

Gender Identity and Sexuality Policy

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Policy Statement

Bird College is committed to creating learning, performing and working environments that are inclusive and support the needs of all members of the College community irrespective of their real or perceived gender identity or sexual orientation.

The College does not promote any one Gender Identity or Sexuality over another.

This Gender Identity and Sexuality Policy applies to all students, staff and visitors to Bird College.

Bird College will at no time discriminate against people on the grounds of their sexuality, gender identity or gender expression. Where this policy refers to 'trans people', it refers to a broad range of people whose gender identity is not expressed in ways that are typically associated with their assigned sex at birth (see Appendix 1 - Terminology). This includes those who have non-binary, gender non-conforming, non-gender or gender fluid identities. The college will protect the rights of trans people and to ensure that no individual is subject to discrimination or victimisation as a result of the gender in which they present themselves.

Responsibilities of the College:

- Bird College will ensure that its environment, in terms of its pictures, images, publicity materials and literature, reflects the diversity of its staff and students. The College will display suitable signs, notices and posters to demonstrate its inclusive approach to different gender identities and sexualities. The College will endeavour to promote understanding and awareness of different gender identities and sexualities as part of its' overall awareness training for staff.
- An intercultural calendar will be put together and publicised on the online employee records system HR Toolkit, to allow the College to observe certain celebrations, awareness days and religious festivals in the Reception area in an inclusive way. The College will seek to involve students and staff in celebrating or commemorating different festivals and celebratory days.
- The College will keep under review, and seek to assess the potential impact of, policies and procedures and any changes to them on employees who identify as LGBTQIA+.

Responsibilities of Students and Staff:

- Staff and students are encouraged and expected to respect other people's gender identity and sexuality and anyone expressing discriminatory views will be dealt with under the College's disciplinary procedures.

If any staff member or student feels that their sexuality or gender identity is not being accommodated for at the College the staff member or student should raise the matter with the College by contacting Luis De Abreu, Deputy Principal and Deputy Chief Executive in the first instance.

Monitoring

The College does not seek to obtain information about the sexuality of students, staff or job applicants, however it does now monitor gender identity along with a number of other protected characteristics listed in the Equality Act 2010, as part of its' overall commitment to equality and diversity and to enable it to examine how policies and practices are working.

Legal Framework to the Policy:

Equality Act 2010

The college embraces its legal responsibility to uphold the Equality Act 2010 - Gender Reassignment and Sexuality are both listed under the nine protected characteristics within the Act.

The definition of **Sexual Orientation** means a person's sexual orientation toward persons of the same sex, persons of the opposite sex, or persons of either sex.

The definition of **Gender Reassignment** within the Equality Act gives protection from discrimination to a person who has proposed to undergo, started or completed a process to change their sex by changing physiological or other attributes of sex.

The Act also protects:

- trans people who are not under medical supervision
- people who experience discrimination because they are perceived to be trans
- people from discrimination by association because of gender reassignment

Public Sector Equality Duty

These characteristics are also included in the Public Sector Equality Duty;

- The duty aims to eliminate discrimination, advance equality of opportunity and foster good relations between people.
- The duty applies to the public sector and also to others carrying out public functions.
- The duty applies to all nine areas of discrimination listed in the Equality Act 2010.

Gender Recognition Act 2004

This legislation allows trans people (aged over 18) to change their legal gender. The Act gives trans people the right to obtain a new birth certificate, affording them recognition of their acquired gender in law for all purposes. However, a trans person need not possess a Gender Recognition Certificate (GRC) and whether they have one or not should have no bearing on their employment or employment protections, apart from providing an extra layer of privacy. Employers should not ask trans staff if they have a GRC and should treat people in accordance with their gender identity. When someone does have a Gender Recognition Certificate it is an offence to disclose any information which has been obtained in an official capacity, about that person's gender history, without prior consent of the person involved.

Bird College Procedures:

Applying to Study at Bird College:

The Bird Application Form for students has been designed to be inclusive in terms of Gender. The form asks about Title and Gender. The Title question lists the options; **Miss, Mr, Mrs, Ms, Mx, Other - Please Specify** and the Gender question lists the options; **Female, Male, Trans, Other – Please Specify**. The options, barring *other*, are listed in alphabetical order in accordance with Direct.Gov guidance.

Confidentiality and Information Sharing

All members of the college community have the right to privacy and Bird College will respect the confidentiality of all trans staff and students and will not reveal information without the prior agreement of the individual. It is also worth noting that information about a student's transgender status, legal name, or gender assigned at birth also may constitute confidential medical information.

When a person initially discloses their trans status, it is important to talk to them about confidentiality and who, if anyone, they would like information to be shared with. Trans and gender questioning staff and students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much to share information.

Change of Name and or Gender and Pronoun Usage

All members of the college community have the right to be addressed by a name and pronoun that corresponds to the person's gender identity. A legal name or gender change is not required, and the student need not change their official records. The use of pro-nouns for transitioning students should be discussed with individual students on a case by case basis.

Members of the college community who are transitioning either socially or medically are encouraged to disclose this to the college so that appropriate measures can be put in place to ensure they receive suitable support. Staff members who are transitioning are encouraged to notify their Line Managers and students who are transitioning are encouraged to disclose this to Luisa Figuerola, Assistant Principal (Student Support).

Members of the college community should strive to use the preferred pronoun for a trans person. In addition, staff should think carefully about the language they use and where possible use language which does not reinforce a binary approach to gender.

Requests to change name or gender on records will be handled promptly and staff and students will be made aware of any implications of the changes. Students must note that if they chose to use an alternative names or known as names, they will need to have them formally changed in order for a Diploma or Degree certificate to be issued in a name that is different to the one with which they registered.

Dress and Appearance

Depending on the individual, the choice to begin dressing in the clothes associated with one's chosen gender can be a very big step and potentially very daunting. This can often represent one of the earliest stages of transition and is a profound statement of acceptance of one's identity and commitment to it. In doing so though, sometimes people are making themselves more visibly different from much of the college community and effectively 'outing' themselves to the rest of the college as trans.

Care must be taken to ensure that trans identified people are supported fully during this time. Trans and gender questioning people have the right to dress in a manner consistent with their gender identity or gender expression. Staff will be expected to adhere to the Dress and Appearance Policy in the Employee Handbook

and the college provides a choice of approved items of uniform, allowing students to choose what they wish to wear, this will allow for regulated structure but without exclusion.

Staff training is paramount to ensure that all staff have an understanding of what it means to be trans and exactly why a student may be dressing differently. It is important to note that a student who identifies as a trans female but was born a genetic male, is not a 'boy dressed as a girl', but is a girl who outwardly at this point resembles a boy. By allowing a trans student to dress in clothes which they feel comfortable with, the college aims to empower them to express themselves by bringing their outward appearance in line with that of their internal gender identity at that point in time.

Staff and students should be encouraged to understand gender expression and consider the distinction between students personas as an individual and in a professional sense. With this in mind students attending auditions inside or outside of college should dress appropriately for the role which they are auditioning for.

Use of Toilets and Changing Rooms

Staff, students and applicants have the right to access the toilet that corresponds to their gender identity. Any member of the college community who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to an individual toilet, but no one should be required to use such a toilet.

The use of changing rooms by trans students or applicants should be assessed on a case-by case basis in direct discussion with the student or applicant. The goal is to maximise social integration and promote an equal opportunities environment, ensuring the safety and comfort, and minimising stigmatisation of the student or applicant. In most cases, trans students or applicants should have access to the changing room that corresponds to their gender identity. This approach is underpinned by the Equality Act 2010, whereby refusing a person access to the changing room of their true gender identity would constitute an act of discrimination.

Any student or applicant who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area, such as the use of a private area e.g. individual toilet. Any alternative arrangement should be provided in a way that protects the student or applicant's ability to keep his or her trans status confidential.

Gender Segregated Lessons

Although gender segregated classes at the college are rare, trans students should be supported to enable equal access to lessons and reasonable adjustments should be made to enable students to participate in the activity which corresponds to their gender identity if this is what they request. These adjustments will be made in accordance with health and safety requirements and it will be essential that a resolution is found that ensures there is no breach to health and safety legislation or guidance, and any risk remains within a level that is acceptable to the College.

Leave for Medical Appointments Related to Transition

The College recognises that employees will from time to time need to attend medical appointments, whenever it is possible to do so, employees (both full time and part time) should endeavour to arrange such appointments in their own time or, if this is not possible, then at times that will cause the minimum amount of absence from work or inconvenience to the College. However, the College accepts that it is not always possible or practical to arrange medical and other similar appointments outside working hours, it will permit reasonable time off work for such appointments. The College recognises that Gender Reassignment is a long a complicated process and that people often have to wait extended periods of time before receiving appointments, so the College will seek to accommodate the requirements of staff where possible. The

College will treat absences for Gender Reassignment in the same way as absences from work for other reasons in accordance with the leave policy detailed in the Employee Handbook.

For students; in accordance with the college's attendance policy absence is not normally allowed for any reason other than medical or serious personal reasons. If a student has a medical appointment then they should make every effort to arrange appointments for the beginning or end of the day to avoid major disruption to their lessons. In this instance, students must fill in an absence form which can be obtained from Reception in advance of the appointment – for full details please refer to the College Attendance Policy.

Staff working outside Bird College:

Staff

All members of staff contracted to work outside Bird College are expected to behave in accordance with this policy and the appropriate external guidelines.

Complaints

Should anyone experience behaviour towards them that they consider to be discriminatory based on their gender identity or sexuality they should raise a complaint by following the College's internal grievance procedure (employees) or complaint procedure (students).

Appendix 1. Terminology

Abro (sexual and romantic) A word used to describe people who have a fluid sexual and/or romantic orientation which changes over time, or the course of their life. They may use different terms to describe themselves over time.

Ace An umbrella term used specifically to describe a lack of, varying, or occasional experiences of sexual attraction. This encompasses asexual people as well as those who identify as demisexual and grey-sexual. Ace people who experience romantic attraction or occasional sexual attraction might also use terms such as gay, bi, lesbian, straight and queer in conjunction with asexual to describe the direction of their romantic or sexual attraction.

Find out more about ace identities on our [Ace Hub](#).

Ace and aro/ace and aro spectrum: Umbrella terms used to describe the wide group of people who experience a lack of, varying, or occasional experiences of romantic and/or sexual attraction, including a lack of attraction. People who identify under these umbrella terms may describe themselves using one or more of a wide variety of terms, including, but not limited to, asexual, ace, aromantic, aro, demi, grey, and abro. People may also use terms such as gay, bi, lesbian, straight and queer in conjunction with ace and aro to explain the direction of romantic or sexual attraction if and when they experience it.

[Here are five things you should know about aro people.](#)

Allo (sexual and romantic) Allo people experience sexual and romantic attraction, and do not identify as on the ace or aro spectrum. Allo is to ace and aro spectrum identities, as straight is to LGB+ spectrum identities. It is important to use words that equalise experience, otherwise the opposite to ace and aro becomes 'normal' which is stigmatising.

Aro An umbrella term used specifically to describe a lack of, varying, or occasional experiences of romantic attraction. This encompasses aromantic people as well as those who identify as demiromantic and grey-romantic. Aro people who experience sexual attraction or occasional romantic attraction might also use terms such as gay, bi, lesbian, straight and queer in conjunction with asexual to describe the direction of their attraction.

Aromantic A person who does not experience romantic attraction. Some aromantic people experience sexual attraction, while others do not. Aromantic people who experience sexual attraction or occasional romantic attraction might also use terms such as gay, bi, lesbian, straight and queer in conjunction with asexual to describe the direction of their attraction.

Asexual A person who does not experience sexual attraction. Some asexual people experience romantic attraction, while others do not. Asexual people who experience romantic attraction might also use terms such as gay, bi, lesbian, straight and queer in conjunction with asexual to describe the direction of their romantic attraction.

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

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 some other non-monosexual and non-monoromantic identities.

Learn more about bi experiences on our [Bi Hub](#).

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.

Butch Butch is a term used in LBT culture to describe someone who expresses themselves in a typically masculine way.

There are other identities within the scope of butch, such as 'soft butch' and 'stone butch'. You shouldn't use these terms about someone unless you know they identify with them.

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 orientation and/or gender identity.

[Find out more](#) about coming out and supporting others with their journey.

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.

Demi (sexual and romantic) An umbrella term used to describe people who may only feel sexually or romantically attracted to people with whom they have formed an emotional bond. People may also use terms such as gay, bi, lesbian, straight and queer in conjunction with demi to explain the direction of romantic or sexual attraction as they experience it.

Femme Femme is a term used in LGBT culture to describe someone who expresses themselves in a typically feminine way.

There are other identities within the scope of femme, such as 'low femme', 'high femme', and 'hard femme'. You shouldn't use these terms about someone unless you know they identify with them.

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. Some non-binary people may also identify with this term.

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 to undergo 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 is protected by the Equality Act 2010, and it is further interpreted in the Equality Act 2010 approved code of practice. It is a term of much contention and is 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 years of age) is able to consent to their own medical treatment, without the need for parental permission or knowledge.

Grey (sexual and romantic) Also known as grey-A, this is an umbrella term which describes people who experience attraction occasionally, rarely, or only under certain conditions. People may also use terms such as gay, bi, lesbian, straight and queer in conjunction with grey to explain the direction of romantic or sexual attraction as they experience it.

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.

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 provide its partners and stakeholders information and evidence about areas of disadvantage experienced by intersex people but does not, after discussions with members of the intersex community, include intersex issues as part of its current remit at this stage.

Lesbian Refers to a woman who has a romantic and/or sexual orientation towards women. Some non-binary people may also identify with this term.

Learn more about lesbian experiences on our [Lesbian Hub](#).

Lesbophobia The fear or dislike of someone because they are or are perceived to be a lesbian.

LGBTQ+ The acronym for lesbian, gay, bi, trans, queer, questioning and ace.

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.

[Read about what it's like to be non-binary in the UK today.](#)

Orientation is an umbrella term describing a person's attraction to other people. This attraction may be sexual (sexual orientation) and/or romantic (romantic orientation). These terms refer to a person's sense of identity based on their attractions, or lack thereof.

Orientations include, but are not limited to, lesbian, gay, bi, ace and straight.

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

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.

[Debunk 5 common misconceptions about pansexuality.](#)

Passing If someone is regarded, at a glance, to be a cisgender man or cisgender woman.

Cisgender refers to someone whose gender identity matches the sex they were 'assigned' at birth. This might include physical gender cues (hair or clothing) and/or behaviour which is historically or culturally associated with a particular gender.

Platonic partnerships People who are on the ace and/or aro spectrum may have platonic partnerships. These are relationships where there is a high level of mutual commitment which can include shared life decisions, shared living arrangements, and co-parenting of children. These partnerships can include more than two people. Like allosexual and alloromantic people, ace and aro spectrum people may be monogamous or polyamorous.

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.

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 80s by the queer community who have embraced it.

Questioning The process of exploring your own sexual orientation and/or gender identity.

Romantic orientation A person's romantic attraction to other people, or lack thereof. Along with sexual orientation, this forms a person's orientation identity.

Stonewall uses the term 'orientation' as an umbrella term covering sexual and romantic orientations.

Sex Assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes the terms 'sex' and 'gender' are interchanged to mean 'male' or 'female'.

Sexual orientation A person's sexual attraction to other people, or lack thereof. Along with romantic orientation, this forms a person's orientation identity.

Stonewall uses the term 'orientation' as an umbrella term covering sexual and romantic orientations.
Spectrum

A term used to cover a variety of identities that have a root commonality or shared experience.

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, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.

Find out more about trans experiences on our [Trans Hub](#).

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 denying their gender identity or refusing to accept it. Transphobia may be targeted at people who are, or who are perceived to be, trans.

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.

Undetectable HIV medication (antiretroviral treatment, or ART) works by reducing the amount of the virus in the blood to undetectable levels. This means the levels of HIV are so low that the virus cannot be passed on. This is called having an undetectable viral load or being undetectable.

For more information, visit the [Terrence Higgins Trust](https://www.terrencehiggins.org.uk/).

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Related College Policies

Anti-Bullying Policy
Attendance Policy

Employee Handbook - Dress and Appearance and Leave
 Equality and Diversity Policy
 Equal Opportunities Policy
 Safeguarding Policy

Document Control

Document title: **Gender Identity and Sexuality Policy**

Version	Author		Reviewed/Authorised	
	By	Date	By	Date
1.1	Naomi Seal	25.01.2018	Board of Directors	16.07.2019
1.2	Luis De Abreu	13.11.2023	Luis De Abreu	13.11.2023

Issue: 1.2
 Date of current issue: 13.11.2023
 Date of next review: 13.11.2024

Review Date	Changes to Policy
31.07.2023	Terminology