum**

- Our school curriculum is constantly evolving to reflect social change.
- Gender stereotypes and gender identity are taught explicitly through the relationships and sex education component of PDC lessons from Year 8 onwards, in line with the statutory RSE curriculum.
- Additional learning is delivered through a range of curriculum areas, for example the choice of inclusive texts in English.
- School raises awareness of LGBTQ+ issues, through whole school SMSC provision, for example LGBTQ+ History Month each February and Pride Month each June.