

Safe Opportunities

SB - Safe Opportunities – LGBTQ+ Policy

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Statement of intent

All students working with Safe Opportunities are entitled to a full-time education that is free from discrimination and harassment, regardless of their sexual orientation or gender identity. The learning environment in which our students engage will be supportive, safe and welcoming to all students, regardless of their sexuality and gender. Equally, all staff are entitled to a safe and welcoming workplace in which they are not discriminated against or treated unfairly. Safe Opportunities will celebrate all staff and students regardless of their sexuality and gender.

This policy has been created with an aim to consistently reduce stigmatisation and improve the experiences of individuals who identify as lesbian, gay, bisexual, transgender, queer, or other protected identities (LGBTQ+).

Safe Opportunities is committed to valuing, respecting, celebrating and understanding individuals' differing sexualities and gender identities, as well as providing continuous support.

This policy aims to:

- Create and foster a learning environment that is free from harassment and discrimination, regardless of sex, gender identity, sexual orientation or gender expression.
- Promote healthy communication between staff, students and parents/carers to support the successful education, development and wellbeing of all students, and the inclusion and wellbeing of all staff.
- Adhere to relevant statutory legislation concerning bullying, harassment and discrimination.

All staff, parents/carers and students will work together to eradicate any instances of discrimination, harassment or bullying, including any that relates to a person's sexuality or gender identity, from Safe Opportunities.

Safe Opportunities is dedicated to providing appropriate tailored measures of support for any LGBTQ+ individual who should require it.

1. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Human Rights Act 1998
- Gender Recognition Act 2004
- Equality Act 2010
- Education Act 2011
- DfE (2018) 'Gender separation in mixed Safe Opportunities'

This policy operates in conjunction with the following company policies:

- Equality, Equity, Diversity and Inclusion Policy
- Behaviour Policy
- Transitioning at Work guidance document for staff
- Attendance procedures
- Complaints Procedures Policy
- Grievance Policy
- Student Code of Conduct, behaviour contract and Induction checklist
- Staff Code of Conduct via HR policies

2. Definitions

Please note: everyone's connection to, and labelling of, their identity is an individual, personal matter, so it is important to recognise that different people will have different definitions of their identity that may vary from the definitions provided below. The terms and definitions below are also not an exhaustive list of how LGBTQ+ people may refer to their identities.

The term "**lesbian**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of the same sex or gender as themselves, and is usually used to describe a woman who is attracted to women.

The term "**gay**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of the same sex or gender as themselves, and can be used to describe a man who is attracted to men or a woman who is attracted to women.

The term "**homosexual**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of the same sex or gender as themselves. This term is usually only used in formal contexts. Please note that using the term "homosexual" can be considered offensive due to its social and historical connotations.

The term "**bisexual**" is used to describe a person who is romantically, sexually and/or emotionally attracted to people of more than one sex or gender.

The term "**trans**" is used to describe several identities within the gender identity spectrum other than cisgender men and cisgender women. "Trans" is often used as an umbrella term referring to transgender people, including trans men and trans women, non-binary people, and other non-cisgender identities.

The term “**transgender**” is used to describe a person whose gender identity is different from the sex they were assigned at birth, usually:

- A trans man who was assigned female at birth (AFAB).
- A trans woman who was assigned male at birth (AMAB).
- A non-binary person who was AFAB or AMAB.

The term “**queer**” is used as an umbrella term to describe several sexual and gender identities that are not heterosexual or cisgender. Please note that, as the term “queer” can also be used derogatorily, additional sensitivity may be required when using this term.

The plus (+) in LGBTQ+ is used to represent a number of other identities under the LGBTQ+ umbrella. Some of the identities represented by the plus include:

- “**Asexual**”, a term used to describe a person who does not experience sexual attraction or has low interest in sexual activity.
- “**Pansexual**”, a term used to describe a person who is romantically, sexually and/or emotionally attracted to people regardless of sex or gender.
- “**Intersex**”, a term used to describe a person born with variations in sex characteristics such as chromosomes, hormones, or genitalia that do not fit the definitions of ‘male’ or ‘female’.

The term “**heterosexual**” is used to describe a person who is romantically, sexually and/or emotionally attracted to people of a different sex or gender to themselves, and is usually used to describe a man who is attracted to women or a woman who is attracted to men. This term is usually only used in formal contexts – the more informal term for heterosexual is “**straight**”.

The term “**cisgender**”, often shortened to “**cis**”, is used to describe a person whose gender identity is the same as the sex they were assigned at birth, usually:

- A cis man who was AMAB.
- A cis woman who was AFAB.

The term “**transition**” refers to the process during which a person transitions from the sex they were assigned at birth to the gender with which they identify. This process may involve any of the following actions:

- Living as their gender openly
- Using a name different from their birth name
- Using pronouns different from those associated with the sex they were assigned at birth, e.g. someone who was AMAB using she/her or they/them pronouns
- Wearing clothing consistent with their gender
- Undergoing medical treatment or procedures, e.g. hormone therapy

Please note that transition does not have to involve medical procedures, nor any of the above actions, to be valid or complete, and is defined by the needs and wishes of the individual transitioning.

The phrase “**coming out**” is the process through which an individual, after recognising that they are a member of the LGBTQ+ community, chooses to disclose their identity to others.

This can range from coming out to a limited number of people, such as their close friends and family, to expressing their identity openly across their whole life.

LGBTQ+ individuals may also be “**outed**”. This term refers to the process in which an individual’s identity as an LGBTQ+ person is disclosed without their consent. Although this can happen accidentally, e.g. through a conversational error or miscommunication, people are often outed on purpose for malicious reasons. Examples of outing can include:

- Revealing explicitly that a person is LGBTQ+ to people who do not know this – for example, telling a student’s parents, teachers, or friends that the student is LGBTQ+, or for a member of staff, telling students or other staff.
- Revealing implicitly or suggesting that a person is LGBTQ+ to people who do not know this – for example, using a trans person’s correct pronouns in front of other people before they have come out, or referring to a lesbian, gay, or bisexual person’s partner before they have come out.
- Revealing explicitly or implicitly that a person is LGBTQ+ on a public platform, e.g. social media.

3. Roles and responsibilities

All members of the Safe Opportunities community will be responsible for:

- Respecting all individuals’ right to express their identity.
- Respecting all individuals’ right to privacy and not disclosing a person’s LGBTQ+ identity to any students, staff, parents or third parties without their permission.

The Senior Leadership Team will be responsible for:

- Evaluating and reviewing the success of support available to all students including LGBTQ+ individuals, including identifying any areas for improvement.
- Evaluating and reviewing this policy, and ensuring it is non-discriminatory on an annual basis.
- Ensuring that other company policies are non-discriminatory.
- Discussing the support in place for LGBTQ+ students and staff, and how successful it has been.
- Where appropriate, gaining feedback from LGBTQ+ students, an advocate and the student’s parents/carer on the support in place and feeding this information back to the team via team meetings and training.
- Gaining feedback from LGBTQ+ staff on the support in place and any extra needed and feeding this information back to improve the policy implementation within the organisation.
- Making any necessary and appropriate changes to the support available to ensure the well-being, security and development of the individual.
- Conducting annual training sessions with follow up training where necessary to ensure all staff are aware of their responsibilities and well-informed about LGBTQ+ issues.
- Staff will be given information about the Genderbread resources that can support training and understanding.
- Reviewing and amending this policy, considering new legislation, new and updated government guidance, and previously reported incidents to improve procedures.

- Keeping a record of any reported incidents and working to put measures in place that prevent these reoccurring.
- Ensuring that amendments are made to the database and student logins to reflect the names individuals use.
- Ensuring that staff and students know and use the correct names and pronouns for all individuals.
- Adopting secure controls on sensitive personal data, ensuring all data is accurate, secure, and is processed fairly and lawfully.
- Developing a response and resources for staff to use when an LGBTQ+ individual comes out, is outed, or experiences bullying.
- Ensuring that information about agencies and support referrals are made available for LGBTQ+ individuals who require immediate interventions, parental assistance (where appropriate) and/or personal counselling.

All staff will be responsible for:

- Being alert to possible harassment of LGBTQ+ students and staff, both inside and outside of Safe Opportunities, and dealing with incidents of harassment and discrimination as the highest priority.
- Ensuring they meet the unique needs of LGBTQ+ students and colleagues and assessing any measures put in place on a case-by-case basis.
- Conducting themselves in a way to ensure LGBTQ+ individuals feel safe, celebrated and comfortable at Safe Opportunities, e.g. ensuring they use the correct pronouns.
- When appropriate support students to learn about diversity and equality

The DSL team will be responsible for:

- Ensuring staff understand how to react to instances of prejudice-related bullying.
- Reviewing the relevant Safe Opportunities policies and procedures to ensure they cater for the individual needs of LGBTQ+ people.
- Conducting meetings with LGBTQ+ students if and when the students feel necessary, to ensure they feel safe, supported and secure at Safe Opportunities.
- Being supportive and informative when working with LGBTQ+ students' families, to help them understand the local support available to them.
- Conducting meetings when appropriate with LGBTQ+ individuals as needed to ensure they feel safe and secure at Safe Opportunities.
- Providing LGBTQ+ individuals with information and guidance on where they can seek specialist advice and support.
- Ensuring all staff understand the mental health difficulties that LGBTQ+ individuals may face.
- Liaising with staff and the Team Managers to establish support mechanisms to help LGBTQ+ individuals during day-to-day Safe Opportunities life.

Students will be responsible for:

- Treating their peers and Safe Opportunities staff with respect.
- Reporting any prejudicial incidents to a responsible adult.
- Adopting an understanding and open-minded attitude to difference.

4. Appropriate measures

Absence recording

Absences will be recorded accurately and sensitively to protect the individual's privacy.

Prejudice-related bullying

Any incidents that occur will be reported to the Senior Management Team and recorded in line with the record managements policy.

Those managing prejudice-related incidents will also have due regard for Safe Opportunities' Equality, Equity, Diversity and Inclusion Policy.

Safe Opportunities will ensure resources are available and staff know where to refer young people regarding LGBTQ+ matters, sexual orientation and gender identity that are relevant and appropriate for students of different ages.

Terminology and language

Where necessary, students will be informed on the appropriate language to use when referring to LGBTQ+ people and matters. Staff will be trained on the appropriate language to use when referring to LGBTQ+ people and matters. In both cases, instances of inappropriate language use will not be tolerated.

All members of Safe Opportunities' staff will conduct themselves with a high level sensitivity when discussing sexuality, gender identity or any related matters.

Staff training

All members of staff will undergo training through via staff meetings and annual training with an appropriate organisation, which may cover topics listed below:

- Ensure all staff are aware of, and comply with, current legislation and government recommendations.
- Ensure all staff are aware of their responsibilities and how they can support LGBTQ+ individuals.
- Provide support for staff responsible for managing any discrimination based on gender identity or sexual orientation.
- Provide up-to-date information on terms, concepts and current understandings of gender identity, gender expression, gender diversity and sexual orientation, including in children e.g. Use of Genderbred resources.
- Develop appropriate strategies for communication between parents, staff and students about any issues related to gender identity, gender expression and sexual orientation.

Use of toilets and general Safe Opportunities environment

Safe Opportunities will ensure that trans individuals are able to access a toilet that they feel safe to use.

All students and staff will be made aware that Safe Opportunities is a safe space where they can discuss gender, sexuality and LGBTQ+ matters without fear of discrimination.

Safe Opportunities clothing and regulations

All students have the right to dress in accordance with their gender identity and expression and fits the needs of the work placement requirements.

In accordance with the Staff Code of Conduct, members of staff will be encouraged to wear professional clothing that they are comfortable in- no gendered uniform policy will be implemented for staff.

Changing names and gender on documents

Safe Opportunities cannot change the name or gender of an individual on any official documents, until legal confirmation of the change has been provided to Safe Opportunities. Upon receipt of legal confirmation, e.g. a new passport, Safe Opportunities will then change the name of a trans individual on official Safe Opportunities documents.

On unofficial documents, e.g. registers, Safe Opportunities will use the names individuals wish to use.

Where appropriate, the key staff working with the student will discuss with the trans individual if and how they would like to notify others about their name and gender.

At no point will any member of staff disclose information regarding an LGBTQ+ person's gender identity, gender expression or sexuality, unless instructed to do so by the individual, or in the interest of their well-being and safety in the case of a young person needing to be safeguarded then some carefully managed information will be shared.

Moving on from Safe Opportunities

Safe Opportunities will employ effective communication as required when an LGBTQ+ student is moving education, e.g. to ensure the new education provider is informed of the student's correct gender if this is different from their legal documentation.

Where appropriate LGBTQ+ student will be referred to new provider's support team to ensure their wishes are accommodated for, and they can raise any concerns.

Safe Opportunities will ensure that the new Safe Opportunities works closely with the LGBTQ+ student and their family to establish and implement their wishes around confidentiality and adjustments.

5. Prejudicial bullying

"Transphobia" refers to the irrational fear, hatred or abuse of individuals based on their actual or perceived gender identity, i.e. trans individuals and non-trans individuals perceived to be

non-cisgender. Any individual who is described as being transphobic may deliberately and directly harass or disrespect someone who is trans, e.g. by purposely using the incorrect pronouns.

Transphobia can be carried out by intentionally misgendering someone. The term “**misgender**” describes the act of addressing or referring to a person in a way that does not correctly reflect their gender, e.g. by using the incorrect name, pronouns, gender label, or gendered term.

“**Homophobia**” refers to the irrational fear, hatred or abuse of individuals based on their actual or perceived sexual orientation, i.e. gay individuals and non-gay individuals perceived to be non-heterosexual. Any individual who is described as being homophobic may deliberately and directly harass or disrespect someone who is gay, e.g. by using slurs.

“**Biphobia**” refers to the irrational fear, hatred or abuse of individuals based on their actual or perceived sexual orientation, i.e. bisexual individuals and non-bisexual individuals perceived to be bisexual. Any individual who is described as being biphobic may directly and deliberately harass someone who is bisexual, e.g. by suggesting bisexuality is “a phase”.

Safe Opportunities will not tolerate prejudice-related bullying of any description. Transphobic, homophobic and biphobic incidents are often emotionally harmful and must be dealt with as seriously as other bullying incidents. All transphobic, homophobic, and biphobic incidents should be tackled in a way that centres on supporting the victim and managing any future incidents of anti-LGBTQ+ behaviour.

Bullying someone based on their perceived or actual identity, gender, sexuality or behaviour is discriminatory and will be handled in accordance with Safe Opportunities’ Behaviour Policy for students, or Safe Opportunities’ Grievance Policy and Disciplinary Procedure for staff.

Safe Opportunities recognises that those who are victims of bullying related to LGBTQ+ prejudice may not identify as LGBTQ+.

Any occurrence of prejudice-related bullying will be reported to a member of staff, who will raise a concern with the Senior Leadership Team. This will be done in line with Safe Opportunities’ Grievance Policy if the incident involved a member of staff.

The Senior Leadership Team will decide whether it is appropriate to notify the police or anti-social behaviour coordinator in the LA of the incident and Safe Opportunities’ response.

Students and staff will be informed that prejudicial language will not be tolerated inside or outside of Safe Opportunities.

Safe Opportunities will ensure that there are private spaces available within Safe Opportunities for individuals to discuss concerns, if they feel that they are, or someone else is, being bullied because of their gender, gender expression, gender identity or sexual orientation.

Should an incident occur, the perpetrator will be informed that this behaviour will not be tolerated and will be encouraged to reflect on the way their behaviour affects others. Students will be reprimanded in accordance with the Behaviour Policy. Staff will be reprimanded in accordance with the Disciplinary Procedure.

A key member of staff will hold a discussion with the victim to discuss any support they feel appropriate. If necessary, external support will be sought. A key member of staff will ask if the victim would like anybody to support them during the discussion. Sensitivity will be given to whether the victim has disclosed their LGBTQ+ status.

Feedback will be provided to the Management Team regarding the outcomes of the meeting between the key member of staff and the individual.

All incidents will be formally recorded in a written log, which will be kept by Safe Opportunities – records will be kept in accordance with the Data Protection Policy and Records Management Policy.

6. Safe Opportunities communication

Safe Opportunities will endeavour to ensure that all parents feel actively involved in Safe Opportunities life through regular Safe Opportunities-to-home communication and participation in decision-making.

Safe Opportunities will ensure they provide parents with local additional information if their child is needing support with any areas inclusive of LGBTQ+ matters.

Members of staff will be consulted on Safe Opportunities policies to ensure policies are non-discriminatory and cater for all people's needs and informed of any changes to Safe Opportunities policies that have an implication on LGBTQ+ matters.

7. Monitoring and review

This policy will be reviewed on an annual basis by the Senior Management Team. The next scheduled review date for this policy is 13th September 2023.

When reviewing this policy, the Senior Management Team will consider any incidents and the effectiveness of the procedures currently in place, as well as any recent government or societal changes.

The updated version of this policy is readily available to all staff members, students and parents/ carers.