# Trans* Inclusion Schools Toolkit

Supporting transgender and gender questioning children and young people in Brighton & Hove schools and colleges



Standards & Achievement Team, Brighton & Hove City Council and Allsorts Youth Project

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Brighton & Hove
City Council

# Trans* Inclusion Schools Toolkit

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## Foreword

I am delighted that this toolkit has been produced. This is a good example of the excellent partnership developed between the Brighton & Hove City Council's Standards & Achievement Team and Allsorts Youth Project.

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 more effectively support transgender 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.

**Councillor Sue Shanks**
**Chair of the Children & Young People Committee**

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# Acknowledgments and thanks

This toolkit has been written by Allsorts Youth Project and the Standards and Achievement Team at Brighton & Hove City Council in consultation with trans* young people at Allsorts' trans* youth group 'Transformers'. The toolkit was disseminated widely to colleagues in schools, the community and voluntary sector and Brighton & Hove City Council for consultation and we are grateful for all suggestions made. Special thanks to colleagues at:

- BHASVIC
- Blatchington Mill Secondary School
- Schools ICT Team
- St Luke's Primary School
- FTM Brighton

We also acknowledge that we have used the following documents to inform the development of this 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

We would also like to thank trans* young people in Brighton & Hove Schools and their families for choosing to share their experiences with us and showing us what we need to do better.

# 1   Introduction

## 1.1  Purpose of the toolkit

The purpose of this document is to provide information and guidance to schools and colleges in Brighton & Hove on how to more effectively support transgender and gender questioning pupils and students and prevent transphobia. This toolkit will enable schools to further embed the good work they are doing in this area and develop their approach to trans* inclusion and support. We hope that using this toolkit will:

- Increase the confidence of staff in supporting transgender pupils and students or those that are coming out as trans* or beginning to question their gender identity by providing an introduction to trans* identities and the issues trans* children and young people may face
- Provide information that will allow schools to feel confident that they are complying with the Equality Act 2010[1] and anti-bullying guidance in relation to trans* children and young people
- Highlight areas to consider when developing whole school policy and practice that will allow trans* children and young people to achieve at school and will reduce transphobic discrimination and bullying.

## 1.2  Underlying principles

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

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

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

- Avoid seeing the child or young person as a problem and instead see an opportunity to enrich the school community and to challenge gender stereotypes and norms on a wider scale
- Consider gender as a spectrum and take a non binary approach to gender. Gender is often an important part of our identity and developing a positive sense of gender identity is part of growing up. However, gender identity is often complex and there is a spectrum of gender which is wider than just male and female
- Listen to the child or young person and their parents and carers and wherever possible follow their lead and preferences
- Providing support to a trans* child or young person at any particular point in time does not signal that they are or will conform to any single trans* identity or follow any particular path of transition
- Avoid where possible gender segregated activities and where this cannot be avoided allow the child or young person to access the activity that corresponds to their gender identity

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[1] See section 4.1 and for further national and Brighton & Hove advice and guidance on the Equality Act visit Pier2Peer

- Work on transphobia links closely to work on challenging and preventing sexism, homophobia and biphobia – ensure that the school community is aware of this in terms of curriculum content and the challenging of prejudice and bullying
- In supporting a trans* or non binary gender conforming child schools and individuals may have to re-think views and practices on gender and identity which have been accepted as 'standard' for a long time. This can be challenging, but no pupil should be made to feel that they are the ones who are causing problems or that they owe anything to their school in return for being treated with the equality they deserve and are legally entitled to.

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

## 2.1 Definitions

Some definitions used in the area of gender identity are given below and in Appendix 1. The umbrella terms 'transgender' and trans* are viewed by many people as being acceptable terms to describe people whose sense of their gender or gender identity is seen as being different to typical gender norms. However, wherever possible individuals should be given opportunities to say how they identify or describe themselves rather than labels being ascribed to them.

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

**Transgender/Trans/trans*** – Umbrella terms used to describe people who identify as:

- Transgender
- Transsexual
- Cross-Dresser
- Intersex
- Both male and female
- Neither male nor female
- Androgynous
- A third gender
- Or who have a gender identity which we do not yet have words to describe

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

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

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

When considering trans* identities, it is important to understand that there is a difference between biological sex and gender. Biological sex refers to chromosomal make up, genitalia, hormones etc and as such would be used in reference to the physical anatomy of a person (for example, male, female or intersex). Gender concerns your internal sense of self and how

you choose to express yourself. Gender is considered by some to be a social construction in that children learn how to behave in a manner deemed to be in line with their biological sex.

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

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

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

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

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

## 2.2  Gender identity and sexual orientation

As discussed, gender identity concerns your internal sense of self (male, female, neither or both) and how you choose to express yourself. This is completely different to sexual orientation which concerns who you are sexually attracted to, whether that be men, women, both or neither. Gender identity and sexual orientation are varied and complex and may change over time. Trans* people, like cisgender (non-trans*) people, can have a range of sexual orientations. Trans* men may identify as straight (sexually attracted to women), gay (sexually attracted to men), bisexual (sexually attracted to women and men) or asexual (feeling no sexual attraction to anyone). Trans* women may identify as straight (sexually attracted to men), lesbian (sexually attracted to women), bisexual (sexually attracted to men and women) or asexual (feeling no sexual attraction to anyone). Some people will also identify as pansexual which means they have a sexual or romantic attraction towards people of all gender identities including those that don't fit into a gender binary.

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

# 3    Experiences of trans* children and young people

## 3.1  National data

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

On average, transgender children leave school earlier than any other group, and a recent survey has shown that 25% have attempted suicide, and a further 25% have considered it (http://trans*kids.synthasite.com).

Possible signs of a trans* child or young person who may need additional support includes:

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

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

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

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

### 3.2  Testimonies from young people at Transformers

"College and being trans* just isn't any good. The teachers were terrible with it. I've been out for two years and only now have they noticed that I'm a guy and have begun supporting me with it. I've been in major trouble before for using the guys' toilets. I was told off by and equalities and diversity teacher too!  I ended up having to go the toilet off site. I couldn't use the girls because I'd get hassle off them and I got told off for using the boys." **Aamir (17)**

"I wasn't out as trans* at school but I was out as gender queer. Most of my friends then just said I was confused and stupid. I don't have those friends any more. I have more issues now at work than I did at school. I work as a youth worker and often with people who are my own age. They don't seem to have any trouble treating me the way I want to be but the other staff seem to struggle with my gender identity." **Mike (21)**

"When I was in year 8 people used to call me a man because of how I behaved and how I moved and sat and it made me feel like I had to hide it. I had to fight really hard and pretend to be girly and that didn't make me feel good either." **Jules (18)**

### 3.3  Feedback from consultation with trans* and gender questioning young people at Transformers

Transformers is *a* trans* youth group for trans* and gender questioning young people which is part of Brighton & Hove's Allsorts Youth Project.

When asked what their greatest concerns were as a trans* pupil or student in school, young trans* people at Transformers all agreed that toilet arrangements were a cause for concern. All of the young people we spoke to had experience of verbal and occasionally physical abuse when using toilets, both in school and outside of school. Their chief concerns were that if they use a toilet which they deem appropriate to their chosen gender, that they will be read as their birth gender and experience prejudice from other pupils or students. Obviously, they do not feel comfortable using toilets appropriate to their genetic sex for the same reason, and for the simple reason, that these are not the right toilets for them to use.

The general consensus among the young people with whom we spoke was that mixed gender toilets are the ideal solution. Many had experience of using the disabled toilets but felt that this was not appropriate for them, because they either felt that they were using a facility which someone else who actually had a disability could be using and there was a certain resentment among a few young people that their trans* status should be seen as a disability.

The use of changing rooms also caused concern for the trans* young people we spoke to, for the same reasons as those regarding toilet facilities. Many trans* young people said that they felt extremely vulnerable while using changing facilities at school.

Furthermore, some young people at Transformers have reported that school staff have sometimes used the school's support of them as a means to ask more of those pupils and students. For example; "we have been very accommodating with your name change, it is time you pulled your weight". This kind of bargaining is wholly unacceptable. Any concerns about the behaviour of a trans* child and young person should be dealt with in line with the school's behaviour policy and not in relation to their trans* status.

# 4 Legal context and Ofsted framework

## 4.1 Equality Act, 2010

Under the Equality Act, 2010 schools must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act

- Advance equality of opportunity between people who share a protected characteristic and those who do not

- Foster good relations between people who share a protected characteristic and those who do not

The act refers to the following protected characteristics:

- Age (for staff only)

- Disability

- Gender reassignment

- Marriage and civil partnership (for staff only)

- Pregnancy and maternity

- Race

- Religion or belief

- Sex

- Sexual orientation

The Equality Act provides protection from discrimination because of gender reassignment in schools. This means that it is unlawful for schools to treat pupils less favourably because of their gender reassignment and that schools will have to factor in gender reassignment when considering their obligations under the new Equality Duty. Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. This definition means that in order to be protected under the act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so[2].

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

## 4.3 Ofsted School Inspection Framework, 2012

The principles of school inspection as described in the 'Framework for School Inspection', September 2012 states that the inspection will focus on the needs of pupils and parents by

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[2] Equality Act, 2010, Advice for School leaders, school staff, governing bodies and local authorities, DfE 2012

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

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

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

Inspectors will also consider:

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

# 5    A Whole School Approach

## 5.1  Building on good practice already in place

Many schools in Brighton & Hove are already working to ensure that their whole school environment is supportive to trans* and gender questioning children and young people by developing:

- A culture and whole school environment that celebrates difference and diversity and one in which all children and young people can see themselves reflected and valued

- Systems and processes which support vulnerable children and young people

- Effective anti-bullying and equality policies which ensure the whole school community challenges and records bullying and prejudice-based incidents effectively and are confident in challenging sexist and homophobic bullying

- Ensuring the curriculum provides opportunities to challenge stereotypes including those based on gender and avoids making assumptions about sex, gender, gender identity and sexual orientation

- Having positive relationships with parents, carers, pupils and students that listen and respond to individual needs and preferences.

## 5.2  Developing a whole school approach to preventing transphobia and supporting trans* children and young people

As with any child or children with a protected characteristic a whole school approach is needed to support and keep safe trans* and gender questioning children, young people and staff. The school will want to ensure they do the following:

- Acknowledge there will be trans* people within the school community as parents and carers, staff, governors and children and young people and that they will positively enrich the school community

- Ensure trans* issues and transphobia is acknowledged across the school policy framework

- Closely monitor all areas of the curriculum and resources to ensure that they do not contain gender stereotypes or transphobic material

- Ensure that the curriculum and in particular PSHE is used to challenge gender stereotypes, support the development of a positive sense of gender identity, develop

understanding of trans* issues and prevent transphobia. For more information on activities and resources for use in PSHE go to Pier2Peer

- Effectively challenge, record and deal with transphobic abuse, harassment and bullying (eg 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. See Appendix 5 for some ideas on how to challenge homophobia, biphobia and transphobia and local authority guidance[3]
- Develop a variety of methods for children and young people to report transphobic bullying and incidents including through the local authority Safe and Well School Survey
- Include trans* issues in equality training for staff and governors
- Create an environment in which all staff and pupils/students, whatever their gender identity, feel equally welcome and valued and in which transphobic behaviour is challenged
- Participate in events such as LGBT History Month and ensure visibility of trans* people and their achievements
- Provide appropriate support to children and young people who identify as trans* and refer them and their families when needed to services such as Allsorts Youth Project.

## 5.3  Transphobic bullying and incidents

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

- Trans* children, young people and adults inside and outside the school community

- Children, young people and adults who do not conform to gender stereotypes

- Children and young people with trans* parents, relatives and friends

- Lesbian, gay and bisexual children young people and adults

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

Staff should ensure that all transphobic bullying and incidents are recorded in line with Brighton & Hove's Recording and Reporting Guidance. If SIMS is used for this purpose as suggested in the guidance then the safety of individual pupils and students can be tracked as can the behaviours of perpetrators. This data along with data from school surveys including the Safe and Well School Survey can also be used to target preventative interventions and measure the impact of activities.

Definitions of bullying and incidents related to gender identity can be found in Appendix 2. There is also a relationship between transphobia, homophobia and sexism. Sexist, sexual or transphobic bullying are the not the same as homophobic bullying. However, very often, sexist attitudes manifest themselves in homophobic bullying and any child or young person who is perceived as not expressing stereotypically masculine or feminine traits expected of their sex, might experience homophobic or transphobic bullying. Staff will need to use their professional judgement as to whether some incidents should be recorded as homophobic or transphobic, but take care not to under-record transphobia. Sexist, sexual or transphobic

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[3] Bullying and prejudice-based incident recording and  reporting guidance for Brighton & Hove Schools, 2012

bullying may also occur in conjunction with other forms of bullying, such as racist bullying or bullying related to special educational needs or disabilities or cyberbullying.

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

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

## 5.4  Language

Members of the school community should strive to use the preferred pronoun for a trans* child, young person or adult. In addition, staff should think carefully about the language they use and when possible attempt to use language which does not reinforce a binary approach to gender (ie there are just males and females).

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

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

## 5.5  Curriculum and teaching and learning

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

Staff will also want to consider teaching and learning approaches that they use which may have the impact of making trans* children and young people feel confused, excluded or uncomfortable. For example, grouping pupils and students by gender may have this impact and staff should consider whether this is vital, if and when an alternative approach could be used and how to make it clear that a child who feels safe to do so can be grouped according to their gender identity rather than their biological sex.

One cisgender student commented[4] that the practice of sitting girls next to boys as a behaviour management technique reinforced an unhelpful stereotype that boys and girls could not be friends and get on well. As has previously been stated this type of practice will also feel uncomfortable and confusing for trans* pupils and students.

One trans* student in a Brighton & Hove secondary school has reflected that in Drama, roles should be open to all students and not necessarily only to those whose gender identity appears to match the sex of the character.

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[4] Anti-bullying and equality monitoring visit focus group in B&H secondary school, 2012

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

# 6  Supporting the individual trans* or gender questioning child or young person

## 6.1  An individualised approach to support

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

## 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'. Social transition is choosing to live your life as your preferred gender. This could include:

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

Medical transition is the process by which a trans* person takes steps to physically alter their body. This may include taking hormones and or having gender reassignment surgeries. Some trans* young people will be hoping to undergo both social and medical aspects of transition while some will choose just the social aspects. A young person's goals in terms of transition may change over time and the support offered needs to reflect and support this. Once you have an understanding of the areas in which a child or young person is planning to transition you can think about how to facilitate these changes at school and refer to the guidance below. It is vital that the staff team provide informed and consistent support to individuals who choose to present in their chosen or preferred gender. See Section 7.9 for more on medical transition.

## 6.3  Timing of 'transition'

Some children and young people, with support from their families may choose to make a transition into their preferred gender identity at a point when they are changing schools. This may minimise the number of other members of the school community who are aware that the child or young person is trans*. Secondary schools therefore, may need to be particularly aware and supportive of children transferring from a primary to their secondary school who are planning to begin Year 7 with a different name and pronoun. In particular, the school may

need to consider how to work with the pupils and their families from the original primary school who may be aware of this change.

Although a change of school may be a good time to transition for some, it should not be seen as the only opportunity. Young people in Brighton & Hove have for example made a successful transition during their time in secondary school. The right time to transition from one gender identity to another will be when the child or young person feels they are ready.

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

However, it is hoped that all schools across Brighton & Hove will be able to effectively support a trans* child or young person including those transitioning.

## 6.4  Support services

Schools 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. There is no expectation to conform to any single trans* identity or follow any particular path of transition.



**Allsorts Youth Project** Brighton based youth project that provides a range of support services for LGBTU young people. Includes a trans* youth group called 'Transformers' and 1-1 support for trans* and gender questioning young people. www.allsortsyouth.org.uk

**Blueprint 22** Worthing based youth project. Includes trans* youth group called 'Face Value'. www.blueprint22.org.uk/lgbtu-projects.php

**Clare Project** Brighton based weekly drop-in group for trans* adults. www.clareproject.org.uk

**FTM Brighton** Brighton based monthly peer support group for trans* masculine or genderqueer adults and those questioning their gender identity. www.ftmbrighton.org.uk

**Mermaids** National service for trans* children and their families. www.mermaidsuk.org.uk

**Gendered Intelligence** Based in London and working with young trans* people across England. Provides a range of services including art projects, peer support and training for professionals. http://genderedintelligence.co.uk

**Children and Adolescent Mental Health Services (CAMHS) in Brighton & Hove** www.brighton-hove.gov.uk/cahms

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

## 7.1  Uniform and dress

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

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

Care must be taken to ensure that trans* identified children and young people are supported fully during this time. Staff training is paramount to ensure that all staff have an understanding of what it means to be trans* and exactly why a child or young person may be dressing differently. Remember that a pupil who identifies as a trans* girl but was born a genetic male is not a 'boy dressed as a girl' but is a girl who outwardly at this point resembles a boy. By allowing a trans* child or young person to dress in clothes 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 at that point in time.

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

**Students in Y7 and Y8**

Maroon V neck or cardigan with BMS logo, over white shirt with collar (not a polo shirt) & school tie. Black trousers or skirt with logo. Black shoes (not trainers).

**Students in Y9 and Y10**

Maroon sweatshirt or cardigan with BMS logo, over white polo shirt with BMS logo. Black trousers or skirt with logo. Black shoes (not trainers).

**Students in Y11**

Y11 uniform worn from summer term in Y10 Sweatshirt (colour chosen by Year Group over white polo shirt with BMS logo). Black trousers or skirt. Black shoes (not trainers).

Particularly sensitivity may need to be shown in relation to swimwear however, and would best be resolved through discussions with individual pupils or students.

## 7.2  Names and pronoun change

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

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

There's some useful information from the Citizens Advice Bureau at:  www.adviceguide.org.uk/england/relationships_e/relationships_birth_certificates_and_changing_your_name_e/change_of_name.htm

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

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

As has been stated, a pupil or student has the right to be addressed by a name and pronoun that corresponds to their preferred gender identity. A change of name by deed poll is not required, to make a change to school records on systems such as SIMS. To make a change of name on a SIMS record, please see Appendix 4. Currently it is understood to be the case that the gender has to remain the one that was registered at the time of the Unique Pupil Number assignment, unless the birth certificate/legal gender is changed by way of a Gender Recognition Certificate. This is because all of the DfE analysis for that school would be based on the individual's birth gender.

However, entry for exams and exam certificates are more complex. The Joint Council for Qualifications paper work states that:

> 'The centre agrees to: enter candidates under names that can be verified against suitable identification such as a birth certificate, passport or driver's licence. You may need to check that the name the candidate is using within the centre is his/her legal name rather than a 'known as' 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 chosen or preferred name on an exam document a student will need to have changed their name by deed poll. If the student is under 16 the consent of all people with parental responsibility is required. Once the student is 16 they can apply for a deed poll in their own right. Parental consent is not needed.

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 to take. This will unfortunately mean that although they may have established themselves within the school under a chosen name and gender identity that when filling in exam documentation they will have to use their birth name and gender. This could potentially be a source of distress for that individual and care should be taken by staff to support such a young person to accept that this is a necessary measure but that it does not invalidate their chosen identity. Emphasis could be put on the notion of them biding their time perhaps until they are finished with their exams before taking steps to change their name and gender identity officially. Staff should remain sensitive and supportive during such times.

Schools and colleges are encouraged to ensure a strategy is agreed with the pupil or student and their parents and carers, then agreed with the various exam boards prior to starting GCSE courses as some exams may be sat in Year 10 and the length of time the process re-registering may take. 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.

## 7.3  Confidentiality and information sharing

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

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

## 7.4 Working with parents and carers

Many parents and carers of a child or young person who identifies as trans* or gender questioning will be supportive of their child's gender identity; however, this is not always the case. When working with parents and carers, schools should bear in mind that they are representing the interests of the child or young person. As far as possible, care should be taken to ensure the wishes of the individual pupil or student are taken into account with a view to supporting them during potential transition. Confidential information must not be shared even with the parents and carers without the child or young person's permission unless there are safeguarding reasons for doing so.

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

## 7.5 Toilets

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

Ideally schools would provide single stall toilets that can be used by all. Some schools have already begun to use this system with success. If need be, a member of staff or designated pupils or students can be allocated as 'toilet monitor' during break times to ensure that pupils and students feel safe while using the facilities. Some cisgendered females, however, have expressed concerns about these toilets and the fact others might know they have their periods because of time spent in the toilet – there may be a case for also exploring how this range of needs can be met.

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

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

## 7.7 PE and fitness

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

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

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

## 7.8 Residential trips

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

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

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

Schools and colleges 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

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

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

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

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

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

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

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

# 8 Supporting the whole school community to have a positive understanding of transgender people

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

- Having an anti-bullying week focus on transphobia

- Celebrating LGBT History Month

- Providing information about PSHE lessons on gender stereotyping, gender identity and trans* issues

- Including an equality objective (Public Sector Duty of the Equality Act) which supports needs of trans* children and young people.

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

Where a child's trans* identity is known to the wider school community schools will need to ensure that they have a robust language using the Equality Act and a Human Rights approach to counteract any prejudice expressed or concerns raised. Additionally, when a parent or carer raises a concern about the safety of their child when spending time in the

company of a trans* identified pupil or staff member it is vital that staff focus on the 'problem' being with the person who raises the concern and not with the trans* individual. Therefore, support work should be aimed at answering the question 'how can we make your child feel more safe?' rather than compromising the rights of the trans* person.

**Scenario 1) My daughter doesn't want a boy changing next to her, what if he looks at her body?**

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

**Scenario 2) It's not fair that he enters the 100 metres race for girls when he is a boy OR Won't she get injured playing rugby with boys?**

Similarly, pupils or students who feel that a trans* child should not be involved in certain sporting activities may themselves need to be supported to do a different activity.

This kind of support acknowledges that some individuals may struggle to understand trans* people or initially feel uncomfortable around them but does not support the idea that trans* people should be treated any differently to cisgendered people. The responsibility lies with the individual who has the problem, to deal with that problem, not with the trans* person to accommodate for that that person's insecurity around them or their child.

# 9   Trans* staff and governors

Schools have responsibilities under the Equality Act towards trans* staff and governors. Additional supportive documents and tools are available on the wave related to Equality issues and staff wellbeing at work – Transgender and Transition and the Transgender Toolkit:

- https://wave4schools.brighton-hove.gov.uk/supportingyou/healthandsafety/WellbeingatWork/Pages/Transgenderandtrans*ition.aspx

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

- https://wave4schools.brighton-hove.gov.uk/schools/HR/Pages/SaferRecruitmentToolkitISAVBSInformation.aspx

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 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 / Transgender issues / family diversity / equality / booklists

Email healthy.schools@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 call 01273 721211

TAG – fortnightly group for lesbian, gay, bisexual, trans* or unsure young people aged 13-15

Transformers – monthly group for Trans* or questioning young people aged 16-25

www.allsortsyouth.org.uk

## Useful websites and guidance

- Cornwall Schools Transgender Guidance, 2012

- Gendered Intelligence www.genderedintelligence.co.uk

- Gender Identity Research and Education Society www.gires.org.uk including Guidance on Combating Transphobic Bullying in Schools

- Mermaids www.mermaidsuk.org.uk

- The Gender Trust www.gendertrust.org.uk

- Safe to Learn Guidance for Schools on Preventing and responding to sexist, sexual and Transphobic bullying DCSF, 2009

- Transkids http://transkids.synthasite.com

# Appendix 1 – Trans* Glossary

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

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

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

**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. Cross dressers are also referred to by some as transvestites but this term is increasingly being seen as offensive by members of the trans* community and cross dresser is the preferred term.

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

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

**FAAB** - Female assigned at birth

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

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

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

**GIC** - Gender Identity Clinic

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

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

**MAAB** - Male assigned at birth

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

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

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

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

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

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

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

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

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

**Testosterone** - Sex hormone prescribed to some trans* men

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

**Top surgery** - Known term that trans* men use when referring to chest surgery which produces a male contoured chest.

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

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

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

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

- Transgender
- Transsexual
- Cross-Dresser
- Both male and female
- Neither male nor female
- Androgynous
- A third gender
- Or who have a gender identity which we do not yet have words to describe

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

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

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

# Appendix 2 – Definitions of bullying and prejudice based incidents

Definitions can be problematic. However, the process of examining, debating and reviewing definitions is vital to anti-bullying and equality work. The following definitions are based on recent national guidance and have been amended, developed and then agreed by Brighton & Hove's Equality and Anti-Bullying Strategic Group with the purpose of improving the identification, recording and monitoring or bullying and incidents by type. The definitions are provided here to stimulate discussion, and to inform the statements and definitions that appear within individual school / college / settings policies. School / College staff and pupils / students will then be able to use them as a guide when identifying, recording and reporting bullying and incidents. This document separates out bullying and one-off prejudice incidents. Both have the potential to do harm to individuals, groups and communities, but responses to these behaviours may differ. In particular, the cumulative impact of on-going persistent bullying on mental health should be recognised and acted on.

## 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). It can involve verbal taunts, name calling, physical injury, 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, gender 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.

Adapted from 'Preventing and Tackling Bullying Advice for Head Teachers, Staff and Governing Bodies', DfE, 2011

## Prejudice-based incident

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, gender, 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. In some settings prejudice-based incidents are referred to as Hate Incidents.

> *Hate Incidents is the term widely used by the Police and other sectors to describe this type of incident. Schools in the pilot preferred the term prejudice-based incidents, but schools should be aware that at their most serious both bullying and prejudice-based incidents should be reported to the Police. See section 4.5

## Bullying and prejudice-based incident behaviours

Prejudice-based incidents and bullying can be perpetrated using the following behaviours:

| Cyberbullying | Internet, mobile phones, blackberry messenger, social media |
|---|---|
| **Damage to property** | Damage, interference, withholding, demanding or stealing of personal possessions, money and loaned or allocated equipment/resources, graffiti |
| **Indirect / social** | Not being spoken to or being excluded, or left out of activities, gossiping, spreading rumours, dirty or intimidating looks, gestures |
| **Physical** | Pushing, kicking, hitting, pinching, tripping, spitting or any other form of violence or physical force. |
| **Possession / distribution of offensive materials** | This could be materials or publications that seek to promote extremist and prejudiced views such as racist literature. |
| **Sexual abuse / harassment** | Suggestive sexual comments or innuendo including offensive comments about sexual reputation; or using sexual language that is designed to subordinate, humiliate or intimidate, groping / inappropriate touching |
| **Verbal Abuse** | Using language in a derogatory or offensive manner, such as name-calling, sarcasm, personal threats, nasty comments or 'jokes' or persistent teasing and taunting. |

## Further definitions: cyberbullying / sexual bullying

### Cyberbullying

Cyberbullying can be defined as the use of information and communications technology (ICT), particularly mobile phones, the internet and social media to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm others.

It can be an extension of face-to-face bullying, with technology providing the bully with another route to harass their target. However, it differs in several significant ways from other kinds of bullying: the invasion of home and personal space; the difficulty in controlling electronically circulated messages; the size of the audience; perceived anonymity; and even the profile of the person doing the bullying and their target. Ongoing changes to technology mean the methods used to bully keep evolving.

Adapted from 'Cyberbullying; Safe to Learn', Department for Children, Schools and Families, 2007

### Sexual Bullying

All forms of bullying and particularly sexist, homophobic and Transphobic bullying can have a specific sexual dimension or a sexual dynamic and it may be physical, verbal or non-verbal/psychological. Behaviours may involve suggestive sexual comments or innuendo including offensive comments about sexual reputation; or using sexual language that is designed to subordinate, humiliate or intimidate. Sexual bullying may be referred to as sexual harassment.

Adapted from 'Preventing and responding to sexist, sexual and Transphobic bullying; Safe to Learn', Department for Children, Schools and Families, 2009

## Types of bullying / prejudice-based incidents

It is important for learning communities to be able to identify, record and monitor the different types of bullying and in particular bullying or incidents affecting those with protected characteristics as described under the Equality Act. All members of the school are protected under the Equality Act, 2010 from discrimination on the basis of:

- Age (adults only)
- Disability
- Gender reassignment
- Marriage or civil partnership (adults only)
- Pregnancy & maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

It is recommended that schools record all bullying and one-off incidents resulting from prejudice against one or more of the protected characteristics above. However, children and young people outside of these groups may also experience bullying as a result for example of being overweight, or wearing glasses or having red hair. This can be recorded as bullying / incident related to appearance. It should also be remembered that someone from one protected group can be prejudiced against other members of that group.

In addition to children and young people with protected characteristics there are other vulnerable groups who may be targeted for bullying or other forms of harassment and abuse. Learning communities will need to decide whether or not to keep records and monitor bullying related to these groups.

Example additional vulnerable groups

- Looked after children
- Pupils known to be eligible for free school meals
- Pupils from low income backgrounds
- Those who are academically more or less able / those with speech and language difficulties
- Children and young people with mental health issues
- Young carers
- Homeless
- Children of prisoners
- Those newly arrived in the country / asylum seekers

## Brief definitions: types of bullying / incidents as requested in the local authority bullying return

| Appearance | Hair colour, body shape, clothing etc |
|---|---|
| **Disability / Special educational needs / Medical condition** | Real or perceived disability, special need, gifted or talented or health conditions or association with someone in those categories (related derogatory language for example: retard / spaz / geek / nerd) or due to an association with someone with a disability / special educational need |
| **Race / Ethnicity** | Ethnic origin, skin colour, national origin, culture, language, real or perceived or because of their association with someone of a particular ethnicity, culture etc (racism) |
| **Gender Identity** | Transgender, perceived to be Transgender, someone whose gender or gender identity is seen as being different to typical gender norms, or someone who has a Transgender family member. Language/stereotyped perceptions of gender (sissy, butch, tranny, she/he, lady boy, gender bender) (Transphobia). |
| **Religion / Belief** | Beliefs, faith, mistaken identity, lack of faith (Islamophobia and anti-Semitism for example). It may also be because of a perception or assumption about religion or belief (which may or may not be accurate), or because of their association with someone of a particular religion or belief. |
| **Home Circumstances** | Class background, low income, free school meals, young carer, looked after (chav, posh) |
| **Sex** | Based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender. Language such as bitch, slag etc (sexism) |
| **Sexual Orientation** | Related to sexual orientation or perceived orientation of target or target's family / friends and/or homophobic / biphobic abuse and language used. Bisexual people may experience homophobic bullying but they are also likely to experience biphobia, that is, prejudice which is specifically related to their bisexual identity. Biphobia often takes the form of stereotypes: for example, that bisexual people are 'greedy', 'promiscuous' or 'confused'. |

## Extended definitions of types of bullying

### Homophobic bullying

Homophobic bullying occurs when bullying is motivated by a prejudice against lesbian, gay or bisexual people. This can affect:

- Young people who are lesbian, gay or bisexual (LGB).
- Young people who are thought to be lesbian, gay or bisexual.
- Young people who are different in some way – they may not act like the other boys or girls.

- Young people who have gay, lesbian or bisexual friends, or family, or parents/carers are gay, lesbian or bisexual.
- Teachers, who may or may not be lesbian, gay or bisexual.

## Biphobic bullying

Bisexual people may experience homophobic bullying but they are also likely to experience biphobia, that is, prejudice which is specifically related to their bisexual identity. Biphobia often takes the form of stereotypes: for example, that bisexual people are 'greedy', 'promiscuous' or 'confused'. Bisexual people can feel marginalised by both the straight world and the lesbian and gay community.

## Bullying that targets disabled children and children with Special Educational Needs

Behaviour by an individual or group repeated over time that intentionally hurts disabled children or those who have Special Educational Needs either physically or emotionally, or those who are perceived to have special educational needs or a disability or because of their association with someone with a special need or disability.

Bullying can involve verbal taunts, name calling, physical injury, and damage to property, rumour spreading, shunning or ridicule. It can be manipulative, making the disabled pupil do something they should not, or deliberately engineering their discomfort or isolation. It can be done through social media (cyberbullying). Some children with SEN and disabilities may not recognise that they are being bullied or that their own behaviour may be seen by someone else as bullying.

## Racist bullying

This is behaviour by an individual or group repeated over time, that intentionally hurts another individual or group either physically or emotionally and makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their colour, ethnicity, culture, community, national origin or national status. It may also be because of a perception or assumption about ethnicity or culture (which may or may not be accurate), or because of their association with someone of a particular ethnicity, culture etc (for example a parent/carer).

## Bullying based on religion or belief

This behaviour by an individual or group usually repeated over time that intentionally hurts another individual or group either physically or emotionally and makes a person feel unwelcome, marginalised, excluded, powerless or worthless because of their religion, belief or lack of religion or belief. It may also be because of a perception or assumption about religion or belief (which may or may not be accurate), or because of their association with someone of a particular religion or belief (for example a parent/carer).

**Sexist bullying**

This is bullying based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender.

Adapted from **'**Preventing and responding to sexist, sexual and Transphobic bullying; Safe to Learn' Department for Children, Schools and Families, 2009

**Transphobic Bullying**

'Trans*' is an umbrella term that describes people whose sense of their gender or gender identity is seen as being different to typical gender norms. Where children and young people are perceived not to be conforming to the dominant gender roles that may be widely expected of them, schools should be alert for signs of bullying.

Transphobic bullying is commonly underpinned by sexist attitudes and can affect any child or young person. An individual may also experience Transphobic bullying as a result of perceptions that a parent, relative or other significant figure displays gender 'variance' or is Transgender.

Adapted from **'**Preventing and responding to sexist, sexual and Transphobic bullying; Safe to Learn' Department for Children, Schools and Families, 2009

# Appendix 3 Case Study – Developing understanding of Family Diversity, and preventing homophobia and transphobia at St Luke's Primary School, Brighton & Hove

## Contextual statement:

St. Luke's Primary School is a popular and vibrant community school with 628 children on roll. It was judged as Outstanding by Ofsted in 2010. Achievement and attainment at the end of KS1 and KS2 are well above average. The local area is distinctive for its social, cultural and economic diversity and the children come from a wide range of family units. 32% of the children live in one of the 20% most deprived areas in the country.  16% of the school population is FSM. 28% of children are on the SEN register. The percentage of children on the EAL register is 5% and BME pupils make up 16% of the population. The school building is over 100 years old. A key feature of the school is the wide ability range of its pupils and its inclusive nature. A commitment to equality forms the foundation of the school's ethos and is central to our evaluation of provision and outcomes.

## Family Diversity at St Luke's Primary

An Equalities audit was undertaken in 2009 and this highlighted that gender equality and family diversity needed to be promoted more mindfully, ie in anticipation of children's needs rather than an ad hoc response to arising needs. This work recognised the relationship between gender stereotyping and homophobia and transphobia. An equalities action plan was devised and included:

**Whole school Family Diversity week:** A review of our teaching and learning environment was undertaken to ensure it reflected all children's family experiences, including those with lesbian, gay or bisexual family members. Running a special week was the beginning of this process and now consideration of family diversity is part of our everyday practice. For example,  resources reflecting family diversity are in place across the school ,in guided reading packs, embedded in our PSHE curriculum; assembly programme, welcome packs and induction for new families.

**Whole school language code:** A language code was researched and developed to reflect St Luke's commitment to equalities practice. An example of this process was taking on the term 'grown up' to describe a child's parent or carer – this was to ensure all children feel their family-type is valued by not referring to 'mums and dads' which excludes some children and instead referring to 'your grown-ups'. The language code also included guidance about homophobic language. Procedures for reporting incidents of prejudicial language use were introduced in staff training sessions and strategies to challenge usage were explored and developed.

**Children's Equality-team**: An E-team of children was set up to make St Luke's a more welcoming place for everyone. Playtime was investigated to see if it was fair for everyone and what sort of put downs were being used. The E-team took part in a gender trail around the school which led to a series of assemblies on gender equality. The children presented images and historic examples to illustrate gender stereotypes and discussed how these attitudes can limit choices and possibilities for everyone. The link between gender stereotypes and potential homophobic bullying was powerfully established by a member of the E-team describing some aspects of his appearance (which did not conform to gender norms) and the negative reactions he had experienced and what needed to change to help him feel safe. A whole school children's language code was agreed which included the use of the term *gay* as a put down as both prejudicial and never acceptable.

**Say no to Bullying week' Words can hurt' 2011**: Inspired by the Stonewall School Report and Stonewall's Different Families, Same Love campaign ,a series of lessons were run across all year groups to explore issues of gender stereotyping, family diversity and devise strategies to cope with and challenge homophobic and other put downs relating to these issues.

**Allsorts workshops 2012 and 2013:** Local (LGBTU) youth group Allsorts ran a workshop with year 6 as part of the secondary transition programme. Children explored terms to describe gender identity and sexual orientation; listened to the secondary school experiences of lesbian, gay, bisexual and Transgender young people and devised strategies to cope with and challenge the use of *gay* as a put down in a safe way. It is now part of the annual transition programme.

**Support for an individual child**: One member of the E-team, whose gender or gender identity was seen as being different to typical gender norms and who had struggled with this experience, made a presentation to some 300 of his peers about how he could feel safer and more welcome at school. This child was supported in school by an approach that was inspired by an application of the social model of disability to gender issues.  Instead of trying to 'fix' him staff worked to find ways for him to be who he wanted to be and evolved a more fluid understanding of gender. He became an integrated member of St Luke's school community and valued for who he was. His experience of homophobic bullying was reduced and his peers were actively seen to challenge any put downs towards him. After some specific transition planning meetings this child has now successfully begun their journey through secondary education.

> Child x had always preferred 'typically' female gender clothing, hairstyles, play, toys etc. Child x had an open-minded and supportive family who allowed and accepted this difference – however, over his time at school child x veered between his natural preferences and wanting to try to be a 'typical' boy.
>
> During the beginning of Key Stage 2, child x's difficulties with being happy in his skin became more apparent and his parents talked to the school about related friendship issues. Counselling and mentoring were provided for child x and were certainly key to his progress – but perhaps the turning point was a particular conversation! After one conversation with child x's parents, the deputy decided with parents' agreement to talk openly with child x. A huge mind map was created exploring child x's perceptions and feelings and his place in the world was identified (by him) as between the female and male worlds – a 'very lonely place to be'. Child x was clear that he was 'male' but that typically female lifestyle choices were those that made him happy. The deputy and child x had a long conversation and the deputy talked to him about his right to be who he is and our community's responsibility to ensure he had a positive experience. Child x agreed to try a different course of action and his parents supported this decision.
>
> To begin the community's change, the deputy worked with child x's class and did some work on gender stereotyping. This culminated with an open conversation about child x's gender differences and how his peers could support him in his right to be who he was. Child x reported that immediately he felt more openly supported and received practical support from his peers (who for e.g. came to tell deputy of a negative comment about child x). Child x then was asked to join the school's E-Team as the gender expert and the E Team began a gender stereotyping project (looking at stereotypes and societal pressure to conform) and created advertising collages; researched history of gender and presented an assembly to the whole school. Child x felt empowered enough (and trusted the community enough) to talk about his own 'gender' experiences to 360 children and staff. From this point forward, it is clear that child x's experience dramatically improved. His friendships developed; no-one felt his dress worthy of comment (or if a comment was made – this was automatically taken

seriously and reported) and child x was so confident by the end of year 6 that he sang a song at a community event wearing high heels and full make up.

Potential problems for child x in transition to secondary were anticipated and planned for in consultation with child x's parents who were very concerned about child x's transferring to secondary school. Allsorts Youth Project ran a workshop in Year 6 to help children think about supporting peers and meetings were held with the receiving secondary (SMT of both schools and parents) to think through potential issues. The first step to this was agreeing the language with which we would discuss child x's differences.

The Deputy Head and PSHE co-ordinator at St Luke's Primary have worked in collaboration with the school staff team; the Partnership Adviser: Health and Wellbeing from Brighton & Hove City Council Standards and Achievement Team and Allsorts Youth Project.  The work that has taken place at St Luke's Primary has been shared in Brighton & Hove through the network of PSHE primary school co-ordinators and nationally through Stonewall.

# Appendix 4 - Amending the Pupil / Student Name in SIMS to a Preferred Name

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

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



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



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

## To check the Registers:

Go to Tools | Setups | Attendance Setup | Module Setup

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

# Reports

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

Editing reports is relatively straightforward, 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 schoolict@brighton-hove.gov.uk

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# Appendix 5: Guide to challenging homo/bi/transphobic language & gender stereotyping: a range of responses

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

## 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.
- Some people who are transgendered find that word insulting so it's not ok to use it at our school.
- The anti-bullying policy says that homo/bi/transphobic language is not tolerated.
- The school policy says that we are all responsible for making this a safe place for everyone. That kind of language is homo/bi/transphobic and makes people feel unsafe. Therefore it is unacceptable.
- It's really important that at this school people feel able to express their gender however they feel comfortable so we try to avoid gender stereotypes.
- At this school we want to recognise every pupil's strengths and we don't want people to feel limited by expectations that relate to their gender.

## • Questioning response

- What do you think that word means?
- What makes you think that?
- Do you realise that what you said is homo/bi/transphobic?
- Can you explain what you mean by calling that 'gay'?
- That word is an insulting term for someone who is transgendered. Do you know what it means to be transgendered?
- How would you feel if someone spoke about you in that way?
- Do you know what a gender stereotype is? Can you think of why some people might be upset when they hear them at school?

## 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 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 homo/bi/transphobic language.