

# Balcarras Gender Questioning Pupil Policy



## Aims

Balcarras School will ensure that **all** pupils are respected and supported, as they grow and develop, along with any changes they will experience as they progress through their teenage years and into adulthood.

We aim to support all young people in terms of the way a person self-identifies with their gender identity – i.e. a young person's inner sense of self.

This policy seeks to ensure that all gender questioning pupils are encouraged at Balcarras School to enable them to reach their full academic potential by explaining and outlining the school's adoption of good practice in the field of gender questioning consideration.

All efforts will be made to minimise any potential distress and disruption to students by:-

- ensuring teachers and Governors deal with gender questioning matters inclusively and sensitively
- providing an inclusive environment for any gender questioning pupil
- ensuring all pupils are aware of and educated on gender questioning issues

## Gender Identity & Gender questioning Identity

Gender identity is described as the personal experience of one's own gender and sense of self. Gender identity can correlate with assigned sex at birth, or can differ from it completely. All societies have a set of gender categories that can serve as the basis of a person's social identity in relation to other members of society. Some people do not identify with some (or all) of the aspects of gender that are assigned to their biological sex. Some of those individuals are transgender. A gender questioning person feels that their external appearance (sex) does not match up with the way they feel internally about their gender identity.

Gender identity and sexual orientation are not the same. Sexual orientation refers to an individual's physical, romantic, and/or emotional attraction to another person, whereas gender identity refers to one's internal sense of being male, female, or otherwise. Gender questioning people may be straight, lesbian, gay, bisexual, or asexual, just as non-gender questioning people can be.

The term "gender questioning pupil" is used in this policy to describe any pupil who feels their external gender is different to how they identify their own gender internally, and who wishes to identify with that internal gender. It is a personal process rather than a medical process and does not require any medical intervention or medical processes to be planned or ongoing.

Gender questioning young people refer to their diverse identities and experiences in a range of ways. Some gender questioning young people may refer to themselves as 'non-binary', (not exclusively male or female or somewhere in-between), while others report they feel both male and female.

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## Legislation

This policy supports all current legislation enforceable with regard to an individual's gender questioning status. This includes but is not limited to the following pieces of legislation:

- Data Protection Act 1988
- Human Rights Act 1998
- Gender Recognition Act 2004
- Equality Act 2010

The school is aware that gender reassignment (as defined in the Equality Act 2010) is one of nine protected characteristics covered by the Equality Act 2010 and will deal with gender reassignment in keeping with the applicable legislation.

It is noted that a pupil aged 18 years old may apply for legal recognition of their acquired gender through issue of a gender recognition certificate.

Whilst being gender questioning is one of the protected characteristics under the Equality Act 2010, it does not preclude gender questioning pupils from being protected by the other discrimination provisions in the Equality Act 2010.

## Discrimination and Bullying

The school will not discriminate, and will not tolerate discrimination, against a pupil because of their gender questioning status. This includes both direct and indirect forms of discrimination. The school's "**Single Equality Policy**" sets out clearly the school's approach to equality for gender questioning pupils.

The school's "**Bullying Policy**" makes clear that the school has a zero tolerance approach to any form of bullying, harassment or victimisation. The school also makes clear the standard of behaviour expected to be shown to both staff and pupils at all times both in and outside of school premises.

## Terminology and Language

The school will endeavour to use terminology that is sensitive and inoffensive whenever issues of gender questioning are discussed. Pupils discuss issues of gender questioning through the PSHE programme, and will be taught and actively encouraged to use the correct terminology when speaking about gender questioning issues and to adopt a respectful attitude at all times.

The language used in this policy is referable to that of the Equality Act 2010.

## Information sharing

Balcarras School will take into account the wishes of the gender questioning pupil and their parents around when and if information about the pupil's gender

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questioning status is shared with immediate peers or the wider school community, so that this is handled sensitively.

The school acknowledges that information appertaining to an individual's gender status or history will constitute sensitive personal data under the Data Protection Act 1988 (and forthcoming future legislation of the General Data Protection Regulation 2018).

## **Training**

Balcarras School sees the training of its staff as an important part of supporting gender questioning pupils. Staff will be provided with training, and opportunities to discuss issues surrounding gender questioning status. The school's policies regarding gender questioning pupils will be made available to all staff.

Balcarras School will ensure that all staff are well informed and up to date with their knowledge of gender questioning pupils at the school, and of the school's expectations of how staff can support those pupils.

## **Curriculum**

The Balcarras Curriculum is designed to provide the best possible education to all pupils, irrespective of any protected characteristic, their background or ability. All pupils are required to participate fully in all lessons and complete all set work as part of their allocated timetable. All pupils are aware of this requirement.

## **Sports and 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 pupils' competence and their 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 gender questioning pupil will have the same PE allocation of lessons on their timetable as all other pupils in their year group. All gender questioning pupils will be required and expected to fully participate in all PE lessons as part of their timetable, except where medical advice suggests otherwise.

In full contact sports, such as rugby, where the risk of injury is increased, it may be necessary for PE lessons to be differentiated to allow all pupils to take part. The PE department will ensure that the necessary consideration is given to sports involving contact between players to minimise the risk of injury.

## **PE Kit**

Balcarras School supports gender questioning pupils to wear PE kit in line with their identified gender. PE kit must be worn as set out in school policies.

## **Physical Education and Changing Rooms**

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All gender questioning pupils will be required to get changed in separate changing facilities, using a changing room that is not used by other pupils. The school is fortunate to have sufficient changing room space, that was always designed to be unisex, to ensure this facility is always available. The location of the changing room will be made clear to any gender questioning pupil during their first PE lesson.

If/when a gender questioning pupil is selected to take part in an “away match” as part of a school team it will be necessary for a discussion to take place in advance of the event about the changing and toilet facilities available at the opponent school. It may be necessary for the pupil to get changed at Balcarras prior to and after the match.

If a gender questioning pupil qualifies for a competitive sports competition against another school, it will be necessary for the parent/guardian to have a full discussion with the PE department at Balcarras about how best to manage any perceived advantage that might be gained.

## **Transition from One School to Another**

Balcarras School works very closely with all feeder schools. All pupils are visited in the summer term of Year 6 to ensure that any worries are alleviated and potential concerns planned for. All gender questioning pupils and their parents/guardians will be given access to a copy of the school’s “Gender questioning Pupil Policy” before the end of the summer term, to ensure they understand Balcarras School’s approach to gender questioning support. If necessary the parents/guardians will be invited into Balcarras School before the end of the summer term to discuss the support available.

A pupil’s gender questioning status will not be disclosed to, nor will it have any bearing on any reference given to a potential employer, UCAS or any other educational institution.

## **Work Experience**

All pupils take part in work experience at the end of Year 10. This is a critical part of the education provision and enables pupils to experience the world of work for themselves. It is noted that, unfortunately, some of the work places in the Gloucestershire area may not be suitable or have the necessary provision for a gender questioning pupil. Before any work experience placement is decided, a meeting must take place between the parents/guardians and the work experience co-ordinator. Towards the end of the autumn term of Year 10 the school will work closely with the parents/guardians to find a suitable and supportive work experience placement.

## **Toilets**

Balcarras has toilets that have been designed and designated as unisex toilets. There are four of these toilets, located in the main House Head corridor, the Art Department, the Sports Hall and in the Sixth Form Block as well as unisex toilets in the Davidson Building. All gender questioning pupils are permitted to use the unisex

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toilets. Other toilets around the school are designated as single sex toilets. Pupils may only use these toilets if they align with their biological sex at birth.

## **Personal Social Health Education**

Balcarras School runs a very comprehensive and educationally beneficial PSHE programme. The school understands that some pupils may find some of the issues discussed in PSE challenging. However, all issues are handled sensitively and are an important part of the educational provision provided by Balcarras School. All pupils are required to attend all PSHE sessions and participate fully.

## **School Uniform and Regulations**

Balcarras has a very clear uniform policy that all pupils are required to follow. All gender questioning pupils must follow the school rules on uniform, including the school rules on make-up, jewellery and hair styles.

## **Pronouns**

Gender questioning pupils may request that staff and pupils use a chosen pronoun. This is a big decision for the school and the gender questioning pupil, and so will only be taken after a formal meeting with the gender questioning pupils and their parents has taken place with the Head of House. There is no requirement for a school to have to change a pupil's pronouns, and staff cannot be disciplined if they use the wrong pronoun. Once a formal meeting has taken place and provided the school agrees it is in the pupil's best interests to change pronouns, the school will ensure that all staff are made aware of the pupil's preferred choice of pronoun.

## **Changing Names, Gender and Exam Certificates**

In regards to schools recording this data, section 4.2.7 of the 'School census 2014 to 2015' (2015) Department for Education guidance 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." This can be found at:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/396890/2014\\_to\\_2015\\_School\\_Census\\_Guide\\_V\\_1\\_9.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/396890/2014_to_2015_School_Census_Guide_V_1_9.pdf)

It remains open for the school to amend the gender of any pupil, within their own management information systems, at any time, and the department does not specify that this indicator must remain static within any technical requirements.

Balcarras School will assign the gender of a gender questioning pupil on Bromcom to the gender with which the pupil identifies. This will help with new teachers meeting the pupil for the first time, cover lessons and mail-merge documents sent home to get the preferred gender correct.

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The school examinations officer will have a meeting with the parents/guardians of any gender questioning pupil early in Year 10 to ensure any exam documentation is issued with the gender and name that meet all necessary legal requirements.

## **Vaccinations**

Balcarras School does allow some vaccinations to take place in school time. Where vaccinations are required for both sexes, all gender questioning pupils will have the opportunity to have the vaccination in the allocated school time. However, for vaccinations that are specific to one particular biological sex, the school will require the gender questioning pupil to have the vaccination at their GP surgery. This is due to the fact that school staff do not have the required medical knowledge to safely make a decision about the administering of certain vaccinations. It is important that this procedure is strictly followed to ensure the safety of all pupils. Where appropriate, and for the safety of the pupil, Balcarras School will share the fact that gender questioning procedure has taken place (or is ongoing or intended) with medical professionals administering vaccinations.

If the parents/guardian would prefer all vaccinations to be administered at a GP surgery, even those that are not specific to one particular biological sex, Balcarras School will allow time off from school specifically for those vaccinations to take place. Time off should be limited to the shortest possible time away from lessons (no more than half a day) to avoid missing excessive education.

## **School Trips, Exchanges and Overnight Stays**

Balcarras School runs two different types of trips:

**Curriculum Trips:** these form part of the syllabus of a subject.

**Non-Curriculum Trips:** these are optional and, although they may broaden a pupil's understanding of a syllabus, are not essential to a subject's syllabus requirements.

### **Curriculum Trips**

All students will be offered the opportunity to take part in Curriculum Trips. The trip leader will discuss any curriculum trip with the parent/guardian of a gender questioning pupil before the trip takes place. The conversation will include discussion about any support or provision that the gender questioning pupil may require while participating in the trip.

Every effort will be made to ensure that provision is in place to make the trip run successfully, but it is important to be aware that some trip locations may not have ideal facilities available for gender questioning pupils. In these situations all potential solutions will be looked into, and if required compromises will be agreed that both Balcarras School and the parents/guardians of the gender questioning pupil agree are sufficient and adequate to make the trip a success and to ensure inclusion of the gender questioning pupil.

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## **Non-Curriculum Trips**

Only certain pupils will be offered non-curriculum trips. Before any pupil is allowed to attend a non-curriculum trip, consideration will be given to a number of factors including their behaviour, attitude to learning, reliability, honesty and attendance. Selection is based on merit and no pupil, irrespective of gender, who falls short of the school's high expectations, will be allowed to participate in a non-curriculum trip.

For trips that involve an overnight stay, gender questioning pupils will be required to have separate accommodation, both to support the gender questioning pupil, but to also support the other pupils on the trip. Balcarras School may insist that a gender questioning pupil is accompanied by a parent/guardian for a non-curriculum trip if the school judges it to be a requirement for the trip to be successful.

Before any trip takes place a meeting with the trip leader and the parents/guardians must always take place.

All trip risk assessments, where the trip includes a gender questioning pupil, will address the risk anticipated for gender questioning pupil. All efforts will be made to ensure inclusion.

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## Glossary of Terms

**Binding** – a FtM adolescent who 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.

**Blockers** - Gonadotrophin inhibiting agents are not hormones that will give the body changes associated with cross-sex hormone therapy. Rather they block the body from releasing the hormones that change the body of boys and girls during puberty to either a more male or more female form and keep it at pre-puberty stage of development. Stopping treatment allows the body to go through the normal puberty for that child - or alternatively, if the child wishes, he or she can elect to have cross-hormone therapy when they have reached an age where they can give their informed consent to such treatment.

**CisGender** – ‘not gender questioning’ this would be a person that has no conflict between their assigned sex at birth and their gender as it develops.

**FtoM** – 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 feels about themselves in relation to their physical and mental self; the basis of their identifying as male, or female, or neither, or either, both.

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

**GenderFluid** - moving between genders or with a fluctuating gender identity.

**Gender Identity Disorder** – GID is a medical term describing being transgender, this tends not to be used owing to the negative 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.

**GenderQueer** - is a catch-all category for gender identities other than man and woman, thus outside of the gender binary and cisnormativity and refers to an individual having an overlap of, or indefinite lines between, gender identity, two or more genders or without a gender.

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

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**Non-binary** - refers to a spectrum of people who do not welcome or accept the gender label of 'male' or 'female' the gender identity of a man or a woman. The gender identities within the spectrum can be presented or revolved around terms such as masculine and feminine as they please but they define as neither male nor female.

**Packing** – a FtoM person may wear a prosthetic item in their pants that will give a 'bulge' in their trousers so as to appear more male.

**Pronoun** – the descriptor relating to gender that identifies an individual – such as 'she' 'him' or 'his'.

**Pronouns and titles.** Non-binary people may prefer non-binary pronouns; for example, "they" rather than "he" or "she", and gender-neutral titles such as Mx instead of Mr or Ms. and the school will ensure that this is understood by staff.

**Sex** – the way a person's body appears, sometimes wrongly, to indicate their gender. It is the assigned determiner on a person's birth certificate.

**SMSC** – Social, Moral, Spiritual & Cultural.

**Transgender** – a person who feels the assigned gender and sex at birth conflicts with their true gender.

**Transitioning** – the process by which a person starts to live in their true gender.

**Trans** – a word used as an umbrella term to encompass all forms of Transgender, Transsexual, Transitioning etc.

**Transsexual** – a Transgender person who lives full time in their true gender.

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