



## Supporting Trans Students at QMHS

June 2021

### Introduction

At QMHS we believe that every young person and member of staff should feel safe and accepted within our school community regardless of age, appearance, race, religion, sexual orientation or gender identity.

### Legislation

All schools, including single-sex schools, have an obligation to support transgender young people through a transition and enable them to remain at their school. Under the Equality Act 2010, gender reassignment is a protected characteristic. This applies to pupils who:

- a. are intending to transition;
- b. are currently transitioning; and,
- c. have already transitioned.

Transgender people do not have to be medically transitioning to be protected under the Equality Act, as transitioning is a personal process, not a medical one. This means that if they are intending to, or already have, begun to use a name, pronouns or clothes consistent with their gender identity, they are protected under the Equality Act.

The rights of transgender people under the Equality Act 2010 are **not** contingent on the possession of a Gender Recognition Certificate (GRC). Consequently, transgender pupils are legally protected to exercise all of the rights listed below.

- a. Changing their name, title and gender on almost all records held by organisations (including in school)
- b. Using the toilets, changing rooms and other single-sex facilities of choice
- c. Entitlement to respect for gender identity from schools, employers and other organisations
- d. Protection from discrimination, harassment and victimisation by equality legislation Protection of information by the Data Protection Act

### Confidentiality

It is a criminal offence for anyone who has been told that someone is transgender in an official capacity (which includes school staff) to disclose information about this without the consent of the pupil. Even before this, it is imperative that schools provide maximum confidentiality when supporting transgender pupils. Revealing someone as transgender ('outing' them) not only violates their right to privacy, but may also put them in danger of discrimination, harassment and/or assault.

Information that may put a transgender pupil at risk of being 'outed', whether intentionally or not includes:

- verbal or written statements that explicitly refer to the pupil as transgender
- pronouns, if these differ from those connected to the gender assigned at birth
- the name of the pupil, if this has been changed from the name given at birth

### **Pronoun changes**

A transgender young person may decide to change the pronoun by which they are referred to. E.g. a transgender boy may wish to change pronouns from 'she/her' to 'he/him'; a non-binary student may wish to use genderless pronouns such as 'they'.

A young person may wish for their correct pronoun to be used at school. In this case, it is very important that this is discussed with them.

### **Name and gender changes**

For many transgender people, changing their name and having their gender identity recognised is a key stage of the transitioning process and should be accommodated and respected by the school.

As with pronouns, it is important to discuss with pupils:

- a. who they would like their change of name to be shared with and
- b. how it is shared

A young person does not need to go through a 'legal' process to be known by a different name at school. However, there are a number of documents and systems that the young person may wish to be updated to reflect this. These include:

- a. School systems (register, letters home, report cycles, bus pass information)
- b. Public examination entrance and certificates

### **Use of bathroom/changing facilities**

If a transgender young person wishes to use the toilets and changing rooms of their self-identified gender rather than gender assigned at birth, it is unlawful to prevent them from doing so under the 2010 Equality Act.

*(We have one gender neutral changing facility on the second floor of Richardson house which can be used by any students wishing to get changed for PE. This can only be done with prior arrangement with the relevant head of year and PE staff. When getting changed at the pavilion transgender or non-binary students can use the separate inclusive cubicle. There are also 2 gender neutral toilets in Richardson hall foyer).*

### **School uniform**

At QMHS we have a uniform that is gender neutral with all students able to choose a trouser or skirt option.

### **Teaching and learning**

- Staff should avoid using gendered language where it is not necessary.
- Students learn about diversity and transgender identities as part of the PSHCE curriculum.

## **Confidentiality**

It is a criminal offence for anyone who has been told that someone is transgender in an official capacity (which includes school staff) to disclose information about this without the consent of the pupil.

### **What do I say/do if a transgender pupil comes out to me?**

1. Thank them for telling you
2. Let them know that they need to have a conversation with their relevant head of year

(Clarity must be given that there are no guarantees that someone else may find out inadvertently)

### **A pupil wants to transition but doesn't want their parents to know. What do we do?**

Transitioning processes that schools **do not** require parental consent for:

- Pronoun changes
- Preferred (but not legal) name changes on school registers
- Preferred (but not legal) name changes on exam certificates
- Use of facilities (bathrooms and changing rooms)
- Wearing uniform items of their choice

Transitioning processes that schools **do** require parental consent for:

- Legal name changes (when contacting the parent or carer of a transgender pupil, school staff should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth. It is important that all staff are aware of this if the pupil chooses to socially transition)
- Medical transitioning (hormonal and surgical) if under the age of 17