



# Overleigh St Mary's CE Primary School

## LGBTQ+ Policy

Signed by:

21.03.22

Headteacher

Date:

Chair of governors

Date:

21.03.22

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## Statement of intent

All pupils at Overleigh St Mary's CE Primary School are entitled to a full-time education that is free from discrimination and harassment, regardless of their sexual orientation or gender identity. The learning environment in which our pupils engage should be supportive, safe and welcoming to all pupils, regardless of their sexuality and gender. Equally, all staff are entitled to a safe and welcoming workplace in which they are not discriminated against or treated unfairly. The school will celebrate all staff and pupils regardless of their sexuality and gender.

This policy has been created with an aim to consistently reduce stigmatisation and improve the experiences of individuals who identify as lesbian, gay, bisexual, transgender, queer, or other protected identities (LGBTQ+).

The school is committed to valuing, respecting, celebrating and understanding all as individuals, including those of differing sexualities and gender identities, as well as providing continuous support.

This policy aims to:

- Create and foster a learning environment that is free from harassment and discrimination, regardless of sex, gender identity, sexual orientation or gender expression.
- Promote healthy communication between staff, pupils and parents to support the successful education, development and wellbeing of all pupils, and the inclusion and wellbeing of all staff.
- Adhere to relevant statutory legislation concerning bullying, harassment and discrimination.

All staff, parents and pupils will work together to eradicate any instances of discrimination, harassment or bullying, including any that relates to a person's sexuality or gender identity, in our school.

The school is dedicated to providing appropriate tailored measures of support for any LGBTQ+ individual who should require it.

## 1. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Human Rights Act 1998
- Gender Recognition Act 2004
- Equality Act 2010
- Education Act 2011
- DfE (2018) 'Gender separation in mixed schools'

This policy operates in conjunction with the following school policies:

- Equality Statement and Objectives
- Staff Handbook and Code of Conduct
- Anti-bullying and Anti Harrassment Policy
- Good Behaviour Policy
- Attendance and Absence Policy
- Staff Attendance and Absence Policy
- Complaints Procedures Policy
- Grievance Policy
- Disciplinary Policy and Procedure
- School Uniform Policy
- LGBTQ+ Curriculum Statement

## 2. Definitions

**Please note:** everyone's connection to, and labelling of, their identity is an individual, personal matter, so it is important to recognise that different people will have different definitions of their identity that may vary from the definitions provided below. The terms and definitions below are also not an exhaustive list of how LGBTQ+ people may refer to their identities and will be reviewed annually to consider new language that may have been introduced.

The term "**lesbian**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of the same sex or gender as themselves, and is usually used to describe a woman who is attracted to women.

The term "**gay**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of the same sex or gender as themselves, and can be used to describe a man who is attracted to men or a woman who is attracted to women.

The term "**homosexual**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of the same sex or gender as themselves. This term is usually only used in formal contexts. Please note that using the term "homosexual" can be considered offensive due to its social and historical connotations.

The term "**bisexual**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of more than one sex or gender.

The term "**trans**" is used to describe several identities within the gender identity spectrum other than cisgender men and cisgender women. "Trans" is often used as an umbrella term referring to transgender people, including trans men and trans women, non-binary people, and other non-cisgender identities.

The term "**transgender**" is used to describe a person whose gender identity is different from the sex they were assigned at birth, usually:

- A trans man who was assigned female at birth (AFAB).
- A trans woman who was assigned male at birth (AMAB).
- A non-binary person who was AFAB or AMAB.

The term “**queer**” is used as an umbrella term to describe several sexual and gender identities that are not heterosexual or cisgender. Please note that, as the term “queer” can also be used derogatorily, additional sensitivity may be required when using this term. This is not a term we endorse the use of at Overleigh but include it to support understanding of why we made this decision.

The plus (+) in LGBTQ+ is used to represent a number of other identities under the LGBTQ+ umbrella. Some of the identities represented by the plus include:

- “**Asexual**”, a term used to describe a person who does not experience sexual attraction or has low interest in sexual activity.
- “**Pansexual**”, a term used to describe a person who is romantically, sexually and/or emotionally attracted to people regardless of sex or gender.
- “**Intersex**”, a term used to describe a person born with variations in sex characteristics such as chromosomes, hormones, or genitalia that do not fit the definitions of ‘male’ or ‘female’.

The term “**heterosexual**” is used to describe a person who is romantically, sexually and/or emotionally attracted to people of a different sex or gender to themselves, and is usually used to describe a man who is attracted to women or a woman who is attracted to men. This term is usually only used in formal contexts – the more informal term for heterosexual is “**straight**”.

The term “**cisgender**”, often shortened to “**cis**”, is used to describe a person whose gender identity is the same as the sex they were assigned at birth, usually:

- A cis man who was AMAB.
- A cis woman who was AFAB.

The term “**transition**” refers to the process during which a person transitions from the sex they were assigned at birth to the gender with which they identify. This process may involve any of the following actions:

- Living as their gender openly
- Using a name different from their birth name
- Using pronouns different from those associated with the sex they were assigned at birth, e.g. someone who was AMAB using she/her or they/them pronouns
- Wearing clothing consistent with their gender
- Undergoing medical treatment or procedures, e.g. hormone therapy

Please note that transition does not have to involve medical procedures, nor any of the above actions, to be valid or complete, and is defined by the needs and wishes of the individual transitioning.

The phrase “**coming out**” is the process through which an individual, after recognising that they are a member of the LGBTQ+ community, chooses to disclose their identity to others. This can range from coming out to a limited number of people, such as their close friends and family, to expressing their identity openly across their whole life.

LGBTQ+ individuals may also be “**outed**”. This term refers to the process in which an individual’s identity as an LGBTQ+ person is disclosed without their consent. Although this can happen accidentally, e.g. through a conversational error or miscommunication, people are often outed on purpose for malicious reasons. Examples of outing can include:

- Revealing explicitly that a person is LGBTQ+ to people who do not know this – for example, telling a pupil's parents, teachers, or friends that the pupil is LGBTQ+, or for a member of staff, telling pupils or other staff.
- Revealing implicitly or suggesting that a person is LGBTQ+ to people who do not know this – for example, using a trans person's correct pronouns in front of other people before they have come out, or referring to a lesbian, gay, or bisexual person's partner before they have come out.
- Revealing explicitly or implicitly that a person is LGBTQ+ on a public platform, e.g. social media.

### **3. Roles and responsibilities**

All members of the school community will be responsible for:

- Respecting all individuals' right to express their identity.
- Respecting all individuals' right to privacy and not disclosing a person's LGBTQ+ identity to any pupils, staff, parents or third parties without their permission.

The governing board will be responsible for:

- Evaluating and reviewing this policy, and ensuring it is non-discriminatory on an annual basis.
- Ensuring that other school policies, e.g. the School Uniform Policy, are non-discriminatory.

The headteacher will be responsible for:

- Discussing the support in place for LGBTQ+ pupils and staff, and how successful it has been, with the governing board.
- Where appropriate, gaining feedback from LGBTQ+ pupils and their parents on the support in place and feeding this information back to the governing board.
- Gaining feedback from LGBTQ+ staff on the support in place and feeding this information back to the governing board.
- Making any necessary and appropriate changes to the support available to ensure the happiness and development of the individual.
- Ensuring training is in place to ensure all staff are aware of their responsibilities and well-informed.
- Reviewing and amending this policy, considering new legislation, new and updated government guidance, and previously reported incidents to improve procedures.
- Keeping a record of any reported incidents and working to put measures in place that prevent these reoccurring.
- Ensuring that amendments are made to the management information system (MIS) to reflect the names individuals use.
- Ensuring that staff and pupils know and use the correct names and pronouns for all individuals.
- Adopting secure controls on sensitive personal data, ensuring all data is accurate, secure, and is processed fairly and lawfully.
- Meeting with pupils and their family / staff who are being admitted to / joining the school and who identify as LGBTQ+ and developing a plan of support and practical systems such as use of toilets and arrangements for residential visits or swimming. (Needs will be considered and agreements will be made on an individual case basis, ensuring support and agreement to requests from the child / staff member, whenever reasonably possible whilst also considering any implications for other pupils and staff.)
- Meeting with pupils and their family who attend Overleigh and are wishing to change the way they identify in relation to LGBTQ+ and developing a plan of support and practical systems such as use of toilets and arrangements for residential visits or swimming. (Needs will be considered and agreements will be made on an individual case basis, ensuring support and agreement to requests from the child

/ staff member, whenever reasonably possible whilst also considering any implications for other pupils and staff.)

All staff will be responsible for:

- Being alert to possible harassment of LGBTQ+ pupils and staff, both inside and outside of the school, and dealing with incidents of harassment and discrimination as the highest priority.
- Ensuring they meet the unique needs of LGBTQ+ pupils and colleagues and assessing any measures put in place on a case-by-case basis.
- Conducting themselves in a way to ensure LGBTQ+ individuals feel safe, celebrated and comfortable at school, e.g. ensuring they use the correct pronouns.
- Teaching pupils about diversity and difference (see our LGBTQ+ Curriculum statement) and explaining the importance of respecting and understanding of others.

The DSLs will be responsible for:

- Ensuring staff understand how to react to instances of prejudice-related bullying.
- Reviewing the relevant school policies and procedures to ensure they cater for the individual needs of LGBTQ+ people, e.g. policies regarding the use of changing rooms and toilets.
- Conducting meetings with LGBTQ+ pupils if and when the pupils feel necessary, to ensure they feel safe and happy at school.
- Being a supportive and informative professional for LGBTQ+ pupils' families, to help them understand and support the pupils in question.

Pupils will be responsible for:

- Treating their peers and school staff with respect.
- Reporting any prejudicial incidents to a responsible adult.
- Adopting an understanding and open-minded attitude to difference.

School and parents / carers of children identifying of LGBTQ+ will always aim to work in partnership and communicate transparently together to support the child.

Victims of prejudice-related bullying will be supported through the Anti-bullying / Anti-harassment policy.

Appropriate measures

### **Absence**

In line with the school's Attendance and Absence Policy and Staff Attendance and Absence Policy, the school will make reasonable adjustments to accommodate absence requests for support and/or treatment of LGBTQ+ individuals by external sources.

Absences will be recorded accurately and sensitively to protect the individual's privacy.

### **Prejudice-related bullying**

Any incidents that occur will be reported to the headteacher and recorded in line with the Anti-bullying & Anti-harassment Policy for pupils or the Grievance Policy for staff.

Those managing prejudice-related incidents will also have due regard for the school's Pupil Equality, Equity, Diversity and Inclusion Policy and Staff Equality, Equity, Diversity and Inclusion Policy.

Please see LGBTQ+ Statement for information on curriculum content aimed at raising awareness and therefore tackling prejudice.

### **Terminology and language**

Pupils will be educated on the appropriate language to use when referring to LGBTQ+ people and matters. Staff will be trained on the appropriate language to use when referring to LGBTQ+ people and matters. In both cases, instances of inappropriate language use will not be tolerated.

Pupils and staff will be encouraged to be sensitive if enquiring about an individual's sexuality, gender identity, or any related matters, e.g. pronouns, and urged to only do so where appropriate.

### **Use of toilets, changing rooms and general school environment**

This will be agreed through the plan drawn up with the Head teacher, parents and pupil. Consideration will be given to possible discomfort that could be experienced by the pupil and their peers.

### **School uniform and regulations**

All pupils have the right to dress in accordance with their gender identity and expression within the constraints of the school's School Uniform Policy. This applies to all elements of school uniform, including PE kits, all of which are gender neutral.

Should a trans pupil be required to participate in a swimming activity, sensitive consideration will be given to swimwear options, which will be discussed appropriately with the pupil beforehand.

In accordance with the Staff Code of Conduct, members of staff will be encouraged to wear professional clothing that they are comfortable in – staff also enjoy a gendered uniform policy.

### **Residential Visits**

The school will prepare relevant risk assessments prior to any trip. Any additional risks related to LGBTQ+ individuals will be discussed with the individual, headteacher and parents to establish any necessary measures or adjustments to accommodate for their needs.

The school will assess the toilets and washing facilities and sleeping arrangements available on a case-by-case basis to accommodate for trans pupils' needs.

The school will ensure that any kit lists are gender neutral.

### **Changing names and gender on documents**

The school cannot change the name or gender of an individual on any official documents, e.g. payslips or exam papers, until legal confirmation of the change has been provided to the school. Upon receipt of legal confirmation, e.g. a new passport, the school will change the name of a trans individual on official school documents.

On unofficial documents, e.g. books and coat pegs, the school will use the names individuals wish to use. Where appropriate, the Headteacher, teacher and parents will discuss with the trans individual if and how they would like to notify others about their name and gender.

At no point will any member of staff disclose information regarding an LGBTQ+ person's gender identity, gender expression or sexuality, unless instructed to do so by the individual / family, or in the interest of their safety.

### **Changing schools**

The school will employ effective communication as required when an LGBTQ+ pupil is changing schools, e.g. to ensure the new school is informed of the pupil's correct gender if this is different from their legal documentation.



The school will ensure that the new school works closely with the LGBTQ+ pupil and their family to establish and implement their wishes around confidentiality and adjustments.

#### **4. Transition care plans**

Where appropriate, and with the consent of the individual and their family involved, the school will put a transition care plan in place to support trans individuals during their transition.

Transition care plans for pupils will be created by the headteacher and teacher / DSLs, in conjunction with the pupil and their family.

The school will seek support from external, professional advisors when devising transition care plans, if necessary.

Pupils' transition care plans will include:

- How the pupil wants their transition to be communicated to the relevant members of the school community.
- The pupil's wishes for the use of toilet and changing facilities.
- The processes that will ensure the pupil's correct pronouns and name will be in place on required documents on the date of their transition.