

Transgender Students

1. Policy Statement

- 1.1 This Policy provides information and guidance about Sir William Perkins's School ('the School') students, parents, and staff on the School's approach to gender questioning students and gender-neutral matters.
- 1.2 This Policy should be read in conjunction with the School's other policies, including: Anti-Bullying; Safeguarding and Child Protection; Equal Opportunities; Relationships, Sex and Health Education; and Good Behaviour.
- 1.3 There are a range of terms that are used to describe different gender identities. The Equality Act 2010 ("EqA 2010") includes a definition of the protected characteristic of gender reassignment, which is detailed at paragraph 3.3 below. For simplicity, we will use the term 'gender questioning' to refer to students who have expressed an intention to identify with a gender that differs from their natal sex.
- 1.4 The School is fully committed to ensuring that the application of this policy is non-discriminatory, in line with the UK Equality Act (2010). Further details are available in the School's Equal Opportunities Policy.

2. Legislation and guidance

- 2.1 This Policy has been prepared with reference to relevant:
 - 2.1.1 legislation (in particular the EqA 2010)
 - 2.1.2 statutory guidance, in particular the following guidance documents from the Department for Education:
 - (a) *The Equality Act 2010 and schools* (May 2014)
 - (b) *Keeping Children Safe in Education* [(May 2024)]
 - (c) *Relationships, Education, Relationships and Sex Education (RSE) and Health Education* (last updated September 2021)
 - (d) *Political impartiality in schools* (February 2022)
 - 2.1.3 non-statutory guidance, including the Cornwall Schools Gender questioning and Transgender Guidance, which is referred to in the statutory guidance at 2.1.2(a) above.

3. The Law

- 3.1 The EqA 2010 requires that our admissions and our provision of education, benefits, facilities and other services do not unlawfully discriminate (either directly or indirectly via policies, applied criteria or practices), harass or victimise students on the basis of a protected characteristic. There are nine protected characteristics under the EqA 2010, including gender reassignment and sex.
- 3.2 The protected characteristic of sex is not fully defined under the EqA 2010. A student's legal sex (when they are under 18) is likely to be considered to be their natal sex (i.e. that which they were assigned at birth, as generally determined by observations at birth), although there are different legal opinions on this issue. After 18 a person can obtain a gender recognition certificate pursuant to the Gender Recognition Act 2004, and, as a consequence, their sex would be their "acquired gender" (i.e. the gender in which they are living).
- 3.3 Section 7 of the EqA 2010 confirms that a person will have the protected characteristic of gender reassignment if that 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."

- 3.4 This means that any student who is legally one sex but makes clear an intention to identify with another sex (including by expressing a non-binary or gender non-conforming or gender fluid identity) is likely to have the protected characteristic of gender reassignment.

4. Our approach

- 4.1 The overarching aim of the School is to create a safe and inclusive learning environment for all students. Our primary concern is to actively promote the welfare and wellbeing of the children in our care.
- 4.2 In relation to gender issues, we recognise that each student is different, and that questions of gender identity are complex and personal. As a result:
- 4.2.1 This Policy seeks to avoid a 'one size fits all' approach in most cases, which would not allow us to respond appropriately to the needs of each individual student. This Policy nonetheless offers the School's stakeholders some guidance on the School's general approach to certain issues, as a starting point for a case by case analysis;
 - 4.2.2 The School takes a neutral stance to gender questioning students and gender issues. We will avoid placing any pressure on the student to live or behave in accordance with their natal sex, or equally to live or behave as another gender. Any student that wishes to explore their gender identity will be permitted to do so in their own way, and at their own pace, under the guidelines set out in this Policy; and
 - 4.2.3 The School will endeavour to work in close partnership with parents and carers of gender questioning students. The School favours an open dialogue between the School, students and parents / carers, especially in cases where the student is under the age of 16 (in which case the School will involve the parents of the gender questioning student unless there are safeguarding reasons not to). In all cases the School will seek the wishes of the student and take them into account.

5. Admissions

- 5.1 The School is a single sex school and the EqA 2010 envisages that single sex schools may refuse admission to students of the opposite sex (but permits their admission, where such admission is exceptional or their numbers are comparatively small and their admission is confined to particular courses or classes, without jeopardising the School's single sex status). As the School operates as a girls' school, it will only consider those who are legally defined as female at admission stage.

6. Transphobic Bullying

- 6.1 The School does not tolerate bullying of any form and deals with any bullying under its anti-bullying policy. This includes bullying for reasons related to a student's sex, sexual orientation or gender identity.

7. Physical Education

- 7.1 The School will endeavour to ensure that gender questioning students have equal access to sport and physical education while at school. In general, we anticipate that gender questioning students will normally be able to participate fully in the School's P.E. programme.

- 7.2 However, there may be some situations where restrictions on participation will be necessary to secure the safety (of the gender questioning student and others) and / or fair competition. We will assess each case on a case by case basis and consult any relevant sport specific guidance (for example, from a sport governing body).

8. Changing rooms and toilet facilities

- 8.1 The School has a number of gender neutral toilets and choice of changing rooms. The School will endeavour to accommodate the wishes of all students (in relation to toilets and changing rooms) to the extent reasonably possible and act proportionately, taking into account the School's legitimate aims, the wishes, dignity and welfare of the gender questioning student and other students within the school community and the facilities available.

9. External visits and school trip

- 9.1 The School will consider any additional needs of gender questioning students in advance of planned external visits and school trips, and whether the School should put any specific arrangements in place to support a gender questioning student.
- 9.2 Gender questioning students will not be treated any differently from other students and will share the same rooms and facilities as their peers, with whom they share the same natal sex. If separate accommodation on a trip is requested by any parents/carers, then the additional cost of this will be met by said parent/carer.

10. School uniform

- 10.1 The School permits gender questioning students to dress in a manner that is consistent with their chosen gender, subject to the School's uniform policy.
- 10.2 If any gender questioning student has any particular difficulty complying with the School's uniform policy, they should raise this with a member of staff, and the School will consider these concerns on a case by case basis.

11. Names and pronouns

- 11.1 The School recognises that gender questioning students sometimes prefer to change the name they are known by and the pronouns used to describe them. The school will treat the request to change a preferred name in the same way as it would any student who wishes their preferred name to be different to their natal name. Where a student makes a request of this nature, the School will:
- 11.1.1 seek to accommodate it where reasonably possible;
 - 11.1.2 arrange a meeting with the student, their parents/carers (unless there is a safeguarding concern), and relevant school staff to decide the best way forward and;
 - 11.1.3 discuss any restrictions in relation to the name under which a student can be entered into external exams, and explore the options with the student, their parents/carers and the relevant exam board as appropriate.
- 11.2 Intentionally using the incorrect name or pronoun of a student can constitute discrimination and / or bullying and the School will address it appropriately in line with school policies. We recognise that there may be times when staff or students accidentally use the incorrect



name or pronoun. In such cases we expect individuals to apologise and take steps to ensure it is not repeated.

12. Gender Identity in the curriculum

- 12.1 The School's Relationship and Sex Education and Health education will ensure the needs of all students are appropriately met and that all students understand the importance of equality and respect. For older students, this will include the legal rights and responsibilities regarding equality (with particular reference to the protected characteristics as defined in the EqA 2010, including sex and gender reassignment).
- 12.2 The School will ensure that the approach and content of teaching is non-partisan, inclusive, sensitive and age appropriate. The School will fully integrate any teaching on LGBTQ+ (Lesbian, Gay, Bisexual & Gender questioning student) issues into programmes of study and deliver it at a timely point as part of the students' curriculum.
- 12.3 The School will have regard to the statutory guidance 'Political impartiality in schools' (February 2022) as appropriate, when devising and delivering the curriculum as it relates to political issues connected with gender identity.

13. Confidentiality and communication with parents/carers

- 13.1 As stated at 4.2.3, the School would wish to work in close partnership with parents and carers of gender questioning students. However, there may be circumstances in which the gender questioning student may have different views as to who they discuss their gender identity with, what information is shared by the School, when and with whom (and related concerns). In these situations, the School will have regard to the maturity and capacity of the student and whether there are any safeguarding reasons that justify a modified approach.
- 13.2 There may be situations where information will need to be shared with parents / carers or others (for example, the School's Designated Safeguarding Lead). Staff should therefore avoid making any promises of absolute confidentiality to students. The School will liaise with external agencies as appropriate, such as social care and CAMHS, so that they can provide the best support they can for both the student and the family.
- 13.3 Confidential information about gender questioning students must not be shared with other parents and any queries or questions from other parents should be referred to the Head.

14. Monitoring and review

The Governing body is ultimately responsible for the effective oversight, review and amendment of this policy and understands its legal obligation to do so.

This policy will be reviewed and updated annually by the Deputy Head Pastoral and Head, or as events or legislation requires.

Next Scheduled review date: 09/2025		Last review date: 09/2024	
Updates made		<ul style="list-style-type: none"> • Updated references to statutory guidance • Addition of emphasis on the wellbeing of students added to 4.1. • Clarification that parents/carers will be included in all discussions, except when there is a safeguarding concern in 11.1.2. 	