

*St. Joseph's Catholic School & Sixth Form Centre*  
Ysgol Gatholig San Joseff

## **Equality policy on supporting students with gender-identity issues**



**Policy agreed by Governors:**

**Signed by Chair:**

A handwritten signature in black ink, appearing to read 'P. Wellingham', is written over a light grey rectangular background.

**Date: 13/03/2024**

## *Guidance for Schools on avoiding unlawful discrimination related to the protected characteristics of sex and gender reassignment (England and Wales) – April 2021*

This guide has been developed by Sex Matters, an organisation that campaigns and advocates for clarity about sex in law, language and policy, together with Transgender Trend, which promotes evidence and analysis in the way that institutions support children with gender dysphoria.

It draws on the Equality Act 2010, and the safeguarding framework Keeping Children Safe in Education (2019) and Working Together to Safeguard Children (2018), as well as guidance for schools that has already been produced by the Department for Education, (DFE, 2014) and (DFE, 2018), and the Equality and Human Rights Commission, (EHRC, 2014) and (EHRC, 2014).

### **Purpose of this policy**

1. The purpose of this policy is to set a framework for how St Joseph's Catholic School & Sixth Form Centre will support students in relation to gender-identity issues.
2. This policy forms part of our overall Equal Opportunities Policy in relation to students, and supports staff in meeting the requirements of the Equality Act 2010 (in relation to the protected characteristics of sex and "gender reassignment" in particular). It is also aligned with our Safeguarding Policy and responsibilities, and our Anti-Bullying Policies.

### **Scope of the policy**

3. The policy applies to all pupils in relation to admissions, teaching and learning, pastoral provision, scholarships and awards, health and safety, personal conduct, and complaints and disciplinary procedures.
4. The policy clarifies the ways in which school rules, provisions, criteria and practices address the need to ensure that pupils who are gender non-conforming or gender questioning, or who identify as transgender or non-binary, are not treated less favourably than other pupils.

### **Guiding principles**

5. The school values all its students and staff and aims to create an inclusive culture, workplace and learning environment that protects everyone from unjust or unfair treatment based on age, sex, race, disability, religion and belief, pregnancy and maternity, sexual orientation, gender reassignment or marriage and civil partnership.
6. The school seeks to establish and maintain an environment where children feel secure, are encouraged to talk and are listened to when they have a worry or concern.
7. The school aims to respond to children with complex needs or are going through a difficult period in their life, and to support their health, wellbeing and educational attainment.
8. The school aims to treat all pupils with dignity and respect.
9. The school does not support stereotypes about the appearance, behaviour or interests expected of girls and boys, or women and men.
10. Every child should be free to express their identity, but expressing an alternative gender identity or proposing to transition does not change a child's sex.

### **Protection against harassment and bullying**

11. Bullying is defined as behaviour by an individual or group usually repeated over time, that intentionally hurts another individual or group either physically or emotionally
12. Bullying includes name-calling, taunting, mocking and making offensive comments, offensive graffiti, excluding people from groups, gossiping and spreading hurtful or untrue rumours, kicking, hitting, pushing, taking belongings and cyber-bullying.
13. All pupils, staff and parents shall be encouraged to value and respect others. Incidents of bullying and harassment will not be tolerated, including those based on sex, sexual orientation, gender non-conformity and beliefs about gender.

14. The school works hard to ensure that all students know the difference between bullying, “falling out” and disagreeing.

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15. Excluding children from facilities for the opposite sex is not bullying. Expectations will be stated clearly and respectfully by the school. Individual children will not be permitted to negotiate access to facilities for the opposite sex.

#### **Confidentiality**

16. The school is not able to admit a child on the condition that their sex must be kept confidential from other students and staff, or that staff will lie about their sex. We believe that keeping secrets about sex is inappropriate and makes the children themselves vulnerable, and prevents the school from fulfilling its duty of care to all pupils.
17. Records about health and welfare are kept separate from pupils’ academic files in a secure place and marked “Strictly Confidential”.
18. The school will respect the confidentiality of all students and will not reveal sensitive personal information without the prior agreement of the individual, except to protect their vital interests, in line with our safeguarding policy.

#### **Pastoral care**

19. Students who have any concerns about their own wellbeing or the wellbeing of another student should feel free to approach their form tutor or head of year, whether that concern is to do with academic studies, health, relationships with other students, issues at home or any other matter.
20. Parents are welcome to contact the school at any time to discuss their child’s welfare and progress or relevant medical or social issues. Such enquiries should be directed, in the first instance, to the child’s Head of Year. Appointments can also be made with other members of the Leadership Group, including the Head teacher.

#### **Safeguarding**

21. A child disclosing gender-identity issues must not fall outside of normal safeguarding practice, as outlined in our Safeguarding Policy, including the commitment to work in partnership with parents.
22. Staff should be aware that children experiencing gender-identity issues may also raise safeguarding concerns, such as significant changes in behaviour, performance or attitude, mental-health issues, self-harm, self-medication, emotional or sexual experiences in which they may have been significantly harmed, or relationships that put them in danger.
23. If any member of staff is concerned about a child, he or she must inform the Designated Senior Person and record information regarding the concerns on the same day.
24. If a child confides in a member of staff or volunteer and requests that the information is kept secret, it is important that the member of staff/volunteer tell the child in a manner appropriate to the child’s age and stage of development that they cannot promise complete confidentiality. Instead, they must explain that they may need to pass information to other professionals to help keep the child or other children safe.
25. Any proposed action in relation to child-welfare concerns should be undertaken with prior discussion with the parents, unless to do so would place the child at risk of harm.

#### **Uniform**

26. All items of school uniform and dress code apply equally to children of either sex. Any item that can be worn by a boy can also be worn by a girl, and vice versa.

27. Clothing requirements are based on sex only where this is needed for health, safety and dignity, such as athletic protectors for boys and appropriate coverage of swimwear for girls.

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### **Names and pronouns**

28. Children may ask to be called by a different forename than that in their official records (for example a familiar or shorter version, a middle name or a complete change of first name, including a name associated with the opposite sex).
29. Pupils who want to change the name they go by in daily use can do so by making arrangements with the relevant Head of Year and/or ALNCO, and this will be added to the register alongside their legal name.
30. If a child's name is legally changed by deed poll, parents should bring this information to the school office and records will be updated.
31. If a child is taking external examinations, there is the option of having the male/female flag removed from qualifications systems by exam boards. Please contact the school office at least three months before the exam to enable this request to be granted.
32. Pronouns are words that other people use to refer to a person (generally he/him or she/her). Pupils may request that teachers and peers use "preferred pronouns" for them, but they cannot compel this, nor will the school agree to use different pronouns when talking about a child to their parents.

### **Sports**

33. Not all sporting activities at school are segregated by sex, but where they are this is for safety and fairness, particularly of female participants, or for "positive action" (such as encouraging girls to take up football).
34. In considering whether a sport, game or other activity should be offered separately to girls and boys, we take into account the age and stage of development of the year group, not of each individual.
35. Where sports are organised separately for girls and boys, this is by sex, not gender identity
36. All pupils are welcome to play in mixed sports and in sports with others of the same sex.

### **Trips away**

37. Trips away are an important enrichment of school life. We plan them with full risk assessment and seek to make them accessible to all.
38. Children and parents with any concerns or anxiety about trips away should contact the organiser in advance to discuss particular needs.
39. Sleeping arrangements are organised by sex, not gender identity.

### **Toilets and changing rooms**

40. Single-sex facilities are the simplest way of providing privacy for girls and boys over the age of 8.
41. Our toilets and changing rooms are segregated by sex, not gender identity.
42. All pupils are welcome to use the single-sex facilities that correspond with their sex.
43. We recognise that some children will not feel comfortable in single-sex facilities and will endeavour to provide alternatives for children who would feel more comfortable with greater privacy (i.e. single- occupancy unisex facilities).