

Date: September 2023  
Review date: September 2024  
Responsibility: KB, RSh, MRE, JL

# Bishop Challoner School



## Transgender Pupils Policy



Bishop Challoner School is committed to ensuring a strong sense of belonging, safety and achievement for all pupils. We have a robust whole school approach to developing an understanding of transgender challenges and preventing transphobia.

This policy sets out our approach to meeting the needs of our pupils in terms of their gender identity, ensuring that individuals who are undergoing, have undergone or are proposing gender-reassignment receive the same respect and fair treatment as all other pupils.

**Key documents read and used in writing this policy:**

[School inspection handbook - GOV.UK \(www.gov.uk\)](http://www.gov.uk) – reference to protected characteristics

[Trans Inclusion Schools Toolkit 2021](#)

[Guidance for maintained schools and academies in England on provision for transgender pupils\(ascl.org.uk\)](#)

[Equality Act Advice Final.pdf \(publishing.service.gov.uk\)](#)

[Keeping children safe in education 2023 \(publishing.service.gov.uk\)](#)

**Roles and responsibilities:**

The Headteacher is responsible for ensuring the consistent implementation of this policy, particularly with regard to supporting transgender pupils, and in ensuring all members of the school community, staff and pupils, respect the wishes and privacy of transgender pupils. The Headteacher may delegate responsibility to specific members of the Pastoral Team in fulfilling the requirements of the policy for individual transgender pupils subject to their full involvement.

**Key definitions:** For terms used in the Policy these can be found in the [Guidance for maintained schools and academies in England on provision for transgender pupils \(ascl.org.uk\)](#)

**Legislation:**

The legislation states that schools must not discriminate against a pupil because of their transgender status. There is no legal requirement for schools, as there is with disability, to make 'reasonable adjustments' for transgender pupils.

The Equality Act 2010 - ensures legal protection against discrimination, harassment and victimization (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment (also known as Transgender). It is unlawful for schools to treat pupils less favourably because of their gender-reassignment. 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. Pupils who are undergoing a social transition, for example, going by a preferred name or pronoun are protected by the Equality Act.

## **General Principles:**

- Listening to the pupil, their parents, carers and siblings and following their preferences wherever possible;
- Transgender pupils will enrich the school communities;
- When working with transgender pupils, there is an opportunity to encourage us all to challenge gender stereotypes;
- Avoid where possible gender segregated activities and where this cannot be avoided, allow the pupil to access the activity that corresponds to their gender identity;
- Challenge transphobic bullying and discrimination;
- Promote positive attitudes to gender diversity by including transgender issues within activities relating to discrimination, hate crime, diversity, inclusion and PSHE.

## **Names and pronoun change:**

The school will use the pupil's new name if it is changed legally. Social transitioning such as, changing name and pronouns is a significant intervention. Respecting a pupil's request to change their name and pronoun is key to supporting and validating the pupil's identity. Some transgender pupils may wish to change their name so that it corresponds with their chosen identity. Although they may not have changed their name legally, they have the right to choose the name they would like staff and fellow pupils to use.

All pupils will be allowed to change their names informally, (within reasonable limits, such as that pupils cannot change names again and again). Pupils should not be limited to names associated with their sex.

Pupils should treat each other with kindness and respect. No pupil should be admonished or disciplined for using ordinary sex-based pronouns for others. The school should respect the freedom of speech, religion and conscience of all pupils, including those with special educational needs and disabilities that make it hard for them to make this adjustment.

Staff should apologise if and when mistakes are made, and never revert to the former name or pronoun to manage behaviour or, as a punishment. School staff will require training and support as part of the continuous professional development cycle, where language and terminology are understood. It is particularly important that staff know that sexual orientation and gender identity are different things.

Pupils will be taught the language and terminology through the PSHE curriculum.

## **Information sharing and communication:**

Transgender pupils will be at the centre of when and how their personal information is shared. Personal information about any transgender pupils must be shared sensitively, if appropriate. Staff should not discuss transgender pupils outside the schools.

The Pastoral Team will meet with the child and parents prior to informing staff and pupils. The child in question, the family and Pastoral Team will decide and ensure that the child is at the centre of information sharing.

Transgender pupils have the right to keep private their transgender status or gender-nonconforming presentation if they wish.

When contacting the parents or carers of a transgender pupil, school staff should use the pupils preferred name and pronouns corresponding to their preferred gender, unless the pupil has specified otherwise. It may be agreed in some circumstances that a different name and pronouns are used when communicating with parents or carers.

Transgender pupils should be consulted with when making adjustments during their time at school. The school's pupil voice group, as well as individual meetings with pupils, are current mechanisms for bespoke consultation. Trustees and leaders in the school will meet with transgender pupils. Universal surveys and feedback opportunities also involve transgender pupils.

**Transphobia and bullying:**

Transphobia incidents will be recorded and dealt with in the same way as other incidents that are motivated by prejudice, e.g. racist or homophobic incidents. The transgender pupil should not be made to feel responsible for another pupil's confusion. They should be sanctioned in the same way as other pupils if they perpetrate any bullying or unkindness themselves.

**Attendance:**

The school will work with parents, carers, transgender pupils and gender-questioning pupils in understanding any barriers to their good attendance. Transgender pupils may be accessing support from outside agencies so the school must make provision for the pupil's absence in these circumstances. When the pupil needs time away from school for a medical appointment, this should be recorded using the M code rather than being off sick.

**School photos:**

Transgender pupils should be consulted about the arrangements for school photos in advance. If pupils transition during their time at the school, they should be allowed the opportunity for their photograph to be updated.

**Physical education:**

A transgender pupil has the same right to Physical Education as other pupils and there should be few, if any, issues restricting their participation in the sports of their chosen gender. As puberty develops, there may be sports where male to female (M2F) transgender pupils have a physical advantage over other girls. PE staff should consider the risks to a transgender pupil and their peers inherent in contact sports and mitigate for any physical risks within the context of the lesson. If a pupil is binding their chest, they should be monitored carefully during strenuous activities and in hot weather, since binding could cause discomfort or even impair breathing. Short breaks from activity could be offered discretely.

**Changing rooms and toilets:**

That a pupil wants to use facilities intended for those of the opposite sex is not sufficient reason to allow them to do so, since this might mean they intrude on the privacy of other pupils. Gender-questioning pupils will always be welcomed in facilities for pupils of their sex. If a pupil feels unsafe in the appropriate facilities, single-occupancy unisex facilities, where feasible, would be an appropriate alternative for them and for other pupils who need extra privacy. At Bishop Challoner School we have provisions for pupils to use alternative toilets which are specifically for pupils in transition.

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**Residential trips and visits:**

Careful consideration and preparation are needed where a transgender pupil is taking part in a residential trip; excluding a transgender pupil would be contravening the Equality Act. The transgender pupil should be involved in planning, alongside their parents if appropriate. An individual risk assessment could be conducted well in advance if necessary, so that reasonable adjustments can be made to allow the pupil to participate. This will include careful consideration regarding sleeping arrangements.

**Work Experience:**

The school should assess the suitability of any placement to establish if there are risks to the transgender pupil. This should take account of the pupil's right to privacy. The transgender pupil and their parents should be consulted with, in selecting and confirming any placements.

**Record keeping:**

Information regarding pupils will be placed on their electronic safeguarding file chronology as a mechanism for holding information – not because there is a direct safeguarding concern, but that transgender pupils are a vulnerable group.

The school holds a spreadsheet of information that collates preferred names, pronouns and other information that pupils deem important for school colleagues to be aware of, in terms of supporting their needs.

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