



# BIRKENHEAD SCHOOL

## Transgender Policy

### Introduction

At Birkenhead School, we believe that all members of members of society are equally valuable, and that they have equal rights.

### Purpose

The purpose of this policy is to begin the process of establishing a framework for how the School will support students who are navigating their way through difficulties with their assigned gender.

In line with the School's Equal Opportunities Policy, gender reassignment is classified as one the nine 'protected characteristics' on the grounds of which people are protected against discrimination. Birkenhead School aims to give support and understanding to those students who wish to take steps to present themselves in a gender different from the one assigned them at birth. We aim to foster an attitude and environment that is free from discrimination or harassment where all students are treated with dignity and respect.

### Legal Framework

This policy has been produced in accordance with the following documents:

Data Protection Act 1998 (UK)

The Human Rights Act 1998

Sex Discrimination (Gender Reassignment) Regulations 1999

The Gender Recognition Act 2004

The Equality Act 2010

The Human Rights Act 1998

## **Our Practice**

It is important to assess the needs of any member of the School community on a case-by-case basis. For a student, this is the responsibility of the Head of Year. For an adult, this is the Headmaster.

## **The Curriculum**

Issues relating to gender identity are studied as part of the PSHEE, and specifically RSE programme. This curriculum is designed to promote understanding and to combat prejudice and discrimination, in line with the School's inclusive ethos. They may also be touched upon in such academic subjects as English and Religious Studies, as well as in Biology.

## **Sport & Games**

Sport and games form an intrinsic element of the co-curricular programme of the School. A transgender student has the same entitlement to participate in these activities as any other student in the School. Participation in sport will be managed as sensitively as possible and appropriate risk assessments will be undertaken. It may be the case that, in certain circumstances involving contact sports, participation may have to be limited. The School will consider this at the appropriate moment and would consult with the student as well as their parents/ guardians. We would look to NGOs for advice in specific sports and follow their guidance and recommendations.

## **Changing & Toilet Facilities**

The use of changing room facilities will also be carefully considered. The school will endeavour to be sensitive to the needs of any transgender students, while also recognising the needs of others. When competing against another school, or at another venue, appropriate provisions and risk assessments will be in place. This may include making use of accessibility facilities available in a range of locations around School.

## **Dress and Uniform**

Transgender students have the right to dress in a manner consistent with their gender identity or gender expression. This may mean that they choose to comply with the School's uniform dress code that applies to their reassigned sex. The uniform policy specifies 'Option 1' and 'Option 2' rather than Boys and Girls, and students may opt for either, regardless of gender.

## **Names**

A student's record on the School systems can be changed to reflect their preferred name. However, the gender recorded on the systems will remain as it was when they were assigned their unique student number, unless the student's birth certificate or legal gender is changed via a gender recognition certificate. A student's original name and gender will have to be recorded for

examination entries and certificates unless the student has legally changed their name, for example by deed poll.

### **Anti-Bullying Procedures**

Birkenhead School has a clear and robust Anti-Bullying policy that is known and understood by all members of the community. It is the right of every pupil at the school to be accepted for who they are without fear of harassment or bullying. In line with this policy, any examples of 'transphobic' bullying will be recorded and dealt with in the same manner as other examples of bullying that are motivated by prejudice and discrimination. An attempt to 'out' another pupil without their permission will be considered a serious breach of the school's anti-bullying policy.

**Louise Smeaton, 3<sup>rd</sup> September 2021.**

**To be reviewed September 2022**