

The Highfield School



Protocol Name: Gender Identity Protocol

Date Last Updated: Spring 2022

Date of Next Review: Spring 2023

MoS responsible Ben Pike

Statutory: No

HCC Policy/Procedure: No

Date HCC last updated: N/A

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Gender Identity Protocol

This protocol has been reviewed by the Leadership of The Highfield School to ensure that it reflects the values of the Co-operative Movement.

Rationale

The purpose of this guidance is to more deeply embed good practice in the field of gender specific work within our school setting. We want to ensure that we approach all cases with sensitivity, compassion and consistency. As a school, we value inclusivity regardless of gender, gender identity or sex.

This guidance informs our school so that we are enabled to support, inform, protect and enable young people questioning their gender identity to achieve their full potential whilst in education. Our aim is to be non-discriminatory in every aspect, as issues with gender identity are seen across all other protected characteristics and everyone is entitled to have support.

1. Gender identity

A transgender person feels that their external appearance (sex) does not match up with the way that they feel internally about their gender identity. A Female to Male (FtoM) person will have been assigned a female sex at birth, yet identifies their gender as male; a Male to Female (MtoF) person will have been assigned as male at birth yet identify their gender as female.

The word transgender is sometimes used interchangeably with terms such as transsexual or gender-variant but usually has a narrower meaning and different connotations than gender variant, including non-identification with the gender assigned at birth. Gender variant people may also use the term non-binary, gender queer or gender-fluid to identify themselves.

Gender Dysphoria (or Gender Identity Disorder) is a clinical condition that presents as early as age two and can only be diagnosed by a medical and/or psychiatric specialist. A person diagnosed with Gender Dysphoria may require treatment (e.g. hormone blockers) to ameliorate the symptoms associated with being transgender. A transgender person can live their life without being diagnosed with having Gender Dysphoria.

Diagnosis and treatment for young people is currently only possible through a specialist team from the Tavistock and Portman clinic in London. It must be understood that some people with Gender Dysphoria or those who identify as gender-fluid or non-binary may not want any treatment. Some people may choose to be known as gender neutral. Most young transgender people (and their families) will need some support or information as they grow up and develop.

2. Legislation

The Human Rights Act 1998

The following Articles from The Human Rights Act 1998 support the rights and needs of transgender people to live their lives in their true gender:

- Article 8: right to respect for private life and family life
- Article 10: freedom of expression
- Article 14: the prohibition of discrimination

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The Gender Recognition Act 2004

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth certificate to match their true gender. Legally, this can only occur after a person reaches 18 years of age but is something that a young person may aspire to.

A person does not need to have a Gender Recognition Certificate (GRC) to ask organisations (school, work, university) to change their gender. For example, a Female to Male transgender person can still ask their school/work place/university to change their gender to “male” without obtaining a GRC (2014 Reform) (for more information on GRC see <http://www.mermaidsuk.org.uk/assets/media/gender%20recognition%20guide.pdf>)

The Equality Act 2010

This ensures legal protection against discrimination (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment (known as transgender).

Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to schools and young people (for more information see <http://www.legislation.gov.uk/ukpga/2010/15/part/6>)

The Equality Act 2010 (2:1:7) states that;

A person has the protected characteristics of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of the process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex.

The Act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a young person will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so.

3. The Highfield School support

It is important that we have a consistent approach with all young people when dealing with this in school to ensure that all necessary parties are offered the appropriate support and guidance. This can be a confusing and challenging time for all involved. We want to ensure that we do all that we can in order to minimise any difficulties. As a result, we have established a clear timeline of support. Please see Appendix 1 for more details.

4. The first meeting

As a school, before any changes are made we will invite parents/carers and young person in for an initial meeting in order to discuss what support we can offer the family as well as the young person. We will discuss in detail our Highfield timeline of support and ensure that all parties are in agreement.

In the first meeting, we will discuss a range of things like:

- The first visit to the GP (where applicable)
- Toilet access and PE changing facilities
- School uniform changes
- Identity changes (name, gender etc) both in school and legally

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- Arrangements for lessons where young people are separated by gender
- Data changes in readiness for exams
- School trip arrangements – sleeping arrangements if it is an overnight stay
- Support for the family and young person

If the family or young person have any worries, questions or concerns we would ask that they be brought to the first meeting to ensure that they can be addressed quickly.

This first meeting is of course, not the only time available to meet and discuss concerns or ask questions. If the family or the young person feels as though they would like further meetings, this can be arranged in conjunction with the senior link for their year group. It is important that throughout the transitioning process of the young person, that an open dialogue is maintained to ensure the young person and family receives the support they need.

5. **Terminology and language**

This may be confusing for a young transgender person. Different individuals and organisations sometimes prefer different terms to identify themselves and the nature of being Trans.

It is extremely important, as a matter of fairness, respect and inclusion, to ensure that the correct gender, name and pronouns are used uniformly to address the young person.

It can be difficult for schools, teachers and other young people to get used to using a new name, gender or pronoun if the young person has not always been known by that identity since the start of their schooling at The Highfield School. There may well be times where mistakes are made (this is always unintentionally) and this can be embarrassing for all parties. If there is difficulty in “getting it right” then the use of the chosen first name should help to overcome this.

6. **Transphobia and bullying**

At The Highfield School we pride ourselves on our inclusive and diverse community. We treat bullying very seriously (see consequence system and Behaviour for Learning Policy). In our consequence system, we make specific reference to homophobic, bi-phobic and transphobic (HBT) bullying.

We ensure that we educate young people in issues of HBT through assemblies, awareness weeks, school displays and the PSHE curriculum.

We have been awarded a Stonewall award.

If parents/carers or the young person has concerns over bullying, they should report this immediately as per the communications protocol or another member of the pastoral team.

Young people can also use our time2talk email : time2talk@highfield.herts.sch.uk

7. **Training**

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As a school, we are committed to ensuring that our staff have the best and most up to date information and training.

Brook UK delivered HBT training for all staff in 2019-20. This training will be repeated every two years and we continue to be committed to the ongoing training of our staffing body.

Key Highfield staff have received Mental Health First Aid Training. These staff have cascaded key messages to all Highfield staff.

8. School journeys, trips and overnight stays

The sleeping arrangements will need to be thought of carefully before the trip is undertaken. It is possible that the young Trans student would prefer to have a separate room, for example. Each individual case of any trip will be considered carefully with in-depth discussions with all appropriate parties.

It is important to note the following:

- Safeguarding
- Trans students may be searched at borders/airports
- Different countries have different expectations and practices
- There are countries that are not as legally and culturally open as the UK and some countries have laws that make it illegal to be part of the transgender community (for more information see **The International Lesbian and Gay Association (LGA)**)
- Passport details – the passport office has a confidential service for Trans people (0800 448 8484) and more advice can be found here <https://www.gov.uk/government/publications/applying-for-a-passport-information-for-transgender-and-transsexual-customers>

What will we do ahead of an overnight stay?

- A risk assessment will be completed to include the transgender student
- Any risk identified will be managed and reasonable adjustments will be made to accommodate the needs to the transgender student
- Sleeping arrangements will be discussed with the parents/carers
- Concerns and/or worries will be discussed with parents/carers ahead of the overnight stay

9. PE and sport

Sports and physical education is a key aspect of the national curriculum and the physical and mental wellbeing of young people. A young Trans person has the same right to physical education and fitness as other young people.

There may be sports (contact sports such as rugby), where as puberty develops, M to F Trans students have a physical advantage over the other young people but this should not present a problem within a carefully managed lesson context.

The issue of physical risk within certain sports should be managed properly in lessons rather than preventing the young Trans person from taking part. This will be managed directly through the PE department by the Head of PE.

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It may be due to the nature of contact or physicality (such as rugby) in the sport, that as a school, we would consider whether Trans participation in full contact sport would be appropriate and/or safe, especially in the latter stages of puberty. This is something as a school we may wish to discuss with parents/carers and the Trans student.

With regards to sporting competition outside school, we will always refer to policy/advice from the relevant sporting body (the RFU for example). However, there is currently little sporting clarity on Trans related issues, particularly around competition level.

We recognise that each case will be different, and will be treated on an individual basis where we will ensure that reasonable adjustments are made to accommodate the needs of the young person.

With regards to changing facilities, this is always managed with sensitivity and care. A Trans student can use the private changing facility in our gender neutral toilet/accessible changing facility which is inside the sports hall.

We are currently reviewing and exploring further options for developing our gender neutral changing facilities. This is a current agenda item with our student LGPTQ+ hub.

For changing room arrangements, at 'away' sporting fixtures, this would be managed with sensitivity and care.

10. Access to toilets

At The Highfield School, most of our student toilets are not separated by gender. All toilet stalls have floor to ceiling doors and are open to the corridor. The sports hall has a gender neutral toilet. The access to toilets would be discussed with the young person and the parent/carers.

11. Change of details

A person cannot legally change their name if they are under the age of 16 years old, unless they have consent of their parents/carers. It is important to note, that a legal change of name does not change the legal gender identity (please refer back to the Gender Recognition Act 2004 for further information on the legal change of gender).

Changing their name and gender identity is a pivotal point for many Trans people. A change of name can be a big step for both the Trans student and their family, so we will treat each case individually. It is important to note, that no details will be officially changed until the parents/carers have been consulted.

- Change of name: In order for the young person to officially change their name, this must be done in conjunction with a discussion with parents/carers. We would also discuss the use of preferred pronouns for the young person. We will change the name details on the young person's SIMS record and inform all members of staff so that the name change can be used consistently across the school.
- Change of gender: in order for the young person to officially change their gender, this must be done in conjunction with a discussion with parents/carers. We will change the young person's gender on their SIMS record.

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In order for the Trans student to change their name in school, they **do not** need to legally change their name through deed poll. However, once the young person reaches exam age (16 years old) they may wish to explore this in order to ensure that exam certificates etc are issued in the young person's preferred name (this is explained in more detail in the next section).

If the Trans student wishes to legally change their name more details can be found here www.gov.uk/change-name-deed-poll/overview. If the young person changes their name legally, we will require a copy of the change of name certificate, in order to store it on the young person file.

Each January, we submit information for our school census which is a requirement from the Department for Education. Currently, there are only two gender options in the census – male and female. In the case of a Trans student, we will submit their information as their true gender, as opposed to their assigned gender, unless we are instructed otherwise by parents/carers of the Trans student.

12. Exam board details

Once the young person reaches Year 10 it is important to consider what name the young person wishes to appear on their exam certificates. There are a number of things to consider at this stage:

- Young people can be entered under any name with an exam board – this needs to be communicated to the assessment team prior to the young person sitting the exam in order to ensure that the certificate will be issued in the correct name
- Once a result is accredited, it will be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which exists in our census information submitted every January. UPNs or ULNs are only linked with legal names only, not preferred names
- It is possible for exam certificates to be issued in the preferred name – this will need to be communicated with the assessment team prior to the young person sitting the exam. If the name change is not communicated early enough, there may be a cost to re-register or re-print certificates to reflect the change of name
- As a school, we are able to amend the name and gender of any young person under our own management systems (via the assessment team). Currently, the DfE do not require any evidence of paperwork for these changes to be made. However, if any legal changes are made, as a school we would ask for a copy of the certificates to store on the young person's file

13. School uniform

At The Highfield School our uniform is gender neutral and all students are to adhere to the uniform expectations.

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For more information on our dress code please visit our website:

<http://www.highfield.herts.sch.uk/Uniform>

14. **Resources**

DfE – Equality Act for Schools –

<http://www.education.gov.uk/schools/pupilsupport/inclusionandlearnersupport/inclusion/equalityanddiversity/a0064570/the-equality-act-2010>

Gender Recognition Certificate – www.gov.uk/apply-gender-recognition-certificate/changing-your-gender

Gender Recognition guidance -

<http://www.mermaidsuk.org.uk/assets/media/gender%20recognition%20guide.pdf>

Gender Identity Guidance – www.mermaidsuk.org.uk

Transgender guidance for families – www.genderedintelligence.co.uk and www.stonewall.org.uk

Ofqual – www.gov.uk/government/organisations/ofqual

LGBT collective – www.lgbtcollective.org.uk

Online crime reporting – www.report-it.org.uk

Free online counselling service – www.kooth.com

Health advice – www.healthforteens.co.uk

Gender Identity Clinic guidance - <http://www.nhs.uk/Livewell/Transhealth/Pages/local-gender-identity-clinics.aspx>

Gender Identity Clinic - <https://gic.nhs.uk/>

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15. Appendices

Appendix 1 The Highfield School Gender Identity timeline of support

Action	Who
Parents/carers are invited in for an initial discussion regarding support – the meeting should include Andrea Edwards	Andrea Edwards to make contact with parents/carers
Parents/carers are asked to consider taking the young person to the GP to start the process of a referral to the Tavistock clinic, where appropriate. Advise parents that more information can be found at www.gids.nhs.uk	Andrea Edwards to guide parents
At the first meeting actions are agreed e.g. name change, uniform change, toilet use, PE changing rooms, gender divided lessons etc	Andrea Edwards to action this and communicate with relevant staff
Name and gender to be changed (if agreed with parents/carers) on SIMS and any other internal management systems	Andrea Edwards to discuss with Lorna Alcock. Lorna Alcock to make changes.
A new photograph to be taken for the student SIMS profile if necessary to reflect any appearance changes e.g. uniform, hair etc	Andrea Edwards to arrange and organise update on SIMs profile.
Data changes to be made in readiness exam entries and certificates	Andrea Edwards to liaise with Pauline Levet. Pauline Levet to make changes.
Gender change on the January census (the selected gender for the young person should be their true gender i.e. what they are transitioning to)	Andrea Edwards to liaise with Lorna Alcock. Lorna Alcock to make changes.
If the young person is attending any overnight trips the rooming and changing facilities are to be discussed with parents and communicated with necessary parties ahead of the stay	Andrea Edwards/Nicky Pedder.
If the young person participates in competitive sport through the school, school to seek advice from relevant sporting body.	Andrea Edwards to liaise with Head of PE. Head of PE to seek advice and inform Andrea Edwards.