

The Vale of Glamorgan Council

Cabinet Meeting: 30th April 2018

Report of the Cabinet Member for Learning and Culture

Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings

Purpose of the Report

1. To seek approval from Cabinet for the 'Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings'.

Recommendations

1. That Cabinet approve the 'Transgender Inclusion Toolkit and Guidance Document for Schools and other Settings' attached at Appendix A to this report.

Reasons for the Recommendations

1. To enable the "Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings" to be adopted as guidance for schools in the Vale of Glamorgan.

Background

2. The purpose of the 'Transgender Inclusion Toolkit' is to provide up to date practical guidance to schools and other settings to support children and young people who are Transgender or Transgender questioning.
3. The document is designed to promote equal opportunities for Transgender or Transgender questioning children by addressing discrimination or disadvantage in order for this group to take part in school life and enable them to reach their full potential.
4. A number of children and young people have presented as Transgender or Transgender questioning in Vale of Glamorgan schools and this document is designed to aid schools in providing appropriate support.
5. In 2016 a number of Vale of Glamorgan schools asked for additional advice and guidance and this document was developed in response.
6. The document has been developed on behalf of the five Central South Consortium Local Authorities. Merthyr Tydfil County Borough Council has already adopted the guidance and Rhondda Cynon Taff County Borough Council has announced its intention to adopt the guidance.

7. Stonewall Cymru have endorsed the guidance and stated that the document is 'One of the most comprehensive pieces of guidance I have seen in Wales'.

Relevant Issues and Options

8. The purpose of this document is to provide information and guidance to schools and other settings in the Vale of Glamorgan on how to effectively support Transgender and Transgender questioning young people and prevent transphobia. This toolkit will enable schools to further embed the good work they are doing in this area and develop their approach to Trans inclusion and support. We hope that using this toolkit will:
 - increase the confidence of staff in supporting Transgender young people or those that are coming out as trans or beginning to question their gender identity by providing an introduction to trans identities and the issues trans children and young people may face;
 - provide information that will allow schools to feel confident that they are complying with the Equality Act 2010 and Anti-Bullying guidance in relation to trans children and young people; and
 - highlight areas to consider when developing whole school policy and practice that will allow trans children and young people to achieve at school and will reduce transphobic discrimination and bullying.
9. Schools and other settings may be particularly challenged by the specific needs of trans children and this toolkit is intended to support settings to explore these challenges and find solutions in the best interests of the child or young person and the wider school community. This toolkit can therefore support schools to review and develop policies related to equality, curriculum, anti-bullying and wider issues.
10. Practice to support trans children and young people should be embedded across school policies and curriculum and build on best practice already in place to meet the Public Sector Duty of the Equality Act and eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.
11. In developing practice to support trans children and young people schools should try to follow these principles:
 - Avoid seeing the child or young person as a problem and instead see an opportunity for proactive steps to ensure an inclusive environment for the young person.
 - Consider gender as a spectrum and take a non-binary approach to gender. Gender is often an important part of our identity and developing a positive sense of gender identity is part of growing up. However, gender identity is often complex and there is a spectrum of gender which is wider than just male and female.
 - Listen to the child or young person and their parents and carers and wherever possible follow their lead and preferences.
 - Providing support to a trans child or young person at any particular point in time does not signal that they are or will conform to any single trans identity or follow any particular path of transition.
 - Avoid where possible gender segregated activities and where this cannot be avoided allow the child or young person to select the team they prefer (i.e. they might not yet be comfortable with the PE group that matches their gender identity).

- Work on challenging and preventing sexism, homophobia and biphobia; ensure that the school community is aware of this in terms of curriculum content and the challenging of prejudice and bullying.
- In supporting a trans or non-binary gender conforming child, schools and individuals may have to re-think views and practices on gender and identity which have been accepted as 'standard' for a long time. This can be challenging, but no pupil should be made to feel that they are the ones who are causing problems or that they owe anything to their school in return for being treated with the equality they deserve and to which they are legally entitled.

Resource Implications (Financial and Employment)

12. Officer time has been utilised to develop the toolkit and will be required to launch the toolkit and provide support and advice to schools on implementation.

Sustainability and Climate Change Implications

13. The Council is committed to maximising its contribution to the well-being goals set out in the Well-being of Future Generations Act. The Act places a duty on the Council to exercise the Sustainable Development principle. In doing so, the Council must consider five ways of working to enable sustainable development. The toolkit set out above seeks to ensure decisions are taken which are sustainable in the long term. There is the potential for further integrated approaches to be developed in the way in which these services are offered and the toolkit indicates the need for a multi-agency and collaborative approach to be adopted.

Legal Implications (to Include Human Rights Implications)

14. The Equality Act 2010 brought together and replaced the previous anti-discrimination laws with a single Act. The Act requires the Council to have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
 - advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
15. Section 175 of the Education Act 2002 places a duty on local authorities and governing bodies to make arrangements to ensure their functions are exercised with a view to safeguarding and promoting the welfare of children in school or other places of learning.

Crime and Disorder Implications

16. The toolkit will assist in promoting community cohesion by meeting the diverse needs of local people and improving equality of opportunity.

Equal Opportunities Implications (to include Welsh Language issues)

17. The toolkit will protect and enhance the rights of transgender or transgender questioning learners in accordance with the principles of the Equality Act (2010). An Equality Impact Assessment has been completed ([Appendix B](#)).

Corporate/Service Objectives

18. These proposals are consistent with the Council's Corporate Plan, Well-being Outcome 3: An Aspirational & Culturally Vibrant Vale. The proposals seek to raise the overall standards of achievement, and will contribute to the achievement of a number of actions contained within the Corporate Plan. These actions include securing improved outcomes for groups of learners at risk of underachievement, increasing the learning opportunities for disadvantaged individuals and vulnerable families, as well as reducing the number of young people not in education, employment or training.

Policy Framework and Budget

19. This is a matter for Executive decision by the Cabinet.

Consultation (including Ward Member Consultation)

20. Consultation has taken place with the Vale Youth Cabinet and meetings have been used to provide information on expectations and responsibilities in this area and input into the development of the toolkit.

Relevant Scrutiny Committee

21. Learning and Culture.

Background Papers

None.

Contact Officer

David Davies, Head of Achievement for All

Officers Consulted

Dorian Davies, Safeguarding Officer
Rhiannon Fyfield, Educational Psychologist
Kate Welsh, Transition School Support Officer
Derryn Gibbon, Schools Primary/Secondary Transition Officer

Responsible Officer:

Paula Ham, Director of Learning and Skills