



New College Stamford
All round excellence

Supporting LGBT+ Students Policy

POLICY NO. 6

<p>Issue Date: October 2016</p> <p>Approved by: Approved by SLT on 20 October 2016</p> <p>Review Date: October 2019</p>
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INTRODUCTION

Definition of LGBT+

LGBT+ is an umbrella initialism which stands for Lesbian, Gay, Bisexual, Transgender, Plus. The '+' represents several composite identities: Queer; Questioning; Intersex; Allies; Asexual. For a comprehensive definition of these terms, and other relating terms please refer to the glossary at the end of this policy.

LGBT+ Mission

The purpose of this policy is to explain New College Stamford's good practice in the field of LGBT+ consideration with an aim to minimise the distress and disruption that might be caused to students by:

- Ensuring lecturers, business support staff and governors are dealing with LGBT+ matters inclusively and sensitively.
- Providing an inclusive and supportive environment for any student who identifies as LGBT+.
- To ensure that all students are educated and aware of issues relating to LGBT+.

LGBT+ Vision

New College Stamford will ensure that every LGBT+ student shall be treated fairly and equally across all areas of the college. By adopting a whole college approach we acknowledge that tolerance is not enough, and that New College Stamford aspires to be a college reputed for the excellent support it gives to LGBT+ students; a college that seeks out opportunities to celebrate diversity and a college known for being welcoming and inclusive to members of the LGBT+ community.

LGBT+ Values

New College Stamford undertakes the following:

- Students will not be denied access to courses or progression to other courses because of any aspect of their LGBT+ identity.
- Any LGTB+ students will receive fair and equal treatment whilst studying at New College Stamford.
- The curriculum will be checked to ensure that it does not rely on or reinforce stereotypical assumptions about members of the LGBT+ community and that it does not contain LGBT+ - phobic material.
- New College Stamford will respect the confidentiality of all LGBT+ staff and students and will not reveal information without prior agreement.
- LGBT+ abuse, harassment or bullying (name-calling/derogatory jokes, unacceptable or unwanted behaviour, intrusive questions) is a serious disciplinary offence and will not be tolerated and will be dealt with in line with the colleges anti-bullying procedure.
- New College Stamford will provide a supportive environment for students who wish their LGTB+ identity to be known. However, it is the right of the individual to choose whether they wish to be open about their gender identity or sexuality. To 'out' someone without their permission is a form of harassment, and possibly a criminal offence. New College Stamford

- will include LGBT+ issues in equality & diversity training.
- All anti-LGBT+ propaganda, in the form of written materials, graffiti, music or speeches will not be tolerated. New College Stamford undertakes to remove any such propaganda whenever it appears on the premises.

How the Policy Operates

An LGBT+ student might choose to share their status with any member staff they feel comfortable with. All staff therefore have a duty to support the student so that they can move forward in a positive and confident manner. New College Stamford recognises that not all LGBT+ students will require further support from the welfare team, but all staff should be able to signpost LGBT+ students to the relevant internal support available. In cases where further support is required, a referral can be made to the welfare team who will provide support internally and in conjunction with external agencies where appropriate.

Guidelines for Staff

Attendance

New College Stamford will make reasonable adjustments to accommodate absence requests for trans students receiving medical treatment as part of their gender reassignment and to all LGBT+ students who are receiving support from outside agencies in line with the college absence policy. Sensitive care will be taken when recording the individual reasons for absence.

Bullying

New College Stamford has a robust anti-bullying policy. In line with this policy, any anti-LGBT+ incidents will be recorded on Pro-monitor and dealt with in the same manner as other incidents that are motivated by prejudice in line with the Colleges disciplinary procedure. Any anti-LGBT+ propaganda in the form of graffiti, written materials, speeches, music and any other media will be removed from campus.

Welfare and guidance advice is available for both the victim and perpetrator of bullying to ensure that students move forward in a positive and confident way.

Staff Training

In order to ensure all staff and Governors have the skills to deal with LGBT+ issues, New College Stamford will hold regular training sessions as part of New College Stamford's CPD programme and will be revisited annually.

Curriculum

Awareness of LGBT+ issues will be delivered in tutorial sessions by Student Advisors and will form part of the Student Passport. An inclusive curriculum helps prevent bullying.

Work Experience

The Equality Act 2010 encompasses every environment that students will be working in; therefore all placements should be aware of their duties and responsibilities.

New College Stamford will be sensitive to this in their planning before any LGBT+ student is placed in any business or organisation. Careful discussion about the placement with the student will occur to find the most suitable way forward to ensure the placement is successful.

Changing/Toilet Facilities

New College Stamford has three non-gendered toilets located on main campus, on the ground floor next to the Music Tech rooms; the disabled toilet on the run way from Student Services down to the Refectory and the disabled toilet next to the conference centre.

New College Stamford's Borderville campus has one non-gendered toilet. It is the disabled toilet located on the ground floor.

Students and staff at New College Stamford can use the toilet that is gender specific to their chosen identity, for example a Trans female is able to use female toilets and a Non-Binary Trans person can use any toilet on campus.

Allocation of changing facilities for trans students should be assessed on a case-by-case basis in discussion with the individual. Trans students should have access to changing facilities that correspond to their gender identity; this is underpinned by the Equality Act 2010 whereby refusing a student access to the changing room of their gender identity would constitute an act of discrimination. In line with this, and to maintain as much as possible a student's confidentiality the welfare team will lead on any matters relating to trans provision of changing rooms and toilets.

Use of Language

Members of staff should strive to use the preferred pronoun for an LGBT+ identifying student. In addition, staff should think carefully about the language they use and when possible, attempt to use language which does not reinforce a binary approach to gender (i.e. there are just males and females).

The purpose of this is not to deny gender as an important part of our identity, in fact this can be explored as part of the tutorial programme we offer at College; however, care needs to be taken to avoid excluding those who do not see themselves as male or female, or make assumptions about someone's gender identity because of how they appear.

Name Changing and Exam Certification

Respecting a student's request to change name and pronoun is a pivotal part of supporting a student's individual identity and fostering an atmosphere which celebrates diversity.

It is important to consistently use a student's preferred name and pronoun in order to protect a student's confidentiality and not to 'out' them in ways that might potentially be unsafe and exposing.

Trans students can easily change their name legally by making a statutory declaration of name change by deed poll, however not all students want, or are in a position to officially change their name but may want to use a preferred name in College. A student has a right to be addressed by a name and pronoun that corresponds to their preferred gender identity; a change of name by deed poll is not required to make a change to college records on MIS systems. It is important that staff and managers are aware of the students preferred name and pronoun so that the students former identity is not used in error. If a student discloses their status as a trans person, or gives notification of their intent to transition during their time at New College Stamford, the welfare team will need to agree with the student the date from which their gender is changed on all personal/student records such as (but not limited to) ID badges; ProMonitor Records; EBS records and so on. The welfare team will then communicate with appropriate college personnel to facilitate this change.

Students must be registered and entered for examinations under their legal name. The Joint Council for Qualifications states that, 'the centre agrees to: enter candidates under names that can be verified against suitable identification such as birth certificates, passport or driver's licence.' Student's results are also linked to their Unique Pupil Number or Unique Learner Number (UPN, ULN) which must be linked to legal, rather than preferred names. For a student to use their preferred name on an exam document the student is required to have their name changed by deed poll. This might be a source of distress to a trans student, and college, led by the welfare team, should

support a student to understand and accept that this is a necessary formality and that it does not invalidate their chosen identity.

Guidelines for Students

Support In College

A weekly LGBT+ Student Group takes place at College all genders and sexualities are welcome. LGBT+ Awareness campaigns such as LGBT+ Awareness month take place throughout the year.

Students have access to the welfare team who can provide information, advice and support on any LGBT+ or welfare matter. When necessary an issue may be referred to the safeguarding team in order for the student to receive the appropriate level of support.

Appendix 1

Legislation

Data Protection Act 1998 (UK)

Information about a person's sexuality and transgender status is considered 'sensitive personal data' and is therefore 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 LGTB+ people to live their lives without fear of being discriminated against because of their gender or sexuality.

- 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.

Equality Act 2010 (Great Britain)

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, which include Gender Reassignment (also known as Transgender) and Sexual Orientation.

Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to College and young people.

The Equality Act 2010 (2:1:7) states that:

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.

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.

Discrimination

As stated, The Equality Act 2010 ensures legal protection against discrimination in numerous environments, including: employment and education. The Equality Act also guarantees the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act; this includes Gender Reassignment and Sexual Orientation.

The legislation states that a college must not discriminate against a student because of their LGBT+ identity. 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.

Appendix 2

Glossary of Terms:

AFAB/AMAB: (assigned female/male gender at birth) – the gender category a person was given when they were born. Avoid problematic terms like “biological male” or “female bodied”. NB: this is **not** an identity, so avoid saying this like “they are an AFAB trans person”.

Ally: is a heterosexual and cisgender person who supports equal civil rights, gender equality, LGBT social movements, and challenges homophobia, biphobia and transphobia.

Asexuality: Generally characterized by not feeling sexual attraction or a desire for partnered sexuality. Asexuality is distinct from celibacy, which is the deliberate abstention from sexual activity.

Biphobia: fear or hatred of people who are bisexual, pansexual, or omniseual.

Bisexual: A person whose primary sexual and affectional orientation is toward people of the same and other genders, or towards people regardless of their gender.

Cisgender: the opposite of transgender, someone whose gender aligns with their assigned gender.

Using this term avoids problematic ways of describing non-trans people.

Coming Out: Refers to voluntarily making public one's sexual orientation and/or gender identity.

Crossdresser/ Freedresser: somebody who wears clothing that falls outside of what is expected for their gender. Some are trans, some are not. "Transvestite" is also used but with decreasing popularity.

Drag Queen/King: currently, someone who dresses as the opposite sex for performance purposes.

Gay: A sexual orientation toward people of the same gender.

Gender: A social construct used to classify a person as a man, woman, or some other identity. Fundamentally different from the sex one is assigned at birth.

Gender dysphoria: Medical diagnosis for the "clinically significant distress" that trans people experience from the misalignment of their gender from that assigned to them. Many trans people prefer "gender incongruence." Not all trans people experience dysphoria.

Gender Identity: a person's core experience of themselves in relation to sex/gender. NB: not all trans people relate to this term.

Gender recognition certificate: a trans man or women's gender can be legally recognised if they are over 18, have lived as their gender for 2 years and been diagnosed with gender dysphoria. Legal name change and change of title can take place at any time by deed poll.

Gender variant/ gender non-conforming: someone who does not conform to their assigned gender but may or may not consider themselves to be considered trans (useful for children).

Heteroflexible: People who are usually attracted to people of genders different from their own but might occasionally be attracted to people of genders similar to their own,

Heterosexism: The assumption that all people are or should be heterosexual. Heterosexism excludes the needs, concerns, and life experiences of lesbian, gay, bisexual and queer people while it gives advantages to heterosexual people. It is often a subtle form of oppression, which reinforces realities of silence and invisibility.

Heterosexuality: A sexual orientation in which a person feels physically and emotionally attracted to people of a gender other than their own.

Homophobia: The irrational hatred and fear of LGBT+ people. Homophobia includes prejudice, discrimination, harassment, and acts of violence brought on by fear and hatred. It occurs on personal, institutional, and societal levels.

Homosexual/Homosexuality: An outdated term to describe a sexual orientation in which a person feels physically and emotionally attracted to people of the same gender.

Internalized homophobia: The fear and self-hate of one's own LGBT+ identity, that occurs for many individuals who have learned negative ideas about LGBT people throughout childhood. One form of internalized oppression is the acceptance of the myths and stereotypes applied to the oppressed group.

Intersex: People who, without medical intervention, develop primary or secondary sex characteristics that do not fit "neatly" into society's definitions of male or female. Many visibly intersex people are mutilated in infancy and early childhood by doctors to make the individual's sex characteristics conform to society's idea of what normal bodies should look like. Intersex people are relatively common, although society's denial of their existence has allowed very little room for intersex issues to be discussed publicly.

Lesbian: A woman whose primary sexual orientation is toward people of the same gender.

LGBT: Initialism for Lesbian, Gay, Bisexual, and Transgender. An umbrella term used to refer to

the community as a whole.

Monogamy: is a form of relationship in which an individual has only one partner.

Non-binary or genderqueer: someone who identifies outside of the “gender binary” (other terms are agender, bigender, genderfluid, third gender, neutrosis, androgyny, enby, non-binary butch, non-binary femme, non-binary trans man, non-binary trans woman, etc.).

Pansexual/Omnisexual: Terms used to describe people who have romantic, sexual or affectional desire for people of all genders and sexes.

Personal pronouns: if in doubt, ask; not everyone’s appearance conforms to their gender. Many people use neutral pronouns, such as singular they/them/their, or others. It is acceptable to use “they” if you are unsure, but do not use it if you know someone prefers he or she.

Polyamory: is a form of relationship in which an individual has more than one partner with the knowledge and consent of all partners.

Polyfidelity: (also sometimes called polyexclusivity) is a form of polyamory where all members are considered equal partners and agree to be sexually active only with other members of the group.

Queer: This can include, but is not limited to, gay, lesbian, bisexual, transgender, intersex and asexual people. This term has different meanings to different people. Some still find it offensive, while others reclaim it to encompass the broader sense of history of the gay rights movement. Can also be used as an umbrella term like LGBT, as in “the queer community.”

Questioning: a person who is still exploring their sexuality or gender identity.

Sex: a categorization based on the appearance of the genitalia at birth.

Sexuality: The components of a person that include their biological sex, sexual orientation, gender identity, sexual practices, etc.

Sexual Orientation: An enduring emotional, romantic, or sexual attraction. Sexual orientation is fluid. Asexuality is also considered a sexual orientation (See above definition of asexuality).

Transgender (trans for short): (never “transgendered”) – someone whose gender does not, either partially or fully, align with the gender they were assigned at birth (not everyone will use this term).

Transsexual: someone who has medically transitioned (but some prefer the term transgender).

Trans*: some people self-identify as trans*, however it has become unpopular as an umbrella term.

Trans woman/trans man (never transwoman/man): how a person identifies, e.g. a trans man’s gender is male, he uses male pronouns and lives and identifies as a man.

Transition: the process of developing congruence with your gender. May or may not involve surgery, hormone replacement therapy and changes to assist being correctly identified through clothes, speech, etc. NB: “sex change” is an inappropriate term, as is “used to be a man” or other references that someone’s gender was “created” by the transition.

Transphobia: The fear or hatred of transgender people or people who do not meet society’s gender role expectations.

Further Information and Useful Links

Terrence Higgins Trust
<http://www.tht.org.uk/>

Stonewall
<http://www.stonewall.org.uk/>

Peterborough LGBT Equality Council
<http://www.plec.org.uk/>

Lincolnshire Trans and Non-Binary Support
<http://justlincolnshire.org.uk/resources/transgender/>

Mermaids – Information for trans young people
<http://www.mermaidsuk.org.uk/>

IMPACT ASSESSMENT:

This policy has been assessed and considered for impact upon people who share the following protected characteristics and factors: race, gender and gender identity, disability (including learning difficulty), religion and belief, sexual orientation, age, pregnancy and maternity and marital status.

EQUALITY IMPACT ASSESSMENT SUMMARY:

This policy has been impact assessed and has identified the following:

- Negative impacts (N)
- Appropriate actions/mitigations to address the negative impacts have been put in place (N/A)
- Positive impacts (Y)

For further detail of the impacts and associated actions, please see the EIA which is attached to the filed copy of this document.

LINKED POLICIES:

MONITORING PROCEDURE:

DATE FOR REVIEW:

October 2019

RESPONSIBILITY:

Vice Principal, Curriculum and Quality
Director of Learning, Development and Welfare
Student Engagement and Liaison Officer

ENDORSED BY SLT:

Janet Meenaghan

Principal

7 November 2016

Date