

LGBT+ Inclusion Policy

Reviewed and updated February 2021



Introduction

At Noel-Baker we believe that all children, including those that identify as lesbian, gay, bisexual or transgender (LGBT+) have a common entitlement to a broad and balanced academic and social curriculum, which is accessible to them.

Noel-Baker Academy will strive to eliminate prejudice and discrimination, and to develop an environment where all children can flourish and feel safe.

Part of the academy's strategic planning for improvement is to develop cultures, policies and practices that include all learners. We aim to engender a sense of community and belonging, and to offer new opportunities to learners who may have experienced previous difficulties.

Background Information

Noel-Baker Academy, is an 11-16, non-selective academy of over 1100 students situated in Derby and part of LEAD Academy Trust. Noel-Baker is large enough to offer a very broad range of opportunities within its innovative, comprehensive curriculum, while small enough to provide the level of care required to ensure all students feel safe, valued and happy.

Vision

At Noel-Baker Academy, it is our vision and belief that all our pupils are entitled to a high quality of provision. We are proud of our pupils and our community and are determined we will enable our pupils to be the very best that they can be. We have high expectations of all pupils, and encourage pupils to be independent learners and develop their love of learning in a supportive and nurturing environment. We see ourselves as an inclusive learning community in which we strive to succeed and support each other. This policy describes the way we meet the needs of pupils who experience barriers to their learning.

Aims

The aims of this policy are to:

- Ensure a consistent, fair and equitable way of supporting LGBT+ children
- To provide an inclusive environment in which LGBT+ pupils and staff are valued and respected
- To promote understanding of and support the needs of LGBT+ pupils and staff
- To raise LGBT+ awareness through the provision of an inclusive curriculum
- Use resources effectively to support LGBT+ children
- Ensure that all students are included in the life of school
- Work in collaboration with parents/carers, pupils and outside agencies
- Equip pupils with the skills and attributes necessary for adult life
- To monitor and tackle Homo-phobic, Bi-phobic, Trans-phobic (HBT) language and bullying.

Noel-Baker Academy seeks to achieve these aims;

- By ensuring that school policies and practices are inclusive and supportive of LGBT+ people and explicitly state that HBT language and bullying are unacceptable
- By providing training to staff in supporting LGBT+ pupils, developing an LGBT+-inclusive curriculum and tackling HBT language and bullying
- By providing support structures and information/resources to LGBT+ pupils on LGBT+ issues and support services
- By providing pupils with LGBT+-inclusive Relationships and Sex Education (RSE), opportunities to discuss gender identity and sexuality, and including LGBT+ people and themes in the PSRE and wider curriculum where relevant
- By providing multiple ways for pupils to report HBT language and bullying, monitoring (including through staff and pupil surveys) and recording HBT



language and bullying, as well as ensuring that pupils are aware that HBT language and bullying are wrong

- By ensuring that the school library contains books with LGBT+ themes and that any assemblies, projects or displays which celebrate diversity or tackle bullying are LGBT+-inclusive
- By maintaining a gender-neutral dress code and ensuring that unnecessarily gendered aspects of school life are avoided
- By working towards the LGBT+ Inclusion in Schools Award
- By nominating a member of staff as the school's LGBT+ lead to monitor the implementation of this policy and provide training and additional support and advice to pupils and staff.

Legislation

Education and Inspections Act 2006. Schools have a duty to promote the safety and wellbeing of all children and young people in their care, including lesbian, gay, bisexual and transgender pupils and those experiencing homophobic, biphobic or transphobic (HBT) bullying.

Equality Act 2010. The Equality Act 2010 ensures legal protection against discrimination, harassment and victimisation (direct or indirect) for everyone under the nine protected characteristics defined in the Act, two of which are Sexual Orientation and Gender Reassignment (also known as Transgender).

Schools are required to eliminate discrimination on the grounds of sexual orientation and gender reassignment. This includes tackling HBT bullying. Schools are also required to advance equality of opportunity and foster good relations. This means that schools should go beyond tackling HBT bullying and take proactive steps to promote respect and understanding of LGBT+ people and issues.

The Equality Act 2010 says you must not be discriminated against because:

- you are heterosexual, gay, lesbian or bisexual
- someone thinks you have a particular sexual orientation (this is known as discrimination by perception)
- you are connected to someone who has a particular sexual orientation (this is known as discrimination by association)

In the Equality Act, sexual orientation includes how you choose to express your sexual orientation, such as through your appearance or the places you visit.

Equality Act 2010 (specifically Part 6, Chapter 1), Sets out schools' responsibilities to abide by all guidelines to create a fully inclusive environment to avoid discrimination. The legislation states that schools must not discriminate against a pupil because of their transgender status. There is no legal requirement for schools, as there is with disability, to make 'reasonable adjustments' for trans pupils but schools may take a similar approach to ensure that the needs of transgender pupils are catered for. This guidance will outline the adjustments and steps that schools may need to take to meet the needs of transgender pupils. The practicalities and arrangements for such adjustments will vary from school to school.

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. The Act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a student will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so. The school governing body has a responsibility to ensure that the school is complying with its requirements under the Equality Act.

Data Protection Act 1998 (UK)

Information about a person's LGBT+ status is considered 'sensitive personal data' and is subject to tighter controls than other personal data. Explicit consent is required before it can be processed.

- Personal data must be looked after properly following the eight data protection principles, which include ensuring personal data is accurate, secure and processed fairly and lawfully.
- Failure to change a person's title, name and gender when requested could lead to the following offences under the Act.
- Disclosure of personal information that is used, held or disclosed unfairly, or without proper security
- Failure to ensure personal information is accurate and up-to-date
- Processing of data likely to cause distress to the individual

The Human Rights Act 1998

The following Articles from The Human Rights Act 1998 support the rights and needs of LGBT+ people to live their lives and determine their sexual orientation and/or true gender.

- Article 8: right to respect for private life and family life
- Article 10: freedom of expression
- Article 14: the prohibition of discrimination

The Gender Recognition Act 2004

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth

certificate to match their true gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to.

Sex Discrimination (Gender Reassignment) Regulations 1999

Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, school and vocational training (including higher education study).

Less favourable treatment relating to absences arising from gender reassignment is unlawful if:

- the treatment is less favourable than if it had been due to sickness or injury
- the treatment is less favourable than if it had been due to some other cause and, having regard to the circumstances of the case, it is reasonable not to be treated less favourably.
- Less favourable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

Definitions

Ally

A (typically) straight and/or cis person who supports members of the LGBT+ community.

Ace

Ace is an umbrella term used to describe a variation in levels of romantic and/or sexual attraction, including a lack of attraction. Ace people may describe themselves using



one or more of a wide variety of terms, including, but not limited to, asexual, aromantic, demis and grey-As.

B

Bi

Bi is an umbrella term used to describe a romantic and/or sexual orientation towards more than one gender.

Bi people may describe themselves using one or more of a wide variety of terms, including, but not limited to, bisexual, pan, queer, and other non-monosexual identities.

Biphobia

The fear or dislike of someone who identifies as bi based on prejudice or negative attitudes, beliefs or views about bi people. Biphobic bullying may be targeted at people who are, or who are perceived to be, bi.

C

Cisgender or Cis

Someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people.

Coming out

When a person first tells someone/ others about their identity as lesbian, gay, bi or trans.

D

Deadnaming

Calling someone by their birth name after they have changed their name. This term is often associated with trans people who have changed their name as part of their transition.

G

Gay

Refers to a man who has a romantic and/or sexual orientation towards men. Also a generic term for lesbian and gay sexuality – some women define themselves as gay rather than lesbian.

Gender

Often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.

Gender dysphoria Used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn't feel comfortable with the sex they were assigned at birth.

Gender expression How a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not conform to societal expectations of gender may not, however, identify as trans.

Gender identity

A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.

Gender reassignment

Another way of describing a person's transition. To undergo gender reassignment usually means some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender.

Gender reassignment is a characteristic that's protected by the Equality Act 2010, and it's further interpreted in the Equality Act 2010 approved code of practice. It's a term of much contention and one that Stonewall's [Trans Advisory Group](#) feels should be reviewed.

Gender Recognition Certificate (GRC) This enables trans people to be legally recognised in their affirmed gender and to be issued with a new birth certificate. Not all trans people will apply for a GRC and you currently have to be over 18 to apply. You do not need a GRC to change your gender markers at work or to legally change your gender on other documents such as your passport.

Gillick competence A term used in medical law to decide whether a child (under 16) is able to consent to their own medical treatment, without the need for parental permission or knowledge.

H

Heterosexual (straight) Refers to a man who has a romantic and/or sexual orientation towards women or to a woman who has a romantic and/or sexual orientation towards men.

Homosexual

This might be considered a more medical term used to describe someone who has a romantic and/or sexual orientation towards someone of the same gender. The term 'gay' is now more generally used.

Homophobia

The fear or dislike of someone, based on prejudice or negative attitudes, beliefs or views about lesbian, gay or bi people. Homophobic bullying may be targeted at people who are, or who are perceived to be, lesbian, gay or bi.

I

Intersex

A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female or non-binary.

Stonewall works with intersex groups to give its partners and stakeholders information about areas of disadvantage experienced by intersex people. But it does not, after discussions with members of the intersex community, include intersex issues as part of its current remit at this stage.

L

LGBT+

The acronym for lesbian, gay, bi and trans.

Lesbian

Refers to a woman who has a romantic and/or sexual orientation towards women.

N

Neurodiverse A concept where neurological differences are recognised and respected in the same way as any other human difference.

Non-binary

An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

O

Outed

When a lesbian, gay, bi or trans person's sexual orientation or gender identity is disclosed to someone else without their consent.

P

Person with a trans history Someone who identifies as male or female or a man or woman, but was assigned the opposite sex at birth. This is increasingly used by people to acknowledge a trans past.

Pan

Refers to a person whose romantic and/or sexual attraction towards others is not limited by sex or gender.

Pronoun

Words we use to refer to people's gender in conversation – for example, 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they/their and ze/zir.

Q

Queer

Queer is a term used by those wanting to reject specific labels of romantic orientation, sexual orientation and/or gender identity. It can also be a way of rejecting the

perceived norms of the LGBT+ community (racism, sizeism, ableism, etc). Although some LGBT+ people view the word as a slur, it was reclaimed in the late 1980s by the queer community.

S

Sexual orientation A person's romantic and/or sexual attraction to another person.

T

Trans

An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, genderqueer (GQ), gender-fluid, nonbinary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.

Transgender man

A term used to describe someone who is assigned female at birth but identifies and lives as a man. This may be shortened to trans man, or FTM, an abbreviation for female-to-male.

Transgender woman

A term used to describe someone who is assigned male at birth but identifies and lives as a woman. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female.

Transitioning

The steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this.

Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.

Transphobia

The fear or dislike of someone based on the fact they are trans, including the denial/refusal to accept their gender identity.

Transsexual

This was used in the past as a more medical term (similarly to homosexual) to refer to someone whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth.

This term is still used by some although many people prefer the term trans or transgender.

Discrimination

The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act.

The legislation states that a school must not discriminate against a student because of their LGBT+ status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be

an inflexible school uniform rule which offers no “unisex” options such as trousers for girls, and which would therefore create a particular difficulty for a F2M student.

Dealing with the questions of staff, children, families and the wider community

Noel-Baker Academy understands that there may be many questions that are asked by various people and it is important to be as clear and informative as possible. However, every circumstance is different, due to the unique experience of individual children and their families.

The Gender Identity Research and Education Society (GIRES) have produced some helpful training tools which can be used in school. Staff and governors can also use the materials as part of their Continuing Professional Development. The resources can be found at; www.gires.org.uk/schools.php

Facilities for Students

Students who need a place to ‘calm down’ or to talk through any issues can come to our Inclusion Centre. We also have a sensory room where students can go to regulate their emotions.

Noel-Baker Academy provides unisex toilets and additional changing facilities for physical education when required, as a result of students wishes.

Safeguarding

Noel-Baker recognise that LGBT+ children can face additional safeguarding challenges. A number of factors can contribute to an increase in risk, including: prejudice and discrimination, isolation, social exclusion and reluctance on the part of some adults to accept choices.

Additional barriers can also exist when recognising abuse and neglect in this group of children.

These can include:

- Being more prone to peer group isolation than other children;
- The potential for LGBT+ children being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs

Please see our [Safeguarding and Child Protection Policy](#) available on the school website for more information.

How Noel-Baker Academy will support LGBT+ students

A student's LGBT+ status is private and they may not want to share information, like the details of their sexual orientation, gender identity or transition, with others. Staff will act professionally and respect confidentiality, as is the child's right.

Students will be encouraged to communicate with parents or guardians and will be fully supported by us when sharing their feelings around their sexual orientation and/or gender identity.

Noel-Baker Academy recognises the importance of taking a non-judgmental and young person centred approach. We will listen to how a young person wants their name and pronoun shared, and with whom.

As a school we will not;

- Seek permission to refer to a child by the name a child has requested.
- Change a child's name on registers without parental consent.

We will, unless told otherwise, always refer to a child's birth name and gender when communicating with home.

Monitoring

This policy and information report will be reviewed by Miss Chrissie Sargent (AAHT). It will also be updated if any changes to the information are made during the year.

Resources and further support

- **Derbyshire LGBT+** - Derbyshire's LGBT+ specific support service, who are there to support anyone who is Lesbian, Gay, Bisexual & Transgender or anyone who is having issues with their sexual orientation or gender identity, this includes family and friends. <https://www.derbyshirelgbt.org.uk/>
- **LGBT Switchboard** – Switchboard is an LGBT+ helpline – a place for calm words when you need them most. They're here to help you with whatever you want to talk about. Call 0300 330 0630 (10am-10pm daily).
- **RUComingOut** - Shared experiences with those who were struggling with coming out <http://www.rucomingout.com/>
- **FFLAG** – supports friends and family members of LGBT people. <https://www.fflag.org.uk/>
- **Tavistock and Portman Clinic** - Gender Identity Development Service www.tavistockandportman.nhs.uk/childrenyoungpeoplegenderidentityissues
- **Mermaids** - Family and Individual Support for Teenagers and Children with Gender Identity Issues www.mermaidsuk.org.uk
- **Gender Identity Research and Education Society (GIRES)** www.gires.org.uk
- **Press for Change** - The UK's Leading Expert in Transgender Law www.pfc.org.uk
- **NHS** - Live Well. Support for Young People www.nhs.uk/Livewell/Transhealth/Pages/Transyoungpeople.aspx
- **Equality Advisory Service** - www.equalityadvisoryservice.com
- **MindLine Trans+** – a confidential emotional, mental health support helpline for people who identify as transgender, agender, gender fluid



and non-binary. Phone number 0300 330 5468.

<https://bristolmind.org.uk/help-and-counselling/mindline-transplus/>

- **Galop** – If you've experienced hate crime, sexual violence or domestic abuse, GALOP is there for you. They also support lesbian, gay, bi, trans and queer people who have had problems with the police or have questions about the criminal justice system. <http://www.galop.org.uk/>
- **Stonewall's Information Service** - There to help with any issues affecting LGBT people or their families. <https://www.stonewall.org.uk/help-advice/contact-stonewalls-information-service>

