



Trans Equality Legal Initiative launch Conference

Education

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Must haves:

- Implementation of Public Sector Equality Duty
- Prominent code of conduct
- Transition policies for staff and pupils
- DfE guidance on name and gender marker change (teachers still have 1 (M) or 2 (F) on intranet); Jennifer Wilson (1) **X**
- Curriculum at all levels
- PSHE – GEO should publish existing trans guidance (March 2015)
- A recent parliamentary report concluded that *‘young people consistently report that the sex and relationships education (SRE) they receive is inadequate,’* and recommended that PHSE be made statutory, with SRE as a core component

Name/gender: Liberalise practice according to DfE Census guidance

- **4.2.3 Pupil Surname**
- Full legal surname as the school believes it to be (Schools are not necessarily expected to have verified this from a birth certificate or other legal document).
- **4.2.7 Pupil Gender** (binary only)
- The gender [sex] of the pupil in the format of M (Male) or F (Female).
- In exceptional circumstances a school may be unsure as to which gender should be recorded for a particular pupil. The advice from the Department is to record the gender according to the wishes of the pupil and/or parent.

Recent case – application for secondary school

- Trans girl who had been living according to her affirmed gender for 2 years, applied to go to an all girls school:
- She was rejected, apparently on the grounds that :-
 - either they didn't take 'boys'?
 - or they didn't take transgender pupils?
- Are both these propositions potentially unlawful since they could take a boy or a trans girl
- Would they have taken a trans boy??

Our School CODE

We are proud of our school

**We believe that everyone is equal and must be treated with respect
We do not allow anyone to discriminate against others because of their:**

**age; disability;
gender reassignment;
pregnancy/maternity;
race; religion or belief;
sex or sexual orientation;**

We challenge those who breach the code

**Identifying with one strand of diversity does not give you the right to discriminate
against, harass or bully someone because they identify with a different strand
Whatever your religion or belief, you must respect other people's religions and beliefs;**

**and whatever religion you follow, you must respect other people's identification as gay,
lesbian, bisexual or transgender.**

If you are being harassed or bullied in, or outside, the premises, report it.

If you see someone else being bullied, report it.

We are all responsible for each other's wellbeing

WE ARE KIND TO EACH OTHER

WE RESPECT EACH OTHER'S DIFFERENCES

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We are kind to each other; bullying isn't cool

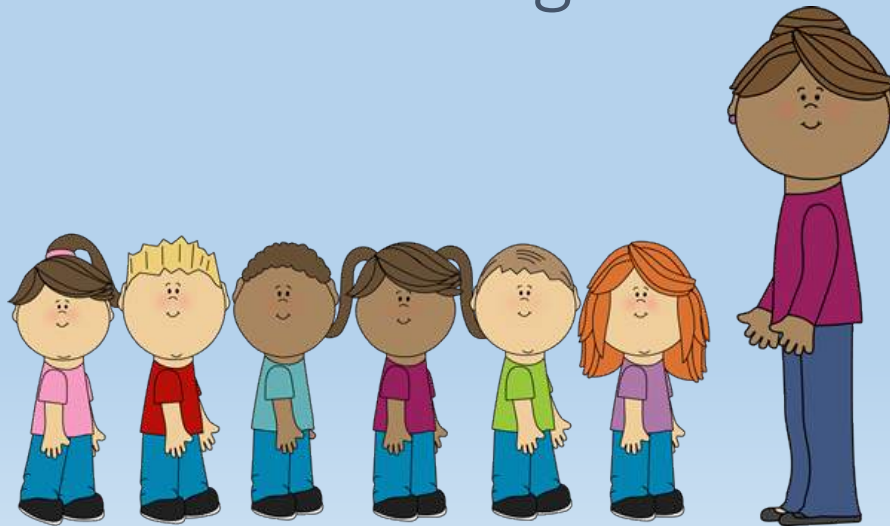
If someone bullies you, or you see someone else being bullied, (including on your phone or computer) tell a teacher



It's OK to disagree; it's not OK to be nasty to a person you disagree with

**everyone is different,
and everyone is equal**

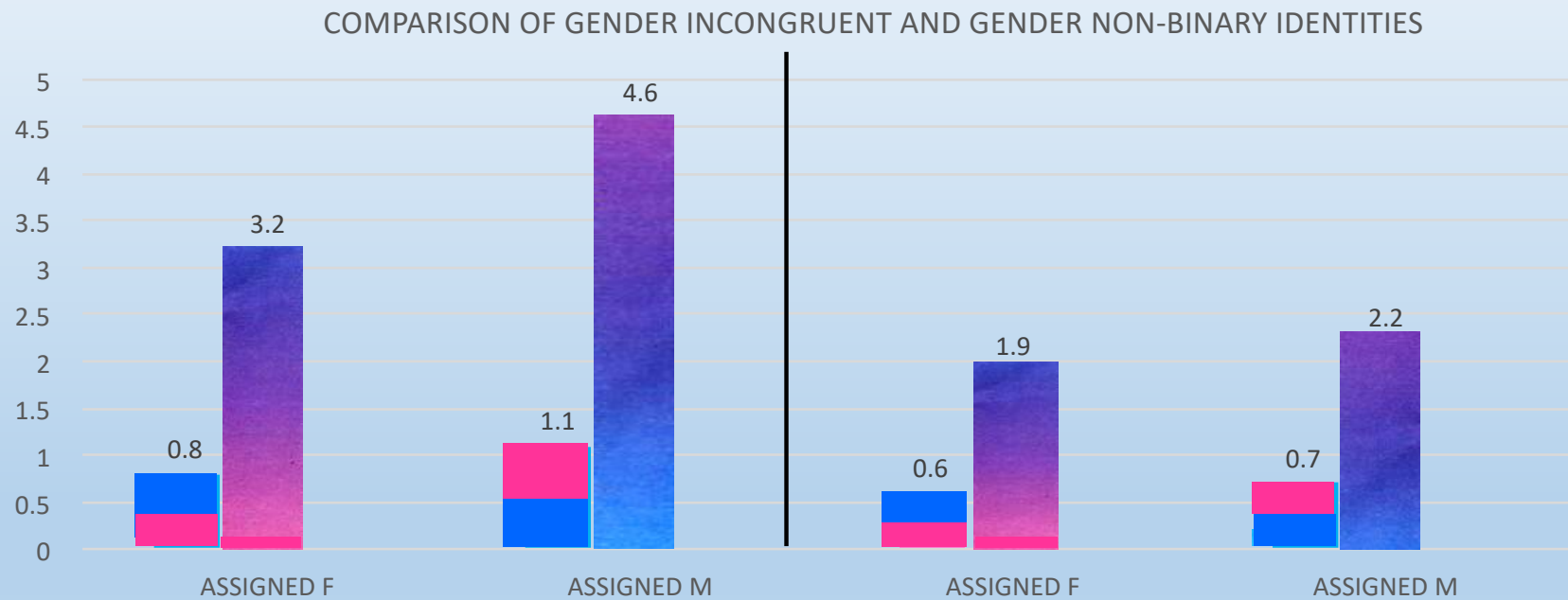
Schools: Gender blurring



Think outside the boxes:
Lining up need not be as boys and girls;
Uniform can be flexible;
Lessons must promote equality

The Netherlands
Non-binary 4x

Belgium
Non-binary 3x



Urgent need for clarity regarding inclusion in Equality Act

- Legislation (Equality and Human Rights)
- Staff, governors: awareness training (impact of EqA;HRA)
- Code of Conduct
- Celebratory events for trans/LGB&T
- (Transition) Memorandum of Understanding
- Dates where possible (flexible)
- Change of gender expression
- Change of name and pronoun in documentation (confidentiality)
- Disclosure – who, what, when, how
- Information leaflets
- Ensure toilet facilities are fit for purpose
- Support – appoint mentor
- Press intrusion (pre-prepared statement)
- Curriculum

Transition of a Pupil in School

Legislation

Schools fall under the Public Sector Equality Duty: they must eliminate discrimination; provide equality of opportunity; and foster good relations between minority groups and others. Religion or belief may not be used to discriminate against lesbian, gay, bisexual or gender variant/trans/non-binary people.

Recommended Memorandum of Understanding

Confidential, informal document; access restricted: protects the young trans person and clarifies the school's obligations. To be signed by Head Teacher and parent or guardian: a flexible document to be reviewed from time to time and amended as necessary.

Important changes and actions should be scheduled -

Name and gender-marker (pronoun) change, including on documents, school records, DfE returns (keep secure any hard copy or IT documents with old name/pronouns). Reissue any award or other certificates (N.B social name change does not require anything other than the young person's expressed intentions and parents'/guardians' agreement; children may obtain a Deed Poll or Statutory Declaration may help to facilitate correction of documents. 16+ don't need parents'/guardians' support. <http://www.ukdp.co.uk/name-change-age-restrictions/>

Date of transition (change of gender role), including any uniform requirements, agreed with young person and family;

Toilet and changing facilities: ensure that these are immediately available in line with new gender presentation, and the young person's wishes;

Disclosures: To whom, by whom, how and when? May include communication to teachers, pastoral staff, school nurse and other staff, governors; possibly, parents of children in class; children in peer group, whole school?

Only give information when *necessary*; respect confidentiality and privacy e.g. a new pupil who has already transitioned need not disclose;

Press Intrusion: Prepare generic equality statement to be issued if necessary. Alert office staff who respond to telephone calls, so that confidentiality and privacy is not breached.

Training: Teachers and pastoral staff, governors; may include use of e-learning: http://cs1.e-learningforhealthcare.org.uk/public/GEV/GEV_01_001/story.html

Literature: e.g. leaflets for parents, signposting e-Learning;

Support: Appoint mentor for child; signpost other support groups for family. See: Directory of groups www.TranzWiki.net; GILES at www.gires.org.uk; Mermaids at www.mermaids.org.uk; Allsorts at <http://www.allsortsvouth.org.uk>

Time out: Children (especially during puberty) may need clinic appointments – miss school and need to make up lost lessons; from start of puberty, possibly on hormone-blockers leading to lack of energy, see: <http://tavistockandportman.uk/care-and-treatment/information-parents-and-carers/our-clinical-services/gender-identity-development>

<http://elearning.rcgp.org.uk/gendervariance>

Curriculum: Introduce equality and human right concepts in classroom; see: www.gires.org.uk/education/classroom-lesson-plans; Primary level: Penguin Stories; Middle school: Peter's story (parent is trans); middle and senior school, The Gender Question.

Code of Conduct: Prominently display generic policy, covering all protected characteristics;

Celebrate diversity: Facilitate LGBTQI group and run events such as LGB&T History Month (February)



Being me
In Penguin land



 **gires**
www.gires.org.uk
written and illustrated by Terry Reed

This book is one in a series of three short books, each defining a different gender experience. In this story, the penguin child identifies as non-binary.



“We can’t always
tell if you’re a boy
or you’re a girl.

But either way, we
love you –

just the same”.

“You can tell us later, and we will change your name,
and we’ll love you just the same”.



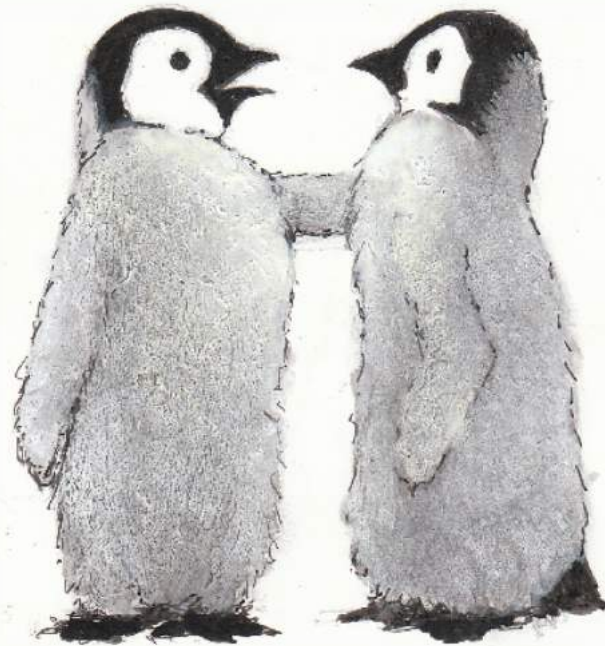
“So tell us when you’re ready – there’s no hurry. We’ll love you still – don’t worry”.



It can be easier to tell a friend – “I’m not a girl or boy but somewhere in between. I’m not like all the others, I just don’t feel the same”.



“you don’t need to be exactly one or other, it’s all the same to me. We will stick together, ‘cos that’s how friends should be”.



“You’ll still be fun, and clever, and we’ll be friends for ever”.



The family has listened and decided they were wrong to call you 'him' or 'her' -



So as you're somewhere in between, we all agreed on Blur!



“So we will
have a party
and all your
friends will
come. We’ll
tell them you
are Blur and
you really
always were!”

