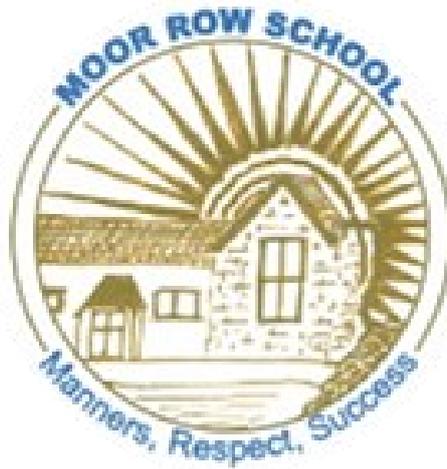


# Moor Row Primary School

‘Learning for Life’



## LGBTQ+ Policy

Approved by	
Name:	Hannah Thornbery
Position:	Chair of Governors
Signed:	Agreed at Governors meeting 17.10.22
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## **[Updated]** Statement of intent

**[Updated]** All pupils at Moor Row 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.

**[Updated]** 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, or other protected identities (LGBTQ+).

**[Updated]** The school is committed to valuing, respecting, celebrating and understanding individuals' 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:

- Single Equality Scheme Policy
- Behaviour Policy
- Attendance Policy
- Complaints Procedures Policy
- School Uniform Policy
- RSE Policy
- Safeguarding Policy

## 2. [Updated] 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.

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.

**[Updated]** 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.

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. **[Updated] 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 the success of support available to LGBTQ+ individuals on a regular basis.
- 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. Meetings will only be organised with the consent of the pupil.
- 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.
- Conducting regular training sessions to ensure all staff are aware of their responsibilities and well-informed about LGBTQ+ issues.

- 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.
- Developing a response for when an LGBTQ+ individual comes out, is outed, or experiences bullying.
- Ensuring that appropriate counselling is made available for LGBTQ+ individuals who require immediate interventions, parental assistance (where appropriate) and/or personal counselling, via the school counsellor.

**[Updated]** 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.
- **[Updated]** 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 and explaining the importance of respecting and understanding of others.

The DSL 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.

The mental health lead will be responsible for:

- Conducting meetings with LGBTQ+ individuals as needed to ensure they feel safe and happy at school.
- Providing LGBTQ+ individuals with information and guidance on where they can seek specialist advice and support.
- Ensuring all staff understand the mental health difficulties that LGBTQ+ individuals may face.
- Liaising with staff and the headteacher to establish support mechanisms to help LGBTQ+ individuals during day-to-day school life.

**[Updated]** The school ELSA is responsible for:

- Complying with '[The role of the school ELSA](#)' section of this policy, which outlines the main requirements of their role.
- Incorporating and monitoring support for LGBTQ+ individuals in conjunction with the headteacher.
- Being available to offer support to any LGBTQ+ individuals who require it.
- Holding one-to-one meetings with LGBTQ+ individuals who request it.

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.

#### 4. **[Updated]** The role of the school ELSA

**Sandra Sproat** is the school ELSA.

Staff will have the same access to the school counsellor as pupils.

If an individual 'comes out' in a one-to-one situation with a staff member, the staff member will be supportive and ensure the individual's needs and wishes are taken into account with any response. This may include encouraging the individual to talk to the school ELSA about the support available to them.

Where LGBTQ+ pupils wish to talk to the school ELSA, the school ELSA will discuss the support available with the pupil and, where appropriate and with the pupil's consent, involve the headteacher and the pupil's parents in discussions of this support.

Where LGBTQ+ staff wish to talk to the school ELSA, the school ELSA will discuss the support available with the staff member and, where appropriate and necessary, work alongside the headteacher and chair of governors to ensure that the staff member's needs are catered for.

The school ELSA will discuss the following with the LGBTQ+ individual:

- How the individual feels about their identity
- What support the individual has available
- Ways in which the individual can be supported by the school and externally, if necessary

The school ELSA will ensure meetings are confidential; however, where an individual's safety is at risk or a safeguarding concern is raised, the relevant people will be informed, e.g. the headteacher.

Where support is put in place, the school ELSA will meet with the individual on a termly basis to discuss the effectiveness of the support and any further support that is required. Feedback will be provided to the headteacher and, for LGBTQ+ pupils, their parents where appropriate and necessary.

Any communication, consultation or discussion with a pupil's parents regarding their child's LGBTQ+ identity will only be undertaken with the pupil's consent. Consent will be sought at every stage of this process, e.g. consent to an initial discussion will not cover consent to any follow-up discussions, so consent will need to be re-sought.

Victims of prejudice-related bullying will be referred to the school ELSA to discuss the issue with the pupils involved and develop any support plans for the affected pupil.

## **5. 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, e.g. medical treatment for trans individuals.

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 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.

Teaching related to gender identity, sexuality and the LGBTQ+ community will be incorporated into PSHE lessons, age-appropriate RSE lessons and designated school assemblies to help promote an accepting, understanding attitude and prevent prejudice-related incidents. Teaching related to LGBTQ+ matters will also be included elsewhere in the curriculum where appropriate, to ensure a whole-school approach.

The school will ensure resources are available within school regarding LGBTQ+ matters, sexual orientation and gender identity that are relevant and appropriate for pupils of different ages.

### **Terminology and language**

Pupils will be educated on the appropriate language to use when referring to LGBTQ+ people and matters at an age appropriate level. 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.

## **Staff training**

All members of staff will undergo training on a regular basis through whole-staff meetings with a qualified professional, which will:

- Ensure all staff are aware of, and comply with, current legislation and government recommendations.
- Ensure all staff are aware of their responsibilities and how they can support LGBTQ+ individuals.
- Provide support for teachers incorporating LGBTQ+ matters into the curriculum.
- Ensure that the school is aware of, and celebrates, a variety of LGBTQ+ awareness days, e.g. Transgender Day of Remembrance.
- Provide support for teachers and other staff responsible for managing any discrimination based on gender identity or sexual orientation.
- Provide up-to-date information on terms, concepts and current understandings of gender identity, gender expression, gender diversity and sexual orientation, including in children.
- Develop appropriate strategies for communication between parents, staff and pupils about any issues related to gender identity, gender expression and sexual orientation.

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

The school will ensure that trans individuals are able to access the toilet and changing facilities that correspond with their gender identity.

Any pupil who faces discomfort using a shared changing space will be provided with a safe and non-stigmatised alternative, e.g. a separate changing schedule or area.

## **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.

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 – no gendered uniform policy will be implemented for staff.

## **School trips, exchanges and overnight stays**

Before any trip, staff will establish with pupils their expectations concerning how pupils support, treat and include each other, regardless of sexual orientation or gender identity.

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 school counsellor to establish any necessary measures or adjustments to accommodate for their needs. For LGBTQ+ pupils, parents will also be invited to join discussions if appropriate.

LGBTQ+ pupils can meet with the school ELSA prior to any trips to address any concerns they may have, if they wish to do so.

LGBTQ+ staff can discuss any concerns with their line manager, if they wish to do so.

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

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

The following steps will be taken prior to residential trips:

- The school will consider any additional general hygiene needs of trans pupils.
- Sleeping arrangements will be established by trans pupils, the headteacher and the school ELSA.

### **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. registers, the school will use the names individuals wish to use.

Where appropriate, the headteacher and school ELSA 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, or in the interest of their safety.

### **Local community**

The school has identified local LGBTQ+ groups and will engage with these to ensure information is available to LGBTQ+ individuals. The school recognises the need for support out of the school environment and will highlight local LGBTQ+ groups and support networks to LGBTQ+ individuals. The details of the LGBTQ+ groups and support networks will be shared with the headteacher and school counsellor.

### **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 LGBTQ+ pupil will be referred to the new school's support team to ensure their wishes are accommodated for, and they can raise any concerns.

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.

## **6. Transition care plans**

Where appropriate, and with the consent of the individual 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 school counsellor, in conjunction with the pupil and, where appropriate and with the pupil's consent, their parents.

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.

## 7. Prejudicial bullying

**“Transphobia”** refers to the irrational fear, hatred or abuse of individuals based on their actual or perceived gender identity, i.e. trans individuals and non-trans individuals perceived to be non-cisgender. Any individual who is described as being transphobic may deliberately and directly harass or disrespect someone who is trans, e.g. by purposely using the incorrect pronouns.

Transphobia can be carried out by intentionally misgendering someone. The term **“misgender”** describes the act of addressing or referring to a person in a way that does not correctly reflect their gender, e.g. by using the incorrect name, pronouns, gender label, or gendered term.

**“Homophobia”** refers to the irrational fear, hatred or abuse of individuals based on their actual or perceived sexual orientation, i.e. gay individuals and non-gay individuals perceived to be non-heterosexual. Any individual who is described as being homophobic may deliberately and directly harass or disrespect someone who is gay, e.g. by using slurs.

**“Biphobia”** refers to the irrational fear, hatred or abuse of individuals based on their actual or perceived sexual orientation, i.e. bisexual individuals and non-bisexual individuals perceived to be bisexual. Any individual who is described as being biphobic may directly and deliberately harass someone who is bisexual, e.g. by suggesting bisexuality is “a phase”.

The school will not tolerate prejudice-related bullying of any description. Transphobic, homophobic and biphobic incidents are often emotionally harmful and must be dealt with as seriously as other bullying incidents. All transphobic, homophobic, and biphobic incidents should be tackled in a way that centres on supporting the victim and managing any future incidents of anti-LGBTQ+ behaviour.

Bullying someone based on their perceived or actual identity, gender, sexuality or behaviour is discriminatory and will be handled in accordance with the school's Behaviour Policy for pupils, or the school's Grievance Policy and Disciplinary Policy and Procedure for staff.

The school recognises that those who are victims of bullying related to LGBTQ+ prejudice may not identify as LGBTQ+.

Any occurrence of prejudice-related bullying will be reported to a member of staff, who will raise a concern with the headteacher. This will be done in line with the school's Grievance Policy if the incident involved a member of staff.

The headteacher will decide whether it is appropriate to notify the police or anti-social behaviour coordinator in the LA of the incident and the school's response.

Pupils and staff will be informed that prejudicial language will not be tolerated inside or outside of the school.

The school will ensure that there are private spaces available within the school for individuals to discuss concerns, if they feel that they are, or someone else is, being bullied because of their gender, gender expression, gender identity or sexual orientation.

Should an incident occur, the perpetrator will be informed that this behaviour will not be tolerated, and will be encouraged to reflect on the way their behaviour affects others and may involve a meeting with parents.

The school ELSA will hold a meeting with the victim to discuss any support they feel appropriate. If necessary, external support will be sought. The school ELSA will ask if the victim would like any support to be involved, e.g. a pupil's parents. Sensitivity will be given to whether the victim has disclosed their LGBTQ+ status.

Feedback will be provided to the headteacher regarding the outcomes of the meeting between the school ELSA and the individual.

All incidents will be formally recorded in a written log, which will be kept in the school office – records will be kept in accordance with the Data Protection Policy and Records Management Policy.

## **8. Communicating with stakeholders**

The school will regularly communicate any changes to policies and procedures to the school's stakeholders, e.g. parents and staff, to ensure that they are fully aware of the systems in place to support LGBTQ+ individuals and prevent prejudicial bullying. The school will ensure that parents are aware of, and know how to identify, the signs of bullying, and understand their responsibility to stop their child bullying others, should this occur.

Parents will be informed of the procedure to follow if they wish to raise a concern with the school, as well as the procedures for issuing complaints, in line with the school's Complaints Procedures Policy.

The school will endeavour to ensure that all parents feel actively involved in school life through regular school-to-home communication and participation in decision-making.

The school will ensure parents are aware of how they can seek additional support and information if their child is LGBTQ+.

Members of staff will be consulted on school policies to ensure policies are non-discriminatory and cater for all people's needs, and informed of any changes to school policies that have an implication on LGBTQ+ matters.

Where appropriate, staff will be consulted on the planning of the curriculum, events and trips to ensure they are LGBTQ+ inclusive.

## **9. Monitoring and review**

This policy will be reviewed on an **annual** basis by the headteacher. The next scheduled review date for this policy is October **2023**.

When reviewing this policy, the headteacher will consider any incidents and the effectiveness of the procedures currently in place, as well as any recent government or societal changes.

Any changes made to this policy will be communicated to all members of staff and relevant stakeholders.