

Villiers School Gender Identity and Gender Expression Policy.  
*this policy is drawn up in association with TENI.*



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# Villiers School Gender Identity and Gender Expression Policy

## 1 Introduction

Villiers School is committed to promoting diversity, equity, and inclusion (DEI) both within our school community and in the wider community. Villiers School strives to foster a safe and inclusive culture with equality at its heart so that diversity can flourish. We embrace our diversity as a strength, and we work with sincerity to enable all in our community to grow and flourish equally.<sup>1</sup>

This policy outlines the school's formal commitment to recognise and support an individual's gender identity and gender expression so that all members of the school community experience a positive, inclusive environment where every member of our community and beyond is treated with dignity and respect.

Furthermore, this document constitutes the current Gender Expression and Gender Identity Policy of Villiers School in conformity with the requirements of the: Employment Equality Act, 1998 to 2021; the Equal Status Acts, 2000 to 2018, and the Gender Recognition Act, 2015 which provides legal recognition through self-determination for those over 18 and for individuals aged 16/17 with parental and guardian consent.

### 1.1 Definitions

- **Trans:** An umbrella term used for anyone whose gender identity and/or gender expression differs from that which is usually associated with the sex assigned to them at birth. This term can include diverse identifications such as: transgender, androgynous, agender, gender neutral, non-binary, genderqueer, bi gender or differently gendered.
- **Intersex:** An umbrella term used for a variety of conditions in which a person is born with reproductive or sexual anatomy that does not fit the typical definitions of female or male. Although intersex individuals do not always identify as transgender or do not consider themselves covered by the Trans umbrella; where this policy uses the term trans it equally applies to intersex individuals.
- **Sex:** The designation of a person at birth as male or female based on their anatomy (genitalia and reproductive organs).
- **Gender Identity:** A person's deeply felt identification as male, female, another gender, or no gender. This may or may not correspond to their sex anatomy at birth.
- **Gender Expression:** The external manifestations of a person's gender identity. Gender can be expressed through mannerisms, grooming, physical characteristics, social interactions, and speech patterns, etc.

### 1.2 Context and Legislation

This policy is developed in the context of the Employment Equality Acts 1998-2021, Equal Status Acts 2000-2018 and Gender Recognition Act 2015-2018 which prohibit direct and indirect discrimination, sexual harassment, harassment, and victimisation in relation to nine equality grounds including gender. The gender ground protects trans' persons from sex discrimination, that is, discrimination arising from gender identity and gender expression.

The Employment Equality Acts prohibit discrimination in employment – including recruitment, promotion, pay and other terms and conditions of employment. The Equal Status Acts prohibit discrimination in access to and provision of services, accommodation, and educational establishments. The Gender Recognition Act 2015 legally recognises & protects the rights and supports the wellbeing of trans' people.

## 1.3 Scope

This policy applies to:

- All student applicants and students.
- All service users, visitors, customers, and clients of Villiers School.  
Note: hereafter 'service user' will be used to denote customers, members of the public, visitors, and clients.

All members of the school community share the right to protection under this policy and carry a responsibility for ensuring adherence to the policy.

This policy includes conduct that takes place on campus, at functions and activities where one is representing the school. This policy also pertains to usage of electronic technology and electronic communication that occurs in the above locations and situations.

## 2 Statement of Commitment

Villiers School will treat all trans students with dignity and respect and seek to provide a work and learning environment free from discrimination, harassment, or victimisation. Villiers School:

- Is committed to non-discrimination (direct or indirect) on the grounds of gender identity and gender expression.
- Supports an inclusive environment of dignity and respect where everyone can develop their full potential. Villiers School does not tolerate harassment or bullying of students or other members of the school community based on gender identity and expression.
- Respects the privacy of all trans individuals and will not reveal information related to their trans status without their prior agreement.
- Seeks to provide a supportive environment for students.
- Supports an environment in which trans individuals who choose to be open about their gender identity feel respected and safe.
- Supports and is committed to providing reasonable accommodations for students' trans needs where feasible to do so.
- Encourages and facilitates staff training and awareness to ensure a supportive environment.

### 2.1 Roles, Rights and Responsibilities

As a Trans individual you have a right to:

- Openly be who you are. This means expressing your gender identity without fear of consequences (with consent of your parents and guardians, or in some cases with your parents and guardians being informed that this decision has been agreed upon with the school, if under 18).

- Be treated with fairness, dignity, and respect.
- Privacy and appropriate confidentiality of records. Disclosure of information will only happen with your and/or your parent/'s or guardian/'s consent.
- Equal access to education, services, activities, and facilities in school.<sup>2</sup>

If you wish to disclose or avail of school supports as a Trans individual, you have a responsibility to:

- Inform the school of any support needed as soon as possible to allow appropriate arrangements in a timely fashion.

Villiers School has a right to:

- Request you to provide information to establish the nature of reasonable arrangements to be put in place.

Villiers School has a responsibility to.

- Oversee the implementation of the school policy in relation to gender identity and gender expression in a fair and transparent manner.
- Take all reasonable steps to provide reasonable support and arrangements for trans individuals where such support and arrangements would only give rise to a nominal cost.
- To develop best practice and policy in line with legislation.
- To raise awareness and understanding, and to provide advice and training on gender identity and expression to staff and students within the school.

### 3 Non-Discrimination

Under the Employment Equality Acts 1998-2021 and Equal Status Acts 2000-2018 discrimination, harassment, and victimisation, based on gender, which encompasses gender expression and gender identity, is unlawful. Discrimination is defined as the treatment of a person in a less favourable way than another person is, has been, or would be treated in a comparable situation on any of the nine grounds which exists, existed, may exist in the future, or is imputed to the person concerned.

Some indicative examples of unlawful discrimination include:

- Refusing education, services, or support based on gender expression or gender identity.

### 4 Dignity and Respect

Villiers School promotes and is committed to supporting an environment which is free from bullying, harassment, anti-trans harassment and any other forms of harassment.

Villiers School will not tolerate any harassment or bullying of students or other members of the school community. Where issues arise, they should be dealt with under the Anti Bullying Policy.

### 5 Confidentiality and Privacy

All persons have a right to privacy, and this includes the right to keep one's trans status private. Everyone has the right to privacy. All information disclosed relating to a person's gender identity and expression will be treated as confidential. Confidential information will only be disclosed with the person's prior consent.

The principle that no confidential information will be passed on to the third parties without the express permission of the individual concerned applies unless there is a serious concern that there may be a threat to the safety or life of the individual or is otherwise required by operation of law.

Information held by the school complies with the requirements of the Data Protection Act relevant to school policies. To comply with the above principles, staff must take all necessary precautions to ensure the safe-keeping and accuracy of all records containing personal information.

Where information is recorded or shared, the terminology used must be respectful. This guide may be used as a guide for what is acceptable language.

## 6 Transitioning

Villiers School is aware that a transition may not be applicable, necessary, or desirable for all trans individuals for a variety of reasons. Villiers School also recognises that a transition is a personal and individual journey that will be different for each person.

A social transition is a period in which a student may change aspects of their gender expression to align with their gender identity such as a name and pronoun change, change of clothes/uniform, change in use of facilities.

A school is only ever supporting a social transition and does not need any specific legal or medical information to support a student in their social transition.

If a student wishes to begin a social transition, they should contact one or more of the following staff members to arrange a meeting to discuss in confidence how they wish to deal with their transition and to agree a process with which they are comfortable:

- Ms Mooney, Ms Long, Mr White, Ms Peña, Ms Storey, School Nurse, Guidance Counsellor, or any member of staff with whom they feel comfortable to share personal information.

A very important element of this meeting will be to determine who should be told what and when and how this should occur.

It can be helpful to draw up a confidential transition plan for the period of transition and thereafter.

The implementation of the plan should be reviewed regularly and reassessed at each significant part of the process. The plan should include the following issues, where applicable:

- Involvement of parents and guardians
- The expected point of change of name, personal details and/or gender and /or pronouns
- Who will need to be informed initially, and the level of information to be provided, to offer support and arrangement where and when necessary
- Whether the individual wishes to inform fellow students themselves, or would prefer this to be done for them
- What amendments will be required to records and systems
- Whether training or briefing of members of staff, fellow students or service users will be necessary, at what point and by whom this will be carried out

Appendix 1 provides a useful flow chart and checklist covering most of the issues that need to be considered when an individual is going through the transitioning process. It is important to understand that one of the most significant moments will be when the individual wishes to start presenting in their chosen gender publicly. It is crucial that this is managed and communicated

well to those who have a working or study relationship with the individual. It is also important to note that different individuals will have different needs, and that there is no set, standard model of transition.

## 7 Practical Considerations

Some practical considerations will arise when a person is transitioning, for example, changing and bathroom facilities, and overnight accommodation. See Appendix 2 for guidance on practical considerations and how to promote trans equality within school.

Please note that when a person transitions to live in the gender in which they identify, they will normally use the gender neutral / universal options.

### 7.1 Training and Awareness Raising in School

Villiers School will provide education for staff and students to ensure the implementation of this policy. Awareness will be incorporated in relevant training programmes for staff and students including equality and diversity training, and staff and student support training.

### 7.2 Forms and Records

Please note that everyone has the right to be addressed by their chosen name and pronoun. A legal name or gender change is not required, and the individual need not change their official records.

## 8 Complaints Procedures

Bullying or harassment and complaints alleging discrimination based on a person's actual or perceived gender identity or expression will be taken seriously and will be dealt with under the school's Code of Behaviour, and other relevant policies.

The aim of the policy is to promote a working and learning environment in which harassment and bullying are known to be unacceptable and where individuals have the confidence to deal with harassment and bullying without fear of victimization.

## 9 Policy Review Procedures

This policy shall complement existing Equality policies adopted by the school. It shall be subject to continuous assessment and evaluation and shall be reviewed at least once every three years. The implementation of this policy entails considering the impact of other policies on trans students and services users.

Signed:

Signed:  
Chairperson, Board of Management  
Management

Date: 8<sup>th</sup> May 2024

Signed:  
Head of School, Secretary to the Board of

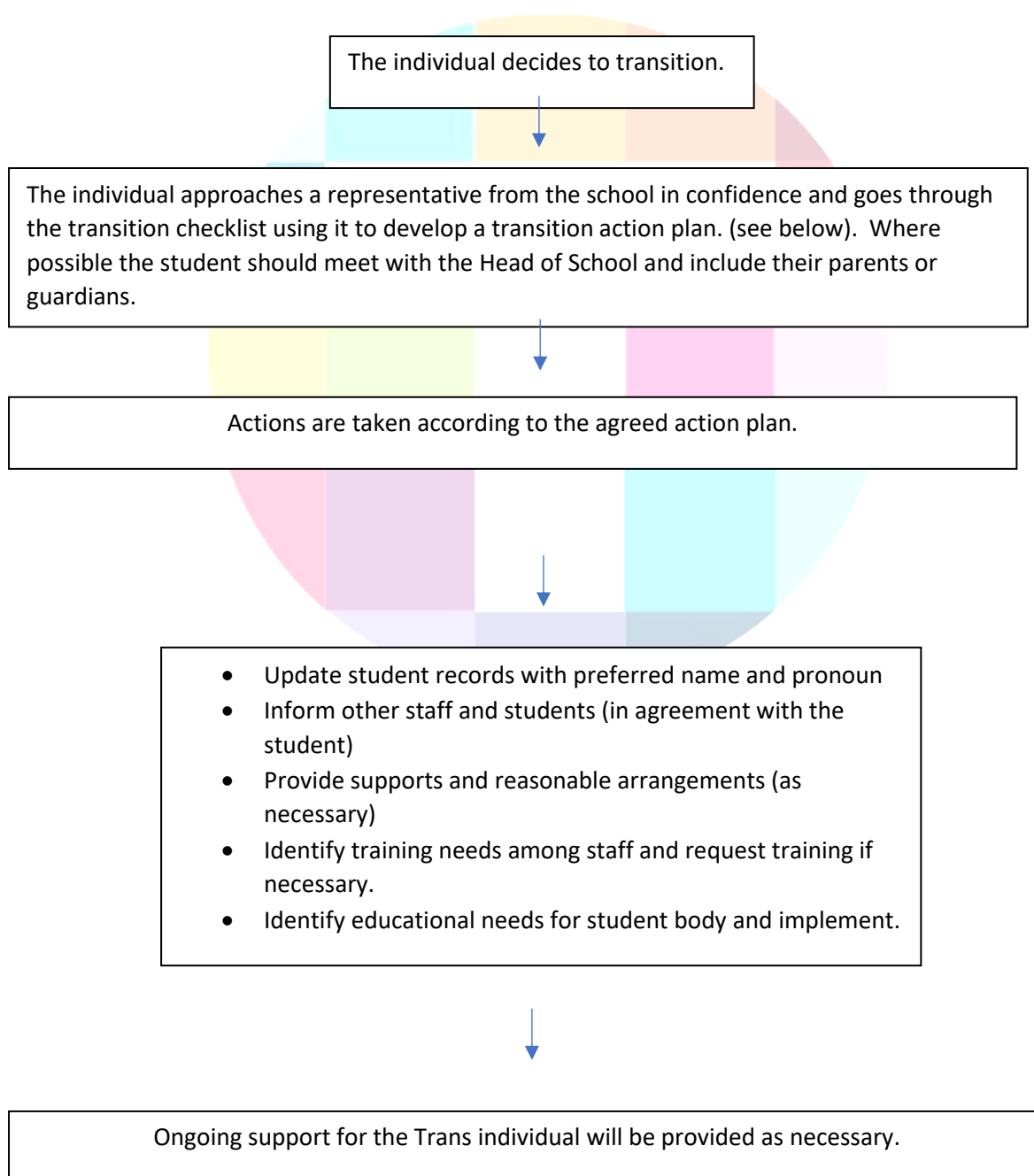
Date: 8<sup>th</sup> May 2024



## 10 Appendices

### Appendix 1 - Flowcharts and checklists for transition

It is important to note that each individual will have a different approach to their transition. Some may want to change their entire record, yet others may not wish to do so, and it is important that the school respects and supports each individuals' choices and wishes. If someone does not wish to change their record, some of the actions below may not apply. This flowchart is only a guideline, and all cases will be treated individually.





## Checklist to consider when discussing a students' transition

The student who is transitioning should be consulted with anything that needs to be actioned within the school.

### Time scale

What will be the timeline of transition? This should be an approximate guide only.	
What will be the date for: <ul style="list-style-type: none"> <li>- Name/pronoun changes,</li> <li>- Change of use of facilities (toilets, changing rooms),</li> <li>- Change of records/change of name on internal documentation</li> <li>- Change of uniform</li> </ul>	
Which identifications/ records need to be changed?	

### Supports during Transition:

<ul style="list-style-type: none"> <li>• Who will need to be informed, and what level of information should be provided, to offer support and arrangements during the transition process?</li> <li>• Informing staff first, then possibly students if deemed necessary and in consultation with the student.</li> <li>• If students are being informed how will this be done? And by who? Always ask the trans individual how they wish for this to be done</li> </ul>	
<ul style="list-style-type: none"> <li>• Continual support: Checking in with the student to make sure their needs are being met and they are not experiencing any bullying or harassment.</li> <li>• Designate a mentor so that the student knows who to approach if they have any issues. Let the student choose who their mentor should be.</li> <li>• Decide on how often the mentor will check in with the transitioning student. Perhaps once a week to begin with and then bi-monthly later etc..</li> </ul>	
<ul style="list-style-type: none"> <li>• Male / Female / Universal Access toilets (gender neutral).</li> <li>• Accommodations should be made to allow the student to use a gender-neutral toilet.</li> <li>• Ensure that the student always has full access to this toilet.</li> <li>• Safe-Guarding issues should be discussed, and plans put in place to combat any issues that arise.</li> <li>• PE and Changing facilities:</li> <li>• What changing facilities does the student need? Are they aware of the gender-neutral option, and are relevant staff members aware?</li> </ul>	

### Training and Awareness for Staff

Arrange a whole staff training	
Who will deliver this training?	
What will the training cover?	



## Appendix 2 – Promoting trans equality within schools: Accommodation and other Practical Considerations

### **Accommodation for overnight trips**

In providing accommodation for students, any special issues which may be raised in relation to trans students will be treated sympathetically by the school.

Due to the age of students and in line with Child Protection policies, schools do not provide mixed gender accommodation.

The trip organiser or relevant member of staff will liaise with the individual and their parents and guardians ensuring the best possible arrangement for the individual. This will most likely involve several factors such as:

- Has the individual friends who wish to share accommodation?
- Which accommodation is most appropriate for each given situation? (Ensuites, numbers in the accommodation, age profile etc)
- Who needs to be informed, if any (with the permission of the individual)
- A teacher/adult should be placed in a room close by for safeguarding of the individual.

### **Facilities**

When a person transitions, they will use the gender-neutral facilities (e.g., bathroom and changing rooms) as appropriate.

### **Toilets:**

When a person who is transitioning begins to live in the gender in which they identify, they will normally start to use the universal / gender neutral toilets. This may be a process and might not happen immediately. It is important to consult the individual to decide how best to approach this.

- The individual should use the universal toilets.
- A non-binary individual will need access to a gender-neutral facility.
- The safeguarding of the individual is paramount and must be considered when thinking about which toilet is most appropriate.

\*Requiring a person to use disabled toilet facilities is not acceptable unless the person requires these facilities due to a disability.

### **Changing rooms:**

The use of changing rooms should be considered carefully and in consultation with the individual and their parents and guardians.

It is important to plan for:

- the provision of private cubicles within existing changing facilities, the provision of non-gender specific facilities (e.g., non-gendered toilet facilities), such as upstairs in the changing rooms where possible.

## Appendix 3 – Accommodation for Boarding Students who identify as Trans.

Boarding and prospective boarding students who identify as trans will have their individual needs considered on a case-by-case basis, in accordance with what the school boarding houses can reasonably provide and with consideration of the needs of all students. However due to the age of students and in line with Child Protection policies, schools do not provide mixed gender accommodation.

There are practicalities to consider in accommodating a trans student into a boarding house. The School is not obliged to provide separate bed spaces or to allow trans students to sleep in boarding houses appropriate to their gender identity and may not be able to do so.

Villiers School will however carefully consider what adjustments can be made to ensure the student is not excluded or suffers any other detriment.

Villiers School will carry out a needs assessment to help inform the School what adjustments can be reasonably made to accommodate the student. This assessment will consider the wishes of the individual student, any requests from the student regarding confidentiality, any health and safety considerations and the potential implications of any proposed adjustments on other students and the wider school community. In this context, it should be noted that safeguarding is not an issue specific to transgender pupils, aside from what the School already has in place to keep students safe, as detailed in Villiers School Child Safeguarding Statement.

If appropriate accommodation cannot be provided in a boarding house of choice for a trans pupil, this will be communicated to the parents and guardians, and student together, along with what adjustments if any can be made to accommodate them, including possible alternative arrangements to boarding. Villiers School will also consider bathroom arrangements as well as changing facilities within the boarding house before offering a boarding place.

## Appendix 4 – Guidance to Staff and Students on Supporting trans Individuals.

1

- Use the name and pronoun that the person asks you to. If you aren't sure what the right pronoun is, ask. If you make a mistake with the pronouns, correct yourself and move on.
- Respect people's privacy. Do not ask what their 'real' or 'birth' name is. Trans people are often sensitive about revealing information about their past, especially if they think it might affect how they are perceived in the present.
- Similarly, respect their privacy. Do not tell others about a person's trans status. If documents must be kept that have the person's old name and gender on them, keep them confidential.
- Respect people's boundaries. It is usually not appropriate to ask personal or potentially intrusive questions. If you feel it is appropriate to ask a personal question, first ask if it is okay to do so. Personal questions include anything to do with one's sex life, anatomy (not just genitalia) and relationship status – past, present, or future. Questions such as 'Are you on hormones?' can be considered personal and as with all people, these questions may be intrusive and cause discomfort.

2

- Listen to the person and ask how they want to be treated and referred to.  
*(Extract from the Equality Challenge Unit: Trans Staff and Students in Higher Education: 2010).*

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<sup>1</sup> Villiers School Diversity, Equity and Inclusion Statement, 2024

<sup>2</sup> Certain activities are governed by external bodies, such as the IRFU. These bodies may have their own processes in place which the school is obliged to follow as a requisite of participation.