



Transgender and Gender Identity Policy

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This policy should be interpreted in the context of other relevant Policies and Procedures, particularly EmpowerEd's Safeguarding Child Protection and Safeguarding Policy.

Purpose

EmpowerEd is committed to providing high-quality education that equips our students with the knowledge, skills, and experiences necessary to succeed in their chosen careers.

EmpowerEd Equality and Diversity Ethos Statement

This policy is subject to the Equality Act 2010. EmpowerEd is dedicated to promoting, maintaining, and supporting equality and diversity in all aspects of its work. We strive to create an environment where all individuals have the opportunity to achieve their full potential, fostering self-esteem and mutual respect. EmpowerEd unequivocally opposes all forms of inequality and discrimination.

Terminology

Introduction

Terminology within the transgender and gender identity field is diverse and continually evolving. Our understanding and perceptions of gender-variant conditions have progressed, moving beyond a binary man/woman paradigm. Individuals have the right to self-identify, and many young people reject binary gender classifications in favour of broader terms such as pan-gender, polygender, third gender, genderqueer, and others.

Gender Identity

Gender identity refers to an individual's internal understanding of their gender, which may be as a boy/man, girl/woman, or a non-binary identity. Not everyone fits within the traditional binary framework; some individuals may experience a gender identity inconsistent with their assigned sex at birth or may embrace aspects of both genders.

Gender Questioning

Gender questioning refers to the process through which individuals explore and reflect on their gender identity. This is particularly common among young people, who may be uncertain about their gender identity and seek support to navigate their feelings and experiences. EmpowerEd recognizes and respects this process, providing a safe and supportive environment for individuals to question and explore their gender identity without judgement.

Sex

Sex is defined as the biological attributes associated with male and female physical



development, primarily assessed at birth based on genital appearance. There is often an assumption that an infant's sex correlates with their future gender identity, but this is not universally true.

Gender Role

Gender roles are the societal expectations and behaviours associated with being male or female. Despite advancements in gender equality, societal norms still exert pressure on individuals to conform to traditional gender roles, often causing discomfort when these norms are challenged.

Gender Variance and Gender Dysphoria

Gender variance describes the experience of individuals whose gender expression diverges from societal norms. This can manifest as gender dysphoria, where individuals feel distress due to a discrepancy between their gender identity and assigned sex at birth. EmpowerEd recognizes that these experiences are part of the natural spectrum of human identity and expression.

Transsexualism

Transsexualism refers to individuals who seek or have undergone medical intervention to align their physical characteristics with their gender identity. A transsexual person is someone who is transitioning or has transitioned. The term should be used as an adjective, and it is important to avoid using it as a noun.

Transition

Transition is the process through which individuals change their gender presentation in various aspects of their lives. This can occur gradually or suddenly, depending on individual preferences.

Gender Confirmation Treatment

Individuals transitioning may undergo gender confirmation treatments, including hormone therapy and surgeries, to align their physical characteristics with their gender identity. EmpowerEd supports individuals in accessing necessary treatments while respecting their privacy.

Transgender

Transgender is an inclusive term for individuals whose gender expression does not conform to traditional norms. This includes a spectrum of identities, and EmpowerEd recognizes the diverse experiences within the transgender community.

Trans Men and Trans Women

Trans men are individuals assigned female at birth who identify as male, while trans women are



those assigned male at birth who identify as female. Many individuals prefer to be recognized simply as men or women after transitioning.

Intersex Conditions

Intersex individuals may experience variations in their sexual characteristics that do not fit typical definitions of male or female. EmpowerEd acknowledges the complexities of intersex conditions and respects individuals' identities.

Sexual Orientation

Sexual orientation is distinct from gender identity and refers to the attraction one person feels towards another. Trans individuals may identify as heterosexual, homosexual, bisexual, or asexual, and their attractions may shift throughout their transition.

Gender Recognition Certificate

The Gender Recognition Act 2004 provides legal recognition for individuals who have undergone a permanent change in gender status. This process allows individuals to obtain a Gender Recognition Certificate (GRC), which alters their legal status and personal documentation.

1. Legislation on Gender Reassignment and Gender Identity

The **Equality Act 2010** protects individuals from discrimination based on gender reassignment. Key points include:

- Protection from discrimination regardless of medical supervision.
- Safeguarding against discrimination based on perceived gender reassignment.
- Extending the public sector Equality Duty to cover gender reassignment comprehensively.
- Protecting individuals who associate with trans individuals.

2. Intent

EmpowerEd undertakes the following commitments:

- Ensure all students have equal access to courses and fair treatment regardless of gender identity. Session plans will be reviewed to eliminate reliance on stereotypical assumptions about trans individuals and to ensure inclusivity.
- Respect the confidentiality of all trans staff and students, not disclosing information without prior consent.
- Prohibit exclusion from employment or promotion based on gender identity.



- Treat transphobic abuse, harassment, or bullying as a serious disciplinary offence in accordance with EmpowerEd's Disciplinary Policy.
- Provide a supportive environment for staff and students who wish to disclose their trans status, while respecting individual choices about disclosure.
- Include gender identity issues in staff equality training.
- Create and maintain appropriate facilities for trans students and staff groups.
- Offer support to staff and students undergoing medical procedures related to gender reassignment, addressing their specific needs.
- Recognize the diversity of trans staff and students, ensuring they do not face discrimination based on their gender identity or intersecting identities, such as race, age, religion, disability, or sexual orientation.

3. Implementation

Managing the Transitioning Process for Students or Staff:

1. A person identifies that their physical gender does not align with their preferred gender and informs EmpowerEd of their intent to transition.
2. If a staff member wishes to transition, they should speak with their manager. For students, a member of the Safeguarding Team will meet with the individual to provide support and record confidential information, including:
 - Timing of transition, including changes in gender presentation, name, and pronouns (no documentation needed for social name change).
 - Updating documentation and previous records (often supported by official documentation such as Statutory Declaration or Deed Poll; a Gender Recognition Certificate is not required for this step).
 - Ensuring absolute security of documentation revealing previous identity.
 - Deciding when, how, and who should inform colleagues or peers. Some individuals prefer to disclose themselves with support, while others may want assistance from a trusted person.
 - Providing additional academic support to catch up on any missed term time, particularly if treatments affect attendance.

Finalising the Transition Process:

- Upon request, EmpowerEd will update its records to reflect any name change and new gender.
- A new file will be created, with documents revealing the former name and gender marked 'confidential'.
- After a minimum of 12 months of real-life experience, the individual may undergo gender confirmation surgery.



- After living in their chosen gender for two years, they can apply for a Gender Recognition Certificate, leading to a new birth certificate and full legal recognition.
- If the person is a staff member in the institution's pension scheme, they must update their records with their new birth certificate.

Further Information and Guidance

For additional resources and support, refer to the following sources:

- LSIS Guide: Promoting Transgender Equality in Further Education (Dec 2010)
[Link to LSIS Guide](#)