TRANS INCLUSION TOOLKIT ⚧

FOR SCHOOLS AND EDUCATION SETTINGS 2019

Gender is not pink and blue

Contents

Acknowledgements

1. Introduction

1.1 Supporting trans, non-binary and gender questioning children and young people in schools and other education settings

This guidance is aimed at any professionals working with children and young people in schools, colleges and other education settings. The guidance provided is applicable to supporting young people under the age of 18 years. The toolkit may also be useful to any professional who is supporting children and young people. When the term education settings is used in this toolkit it refers to schools, colleges and other education settings. The term school is also used to cover all settings that educate children and young people. There are a variety of quotes from young people in the body of the toolkit, with additional quotes from young people in **Appendix B**.

The toolkit follows best practice identified by the Government Equalities Office National Programming, information from the NHS Gender Identity Development Service (GIDS) website on supporting individual children and young people and PSHE Association guidance on curriculum materials.

1.2 What do we mean by Trans?

Trans

Trans is an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.

When the term trans child/young person is used in the toolkit it includes all the identities listed above including non-binary and those who are questioning their gender identity.

A **Glossary of Definitions** for this and other terms you may come across, including key terms like sex and gender can be found at **Appendix A.** This is intended to give a basic knowledge of LGBT+ language in the wider context. Identity is personal and individual and some people may have different opinions and preferences about the language they choose. Not all gender diverse children and young people will identify as trans or use any of the words listed to describe themselves, so best practice is not to make any assumptions and to allow them to self-describe.
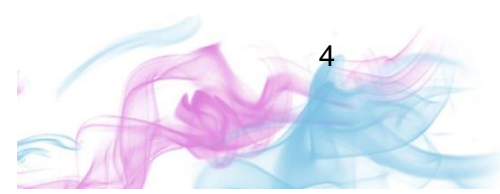
1.3   How to use the toolkit

The toolkit is a best practice guide which provides schools and other education settings with the information and resources required to become a trans inclusive environment and to ensure that they are compliant with relevant law and Department for Education (DfE) guidance.

NB: We would recommend that all education settings seek training to ensure that their staff feel confident to support trans children and young people. This guidance is not a substitute for training. Please see Appendix E for details of local and national training.

Schools and education settings need to be working proactively and globally to celebrate diversity and create visibility around the contributions and existence of trans, non-binary and gender questioning people, families, carers and staff. They need to respond to individual children and young people, to transphobic prejudice, discrimination, bullying and hate crime. This guidance works within the context of wider safeguarding, equality and inclusion guidance as part of a strategy to protect all children and young people. Work that contributes to challenging sexism, gender stereotypes and creating safe spaces, will serve all children and young people.

Practice to support trans and gender questioning children and young people should be embedded across policies, the curriculum and build on best practice that is already in place.

The toolkit should be used as part of a whole school approach, including staff and governor training and involvement of the wider school community. This toolkit focuses on how best to include and support trans and gender questioning children and young people in schools and education settings.

It is crucial to recognise that every child and young person's views, experiences, needs and journey will be different and they should be consulted and involved and at the heart of the support they are offered. The Gender Identity Development Service (GIDS) recommend a non-judgemental and respectful approach which involves listening to the child or young person in order to understand them and support them to come up with their own solutions. Young people's identities are developing throughout childhood, adolescence and into adulthood, and some children and young people decide they would like to express their gender identity in lots of different ways, which may change over time. Keeping options open is important to allow a young person to feel able to change paths if they want to.

It is advisable for education settings to link with other relevant organisations that may be able to provide specialist support. See **Appendix E.**

1.4   Why is the trans inclusion toolkit for education settings so important?

Trans children and young people who receive support from the youth projects at Leicester LGBT Centre were integral in creating this toolkit. They were asked why they think having a trans toolkit for schools and education settings is so important and what difference they think it will make to the lives of other trans young people. These were their answers:

- *"The toolkit is so important because schools don't know how to support trans people in the correct way".*

- *"The toolkit is so important as it will help to educate others".*

- *"This toolkit will help people who are scared and sadly, all too often, unwilling to do the right thing".*

- *"'This toolkit will help set boundaries for staff who often ask inappropriate questions that they don't realise are inappropriate".*

- *"Sometimes people ask an offensive question, but don't mean to. This will help them ask the right thing".*

- *"This will help schools move away from a binary perspective of gender".*

- *"This toolkit is really diverse and can be used to educate both staff and students alike".*

Q: How will the toolkit make a difference to you or other young trans people?

- *"I am the only one in my entire school who is trans (to my knowledge) and I feel the toolkit would be of real benefit to me as people don't often know how to support me and other trans people".*

- *"It will help young trans people find their pathway".*

- *"If one person in school asks the right questions, uses the right name and the right pronouns it can make such a huge difference to a young person. It can help them carry on and live another day".*

- *"It will take the responsibility for educating people off me".*

- *"It will benefit trans kids who aren't out or can't speak up and ask for support".*
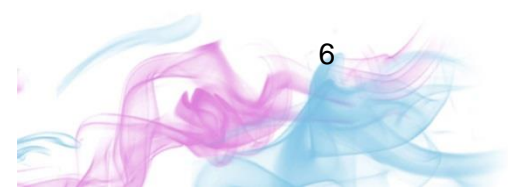
2. Legal Context and Ofsted

2.1 United Nations Convention on the Rights of the Child (UNCRC)

The 54 articles which make up the UNCRC apply to all children and young people and underpin the approach to children's rights in the United Kingdom. They are an important reference in supporting trans and gender questioning children and young people. For example:

- Article 2 ensures the right to protection from discrimination. Discrimination is defined as being treated unfairly because of who you are (see below The Equality Act 2010). Trans children/young people have the right to fair treatment in school. Refusing to accommodate a trans child/young person could constitute discrimination.

- Article 3 requires that the best interests of the child must be the primary concern in making decisions that may affect them. Education settings must keep the best interests of a trans child/young person at the heart of decisions made about them.

- Article 6 states that children and young people have a right to life, to survive and develop. Trans and gender questioning children/young people have the right to develop and grow in school, and this article states clearly that they should be supported in that. Trans and gender questioning children/young people are more likely to suffer from suicidal thoughts and self-harm than their peers (see section 3).

- Article 8 details the right to an identity. It doesn't specifically talk about trans children/ young people or gender identity but it clearly states that parties should respect the right of the child to their own identity and name.

- Article 12 requires respect for the views of the child. When education settings make decisions about a child/young person, they should consult and inform the child/young person and take their views into account. This is, therefore, important when making decisions about trans and gender questioning children/young people in schools and education settings.

- Article 16 ensures a child's right to privacy. If a child/young person comes out as trans there is no immediate need to inform their parents/carers or other people. See more information on confidentiality and information sharing in section 2.5.

- Article 17 gives children the right to information that is important to their health and wellbeing. For trans and gender questioning children/young people, this includes telling them about the support available.

- Article 19 gives children the right to be protected from being hurt and mistreated, physically or mentally. Education settings have a key role in keeping trans and gender questioning children/young people safe from bullying, including transphobic bullying.

- Articles 28 and 29 ensure the right of all young people to an education. Proper access to education for trans children and young people can only be achieved in a supportive environment that is free from bullying and discrimination.

For more information see: Unicef Conventions on the Rights of the Child

2.2   Equality Act 2010

Under the Equality Act 2010, the Public Sector Equality Duty requires public bodies (including schools and education settings) to:

- eliminate discrimination, victimisation and harassment;

- advance equality of opportunity; and

- foster good relations between persons who share a relevant protected characteristic and persons who do not.

It also requires education settings to have equality objectives and information published on their websites.

The Equality Act 2010 provides protection from discrimination in relation to the following "protected characteristics":

- Age.

- Disability.

- Gender reassignment.

- Married or civil partnership.

- Pregnancy or maternity.

- Race.

- Religion or belief.

- Sex.

- Sexual orientation.

There is no hierarchy to the characteristics included in the Equality Act 2010, and all work on inclusion should aim to raise awareness, empathy, respect and understanding in order to foster good relations between different groups.

The Equality Act 2010 (section 7) protects trans children and young people with the protected characteristic of gender reassignment which is defined by the act as follows: "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". As Department for Education Guidance on the Equality Act 2010 states '"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 but must be taking steps to live in the opposite gender, or proposing to do so".

Schools and education settings should consider whether to undertake Equality Impact Assessments (EIA) when making any substantial change or development to provision.

Department for Education Guidance on the Equality Act 2010 states: "It is good practice for schools to keep a written record to show that they have actively considered their equality duties and asked themselves relevant questions. There is no legal requirement to produce a formal equality impact assessment document, although for key decisions this might be a helpful tool".

So far, the law has not acknowledged non-binary or non-gendered individuals, but the Women & Equality Committee Report (WECR) (January 2015) recommended that the Government conduct a wholesale review of issues facing these individuals. The report also states that non-binary people are "protected under the discrimination by perception provisions of the Equality Act" and "They may also be protected by other forms of laws, such as employment legislation and hate crime and human rights laws".

This gives a clear indication of the legal requirement to protect trans, non-binary and gender questioning children and young people from discrimination. In the interests of best practice, it is recommended to take steps to be inclusive of all gender identities. For example, refer to "all genders" instead of "both genders". The process of supporting and including non-binary children and young people should be conducted according to the same principles as the process for binary-gendered trans children and young people.

2.3   Ofsted Common Inspection Framework

Under the Ofsted Common Inspection Framework (2019) inspectors will assess the extent to which the school complies with the relevant legal duties under the Equality Act 2010, including advancing equality of opportunity and taking positive steps to eliminate discrimination, victimisation and harassment. One of the ways that the effectiveness of leadership and management is evaluated is by the active promotion of equality and diversity, tackling bullying and discrimination and narrowing any gaps in achievement between groups or learners. The framework also states that schools will be judged on pupils' understanding of the protected characteristics and how equality and diversity are promoted. In "Outstanding" schools "Pupils behave with consistently high levels of respect for others. They play a highly positive role in creating a school environment in which commonalities are identified and celebrated, difference is valued and nurtured, and bullying, harassment and violence are never tolerated."

The Ofsted Inspecting Safeguarding (2018) guidance highlights that action may be needed to protect pupils from transphobic abuse and prejudice-based bullying.
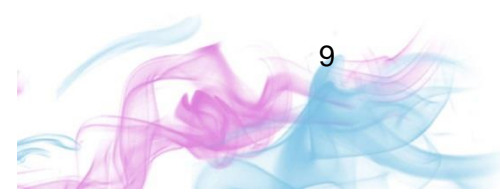
2.4   Safeguarding

All schools and education settings will be following the DfE statutory safeguarding guidance Keeping Children Safe in Education 2019. There are no provisions in child protection and safeguarding legislation specific to trans, non-binary and gender questioning children and young people apart from those measures to keep all children safe. Being trans in itself is not a safeguarding risk. There is nothing in the statutory guidance that would prohibit trans children and young people from using the toilets or changing rooms that reflect their gender identity, or in which they feel most comfortable.

The guidance highlights how emotional abuse is a safeguarding issue and "may involve serious bullying (including cyberbullying)". The higher prevalence of bullying which is likely to be experienced by trans and gender questioning children and young people, discussed in section 3 below, means that tackling transphobic bullying should be a high priority for all schools and education settings. Learning about gender identity as part of providing a broad and balanced curriculum to promote respect and inclusion of all will enable meeting this duty.

2.5   Confidentiality, Information Sharing and GDPR

All people, including children and young people, have a right to privacy. This includes the right to keep private one's gender identity at school/college. Information about a child/young person's transgender status, legal name, or sex assigned at birth may also constitute confidential information. A child or young person being trans or questioning their gender identity does not constitute a safeguarding concern or something where the child's parents or carers have to be informed. Children and young people should be supported to communicate openly with their parents and carers whilst not pressing them to do so. Schools and education settings may need to refer to Gillick competency and Fraser guidelines to support them with decision making about children/young people's competence to make decisions for themselves. See further information in section 3.3 below.

Staff should not disclose information that may reveal a child or young person's trans status to others, including parents/carers and other members of the school community, unless legally required to do so or if the child or young person has agreed for the information to be shared. There may be circumstances where sharing information between professionals is appropriate. For example, where there is a clear welfare/support need to do so and through consultation with the child/young person and/or parent/carer as appropriate.

Staff should not discuss trans or gender questioning children/young people outside of school with friends or family members, even when making no particular reference to their name or personal details. The trans community is such a small one that even a casual reference to a child/young person may compromise confidentiality.

When a child/young person initially discloses their trans status, it is important to talk to them about confidentiality and who, if anyone, they would like information to be shared with. Trans

and gender questioning children/young people have the right to discuss and express their gender identity openly and to decide when, with whom, and how much information to share. When contacting the family, respecting a trans child/young person's confidentiality may therefore require staff to use their legal name and the pronoun corresponding to their sex assigned at birth unless the child/young person or their parent/carer has specified otherwise. It is important to consider school and college photos and websites to ensure that these images do not reveal any confidential information. If images and names are not protected, they may be used later in the trans person's life to 'out' them as trans. Ensure that the child/young person, parents and carers are aware of these risks and consent accordingly. Under General Data Project Regulations (GDPR) individuals also have the right to have personal data removed. Please see below.

General Data Protection Regulations and Gender Identity

Schools and education settings are required to comply with General Data Protection Regulations (GDPR) in respect of all children and young people (data subjects) and personally identifiable information relating to individuals. They will be aware of the regulations in relation to processing and sharing of personal data. Such data includes any information that can identify a person or their family and this sort of data remains "personal" even if an individual chooses to publicise it.

Under GDPR Article 9, 'special category data' relates to more sensitive topics which may pose a risk to people's privacy and which can only be processed under certain conditions. This guide from the UK Information Commissioner's Officer (ICO) provides further information. Although regulations don't specifically mention trans, they cover gender as special category data, thus information relating to a child/young person's trans status is of a sensitive nature and may be treated as 'special category data'. This does not prevent processing or sharing; rather it requires particular diligence to security and privacy when doing so. Such data should not be processed when there is no need to do so, but may be essential to safeguarding, for example, and should be managed accordingly. Please refer to the ICO guidance above for to ensure compliance with these regulations. This section of the ICO guidelines provides information about the right to removal of information.

2.6   Spiritual, Moral, Social, Cultural Development (SMSC) and British Values

Schools and education settings can create an environment that is inclusive of everyone through Spiritual, Moral, Social, Cultural Development (SMSC) and British Values. Creating school/college values based on the four British Values helps to develop a culture that explicitly celebrates differences, treating everyone equally and respecting individuals.

Look at the rule of law by studying the Equality Act 2010 and all nine protected characteristics. This can link into wider campaigns such as Anti-Bullying Week in November, LGBT history month in February and Transgender Day of Visibility on 31st March. When working on mutual respect and tolerance of those with different faiths and beliefs, tie in role models with multiple identities such as trans people of faith. This link from the Proud Trust is helpful

3. Experience of trans, non-binary and gender questioning children and young people

3.1   Being trans

The Gender Identity Research & Education Society (GIRES) estimates that about 1% of the British population are gender non-conforming to some degree. GIRES

Not all children who question their gender identity will grow up to identify as trans. Specialist NHS provision in England is delivered through the Tavistock and Portman Gender Identity Development Service (GIDS) who see a wide range of children and young people who require support with their gender identity. In the Metro Youth Chances Report 2016 over half of trans respondents (58%) knew they were trans by the age of 13. This shows the importance of primary schools, as well as secondary schools, listening to and supporting trans and gender questioning children and young people.

Recent research on the mental health of children and young people, including incidence of self-harm and suicide, provides a consistent picture of risk factors.

Public Health England (2016) research into children and young people's mental health, identified risk factors within schools that impact on mental health such as bullying, discrimination, breakdown of positive friendships, peer pressure and poor pupil to teacher relationships. Trans children and young people are more likely to experience these risk factors as a result of unsupportive social contexts and responses that they encounter due to prejudice and lack of understanding.

University of Manchester (2017) research was carried out to find common themes in the lives of young people (922 under 25's) who die by suicide. They found that 6% of those under 20 were reported to be LGBT and for a quarter of this group there was evidence of bullying. Most had previously self-harmed. One of the specific actions identified by this report was the need for mental health support for LGBT young people.

Just over 9 in 10 LGBTQ young people report learning nothing about trans issues at school. Nearly half of LGBTQ young people say their time at school was affected by discrimination or fear of discrimination Metro Youth Chances 2016

There is evidence that these risk factors are experienced by trans and gender questioning children and young people. More than four in five trans young people (84%) have deliberately harmed themselves at some point and more than two in five (45%) have at some point attempted to take their own life and nine in ten (92%) have thought about taking their own life. Stonewall School Report 2017

As the Government LGBT Action Plan states "All LGBT people should feel welcomed and safe at school, college and university so that they can reach their full potential. And existing evidence suggests that homophobic, biphobic and transphobic bullying can have a disproportionate impact on LGBT young people".

The Public Health England (2016) report also identified a number of protective factors, within schools, in relation to children and young people's mental health including:

- positive school climate that enhances belonging and connectedness.
- clear policies on behaviour and bullying.
- open door policy for children to raise problems.
- whole-school approach to promoting good mental health.

This highlights the crucial role that schools and education settings can have in mitigating the risk factors likely to be experienced by trans and gender questioning children and young people. It is vital that schools and education settings don't present negative outcomes as expected futures to children and families. Staff should work to mitigate risk, safeguard children and families and support the development of positive outcomes.

> **"Schools need to be able to support their pupils. I get called a f****** faggot when I'm with my girlfriend in public, my parents don't accept me at home, so school needs to be a safe place. Having a toolkit will literally save lives."** *Ash 17*

3.2 Transitioning

Many trans children and young people go through a process called transitioning; changing how they express their gender identity, including the way they look to align with their gender identity. It can involve changing characteristics, appearance, names and pronouns. It may include medical treatment, such as hormone therapy, or (for adults) surgery. Definitions and
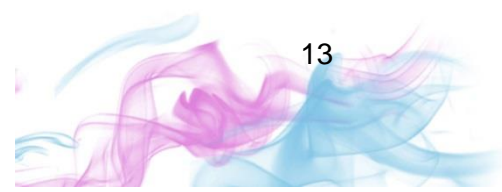
terms are very personal and individual; people who have transitioned may or may not necessarily identify their gender as trans. They may see their gender identity as a man or a woman or have different preferences and words to describe themselves. It is therefore important not to make any assumptions but to respond to what children and young people are telling us.

Social transition

Some trans children and young people may socially transition independent of support from the Gender Identity Development Service and/or the Child and Adolescent Mental Health Services (CAMHS). These young people, however, greatly benefit from the support and guidance of other professionals, youth groups, and family members in their lives.

A child or young person may socially transition in some spaces and not in others; it may be about how they express themselves e.g. what they wear or their hair-style, and it may be gradual and changing.

A child or young person may want to change the pronoun they use (he/him/his or she/her/hers, or use gender neutral pronouns such as they/them/theirs or zi/ze/zirs), their name or the way they dress, to align more closely with their gender identity. They may choose to tell certain people about their new name, or ask them to try pronouns before deciding on one that they feel suits them best. Schools and education settings have a responsibility to respond to the child/young person as they identify and to change the use of name and school responses without the need for formal documents, or permission of parents/carers if the child or young person is considered competent to make these decisions in their own right. Gillick competency and Fraser guidelines were developed within the NHS to help people who work with children to balance the need to listen to children's wishes with the responsibility to keep them safe. They are now more widely used to help assess whether a child has the maturity to make their own decision and to understand the implications of those decisions. This will be relative to the impact of the decision; for example, adopting a name and/or pronoun to support a child/young person in exploring their identity and being themselves would have different considerations to the impact of medical interventions/advice. Schools and education settings may wish to refer to these if needed.

A young person is able to legally change their name via deed poll before the age of 16 if everyone with parental responsibility for the child agrees to the name change. After 16, the young person can change their name by deed poll without parent/carer consent. Once over the age of 18 a young person may apply for a Gender Recognition Certificate (GRC). The decision on whether to grant a GRC is made by the Gender Recognition Panel (GRP). From the date the GRC is issued, a person is able to change the sex on their birth certificate. Following the issue of a GRC, a person can obtain a new birth certificate. This is a complex area and the process is not straightforward. As a result, most trans people never apply for a GRC. Changes to documents can be made without a GRC and the Equality Act 2010 recognises someone in their affirmed gender as soon as they identify. For further information see Gendered Intelligence Information on changing documents.

✓ **Remember:**

Schools should not assume that children are trans merely because they might not conform to specific gender stereotypes. Some children may struggle to find the words to express what they are feeling, so taking time and being patient in observing and listening to a child is really important. It can also be useful to have a range of tools and resources to help children and young people communicate their feelings.

Medical transition: The Gender Identity Development Service (GIDS)

The NHS Tavistock and Portman Clinic's Gender Identity Development Service (GIDS) is a highly specialised clinic providing support for children and young people in relation to their gender identity. This is the only gender identity service in the country for children and adolescents, with a clinic in London and satellite clinics in Leeds and Exeter with additional satellite clinics opening soon. Children and young people are referred to the GIDS for assessment, consultation, support (including psychological support) and medical treatment where appropriate. This may involve a clinical diagnosis of gender dysphoria (see **Appendix A**). Further details of the support GIDS offer, including medical interventions such as hormone treatment, can be found here.

Referrals to GIDS increased from 697 in 2014 to 2,590 in 2018/19. You can find the most recent statistics about referrals here. The GIDS state "There is no single explanation for the increase in referral figures, but we do know in recent years that there has been significant progress towards the acceptance and recognition of transgender and gender diverse people in our society. There is also greater public knowledge about specialist gender clinics and the pathways into them, and an increased awareness of the possibilities around physical treatments for younger adolescents".

GPs can refer young people to the GIDS, although the majority of referrals are made through CAMHS. Other professionals such as teachers, school nurses, social workers and youth workers are also able to make referrals. GIDS provide further information about how to make a referral and the information that is needed for GIDS to assess and process referrals appropriately. The GIDS website has useful information about the services and support they offer www.gids.nhs.uk.

Once referred to the NHS GIDS, there will be a lengthy wait before the initial assessment. As of May 2019, the waiting time for a child/young person's first appointment was 22 - 24 months. These figures are updated on a quarterly basis and information can be found here. GIDS do, however, often offer opportunities for professionals and families to chat informally to workers and also sometimes have opportunities for children, young people and their families to attend social groups in the interim. This waiting can have serious implications for the mental health and well-being of trans and gender questioning children and young people. As cited earlier, research indicates that trans and gender questioning children may already experience risk factors that will impact on their mental health. Evidence from the Stonewall School Report indicated that 45% of trans young people had attempted suicide. It

is therefore important that action is taken to mitigate these risk factors and this may involve referral to local agencies. Schools and education settings can play a crucial role in providing a supportive environment to help mitigate this risk. It can be appropriate to make an early referral to GIDS so a young person is progressing through the process, however schools and education settings can support the child/young person with social transition without waiting. Should a young person not need the support the referral can be cancelled.

☑ **Remember:**

Schools should note down absences for appointments with GIDS as medical appointments, not as sickness or unauthorised.

The GIDS is commissioned to support children up until their 18th birthday but some local areas may provide support for young people aged 16/17 through their regional adult gender identity clinic Find local gender identity clinic. GIDS recommend that contact should be made with adult services to enquire about policies and waiting times to determine the most appropriate service to refer to.

4. Whole school approach

The audit tool in **Appendix D** will support schools and education settings to plan and deliver a whole school approach.

4.1   Ethos and curriculum

From the moment that children, young people and their parents and carers enter the school or education setting, it needs to be clear that this is a place where difference is celebrated and everyone is welcome. This approach is underpinned by the legal framework provided by the Equality Act 2010 which references gender reassignment as a protected characteristic alongside all other protected characteristics. The Equality Act 2010 therefore provides a legal framework to support whole school approaches. There is no hierarchy in terms of protected characteristics and they should be respected equally. Our support for the Equality Act 2010 is one way in which we can celebrate British Values.

Trans identities and awareness should be taught within a curriculum where all protected characteristics are celebrated. If they are taught as one-off lessons the school/education setting runs the risk of isolating trans identities from equality as a whole. This should be a thread running through the whole curriculum and evident in school assemblies, lesson

plans, pupil-led campaigns, and in the wider community. Alongside this work schools and education settings can use LGBT History Month, Trans Day of Remembrance (20th November) and International Trans Day of Visibility (31st March) as opportunities for further work.

> **"I tried to get me class to talk about it in tutor time and other students said 'not everyone here is trans, we don't want to talk about that' and the teacher just let it happen."** *Sam 13*

This approach is consistent with government guidance in relation to the introduction of statutory relationships education (primary) and relationships and sex education (secondary) in September 2020. The guidance states: "Schools should ensure that all of their teaching is sensitive and age appropriate in approach and content. At the point at which schools consider it appropriate to teach their pupils about LGBT, they should ensure that this content is fully integrated into their programmes of study for this area of the curriculum rather than delivered as a standalone unit or lesson. Schools are free to determine how they do this, and we expect all pupils to have been taught LGBT content at a timely point as part of this area of the curriculum". The appropriate age to discuss the existence of trans and LGB people is the same time it is appropriate to talk about the existence of heterosexual relationships and the existence of boys and girls.

It is important for schools and education settings to engage with parents/carers around all of their equalities work and the delivery of relationships education. The government guidance states "Parents should be given every opportunity to understand the purpose and content of Relationships Education and RSE. Good communication and opportunities for parents to understand and ask questions about the school's approach help increase confidence in the curriculum".

Where parents/carers have concerns about different faith or belief contradicting the school or education settings equality ethos, remind them about the Equality Act 2010 which protects those beliefs and at the same time recognises people are all different and can get along together. No faith condones bullying or harassment. Through its teaching on equalities, the school is preparing children/young people for life in modern Britain where they are going to meet and work alongside people who are different from them. It is acceptable for people to have different beliefs; they can disagree on some points and still have respect for each other. All major faiths have LGBT inclusive groups/communities and these can be an excellent resource for professionals, children, young people and families.

Just like any other curricular area, Governors should be informed and confident so they can support any materials and lesson plans the school/setting is proposing to use in advance of parents being informed about curriculum and lessons being delivered. In secondary settings the parents and carers may require less information on activities and more on the school values.

Further information on curriculum resources can be found in **Appendix C.**

4.2 Celebrating difference and challenging gender stereotypes in Early Years and beyond

The statutory Early Years Foundation Stage Framework enshrines the importance of children developing a positive sense of themselves as part of personal, social and emotional development. This is particularly relevant to validate the experience of trans and gender questioning children and young people. Schools and education settings should promote and develop with all children an understanding of 'self' and who they are in relation to other people. They should support pupil voice, choice and advocacy around celebrating their unique identity.

Gender stereotyping can limit the life chances and choices of everyone. It is important to consider how gender stereotyping shapes the learning and play environment. Children who do not conform to gender stereotypes can feel that 'being different' is a bad thing and in these environments may feel that they are doing something wrong.

It is important to develop an inclusive environment for learning and play in early years and continue with older children and young people.

Ensure that you have a wealth of resources, images and books that challenge gender stereotypes and celebrate a range of gender expression. Invite visitors into your setting to provide a range of positive role models to support this work.

You can find more information and practical advice in "LGBT Diversity and Inclusion in Early Years Education" Price and Tayler (2015) Routledge.

You may also find the following links useful: https://www.stonewall.org.uk/resources/getting-started-toolkit-early-years

Stonewall Different Families, Same Love posters:
https://www.stonewall.org.uk/resources/different-families-same-love-poster

Stonewall posters to tackle gender stereotypes:
https://www.stonewall.org.uk/resources/gender-stereotypes-wont-hold-us-back-poster-set
aimed at primary schools.

https://www.stonewall.org.uk/resources/primary-school-book-list

http://the-classroom.org.uk/by-key-stage/early-years-foundation-stage/

http://www.lettoysbetoys.org.uk/

https://www.teachers.org.uk/equality/equality-matters/breaking-mould

4.3 What does transphobic bullying and language look like?

Definition of transphobic bullying

Bullying is defined by the Government in as "behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally". This guidance also states that bullying is often motivated by prejudice and specifically mentions transgender pupils. Schools and education settings may also wish to use the Anti-Bullying Alliance definition of bullying to support their anti-bullying work. "The repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face to face or online". The Anti-Bullying Alliance provide a wealth of information and resources on their website.

Transphobic bullying is the targeted abuse of an individual who is trans or questioning their gender identity, or who is perceived to be, or associated with someone perceived to be trans. It can be either direct, or indirect where behaviour or language doesn't directly involve the person but still impacts on them.

The Government Equalities Office (GEO) launched a national programme to tackle Homophobic, Biphobic and Transphobic (HBT) Bullying in schools in March 2019 with funding continuing until March 2020. The partners involved in this project are Barnardo's, Diversity Role Models, Equaliteach, National Children's Bureau, Stonewall and The Diana Award. These organisations have been funded by the GEO to reduce the incidence of HBT bullying in primary and secondary schools in England by transforming the culture of how schools prevent and respond to the issue. The PSHE Association have worked in partnership with these organisations to produce a consistent standards framework and you can download free resources to support your anti-bullying work. Work to promote an inclusive culture also requires gendered, sexist and sexual language to be challenged as part of challenging identity-based bullying as a whole. The Anti-Bullying Alliance also has useful resources to support schools with identity based bullying.

We asked trans children and young people who receive support from the youth projects at Leicester LGBT Centre for examples of the sorts of transphobic language they had experienced at school. They told us that it was not just transphobic language that they experienced, but inappropriate questions and comments. These were some of the examples they gave us:

- "When are you getting the surgery?".
- "What do you do in the bedroom?".
- "Which toilet do you use?".
- "You can't do that you are a boy/girl".
- "You were basically asking for them to call you those names by what you were wearing".
- "You shouldn't get offended so easily, it's what happens when you 'choose' this lifestyle".
- "Can I feel your boobs?".
- "You might just be gay".
- "It's just a trend. Back in our day, no one was like this…".

- "There are only 2 genders because you're either born a boy or a girl, no in-between…".
- "She, I mean he, urgh IT".

4.4   Scripts – What to say and how to say it

Tackling transphobic bullying and language

It can be helpful to provide training and develop scripts to support staff with challenging transphobic language, behaviour and bullying. Training and scripts that challenge homophobic, biphobic and sexist language, behaviour, bullying and gender stereotyping should also be provided. These impact on trans children/young people and those who are gender questioning as well as those who are lesbian, gay or bisexual. As is made clear in section 4.3 above identity based bullying as a whole needs to be addressed. The development of scripts will only be effective if they are used within a context where there is a clear policy for tackling all forms of bullying, including transphobic bullying and where everyone, from senior leaders to support staff, feels confident to understand what transphobic language and behaviour is and how to prevent and tackle it. This means that there needs to be a commitment from the Senior Leadership Team to establish a school ethos in which everyone has the right to be treated with respect.

The framework provided below could be a useful starting point and can be applied to tackling all prejudice-based language.

Key skills and tips for challenging prejudice

- Make sure you know the school/college policy and legal requirements, have something in your anti-bullying policy about transphobic language.

- Challenge all incidents, behaviour and language and be seen to be doing this.

- Be calm and constructive (responding and helping to build skills).

- If appropriate talk away from an audience although be clear with the whole group that the language/behaviour was unacceptable.

- Provide the child/young person with a chance to reflect and change their behaviour.

- Be critical of the language but not the individual so that the person can still feel ok and able to move on.

- Role model how to challenge in a non-aggressive way.

- Ask questions to explore what the child/young person means and encourage them to reflect and allow time for them to do so.

- If the language is not acceptable explain why in an age-appropriate way and make it clear what you are looking for (e.g. to use an alternative word, not to label certain behaviour, not to use that language in the future).

- Be inclusive in your language, encouraging joint responsibility and using phrases like our school, we, our community.

- Be mindful of what happens next with friendships etc. and emphasise the need for reflection, restoration and repair.

- Make sure you respond as your policy and the law dictates recording and reporting the incident as appropriate.

Explore and Explain:

Sometimes, the most effective way to respond to bullying language is by using questions to explore what the child/young person understands, and what they might mean by using that language. This conversation can also be used as the first step towards restoration and repair. Use this as an opportunity to inform the child/young person of alternative or acceptable language and to explore concepts so they may avoid using bullying language in the future.

- What do you understand by that word?

- Do you understand what transphobic means?

- I'm wondering if you understood what you were saying. Do you realise what you just said was transphobic?

- Do you understand what the law says about LGBT people? (this could involve sharing the blame to support the child to change behaviour) Maybe we didn't explain properly that……….

- How do you think ……. feels when you call them that? How would you feel if someone said that to you?

- How do you think that language will have affected the person it was directed at?

Organisational response:

Sometimes it will be appropriate to remind children/young people of the expectations and ethos of your setting and to be clear about why language is unacceptable.

- Our anti-bullying policy says that transphobic language and behaviour is not acceptable.

- Our policy says we are all responsible for making this a safe place for everybody. The language/behaviour that you used was transphobic and could make people feel unsafe, therefore it's unacceptable.

- We recognise everybody's strengths here and we don't want people to be limited by expectations that relate to gender. We try to avoid gender stereotypes.

- We treat everyone with respect here. Using a term like "tranny" is disrespectful of trans people.

When transphobic language and behaviour persists follow your policy as with dealing with any derogatory/bullying behaviour.

5. Practical implications for schools and education settings

The Equality Act 2010 applies to all schools and education settings and must be adhered to when supporting all children and young people. In terms of trans and gender questioning children and young people, schools and education settings should involve the child/young person in all decisions (bearing in mind previous reference to Gillick competency). It is important to note that individual needs will vary and there is no one-size-fits-all approach. The support given to trans and gender questioning children/young people must be consistent across the school, especially in relation to changing rooms and toilets and names and pronouns. The best interests of the child should be integral and at the core of any support the school offers.

☑ **Remember:**
*All of the below recommendations will work best when supported by a whole school approach to creating an inclusive environment. For further support on how to embed a whole school approach see section 4 and the audit tool in **Appendix D.***

5.1 Changing names and gender on management information systems (MIS), exam certificates and documents

Changing their name and confirming gender identity is a pivotal point for many trans, non-binary and gender questioning children and young people. Validating a chosen name is

important and this can be done regardless of legal evidence, verbally and in terms of "known as" or "preferred name". Schools and education settings will need to bear in mind how "out" a child/young person is; for example, where parents/carers are not aware of a young person's identity, disclosure of this information may put a child/young person at risk and cause further safeguarding concerns. Precautions that can be taken to prevent such a situation include double-checking letters home for correct names, following proper GDPR and confidentiality procedures, and limiting the number of staff with whom information is shared. If a child/young person wants their name changed on the school system and they are deemed capable of making that decision, this should be respected. This link, from Neves Solicitors, provides information for parents and carers. If a trans, non-binary or gender questioning child/young person wants to have their personal data recognised on school systems, this needs to be respected and accommodated by the whole school.

> **"Having my name changed on the register helped me a lot because it meant that the students and teachers were less likely to call me by my previous name. That made me a lot happier to be in school."**
>
> *Jack 17*

Gender

This can be legally recorded (e.g. in MIS/Census) as **however the child or young person prefers or identifies**.

Section 5.2.9 of the Department for Education's school census 2018 to 2019 guide indicates that the gender of a pupil is recorded in the format of male or female. However, **"In exceptional circumstances, a school may be unsure as to which gender should be recorded for a particular pupil. Where this occurs, gender is recorded according to the wishes of the pupil and/or parent."**

Queries from schools to the DfE about recording information on children or young people who have transitioned or are in the process of transitioning, have resulted in the advice that the above guidance does apply in such situations. So advice from the DfE is now to record children and young people's gender in accordance with how they identify on all data management systems. This system of recording is problematic for non-binary or agendered (see **Appendix A**) young people – so conversations around this should be held in a sensitive manner, recognising the internalised difficulties the system may cause.

It remains open for the school or education setting to amend the gender of any child/young person, within their own management information systems, at any time, and the Department for Education does not specify that this indicator must remain static within any technical requirements.

Name changes in school/education setting

A child or young person can immediately be known by their chosen name by use of the Preferred Name field in the MIS, no documentation is required to do this.

Name changes in systems and examinations

To make changes to the child or young person's Legal Name field, evidence is required. The issuers of documents of 'value' (such as passports, driving licences, degree/exam certificates) have a duty to prevent fraud and typically ask for evidence of name change as part of that duty.

This evidence is generally a deed poll. To do this a child/young person will need parent/carer support, as consent from all those with parental responsibility is required to change the name of someone under 16. Where there is an absent parent or lack of parental support this will hinder the process and further support may be needed.

Where someone is not in a position to provide evidence such as a deed poll, Gendered Intelligence would argue that it is reasonable to accept other evidence. In terms of fraud prevention, that could be a letter from a school or other institution in a young person's life that knows the young person well and can vouch that the name is theirs. Doctors may also be willing to provide help in these situations.

Young people can be entered under any name with an exam board and it is possible for exam certificates to be issued in the preferred name.

However, once an exam result is accredited it will be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which existed in the school census information submitted in January of the exam year. **UPNs and ULNs are only linked with legal names** (Legal Name refers to the name in which a pupil or student arrives in education for the first time; this is often the name on their birth certificate), **not preferred names**. Schools need to be aware that the DfE analysis of school performance may still present the young person in the gender registered by their UPN.

Schools and colleges should ensure a strategy is agreed with the young person and their parents/carers, then agreed with the various exam boards prior to starting accredited courses, as some exams may be sat in Year 10 and the length of time the process of re-registering may take has to be considered. Exam boards may be experienced in working with trans children and young people and be able to guide the school or college through the process. It is possible to change names on exam certificates but there may be a charge for this.

Changing names on documents

It is possible for most documents to be changed to reflect the chosen name or gender identity of the young person. For example, a passport can be amended simply with a note from a doctor and without the arduous process of obtaining a GRC. Changing details on a birth certificate is not possible until a Gender Recognition Certificate has been issued, which cannot happen until a pupil is over 18 years old. In order to change a name on other official documents it might be necessary to provide evidence via deed poll, government advice is

published here. It's worth noting that no-one can ever be asked legally to show a GRC it is just to enable the change of sex marker on the birth certificate.

This is a complex area and schools and education settings can get further support from organisations, such as Gendered Intelligence.

Recommendations:

- When sending data about the child/young person to third parties always ensure you are sending the correct information.

- Ensure that the correct name is used on exam certificates **before** being sent to young people. When this isn't manageable the school will need to talk things through with the young person and develop an action plan to help redress any issues or concerns.

- Engage with the child/young person as well as their parents/carers to agree a strategy for presenting the correct information to the examination boards. It's important this process doesn't pressurise young people to come out before they are ready.

- The examination officer should contact the relevant exam board to discuss their processes.

5.2   Toilets

Children and young people are supported through the Equality Act 2010 to access the toilet that corresponds to their gender identity; so trans girls because they are girls, can use the girls' toilets and trans boys the boys' toilets. Single gender toilets can cause issues for children or young people who do not identify with a gender binary such as boy/girl.

Any child or young person who has a need or desire for increased privacy, regardless of the underlying reason (disability, trans, non-binary, faith) should be provided access to a single stall toilet, but no child/young person should be required to use such a toilet. Access to toilets that are viewed by children and young people as safe spaces are crucial for all children.

Ideally, therefore, and where funding and space allows; schools and education settings should provide a mixture of access to toilets that includes:

- single gender toilets

- blocks of floor to ceiling cubicle toilets that can be used by all, with sanitary bins in each cubicle ('toilets for everyone')

- accessible single toilets

- Schools and education settings will want to discuss with trans and gender questioning children and young people, and if appropriate their families, which toilet provision they would feel safest using and support them in doing so. This may change over time so provision will need to be reviewed.

- Schools and education settings, as part of ongoing work to ensure safe learning environments, will also be carrying out a range of activities that ensure respectful behaviour by all children and young people in all areas of the building, including toilets and changing rooms.

"At my school the whole site has gender neutral toilets. It is great because I don't have to choose a toilet based on gender and I don't feel different to anyone else." *Alex 14*

5.3   Changing Rooms

The use of changing rooms by trans children and young people should be assessed on a case- by-case basis in discussion with the trans child or young person. The goal should be to maximise social integration and promote an equal opportunity to participate in physical education classes and sports, ensuring safety and comfort, and minimising stigmatisation. In all cases, trans children and young people should have access to the changing room that corresponds to their gender identity.

Any child or young person who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area or with a separate time to change. Any alternative arrangement should be provided in a way that protects the child or young person's ability to keep their trans, or other status, confidential. (For further information on confidentiality and information sharing see section 2.5)

Many cisgender (see **Appendix A**) children and young people can also feel uncomfortable when changing and it is important to ensure that these are safe environments for all by challenging underlying attitudes and bullying behaviours.

5.4   PE and Fitness

Schools should aim to reduce as far as possible segregating children and young people by gender. Trans children and young people should be supported to equally access PE and where lessons are segregated by gender should be enabled to participate in the lesson which corresponds to their gender identity if this is what they request.

Where children and young people are separated by gender, PE teachers will take into account the range of size, build and ability of individuals in the lesson and differentiate accordingly to keep all children safe. In relation to competitive sport, different sporting bodies have policies and guidance that can be referred to.

> **"The school allowing me to use the female changing rooms makes me happy and feel accepted. I feel I have a place in school and a sense that I do belong."** *Chloe 14*

Trans children and young people should be permitted to participate in competitions and sports days in a manner consistent with their gender identity if they wish to do so. It is unlikely that pre-puberty there would be any issues with a trans child competing and representing the school. In the case of competitive secondary school sports, schools may need to seek advice from the relevant sporting body. For example:

The *FA Guide to Including Trans People in Football* developed with Gendered Intelligence can be found on the Gendered Intelligence website.

The handling of changing facilities at an 'away game' would also have to be sensitively managed.

In relation to activities such as swimming, the trans child/young person may want to wear swimwear that differs from their peers. It is important to assess this on a case by case basis as it will be different for every trans child/young person. It would be advisable to discuss with staff prior to the lessons that a child will be wearing different swimwear.

5.5   Residential Trips

Discussion should be had with the trans child/young person, and parents and carers of the child if appropriate, prior to residentials. This will ensure the necessary care and preparation is in place to enable trans children and young people to participate in residential trips.

As far as possible, trans children and young people should be able to sleep in dorms appropriate to their gender identity. Some trans children and young people may not feel comfortable doing this and in such cases alternative sleeping and living arrangements should be made.

The degree of participation in physical activities that a trans child/young person feels comfortable with should be discussed prior to any residential trip with them and if appropriate their parents/carers. Where a trans child/young person feels that they do not want to or cannot participate, alternative arrangements should be made to allow them to participate in a more appropriate activity. Risk assessments can be carried our prior to residential trips in order to make reasonable adjustments which would enable the participation of trans children and young people.

Prior to residentials, schools and education settings will want to make clear their expectations of children and young people about how they support, treat and make welcome all other children and young people on the trip.

When planning overseas trips, schools should consider and investigate the laws regarding trans communities in countries considered for school visits. The International LGBTI Association (known as ILGA) have information on their website about countries that pose a risk to trans individuals.

Trans children/young people may choose to use different kinds of underwear such as binders or gaffs, and transition aids such as packers or breast forms, which may need extra consideration or support in terms of hygiene, privacy and safety (see **Appendix A** for definitions). Children and young people should be encouraged to avoid constricting bandages or inflexible tape that may be injurious to their health, and to access advice from responsible sources, for example at [Gendered Intelligence](#) or [Healthline](#). Professionals should be aware that trans children/young people's choice to use binders or tucking is not a safeguarding risk when applied responsibly and consensually; and is not associated with other abusive forms of breast and genital binding that occur in other contexts.

> **"If I was going away on a residential I would want to have my own quarters to feel comfortable. I would only want to share with people I knew really well and that I felt truly comfortable around."** *Bobbie 16*

> **"It's not just about the actual room – when they put you in with the girls it affects the way people talk to you on the whole trip because they're seeing you as a girl."** *Tyler 15*

5.6 Uniform (including PE kit)

Uniforms in schools should be gender neutral. Usually this is presented as a generic list of acceptable uniform not separated by gender.

If a gender-neutral uniform is not yet in place, children and young people should be able to dress in the uniform they feel most comfortable in. This will empower them as it allows the outward expression of their identity.

> **"More recently my school has been more supportive, as they offered to buy me a female uniform but it kinda sucks that they weren't more supportive at first and it took them a year or two to get used to me and my ideas and my gender."**
> *Jane 16*

5.7   Moving or changing schools/settings

Schools and education settings should support each other to develop best practice in their inclusion of trans and gender questioning children and young people. All schools should be actively considering how and if they are meeting the needs of a transitioning child. When children or young people move class or year group, this will provide an opportunity to review key support and to consult and involve the child/young person in how changes are managed.

Likewise, when a trans child/young person moves to a new school e.g. primary to secondary, the two schools should follow the best interests of the trans child, as part of their duty of care and work together to ensure the needs and wants of the trans child are met, bearing in mind the need to respect confidentiality about sharing of information. It must be noted that not all trans children and young people will have chosen to share the fact they are trans with the school. The notion of managing "trans children" separately is therefore unrealistic and schools and education settings should be aiming to create an environment where every child and young person is respected and feels safe to be themselves.

5.8   Single-sex schools

This guidance is applicable to single-sex schools and education settings, however there may need to be greater emphasis on ensuring the safety and inclusion of trans children/young people. Children and young people who transition to a different gender from that of the school they are in (e.g. a trans girl at a boys' school) must be allowed to remain at that school if they wish to. There needs to be discussion including the child/young person, of the correct terminology to use, as well as how that aligns with the culture of the school. Care should be taken to avoid misgendering the child/young person (i.e. using gender-neutral terms to discuss groups of children). There may be implications regarding the provision of appropriate uniforms, both for day-to-day wear and for PE and dance – children or young people must not be forced to present as a gender they do not identify with.

6. Supporting individual trans, non-binary and gender questioning children and young people

6.1   Listen, respect and identify needs

As recommended by the GIDS, the best way to support trans children and young people is to listen without judgement and put their needs at the core of your response. Every child and young person's experience will be unique; the support offered should meet the needs of the child whilst keeping options open and allowing the individual to explore and change as works

for them. With all children and young people promote an understanding of 'self' and who they are in relation to other people. Support pupil voice, choice and advocacy around celebrating their unique identity.

Reassure the child or young person that their feelings are ok and crucially that there are other people who feel the same way. Remind others of the importance of the child/young person feeling listened to and accepted. This is more important than fear of saying the wrong thing.

Provide the child/young person and their family with a key person to whom they can go to for support and to manage any concerns. As has already been stated, schools and education settings have a crucial role in mitigating risk so ensure that trans children and young people are referred to other agencies for support where appropriate. One crucial area of support is

the provision of safe spaces where trans and gender questioning children and young people can feel accepted and safe to be themselves. LGBT community youth support groups and support groups within schools and education settings can fulfil a vital role in mitigating risk for children and young people.

Schools and education settings may find it helpful to have a clear written support plan that is shaped by consulting and involving the child/young person and their parents and carers as appropriate. There is a wealth of advice and information threaded throughout this toolkit that will help shape the content of this plan.

6.2   Responding to a young person "coming out"

It's really important that you recognise the significance of this conversation. Your initial verbal and non-verbal response (e.g. body language, tone of voice and facial expression) is likely to have a lasting impact on the individual.

This disclosure may be a big step for the young person and you should feel trusted and valued that they have chosen to speak to you. Acknowledge what they say positively and thank them for feeling that they can talk to you. You may not feel confident or experienced but the important thing is that you are empathic, sensitive and respect what the child/young person is sharing. Ask the young person if they need support or if they just wanted to share. Don't make assumptions and be led by the language of the young person. Ask them what terms and definitions they use.

If the young person wants to transition socially, let them know that the school/education setting will collaborate with them to make a plan, involving parents and carers as appropriate. It is best if parents/carers can be involved but, where this is not something the child/young person is happy with, they have the right for this information to be kept confidential. The prime concern will be to ensure that disclosing information does not pose a risk to the child. For further information on confidentiality and information sharing, please see section 2.5. It's important to be led by the young person and don't overwhelm them with questions. You may find the coming out guide in this guidance helpful Stonewall An

. This link includes general trans-specific support from Stonewall.

Responding to younger children

Children may begin to realise at a young age that their gender is not the same as, or does not sit comfortably with the sex they were assigned at birth. It is important to listen to the child, be supportive and be guided by them. If you create an environment that celebrates diversity and avoids promoting rigid gender stereotypes, **all** children will feel able to express their true identity. The most important thing is for the child to feel accepted for who they are.

6.3   What name and pronoun should I use?

Ask the child/young person which name and pronoun they would prefer and respect their wishes. Be aware that this might change over time, so keep checking back and ensure opportunities to talk to a trusted person are maintained. The name and pronoun that the young person uses may vary in different situations e.g. if they are only 'out' to specific people. Again, check with the young person and respect their wishes. Staff should make sure they use the correct name or pronoun, even when the child/young person is not in the room. Support colleagues by correcting them when they use old names and pronouns. This is the best way to practise validating the child/young person's identity and reducing deadnaming (see below) or misgendering (referring to someone as the incorrect gender)

Deadnaming

For many, though not all, people who are trans, undergoing a name change can be an affirming step in the transition process. It can help a person who is trans and the people in their lives begin to see them as the gender they know themselves to be. It can also alleviate discomfort that may be associated with their old name.

Deadnaming involves calling someone by their birth name after they have changed their name. This may be unintentional or deliberate.

When this happens to a trans child/young person who has changed their name, this can feel invalidating. It may cause them to feel that you don't respect their identity or that you don't support their transition. It can also have the effect of "outing" them, as it may make other people aware that they are trans and this may be something that they have chosen to keep confidential.

Mistakes in terms of deadnaming a child or young person may occur. The important thing is to recognise the potential impact, apologise and take steps to ensure that there isn't a re-occurrence. Where staff become aware that another adult or child is deliberately deadnaming (or misgendering) a child/young person then it is crucial that appropriate action is taken. This constitutes discrimination under the Equality Act 2010 and schools and education settings should follow their procedures for addressing this. Where this involves a

member of staff this may identify a training need or could include considering whether to contact the Local Authority Designated Officer as this constitutes harmful behaviour, of an employed adult in your school/education setting, towards a child.

6.4   Supporting parents, carers and siblings

Two aspects to supporting parents, carers and siblings are outlined in this section and section 6.5 below.

Supporting the families of trans, non-binary and gender questioning children and young people

Some trans or gender questioning children/young people will have already spoken with their parents/carers about their feelings before anyone in school is made aware of their gender identity. However, sometimes the child/young person may disclose to a member of staff prior to speaking with family members. Schools therefore, should be prepared to respond appropriately to a wide variety of situations. Some parents/carers of a child/young person who identifies as trans or gender questioning are supportive of their child's gender identity and their desire to explore it. They may have read widely on the subject and feel confident in advocating for their child. Others may still be developing their own understanding, may have differing views as individuals and may be experiencing feelings of grief and loss.

They may need signposting to sources of support and advice both nationally and locally. Do not make assumptions about the extent of parent/carers knowledge or understanding. They may look to staff to offer guidance about what support is available.

All discussions with parents/carers should be carried out with the child/young person's knowledge and consent (bearing in mind Gillick competency). When working with families, schools and education settings need to bear in mind that they are representing the interests of the child/young person. Their needs should be central with a view to supporting them during any proposed transition.

It is worth noting that parents and carers own needs can be overlooked and offering them support can lead to a transformation in the child/young person's experience. They often have to learn whilst in shock and may find it hard to find access to the right support. They can make mistakes and be unwittingly unkind and can also experience grief for the child they feel they have lost and the future they imagined for them. They may also fear community reactions.

Whilst every effort should be made to work in partnership with the child/young person's family, staff should listen to and respond to the views of the child/young person and advocate on their behalf. The child/young person has a right to confidentiality and being trans is not in itself a safeguarding issue, but the responses that a child or young person receives may lead to safeguarding concerns.

Supporting siblings

Other members of the family such as siblings may need some support especially if they attend the same school. They may find the situation difficult themselves and have not accepted their sibling's new gender identity. Even if they are supportive to their sibling, they may also encounter transphobia and transphobic bullying as a result of having a trans family member. Parents may be distracted and be giving more attention to a trans or gender questioning child which can lead to issues for siblings. They should be given opportunities to discuss their own feelings. Follow up support may be needed.

If the child or young person is not supportive of their sibling they will need some mentoring support to help them understand their sibling's and their own feelings. Support may be needed over an extended period.

There are a number of support groups and websites which can offer support to families both nationally and locally which are listed in **Appendix E**.

As every family is different, each individual will have their own personal experiences. In a single setting there will be very different scenarios and responses from families. Below are some examples of scenarios and how staff in education settings might help and support the individuals concerned. They are by no means exhaustive. Sometimes staff may encounter attitudes and beliefs which they find personally challenging or disagreeable. It is important to stay focused on the needs of the child/young person at all times without being judgemental or confrontational.

Scenario 1: Both parents/carers supportive

Sam was in year 6 at a Catholic Primary school. Her parents weren't surprised when she wanted to make her social transition at primary school prior to her move to high school. The parents requested a meeting with school to discuss Sam's social transition in the following term. Although they were both fully supportive, both parents were anxious at the initial meeting.

Sam had a twin brother and there was some conflict in the relationship between these siblings; there was also an older brother already attending the high school.

Good practice that emerged from this case included:

- Remembering that the parents/carers may still have lots of questions and concerns and that they may be experiencing a range of emotions themselves.

- Appreciating that the family may be having to deal with the reactions of the wider family who may be less supportive/understanding.

- Providing support to siblings.

- Giving regular time to discuss and review the needs of the young person, recognising that transition is a process (a journey not a destination).

- Working in close partnership with parents and key professionals to ensure that the child's voice is heard and responded to.

- Working in partnership with the church to ensure and establish support. This could include showing visibility of LGBT Catholics and inclusive statements from the church in order to enable the young person to keep both their gender identity and faith if both are important to them.

- Signposting to parent support groups and other sources of advice and information.

- Offering reassurance that the school will be fully supportive of the child.

- Being trans inclusive by ensuring procedures and policies are in place and curriculum plans are embedded.

Scenario 2: Parent/carer is not supportive or perceived not to be supportive

Fran has told school that they identify as non-binary and wish this to be recognised. Fran has told school that they have tried to talk to their parents about their feelings but have received a negative response.

The school has gained Fran's consent to talk to Fran's parents on their behalf. It is very clear from initial discussions that neither parent is comfortable with having the discussion and they are resistant to meeting to discuss their child's needs and support within school.

Good practice that emerged from this case included:

- Providing a trusted individual for the young person to go to when they need to talk.

- Accessing advice and support from more experienced professionals, including organisations which specialise in gender identity so that the key worker could engage more confidently in dialogue with the parents.

- Continuing to hold a dialogue with parents which focused on the well-being and safeguarding of their child.

- Signposting the child and parents to organisations/sources of information so that they could access this as and when they were ready to do so.

- Reassuring the young person that they would be fully supported by the school and that the school would continue to work with parents and relevant agencies to ensure the young person's voice was heard and they responded to it.

- Ensuring the safety of the young person before talking to parents and carers.

- Referring to guidelines provided in Keeping Children Safe in Education 2019. And assessing whether a safeguarding referral needs to be made at any stage.

Scenario 3: One parent supportive and the other not

Lou has advised their mum that he identifies as male and wishes to be treated as such both in and out of school. Mum is reasonably supportive but both Lou and mum are agreed that dad (who does not live in the family home) will not be supportive in any way. Lou is very

concerned about dad's reaction and insists that he must not be told at any stage. This is clearly having an impact on Lou's sense of safety and well-being.

Good practice that emerged from this case included:

- Giving the young person time and space to discuss their feelings with a key worker.

- Maintaining a dialogue with their mum to ensure that Lou was being supported by at least one significant adult.

- Ensuring that school practices and procedures observed Lou's wishes and that all correspondence with their dad does not breach Lou's confidentiality.

- Continuing to support Lou to consider what support is needed to speak to their dad and also to consider how to manage the situation should their dad become aware of the situation.

- Signposting the young person to youth support groups locally.

- Referring to guidelines provided in Keeping Children Safe in Education 2019 and assessing whether a safeguarding referral needs to be made at any stage.

6.5   Engaging and educating the wider school community

All schools and education settings have the responsibility to maintain a community which supports and includes trans, non-binary and gender questioning children and young people. This should be part of the education setting's approach to teaching about equality and diversity and should be set out in the relevant policies and mission statements.

Having a clear and open policy will also support trans parents/carers, siblings and staff.

Schools and education settings should have a procedure for engaging with parents of trans or gender questioning children and young people and the wider community. This should be linked to equalities work so that trans or gender questioning children and young people will have a supportive environment.

The education setting should **not** inform other parents/carers about a child's transition. (see further information on confidentiality and information sharing in section 2.5). They must always respect the confidentiality of the child/young person. Education settings should prepare a response to use for parents/carers who do contact them with concerns or questions.

At no point should the child or young person be named nor should any information be shared which might identify them.

Discussions with the wider community should be confined to explaining the school's or education settings legal responsibilities and promoting understanding of gender identity. The school or education setting may also wish to share how they are working to be trans inclusive.

As a school/college/setting we recognise the right of all individuals to determine their own gender identity. We will fully support every individual in our school/setting to develop their own gender identity and expression including where this may involve transition. In line with the Equality Act 2010 we will work to prevent all forms of victimisation, harassment and discrimination and will ensure all our practices safeguard those in our care.

As stated earlier, schools and education settings should take a proactive approach to trans inclusivity as part of their wider equalities work and this is likely to help support with addressing parent/carer concerns should they arise.

6.6   Media

There have been examples of local and national media reporting on trans children or young people in schools and education settings and asking for comment. Not all of this reporting will be supportive or factually accurate and may create misinformation which can impact adversely on both trans children and their families. Schools and education settings should consider what support they might need to address this. Below is an example of a statement that may be adapted in such circumstances. NB: Contact your local authority or multi-academy trust for further support.

☑ **Suggestion: Possible media statement**

Our school/setting has a warm, caring ethos where are our pupils thrive in a secure and happy atmosphere. They are fully supported and nurtured throughout their time with us. In our school/setting everyone has a right to feel welcome, safe, happy and to be themselves; we will not tolerate any unkind actions or remarks from any source.

X School/College is a listening school/college and has at its core the following values: list school/college values

We believe that the most effective school/setting is one where individuality and difference are celebrated and everyone is valued. Our mission statement is …….

Our whole school ethos for learning and behaviour is guided by this. Each aspect of school/college life is encountered through these values to establish a forward thinking, diverse culture in which our entire community flourishes.

7. Additional Vulnerability

7.1 Intersectionality

Section 3 of this toolkit highlighted how being lesbian, gay, bi or trans is not a vulnerability in and of itself but that LGBT children and young people are more likely to experience a range of risk factors as a result of unsupportive social contexts and responses that they encounter due to prejudice and lack of understanding.

Trans and gender questioning children and young people could have intersecting minority identities and/or experiences. This could include, for example a minority religious identity, being Black, Asian and Minority Ethnic (BAME), being looked after by the local authority or being a Young Carer. As a result, their outcomes and access to safe, appropriate services, and their ability to live openly and to their best potential can be even poorer.

> **"A lot of people are scared to come out at school because of religion and stuff so if it was talked about more people could be more comfortable."** *Ryan 17*

The Ofsted Common Inspection Framework and the Equality Act 2010 place a duty on schools and other education settings to celebrate difference and diversity whilst promoting inclusion amongst all children and young people. Therefore, all schools/education settings should recognise the uniqueness of their children/young people and operate an intersectional approach in considering how a person's different marginalised identities may combine to impact the way they experience the world. For example, whilst all girls may experience sexism, a gay BAME girl will experience discrimination differently than a straight, white girl, as it may also involve aspects of homophobia and/or racism. It is important to remember that trans or gender questioning children and young people will have needs relating to their cultures, disabilities, faiths etc and these can also impact on their experience of being trans, so all must be addressed holistically.

7.2 Celebrating difference, challenging gender stereotypes and supporting trans and gender questioning children/young people with Special Educational Needs and Disabilities (SEND)

Schools and education settings have an enormous responsibility in ensuring all the children and young people in their care are safe and supported to reach their full potential. Trans and gender questioning children and young people with SEND may need additional support in understanding or accepting their own identity, learning about those who are different to them, and understanding that difference is to be respected and celebrated. The advice in this toolkit applies to all trans and gender questioning children and young people, including those with SEND, but this section highlights **potential additional considerations** for trans or gender questioning children and young people with SEND.

Listen

As with any child or young person, first and foremost, listen to what they are saying in their actions or words. Where these conflict, prioritise what their actions and behaviours are saying. Get to know the child or young person by observing, listening and understanding how they express themselves. This is especially important for pre or non-verbal children or young people. Ensure that every child/young person is given every opportunity to express their identity and feel 'heard'.

Emotions relating to gender identity are complex for any child/young person to understand and express. This can be exacerbated in those with communication and interaction difficulties due to a lack of tools, language, education, or due to fear of the reactions of others. Education settings should strive to equip children and young people with the person-centred means, reasons and opportunities to express their voice, choice and advocacy in all aspects of their lives.

Some trans and gender questioning children and young people with SEND may not see the need to communicate about their gender identity. They may not understand that others don't already see them in the same way as they see themselves or know themselves to be. They may think everyone knows the same things they know about their gender identity and shares their perspective. This could lead to increased frustration, anxiety and impact negatively on well-being and mental health.

Some trans children and young people with SEND may have a fragile sense of self and limited understanding of who they are in relation to other people. Ensure the trans child or young person has regular 1-1 time with, wherever possible, a trusted adult in line with their needs and wishes. It is important that this is someone with empathetic listening skills where gender identity can be discussed and explored safely, alongside all the other components that build someone's developing identity. Using a blank outline of a person to visually help build up aspects of their identity and/or how they choose to express themselves can be a useful tool here. There are other trans children and young people with SEND that have a very strong sense of who they are in relation to gender identity and for whom the term

'gender questioning' can be confusing and inappropriate. For some there is no question about it and some may have done all their 'questioning' before telling anyone.

Supporting choice and advocacy

Some children and young people with SEND may not have as much freedom as their peers to advocate and make choices for themselves. This could include: what clothes they wear; length and style of hair; jewellery, accessories and what activities and toys they like. It is important that parents/carers and personal assistants are supported by the education setting to develop independence and advocacy skills from an early age.

Some children and young people with SEND may be reliant on a personal assistant to support their needs across different environments e.g. home, travel, education and potentially short breaks care. This reliance may lead to a trans or gender questioning child/young person having to come out to a personal assistant before people of their choosing and this is likely to have an impact. The education setting may need to enable the child/young person to choose the most appropriate person to support them with gender identity rather than assuming a personal assistant will provide all their support needs. If home are not supportive this makes receiving support at their education setting even more crucial.

Some trans children and young people with SEND may be looked after children, or be more likely to access short break provisions. This can mean having to come out repeatedly to different people, or seek understanding and acceptance from a wider range of carers and peers.

As for any child or young person, ensure that uniform options are the same for everyone and not segregated by gender. This may be more relaxed in special schools due to a proactive consideration of sensory or physical needs. Be aware of and sensitive to the additional difficulties faced by pupils due to sensory differences. They may not be able to tolerate wearing the clothing, different types of underwear or transition aids that they would otherwise choose. (For further information about transition aids see the glossary in **Appendix A.**)

Support trans and gender questioning children and young people with SEND to use the toilets in accordance with their gender identity if this is their wish, including those who may need staff support with their personal care needs. Ensure that there are gender neutral toilets and changing options for all pupils to use should they wish. Wherever possible ensure these are not only the accessible toilets or facilities as this can reinforce that SEND children and young people are different in multiple ways. Some trans children and young people will not feel able or comfortable to use the accessible facilities. They might have a literal interpretation of who these are for, or fear challenge over using them. Some physically disabled trans children and young people may be reliant on accessible facilities and specialist equipment e.g. hoists for changing. It is important that they have access to spaces in accordance with their gender identity or in a gender-neutral space if this is their choosing.

Some trans children and young people with SEND may have showers in school and may feel distress at seeing or touching their bodies to wash or go to the toilet. Be mindful of reflective shower cubicle screens or mirrors in accessible toilets. Provide ways to mitigate this whilst continuing to prioritise the need for good health, hygiene and developing

independence skills with the child/young person. Ensure that any underwear choices, changes of clothes and toiletry products are in line with the child/young person's preferences. Puberty can be a particularly challenging time for both trans children and young people and those with SEND. Be sensitive to this and mindful that puberty can begin much earlier or later for some children and young people with SEND.

Make sure that those who need visual support to aid communication can access these tools across all areas of the school, including toilets.

Timing

Every trans or gender questioning child or young person's emotions, journey and needs will be very individual to them and the support given needs to reflect this. Some children and young people with SEND may not feel the same pressures or awareness of 'fitting in' socially. They may have empathy differences, or difficulties in perceiving how their families and friends may feel. Once they have come out to one person they may have unrealistic ideas or time-frames about how their journey will progress. Support plans need to include how to address difficulties as a result of their internal plan "going wrong" or not happening as quickly as they want. Staff may have to support those with difficulties in imagination to understand the future and their potential journey, as they might only be able to focus on how they are currently feeling and what needs to change right now.

Barriers

Don't be afraid to seek support and advice e.g. from your Local Authority, local and national groups, see **Appendix E**. Schools/education settings may face challenge from others who don't accept that the child/young person with SEND knows their own mind or feel that they are too susceptible to outside influences. If staff 'listen', both to the words and actions of the child or young person, often the child has a very clear understanding and sense of self. Be prepared that arguments may be presented around the trans child or young person lacking capacity, especially if members of their family are struggling to accept. Conversely many parents will be their child's staunchest advocate. It is important to recognise and be sensitive to the fact that even when this is the case, they may have fears for their child because they are different in an additional way. There may be an overwhelming exhaustion in anticipating another fight or challenge on their child's behalf.

Ensure that a child/young person's words or actions are not automatically attributed to their SEND. This could include; preferences for clothing types or hair length being seen as a sensory need; fear of change at puberty; behaviours described as a new special interest, fascination, curiosity or phase. Whilst these may be true, it is important to listen without judgement and affirm the young person's identity and how they express themselves in the present and not to dismiss their feelings and sense of self.

Staff, parents/carers and wider professionals need to be supported to understand that a child/young person with SEND is just as likely to be trans or gender questioning as any other person. Indeed, lived experience and some developing research shows that there is a higher prevalence of people on the autism spectrum among cohorts experiencing gender dysphoria. A study by Butler et al. (2018) analysing referrals to GIDS in the initial assessment phase found that around 35% of referred young people present with moderate

to severe autistic traits. Why this may be is still unknown and further research is needed. More information can be found at Gender Identity Development Service.

It is crucial that support is given to the child/young person to explore what they are experiencing. For some children and young people with SEND, this may lead away from any question over their gender identity, but it is vital for others that gender identity differences are not missed or dismissed.

Signpost

As with any trans or gender questioning child/young person, it may be useful for the child/young person with SEND to talk to someone else who is trans or gender questioning. Local LGBT youth groups may be able to help and are an invaluable resource. It might be easier for the child/young person to email or speak on the phone with any link person from an external organisation, rather than meet face-to-face in the first instance. They could also meet them in the education setting as a safe and familiar place. Many trans young people, including those with SEND, will use the internet to find information about gender identity and diversity and may also interact with other trans and gender questioning young people online. This can be a hugely beneficial thing, particularly if they are signposted to good sources of information (see **Appendix E).** Be aware of the potential increased vulnerabilities of a child/young person with SEND and ensure they are given increased support as needed and are taught about general threats and risks from others including around e-safety and child sexual exploitation (CSE). Be explicit about the rules of online contact and make clear to them that the person you have established a link for them with is a safe, trusted, informed and understanding person to communicate online with. Warn them that other people, even those who claim to be friends e.g. through online gaming/social media, may not be safe people to talk to about this or other personal subjects.

Support and signpost children and young people and their families in accessing wider support outside of your school or education setting. Be sensitive to the fears of parents, carers and siblings about their family member being potentially more vulnerable due to their gender presentation. Build links with local LGBT youth groups and co-deliver or exchange experiences, training and strategies e.g. schools delivering SEND training and workshops for the youth group in exchange for them delivering trans training and workshops in schools. Children or young people and their families may feel more reassured about accessing support if they feel the wider agencies have some knowledge and understanding of their or their child's needs, especially if their inclusivity is already evident by other people with SEND benefitting from their support.

Staff training and confidence building

Experience shows that there is a real need for supporting all staff in this area, especially in removing some of the barriers listed above. The Genderbread Person or Gender Unicorn are useful tools for professionals to use in aiding conversation and understanding, and for challenging stereotypes and misconceptions. Professionals may also find these tools useful when working directly with some families and/or some children and young people with SEND in supporting their understanding of the differences between gender identity, gender expression, sex, and sexual orientation. This has proved particularly useful with some autistic children/young people and their families, who have some understanding of autism as

a spectrum, in helping them view gender as a spectrum too. This also works more diversely in viewing both the autism and gender spectrums as more complex clouds or circular/spherical spectrums.

Support for the child or young person and their peers

Trans and gender questioning children and young people need to be supported to know that there are different and valid ways to be any gender and staff will need to consider the best way to provide this. However, the trans child/young person with SEND may need explicit teaching around hidden social rules and benefit from role-play or scripts to support what is safe/ok or unsafe/not ok say or do in different contexts. It may be that some of these rules or expectations are different for different genders socially, and some things that had to be taught to the young person originally e.g. the unwritten rules of using public toilets, may need to be taught again to help the pupil learn to socialise as (or after) they transition.

Empathy differences may mean the child/young person needs support to understand or not become overly anxious about what others may be thinking and feeling. Tools like Social Stories, Comic Strip Conversations and mind-mapping may help give ideas and strategies.

In a Special School or specialist service, there may be a greater need to teach and support the other children and young people where a trans child/young person has chosen to socially transition. The trans child/young person may have changed their physical appearance, or their name and/or their pronouns and this will need careful planning and delivery based on the needs of individuals. This is easier to approach in a setting where the culture, curriculum and values have already been proactively raising LGBT awareness and celebrating difference. The trans child/young person with SEND may need additional support to understand that others may ask questions or take a while to understand. Peers and staff may make genuine mistakes and get their name and/or pronouns wrong sometimes in the early days. Some children and young people with SEND can find understanding and using pronouns difficult. They may get their own pronouns and those of others wrong, or talk about themselves in the third person. This may be an additional challenge for the trans child/young person, either in relation to themselves or if misgendered unintentionally by a peer. Peers with special needs may genuinely make mistakes about gender and pronouns and the trans child may need support to understand the difference between this and deliberate misgendering, misnaming or other bullying. There will need to be a safe, accessible (using signs and symbols as needed) and reliable route to report concerns. Social Stories and individualised visual/symbol resources could again support both the trans pupil and their peers. This approach could also help parents and carers support their children.

For some children or young people with SEND, particularly some on the autism spectrum, existing resources such as picture books may need to be adapted as they are too conceptually difficult or confusing. Photo banks featuring real people might be more useful than books featuring animals or inanimate objects. For this reason, the Genderbread Person might work better than the Gender Unicorn as a teaching tool for autistic children and young people. Picture books aimed at younger children can be used to explore themes with older students. Make it explicit they are written for younger children and use to introduce themes and support them creating their own books and resources. Profiles celebrating LGBT role models can also be very useful tools for some. Be aware that slogans such as Stonewall's "Some People Are Trans… Get Over It" may not make sense to those who may interpret

language literally who may question "Get over what?", and this does not translate well into symbols. Teaching around "Some People Are Trans, Some People are Cis, Some People Are Non-Binary, It's all OK" might be more accessible and inclusive, and Stonewall are releasing new symbolised posters and resources to support this.

Be aware of the gender-specific language (and in some cases signs and symbols) used in your setting. Be conscious of language that reinforces gender stereotypes, and the use of pictures, signs and symbols that further reinforce this e.g. boys having short hair and always wearing trousers and girls having long hair and always wearing skirts. Some children and young people with SEND will rely far more on the visual image than the spoken word, so be careful that the images you choose reinforce your message and don't promote the exact opposite. Create a bank of images/resources that challenge gender stereotypes and teach that there is no right or wrong way to be or express any gender.
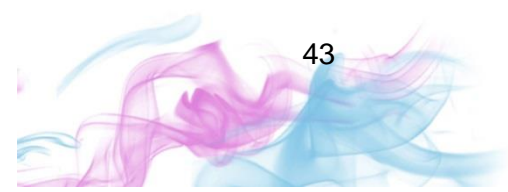
APPENDIX A:
Glossary of definitions

Disclaimer As explained at the beginning of this document, these definitions are intended to give practitioners a basic knowledge of LGBT+ language but will not apply to every situation. Language can be based on context and intention, often debated and ever-changing and ultimately a personal preference. It's important to let the children and young people you are working with self-identify and choose the language that suits them best. GIDS signpost Stonewall website for glossary of gender related terms that are in current use.

Ace: An umbrella term used to describe a variation in levels of romantic and/or sexual attraction, including lack of attraction. Ace people may describe themselves using one or more of a variety of terms, including, but not limited to, asexual, aromantic, demis and grey-A's.

Agender: Someone with no or very little connection to the traditional concepts of man and/or woman. They may see themselves as without gender, and can also be known as gender neutral or genderless.

Ally: A (typically) straight and/or cis person who supports members of the LGBT community.

Bi/Bisexual: An umbrella term used to describe a romantic and/or sexual orientation towards more than one gender. Bi people may describe themselves using one or more of a wide variety of terms, including, but not limited to bisexual, pan, queer, and some other non-monosexual and non-monoromantic identities.

Binder: A specialised type of underwear used by some trans people to flatten the chest area or reduce the appearance of breasts.

Biphobia: The fear or dislike of someone who identifies as bi based on prejudice or negative attitudes, beliefs or views about bi people. Biphobic bullying may be targeted at people who are, or who are perceived to be, bi.

Breast forms: A type of prosthetic used by some trans people to enhance the chest area or create the appearance of breasts.

Cisgender or Cis: Someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people.

Coming out: When a person first tells someone/others about their identity as lesbian, gay, bi or trans.

Deadnaming: Calling someone by their birth name after they have changed their name. This term is often associated with trans people who have changed their name as part of their transition.

Gay: Refers to a man who has romantic and/or sexual orientation towards men. Also a generic term for lesbian and gay sexuality – some women define themselves as gay rather than lesbian.

Gender: The UK Government Office for National Statistics (ONS) defines gender as "a social construction relating to behaviours and attributes based on labels of masculinity and femininity; gender identity is a personal, internal perception of oneself and so the gender category someone identifies with may not match the sex they were assigned at birth; where an individual may see themselves as a man, a woman, as having no gender, or as having a non-binary gender – where people identify as somewhere on a spectrum between man and woman"

Gender dysphoria: Used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn't feel comfortable with the gender they were assigned at birth

Gender expression: How a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not confirm to societal expectations of gender may not, however, identify as trans.

Gender fluid: This describes a person who does not identify as solely a man/boy or woman/girl, but may feel more like a combination of, or move between the gender binary. Gender fluid people may feel that their identity is more complex than an 'either or' choice. They may feel like neither, both, or move between the two as they feel comfortable.

Gender identity: A person's innate sense of their own gender, whether male, female, or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.

Gender reassignment Another way of describing a person's transition. To undergo gender reassignment sometimes means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender. Gender reassignment is a characteristic that is protected in the Equality Act 2010. "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 term is specifically used by the Equality Act and transitioning is a generally preferred term for most people. When someone transitions, they achieve legal protection as trans under the Equality Act 2010.

Gender variant: This is usually used in relation to children or young people for someone who does not conform to the gender roles and behaviours traditionally expected of the sex assigned to them at birth.

Homosexual: This might be considered a more medical term used to describe someone who has a romantic and/or sexual orientation towards someone of the same gender. The term 'gay' is now more generally used.

Homophobia: The fear or dislike of someone, based on prejudice or negative attitudes, beliefs or views about lesbian, gay or bi people. Homophobic bullying may be targeted at people who are, or who are perceived to be, lesbian, bay or bi.

Intersex: A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female or non-binary. The UK Intersex Association define intersex people as "people whose anatomy or physiology differ from contemporary cultural stereotypes of what constitute typical male or female".

Lesbian: Refers to a woman who has a romantic and/or sexual orientation towards women.

LGBT: The acronym for lesbian, gay, bisexual and trans. This may be superseded with the addition + representing/including other identities.

Non-binary: An umbrella term for people whose gender identity doesn't sit comfortable with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, whilst others reject them entirely.

Outed: When a lesbian, gay, bi or trans person's sexual orientation or gender identity is disclosed to someone else without their consent.

Packer: A type of prosthetic used by some trans people to enhance the genital area or create the appearance of a penis. Some designs are non-functional, cosmetic aids, whilst others also enable people to 'stand to pee'.

Passing If someone is regarded, at a glance, to be a cisgender man or cisgender woman. (see cisgender above).

Pan/Pansexual: Refers to a person whose romantic and/or sexual attraction towards others is not limited by sex or gender.

Pronoun: Words we use to refer to people's gender in conversation – for example, 'he/him/his' or 'she/her/hers'. Some people may also use gender neutral pronouns such as 'they/them/theirs' or 'ze/zir/zirs'.

Queer: A term used by those wanting to reject specific labels of romantic orientation, sexual orientation and/or gender identity. It can also be a way of rejecting the perceived norms of the LGBT community (racism, sizeism, ableism etc). Although some LGBT people view the word as a slur, it was reclaimed in the late 80s by the queer community who have embraced it.

Questioning: The process of exploring your own sexual orientation and/or gender identity.

Sex: The UK Government (ONS) defines sex as "referring to the biological aspects of an individual as determined by their anatomy, which is produced by their chromosomes, hormones and their interactions; generally male or female; something that is defined at birth".

Sexual Orientation: A person's sexual attraction to other people, or lack thereof. Along with romantic orientation, this forms a person's orientation identity.
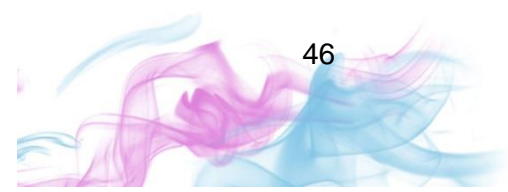
Trans: An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois

Trans boy: A boy who was assigned female at birth

Trans girl: A girl who was assigned male at birth

Transitioning: The steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries (not for under 18's), but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents. Trans people are protected from discrimination as soon as they identify themselves as trans, regardless of whatever transition routes they decide to take or not take

Transphobia: The fear or dislike of someone based on the fact they are trans, or perceived to be trans, including the denial/refusal to accept their gender identity.

Transsexual: This was used in the past as a more medical term (similar to homosexual) to refer to someone whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. This term is still used by some although many people prefer the term trans or transgender.

APPENDIX B:
Learning from young people

Trans children and young people who receive support from the youth projects at Leicester LGBT Centre and trans and LGB allies from Topaz Oxfordshire LGBT+ youth group were consulted during the creation and review of this document. They were keen to share their opinions and experiences on a range of topics. Collected here are their full quotes additional to those in the main body of the document.

Toilets:

- *"There's one disabled/gender neutral toilet on the 3rd floor but it's locked".*

- *"We have a toilet that's labelled gender neutral bathroom but one of the teacher's keeps removing the label".*

- *"I have to use the disabled toilets which are really far away, and they won't let me have a key so every time I have to ask for it and stand there waiting for ages".*

- *"Some schools might have gender neutral bathrooms because they know they have trans kids, but you shouldn't have to wait for someone to come out".*

- *"When I came out, I wasn't allowed to use any toilets because I made the girls uncomfortable, it was considered unsafe in the guys, and I needed my parents' permission to use the disabled, which they wouldn't give. So they just expected me to hold it all day".*

- *"I don't drink all day at school so that I don't have to go to the toilet which means I'm always dehydrated and I get headaches all the time and UTIs. Teachers need to know this because it's easy to ignore all the consequences when it's just our mental health but when it's physical they suddenly listen."*

Trips and residentials:

- *"On my school residential they wouldn't put trans guys in with the guys because of 'safety' so they put me in with the girls and it was really uncomfortable and gross"*

- *"I made myself ill just to get out of the room".*

- *"My dad had to drive to Wales to pick me up because I was so uncomfortable."*

Names and pronouns:

- *"The school won't use my preferred name because my mother won't give permission" (non-binary 17-year-old).*

- *"In our school teachers deliberately, mis-gender and use old names rather than preferred names. They don't take responsibility for mistakes even when the student is upset".*

- *"I'm not allowed to change my name or use the right toilet until both my parents consent".*

- *"At my old school my teacher called me 'it'".*

Sex and relationships education:

- *"At the end they said, 'If you want to talk about LGBT sex afterwards, raise your hand' so nobody did".*

- *"LGBT was briefly mentioned but nothing about what's involved in safe sex".*

- *"It wasn't mentioned at all. The priest talked about sex between a man and a woman and then said that you shouldn't have sex until you are married".*

- *"We didn't learn anything about non-binary – it wasn't until I found that out that I was able to understand who I am".*

Examples of transphobic bullying and language.

- *"Oh you can't be lesbian, you're trans".*

- *"So you're obviously going to get breast implants right?".*

- *"Are you going to have the whole thing done?"*

- *"Are you sure this is what you want to do, it might just be a phase".*

- *"I'd be brave and date a trans person".*

- *"Change your voice no one is going to take you seriously".*

- *"You shouldn't wear that, this is for your safety, we don't want the bullies to get to you".*

- *"We think it's safer for you not to present as female".*

- *"Isn't it just a fetish?".*

- *"It's so much easier to start before puberty. Why bother if you've already got a grown male body? You won't pass".*

- *"My girlfriend and I are looking for someone like you, best of both worlds".*

- *"Think about the stress this is causing everyone. It would be easier if you didn't say anything".*

- *"Why do you 'want' to be a boy?".*

- *"Will you get a penis?".*

- *"If people coped back then without coming out, you can"*

- *"Nobody will ever want you like this"*

- *"You'll always look like a man, not a woman"*

- *"But you're 6 foot something. There's no woman that tall"*

- *"You're so small for a man"*

- *"Cis women are allowed masculine body parts but we won't accept if a trans woman has those same masculine parts"*

- *"Wearing the slightest bit of pink will make people think you're a girl"*

- *"I thought you were a boy. You can't take part in that activity"*
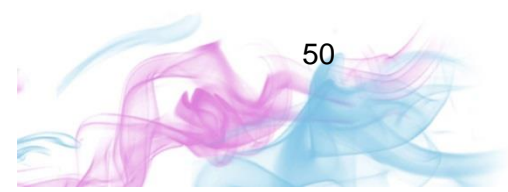
- *"That scream isn't very manly"*

- *"But you've still got boobs how are you a boy?"*

- *"If you pass you're tricking us but if you don't pass you're disgusting and shouldn't bother"*

- *"If you don't like me telling everyone then you shouldn't have come out"*

- *"I know men become women but I thought women turning into men was a fake thing"*
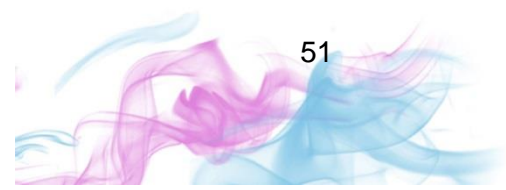
APPENDIX C:
Curriculum resources

The Government Equalities Office (GEO) launched a national programme to tackle Homophobic, Biphobic and Transphobic (HBT) Bullying in schools in March 2019 with funding continuing until March 2020. The partners involved in this project are Barnardo's, Diversity Role Models, Equaliteach, National Children's Bureau, Stonewall and The Diana Award.

These organisations have been funded by the GEO to reduce the incidence of HBT bullying in primary and secondary schools in England by transforming the culture of how schools prevent and respond to the issue. The PSHE Association have worked in partnership with these organisations to produce a consistent standards framework and you can download free resources to support your anti-bullying work. Work to promote an inclusive culture also requires gendered, sexist and sexual language to be challenged as part of challenging identity-based bullying as a whole. There are useful resources to support schools with identity based bullying from the Anti-Bullying Alliance.

Early Years & Challenging Gender Stereotypes

The Classroom website offer a series of lesson plans to enable LGBT Inclusion through all key stages including early years and foundation http://the-classroom.org.uk/by-key-stage/early-years-foundation-stage/

http://www.lettoysbetoys.org.uk/ A campaigning group who aim to challenge gender stereotyping in relation to toys.

NUT resources for challenging gender stereotypes.
https://www.teachers.org.uk/equality/equality-matters/breaking-mould

BBC Documentary on challenging gender stereotypes – short clip for staff training and raising awareness with older children and young people.
https://www.youtube.com/watch?v=nWu44AqF0iI

Posters for Primary age under their 'Alien Nation' series from The Proud Trust (Support Organisation for LGBT youth based in Manchester) Proud Trust primary posters - alien nation

Stonewall posters to tackle gender stereotypes aimed at primary schools.
https://www.stonewall.org.uk/resources/gender-stereotypes-wont-hold-us-back-poster-set

Stonewall Different Families, Same Love posters.

https://www.stonewall.org.uk/resources/different-families-same-love-poster

Stonewall "Free" DVD www.stonewallprimary.org.uk curriculum resource for primary schools.

www.equalitiesprimary.com - website linked to No Outsiders: Teaching the Equality Act in Primary Schools. Resources, publications and training.

"I am Leo" documentary films from CBBC (suitable for primary).

[Leo's tips for coping with bullying](#)

[I am Leo](#)

Range of primary and secondary resources from Stonewall.
www.stonewall.org.uk/education-resources

UNESCO [IDAHO Lesson Plans - Primary and Secondary](#)

The Welsh Government have produced a series of secondary [lesson plans](#) on gender variance and stereotyping, including dealing with trans bullying.

They have also written a lesson plan for [Key Stage 2](#) and [Key Stage 3 & 4](#) on understanding and preventing bullying related to protected characteristics.

[Ciera's Story](#) trans young person from Leicestershire tells her story. Suitable for secondary age.

Dates for the Calendar

LBGT History month – February - www.lgbthistorymonth.com

Trans Day of Visibility – 31st March http://tdov.org/

IDAHOBIT Day (International Day Against Homophobia, Biphobia and Transphobia) - 17th May - www.dayagainsthomophobia.org

International Non-Binary People's Day – 14th July

Anti-bullying Week - November - www.anti-bullyingalliance.org.uk/anti-bullying-week

Trans Day of Remembrance - 20th November https://tdor.tgeu.org/

APPENDIX D:
Education settings self-evaluation audit

Completing this audit is an assessment of where an organisation is in terms of how it delivers and incorporates trans inclusion.

An audit should include:

- Assessment – assessing what you have and where you are in relation to trans inclusion

- Acting – responding to the findings and plugging the gaps

- Reviewing- assessing changes or adaptations and monitoring year on year

Begin by carrying out an organisational health check and gathering monitoring

information. Please use the check list below to assess your school/education

setting's health and from that use the 'traffic lights' in the right-hand columns to

record where you consider your organisation to be in relation to each indicator.

Actions to be taken should then be identified, including a lead person and date action

is to be completed. The tool can then be re-visited to monitor progress and set a new

action plan.

Checklist item	Yes/No – details	Red	Amber	Green	Action required/lead person/target date
Governance and policy framework					
Does your Mission Statement mention equality?					
Does your Equality Policy reference how you support trans and gender questioning children and young people?					
If you have a Uniform Policy is it gender neutral, listing items which are acceptable in school/setting but not by gender?					

Checklist item	Yes/No – Details	Red	Amber	Green	Action required/lead person/target date
Does your Anti-Bullying Policy reference sexist, homophobic, biphobic and transphobic bullying and explain how these will be recorded, analysed and monitored to prevent and respond to bullying?					
Does your PSHE and Sex and Relationships Education (SRE) Policy include programmes that are inclusive of trans and gender questioning children and young people and support understanding of trans identities?					

Checklist item	Yes/No – Details	Red	Amber	Green	Action required/lead person/target date
Do all policies and statements that reference children/young people include trans and gender questioning children/young people?					
If a policy covers confidentiality, does it also include gender identity and make clear that trans children/young people have the right to privacy related to their gender identity?					
Do you ensure that all staff are aware of importance of privacy of information relating to trans and gender questioning children/young people, including how this relates to data protection regulations?					
Are you making significant changes to policies or services that require you to carry out an Equality Impact Assessment?					

Checklist item	Yes/No – Details	Red	Amber	Green	Action required/lead person/target date
Celebrating difference and promoting diversity within the whole community					
Do you celebrate difference and foster good relations between different groups, including trans and gender questioning children/young people and others?					
Do you mark LGBT History Month, Transgender Day of Visibility and/or International Day against Homophobia, Biphobia and Transphobia?					
Does your library include a diverse range of books that celebrate difference and promote understanding of diversity including books about trans children, young people and adults (as appropriate to your setting)?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Do you use displays that challenge gender stereotyping and promote understanding of trans identities?					
Do you have a transition at work policy for staff?					
Preventing and responding to bullying					
Do you record, respond to and monitor homophobic, biphobic and transphobic language, bullying, harassment and hate incidents as discrete categories?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Do you record, respond to and monitor gender discriminatory/sexist language bullying, harassment and hate incidents as discrete categories?					
Is there guidance on what language/behaviour is acceptable/unacceptable including: • homophobic, biphobic and transphobic language/bullying? • gender discriminatory/sexist language/bullying?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Do you provide training and scripts to support staff to identify and respond to: • homophobic, biphobic and transphobic language/bullying? • gender discriminatory/sexist language/bullying?					
Have staff been trained on challenging gender stereotyping and promoting trans inclusion?					
Supporting children and young people					
Do you have a pathway to support trans and gender questioning children/young people, including those beginning or going through social and/or medical transition?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Are staff trained in supporting trans and gender questioning children and young people?					
Is there a mechanism in place to record name and pronoun changes?					
Do you have gender neutral toilets available?					
Are educational/residential trips accessible to all including trans and gender questioning children/young people? Are risk assessments carried out in relation to potential issues relating to trans and gender questioning children and young people?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Are there staff who a trans or gender questioning child/young person can nominate to speak to about gender identity or to seek additional support?					
Do you signpost and support national and local support services, including safe spaces/support groups for trans and gender questioning children and young people?					
Curriculum and learning					
Does your curriculum value and make visible all identities, including trans and gender questioning people?					
Does your curriculum challenge gender stereotypes and ensure all children and young people (including those who are trans) feel included?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Does your RSE and PSHE curriculum include content that promotes inclusion, celebrates difference and raise awareness of trans and gender questioning children and young people?					
Do you avoid grouping by gender whenever possible and where there is not an educational reason for doing so?					
Parent/ community involvement					
Do you actively work with parents and carers of trans and gender questioning children and young people?					
Do you provide support for parents/carers who are trans/non-binary in order to promote their inclusion and to support their children?					

Checklist item	Yes/No - Details	Red	Amber	Green	Action required/lead person/target date
Do you work with local and/ or national organisations which support trans and gender questioning children and young people?					
Do you signpost organisations where parents and carers can go to find out more about gender identity and trans including local and national support groups?					

APPENDIX E:
Further help and support:

Local - Oxfordshire

Local Authority Support
For serious concerns regarding trans, non-binary and gender questioning children and young people where support from the local authority is required please e-mail anti-bullying@oxfordshire.gov.uk

Curriculum Resources
A group of special schools have worked with the local authority to develop a package of Relationships Education (Primary) and Relationship and Sex Education (Secondary) that is LGBT inclusive. Some of the materials are also suitable for mainstream schools. To access this framework please visit RSE Framework for Special Schools

Local Training
The Oxfordshire Safeguarding Children Board (OSCB) have a course Supporting-LGBT-Children-Young-People-and-Families which includes information about supporting trans and gender questioning children and young people. To find out about courses and book a place visit the OSCB training portal www.training.oscb.org.uk

Mental Health Support
For young people who are particularly distressed in relation to gender issues (or who may be experiencing an associated mental health difficulty), schools should in the first instance link with their allocated school nurse or child and adolescent mental health service (CAMHS) link-worker. They will then will liaise further as required within the CAMHS service regarding any immediate emotional or mental health needs which require active intervention. CAMHS professionals will link, where there are pervasive gender identity issues, with the highly specialist national provision at the Tavistock Clinic in London (The Gender Identity and Development Service (GIDS)). Such referrals can also be made by other health professionals (e.g. GPs or paediatricians) but the GIDS service currently recommends contact with local CAMHS teams as part of their service delivery model

Oxfordshire County Council Youth Website http://oxme.info/cms/health/lgbtq provides information on sexuality, gender and gender questioning and including links to national and local support.

Local Youth Organisations
Topaz run informal groups for LGBTI+ young people around Oxfordshire. Meetings are currently held in Cowley, Oxford City, Banbury, Witney, Wantage (by Sweatbox), Bicester (by OYAP) and Didcot (by Train), with Abingdon due to start in October 2019. Times, age range (generally 13-18 inclusive) and activities vary by location. Get in touch for more information by emailing Topaz@Ark-T.org and check the website for further details https://www.topazoxford.org.uk

My Normal is a creative, vibrant and safe social space and project for LGBTQI+ youth to reduce isolation, increase voice, campaign for acceptance, challenge prejudice, encourage the next generation of LGBTQI+ leaders & to devise arts projects that encourage self-

expression and a sense of connection. This is an inclusive project for young people 13 up to 25 and Free.

My Normal is in collaboration with the Ark T Centre running:
- a music project for LGBTQI+ & Disabled young people http://www.ark-t.org/music/my-normal-music-project/
- a 'Voice' youth leadership and general creative Project in partnership with the Pitt Rivers Museum http://www.ark-t.org/music/my-normal-voice- project/ Contact email - Hannah@ark-t.org

Pegasus Theatre True Colours Project is a FREE weekly creative arts project in Oxford City on Thursday evenings (term time) for young people who identify or are allies of the LGBTQ+ community. For further details please contact Kat Booth, Participation Co-ordinator on participation@pegasustheatre.org.uk or telephone 01865 812177

SAFE! http://www.safeproject.org.uk/ support for young people who have been victims of crime or bullying, including bullying in relation to sexuality and gender. SAFE! is a charity providing support in the Thames Valley area including Oxfordshire.

National

NHS Services

- **NHS Gender Identity Development Service (GIDS)**
  Full details of the support offered by GIDS and the referral process can be found on its website www.gids.nhs.uk

Organisations

- **Gendered Intelligence**
  A not-for-profit organisation which provides support for young trans children and young people aged 8-25; a broad portfolio of services for educational settings including workshops, assemblies and staff training; training and consultancy for professionals across all sectors. They also provide support groups www.genderedintelligence.co.uk

- **Gender Identity Research and Education Society (GIRES)**
  Works to improve the lives of trans and gender non-conforming people and has lots of useful information on its website www.gires.org.uk. They have also worked in partnership with the NHS to produce an e-learning resource to help professionals and families understand the needs of gender nonconforming young people. https://www.e-lfh.org.uk/programmes/gender-variance/

- **Mermaids**
  Offers support to children and young people with gender issues and their parents www.mermaidsuk.org.uk

- **Stonewall**
  The national LGBT charity which provides information and resources for young people, their families and schools and local authorities www.stonewall.org.uk Stonewall also have a 1 day train the trainer course "Creating a trans inclusive school". https://www.stonewall.org.uk/get-involved/get-involved-education/creating-trans-inclusive-school

- **Barnardo's Positive Identities** www.barnardos.org.uk/positive-identities LGBTQ commissioned work by Barnardo's.

- **Regard –** supporting self-identified disabled LGBT+ people www.regard.org.uk

Legal Context, Government Guidance and Ofsted

- Department for Education Guidance on the Equality Act 2010 https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools

- United Nations Children's Rights Convention https://www.unicef.org/child-rights-convention/what-is-the-convention

- The Equality Act 2010, and the Public Sector Equality Duty

- Ofsted Common Inspection Framework (2019)

- Ofsted Inspecting Safeguarding (2018)

- Keeping Children Safe in Education 2019

- Spiritual, Moral, Social, Cultural development (SMSC) and British Values

- DfE guidance on Relationships Education (primary) and Sex and Relationships Education (secondary)

Further Trans Inclusion Guidance

Brighton & Hove City Council & Allsorts Youth Project Trans Inclusion Toolkit for Schools - Version 3 2019