

# Madeley Academy



## Boys & Girls and the Equality Act Policy

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### **Purpose**

The purpose of this policy is to set a framework for how Madeley Academy will support students in relation to gender-identity issues

This supports staff in meeting the requirements of the Equality Act 2010 (in relation to the protected characteristics of sex and “gender reassignment” in particular). It is also aligned with our Safeguarding Policy and responsibilities, and our Anti-Bullying Policies.

### **Scope**

The policy applies to all students in relation to admissions, teaching and learning, pastoral provision, scholarships and awards, Health & Safety, personal conduct, and complaints/disciplinary procedures. It clarifies the ways in which the Academy rules, provisions, criteria and practices address the need to ensure that students who are gender non-conforming or gender questioning, or who identify as transgender or non-binary, are not treated less favourably than other students.

### **Guiding Principles**

The Academy values all its students and staff, and aims to create an inclusive culture, workplace and learning environment that protects everyone from unjust or unfair treatment based on age, sex, race, disability, religion and belief, pregnancy and maternity, sexual orientation, gender reassignment or marriage and civil partnership.

The Academy seeks to establish and maintain an environment where children feel secure, are encouraged to talk and are listened to when they have a worry or concern and aims to respond to children with complex needs or are going through a difficult period in their life, and to support their health, wellbeing and educational attainment. It aims to treat all students with dignity and respect, and does not support stereotypes about the appearance, behaviour or interests expected of girls and boys, or women and men.

Every child should be free to express their identity, but expressing an alternative gender identity or proposing to transition does not change a child’s sex.

### **Protection Against Harassment and Bullying**

Bullying is defined as behaviour by an individual or group usually repeated over time, that intentionally hurts another individual or group either physically or emotionally. It includes:

- name-calling
- taunting
- mocking
- making offensive comments
- offensive graffiti
- excluding people from groups
- gossiping and spreading hurtful or untrue rumours
- kicking, hitting, pushing
- taking belongings
- cyber-bullying

All students and staff are encouraged to value and respect others. Any incidents of bullying and harassment are not tolerated, including those based on sex, sexual orientation, gender non-conformity amid beliefs about gender.

The Academy works hard to ensure that all students know the difference between bullying, “falling out” and “disagreeing”.

Excluding children from facilities for the opposite sex is not bullying. Expectations will be stated clearly and respectfully by the Academy. Individual children will not be permitted to negotiate access to facilities for the opposite sex.

### **Confidentiality**

The Academy is not able to admit a child on the condition that their sex must be kept confidential from other students and staff, or that staff will lie about their sex. We believe that keeping secrets about sex is inappropriate, makes the children themselves vulnerable, and prevents the Academy from fulfilling its duty of care to all students.

Records about health and welfare are kept separate from students' academic files in a secure place and marked "Strictly Confidential". It respects the confidentiality of all students and will not reveal sensitive personal information without the prior agreement of the individual, except to protect their vital interests, in line with our Safeguarding Policy.

### **Pastoral Care**

Students who have any concerns about their own wellbeing or the wellbeing of another student should feel free to approach their teachers Personal tutor or Year Manager, whether that concern is to do with academic studies, health, relationships with other students, issues at home or any other matter.

Parents are welcome to contact the Academy to discuss their child's welfare and progress or relevant medical or social issues. Such enquiries should be directed, in the first instance, to the student's tutor and if appropriate Year Manager. Appointments can also be made with other members of the Senior Leadership Team, including the Headteacher.

### **Safeguarding**

A child disclosing gender-identity issues must not fall outside of normal safeguarding practice, as outlined in our Safeguarding Policy, including the commitment to work in partnership with parents.

Staff must be aware that children experiencing gender-identity issues may also raise safeguarding concerns, such as significant changes in behaviour, performance or attitude, mental-health issues, self-harm, self-medication, emotional or sexual experiences in which they may have been significantly harmed, or relationships that put them in danger.

Staff members who are concerned about a child must inform a Designated Safeguard Lead and record information regarding the concerns on the same day.

If a student confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the student in a manner appropriate to their age and stage of development and that they cannot promise complete confidentiality. Instead, they may need to pass information on to other professionals to help keep the child or other children safe.

Any proposed action in relation to child-welfare concerns are undertaken with prior discussion with the parents, unless to do so would place the child at risk of harm.

### **Uniform**

All items of Academy uniform and dress code apply equally to children of either sex. Any item that can be worn by a boy can also be worn by a girl, and vice versa.

Clothing requirements are based on sex only where this is needed for health, safety and dignity, such as athletic protectors for boys and appropriate coverage of swimwear for girls.

### **Names and Pronouns**

Children may ask to be called by a different forename than that in their official records (for example a familiar or shorter version, a middle name or a complete change of first name, including a name associated with the opposite sex).

Students who want to change the name they go by in daily use can do so by parents filling in a form available from their Year Manager, and this will be added to the register as their preferred name. If a student's name is legally changed by deed poll, parents must bring this information to the Academy reception and records will be updated.

If a child is taking external examinations, there is the option of having the male/female flag removed from qualifications systems by examining boards. Parents need to contact the Academy at least three months before the examination to enable this request to be granted.

Pronouns are words that other people use to refer to a person (generally he/him or she/her). Students' parents may request that teachers and peers use "preferred pronouns" for their child, but they cannot compel this, nor will the Academy agree to use different pronouns when talking about a child to their parents.

### **Sports**

Not all sporting activities at the Academy are segregated by sex, but where they are this is for safety and fairness, particularly of female participants, or for "positive action" (such as encouraging girls to take up football). In considering whether a sport, game or other activity should be offered separately to girls and boys, we take into account the age and stage of development of the year group, not of each individual. Where sports are organised separately for girls and boys, this is by sex, not gender identity. All students are welcome to play in mixed sports and in sports with others of the same sex.

### **Trips Away**

Trips away are an important enrichment of Academy life. We plan them with full risk assessment and seek to make them accessible to all. Students and parents with any concerns or anxiety about trips away should contact the organiser in advance to discuss particular needs. Sleeping arrangements are organised by sex, not gender identity.

### **Toilets and Changing Rooms**

Single-sex facilities are the simplest way of providing privacy for girls and boys over the age of 8. The Academy's toilets and changing rooms are segregated by sex, not gender identity. All students are welcome to use the single-sex facilities that correspond with their sex.

The Academy recognises that some students will not feel comfortable in single-sex facilities and will endeavour to provide alternatives for those who would feel more comfortable with greater privacy (ie single occupancy unisex facilities).

### **Further resources**

#### **Official guidance**

##### **EHRC: What equality law means for you as an education provider: schools**

<https://www.equalityhumanrights.com/en/publication-download/what-equality-lawmeans-you-education-provider-schools>

**DFE: The Equality Act 2010 and schools** [www.gov.uk/government/publications/equalityact-2010-advice-for-schools](http://www.gov.uk/government/publications/equalityact-2010-advice-for-schools)

##### **DFE: Plan your relationships, sex and health curriculum**

<https://www.gov.uk/guidance/plan-your-relationships-sex-and-health-curriculum>

#### **Other resources**

##### **Transgender Trend: Supporting gender-diverse and trans identified children in school**

<https://www.transgendertrend.com/product/school-resource-pack-3rd-edition-digitaldownload/>

##### **Transgender Trend: Transgender Schools Guidance Safeguarding Concerns**

<https://www.transgendertrend.com/product/safeguarding-concerns/>

##### **Safe Schools Alliance Fact sheets**

<https://safeschoolsallianceuk.net/resources-2/factsheets>