

A transgender person feels that their external appearance or the sex they were assigned at birth does not match the way they feel internally about their gender identity.

People, who are questioning their gender identity or are gender non-conforming, may or may not be transsexual, as gender variance can be fluid.

Gender Dysphoria (or Gender Identity Disorder) can present from two years old and can only be diagnosed by a medical and/or psychiatric expert.

A person with Gender Dysphoria may require treatment to ameliorate the symptoms associated with being transgender.

A transgender person can live their life without being diagnosed with Gender Dysphoria or receive treatment and may choose to be known by a gender neutral name or to wear different clothes.

Most transgender students and families will need support or information as they grow & develop.

Trans people's experiences:

- 80%** silent harassment, staring, whispering
- 38%** physical intimidation and threats
- 63%** negative interactions in general mental health services
- 58%** knew they were trans person by 13 years old
- 28%** young trans people haven't told anyone
- 81%** felt they gained something from being trans or expressing their gender identity
- 35%** avoided seeking urgent help because of their trans history
- 28%** have experienced physical attacks
- 27%** have attempted suicide
- 17%** told their mental health issues were because they were trans people

The Human Rights Act 1998 supports the right of transgender people to live in their true gender with freedom of expression, respect for their private and family life & prohibiting discrimination.

The Gender Recognition Act 2004 makes provision for a person who is 18 years old:

- to be able to apply for a Gender Recognition Certificate (GRC)
- to have a birth certificate created from their registered GRC

Education settings must not discriminate:

Discrimination occurs when a practice that applies to everyone, puts a person with a protected characteristic at a disadvantage e.g. a uniform rule with no "unisex" options.

There is no legal requirement to make "reasonable adjustments" for transgender students, but this approach ensures that they are properly supported and the setting fulfils its 'duty of care'.

The Equality Act 2010 protected characteristics are: **age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, marriage/civil partnership, sex and sexual orientation.**

The '**equality duty**': public authorities must eliminate unlawful discrimination, harassment, victimisation & other prohibited conduct. Compliance with the duty may involve treating some people more favourably than others, by:

1. **Advancing equality of opportunity** between people who share a protected characteristic and those who do not, by:
 - Removing or minimising disadvantage
 - Meeting the needs of people in protected groups
 - Encouraging people from protected groups to participate in public life & other activities
2. **Fostering good relations** between people who share a protected characteristic and those who do not, by, e.g. tackling prejudice and promoting understanding.

Public authorities must stop discrimination because of marriage or civil partnership status.

Religion or belief does not justify unlawful discrimination.

Information about a person's transgender status is sensitive (special category data) and must be processed in line with General Data Protection Regulation conditions.

Sex Discrimination (Gender Reassignment) Regulations 1999:

If a person is involved in any stage of gender reassignment, they:

- Are entitled to protection from discrimination at work, school & vocational training
- Cannot be treated less favourably than others regarding absences or terms & conditions of employment, education or training.

How settings can support a trans student:

- Write a confidential, informal & flexible support agreement between the Head, parents/carers & student to clarify your obligations & review & amend as necessary
- Respect the trans student's wishes regarding their transition and in particular:
 - Toilet & changing facilities
 - Confidentiality
 - Name & pronoun changes
 - Uniform requirements
 - Medical treatment & vaccinations
- Record important changes & actions in all documents & replace previous information
- Re-issue previous awards and certificates
- Keep old documents with previous names and pronouns securely
- Discuss with parents/carers & student about if, who, how & when changes are communicated to staff, governors, other agencies, students and parents as appropriate
- Consider the training needs of staff and governors, e.g. e-learning, face-to-face training
- Set up sessions to raise pupil awareness e.g. assemblies, PHSE,
- Ask trans students if they want to help with or run assemblies, staff training etc.
- Introduce equality & human rights discussion in the classroom & the curriculum, e.g. PHSE
- Make resources widely available e.g. leaflets, e-Learning, library books, internet links
- Display equality literature and policies and offer varied discussion opportunities
- Parents, governors, staff & students may want individual & confidential discussions
- Identify individual or group student support from e.g. a trained mentor
- Encourage trans students to set up and run their own support group
- Identify support groups for family members
- Students may be absent for appointments, and need to make up lost lessons
- Medication such as hormone-blockers may lead to lack of energy and other side effects
- Celebrate diversity - run events such as LGB&T+ History Month (February)
- Record absence sensitively, e.g. time off for a medical appointment which does not merit being recorded as sick.

Transphobic bullying:

Transphobic incidents must be recorded & dealt with in the same way as other hate incidents.

Transphobic bullying can be compounded by a lack of:

- general understanding
- clear explanations & leadership
- staff training

Responses should focus on supporting the victim by managing the bully's future behaviour.

Terminology and language:

Many different terms are used by trans students & organisations to identify themselves & to describe being trans. Students often choose a different first name for their new identity.

It is respectful and inclusive to use the correct

- gender (e.g. male, female, neutral, fluid)
- name & pronouns (e.g. he, she, they, them)

to address transgender students. Hearing the above terms used incorrectly can be uncomfortable or seriously detrimental to their wellbeing.

Uniform:

Students should be allowed a choice between gender neutral options or wearing the uniform of the gender they identify with.

You may need to consider the suitability of swimwear for water based activities, e.g. skirted swimsuits, rash vests, 'baggy' shorts & wetsuits.

Vaccinations:

General vaccinations should be given to both genders in a mixed queue, with screens to promote privacy for each pupil.

If the vaccination is gender specific allow the trans student to receive it at school or from their GP depending on their wishes.

Trips and overnight stays:

When completing a risk-assessment, always talk to the transgender student & their parents/carers about meeting their additional needs, e.g.

- Sleeping arrangements
- Border searches if abroad
- Legal & cultural issues in another country
- Passport details

PE, toilets & changing facilities:

Settings must be aware of and carefully & sensitively manage any issues relating to physical advantage, risk & participation for transgender students; or during later stages of a transgender student's puberty.

Trans students may feel vulnerable in toilets or changing rooms because of unwanted attention, bullying or harm.

Solutions will depend on existing facilities:

- Unisex toilets and changing facilities with individual cubicles
- Use of the 'accessible' disabled facilities by renaming them as 'unisex accessible toilets', 'toilet and changing facility' or simply 'toilet'

Changing name, pronoun, gender identity:

This is an important step for many trans students and should be respected in all communications, personal data systems, letters home, reports, bus pass information etc.

Students can be entered under any name with an exam board, but once a result is accredited it will need to be linked with the Unique Pupil Number (UPN) or Unique Learner Number (ULN) from the school census in January of the exam year. Exam certificates can be issued in the preferred name.

Birth certificate details can only be changed if a Gender Recognition Certificate has been registered.

To change a passport name or other official document you may need to evidence a change of name by deed poll or by statutory declaration.

A person under 16 years cannot change their name legally without the consent of a parent and simply changing name does not change a legal gender identity.

Staff training should be an open experience where staff can discuss their views and address:

- Social, moral, spiritual & cultural issues
- Safeguarding & transphobia
- Legal and financial issues
- Consent, confidentiality, privacy & dignity
- Gender identity
- Language and terminology

This training should always be provided by someone with understanding of transgender issues.

Talk to your trans students about whether they want to be involved in delivering staff training.

Moving to a new education setting:

Some transgender students see this as a new start and wish to be known by their chosen gender.

This can be empowering if the correct support and preparation is in place.

The move will need consideration, planning & good communication and must include the rights, thoughts, concerns and wishes of the transgender student & their parents or carers as appropriate.

- Identify a staff member in the new setting who will support the transgender student
- Ensure the new setting has prepared for the needs of the student in line with this policy

Equality Act 2010: advice for schools, DfE 2013:

It is unlawful for schools to treat pupils less favourably because of their gender reassignment.

Schools will have to factor in gender reassignment when considering their obligations under the Equality Duty.

Work placements & alternative provision:

You are responsible for keeping students safe in any situation where your setting has arranged for them to be educated.

Prior to placement, you **must** assess the suitability of any organisation to meet the needs of a trans student, whilst respecting their confidentiality.

Resources:

- Sheena Amos Youth Trust (SAYIT): <https://sayit.org.uk/>
- The Proud Trust: www.theprouddtrust.org/
- The Gender Identity Research and Education Society: [Information for Educators](http://www.gires.org.uk/classroom-lesson-plans/)
- Lesson plans: <https://www.gires.org.uk/classroom-lesson-plans/>
- [Equality Act 2010: advice for schools, DfE 2013](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270121/Equality_Act_2010_advice_for_schools.pdf)
- [Preventing and tackling bullying, DfE 2017](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270121/Preventing_and_tackling_bullying.pdf)
- Changing your name by deed poll: www.gov.uk/change-name-deed-poll/overview
- Gov.uk: [Applying for a passport - information for transgender and transsexual customers](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270121/Equality_Act_2010_advice_for_schools.pdf)

Glossary of terms:

AFAB	Assigned female at birth
AMAB	Assigned male at birth
Affirmed Gender Identity	The gender that a person feels they are
Assigned Sex	The sex given to a person at birth, usually based on the genitalia they have
Crossdresser Transvestite	A person who temporarily wears and/or takes on the characteristics associated with a gender different to that assigned at birth
Gender Affirmation or Reassignment Surgery	Refers to surgical alteration, often meaning lower surgery, but can refer to any surgery
Gender Binary	The idea that there are only two genders – male and female
Gender Dysphoria	Where a person experiences discomfort or distress due to a mismatch between their biological sex and their gender identity
Gender Identity	A person's internal sense of the gender they are, e.g. woman, man, non-binary, fluid etc.
Intersex	A person who is born with sex characteristics that are not easily classified as what is considered clearly male or female. This could be visually obvious such as genitalia or on a chromosomal/hormonal level. There are many different forms of intersex.
Non-Binary	A person who feels the gender binary of man or woman doesn't fit their gender identity, often preferring gender neutral pronouns such as 'they' or 'them'. There are many terms for someone who feels like this and it is down to personal preference, e.g. genderqueer, gender-fluid, bi-gender, poly-gender
Sexual Orientation	Who a person is attracted to – can be romantic, sexual or intimate attractions. This is separate from a person's gender identity.
Trans/ Transgender	An umbrella term for the whole spectrum of people whose gender identity differs from the sex assigned at birth. This can include any and more of the identities listed. The term is often shortened to 'trans' which is more popularly used, or may be replaced by gender variant .
Transition	The process of changing to live life in the affirmed gender role. This is not a simple step but a complex procedure that can involve many different elements such as medical, legal and social changes.
Transsexual	A person who feels that the sex assigned at birth does not fit with their internal gender identity and will transition from the sex they were assigned at birth to another (or part way to another). It usually means someone who has medical intervention such as hormones or surgery.
Trans woman (MtF)	A person who was assigned male at birth & identifies as female or feminine.
Trans man (FtM)	A person who was assigned female at birth & identifies as male or masculine.

Remember:

- Each term may have a different individual interpretation; if unsure ask how people describe themselves
- Always use the adjective 'trans people/person'; the same as we say 'gay people' or 'black people'
- Terms like 'sex change', 'pre-op' and 'post-op' can be offensive as it implies that surgery is needed to truly change one's gender; use 'transition' or 'transitioning' instead.