Salford City Council

Salford Safeguarding Children - Transgender Guidance for Schools

This guidance is to inform schools and enable to them to support and protect pupils who are questioning their identity and to help them to achieve their full potential whist in education. The guidance aims to minimise distress and disruption to pupils and embed good practice in schools by,

- Promoting inclusion for all students within education by improving services for
- transgender pupils.
- Ensuring that governors and staff can deal with Trans matters inclusively.
- Provide practical guidance to schools on specific issues.

What is Transgender?

The term “transgender” refers to individuals whose gender identity – the way they feel about and experience gender internally – does not match the sex they were assigned at birth. Such individuals may choose to access gender affirming healthcare (such as hormones, surgeries, or vocal coaching) to assist them in expressing and being perceived by others as, their true gender identity. Some individuals may only transition socially for example, by changing the way they dress, changing their name or asking to be referred to by different pronouns. However, there is no requirement for an individual to have taken any specific “transition” steps in order to have the right to their gender identity being respected.

The term transgender (and the shortened version, “trans”) can also include people who do not identify with either of the two “binary” gender identities, male or female. Terms such as “non-binary”, “genderfluid” or “genderqueer” may be used by such individuals to describe their identities and experiences.

Transgender children and young people are usually dependent on their parents for care, shelter, financial support, and other needs, and because most doctors are reluctant to provide medical treatments to them, transgender children and young people face different challenges compared to adults. Transgender issues manifest at different times in life in different individuals. In most cases of Gender dysphoria - Wikipedia , the condition is often apparent in early childhood, when such a child may express behaviour incongruent with and dissatisfaction related to their assigned gender. However, many of these children experience rejection as a result of their differences and quickly attempt to repress them. Therefore, people who see these children regularly may be unaware that they are unhappy as members of their assigned gender.

Gender dysphoria is a strong, persistent discomfort and distress with one's gender, anatomy, birth sex, and even societal attitudes toward their gender variance. Transgender young people who experience gender dysphoria tend to be very conscious of their body; appearance, weight, and other people’s opinions of their body may become very important.
Body esteem of several transgender young people was measured in an interview in three categories (personal satisfaction of appearance, personal satisfaction of weight, and perceived satisfaction of others of one's body appearance). It was found that those transgender young people who experienced

less personal satisfaction with their weight and who perceived others' satisfaction with their body as worse were more likely to practice life threatening behaviours than those who were more satisfied with their weight and thought that others view their body more positively.

Legislation

The legislation states that schools must not discriminate against a pupil because of their transgender status. There is no legal requirement for schools, as there is with disability, to make 'reasonable adjustments' for trans pupils but schools may take a similar approach to ensure that the needs of trans gender pupils are catered for. This guidance will outline the adjustments and steps that schools may need to take to meet the needs of transgender pupils. The practicalities and arrangements for such adjustments will vary from school to school.

Data Protection Act 1998 (UK)

Information about a person's Transgender status is considered 'sensitive personal data' and is subject to tighter controls than other personal data. Explicit consent is required before it can be processed.

- Personal data must be looked after properly following the eight data protection principles, which include ensuring personal data is accurate, secure, and processed fairly and lawfully.
- Failure to change a person's title, name and gender when requested could lead to the following offences under the Act.
- Disclosure of personal information that is used, held, or disclosed unfairly, or without proper security
- Failure to ensure personal information is accurate and up to date
- Processing of data likely to cause distress to the individual

The Human Rights Act 1998

The following Articles from The Human Rights Act 1998 support the rights and needs of Transgender people to live their lives in their true gender.

- Article 8: right to respect for private life and family life
- Article 10: freedom of expression
- Article 14: the prohibition of discrimination

The Gender Recognition Act 2004

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate and correct their original birth certificate to match their true gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to.

Equality Act 2010 (Great Britain)

The Equality Act 2010 ensures legal protection against discrimination, harassment, and victimisation (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment (also known as Transgender).

Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to School and

young people. The Equality Act 2010 (2:1:7) states that:

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. The Act applies to employment, education, and a range of other areas where discrimination may take place. In order to be protected under the Act, a student will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender or be proposing to do so. The school governing body has a responsibility to ensure that the school is complying with its requirements under the Equality Act.

Sex Discrimination (Gender Reassignment) Regulations 1999

Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, school, and vocational training (including higher education study).
Less favourable treatment relating to absences arising from gender reassignment is unlawful if

- the treatment is less favourable than if it had been due to sickness or injury
- the treatment is less favourable than if it had been due to some other cause and, having regard to the circumstances of the case, it is reasonable not be to be treated less favourably.
- Less favourable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

Discrimination

As stated, The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act, one of which is Gender Reassignment.

The legislation states that a school must not discriminate against a student because of their Transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible school uniform rule which offers no "unisex" options such as trousers for girls, and which would therefore create a particular difficulty for a F2M student.

Dealing with the questions of staff, children, families, and the wider community

There may be many questions that are asked by various people, and it is important to be as clear and informative as possible. However, every circumstance is different, due to the unique experience of individual children and their families.

The Gender Identity Research and Education Society (GIRES) have produced some helpful training tools which can be used in school. Staff and governors can also use the materials as part of their Continuing Professional Development. The resources can be found at, Gender Identity Research & Education Society – Improving the Lives of Trans People (gires.org.uk)

St Paul's C of E Primary School

Transgender Policy

Revised and adopted by the Governing Body (date)

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Review Date: September 2025

Next Review Date: September 2027

Introduction

Gender is often an important part of an individual's identity and developing a positive sense of gender identity is part of growing up. However, gender identity is often complex and there is a spectrum of gender which is wider than just boy/ man or girl/ woman.

Practice to support trans children is embedded across school policies and curriculum and build on best practice already in place to eliminate discrimination, harassment, and victimisation; advance equality of opportunity and foster good relations.

This Policy seeks to provide a broad overview of the needs of transgender children and their families.

As of July 2023 the Government has delayed launching new guidance for schools therefore the guidance in this policy will be amended in line with the guidance once issued.

Principles

In developing practice to support trans children, our school will try to follow these principles:

- Listen to the child, their parents, carers, and siblings. Wherever possible follow their lead and preferences.
- No child should be made to feel that they are the ones who are causing problems or that they owe anything to their school in return for being treated with the equality they deserve and are legally entitled to.
- Avoid seeing the child as a problem and instead see an opportunity to enrich the school community and to challenge gender stereotypes and norms on a wider scale.
- Avoid where possible gender segregated activities and where this cannot be
- avoided, allow the child to access the activity that corresponds to their gender identity.
- Challenge bullying and discrimination.
- Promote positive attitudes to gender diversity by including trans issues within activities relating to discrimination, hate crime, diversity, inclusion, SRE and PSHE.

Early Help Process

It is important that any support offered to a transgender child or young person starts with identifying their individual needs. It must be understood that some trans people may not want any treatment/support. Some may choose to be known by a different name or to wear different clothes. However, most or all young trans people (and their families) will need some expert/specialist support as they grow up and develop.

A trans child may benefit from an Early Help Assessment in line with Salford's Safeguarding Children's Partnership procedures to identify any additional needs arising from transgender issues. St Paul`s CE Primary School would (with agreement and in consultation with the pupil and parent/carer) complete an Early Help Assessment to identify specific information that the young person would like to be shared with those working with them to avoid them having to repeat

themselves. When completing the assessment particular attention should be paid to the sections on emotional health and wellbeing, family and social relationships, behaviour and an action plan put in place to address these issues and ensure the young person has a robust support plan. The allocated Lead Professional should always be someone who knows and gets on well with the child.

Further guidance on the Early Help Process: https://www.salford.gov.uk/children-and-families/early-help-for-families/

Terminology and language

The correct terminology and language should be used, in order to do this, there may need to be some education in lessons around sexual orientation and gender so that staff and pupils have a clear understanding that sexual orientation and gender identity are two completely different things. For the matter of fairness and inclusion it is extremely important that the correct gender, name, and pronouns are used correctly to address transgender pupils.

Names and pronoun change

Respecting a child or young person's request to change name and pronoun is crucial in supporting and validating that young person's identity. Some transgender children and young people may wish to change their name to make it in line with their chosen identity. Although they may not have changed their name legally, individuals have the right to choose the name by which they are known to by staff and fellow pupils.

More information on changing names on birth certificates can be found at www.deedpoll.org.uk/CanABirthCertificateBeChanged.html

Name Changing and Statutory Tests

If a transgender pupil wishes to have their preferred name recognised on school systems, this will be supported and will feed on to letters sent home, school reports, pupil's books. Furthermore, the change of name and associated gender identity will be respected and accommodated by St Paul`s CE Primary School. It is a real indicator that the transgender pupil is taking steps to, or proposing to move towards a gender they feel they wish to live in.

A pupil's record on the school's management and information system can be changed to reflect his or her preferred name. However, the gender recorded has to remain as it was when the pupil was assigned his or her Unique Pupil Number (UPN), unless the pupil's birth certificate or legal gender is changed via a Gender Recognition Certificate.

Guidance explains that a pupil's original name and gender will have to be recorded for exam entries and certificates, unless the pupil has legally changed his or her name, for example by deed poll. Once an exam result is accredited it will be linked with a UPN which existed in the school census information. UPNs are only linked with legal names, not preferred names. Within a Primary School setting, examination certificates are not issued but if at secondary it is possible for examination certificates to be issued in the preferred name.

Schools need to be aware that the DfE analysis of school performance data may still present the pupil in the gender registered by their UPN.

It is possible for any document to be changed to reflect the chosen name of the young person. Changing the gender recorded on a birth certificate is not however possible until a Gender Recognition Certificate has been issued. In order to change a name on other official documents such as passport, it might be necessary for evidence of change of name to be produced: there are two main ways in which this can be done, by deed poll and by statutory declaration. The Citizens Advice Bureau and other transgender support organisations will have more information on this subject. A person under 16 years of age cannot change their name legally without the consent of a parent. (See Resources and Further Support)

School Attendance

St Paul`s CE Primary School will make reasonable adjustments to accommodate absence requests for any treatment or appointments with external sources in line with their absence policy.

It is possible that the young person may be accessing support from outside of school so provision must be made in order for the student to be absent from school, but confidentiality must be maintained at all times when complying with absence procedures. Sensitive care will be taken when recording the reason for absence. The young person may need time off for a medical appointment and it should be recorded as an M code rather than being off sick.

The Curriculum

The issues connected to transgender will be visited for pupils through the PSHE programme that we offer. These issues may also be touched upon during other subjects.

Our whole school approach includes:

- Using the curriculum to challenge gender stereotypes and develop understanding of transgender issues.
- Covering transgender issues in training for staff and governors.

School Photos

Trans children may feel fine with having their photograph taken at school, but steps must be taken to ensure that these images do not reveal any confidential information. St Paul`s CE Primary School will always seeks parental/carer permission to publish photos in line with the school policy.

Transphobia and Bullying

St Paul`s CE Primary School have a robust anti-bullying policy. In line with this policy, transphobia incidents will be recorded and dealt with in the same manner as other incidents that are motivated by prejudice, e.g., racist, or homophobic incidents.

Physical Education

Sports and Physical Education is a key aspect of the national curriculum and the physical and mental well-being of young people. Physical Education develops pupil’s competence and confidence to take part in a range of physical activities that become a central part of their lives, both in and out of school.

A young Transgender person has the same right to Physical Education as other young people. With regard to young Transgender people at school, there should be reasonably few, if any, issues regarding participation within the sports of their true gender.

There may be sports where, as puberty develops, male to female (M2F) Transgender participants may have a physical advantage over other girls but this should not present a problem within a carefully and sensitively managed lesson context. The issue of physical risk within certain sports should also be managed properly within the lesson context rather than preventing young Transgender people from participating (which would be discriminatory).

If a pupil is binding their chest, they should be monitored carefully during particularly physical activities and in hot weather. There is a chance that the binding could cause discomfort or even impair breathing. Short breaks from activity could be offered discretely.

If PE lessons are segregated by gender for any reason, transgender pupils will be allowed to participate in the activity that corresponds to their gender identity, if they wish. Transgender pupils can wear the PE kit that corresponds to their gender identity.

Changing Room Facilities

The use of changing room facilities will also be carefully considered. Facilities for Transgender pupils will be sensitive to their needs and also recognise the needs and sensitivities of other students. When competing at another school or outside venue, school staff must ensure there is appropriate sensitive provision available.

Swimming lessons

When a Transgendered pupil takes part in swimming lessons then a risk assessment of the changing facilities should be completed. There must be careful consideration, in consultation with the pupil and in line with the health and safety policy of the leisure centre or swimming pools health and safety procedures. For example, it may be against health and safety regulations to wear a t-shirt in the swimming pool and therefore would be more appropriate for a F2M pupil to wear swim shorts and a rash vest.

Toilet Facilities

There is provision in St Paul`s CE Primary School for unisex toilets. Transgender students will be able to use these facilities which have been labelled sensitively and appropriately.

School Uniform

Transgender students will be expected to follow the School Uniform Policy, which covers uniform, make-up and jewellery and hairstyles.

There is a generally broad range of uniform available for both genders (i.e., girls and boys can wear trousers and all students must wear a jumper, shirt, and tie etc.).

Residential Trips

Careful consideration and preparation are needed where a transgender pupil is taking part in a residential trip – to exclude a transgender pupil would be contravening the Equality Act.

Taking part in activities off site may lead to overnight stays e.g., Lledr Hall residential centre in Wales. Issues may arise for both young Transgender pupils and other pupils, but this must not mean

transgender pupils cannot be included on the visit or activity. St Paul`s CE Primary School, will give consideration in advance of any additional needs.

We will ensure all staff on the visit and staff at the centre are fully briefed to ensure the transgender pupil is fully included and their needs catered for in a sensitive, inclusive way.

The sleeping arrangements will be considered and thought about carefully before a visit/trip is undertaken; it is possible that a transgender pupil would prefer to have a separate room etc. Each individual case and visit needs to be considered separately and in-depth discussions will happen well in advance, with the pupil, their parents, and all appropriate bodies, linked to the accommodation available.

Risk assessments should be carried out prior to residential trips so that reasonable adjustments can be made to allow the pupil to participate.

Work Experience

Where St Paul`s CE Primary School is considering a work experience placement, the school will complete a suitable assessment on the potential placement to establish if there is any risk to the young Transgender person, taking account of the young Transgender person's right to privacy – as a general principle, personal information on the young Transgender person must not be shared.

St Paul`s CE Primary School will be sensitive to this in our planning before any young Transgender person is placed in any business or organisation. Careful discussion about the placement with the pupil and parents or guardians, will occur to find the most suitable way forward to ensure the placement is successful.

Vaccinations

St Paul`s CE Primary School will allow any gender specific vaccinations to be carried out at the GP's surgery in order to eliminate any embarrassment.

Dealing with Objection from Other Parents

Page 19 of the GIRES guidance relays advice on dealing with parents who object to a Transgender pupil attending the school. It recommends that school inform parents *"that the child, like any other, has the right to remain at the school and to be kept safe and happy."* The guidance explains that parents that fail to accept the school's policy would be free to withdraw their children.

Media Interest

Confidential information about pupils will not be shared with other parents. The following suggested suitable response for staff to offer should they be asked questions in relation trans issues:

"We value all our pupils and care for them, whatever their personal circumstances. Our main job is to give them a good education in a happy school environment. That is what we are focusing on, and we would ask everyone to respect the privacy of all our pupils."

School will not engage with the press over this issue without seeking the advice of Cathy Starbuck, the Salford LA press officer or media relations officer. Press and media contacts at Salford City Council • Salford City Council

Staff must know their duties and responsibilities around data protection so that they fully understand why information is protected, and when, how and to whom certain information can be released.

Confidentiality

All people have a right to privacy. This includes the right to keep private one's trans status or gender non- conforming presentation at school. Information about a child, young person or staff member's trans status, legal name, or gender assigned at birth also constitutes confidential medical information. School staff should not disclose information that may reveal a child or young person's transgender status or gender non-conforming presentation to others, including parents/carers and other members of the school community unless legally required to do so or because the child or parent/carer has given permission for them to do so. Staff need to be careful about discussing the trans gender child beyond the confines of the school.

Trans children and staff have the right to discuss and express their gender identity openly and to decide when, with whom, and how much to share information. When contacting the parent or carer of a trans child or young person, school personnel should use the child or young person's legal name and the pronoun corresponding to their gender assigned at birth unless the child, young person, parent, or carer has specified otherwise.

Resources and further support

Salford LGBTQ+ Youth Groups

Fun, supportive, and safe spaces for Salford's LGBTQ+ young people aged 13 to 18. Providing a place to make friends and connect with other LGBTQ+ people, the groups are a great place to explore identity and expression, learn about LGBTQ+ history and culture, engage with the community, and have fun with games, arts, campaigns, special guests, trips and more. There are groups at Bridgewater Youth Centre, The Beacon Centre and one in Eccles.

They also offer T & Toast, which focusses specifically on the needs of trans and non-binary people. Running simultaneously but separately, T & Toast offers a supportive space for trans and non-binary young people as well as a space for the parents and carers of trans and non-binary young people. With workshops, special guests and engaging activities, T & Toast is a great place to learn, connect and grow. T & Toast meets every third Sunday at the Beacon Centre.

For more information, please contact Chris Rice at 0161 778 0700 or youth.services@salford.gov.uk.

Tavistock and Portman Clinic- Gender Identity Development Service
Gender Identity Development Service (GIDS) (tavistockandportman.nhs.uk)

Trans Inclusion Schools Toolkit – Brighton & Hove City Council
https://www.brighton-hove.gov.uk/schools-and-learning/support-school/trans-inclusion-schools-toolkit-2021

Gender Identity Research and Education Society (GIRES)
Gender Identity Research & Education Society – Improving the Lives of Trans People (gires.org.uk)

Press for Change- The UK's Leading Expert in Transgender Law
Press For Change - The UK's Leading Experts in Transgender Law (pfc.org.uk)

NHS- Live Well. Support for Young People

Gender dysphoria - NHS (www.nhs.uk)

The Proud Trust The Proud Trust - Home of LGBT+ Youth

Equality Advisory Service Equality Advisory and Support Service (equalityadvisoryservice.com)

Cornwall Schools Transgender Guidance **Schools Transgender Guidance July 2015 | Intercom Trust**

Trans Inclusion Schools Toolkit – Brighton & Hove City Council
https://www.brighton-hove.gov.uk/schools-and-learning/support-school/trans-inclusion-schools-toolkit-2021

Childline
https://www.childline.org.uk/info-advice/your-feelings/sexual-identity/gender-identity/

NSPCC
https://www.nspcc.org.uk/keeping-children-safe/sex-relationships/gender-identity/

Gendered Intelligence
https://genderedintelligence.co.uk/professionals/education.html

Amnesty International UK
https://www.amnesty.org.uk/LGBTQ-equality/gender-identity-beginners-guide-trans-allies

The Equality Act 2010
http://www.legislation.gov.uk/ukpga/2010/15/contents

The Equality Act 2010 and Schools – Departmental advice for school leaders, school staff, governing bodies, and local authorities (May 2014)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

For more information on LGBTQ+ faith groups, see the below websites:

LGBTQ+ Muslim groups, Hidayah and Imaan.
You can also contact the Muslim Youth Helpline.
LGBTQ+Jewish group, Keshet UK.
LGBTQ+Christian group, One Body One Faith
LGBTQ+ Catholic group, Quest.

GLOSSARY OF TERMS

Binding – a F2M adolescent that is developing breasts may strap down their chest so that it is less obvious. This can be hot, uncomfortable, and restrictive but very important to their psychological and emotional wellbeing. It might make certain PE lessons difficult for them to participate in and could sometimes lead to breathing difficulties, skeletal problems, and fainting.

F2M – Female to Male, a person that was identified as Female at birth but came to feel that their true gender is actually Male.

Gender – the way that a person fells about themselves in relation to their physical and mental self; the basis of their identifying as male, or female, or neither, or either, or both.

Gender Dysphoria – the medical condition that describes the symptoms of being Transgender.

Gender Identity Disorder – GID is a medical term describing being Transgender, this tends not to be used owing to the subtext around the word 'disorder'.

Gender Recognition Certificate – an official document presented by a Gender Recognition Panel that enables all official documents and records (including birth certificate) to be amended to the true gender of the individual thereby providing full legal recognition.

Gender Role – the social role/interaction with others, which gives expression to the inner gender identity and reinforces it.

M2F – Male to Female, a person that was identified as Male at birth but came to feel that their true gender is actually Female.

Packing – a F2M person may wear a prosthetic item in their pants that will give a „bulge" in their trousers so as to appear more male.

Sex – the way a person's body appears, sometimes wrongly, to indicate their gender.
Transgender – a person that feels the assigned gender and sex at birth conflicts with their true gender.

Transsexual – a Transgender person who lives fulltime in their true gender.

True Gender – the gender that a person truly feels they are inside.

Crossdresser - People who wear clothes, make-up commonly associated with the 'opposite' sex, but who do not necessarily identify as that gender.

Cis - A cis person is someone who identifies as the same gender they were designated at birth. So, if someone is born female and identifies as a woman, they are cis. It is an easy way to refer to someone who is not trans. The word 'cis' comes from the Latin for 'same'.

Gender Pronouns - A trans young person may change their name and the pronoun they use. Some may wish to change their pronoun from 'he' to 'she' or vice versa. It's important to respect these and listen to how a young person wants their name and pronoun shared, and with whom. Make sure you help them understand the impact of sharing their new pronouns and how some people may react. You can build their confidence so they're comfortable sharing these with others if they wish to. Some people prefer gender-neutral pronouns such as they/their and ze/zir. If you are unsure which pronoun to use, wait for an appropriate moment and ask. Alternatively, indicate the pronouns you use first – this gives people an opportunity to say theirs too.
https://www.childrens.com/health-wellness/understanding-gender-pronouns