



**THE SCHOOLS OF
KING EDWARD VI
IN BIRMINGHAM**



In pursuit of educational excellence for all



**KING EDWARD VI
ACADEMY TRUST
BIRMINGHAM**

TRANS INCLUSION POLICY (STUDENTS)

<i>Responsible Board</i>	Curriculum Standards and Welfare
<i>Policy Officer</i>	Associate Director of Educational Support and Growth
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KING EDWARD VI ACADEMY TRUST BIRMINGHAM AND THE SCHOOLS OF KING EDWARD VI IN BIRMINGHAM TRANS INCLUSION POLICY (STUDENTS)

1. INTRODUCTION

- 1.1. This policy outlines the King Edward VI Academy Trust Birmingham (the 'Academy Trust') and the Schools of King Edward VI in Birmingham's (the 'Foundation') commitment to ensuring that transgender, non-binary, and gender-questioning young people are supported and included in our schools.
- 1.2. Under the Equality Act 2010 it is unlawful for schools to treat students less favourably because of their gender reassignment.
- 1.3. There are trans people within our school communities as parents and carers, staff, governors, and students, and we welcome this diversity.
- 1.4. We wish to foster an environment where all colleagues, students and visitors feel welcome and valued. This applies whether or not there are openly trans staff or students on site.
- 1.5. Provision of support to a gender-questioning young person does not signal that they are trans or that they should or will follow a particular route.
- 1.6. The policy sets out the steps the Academy Trust and Foundation will take to welcome and support our trans students.

2. AIM

- 2.1. The aim of this policy is to enable the Academy Trust and the Foundation to provide a welcoming and inclusive environment for students who are trans or questioning their gender at any stage. This includes intersex, non-binary, and gender fluid young people.
- 2.2. To assist in creating a setting in which all students can have a positive experience.
- 2.3. To ensure consistency in practice within the schools, whilst taking into account the different issues which may be experienced by a student in a single-sex environment.

3. SCOPE

- 3.1. This policy applies to all students in our schools.
- 3.2. The policy accompanies schools' anti-bullying policies.
- 3.3. Where the word 'trans' is used, it should be taken to include any student who does not currently identify with or as the gender they were assigned at birth, or is questioning that gender. It also applies to intersex young people and students who identify as different genders on different occasions. There is no implication that students seek or will undergo any medical interventions in order to be considered by this policy.

4. WORKING WITH TRANS YOUNG PEOPLE

- 4.1. When working with trans students on issues related to their gender, we will take our lead from them wherever possible, and involve them in making decisions that will affect them.
- 4.2. We will listen to the concerns of all students, whilst not tolerating any transphobic language or behaviour.
- 4.3. We will involve parents and carers, where there is agreement from the student, in making decisions about their child (unless there is a safeguarding concern, which will be approached in accordance with the Safeguarding Policy). Where there is not agreement from the student, we will work towards the involvement of parents and carers in a supportive and sensitive manner, taking into consideration the student's age.
- 4.4. The confidentiality of the student is respected and every effort will be made not to disclose information that may reveal a student's trans status to others unless legally required to do so, or there is a valid safeguarding reason to do so, or because the young person has agreed for the information to be shared (see also Names and Official Records).
- 4.5. No trans student will be seen or treated as a problem for their gender identity or for questioning their gender, or made to feel that there is anything expected of them in return for being treated with the equality they deserve and are legally entitled to.
- 4.6. We recognise that every situation and individual is different and has different needs, but through listening and learning, we will also seek to improve our provision for trans young people and learn from their experiences in our schools.

5. COMMUNICATION

- 5.1. We respect and use students' new names, pronouns and titles (and apologise for any mistakes made), including accepting that gender fluid students may express their gender identity differently on different days.
- 5.2. We aim to avoid the use of unnecessary gendered language in formal and informal written and spoken communication.
- 5.3. Requests to remove photographs or other media depicting a trans student as a gender with which they no longer identify from school premises or publications will be actioned wherever possible, sensitively and quickly.

6. NAMES AND OFFICIAL RECORDS

- 6.1. We will update our internal records in agreement with the student, including discussing with them what will be affected and who will therefore be informed. The school's data manager will be responsible for making and communicating such changes. Legal names must continue to be kept on file.
- 6.2. In cases where the student wishes to use a different name at school and at home, systems will be put in place and updated to support this wherever and as much as possible. Where it is not possible, this will be discussed with the individual.

- 6.3. Entering trans students for exams will be done sensitively, using the current guidelines from the exam boards, where gender is a requirement. Where a preferred but not a legal name change has taken place, the student will be supported to fill in documentation with their birth name, recognising that this can feel difficult for the young person.
- 6.4. The law states that a person must be 16 years of age or more to execute their own deed poll. Individual school staff are not required to witness student deed polls. A deed poll can be witnessed by anyone who:
- Is 18 years or more and is resident in the UK
 - Knows who you are
 - Is independent from you
 - Has mental capacity
 - Can be physically present to watch you sign the deed poll.

7. PRACTICAL ISSUES

- 7.1. We will provide access to a range of safe and appropriate toilets and changing facilities, as far as possible within the particular setting. Single-cubicle unisex facilities available for the use of any students who choose will, where possible, be made available in existing buildings and will be included in any new buildings.
- 7.2. Toilets, changing facilities, PE and games lessons, school trips, exchanges and overnight stays will be addressed on a case-by-case basis in consultation with the young person, always taking into account the need for privacy and safeguarding.
- 7.3. We will support trans students to access medical appointments if required. This includes appointments supporting their mental health and wellbeing.

8. SINGLE SEX EDUCATION

- 8.1. In cases where the gender of a student in a single sex school is not the same as the gender for the school they attend, the young person may continue their studies there until they finish school and will be supported to do so.
- 8.2. If a student and their family *wish* for a change of school, this will be discussed and supported within the bounds of school admissions policies.

9. EDUCATION AND EXTRA CURRICULAR

- 9.1. The curriculum and other opportunities will be used to challenge gender stereotyping, sexism, homophobia, biphobia and transphobia as part of wider equality and diversity work.
- 9.2. We will take particular care in teaching human anatomy and in relationship education to acknowledge difference and be inclusive of all genders.
- 9.3. We will only divide students by gender in our co-educational settings when there is an educational reason for doing so.
- 9.4. We will work with individuals, and where possible their families, to enable full access to enrichment activities for trans students.

- 9.5. We support all students to wear uniform and PE kit in line with their gender identity and will ensure that schools' uniform policies enable this.

10. SUPPORT

- 10.1. We will include trans awareness and support in equality training for staff and governors.
- 10.2. We will reference our work to help schools be trans-inclusive, as part of our support for equality and diversity, in communication with families and signpost them to relevant material to help develop their understanding.
- 10.3. We will provide support to trans young people by referring them to specific and appropriate people within our schools and/or relevant external organisations.
- 10.4. We will provide support to the siblings, parents or carers of trans young people by referring them to specific and appropriate people within our schools and/or relevant external organisations.
- 10.5. We identify, record and challenge all prejudiced incidents and bullying, including that which is sexist, homophobic, biphobic and transphobic, and use these to inform changes (see also: Anti-bullying Policy & Procedure (Students)).

11. POLICIES

- 11.1. School and organisational policies are inclusive of trans people. The Foundation, Academy Trust, and individual schools will ensure their policies are updated and inclusive, including the following:
- a. **Equality policies** In line with the Equality Act 2010 and referencing gender reassignment as a protected group.
 - b. **Anti-bullying policies** Including reference to sexist, homophobic, biphobic and transphobic bullying and explain how both bullying and prejudice-based incidents are recorded by type, analysed and monitored.
 - c. **PE and physical activity policies** Including how trans students will be supported to participate in PE and physical activity (including swimming) and enabled to access changing facilities where they feel safe and in line with their gender identity having regard to and subject to the right to privacy of others, and the safeguarding duties of the school and Academy Trust.
 - d. **School visits, trips and residential policies** Including how students will be supported to participate in residential trips and to share facilities in line with their gender identity if this is where they feel safe. Including how discussions will be had with trans young people and their families to support this.
 - e. **PSHE and relationships and sex education policies** Including how the programmes support understanding of trans identities and are inclusive of trans young people.
 - f. **Uniform policy** Uniform items are listed, rather than listed by gender. A statement is included to cover approved changes to swimwear for trans students and those from faith backgrounds.
 - g. **Safeguarding, confidentiality, data protection** As appropriate these explain how changes are made to data and make clear that:

- Being trans is not in itself a child protection or safeguarding issue
 - There is commitment to not 'outing' trans members of the school community without their permission.
- h. **Special educational needs and disabilities policies** Including the statement that a SEN student is just as likely to be trans or gender questioning as any other person and signposting to any specific support that will be provided.
- i. **Teaching and learning / behaviour policies** Discouraging unnecessary grouping or seating by gender, whilst making clear how single gender groupings will be sensitively managed when deemed necessary to support learning. These policies will also encourage approaches which are inclusive, representative of the community and prevent and challenge sexism, homophobia, biphobia and transphobia.
- j. **Staff policies** Foundation and Academy Trust policies will also encourage approaches which are inclusive, representative of the community and prevent and challenge sexism, homophobia, biphobia and transphobia. Unnecessary gendered language will be removed on next review.

References

Written with assistance from:

- *Trans Inclusion Schools Toolkit: Supporting trans, non-binary and gender questioning children and young people in Brighton & Hove educational settings*, Brighton & Hove City Council and Allsorts Youth Project. Third Edition, September 2018, in particular appendix 7 & pp.18-19
- Gendered intelligence: www.genderedintelligence.co.uk.
- *Ark Schools Pupil Transgender and Gender Reassignment Code of Practice*, September 2018, pp.3-4.
- *Supporting Gender Questioning and Trans Pupils*, Amanda Daniels, Principal Educational Psychologist, Birmingham City Council, November 2017.
- Ofsted considerations for Trust schools: The education inspection framework May 2019,
<https://www.gov.uk/government/publications/education-inspection-framework>
"Inspectors will assess the extent to which the provider complies with the relevant legal duties as set out in the Equality Act 2010, including, where relevant, the Public Sector Equality Duty and the Human Rights Act 1998" and: "that relationships among learners and staff reflect a positive and respectful culture. Leaders, teachers and learners create an environment where bullying, peer-on-peer abuse or discrimination are not tolerated. If they do occur, staff deal with issues quickly and effectively, and do not allow them to spread".
- House of Commons Briefing Paper Number 9078, 10 December 2020, *Provisions to support transgender children in schools*
- Department for Education, *The Equality Act 2010 and schools Departmental advice for school leaders, school staff, governing bodies and local authorities*, May 2014