

# GDST Gender Identity Policy

## 1. Purpose of this policy

1.1. The purpose of this policy is to set a framework for how the GDST will support students in relation to gender identity, whilst recognising the fundamental principle that support will always need to be individualised and based upon acting in a student's best interests. This policy and associated guidance give more detail on how the GDST's Equal Opportunities (Education) Policy applies to transgender students. The GDST's Equal Opportunities (Employment) Policy applies in relation to transgender staff. The policy and associated gender identity guidance were developed in consultation with staff and students and in line with the GDST's [Undivided Charter](#) for inclusion.

## 2. Legal Framework

2.1. This policy supports staff and students in meeting the requirements of the Equality Act 2010, which includes gender reassignment as one of the nine 'protected characteristics,' on the grounds of which people are protected against unlawful discrimination. This policy also sets out the GDST's obligations under the Gender Recognition Act 2004.

## 3. Review

3.1. We recognise that this is a complex and developing area of practice and that there is an ongoing public discussion around the best way to support trans and gender questioning young people. Against this backdrop, this policy and the associated guidance document will be regularly reviewed and updated.

## 4. Transgender definitions

4.1. In this policy 'transgender' or 'trans' is used to refer to the following groups:

- People who have the protected characteristic of gender reassignment under section 7 of the Equality Act 2010, which says: "A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."; and (to the extent not already covered by the s7 Equality Act definition)
- People who do not wish to undergo a process to reassign their sex, but whose gender identity is different from their biological sex, including those who identify as third gender, non-binary or gender fluid. It also covers those who are intersex.

## **5. Guiding principles**

5.1. The GDST aims to give support and understanding to anyone who is questioning their gender identity, intends to take, or has taken steps to present themselves in a gender different to their biological sex. We recognise that such experiences can be very complex and difficult for the individual (and potentially also for their family and friends); and we wish to act in a non-judgemental, supportive and sensitive way, ensuring that each individual is treated fairly and with dignity and respect.

5.2. The GDST was founded in 1872 with the purpose of giving girls an education they had been denied because of their sex. It has a proud tradition of putting girls first and providing an education which is tailored accordingly, and is committed to rejecting gender stereotypes and associated narrow definitions of what it means to be a girl. The GDST remains firmly committed to the benefits of a single-sex education for girls and for this to be a determining feature of our ethos and educational offer. We will continue to refer to ourselves as the Girls' Day School Trust. Nevertheless, while we are predominantly a girls-only education environment, we seek to provide a supportive environment for students who are transitioning or exploring their gender identity.

5.3. From the outset the GDST has aimed to be forward thinking, championing equality and questioning limiting gender stereotypes. Our tradition of empowering young women is fully compatible with a focus on diversity and inclusion, combining to create an environment in which every person is valued, supported and feels that they belong. There is a developing awareness and understanding that for some individuals gender identity may not be fixed or conventional, and this policy and the associated guidance is intended to ensure that such individuals are treated fairly and receive appropriate support.

5.4. Schools should aim to provide an environment for trans students in which they can:

- feel able to be themselves and valued for who they are;
- feel included and part of the school community;
- have access to resources and information relevant to them; and
- feel they have people to talk to and know how to access support services

## **6. Scope of this policy**

6.1. This policy applies to all transgender students in relation to

- [Admissions](#)
- [Existing students who transition](#)
- [Meeting the needs of students](#)
- [Pastoral support](#)
- [Protection against harassment and bullying](#)
- [Confidentiality](#)
- [Guidance, support and training for staff](#)

6.2. This policy and associated guidance relate only to those matters which fall under the responsibility of GDST schools. Any formal transition would require comprehensive professional support and parental engagement and is outside the school's remit.

6.3. This policy and the accompanying gender-identity guidance are available on the GDST staff intranet. The policy should be made available from schools on request.

## **7. Admissions**

7.1. The GDST is committed to single-sex education for girls. Admissions to GDST schools are based on the prospective student's legal sex as recorded on their birth certificate. Further details of the approach that the GDST will take in different situations are set out below:

### *7.2. New applicants who are legally female but who identify as trans or non-binary*

Applications from students who are legally female but who identify as trans or non-binary will be carefully considered on a case-by-case basis. Single-sex schools present a particular context for transgender students. There may be cultural challenges involved in a trans student who does not identify as a girl attending a school which deliberately tailors its ethos and educational approach to cater specifically for girls.

### *7.3. New Applicants who are legally male but who identify as trans or non-binary*

GDST schools are able to operate a single-sex admissions policy, without breaching the Equality Act 2010 on the basis of an exemption relating to biological sex. The GDST believes that an admissions policy based on gender identity rather than the legal sex recorded on a student's birth certificate would jeopardise the status of GDST schools as single-sex schools under the act. For this reason, GDST schools do not accept applications from students who are legally male. We will, however, continue to monitor the legal interpretation of this exemption.

## **8. Existing students who transition**

8.1. An application for a gender-recognition certificate can be made only from 18 years of age, so it is unlikely although not impossible that a student may be legally gender reassigned before leaving school. However, students might begin to transition socially before this age.

8.2. A trans student attending a GDST school will be supported to remain at the school post transition as long as they wish to do so. All schools have a responsibility to ensure that measures are put in place to enable them to thrive at their school. If a trans student feels that moving to a different school might be more beneficial, this should also be supported.

## **9. Meeting the needs of transgender students and those who wish to transition and creating an inclusive environment**

9.1. The GDST aims to anticipate and respond positively to the needs of trans students, providing a professional and consistent approach so that they feel welcome, safe, valued and supported. The gender identity guidance provides further advice on how to go about this in different areas of school life.

9.2. Creating an inclusive environment involves demonstrating respect for trans people, and those who are perceived to be trans, as well as their family members and friends, in terms of:

- their gender identity;
- their right to work and study with dignity;
- their name and personal identity; and
- their privacy and confidentiality.

## **10. Pastoral support**

10.1. The GDST aims to support the health and psychological wellbeing of students who are questioning their gender identity or going through transition. Supporting students and their families during this process will help them to perform well in their study and work, and to thrive in their social and emotional lives. An individual support plan will be discussed and agreed with a student in these circumstances.

## **11. Protection against harassment and bullying**

11.1. Discrimination, harassment or victimisation are not tolerated in GDST schools on any grounds. Our Undivided Charter states that *'every individual is valued, respected and included'* and this is a principle that all GDST schools follow. All students, staff and parents shall be

encouraged to value and respect others and to challenge inappropriate attitudes, behaviour and practices.

11.2. Transphobic bullying, incidents and harassment will be dealt with within a school's policy framework relating to anti-bullying, behaviour and disciplinary incidents.

## **12. Confidentiality**

12.1. The GDST will respect the confidentiality of all trans students and will not reveal sensitive personal information without the prior consent of the individual except to protect their vital interests, safety or welfare.

12.2. If a GDST school is notified in writing of a student's intention to transition during their education, the school will agree with the student the date from which their details are changed on records, as far as is possible. A trans student's file should reflect their preferred name and gender. Any material that needs to be kept related to the student's trans status should be stored confidentially. No records should be changed without the permission of the student concerned. Where a parent's views differ from a student's with regard to their preferred name or gender identity, the student's records should reflect the views of both.

12.3. Gender Recognition certificates are not retrospective. If a trans person receives a Gender Recognition Certificate, they have the right to request that all references to their former name and gender are changed from that point onwards, but their name and gender should not be changed in historic records.

## **13. Guidance, support and training for staff**

13.1. Guidance, support and training will be provided to staff to ensure that the GDST's commitment to support trans students is fully realised.

## **14. Enquiries**

14.1. Any enquiries in connection with this policy should be directed to the GDST's Communications Department.

## **15. Review of policy**

15.1. This policy will be subject to regular review by the Executive Board and approved by the Council of the GDST.

Date: 7 December 2021

