

Supporting LGBTQ+ Policy



Redbridge Community School

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1. Intent

We want to provide experiences to ensure that any person's life opportunities are not hindered by discriminatory actions and prejudicial attitudes because of a person's identity; be these actions and attitudes in school, home, the world of work or society at large. Our school's four core values drive this intent:

Aspiration: We want all students to build the resilience to overcome perceived barriers that may be caused by socioeconomic, educational or cultural circumstances; and challenge the acceptance of stereotypes as a rationale for complacency so that curiosity and creativity can flourish.

Respect: We want to build on the culture of belonging and celebrating differences, for ourselves and each other, so that all students can safely form and express views without derision or discrimination.

Opportunity: We want all students to be confident and self-assuring: to develop the tools to strip away perceived barriers so that everyone creates and seeks opportunities to further educational and personal ambitions.

Excellence: We want to ensure that everyone understands that, irrespective of the challenges we may face, we are equipped with the tools to combat these, so that all students can freely be the best versions of themselves and succeed.

2. Policy purpose / Rationale

2.1 This 'Supporting LGBTQ+' Policy is designed to reinforce our intent and ensure that potential questions or difficulties relating to the Policy can be clearly addressed, so that our LGBTQ+ members of the community feel valued and continue to thrive.

2.2 Staff, students, parents and governors will be aware of the Policy, which will also be on our school website, and be informed of the content and clauses as is appropriate, in order to maintain a culture in the school that celebrates the four school values: Aspiration, Respect, Opportunity, Excellence.

2.3 The 'Supporting LGBTQ+' Policy also applies during school excursions, camps and extra-curricular activities both in school and off-site.

3. Definitions^{1 2}

The following definitions are listed alphabetically for clarity. These may be referred to throughout the policy.

3.1 Bisexual – refers to a person who has an emotional, romantic and/or **sexual orientation** (see 3.15) towards more than one **sex** (see 3.14).

3.2 Cisgender – someone whose **gender identity** (see 3.4) is the same as the **sex** (see 3.14) they were assigned at birth.

3.3 Gay – refers to a man who has an emotional, romantic and/or **sexual orientation** (see 3.15) towards men only. Also a generic term for **lesbian** and **gay sexuality** (see 3.15) – some women define themselves as gay rather than **lesbian** (see 3.8).

3.4 Gender / gender identity – a person’s internal sense of their own gender, whether male, female or something else. This is not necessarily in line with their **sex** (see 3.14).

3.5 Gender dysphoria – describes a sense of unease that a person may have because of a possible difference between their **sex** (see 3.14) and their **gender identity** (see 3.4).

3.6 Heterosexual / straight – refers to someone who has an emotional, romantic and/or **sexual orientation** (see 3.15) towards someone of the opposite **sex** (see 3.14). The term **straight** is now more generally used.

3.7 Homosexual – refers to someone who has an emotional, romantic and/or **sexual orientation** (see 3.13) towards someone of the same **sex** (see 3.14). The term **gay** is now more generally used (see 3.3).

3.8 Lesbian – refers to a woman who has an emotional, romantic and/or **sexual orientation** (see 3.15) towards women only.

3.9 LGBTQ+ - the acronym for **lesbian, gay, bisexual, transgender, queer** and all other identities not identifying as **straight** (see 3.6).

3.10 Non-binary – refers to someone who does not identify as male or female **gender** (see 3.4).

3.11 ‘Outing’ – the process of revealing someone’s **gender identity** (see 3.4) or **sexual orientation** (see 3.15), often without their permission.

3.12 Questioning – the process of exploring your own **sexual orientation** (see 3.15) and/or **gender identity** (see 3.4).

3.13 Queer – in the past a derogatory term for **LGBTQ+** (see 3.9) individuals. The term has now been reclaimed by **LGBTQ+** young people in particular, as an umbrella term for those who do not identify with traditional categories around **gender identity** (see 3.4) and **sexual orientation** (see 3.15). It is still viewed to be derogatory by some.

¹ Terms loosely taken from a 2015 document written by the registered charity ‘Stonewall UK’.

² LGBTQ+ terms regularly evolve and appear, particularly amongst LGBTQ+ young people.

3.14 Sex – assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions.

3.15 Sexuality / sexual orientation – a person’s emotional, romantic and/or sexual attraction to another person.

3.16 Trans / Transgender – someone whose **gender identity** (see 3.4) is not the same as, or does not sit comfortably with, the **sex** (see 3.14) they were assigned at birth.

4. As far as is possible, the school will

This 'Supporting LGBTQ+' Policy has been written in accordance with the Equality Act 2010.

4.1 The school and its staff will act in alignment with the Equal Opportunities Policy to ensure all persons are treated with dignity and respect, and to maintain continued equality.

As is stipulated in our Equal Opportunities Policy:

"Redbridge Community School is committed to the principle that all students and staff should be treated with dignity and respect. We are proud to be a fully inclusive community school. We recognise the two key duties under the remit of Equal Opportunities:

- 1. To tackle discrimination in all of its forms*
- 2. To actively promote equality for all staff and students*

"Equality of opportunity at Redbridge Community School is about providing equality and excellence for all stakeholders in order to promote the highest possible standards of achievement. Equality of opportunity applies to all members of the school community, i.e. students, staff, governors, parents, community members, volunteers and external agencies. We are wholly committed to ensuring our young people are prepared to become successful learners; confident individuals and responsible citizens.

"The school will provide an appropriate learning and social experience for all students, giving equal consideration regardless of colour, origin, disability, culture, gender, sexual orientation or ability, and make appropriate adjustments when required to ensure continued equality."

4.2 The school and its staff will act in alignment with the Anti-Bullying Policy to provide a caring, friendly and safe environment for all our students so that they can learn in a relaxed and secure atmosphere.

As is stipulated in our Anti-Bullying Policy:

"Bullying of any kind is unacceptable at our school. Bullying is anything someone does with the intention of singling out and hurting another person. Bullying is something that is persistent and ongoing over a period of time. From time to time, students fall out with their friends. When some of these falling outs occur it can end up in a fight or an exchange of unpleasant words. This is not bullying.

"What can bullying involve?

Physical (this may include punching, striking, spitting, damaging property)

Verbal (this may include name-calling, teasing, threats, spreading rumours)

Sexual (this may include inappropriate sexual behaviour or comments)

Social (this may include being left out of groups)

Technological (this may involve social networking sites, messaging services)

Psychological (leaving students out, gas-lighting)"

This list is not exhaustive, and although not explicitly mentioned above, can be based on things such as sexual orientation or gender identity and can manifest in various ways, such as those listed in our Anti-Bullying Policy.

“All reported cases of bullying will be treated extremely seriously and may include one or several of the following.

If possible, the students will be reconciled.

The bully/bullies will be asked to genuinely apologise and assure the victim and member of staff that it will not happen again.

Placed on report.

Detention.

Time in isolation.

Actions explained to the police.

In a more serious or continued case exclusion will be considered.”

4.3 The school and its staff will model positive behaviour and act responsibly to tackle discrimination through derogatory language and prejudice-based incidents.

Section 13 of the Equality Act 2010 defines **discrimination** as the following:

“A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

N.B. The protected characteristics are as defined below:

age;

disability (including Special Educational Needs);

gender reassignment and gender identity;

marriage and civil partnership;

pregnancy and maternity;

race;

religion or belief;

sex;

sexual orientation.”

Derogatory language may be used to refer to gender (sexism), sexual orientation (homophobia or biphobia), or gender identity (transphobia) [list not exhaustive].

Derogatory language will be challenged by staff and recorded and monitored on CPOMS and follow-up actions and sanctions (where appropriate) will be taken for individuals found using any such language.

Prejudice-based incidents are one-off incidents of unkind or hurtful behaviours that are motivated by prejudice or negative attitudes, beliefs or views towards a protected characteristic or minority group.

All prejudice-based incidents will be taken seriously and recorded and monitored on CPOMS and follow-up actions and sanctions (where appropriate) will be taken for individuals involved in such incidents.

4.4 The school and its staff will act in accordance with our Safeguarding & Child Protection and Safer Culture Policies, to protect identities and secure the wellbeing and very best outcomes for students in our care.

As is stipulated in our Safer Cultures Policy:

“Confidential information about students should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the student’s identity does not need to be disclosed the information should be used anonymously.”

This is to say, that if a child discloses information to a member of staff relating to sexual orientation, gender identity or any other LGBTQ+ issues, staff will use professional judgment to pass on safeguarding concerns without disclosing information about identity where it is not essential to disclose.

Staff will always inform the child to whom they will pass on the information they have disclosed.

It is the child’s right to decide to whom they disclose their sexual orientation or gender identity (information from Breakout, LGBTQ+ charity supporting 11-25 year olds in Southampton), and staff should obtain consent from the child to disclose this particular information when passing on safeguarding concerns. Safeguarding concerns can still be passed on effectively without consent, but should not disclose specific information on the student’s sexual orientation or gender identity.

e.g. “Student X feels alone and does not feel they fit in with their peers. They have explained they feel “different” through a discussion about identity and would benefit from support from Y. SEMH referral form completed on *date* and passed on to *staff member*.”

As is stipulated in our Safeguarding and Child Protection Policy:

“We recognise that all matters relating to child protection are confidential.

“Staff will be informed of relevant details only when the Designated Safeguarding Lead feels their having knowledge of a situation will improve their ability to deal with an individual student/family. A written record will be made of what information has been shared, with whom, and when.

“All staff must be aware that they cannot promise a child to keep secrets which might compromise the child’s own safety or well-being, or that of another child.”

This is to say, that if a child discloses information to a member of staff relating to sexual orientation, gender identity or any other LGBTQ+ issues, staff will act in alignment with existing policies and use their professional judgement to safeguard the individual.

Staff will always inform the child to whom they will pass on the information they have disclosed.

Staff will never make suggestions, assumptions or insinuations about a child who has made a disclosure and will never label a child with any terminology (such as those defined in section 3), all terminology relating to the child’s identity must come from the child themselves.

4.5 The school and its staff will show compassion and dignity, and foster an environment not of public celebration of bravery, but of kind acceptance and respect for difference, even in the absence of fully understanding what a student is feeling.

Article 12 of the UN Convention: Rights of the Child states that:

“Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.”

This is to say that:

4.5.1 All disclosures will be taken seriously and staff will follow procedures set out in this and other policies, to support our young people irrespective of fully comprehending what a student is experiencing.

4.5.2 The LGBTQ+ flags, posters and lanyard pins that are visible around the school are a symbol of compassion and support, and students are welcomed to open up freely about any LGBTQ+ issues to any member of staff displaying these symbols.

4.5.3 The role of adults in school is to support all children with fairness, kindness and professionalism and to maintain a neutral stance which neither condemns nor celebrates those who identify as LGBTQ+.

5. Gender reassignment and gender dysphoria

Transgender children and adolescents are likely to be vulnerable due to personal circumstances. They have the same rights as all other children to learn while feeling safe and supported.

5.1 Terminology

5.1.1 The terms “sex”, “gender”, “gender dysphoria”, and “transgender” can all be found in section 3 of this ‘Supporting LGBTQ+’ Policy for clarity on terminology that will be used in this section.

5.1.2 Section 7 of the Equality Act 2010 states that:

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

This is to say that what is sometimes called a ‘**social transition**’ (e.g. gender reassignment through name and pronoun, with no medical procedures) is a protected characteristic through “*reassigning the person’s sex by changing [...] other attributes of sex*”.

5.1.3 Gender stereotypes and the decision to transition:

It is important to recognise that the way that a person chooses to dress does not solely define them as transgender, e.g. a female who shops in the male section in a clothes store, or vice versa.

As a school we understand and respect people’s choices to dress outside of the stereotypical gendered boxes and that children can reject these stereotypes without also rejecting their bodies in order to be their authentic selves.

Article 3 of the UN Convention: Rights of the Child states that “the best interests of the child must be a top priority in all decisions and actions that affect children”.

For this reason, we must adopt a **clear transition process** that has a clear focus on the best interests of the child, to support transgender students whilst recognising that transition is not the only answer for all.

5.2 The transition process

5.2.1 The process

Step 1 – Talk to the child about how they are feeling.

In the first instance whereby a member of staff is made aware of a child experiencing gender dysphoria or the desire to transition, the member of staff will talk to the child about what they are experiencing. This can be an informal conversation to consider influences in the child’s life and how

this has made them feel, to assess their best interests and establish a fuller view of what they are feeling, without immediately jumping to any conclusion.

This initial conversation can be done by any member of staff, guidance will be uploaded onto the staff CPD Google Classroom group (September 2021) to give guidance on asking questions.

The member of staff will refrain, as far as is possible, from using any terminology not used by the child (e.g. terms from section 3), and will be transparent about who they will contact and what they will pass on, in the instance that the information needs to be relayed to a third party.

The member of staff will seek written consent from the child to pass on information about sexual orientation and gender identity. If the child does not consent to this information being passed on, the member of staff will pass on any safeguarding concerns (following the Safeguarding & Child Protection and Safer Culture Policies) without disclosing specific information about the gender identity/sexual orientation of the child (as explained in sections 4.4 and 4.5 of this 'Supporting LGBTQ+' Policy).

Step 2 – Contact relevant third parties within school.

Information from the conversation with the child will be passed on to relevant parties within school through CPOMS or email. This may vary depending on how the child is feeling, and the degree of concern with regards to safeguarding the child, but might include tutor, Head of Year, SMT link for Year Group, Assistant Head of Year (in cases where this may affect attendance), the school Designated Safeguarding Lead, the LGBTQ+ Co-ordinator, and/or the Lead for Wellbeing.

This point of contact may involve a second conversation with the child prior to moving to Step 3.

Step 3 – Contact home.

In some instances, such as when a child wishes to transition, the school will need to contact parents/guardians of the child. This can be done via a phone call or arranging a meeting with parents/guardians, the child, and any relevant staff members (such as Head of Year, etc.).

The conversation with the parent will establish if the parent is aware of the situation (which the child will likely have confirmed beforehand but is not always the case), and how the school will proceed given parental consent.

With parental consent, the school can change the name and gender on our registering system (currently SIMS), and inform staff and students of a **social transition** (gender reassignment within a social context, without any medial or legal procedures).

We cannot change the name and gender on any legal documentation as this cannot be done until the child is 18 years of age. This is echoed in Article 8 of the UN Convention: Rights of the Child: *"Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully".*

The conversation with parents/guardians should also inform them of what will be discussed with the child if the transition moves forward: gendered classes, gendered sports, toilets, changing and

hygiene facilities, other people adapting to the changes, bullying and equal rights. All of these will be discussed in the following section (Step 4 – Clarify expectations).

The school understands that some parents may struggle to come to terms with transitions, and they will be supported by the school through understanding, compassion and support. They can express their concerns without fear or favour from school professionals and other organisations involved.

Step 4 – Clarify expectations with the child.

If this is not done in Step 3, following a conversation with parents/guardians, the child must be informed of the process and expectations moving forward.

- **Gendered classes:** For gendered English classes, the student will decide in which class they feel most comfortable so as to avoid any insinuation of emotional abuse, defined by the DfE document 'Keeping Children Safe in Education 2020' as *"limitation of exploration and learning, or preventing the child from participating in normal social interaction"*. This is to say the child should be able to participate in learning where they feel most comfortable.
- **Gendered sports:** Section 195 of the Equality Act 2010 makes it lawful to restrict participation in sports events where physical strength, stamina or physique are major factors in determining success or failure. This is to say that the PE staff may limit participation in specific sporting events that have restrictions according to sex (e.g. triple jump is not a female event in Sports Day until the age of 14 because of hip placement) or to comply with Section 195 of the Equality Act.
- **Toilets and changing facilities:** To ensure that transitioning pupils are provided with adequate changing and sanitary/hygiene facilities, the child will be asked about their preferences for this service. However, given the Equal Opportunities Policy and the details in section 5.3, transitioning students will be offered use of alternative facilities.
- **Adapting to the changes:** The child will be made aware that it may take some time for people, who know them by their previous name and gender, to adapt. Gender reassignment and transitioning is not something that everyone understands and in the first instance our aim should be to educate, rather than reprimand, to build on a culture of respect and kind acceptance. Students will be asked to have patience with staff and students making mistakes with name and pronouns, and to patiently correct them if this happens. It will be made clear to the child that transphobic bullying is not acceptable (discussed in next bullet point).
- **Bullying and prejudice-based incidents:** The child will be reminded that the school will act in accordance with the Anti-Bullying and Equal Opportunities Policies (outlined in sections 4.1, 4.2 and 4.3 of this 'Supporting LGBTQ+' Policy) and will tackle any bullying or prejudice-based incidents as is stipulated in these policies.
- **Equal rights:** The child will be reminded that the school has a duty to treat all students equally, and that gender reassignment does not entitle them to any additional privileges that are not afforded to other students. The child will also be reminded that this does not define the child and will not be tolerated as an excuse for poor behaviour that contradicts the school's Behaviour and Anti-Bullying Policy, but the child should seek additional support from the school if they feel they are struggling and need some additional guidance.

Step 5 – Email administrative staff and inform necessary parties.

Once all details have been confirmed with the child and their parents/guardians and all expectations discussed and agreed, the main point of contact (usually Head of Year or SMT link for Year Group) will email our office administrative team to change the details on the school's registration system, and an email will go out to all staff to inform them of the preferred name and pronoun.

Step 6 – Monitor the child's wellbeing.

Transitioning is not complete when the name and gender are changed on the register. The main point of contact for the child should check in regularly to ensure that the school and the child are meeting the established expectations, and to discuss any other concerns that need addressing. Gender reassignment is an ongoing process and should be treated as such.

5.2.2 Privacy

Refer to sections 4.4 and 4.5 for all matters relating to privacy of the child's identity. This applies to transgender pupils, just as it applies to any other members of our school community.

5.3 Facilities and gendered activities

Section 29 of the Equality Act 2010 states that *"a person ('a service-provider') concerned with the provision of a service to the public or a section of the public must not discriminate against a person requiring the service by not providing the person with the service"*. This is to say that appropriate changing and sanitary/hygiene facilities are required for privacy and are lawful, and this is echoed by the Association for Physical Education's Safe Practice in PE and Sport Changing Provision, which states dignity, decency and privacy must be ensured. If a school fails to provide appropriate facilities and insist the child uses a specific one that contradicts their identity, it can be interpreted as indirect gender reassignment discrimination.

To ensure that transitioning pupils are provided with adequate changing and sanitary/hygiene facilities, they will be asked about their preferences for this service.

However, given the Equal Opportunities Policy and the procedures set out in section 5.4, transgender pupils' rights do not outweigh the rights of all students, and should not be given any special treatment that might compromise the privacy of other students (e.g. a female transgender pupil using the female changing rooms may compromise the privacy of the other females for reasons of sex (see section 3)). Section 29 of the Equality Act 2010 permits the exclusion of transgender pupils from sanitary and changing facilities if there is no less discriminatory way of achieving a legitimate aim. This is to say, that students will be given the option to use alternative facilities for changing and sanitary/hygiene reasons.

5.4 Equal treatment

5.4.1 Transitioning students must comply with the uniform rules for their identifying gender, which are sent out in a letter to parents from the DSL. There will be no exceptions to school rules for transitioning students, e.g. wearing jewellery that goes against the uniform code of conduct.

5.4.2 As will be clarified with the child (see section 5.2), the school has a duty to treat all students equally, and gender reassignment does not entitle transitioning students to any additional privileges that are not afforded to other students. Gender reassignment will not be tolerated as an excuse for poor behaviour that contradicts the school's Behaviour and Anti-Bullying Policy, but the child should seek additional support from the school if they feel they are struggling and need some additional guidance.

Transitioning students will not be treated differently from other students, e.g. being treated as brave and courageous, but instead will be treated with kind acceptance and respect, as is the case for all members of Redbridge Community School, and we focus on transitioning children's' learning, welfare and development in the same way as for every other child.

5.5 Challenging transphobia

All staff will act as role models in demonstrating calm and accepting behaviour towards an individual transgender child, and in promptly challenging and reporting any bullying, prejudice-based incidents or harassment to act in accordance with the school's Behaviour and Anti-Bullying Policy.

6. Legal documents, related policies and useful links

This 'Supporting LGBTQ+' Policy has been written in alignment with the following existing legal documents surrounding LGBTQ+ issues, and the following existing school policies.

6.1 Equality Act 2010

Only sections of the Equality Act 2010 that are pertinent to this policy have been referenced below.

- 6.11 Section 13 refers to direct, indirect, combined, indirect and gender reassignment discrimination and harassment. It also clarifies the protected characteristics.
- 6.12 Sections 4-12 give more detailed definitions of the Protected Characteristics.
- 6.13 Section 149 dictates the public sector equality duty.
- 6.14 Section 195 refers to gendered sports activities.
- 6.15 Section 29 explores the provision of services (such as school facilities).

6.2 Government Equalities Office: LGBT Action Plan (July 2018)

6.3 Keeping Children Safe in Education (DfE statutory guidance)

6.4 Association for Physical Education's Safe Practice in PE and Sport Changing Provision

6.5 UN convention rights of the child

- 6.5.1 Article 3: The best interests of the child must be a top priority in all decisions and actions that affect children.
- 6.5.2 Article 8: Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully.
- 6.5.3 Article 12: Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.
- 6.5.4 Article 13: Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.
- 6.5.5 Article 36: Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.

6.6 Related policies

- RCS Safer Culture
- RCS Safeguarding and Child Protection
- RCS Equal Opportunities
- RCS Personal, Social and Health Education (PSHE)
- RCS Relationships and Sex Education (RSE)
- RCS Attendance, behaviour and anti-bullying

6.7 Helpful links for more information on LGBTQ+ in schools

- <https://thebeyouproject.co.uk/resources/> (for a wide range of support and further information for LGBTQ+ youth, parents, staff)
- <https://www.stonewall.org.uk/help-advice/information-and-resources> (for information and resources for several difficulties for LGBTQ+ youth such as discrimination, coming out, wellbeing, etc.)
- <https://www.breakoutyouth.org.uk/> (LGBTQ+ youth support charity for Hampshire & IOW)