

Bedales Schools’ Trans Policy (Pupil)

INCLUDING EYFS

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Author	Deputy Head, Pastoral, Bedales Schools
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Tick relevant box(es) how this Policy should appear:

Inspector Folder		✓
Website	Upload	✓
	Signpost	
Internal only		
Parent Portal		
For Pupils/Students		✓

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This Policy is one of a suite of Policies linked to equality and diversity and with particular relevance to the Equality Act 2010. The other Policies are listed below and are reviewed alongside this Policy:

- Equality and Diversity Policy
- Disability Policy and Accessibility Plan
- Provision for Pupils with Particular Religious, Dietary, Language or Cultural Needs
- Sports Gender policy
- Anti-Bullying Policy

Trans

The Equality Act 2010 ("the Act") protects nine characteristics. One of these is gender reassignment.

The Equality Commission supports the recommendation of the 2016 Women and Equalities Committee Report that the use of the terms 'gender reassignment' and 'transsexual' in the Equality Act 2010 are outdated and misleading. The preferred umbrella term is Trans and so Bedales uses this term in relevant Policies. Furthermore, at Bedales Schools, Trans may refer to a pupil who is questioning their gender or does not identify as male or female.

The Act prohibits discrimination against those who are Trans - i.e. where the gender identity of an individual differs from the gender assigned to them at birth. For example, a person who was assigned female at birth decides to start living as a male.

It is unlawful for schools to treat pupils less favourably because of being Trans. This covers all aspects of school life including admissions and exclusions, provision of education and access to any benefit, facility or service provided by the School.

Key actions to support our Trans pupils

The School refers to published guidance to support our Trans pupils and include them fully in School life. Links to the guidance are in Appendix One. The following are some of the key aspects that are considered.

1. The School will respond positively to our pupils who question their assigned gender. Pupils may wish to speak with any member of staff about their needs in relation to gender, particularly at Dunhurst with the Deputy Head Pastoral or Head of Wellbeing or at Bedales with Houseparents or the Health Centre team. We value working in co-operation with our pupils and families and adopt a team approach, working with Houseparents, the Tutor as well as any medical and mental health specialists, such as the School Doctor, Nurses and Counsellors. The School always seeks to prioritise the welfare of the pupils. In circumstances where the issue raises tensions between the pupil and parents, the School will similarly prioritise the interests of the pupils. The needs of our Trans pupils are reviewed regularly.
2. In practical terms, Bedales Schools accommodates pupils according to their physical sex. But, following close consultation with the pupil, their family, staff and any health professionals, a Trans pupil may be entitled to live in boarding accommodation of the gender with which they feel most comfortable. The School will consider what adjustments can be made to ensure the pupil is not excluded or suffers any other detriment. An appropriate risk assessment can help inform the School as to what adjustments can be made to accommodate the pupil. Such an assessment will take into account the wishes of the

individual pupil, any requests from the pupil as to confidentiality, any health and safety considerations and the potential implications of any proposed adjustments on other pupils and the wider School community. The School uses a set protocol (Appendix Three) to help all those involved to reach the best decision for the pupil. This is to ensure that every avenue of discussion has taken place and that this change will be of long-term benefit to the pupil.

3. There are very few single dorms in boarding houses at Bedales Senior School. Sleeping, toilet and washing facilities may be shared or individual, according to the individual pupil's needs. If a separate room cannot be provided, this will be explained to the parents and pupil together with what adjustments may be made to accommodate them. The School will consider bathroom arrangements (whether a single room is en-suite) as well as changing facilities.
4. Overseas trips are planned carefully to ensure any documentation and cultural and legal differences regarding Trans pupils are prepared for (this includes for countries where it may be considered unlawful to be Trans.)
5. Trips in the UK, including sports fixtures, are planned to ensure that appropriate accommodation, toilet and changing facilities are considered and appropriate enquiries made to protect the pupil's dignity and their privacy, based on the needs of the individual pupil.
6. Where a Transgender pupil wishes to change their name and pronoun, this will be carefully considered by the School as we acknowledge that respecting these wishes, wherever practicable, is an important part of supporting and validating their identity. Where appropriate, we will work with the Trans pupil to agree how to communicate and implement any change agreed. Where a pupil is gender fluid and may wish to express their gender identity differently on different days, staff will work with the pupil and where appropriate their family, to establish whether or not this is practicable and if so, how staff will recognise which name/pronoun the child wishes to use on a given day.
7. For external examinations and other official records, the School will record and use our Trans pupils' preferred name and pronouns whenever the law enables us to do so but it may be the case that the pupil's legal name is required i.e. the name referred to on a pupil's birth certificate or passport and, in these circumstances, the School will speak with the pupil and their families and liaise with the relevant exam board to clarify the situation.
8. The unusual circumstances at issue may present many in the community with emotional challenges and so the School is committed to supporting the full integration of our Trans pupils with training and support for staff, parents and other pupils at the School. For pupils, such training and education is included as part of regularly reviewed Wellbeing and Sex Education lessons.
9. A Trans pupil has the right to privacy, which includes the right to keep their Transgender identity confidential, including from their parents, unless the pupil has expressly confirmed they are happy for their identity to be known. Staff should only reveal a pupil's Trans identity to others, including family, where the pupil has agreed to the information being shared or where they are otherwise legally required or entitled to do so.
10. There is no gender-specific dress code at Bedales Schools. In sport, there is a single sports kit list and pupils may wear any of the items listed. 'Cross-dressing' in jest is not permitted as this may be viewed as discriminatory.
11. Where reasonably practicable, to ensure equality of opportunity whilst also ensuring the welfare, health and safety of all pupils, Trans pupils will be able to access facilities around the

School site (such as changing rooms, toilets, bathrooms etc.) which correspond to their gender identity, rather than their biological sex. Throughout the School, there are individual toilet cubicles (at Bedales Senior School and at Dunhurst) which may be used by anyone. Individual changing facilities are available to pupils who would prefer not to change in shared changing rooms for whatever reason. The needs of individual Trans pupils regarding the use of shared facilities will be considered. The School uses a set protocol (Appendix Three) to help all those involved to reach the best decision for the pupil. This is to ensure that every avenue of discussion has taken place and that this change will be of long-term benefit to the pupil.

12. Within the competitive and representative aspects of school sports, Bedales Schools seeks to provide sporting opportunities to all pupils, regardless of gender. The advice of sporting Governing Bodies is followed to enable all pupils to participate in all sports as long as it is safe and fair for them to do so (for example, they have similar levels of strength and stamina). The needs of individual Trans pupils regarding the use of shared changing facilities for sport at away fixtures

NB: All School Policies are available to staff and can be found here:

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Appendix I: Links to Trans Guidance used by the School

Boarding School Association: <http://www.educateandcelebrate.org/wp-content/uploads/2017/09/BBP-31-updated-April-2016.pdf>

Trans Inclusion Schools Toolkit: <https://czone.eastsussex.gov.uk/media/5352/trans-inclusion-toolkit-2019-new-cover.pdf>

Appendix 2: Gender Identity Transition Plan

This plan is completed with the young person, their parents/carers, the members of staff who the pupil feels are best able to support them and any expert medical professionals supporting the young person. It enables the young person to identify their current feelings, anxieties and the next stage they would like to consider. These plans are personalised and are a tool to pre-empt situations and how best deal with them.

This approach seeks to give all involved a clear understanding of the stage a young person is at, but also opportunities to agree timescales to ensure arrangements are put in place after careful planning. This plan also allows longer-term practical issues to be considered and a way forward to be decided for example:

- Names changes for exam entries
- Planning for work experience
- Transition to post 16

Date		
Current stage		
Next stage		
Support Required		
Confidential group		
Any external agencies involved		
Training needs for staff and parents		
Outcome		

Appendix 3: Stepped Protocol

Trans – requests for reasonable adjustments

In the interests of the pupil's welfare, the following steps are normally considered when a request (such as change of accommodation, different gendered facilities, pronoun) is made:

1. Is the pupil receiving counselling support? Yes / No
2. Has the pupil been referred to specialist therapeutic services (e.g. Tavistock & Portman clinic)? Yes / No
3. Has the pupil's request been discussed by their GP? Yes / No
4. Has the pupil discussed their request with their Houseparents? Yes / No
5. Has the pupil discussed their request with the DSL?
6. Has the DSL consulted the pupil's parent(s) /carer(s)? Yes / No
7. Has the Head been informed of the request? Yes / No
8. Considering all the evidence, and with due consideration to the welfare of the child and those around them, does this request for change meet the School threshold (as defined by the above responses (apart from 2) being yes) for action? Yes/No
9. Further points and rationale if change is going ahead without all answers above being yes

Appendix 4: Linked Policies

Related Policies

- Anti-Bullying Policy
- Accessibility Policy and Plan
- Sports Policy
- Three Schools' Equality and Diversity Policy (Pupil)