



# Interim Policy Directive and Guidelines

## GENDER IDENTITY

(Effective from September 2023  
To be reviewed by September 2025)

Publication Date:	September 2023	Version Date:	2023.09.25
Review Date:	September 2025	Version Number:	V2
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## Summary of Changes<sup>1</sup> from Previous Versions

Version no/Date	Change	Comment	Section/ Page
2.0	Review and update of all sections	This new interim Policy replaces the guidance that was issued in 2019. Policy review pending outcome of UK Department for Education consultation and other reviews (eg CASS).	all
09/2024		Review date extended pending UK guidance publication	

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<sup>1</sup> Material changes only. Minor changes (such as to punctuation, grammar, etc.) will not be listed

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## PART 1: POLICY

### 1.0 Introduction

#### 1.1 Policy Statement

Schools have a significant role ensuring that all children are equipped with the knowledge they need as an adult, and this goes beyond their academic development. The welfare of a child is paramount. All children have equal rights to protection, safeguarding and opportunities and when a child discloses a potential concern it is essential that parents, carers, local services and professionals work together to ensure that an appropriate support is in place to enable children to thrive.

The [Children \(Guernsey and Alderney\) Law 2008](#) requires all States of Guernsey employees (and everyone else working with children) to work together and share information to ensure children and young people access the services they need to achieve or maintain a reasonable standard of health or development. The Islands Safeguarding Children Partnership (ISCP)<sup>2</sup> has established extensive guidance (<http://iscp.gg>) to promote effective co-ordination and co-operation between agencies providing services to children and families, which must be followed by all people working in education establishments in Guernsey and Alderney, whether paid or unpaid.

Schools must have a written policy on Safeguarding and Child Protection. Schools must consider the needs of all children, and this should be recognised in their internal policies, guidance and practice. The Gender Identity Policy and Guidance for Schools has been written to support education settings when children question their gender identity and/or experience gender distress.

**For the avoidance of doubt, any learner who is already on an established social transition pathway prior to the introduction of this policy should continue to be supported, with advice from appropriate professionals. (See section 6.)**

#### 1.2 Policy Objectives

This document is intended to:

- Ensure all members of staff (and volunteers) are aware of their roles and responsibilities around supporting children and safeguarding and protecting children from harm.
- Show how the school will work together with other agencies.
- Highlight other policies and systems that have a particular role in the school's wider approach to supporting and keeping children safe in education.
- Ensure that parents and carers are aware of school processes, roles and responsibilities.

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<sup>2</sup> A multi-agency committee with representatives from the public, private and voluntary sectors, which was given legal status in the Children (Guernsey and Alderney) Law, 2008

### 1.3 Policy Application

This guidance should inform school's policies, guidance and practice and should extend to school activities taking place outside of the normal school day, and to school activities taking place off-site.

Central Education staff must have an appropriate level of awareness of this document dependent upon their role. In particular, those who work either directly in schools or with children/families (or have oversight of other staff who do) need to be familiar with the policy and guidance.

Throughout this document, 'Headteacher' also refers to Heads of Service, Secondary School Partnership Principals, and the College of Further Education Principal. 'School' refers to any education establishment.

In line with ISCP procedures, independent schools and the Grant-Aided Colleges should ensure that child protection policies and procedures, which reflect the ISCP guidelines, are in place. They are welcome to consider the contents of this Policy and guidance document. Grant-Aided Colleges are subject to specific safeguarding requirements set out in their Grant Agreements.

### 1.4 Accountabilities

The Head of Inclusion and Services for Children & Schools (who acts as the Lead Child Protection Officer for Education) is accountable for:

- Ensuring this document is reviewed on a regular basis, considering developments in legislation and local and national good practice guidance, and communicated to schools.
- Ensuring that central Education staff (Office and Services, etc.) are aware of the policy and guidance.

Headteachers are accountable for implementation in schools.

### 1.5 Education Strategy Alignment

This policy links to the following Education Strategy priorities and commitments:

#### **Equity, Safety & Inclusivity**

- Ensuring that the protective measures in place to safeguard and keep learners safe are of the highest standard in all settings
- Embedding whole-setting cultures and practices which promote inclusivity, challenge inequity, support well-being and remove barriers to personal ambition

#### **Meeting the Needs of our Community**

- Working in partnership to embed and promote learner-centred practice across the sector so that our learners, their families, staff and settings receive a consistently high quality of support

### High Quality Learning and Excellent Outcomes

- Championing early intervention approaches in all phases and building on excellent foundations to provide the best outcomes for our learners

### 1.6 Associated Documents

- [Safeguarding and Child Protection](#) – School Policy
- [Anti-bullying Procedures and Guidance](#)
- [SIMS Policy](#)
- [Sex and Relationship Education Policy](#)
- [Mental Health and Wellbeing Policy](#)
- [Medicines in Schools and Supporting Learners with Medical Needs](#)
- [Off-Site Visits and Outdoor Education Policy and Procedures](#)
- [Work experience](#)

## 2.0 Context

This document has been written with consideration of ISCP processes, and to good practice, as set out in guidance document ‘Keeping Children Safe in Education’ (KCSIE) [England]. It has also been written with reference to Ofsted safeguarding guidance.

The policy and guidance:

- Acknowledges that safeguarding is not just about protecting children from deliberate harm, neglect and failure to act, but also relates to broader aspects of care and education.
- Is intended to signpost to other related school (and where relevant, Education and States of Guernsey) policies, and in some cases provide limited high-level detail.

## 3.0 Developing Understanding

### 3.1 Definitions

Gender identity can be complicated, and an understanding of the terminology and language used when discussing gender identity is fundamental in providing the correct support and advice for children.

There is a difference between sex, gender identity and sexuality; these are often confused, and it is important to distinguish the three terms.

**Sex / Biological Sex:** Is defined as a biological category based on reproductive, anatomical and genetical characteristics.

**Gender identity:** is defined as the fact of being, or deep feeling that you are, a particular gender, which can differ from the sex identified at birth.

**Sexuality:** refers to sexual orientation and attraction.

**LGBTQ+:** stands for lesbian, gay, bisexual, transgender, queer (or sometimes questioning) and others.

**Trans:** an umbrella term which describes people who may identify as follows:

**Gender fluid:** a term defined as not having only one gender or moving freely between genders. They may not identify within the binary of male or female.

**Gender variant:** a term used to describe those who do not conform to gender roles and **behaviour** of the sex identified at birth.

**Non-binary:** a term for a person who does not identify as male or female singularly. They may identify as both, neither, or as another gender identity.

**Transsexual person:** is defined as of, relating to, or being a person, whose gender identity is opposite the sex the person had or was identified as having at birth.

### **Gender Distress, Gender Dysphoria, Social Transitioning:**

When a child discloses that they are asking questions about their identity it is important to understand the key terminology.

**Gender distress:** psychological distress is defined as “a set of painful mental and physical symptoms that are associated with normal fluctuations of mood in most people.”

Gender distress might be a feeling of mismatch between one’s sex and gender identity, leading to psychological distress and associated difficulties. For some, this may be part of wider mental health and wellbeing issues, while for others this can be solely related to their gender distress. Understanding the causes of psychological distress may help you prevent it and overcome it when it arises.

**Gender dysphoria:** This is the medical diagnostic term applied when an individual is experiencing significant gender distress. For a diagnosis of gender dysphoria, the individual has to have experienced symptoms over time (at least 6 months) and symptoms need to significantly impact on their day-to-day functioning. Diagnosis typically comes via medical services, such as Child and Adolescent Mental Health Services (CAMHS), Paediatrician, and/or Gender Identity Development Services (GIDs). (We are mindful of the [CASS Review](#) and we await further guidance from HSC on this service pathway.) As a recognised medical condition, a diagnosis of gender dysphoria should be accompanied with medical treatment and care.

**Social Transitioning:** describes the process by which an individual changes gender specific aspects of their daily life to expresses their gender identity. It can happen in all/some aspects of a person's life, and in a gradual/simultaneous fashion, dependent upon the individual. The medical model for the treatment of gender dysphoria can include social transitioning, which affirms the individual’s gender identity. **Therefore, social transitioning in schools must be based on the specific medical advice received for each child.**

Within the school environment social transitioning involves consideration of a raft of practical factors, such as:

- Changing name/pronouns
- Contexts that require continued use of legal name and biological sex (e.g. Management Information Systems such as SIMS and Examinations).
- Uniforms
- Physical Education sessions
- Toilets and changing facilities
- Aspects of day/residential trips
- Aspects of Work Experience arrangements
- Terminology (e.g. boys and girls)

Guidance on these areas is provided in Part 2 of this document.

Social transitioning in schools must occur alongside support for the child's mental health and wellbeing.

## 4.0 Responsibilities

Supporting a child who presents with gender distress during school hours is not the sole responsibility of one person. A school's ability to provide effective support will be dependent on working co-operatively with other agencies. Partnership working between school staff, healthcare professionals (and where appropriate, social care professionals), parents and learners will be critical. This document identifies collaborative working arrangements between all those involved to ensure that the needs of children who are experiencing gender distress are met effectively. It must also be kept in mind that support might be needed for the family and school-based friends of the learner. Some of the most important roles and responsibilities follow.

### 4.1 Headteachers

Headteachers will:

- Ensure their practice is informed by policy and guidance set out by Education Services.
- Ensure that any in-school plans, procedures and systems are understood by all staff, and are properly and effectively implemented, with a named lead staff member for oversight of guidance and policy implementation.
- Focus on the needs of each individual learner and how their needs impact on their school life.
- Ensure school staff providing support are able to access information and other teaching support materials as needed.
- Ensure that the arrangements made give parents and learners confidence in the school's ability to provide effective support in school and should demonstrate an understanding of how gender distress can impact on a child's ability to learn.

- Ensure that accurate and appropriate written records are kept.
- Ensure that the school works with appropriate professionals.

### 4.2 Lead Staff Members (SCPO)

Lead staff members will:

- Ensure that sufficient staff are properly trained and achieve the necessary level of competence to provide support that learners may need as appropriate, as detailed in plans and in consultation and collaboration with relevant professionals or health professionals, such as School Nurses. Training completion must be recorded and monitored by the lead staff member, who should ensure it is renewed when needed.
- Ensure that all relevant staff are made aware of needs of the child.
- Ensure risk assessments have been considered and completed for school visits and other school activities outside the normal timetable if needed.
- Monitor individual appropriate plans.

### 4.3 Any Member of School Staff

- Must know what to do and respond accordingly when they become aware of a learner with gender distress.
- May be asked to be a key member of staff maintaining active involvement with the learner and their education to implement the appropriate support plan.

### 4.4 Learners

Learners who experience gender distress can often provide information about how their condition affects them.

- Whenever appropriate, learners must be involved in discussions about their support needs and contribute as much as possible to the development of, and compliance with, any support plan in place.
- All learners should be informed, sensitive and endeavour to understand the needs of others.

### 4.5 Parents and Carers

- Have prime responsibility for their child's health and wellbeing.
- Must provide the school with sufficient and up-to-date information about their child's needs in conjunction with the child's GP or paediatrician or appropriate healthcare professional.
- Are key partners and should be involved in the development and review of their child's individual support plan.
- Must carry out any action they have agreed to as part of the implementation of an appropriate support plan.

### 4.6 School Nurses

- Are responsible for notifying the Headteacher when a child has been identified as having a medical condition which will require support in school. Wherever possible, there is an expectation to do this before the child starts at the school.
- Would not usually have an extensive role in ensuring that schools are taking appropriate steps to support children with medical conditions but may support staff on implementing a child's Individual Healthcare Plan and provide advice and liaison if appropriate.
- Can liaise with lead clinicians locally on appropriate support for the child and associated staff training needs.
- Have a duty to promote co-operation between relevant partners with a view to improving the well-being of children so far as relating to their physical and mental health, and their education, training, and recreation.
- The Community Children's Nursing (CCN) Team will also be a valuable potential resource for a school seeking advice and support in relation to children with a medical condition.

### 4.7 Other Healthcare Professionals, including Psychiatrists and Paediatricians

- There is an expectation that professionals will notify the relevant School Nurse when a young person has been identified as having a medical condition that will require support at school. They may provide advice on developing Individual Healthcare Plans. Specialist health teams may be able to provide support in schools.

### 4.8 Health and Social Care (HSC)

- There is an expectation that professionals will provide support, advice and guidance through the School Nurses, including suitable training for school staff, to ensure that the support specified within Individual Healthcare Plans can be delivered effectively.
- Where additional advice or medical supervision of Healthcare plans are required, this will be provided through the Community Paediatrician and/or Psychiatrist according to expertise. The Community Paediatrician and/or Psychiatrist will set the framework for this.
- There is an expectation that professionals will work with schools to support learners with medical conditions to attend full time.

### 4.9 Providers of Individual Health Services (e.g. Child and Adolescent Mental Health Services (CAMHS):

- Outline the child's healthcare pathway including types and amount of medical input/therapies.

- There is an expectation that professionals will co-operate with schools that are supporting children with medical conditions, including appropriate communication, attendance at Team Around a Child (TAC) meeting, liaison with School Nurses and other healthcare professionals as well as participation in outreach and training.
- Health Services can provide valuable support, information, advice and guidance to schools and their staff to support children with medical conditions at school.

### 4.10 Other Agencies

- SHARE (Sexual Health and Relationship Educators), Health Information Exchange and specialist voluntary or third sector agencies, can provide balanced and evidence-based advice and information on health issues to Education Services, schools, parents and learners.
- Where children would not receive a suitable education in school because of their health needs, the School Attendance Service has a duty to support the school to make appropriate educational arrangements.

## 5.0 Disclosure when a child is questioning their gender identity or experiencing gender distress.

When a child asks questions about their identity it is important that the child receives the appropriate support and guidance. It is also important that schools are clear about their role and responsibilities when supporting children.

If a child discloses feelings of gender distress at school, the school should automatically inform their parents/carers unless there is a compelling safeguarding reason for them not to do so.

A child who is experiencing gender distress can raise safeguarding or child protection concerns and this may have arisen as a result of:

- Staff/volunteer observations
- Information shared by the child
- Other information

If a member of staff has any safeguarding concerns, they must follow the procedures in the Safeguarding and Child Protection Policy including the involvement of the designated Child Protection Officer.

**Anyone having concerns must act on them as soon as possible, and not assume that someone else will do so instead.** They should not let other considerations, like the fear of damaging relationships with others, get in the way of protecting children. All staff have a responsibility to raise a concern.

It is not the role of the concerned person to investigate disclosure, but rather to share information appropriately and support children as part of a wider response. The course of action to take depends on the circumstances.

### 5.1 Joint working

Supporting a child who presents with gender distress during school hours is not the sole responsibility of one person. A school's ability to provide effective support will depend on constructive work with professionals and parents/carers. The advice provided from professionals including the School Nurse, CAMHS and relevant partners will inform appropriate plans and support.

When a school is informed that a child has questioned their gender identity and is experiencing gender distress, whether by parents or a medical practitioner, then the school must consider and plan how it will meet those needs, for example, have the appropriate referrals been made and has appropriate advice from professionals been sought? (Any medical needs highlighted would need to be confirmed with the appropriate medical practitioner).

A Team Around the Child approach must be taken in collaboration with health practitioners, family and learner (where appropriate). This may result in an Individual Education Plan, Healthcare Plan or other more appropriate support plan.

For children starting at a new school, arrangements should be in place for the start of the relevant school term. In other cases, such as a new diagnosis or a learner moving to a new school mid-term, every effort should be made to ensure that arrangements are put in place within two weeks or as soon as is feasibly possible. Any interim arrangement should maintain the safety and wellbeing of the learner.

The flowchart in [Appendix 1](#) sets out the process to be followed.

## 6.0 Support for learners already socially transitioning, prior to the introduction of this policy.

This policy acknowledges that schools might already be supporting learners who are on an established social transition pathway and might have been transitioning for a period of time prior to the introduction of this policy and guidelines. Where this is the case, schools should continue to work with professionals to support these learners.

If TAC meetings are not already taking place, schools should discuss with parents and carers the option for these to be established so that appropriate professionals can provide input to the ongoing support for the learner.

## PART 2: GUIDANCE

### 1.0 A Whole School Approach

A whole school approach where all children feel safe and included and which recognises each individual's diversity is needed to create a welcoming and inclusive environment where everyone is treated fairly. Children spend a significant amount of time in educational settings, and therefore school life plays an important part in the development of a child. The school should recognise that transgender people exist in the whole community, and acknowledging this may help negate feelings of difference regarding gender identity. An effective approach will create an environment where learners feel safe.

It is important for children to understand that there is no right or wrong way for a person to present as their biological sex. A balanced approach is needed to ensure children are aware of the differences between the sexes, and celebrate those differences. It is also important for children to understand that adolescence is a time of change and exploration and that minds and feelings can change at any time.

Schools should consider the Sex and Relationship Education (SRE) and Personal, Social, Health, and Citizenship Education (PSHCE) curriculum when addressing school policies, practice and approach. Appropriate training should be delivered to all staff when supporting all children, including any children who are experiencing gender distress.

Each child will be different and therefore support for each individual may be bespoke. Staff should engage regularly with the child, parents/carers and appropriate professionals in order to implement appropriate support plans.

Training for staff, on best practice, should increase their confidence in supporting children. Early help and a proactive whole school approach will help support children to thrive and address the risks of bullying (please refer to Anti-Bullying Policy).

### 2.0 Internal Practices and Key Questions

Supporting a child with gender distress is not the sole responsibility of one person. It must also be kept in mind that support might be needed for the family and school-based friends of the child. The school should be supported, and advice provided, by appropriate medical professionals in conjunction with parent/carer and child input. This will inform practice and procedures around areas including:

- Requests to change names and pronouns
- SIMS and Exam results
- Uniform
- Physical Education
- Toilets and Changing Facilities
- Day and Residential Trips
- Work Experience

- Terminology (e.g., boys, girls, ladies, gents)

### 2.1 Requests to Change Names and Pronouns

No school should facilitate a child's social transition including the change of names or pronouns, unless medical advice clearly endorses this as best and most appropriate action, and unless parents/carers have been fully involved.

### 2.2 Management Information Systems (e.g., SIMS) and Exam results

A learner's forename can only differ from that on the birth certificate if it has been legally changed.

Currently, the name and gender identity used for exams and exam certificates should match that on their official identification papers, such as a birth certificate, driver's licence or passport. Once a result is accredited, it will be linked with a Unique Pupil Number or Unique Learner Number, which are only linked with legal names, not preferred names. The learner will need to fill in their legal name and biological sex when sitting exams. Therefore, a learner will need to have legally changed their name before it can be used on an exam document. The school should discuss this with the learner and their parent or carer (and relevant professional if appropriate) to ensure they are clear about the process.

### 2.3 Uniform

Clothing is an important part of expressing identity. Uniform is often gendered in the binary "girls" or "boys", but even if this is not directly stated, learners often wear the uniform that correlates with their gender identity. All children are expected to follow the school uniform policy, however the school should consider reasonable adjustments when requests for changes are made (this to be aligned with the appropriate support plan).

Consideration must be given to swimwear options. Due to the revealing nature of swimwear, schools should consider allowing children to wear rash vests, shorts, or wetsuits if this would make them more comfortable and encourage their participation.

### 2.4 Physical Education (PE)

At primary level, physical education lessons and other sporting events are often mixed sex, and there are very few cases where learners are separated by their sex. As is best practice in all PE (Physical Education) lessons, physical differences between pupils should be considered to ensure all pupils are safe.

At secondary level, physical education lessons are often split by sex. Concerns might arise regarding the emotional and physical wellbeing of learners due to the differences in build and ability. It is important staff adapt lessons as with other learners' needs so that potential risks are assessed and prevented. Discussion with learners, their parent or carer and appropriate professionals is important and should be included on an appropriate support plan.

### 2.5 Toilets and Changing Facilities

Children who are experiencing gender distress might be concerned about toilets and changing facilities. If a learner desires increased privacy, as part of their support plan the child could be provided with access to a self-contained toilet which is gender neutral. It might be appropriate to change the name of “accessible” facilities to “all-access toilets” and “unisex toilets” to simply “toilets”. This toilet could be available to all learners. Although changing facilities can be communal, private changing areas offer the learner more privacy and should be offered if supported by the learner support plan.

### 2.6 Day and Residential Trips

Day or overnight residential trips to another venue might be daunting for any child, including children who are experiencing gender distress, so advance discussions regarding any concerns with the learner, parents/carers and appropriate professionals is essential (this should be included on the learner support plan). If concerned, staff should check the policy at the venue. If risk assessments are deemed appropriate, staff should ensure there are appropriate facilities for all learners at all locations.

When considering trips overseas, the school should seek advice from appropriate professionals as part of the appropriate support plan. Gathering information about the country being considered and their laws and views regarding transgender communities can be helpful. Research of the country they are planning to travel to is important as there are countries where it is illegal to identify as or promote LGBTQ+.

It is paramount that a discussion with the learner and their parent or carer occurs before travelling away from the school site, in order to ensure both the school and learner are fully prepared. Preparation might include consideration of any name changes that have legally been made or endorsed by medical professionals and any implications regarding processes at the Border Agency checks.

### 2.7 Work Experience

Careers Guernsey have updated the guidance for schools and GWEx (Guernsey Work Experience) when arranging work experience placements. Guidance will be captured in the learner’s support plan that will have been created by the learner, parent/carers and relevant professionals. Any social transitioning amendments, including the change of names or pronouns, should not occur unless medical advice clearly endorses this as best and most appropriate action.

For the purpose of work experience, GWEx (Guernsey Work Experience) will use the information from the Management Information System (e.g., SIMS) and the school/post-16 setting to establish current confirmed Legal Name and Gender, Preferred Name, Preferred Pronoun. This information will be recorded on the GWEx database. For the Health and Safety requirements for work experience placements, the legal name and biological sex (the name and sex on the Birth Certificate unless there is evidence of name change by deed poll) must be provided alongside any preferred name and preferred pronoun to the employer for

the placement. GWEx will only share this information with the named employer contact who will keep this information confidential in the workplace and will be asked to use the preferred name and preferred pronoun during the placement with the rest of the workforce in line with the support plan. Learners should be made aware of this, and that the learner work experience certificate will display the Preferred Name.

Prior to any work experience placement, the school/post-16 setting should discuss with the learner any concerns they might have regarding practical aspects (such as using toilets, changing spaces, work uniforms) whilst out on placement. The school/post-16 setting can contact GWEx for advice prior to the placement starting.

If schools have any queries regarding work experience placements, please contact Careers Guernsey on T:01481 226565 or [careersguernsey@gov.gg](mailto:careersguernsey@gov.gg)

### 2.8 Terminology (e.g., boys and girls)

Sex stereotypes can exclude learners. Learners are often separated by biological sex identity for seating plans or certain lessons, and staff should consider whether this process is vital or whether an alternative approach could be used.

## Appendix 1: Flow Chart – referral process to appropriate professionals and appropriate support plan

