

Culford School

Gender Questioning and Transgender Policy

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1. Introduction

This Policy provides information and guidance to Culford school's ('the School') pupils, parents, and staff on the School's approach to gender-questioning and gender neutral matters relating to pupils.

This Policy should be read in conjunction with the School's other policies, including the Anti-Bullying Policy; Safeguarding (Child Protection) Policy and Equality, Diversity & Inclusion Policy.

There are a range of terms that are used to describe different gender identities. The Equality Act 2010 ("EqA 2010") includes a definition of the protected characteristic of gender reassignment, which is detailed at paragraph 3.3 below. For simplicity, we will use the term 'gender questioning pupil' to refer to pupils who have expressed an intention to identify with a gender that differs from their biological sex.

2. Key Terms

- LGBTQIA+ lesbian, gay, bisexual, transgender, questioning, intersex, asexual
- **Gender questioning:** asking questions about their own gender
- **Transgender:** when gender identity and biological sex does not align
- **Non binary:** do not identify as either sex (can be referred as gender variant or gender fluid)
- **Gender distressed:** distress that may arise from experiences while questioning
- **Social transitioning:** the process of a person changing how they present their gender in everyday life to match their gender identity, rather than the sex they were assigned at birth

3. Legislation and guidance

This Policy has been prepared with reference to relevant legislation (in particular the EqA 2010)

- statutory guidance, in particular the following guidance documents from the Department for Education:
- The Equality Act 2010 and schools (May 2014)
- Keeping Children Safe in Education (last updated September 2026)
- Relationships, Education, Relationships and Sex Education (RSE) and Health Education (last updated September 2025)
- Political impartiality in schools (February 2022)
- the draft non-statutory guidance, including the Equality and Human Rights Commission ("EHRC") draft Technical Guidance for Schools in England which, pending consultation and approval, will provide practical guidance for schools on complying with their legal obligations under the EqA 2010.

- EHRC Code of Practice for services, public functions and associations (August 2026) which has legal status as the guide on how service providers, public functions and associations can meet the duties set out in the Equality Act 2010.

4. The law

4.1 The EqA 2010 requires that our admissions and our provision of education, benefits, facilities and other services do not unlawfully discriminate (either directly or indirectly via policies, applied criteria or practices), harass or victimise pupils on the basis of a protected characteristic. There are nine protected characteristics under the EqA 2010, including gender reassignment and sex.

4.2 The protected characteristic of sex is defined in the EqA 2010 and refers to whether a person is a man or a woman. In For Women Scotland v The Scottish Ministers [2025] UKSC 16, the UK Supreme Court confirmed that the terms "sex", "man" and "woman" in the EqA refer to biological sex (ie the sex that the person was born with). A pupil's sex, for the purposes of the EqA 2010, will therefore ordinarily correspond to their biological sex.

4.3 Section 7 of the EqA 2010 confirms that a person will have the protected characteristic of gender reassignment if that person is "proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."

4.4 This means that a pupil may have the protected characteristic of gender reassignment where they are proposing to undergo a process or have undergone a process of reassignment. This process may include steps of a social nature and does not require any medical treatment or surgery, nor does it depend on a pupil aged over 18 having applied for or having obtained a Gender Recognition Certificate (GRC).

4.5 Pupils who are questioning their gender, or who identify as non-binary or gender non-conforming, may in some circumstances fall within the protected characteristic of gender reassignment, depending on the facts of each case. The School will not assume that all such pupils are protected under section 7 EqA, but will consider each case carefully, having regard to the breadth of the statutory definition and relevant guidance.

4.6 In applying this policy, the School recognises that issues relating to sex and gender reassignment may involve balancing the rights of different groups under the EqA 2010. Decisions will be taken on a case by case basis, having regard to the School's legal obligations, safeguarding responsibilities, and the need to ensure the safety, dignity and wellbeing of all pupils.

5. Working with parents

5.1 Parents and carers have the leading role in the lives of their children, and the area of gender questioning is no exception. When a child who is questioning their gender asks for support from the school, we will always endeavour to involve the parents, and their views will be listened to, to determine what is in the best interests of the pupil. The Cass Review is clear that outcomes for children and adolescents are best if they have a supportive relationship with their families and by involving them in any decision making, school aims to promote the child's best interests and protect the pupil from harm. The preferred approach is that parents will be invited in to meet with the Designated Safeguarding Lead and other relevant members of staff (for example the Deputy Head Pastoral, the Head, or the Head of Health Services or other staff that the pupil would like to involve within reason).

5.2 The School favours an open dialogue between the School, pupils and parents / carers, especially in cases where the pupil is under the age of 16 (in which case the School will involve the parents of the gender-questioning pupil). In all cases the School will seek the wishes of the pupil and consider these, although the desired outcome of the child is not guaranteed.

5.3 In rare circumstances where involving parents or carers would constitute a greater risk to the pupil than not involving them, the school will assess which actions will be in the child's best interests.

6. Our approach

6.1 Culford School's overarching aim is to create a safe and inclusive learning environment for all pupils. Our primary concern is the welfare of all the children in our care.

6.2 The School is mindful that it is common for children to engage in activities that are less typically associated with their sex. We will take the time to listen to the feelings of any pupils who are questioning their gender, and our staff will show professional curiosity about the full range of a pupil's experiences.

6.3 Any actions taken by the School will take account of the impact on the child and other children, and a decision relating to social transition may not be the same as the child's wishes.

6.4 The School is mindful of potential vulnerabilities of pupils who are questioning their gender, including the possibility of mental health or psychosocial needs. Culford recognises that pupils who are gender questioning may be at greater risk of bullying behaviours. The School does not tolerate bullying of any form and deals with any bullying under its anti-bullying policy. This includes bullying for reasons related to a pupil's sex or gender identity. The School also recognises the rights of pupils and staff in relation to religion and belief.

6.5 This Policy seeks to avoid a 'one size fits all' approach, which would not allow us to respond appropriately to the needs of each individual pupil.

6.6 The School will not initiate any action in the area in respect of a pupil's social transitioning. We will avoid placing any pressure on the pupil to live or behave in accordance with their biological sex, or equally to live or behave as another gender.

6.7 Our staff will not adopt any changes unless a decision has been made by the School and parents have been involved as outlined within this policy.

6.8 The School's Designated Safeguarding Lead ("DSL") will normally be involved in all cases where a pupil is questioning their gender.

6.9 Whenever a child who is questioning their gender asks for support from the School, we will engage parents/carers as a matter of priority. In nearly all cases, we will work in close partnership with parents and carers of gender-questioning pupils and we will place importance on parents'/ carers' views when determining what is in their children's best interests.

6.10 The School favours an open dialogue between the School, pupils and parents / carers, and, as such, parents / carers will be involved in the vast majority of cases, unless a documented specific safeguarding concern exists. In those circumstances, the School will work with the DSL to determine what action is needed to safeguard the pupil, before the parents / carers are contacted or any decisions are taken.

6.11 In all cases, the School will seek the wishes of the pupil and take them into account. The School will take time to understand the thoughts and feelings of pupils who are questioning their gender and will consider everything that could be affecting a gender-questioning pupil, including any wider physical or mental health issues, neurodiversity or psychosocial needs, for example relating to the pupil's relationships with family, peers and their broader social environment;

6.12 When discussing requests with pupils, the School will take time to sensitively explain that supporting any degree of social transition will not extend to allowing access to toilets, changing rooms or boarding or residential accommodation designated for the opposite sex. Such discussions will also include a sensitive explanation of other constraints on social transition, including why the School will not include allowing gender-questioning pupils to join PE classes designated for the opposite sex where there are safety or fairness reasons for single-sex PE.

6.13 The School recognises that some pupils who undergo social transition before puberty may be "living in stealth", meaning that their biological sex may not be known to some pupils and/or staff. In circumstances where parents or carers are considering a social transition for a pre-pubertal pupil, the School will seek early advice from appropriately qualified clinical professionals and will carefully consider that advice, together with the pupil's welfare and safeguarding needs, before making any decisions relating to the proposed social transition.

6.14 The School will remain conscious of the vulnerabilities of pupils who have fully socially transitioned from an early age and may be living in stealth. We understand that such pupils may experience fear or anxiety as they approach puberty and, as such, we will involve the DSL in all such cases. The School will keep such cases under regular review and will remain alert to any welfare, safeguarding, pastoral or practical issues that may arise as a consequence of a pupil living in stealth, particularly as the pupil approaches and progresses through puberty. In doing so, the School will have regard to the pupil's individual circumstances, any relevant clinical advice that is available, and the views of the pupil's parents or carers.

6.15 The School acknowledges that maintaining a situation in which a pupil's biological sex is not known to some pupils and/or staff may become more difficult in some circumstances, particularly where the School provides facilities and activities on a single-sex basis. For example, where pupils are required to use toilets, changing facilities or other single-sex spaces designated according to biological sex, or participate in activities organised by reference to biological sex, it may not always be possible to avoid others becoming aware of a pupil's biological sex. In such cases, the School will seek to support the pupil sensitively and appropriately, and the School's approach will continue to be governed by the relevant provisions of this policy

6.16 Social transitioning: the process of a person changing how they present their gender in everyday life to match their gender identity, rather than the sex they were assigned at birth. The School will take a careful approach in relation to requests to social transition. We are mindful that the Cass Review is clear that social transition may have significant effects on the child in terms of their psychological functioning and longer-term outcomes. For pupils of Pre Prep and Prep school age, the school will work with parents and be guided by clinical expert views. The School is not able to offer clinical guidance to parents, regardless of the age of the pupil.

6.17 In all cases, the School will ensure that the decision-making process is documented and records are kept.

6.18 The School is required to share the biological sex of pupils with staff. The school is legally required to record the biological sex of all pupils accurately.

7. Physical Education

7.1 The School will endeavour to ensure that gender-questioning pupils have equal access to sport and physical education while at school. In general, we anticipate that gender-questioning pupils will normally be able to participate fully in the School's P.E. programme.

7.2 The School recognises that some sports may need to be played in single-sex groups from a certain age to ensure pupils' safety (of the gender-questioning pupil and others) and, where this is the case, these will always be played in single-sex groups, with no exceptions.

7.3 However, there may be some other situations where constraints on participation will be necessary for fair competition. Where there are no safety concerns, we will conduct an assessment in reaching any decisions as to whether to include pupils who are biologically male in female sports for reasons of fairness, with each case being assessed on a case-by-case basis, and we will consult any relevant sport specific guidance (for example, from a relevant national governing body on safe and fair operation of individual sports).

7.4 Where there are no safety concerns and a gender-questioning pupil or their parent or carer makes a request relating to how they participate in the School's P.E. programme, in addition to considering whether supporting social transition is overall in the best interests of the pupil (in accordance with section 5 above), the School will consider the impact of their participation on other pupils, with the aim of creating safe and fair environments for children to participate in PE.

8. Changing rooms, Toilet Facilities and Boarding Accommodation

8.1 Like all schools in England and Wales, the School is required to provide single-sex toilets and changing facilities for pupils. The School is also required to provide single-sex boarding accommodation for pupils.

8.2 This means the School is unable to permit pupils of one sex to access toilets, changing facilities and boarding accommodation designated for use by pupils of the opposite sex.

8.3 The School will advise the pupil (and, where appropriate, their parents or carers) on the options available to them in relation to such facilities and, in light of that, discuss their preferences and available options.

9. School Trips

9.1 The School will consider any additional needs of gender-questioning pupils in advance of planned school trips, and whether the School should put any specific arrangements in place to support a gender-questioning pupil (such as checking ahead to understand the nature of the facilities available). In some circumstances, the School would seek to provide additional facilities to protect the privacy of a gender-questioning pupil where available and in line with safeguarding supervision obligations of the school.

9.2 The School will take a case by case approach, weighing up the relevant factors in each individual case, which are likely to include: the legal requirements the School must meet, the wishes, welfare, age, development, and privacy needs of the gender-questioning pupil and any other pupils who may be impacted by the proposed arrangements, the particular circumstances of the trip and facilities available.

9.3 Where the school trip involves staying in overnight accommodation, the School will ensure that single-sex accommodation is provided for pupils. The School will not allow pupils into residential accommodation designated for the opposite sex.

9.4 If, however, a pupil does not want to share a room with another pupil of the same biological sex, the School will seek alternative arrangements where possible and will ensure that those arrangements (for example the provision of a suitable separate room) does not compromise the safety, comfort, privacy or dignity of any pupil.

9.5 School is mindful that gender questioning people face discrimination and hostility in some countries. The School will always seek to accommodate pupils on school trips; however, in some cases, a meeting will be required with parents to discuss the best way forward to keep our pupils safe and prioritise their overall welfare.

10. School Uniform

10.1 Where the School has agreed to support a pupil's social transition in accordance with section 5 above, the School will consider whether it is appropriate to permit the pupil to dress in a manner that is consistent with their chosen gender, subject to the School's uniform policy.

10.2 If any gender-questioning pupil has any particular difficulty complying with the School's uniform policy, they should raise this with a member of staff, and the School will consider these concerns on a case-by-case basis.

11. Names and Pronouns

11.1 The School will keep a school admission register, which will record the full name and legal sex of every pupil.

11.2 The School recognises that gender-questioning pupils sometimes prefer to change the name they are known by and the pronouns used to describe them. Where the School has agreed to support a pupil's social transition in accordance with section 5 above , the School will:

- discuss with the pupil and their parents / carers the appropriate terms to use and how best to communicate this change to staff and other pupils;
- consider discussing options with pupils, parents/carers and staff that include using names instead of pronouns ; and
- discuss any constraints in relation to the name under which a pupil can be entered into external exams, and explore the options with the pupil, their parents/ carers and the relevant exam board as appropriate.

11.3 Once the appropriate name and/or pronoun has been agreed and communicated to staff and pupils, intentionally using the incorrect name or pronoun of a gender-questioning pupil may constitute discrimination and / or bullying and the School will address it appropriately in line with school policies

12. Gender Questioning in the Curriculum

12.1 The School's Relationship and Sex Education and health education will ensure the needs of all pupils are appropriately met and that all pupils understand the importance of equality and respect. For older pupils in secondary schools, this will include the legal rights and responsibilities regarding equality (with particular reference to the protected characteristics as defined in the EqA 2010, including sex and gender reassignment).

12.2 The School will ensure that the approach and content of teaching is factual, sensitive and age appropriate. The School will integrate teaching relating to sexual orientation, gender reassignment and, where appropriate, issues affecting gender-questioning pupils into relevant areas of the curriculum and will deliver such teaching in an age-appropriate, balanced and timely manner.

12.3 The School will have regard to the statutory guidance 'Political impartiality in schools' (March 2025) as appropriate, when devising and delivering the curriculum as it relates to political issues connected with gender-questioning and gender identity.[2.1]We will also have regard to the statutory guidance Relationships Education, Relationships and Sex Education (RSE) and Health Education (September 2026) and, accordingly, we will be mindful to avoid any suggestion that social transition is a simple solution to gender-questioning pupils' feelings of distress or discomfort.

13. Confidentiality

13.1 As stated at 5.2 the School will work in close partnership with parents and carers of gender-questioning pupils and we will place importance on parents'/ carers' views when determining what is in their children's best interests. However, there may be circumstances in which the gender-questioning pupil may have different views as to who they discuss their gender identity with, what information is shared by the School, when and with whom (and related concerns). In these situations, the School will have regard to the maturity and capacity of the gender-questioning pupil and whether there are any safeguarding reasons that justify a modified approach. Even if a pupil is judged to have that capacity, this does not mean that the School will be required to agree to any social transition at school.

13.2 In cases where a pupil confides in a member of staff about their feelings but does not ask the School to make changes to how they are treated, the School will not break the pupil's confidence, except in circumstances where there is a related safeguarding risk; for example, where the pupil raises a concern about their own wellbeing or safety, or that of another child. In such circumstances, the School will follow its usual safeguarding procedures, which may include involving parents or carers where appropriate.

13.3 Where a pupil seeks to socially transition without their parents' or carers' knowledge, the School will consider involving the DSL to determine what steps are necessary to safeguard and promote the pupil's welfare. Staff should therefore avoid making any promises of absolute confidentiality to pupils, as there may be circumstances in which information needs to be shared in order to safeguard the pupil or others. Where appropriate, and regardless of whether the pupil's parents or carers are aware of the pupil's wishes, the School may liaise with external agencies as appropriate, such as social care and CAMHS and other relevant professionals, to ensure the appropriate support is available to the pupil and their family.

13.4 The Schools will comply with its legal obligations to record its pupils' biological sex accurately wherever it is recorded.

13.5 The School will ensure that relevant staff members who need to know a pupil's biological sex in order to fulfil the School's safeguarding, pastoral, welfare, educational or operational responsibilities are made aware of it .

13.6 Confidential information about gender-questioning pupils in most circumstances should not be shared with other parents or carers and any queries or questions from other parents or carers should be referred to the Head.

14. Reviewing Gender-Questioning Pupils' Circumstances

14.1 The School recognises that the needs of a gender-questioning pupil may change over time . In such cases, the School will review its decisions at appropriate points in the pupil's time with the School. The need to review any original decisions taken will, in nearly all cases, involve the pupils' parents/ carers. The School will also normally involve the DSL immediately in any such decisions.

14.2 The School will consider whether decisions taken prior to July 2026 remain appropriate, taking into account the impact of making any changes on the pupil in question and, in nearly all cases, with involvement of the pupil's parents/ carers.

14.3 The School is mindful that there may be circumstances where a pupil wishes to fully or partially reverse a request that has previously been agreed. The School recognises the importance of maintaining flexibility and keeping options open for pupils who have socially transitioned and will provide support to children who wish to de-transition. Again, the School will work closely with parents /carers and relevant experts to ensure that its pupils in this position are supported.