



SUPPORTING TRANSGENDER YOUNG PEOPLE

GUIDANCE FOR SCHOOLS IN SCOTLAND



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LGBT Youth Scotland is the largest youth and community-based organisation for lesbian, gay, bisexual, transgender and intersex people in Scotland. Our vision is that Scotland is the best place to grow up for lesbian, gay, bisexual, transgender and intersex young people.

Our mission is to play a leading role in the provision of quality youth work to LGBTI young people that promotes their health and wellbeing, and to be a valued and influential partner in LGBTI equality and human rights.

Scottish Trans Alliance assists transgender people, service providers, employers and equality organisations to engage together to improve gender identity and gender reassignment equality, rights and inclusion in Scotland. We strive for everyone in Scotland to be safe and valued whatever their gender identity and gender reassignment status, and to have full freedom in their gender expression.



Message from Fergus McMillan

I have been struck personally by the extent to which transgender young people have to be their own advocates growing up and coming out as trans at school. Transgender young people have the right to an education free from discrimination and prejudice and should not have to defend their identity or who they truly are. That's why we've developed this guidance: we want to assist in creating a positive school ethos, where all young people, including trans young people, can benefit from respectful relationships and achieve their full potential. This guidance has been developed from years of working with transgender young people and in close consultation with teachers and a whole host of organisations. I hope you find it useful in ensuring trans young people feel safe, supported and included in your school and in the wider community.

Fergus McMillan, Chief Executive, LGBT Youth Scotland

Message from James Morton

Over the last few years, increasing visibility and inclusion of trans people means that more people are feeling confident to come out as trans at younger ages instead of keeping their gender identities hidden for decades in fear. Whilst it is great that young trans people are increasingly being accepted and supported by their friends and families, we know that some schools have struggled to keep up with the fast-paced changes in this area.

This guide provides a comprehensive starting point for schools that want to know how best to support their students and create a learning environment that is truly inclusive of trans people.

James Morton, Manager, Scottish Trans Alliance

Why this guidance matters

A study¹ of more than 300 LGBT young people in Scotland showed that:

88%
of those who had experienced transphobic bullying believed that it had negatively impacted on their education

52%
of transgender young people thought that homophobia, biphobia or transphobia had affected their employment opportunities

LGBT young people
were more likely to be confident about reporting homophobia and biphobia than about reporting transphobia

37%
of transgender young people had left education as a result of homophobia, biphobia or transphobia in the learning environment

77%
of transgender young people had experienced homophobic, biphobic or transphobic bullying in school

1. Lough Dennell and Logan (2012). *Life in Scotland for LGBT Young People: Education Report*. LGBT Youth Scotland.

The same study² found that 67% of transgender young people considered themselves to have mental health issues.

The Scottish Association for Mental Health estimates that one in four people in Scotland will have mental health problems at some point in their lifetime. LGBT young people are at a higher risk of experiencing mental health problems than other young people as a result of³:

- Prejudice and discrimination resulting from (actual or perceived) sexual orientation or gender identity
- Negative responses and rejection (feared or experienced) from friends, family and services
- Pressure to conform to gendered norms and expectations of heterosexuality
- Not coming out as a result of these pressures and fear of experiencing homophobia, biphobia or transphobia

Findings from LGBT Youth Scotland's updated Life in Scotland for LGBT Young People report will be launched in 2018.

“I developed mental health problems, depression and I had suicidal thoughts. For my final year I had to take time out so I could cope with the stress of Highers and deal with everything else which was going on outside class.”

– Trans young person

2. Lough Dennell and Logan (2012). *Life in Scotland for LGBT Young People: Health Report*. LGBT Youth Scotland.

3. Ibid.

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Introduction

About this guidance

This guidance aims to help primary and secondary education staff in Scotland support transgender children and young people⁴. It is based on the experiences of transgender young people and good practice approaches suggested by teachers, youth workers and others.

It is a general guide to supporting transgender young people and is not exhaustive. If a teacher needs more information or support for a young person, they can speak to the school management team, the local authority or other agencies.

Language used

The guidance uses the terms 'transgender' and 'trans' as umbrella terms for those whose gender identity or expression differs in some way from the sex assigned to them at birth. Young people and their families may prefer to use other terms.

The term 'gender reassignment' is from the Equality Act 2010 and is the protected characteristic which relates to transgender identities. People with this protected characteristic have additional legal protection. More information can be found in the policy section on page 31. There is more about language on page 37.

This guidance aims to help teachers (and other education staff) support any young person whose gender identity or expression differs in some way from expectations placed upon them, regardless of how they identify themselves.

Principles

The following principles are based on good practice recommendations and the UN Convention of the Rights of the Child (UNCRC):

- Transgender young people should be protected from discrimination, harm and abuse
- Expressing gender is a healthy part of growing up. It is unethical to force a young person to express their gender in a particular way
- If a transgender young person needs support, they should get this as soon as possible and at a pace which is right for them
- Being transgender is one aspect of a young person's life; it is important to recognise they may have other support needs
- Transgender young people should be involved in all decisions affecting them, understand any action which is taken and why; and be at the centre of any decision making
- Wherever possible, staff should respect a transgender young person's right to privacy. Being transgender is not a child protection or wellbeing concern (see more on confidentiality and information sharing' on page 23)

4. We use 'young people' throughout this guidance to mean children or young people who are of school age.



Professional values and standards

The professional values and standards which guide teachers in all their work with young people are helpful when thinking about how best to support transgender young people. Teachers are not expected to be experts and to have all the answers. What matters most is having a respectful and inclusive approach.

Professional values and standards are outlined in the General Teaching Council (GTC) Scotland, Standards for Registration. The Code of Professionalism and Practice (COPAC) which accompanies the standards expects teachers to:

'treat sensitive, personal information about learners with respect...(and) should aim to be a positive role model to learners and motivate and inspire them to realise their full potential'

GTC Scotland is committed to promoting equality and diversity within schools. It expects all teachers to be positive role models to all young people in showing respect to transgender young people, and also to help learners understand different views, perspectives and experiences. For more information, go to www.gtcs.org.uk

Trade unions

Unions can give teachers support and advice about working with transgender young people, and about challenging discrimination in the workplace. All main teaching unions are committed to promoting equality and respecting diversity. Some may have equality representatives who support teachers to ensure equality and diversity in the workplace.

While this guidance is aimed at supporting transgender learners, schools should work to ensure they are inclusive environments for staff as well as learners. Teaching unions can be good sources of support for transgender teachers.

Primary schools

Recognition and development of gender identity can occur at a young age. With improved awareness of trans identities, an increasing number of young people are 'coming out' as transgender in primary school settings. Primary schools need to be able to meet the needs of these children to ensure they have a safe, inclusive and respectful environment in which to learn. This guidance is, therefore, applicable to primary school settings.

If a child in the school says that they want to live as a different gender, it is important to provide support and listen to what they are saying. Teachers and schools should be confident in discussing this with the child and, with the child's consent, their family.

Many children behave in ways which do not conform to gender stereotypes, and they may experience bullying as a result. Although this does not mean they are transgender, the principles in this guidance can still inform school practice.

Being alert to gender stereotypes and being aware that not every child will identify as the gender which you may assume they are, will help in creating an environment in which all children can flourish. In primary schools this awareness could mean:

- Ensuring play options are gender neutral
- Ensuring praise is consistent (boys and girls aren't praised for different things)
- Not lining the class up, or separating the class, by gender
- Using books and resources which challenge gender stereotypes and include transgender identities
- Participating in transgender commemorative days (such as LGBT History Month and Transgender Day of Visibility)

Overcoming barriers

In this section:

Bullying and safety

Coming out

Changing name, gender and pronouns

Toilets and changing rooms

School uniform

Social dancing

PE and sport

Trips, residentials and other activities

This section explores some common barriers to learning experienced by transgender young people, and suggests how teachers can be inclusive and supportive.

Bullying and safety

The Scottish Government's National Approach to Anti-Bullying for Scotland's Children and Young People, 2010⁵ defines bullying as follows: 'Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves.'

Teachers should be alert to the fact that transgender young people face disproportionately high levels of bullying. All teachers should challenge and respond to bullying behaviour, including transphobic bullying.

Transphobic bullying

Transphobic bullying is behaviour or language which makes a young person feel unwelcome or marginalised because of their perceived or actual gender identity or gender expression. Sometimes the bullying directed at a trans young person also includes aspects of homophobic or biphobic bullying because of confusion between gender identity and sexual orientation.

Transphobic bullying can include:

- Name calling, rumour spreading and gossip about a young person's transgender identity
- Physical attack (which may become a police matter). See www.equality-network.org/your-rights/hate-crime/
- Excluding someone from conversations, activities and games
- Stealing from someone or damaging their property with homophobic, biphobic and/or transphobic graffiti
- Threatening someone or spreading rumours through texts or social media
- 'Outing' or threatening to 'out' someone to peers, teachers or family

5. www.gov.scot/Resource/Doc/330753/0107302.pdf.



- Gestures, looks and other non-verbal communication
- Harassment and/or intimidation
- Deliberately using the wrong name and/or pronoun. This is different from people trying their best and making a mistake

Not all transphobic bullying is directed at transgender young people: comparing someone to a transgender person in a derogatory manner, for example, is transphobic bullying. Some young people experience bullying:

- Because others think that they are transgender
- Because they have transgender family or friends
- Because they are seen as different or not conforming to traditional gender stereotypes

“All I knew was that anyone who dressed weirdly or dressed in the 'wrong' clothes was bullied and there wasn't any support available.”

– Trans young person

“I experienced transphobic bullying even though I didn't realise I was transgender purely because I dressed like a boy.”

– Trans young person

Schools are encouraged to record incidents of transphobic bullying, specifically detailing the transphobic elements. This allows schools to accurately monitor incidents; how they responded; and the impact.

An incident may be one-off or ongoing. It may occur in school grounds or in other settings, such as online. Regardless, teachers have a duty to address any issue which has an impact on a young person's health and wellbeing and their ability to learn.

Transgender people in same-sex relationships may also experience homophobia or homophobic bullying.

Is transphobic bullying a 'hate crime'?

There is no legal definition of bullying in Scotland and, as such, bullying in itself is not a crime.

Bullying, however, can be motivated by prejudice similar to hate crime; the distinction is when a crime has taken place, such as assault. The presumption should be against criminalising children and young people, unless it's in the public interest.

If a bullying incident is serious in nature, with clear criminal aspects, it would be reasonable to report the incident to Police Scotland. It is also important to take the child or young person's views into consideration, particularly those who have experienced the bullying behaviour.

Police Scotland's school liaison officers may also be able to proactively assist schools to reduce violent incidents and anti-social behaviour.

More information on reporting a hate crime or hate incident is at: www.scotland.police.uk

Helping young people feel safe

All young people benefit when everyone feels safe at school.

If a teacher witnesses a child or young person being bullied because of their gender identity, or perceived gender identity, they should follow the school and local authority's anti-bullying policy or guidance. If the bullying involves a staff member, this should be reported to the senior management team.

School staff can help young people feel safe from transphobic bullying by ensuring that school policies and practice are supportive. Recommendations are:

- School anti-bullying policies should specifically mention transphobic bullying and/or gender identity
- Staff, young people, parent(s) and carer(s) should know about anti-bullying policies and school procedures
- Teachers should educate young people about transgender identities so that everyone in the school knows about respecting transgender people
- All incidents of discrimination, intimidation, harassment or violence should be thoroughly investigated
- Young people should be informed about the outcome of any investigation and supported to recover from the impact of bullying

More information:

respectme, Scotland's national anti-bullying service, can provide advice and guidance about anti-bullying policy and practice: www.respectme.org.uk

Coming out

“Coming out in high school was reasonably easy and I faced minimal negativity which was a very good thing of course. It undeniably improved my mental health and esteem significantly.”

– Trans young person

When someone discloses their gender identity or sexual orientation this is called 'coming out'. Because there is a general assumption that people are heterosexual and cisgender⁶, those who fall into this category don't usually feel that they have to disclose this. Lesbian, gay, bisexual and transgender people often need to 'come out' to let others know that they identify, and live their lives differently, from the general assumption.

6. The term cisgender means someone whose gender identity corresponds to their assigned sex, that is, someone who is not transgender.

Transgender young people often have to choose between hiding how they feel or telling someone. If they don't know that their family, friends or teachers are 'trans-friendly', they may assume that, if they come out, people will reject them. This, along with negative media messages and restrictive gender stereotypes, means that many transgender young people delay 'coming out' or speaking to someone about how they feel.

Trans people may come out at any age and to varying degrees: some people want to live fully as themselves in all aspects of life; others may want to come out to just a few trusted people. It is important to know:

- Coming out can be a lifelong process
- Only an individual can decide when and who to tell
- Coming out is a personal choice; no-one should feel forced to 'come out' if they don't feel ready

Some trans young people may want to be open with others about their transgender identity and history. Others treat their gender history as private, and do not disclose this to others.

If a young person transitions at school, other learners and staff will most likely be aware of their gender history. Similarly, if a young person has a non-binary⁷ gender identity, being open about this will mean other learners and staff know that that young person is transgender. However, trans learners who join your school after transitioning may want to keep their gender history private, and this should be respected.

Responding to young people coming out

“My advice to schools on how they can help young trans people wishing to come out would be to let them take the reins in how they wish to come out.”

– Trans young person

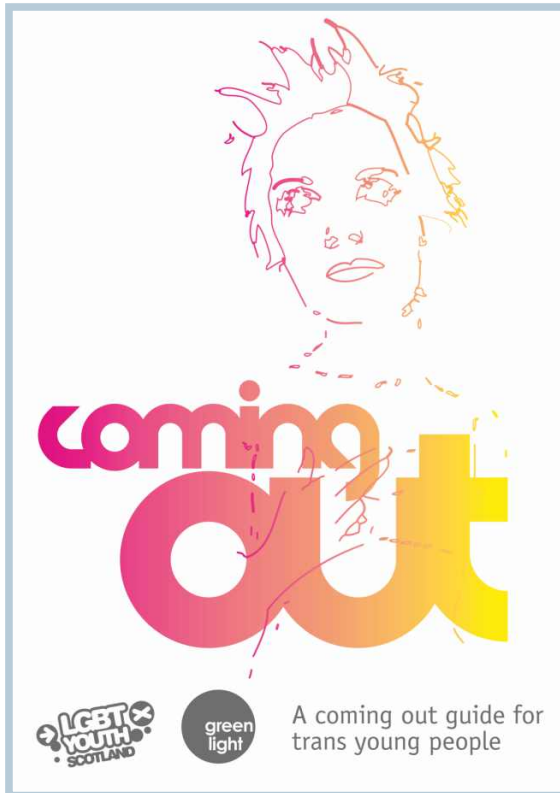
Some tips for responding to a young person who talks to you about being transgender or about their gender identity include:

- Don't panic: they don't expect you to be an expert
- Say 'thank you': the fact that they have trusted you enough to speak to you is a privilege
- Ask what support you can give: listen to what they say, and repeat back to check you've understood correctly
- Don't agree to anything you're not sure of
- Ask what name and pronoun you should use to address them. Check if that's all the time or in certain circumstances
- Ask if you can share information and with whom
- Arrange a time to meet up again, to check in and see how they are doing
- Check if there's anything else they want to talk about

7. See definition of non-binary on page 39.

If a young person comes out to you, it is important not to deny their identity, or overly question their understanding of their gender identity.

A guide to supporting trans young people coming out is also available from LGBT Youth Scotland. Contact info@lgbtyouth.org.uk for more information.



Coming Out guide

Changing name, gender and pronouns

“My guidance teacher was really understanding and helped me let all my teachers know about my new name.”

– Trans young person

Some young people who identify as transgender change their name and/or pronoun, others don't. Teachers should respect a young person's wishes and use the name/pronoun they have asked to be used. If you are not sure what name/pronoun they use, ask them in private at a suitable time.

Changing name and gender

Young people can simply tell others informally that they want to use a different name. They don't have to change their name on their official school record.

If they do want the school to record the change of name and/or change of gender officially, they (with their parent(s) or carer(s) if under 16) should write to the school to instruct this. Letter, email or any other form of written communication is fine. Schools do not need to ask for anything else. There is a sample letter in the appendix on page 54.

Once the letter has been received, the school can then change the name and gender on the official administration recording system (SEEMiS⁸). This is straightforward for staff with the correct level of SEEMiS administration access, such as the school's business manager or senior management team.

Name and gender change screen on SEEMiS

Changing names and gender on administration systems does not affect a candidate's SQA number, and the SQA does not require any documentation. The school simply needs to update the young person's candidate record: www.sqa.org.uk/sqa/75545.html

Pronouns

Typical pronouns are 'he' or 'she'. Some transgender young people, especially those with a non-binary⁹ gender identity, are unhappy about people referring to them as 'he' or 'she', and use the gender-neutral pronoun 'they'. Other, rarer, non-binary pronouns include 'zie' or 'ey' or 'per'.

There is no official way to record a young person's pronoun on SEEMiS, however schools can record this information in the young person's file.

Using pronouns is an indication of someone's gender identity. Staff should take care not to 'out' a young person by using a pronoun which differs from the one which the young person usually uses in public.

Data protection

Data held within SEEMiS is owned by the local authority and may be shared outwith the school for legitimate council business such as electoral registration.

Although changes in gender identity and name are not specifically flagged to local authorities they will hold this data along with all other information on SEEMiS. Under data protection legislation schools should inform trans young people and their families¹⁰ that any changes made to SEEMiS will be recognised by the local authority – schools should not take any additional steps to share this information. The changes will appear automatically, without needing to be flagged.

8. Or any other administrative system.

9. See definition of non-binary on page 39.

10. The term 'family' includes parents, carers and legal guardians.

Addressing young people: good practice

If you are supporting a transgender young person, be led by them, checking with them what pronoun and/or name you should use and when. This may be different depending on whether it's in public or private, and may change. This is part of the process of their transition.

Staff and learners should avoid 'deadnaming'. This is when someone intentionally calls a transgender young person by their previous name. Depending on the situation, it could be distressing for the young person, or be viewed as bullying.

This is not the same as accidentally calling a person by their previous name. If someone does this, they should say 'sorry' and try not to do it again.

“I think being able to speak to someone who understood would have been a huge help to me because I felt as though it was just myself going through it.”

– Trans young person

Toilets and changing rooms

Being able to use the school toilets and changing rooms is fundamental to young people's experience of school. All young people, including transgender young people, should feel comfortable using these facilities.

Some transgender young people feel uncomfortable about using the toilet or changing room which matches their gender identity. They worry about being teased or bullied, and would rather use the accessible toilet because it's a single cubicle. In changing rooms, they may be worried about other young people looking at them while they are getting changed.

Because of being uncomfortable about using school toilets, some transgender young people resort to going home to use the toilet, or they refuse to drink during the school day. This has obvious implications for their health and wellbeing, as well as their attendance and attainment. It is, therefore, important that trans young people are able to use the facilities they feel most comfortable with.

Helpful guidelines about school toilets and changing rooms include:

- Respect a young person's gender identity and the facilities they want to use
- Ask them about the facilities and if they have any worries
- Create a plan with the young person, outlining what will happen and when
- Not banning them from using any particular facilities

It is also important to ensure that all learners feel safe using all school facilities. Schools can help by improving privacy and making sure everyone knows how to report any incidents of bullying. If parents of other children voice concerns about their child sharing toilets and/or changing rooms with a trans learner, they should be reminded of the school's ethos of inclusion, equality and respect. Additionally, schools may wish to allow time to set up a meeting with any parent who has questions in order to address any concerns or misconceptions. More information can be found in the section 'Responding to concerns' on page 35.

What the law says

There is no law in Scotland, or in the UK, which states that only people assigned male at birth can use men's toilets and changing rooms, or that only people assigned female can use women's toilets and changing rooms. Discrimination case law has established that transgender people who have started living in accordance with their gender identity must not be banned from using the facilities matching their gender identity.

As a guide, it is helpful to ask:

- Is the young person being treated with dignity and respect?
- Have you taken all reasonable steps to accommodate their needs?
- If the young person is being treated differently from their peers, is this at their own request?

Safety concerns

When considering safety concerns for both transgender young people and all learners, it is useful to distinguish between what feels uncomfortable and what is unsafe. If toilets and changing rooms are genuinely unsafe, this is a different matter from discomfort, and schools should address this as a separate issue.

For more information on risk assessments see page 21.

Good practice

- If a transgender young person is concerned about the changing facilities, listen to what they are saying. It may be possible to let them change separately/privately. Schools could put up modesty curtains in changing areas. Many young people at school would appreciate that
- If a transgender young person asks to go to the toilet during class time, it is likely to be because the toilets are quiet then, and they feel safer. Although not ideal, it is better to allow this, otherwise the young person might not go at all
- If other young people, or their parent(s)/carer(s), express concerns about sharing toilets or changing rooms with a transgender young person, it can be because they think that the trans young person will behave inappropriately. In this instance, schools should dispel any misconceptions: a trans young person's presence does not constitute inappropriate behaviour
- If a learner feels uncomfortable sharing facilities with a transgender young person, they can be allowed to use a private facility such as an accessible toilet, or to get changed after the trans young person is done. A transgender young person should not be forced to use alternative facilities simply to make other young people feel more comfortable
- Toilet signs for gender neutral facilities should just say 'Toilet' and/or have a picture of a toilet

School uniform

Most schools have a uniform code or policy. There are numerous arguments for and against school uniform: it is up to each school to decide its own dress code. However, forcing transgender young people to wear clothes which do not match their gender identity can be distressing for them, and may constitute discrimination under the Equality Act 2010.

If your school has a uniform, there should be a gender-neutral option; this can be helpful for many learners. Policies should either avoid specifying that certain clothes are for one particular gender or they should allow transgender young people to wear the school uniform they feel most comfortable in.

In principle, schools should not exclude transgender learners because of how they dress, unless it breaches health and safety regulations.

If your school doesn't have a school uniform, it should be clear that young people can wear what they want, regardless of gender identity, as long as this complies with school guidelines.

“We have non-gendered uniforms at my school which is great as it makes me much more comfortable.”

– Trans young person

Social dancing

Many schools hold ceilidhs, proms and school discos, and include partnered dance in their curriculum. This can be a much-enjoyed part of school life and schools should not be discouraged from teaching dance and social dancing.

However, schools should be aware of the traditionally gendered aspects of dances and the potential distress to LGBT learners. Schools can be inclusive of all learners by:

- Ensuring there are no restrictions on who can dance with whom
- Allowing young people to wear what feels comfortable to them
- Encouraging gender neutral language when calling dances. For example, rather than say 'Gentlemen, spin your ladies for a count of eight' say, 'Those on the outside, spin your partners for a count of 8'

PE and sport

“I didn't feel able to do PE for the first few months after I came out as trans and the school were great at respecting that. They didn't force me to go to PE, but were always encouraging and made sure I had opportunities to do PE and other healthy activities.”

– Trans young person

Activities

Some transgender young people find PE classes very difficult because they are concerned about not having their gender identity accepted, or about their physical characteristics. Teachers should consider any request for reasonable adjustments sensitively. We recommend:

- PE classes that focus on team work and physical activity rather than gender-specific activities; ensuring PE activities are gender neutral will help trans young people feel able to engage
- If school competitions or classes are organised by gender, a transgender young person should be allowed to compete in the category which matches their gender identity. For a non-binary¹¹ young person, check which group they would feel most comfortable being with
- For inter-school competitions not governed by national sports bodies, the same standards should apply. It may be helpful to a young person if you speak to the equivalent staff in the other school(s) to let them know there is a trans learner in your team/competition, but only with the young person's consent
- National and international sports governing bodies have their own inclusion policies for high-level competitions. If you are concerned about a trans learner participating, you should contact the sport's governing body directly

Clothing

Good practice in PE, sport and related clothing includes:

- Allowing transgender young people to wear sportswear which matches their expressed gender identity
- For swimming, skirted swimsuits, baggy shorts, lycra surfing tops or short wetsuits are alternatives for transgender young people (similar to modest swimwear worn by young people from some faith groups)

A trans boy or non-binary¹² young person who has developed unwanted breasts might bind their chest to flatten it, so they might need to wear a loose-fitting shirt or sweatshirt. Binders¹³ can lead to shortness of breath and can be painful during physical exertion.

Binders can, however, have a positive impact on a young person's mental health so staff should allow a young person to decide for themselves about whether or not to wear a binder, and help them join in.

Trips, residentials and other activities

School activities need to be inclusive for all. So, when planning these, staff should take into account the needs of transgender young people.

School day trips are not likely to require anything specific unless a transgender young person wishes to use a single-cubicle toilet. You may also need to contact the venue to ensure toilets will be accessible for trans young people.

11. See definition of non-binary on page 39.

12. Ibid.

13. A binder may be a vest, or athletic support top, or be wrapped bandages. It is used as a way to reduce the size of a person's chest, so they can present as more masculine or gender neutral.

There may be some specific considerations for residential, as young people are in closer quarters than usual. Talking about respect for boundaries, privacy and shared living space will help all learners, but particularly transgender young people.

Good practice

- If a transgender young person wants to share a room with other young people who share their gender identity, they should be able to do so
- If a transgender young person is sharing a room with their peers, there is no reason for parents or carers of the other young people to be informed
- If a transgender young person is concerned about sharing a room with others, you could consider giving them their own room
- If showers are communal, find out if there are single-cubicle or private washing facilities which a transgender young person could use
- If these aren't available, you could work out a rota so that everyone can wash in private if they want to. Many young people are unhappy about communal showers
- Investigate the ethos and practice of the venue beforehand. If you have any concerns, contact the venue to discuss these in general terms, particularly safety and respect
- If a trip is to a foreign country, find out if there are anti-LGBT laws and contact the foreign office for advice. Additional information: www.gov.uk/guidance/lesbian-gay-bisexual-and-transgender-foreign-travel-advice

Risk assessments

Risk assessments can be useful for thinking about how you will keep a transgender young person safe while they are in your care. Such assessments can help with trip or event planning, anticipating risks and the measures to put in place to support learner safety. For trans young people, such assessments are most helpful if you involve the young person in determining risk and how to mitigate it. However, note:

- Risk assessments should not be used to exclude a transgender young person
- Risk assessments should be realistic and based on actual risk
- The information they contain should only be shared according to the school's confidentiality and information-sharing policy

See confidentiality and information sharing on page 23.



Practical support for transgender young people

In this section:

Child's Plan

Confidentiality, information sharing and child protection

Working with parent(s), carer(s) and families

How teachers can help transgender young people and their family relationships

Support and referrals for trans young people

This section includes advice on how best to support an individual young person in school, and covers some common concerns such as confidentiality and working with parents and carers.

Child's Plan

The Children and Young People (Scotland) Act 2014 identifies that some children require a Child's Plan if they need extra support for their wellbeing. The support can be social, emotional, physical and/or academic.

The requirement for support should be jointly agreed between young people, teachers and parents; with young people and their parents¹⁴ making the final decision. In line with the Children and Young People's Act, schools should open a Child's Plan if they are involving any outside agency.

A Child's Plan can be a useful way for teachers to build-in additional support for transgender young people. This plan should set out additional support to be offered, who by and when. It could include how the school will support a young person to live as their true gender in school; help the young person develop understanding of their gender identity; and/or identify steps to support their mental health and wellbeing.

Importantly, some transgender young people feel stigmatised if they are seen as needing additional support. So, although they might be eligible for such a plan, they may choose not to have one.

14. This also applies to carers/legal guardians.



Confidentiality, information sharing and child protection

“I came out to one of my teachers and they told my guidance teacher that I'm trans even though I really didn't want them to. I wasn't ready.”

– Trans young person

Confidentiality and privacy is important to transgender young people. They can worry about people disclosing information about their gender identity to others, and/or about professionals taking action which they have not agreed to.

Child protection guidelines require teachers to follow particular procedures for confidentiality and information sharing. But, being transgender is not a child protection issue in itself. If there is a child protection issue or wellbeing concern, this should be specified and the school's child protection guidelines followed.

Good practice

- It is important to respect a young person's right to privacy. Being transgender is not a child protection issue or wellbeing concern in itself
- Young people should be involved in all decisions affecting them and understand what is happening and why
- If a young person wishes to 'come out' in a school setting, information may need to be shared. Teachers should consider who to tell and how, taking into account the young person's view on this
- A transgender young person may not have told their family¹⁵ about their gender identity. Inadvertent disclosure could cause needless stress for the young person or could put them at risk. Therefore, it is best to not disclose information to parents or carers without the young person's permission
- Only in exceptional circumstances would a school need to give information about a young person's transition to other parents. This would require the permission of the young person or their parent(s)/carer(s)/legal guardian(s) (if under 16)
- A transgender young person may wish to change schools as part of their transition process. Their previous name does not need to be shared with the new school. It is not necessary for all staff in a receiving school to know that the young person is transgender
- Young people find it increasingly difficult to maintain their privacy. Teachers may need to support young people if personal information becomes common knowledge through social media
- If information about a young person's gender identity is to become public knowledge, there should be an agreed procedure to respond to questions from other young people, teachers and parents to ensure staff give consistent information

15. The term 'family' here is meant to be inclusive of all types of families including carers and legal guardians.

“My teacher worked with me on an email which was sent to all staff to let them know about my true name and gender. There were really positive responses to this which were shared with me and made me feel good.”

– Trans young person

Working with parent(s), carer(s) and families¹⁶

“I had to run away from my parents because they were not happy about who I am. Teachers should know that while parents should respect their child's gender identity, they don't always do so.”

– Trans young person

When working with families, the ideal scenario is one where the parent(s)/carer(s) are fully supportive of their transgender child. This is important, as evidence shows that young people who have supportive parents are more likely to have good mental health, including improved self-esteem and reduced rates of depression¹⁷.

Although, increasingly, parents and carers *are* supportive, some may react negatively at first. Sometimes this is because they have inaccurate or incomplete information about transgender identities or because they are worried about what it will mean for their child's future. Such reactions often stem from loving, and wanting to protect, their child.

If parents/carers are struggling to come to terms with their child's identity, teachers should make sure that there is a plan to support the young person in school. It may also be useful to approach the local authority for additional guidance.

Whatever the home situation, supportive or otherwise, schools need to keep young people at the centre of any decisions which affect them. Sometimes this means giving young people the chance to voice opinions which differ from their parents/carers.

Schools should also remember that the siblings of transgender young people may also require additional support. They may need space and time to process what is happening, or may be experiencing bullying from peers. Allowing them an opportunity to talk, and reassuring them that the school is committed to their wellbeing, can be beneficial.

16. The term 'family' here is meant to be inclusive of all types of families including carers and legal guardians.

17. Travers, R. et al. (2012). *Impacts of Strong Parental Support for Trans Youth: a report prepared for Children's Aid Society of Toronto and Delisle Youth Services.*

TransPulse: <http://transpulseproject.ca/research/impacts-of-strong-parental-support-for-trans-youth/>

Why support for trans youth matters

Trans youth with supportive parents

Trans youth with unsupportive parents

Reported life satisfaction

72%

33%



Reported high self-esteem

64%

13%



Described mental health as 'very good' or 'excellent'



70%

15%



Faced housing problems

0%

55%

23%

75%

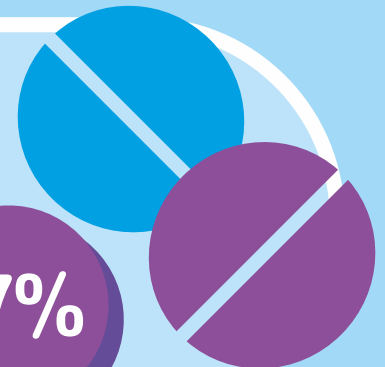
Suffered depression



Attempted suicide

4%

57%



Based on a 2012 study of 433 individuals. Travers R, Bauer G, Pyne J, Bradley K, for the Trans PULSE Project: Gale L, Papadimitriou M (2012). *Impacts of Strong Parental Support for Trans Youth: a report prepared for Children's Aid Society of Toronto and Delisle Youth Services.*

Based on a resource produced by Trans Student Educational Resources: www.transstudent.org

How teachers can help transgender young people and their family relationships

Teachers can help by:

- Working with young people to agree what they need from their parent(s)/carer(s)
- Speaking on behalf of a young person who cannot tell their parent(s)/carer(s) what they need
- Providing support or referrals to alleviate the distress caused to young people by family rejection
- Providing a safe space for transgender young people to be themselves and have their identities respected

Schools have a welfare responsibility towards learners, and may have to assume the role of neutral arbiter if decisions need to be made about a young person's wellbeing. Teachers should always provide impartial information and guidance which prioritises a young person's wellbeing.

It is important to recognise the contribution parent(s)/carer(s) can make, and to find solutions by working collaboratively with young people.

Good practice

- If the young person has not told their family, teachers may want to discuss the most likely reaction with the young person. This will allow the teacher and the young person to plan how and when to tell, if the young person wants to
- Offer to arrange a meeting with parents or carers, ensuring that information shared has been agreed with the young person in advance
- Listen to their concerns without judging them; respond to concerns calmly; and correct any misconceptions
- You can use a Child's Plan (see page 22) to provide information about what support is being offered to a young person, or allow the young person to contribute
- Parent(s) and carer(s) may need time to come to terms with what their child has told them. Teachers can help by letting them know about sources of information and support (see below)

If a teacher is concerned about the home environment and the safety of a young person, they should follow the school's procedures for recording and/or acting on such concerns.

Agencies which provide advice and support to parents of transgender children include:

- **TransparenTsees:** groups for parents, carers and other family members of trans people, based at the Sandyford Clinic, Glasgow. At present they also run groups in Edinburgh, Perth and Elgin. Please email: transparentsees@gmail.com for details of the meetings
- **Mermaids:** a UK-wide organisation which works to reduce isolation and loneliness for parents and young people dealing with gender issues and to empower families and young people: www.mermaidsuk.org.uk, email: info@mermaidsuk.org.uk, helpline number: 0344 344 0550

Support and referrals for trans young people

All young people should know where they can go and who they can speak to if they need support.

Schools can help by telling young people and their families about support services, for example through posters, website and social media, and in assemblies, lessons and activities.

LGBT Youth Scotland runs youth groups across Scotland for lesbian, gay, bisexual and transgender young people aged 13 to 25. This includes specific services for transgender young people in Edinburgh, Glasgow and Dumfries.

LGBT Youth Scotland also provides online support through social media, email and live chat. Young people can chat to youth workers about sexual orientation and/or gender identity, or any other issue. The service is particularly useful for young people in rural areas where there are limited services or for those who are not ready to attend youth groups.

For more information about LGBT Youth Scotland's services go to: www.lgbtyouth.org.uk or email info@lgbtyouth.org.uk



Supporting transgender young people at school: steps for good practice

These steps outline best practice in supporting trans young people in school and those who want to transition/change their gender within a school environment.

1. Put the young person at the centre and keep them there

- Allow them to talk about how they are feeling, and thank them for their courage in coming to see you
- If you don't know the answer to something, say that, and offer to find out more information
- Let them know that you will not share their information with anyone unless they give their permission or there is a risk to themselves or others
- Ask them if they are getting support elsewhere
- Check whether or not the young person is being bullied or feels safe in school
- Ask the young person how they would like you and the school to support them
- Ask the young person if they plan to transition at school and if they would allow the school some time to prepare (if necessary)
- Set a date to meet again

2. Ensure confidentiality

- Do not disclose the gender history or any sensitive information about a trans young person to anyone inside or outside the school, without the consent of the young person
- You can, however, discuss situations in general terms, ensuring that you do not share personal information or 'out' the young person unintentionally
- If you have a child protection or wellbeing concern, let the young person know that you will need to follow child protection procedures, and share information with the relevant staff or agency



3. Get advice and support (if required)

- Speak to a colleague or a member of the senior management team for advice and guidance. They may have experience of supporting transgender young people or have a school policy to guide practice
- Contact a specialist service (such as LGBT Youth Scotland) which can provide additional support for the young person, for example groups and on-line support, or training for staff
- Contact your local authority education officer and/or equality officer. They may provide practical guidance and support, or information about the law and school responsibilities

4. Arrange support meeting(s)

- With the young person's permission, arrange a meeting to plan how the school can reduce any barriers to learning and (if required) support their transition. This could include a Child's Plan with goals and clear timescales
- Arrange a meeting with parents/carers, and/or outside agencies as required, if the young person is happy for this to take place
- Let the young person know who will attend any meeting and what will be discussed

5. Keep in touch with the young person

- Make sure the young person knows how the school will support them and, if they are transitioning at school, that the young person is happy with the plans
- Check in regularly with the young person to offer support

A whole-school approach

In this section:

Staff learning and confidence

Policies and procedures

The learning environment: trans-inclusion and visibility

Responding to concerns

Involving young people

This section considers a whole-school approach to supporting transgender young people and creating a transgender-inclusive environment.

Whatever a school chooses to do, it should make it clear to young people, staff and the wider learning community that it is an inclusive environment for everyone, including transgender people.

Staff learning and confidence

School staff have a key role in creating an inclusive learning environment.

No one expects all staff to be experts in transgender inclusion. However, all staff are expected to actively ensure that transgender young people are accepted, respected and supported. GTC Scotland guidelines specify that all teachers should treat all young people with respect, and provide the best learning environment they can (see page 9).

Many teachers have already received training in transgender inclusion, and are actively supporting trans young people across the country. LGBT Youth Scotland can provide training for individual schools on supporting transgender young people and LGBT awareness and inclusion. It may also be useful to ask the local authority to provide joint training for all schools in the area.

For more training options, advice and support see:

www.lgbtyouth.org.uk

www.stonewallscotland.org.uk

www.scottishtrans.org



Policies and procedures

School policies and procedures help to make the school's approach to supporting transgender young people clear and consistent. They can increase confidence in your school's approach. For example, transgender learners will be able to see a commitment to making them feel supported or included.

Equality policy

An equality policy is useful both for framing your organisation's approach to inclusion and for sending a clear message to staff and learners that your organisation is transgender inclusive. The equality policy should:

- Make direct reference to the Equality Act 2010 and all protected characteristics¹⁸: 'age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity'
- Show the school's commitment to reducing inequality, improving opportunity and fostering good relations between different groups
- Outline unacceptable behaviour relating to each protected characteristic, including examples of transphobia, biphobia, homophobia, racism, sectarianism, islamophobia, and so on.

Anti-bullying policy

Anti-bullying policies demonstrate that your school has taken steps to prevent and address bullying and harassment. They support young people and the wider community to feel safer in school environments, and provide guidance for schools staff on how to deal with incidents. They should:

- Clearly state that the school does not tolerate prejudiced-based bullying (including transphobic bullying)
- Reflect Scotland's National Approach to Anti-Bullying, 2010¹⁹
- Identify procedures to respond to homophobic, biphobic and transphobic bullying including information on each form of bullying

Scotland's anti-bullying service, **respectme**, works with adults involved in the lives of children and young people to give them skills and confidence to support children who are bullied and those who bully others. It provides practical support for schools and local authorities, including FREE training: www.respectme.org.uk

LGBT Youth Scotland offers training on recognising and responding to homophobia, biphobia and transphobia: www.lgbtyouth.org.uk

18. More information: www.equalityhumanrights.com/en/equality-act/protected-characteristics.

19. www.gov.scot/Resource/Doc/330753/0107302.pdf.

The learning environment: trans-inclusion and visibility

Transgender young people typically wait four years²⁰ before talking to someone about their gender identity. During that time, they may not see or hear anything about transgender people, identities or topics at school. This can be easy for schools to address by embedding positive messages about trans young people through everyday teaching and learning.

“Definitely there needs to be more transgender inclusion in education – we didn't even get a single mention of being trans at my school; like classes about it, even posters in the hallway.”

– Trans young person

The curriculum

In Scotland, the Experiences and Outcomes in the curriculum are designed to allow teachers the flexibility to include different contexts and themes based on what their learners need to know. As transgender identities are discussed more and more in society, it is important the curriculum reflects that, and grants learners the opportunities to explore this topic.

In March 2017, the Scottish Government published guidelines on what it expects to be covered through Health and Wellbeing. It notes that learners working in Level 2 and higher should be able to 'demonstrate an understanding of diversity in sexuality and gender identity'.

Additionally, children and young people notice the things that schools don't mention: this becomes, in essence, the 'null curriculum'²¹. Excluding transgender voices, identities and topics in schools, even unintentionally, when young people already know about them, can send out a negative message.

The best approach is to ensure transgender identities and experiences are explicit within subject-specific experiences and outcomes.

“Had I known more about trans identities I would have been more comfortable around trans people who I met both in and out of school.”

– Young person

'Introducing Transgender Identities' LGBT Youth Scotland's teaching pack contains nine activities, with teaching notes, which teachers can use as a basis for raising awareness about, and discussing, gender and gender identity. To get a copy, go to www.lgbtyouth.org.uk or email info@lgbtyouth.org.uk

20. Lough Dennell and Logan (2012). *Life in Scotland for LGBT Young People: Education Report*. LGBT Youth Scotland.

21. Eisner (1979). *The Educational Imagination: on the design and evaluation of school programs*. Macmillan, New York.

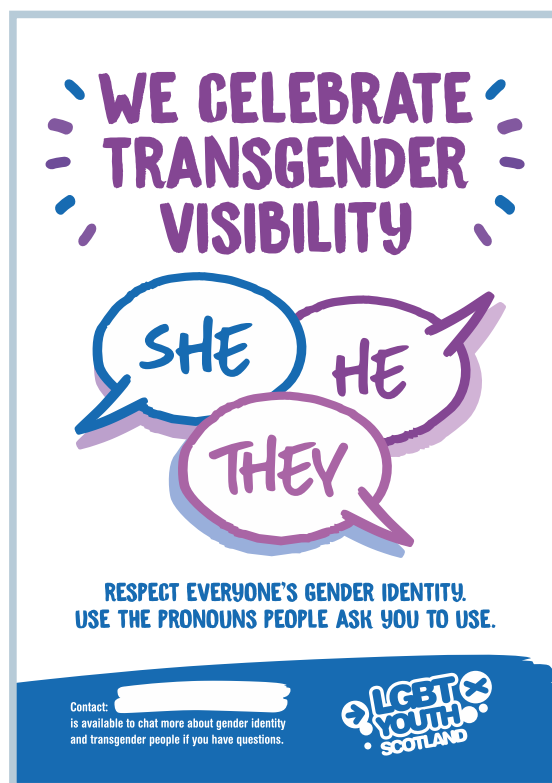
Posters and displays

Transgender identities should be included alongside other identities in classroom/school displays. This is to ensure transgender young people feel respected and included in their learning environment.

There are few posters that are trans inclusive. LGBT Youth Scotland has developed posters alongside this resource which are available for schools to download and print. To get a copy, go to www.lgbtyouth.org.uk or email info@lgbtyouth.org.uk

Schools could also harness their young people's creativity, and ask them to design posters to show: that the school has an inclusive approach to people of all genders and gender identities; that everyone is treated with respect; and who to approach for more information.

Schools could also link into public awareness campaigns or create their own. See for example, the Equal Recognition campaign by the Scottish Transgender Alliance: www.equalrecognition.scot



Full posters (developed by trans young people) are available to print within the appendices.

Role models

As long as they are suitable role models for young people, highlighting transgender 'celebrities' and academics can be a powerful affirmation for transgender young people. Some suggestions are:

- Aydian Dowling – fitness instructor and trans man. Finalist in the US Men's Health Ultimate Man contest and featured in Men's Health magazine
- Lana Wachowski and Lilly Wachowski – film-makers. Both siblings are trans women
- Jaden Smith – model. Identifies as genderfluid, continues to use male pronouns and often wears clothing which is considered to be for girls/women. He was the face of Louis Vuitton's womenswear
- Eddie Izzard – comedian and marathon runner. Identifies as male and as a cross-dressing transgender person
- Jin Xing – Chinese ballerina, contemporary dancer and trans woman

Transgender professionals who could be referred to in lessons include:

- Rachael Padman – stellar evolution (formation of stars) and trans woman
- CN Lester – classical musician and non-binary²² person
- Ruby Rose – actress, DJ, musician and genderfluid person
- Jack Monroe – journalist and non-binary trans person
- Juno Dawson – author (young people's fiction and non-fiction) and trans woman

The focus on these individuals should be their contribution to their field, as a stimulus for lessons. In the same way that teachers no longer talk about 'lady scientists', 'trans scientist' is not appropriate. However, if teachers explain at the end of the lesson that a particular professional is transgender, it has a normalising effect and demonstrates inclusion.

22. See definition of non-binary on page 39.

Responding to concerns

Some people within a school community may not support a 'whole-school' approach to the inclusion of trans young people. Some may even struggle to recognise the need for measures to improve a young person's school experience and opportunity to learn.

When dealing with objections, whether from learners, parents or staff, the most effective approach is to communicate a consistent and accurate message. Their concerns may be based on misconceptions or misinformation, and it may be possible to reassure them.

- **School staff concerns:** If school staff raise concerns about an inclusive approach, the management team should make it clear that, irrespective of a teacher's personal opinions, the school has obligations to support all young people, and has a duty of care to ensure the safety, health and wellbeing of learners.

If a teacher wants to know more about these professional responsibilities, their union, GTC Scotland or the local authority can provide this.

- **Parent and carer concerns:** Parents' and carers' concerns should of course be taken seriously. If parent(s) or carer(s) of another child at the school raise a concern, it can be helpful to meet with them to discuss this further. In general, the school's response should be framed in the context of respect for all learners, while being mindful of the school's confidentiality policy.

Next steps can include:

- Take time to listen to their concerns
- Explain that school has an inclusive ethos and is committed to equality and inclusion. This is outlined in school policies
- Address any misconceptions they may have
- If required, identify additional requirements their child may need in order to support their learning

Involving young people

One of the best ways to encourage inclusion is to involve young people directly. It is an opportunity for them to learn and gain support; it allows them to influence the school culture; and helps the school make the right changes and improvements for their learners. Their involvement needs to be relevant and focused.

Some methods which schools in Scotland have used include:

- Inviting young people to participate in working groups on equality and inclusion
- Conducting learner-voice surveys to capture young people's views about how well the school supports LGBT inclusion. These should be anonymous. They encourage transgender and other young people to discuss their experiences and allow schools to identify success and improvements

- Setting up an LGBT and allies group, 'Gender and Sexual Orientation Alliance' (GSA), or similar, in school to create a safe space for transgender young people, their friends and anyone questioning their sexual orientation and/or gender identity. The group may also be interested in leading and developing initiatives which support an inclusive ethos

Many schools in Scotland run extra-curricular groups to include and support young people with sexual orientation and/or gender identity. More information about setting up a GSA or LGBT group is available from LGBT Youth Scotland: www.lgbtyouth.org.uk or email info@lgbtyouth.org.uk

“I was in S6 when I was introduced to a teacher who was helpful, very kind and I started talking to him and he opened up an LGBT lunch thing where I could go and be who I wanted to be.”

– Trans young person

LGBT Schools Charter of Rights

LGBT Schools Charter of Rights is a programme designed to guide schools on their journey to LGBT equality and inclusion. Award standards were informed by the views of LGBT young people and include a review of policies, staff training (CPD), staff practice, visibility and curricular inclusion.

By actively pursuing the LGBT Schools Charter of Rights, schools send a positive message to LGBT staff and learners that they are included, valued and supported, and will be treated fairly at school. It makes it clear to other learners that equality and diversity are central to the school ethos. This programme includes information on supporting and including trans young people.

www.lgbtyouth.org.uk

School Champions programme

Stonewall Scotland's School Champions programme provides education staff with support, guidance and resources for supporting LGBT young people; tackling homophobic, biphobic and transphobic bullying; and celebrating difference in their schools and communities.

Membership of the School Champions programme allows schools to demonstrate their commitment to ensuring the wellbeing of their LGBT students, and shows the whole school that everyone is accepted in their community. The programme also offers discounts to professional development programmes, training and events.

www.stonewallscotland.org.uk



Language and terminology

In this section:

Why language is important

Some common terms and underlying concepts

Transgender identities and terms

Sexual orientation and being transgender

Why language is important

Ensuring that language is respectful and inclusive is central to equality and anti-discriminatory practice. When a teacher uses certain words correctly, it raises awareness amongst young people, and is reassuring for transgender young people.

This section sets out some of the concepts and language used in this guidance. Many people will be unfamiliar with these terms and concepts. This is understandable, and no one expects teachers to be experts in this language. Key points to remember:

- It's always best to check with young people about the words they use and feel comfortable about
- Language is constantly evolving, and terms that might seem unfamiliar at first become commonplace
- If anyone, whether teacher, young person, parent or carer, does not understand a particular word or underlying concept, it is fine to ask

Some common terms and underlying concepts

Gender 'norms' – despite some progress, boys are generally expected to be unemotional, strong, attracted to girls, sporty and to conform to ideals of masculine physical attractiveness. Girls are generally expected to be nurturing, emotional, helpful, attracted to boys, and to conform to ideals of feminine physical attractiveness. These are called gender 'norms' or rules.

Many young people find these 'norms' too restrictive; they can experience peer pressure to conform to them or may experience bullying if they break the rules.

Transgender young people 'break' gender rules because their gender identity does not match the sex assigned at birth, or they express their gender in a way that others do not consider 'normal'.

Gender binary – Western system of two gender options: men (with traditional notions of masculinity) and women (with traditional notions of femininity).

Gender identity – a person's deeply-felt internal and individual experience of gender. This may or may not correspond with the sex assigned to them at birth.

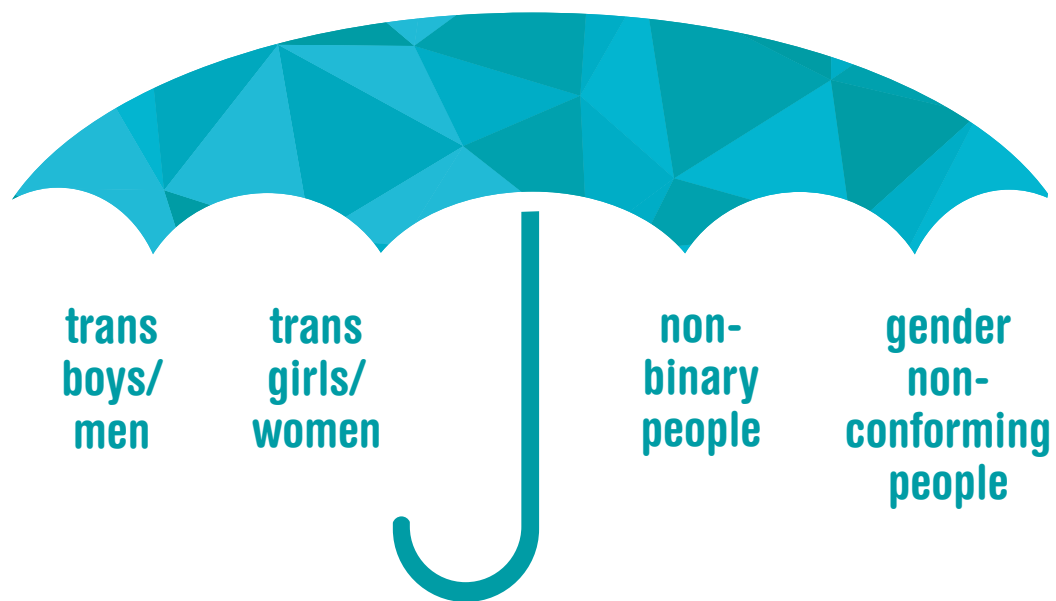


Gender expression – a person's gender-related appearance including clothing, speech and mannerisms. Young people may express their gender in ways which are not considered traditionally feminine or masculine.

Transgender identities and terms

'Transgender' is an umbrella term for people whose gender identity or expression differs in some way from the sex assigned to them at birth.

The diagram shows some of the most common identities which come under the 'trans umbrella'.



Teachers can show young people that they have some understanding if they use these terms. Using them correctly also validates young people's identities and experiences. It's worth remembering that:

- Many trans young people don't know all these terms
- Their understanding of their identity may be developing
- Language is constantly evolving

The most helpful thing to do is to ask a young person how they identify themselves. But, if they don't have an answer, there is no need to press them. They don't need a label to receive support. It is helpful if teachers are led by the young person, and allow them to explore their own definition and understanding of gender.

Trans boys/men

People assigned 'female' at birth but who identify as boys/men. Sometimes, the term 'female-to-male' (FTM) is used to describe the direction in which someone is transitioning or wishes to transition.

A trans boy is likely to be distressed about being seen as female and/or having a female body. They are likely to assert a male gender identity consistently and persistently. The prospect of going through female puberty, especially breast-growth and menstruation, is often traumatic.

This is different from a girl who some people might describe as a 'tomboy' because she enjoys rough, noisy activities or the clothes or toys traditionally associated with boys.

Trans boys/men will likely use he/him pronouns.

Trans girls/women

People assigned 'male' at birth but who identify as girls/women. Sometimes the term 'male-to-female' (MTF) is used to describe the direction in which someone is transitioning or wishes to transition.

A trans girl is likely to be distressed about being seen as male and/or having a male body. They are likely to assert a female gender identity consistently and persistently. The prospect of going through male puberty, especially facial hair growth and voice breaking, is often traumatic.

This is different from a boy who some people might perceive as 'feminine' because he enjoys gentle, caring activities or clothes or toys traditionally associated with girls.

Trans girls/women will likely use she/her pronouns.

Non-binary people

People who do not identify exclusively as a boy or as a girl. Among young people, the words 'genderqueer' or 'genderfluid' are popular alternatives for non-binary.

Some people describe gender as a spectrum with 'boy' at one end, 'girl' at the other, and non-binary in the middle. This is too simplistic:

- Some non-binary people may have a gender identity which incorporates various aspects of being a boy and being a girl
- Some non-binary people may strongly reject all aspects of being a boy or a girl
- Some non-binary people may find that how comfortable they feel in any gender fluctuates
- Some non-binary people experience distress about the physical sex characteristics of their body and/or the prospect of pubertal changes – others do not

The degree to which a non-binary person expresses femininity, masculinity and/or androgyny (combination or absence of masculine and feminine characteristics) is very individual.



Non-binary people also vary in whether or not they wish to change their name. Many prefer to use the gender-neutral pronoun 'they' and may find it distressing to be referred to using gendered pronouns (he or she). Some use a mixture of different pronouns from day to day, and a few use more unusual gender neutral pronouns such as 'per' or 'zie'.

Transition

A multi-step process as transgender people begin living their lives in a way that affirms their gender identity.

In schools, this will primarily consist of a social transition: young people changing their name, pronoun use and physical appearance (hairstyle, clothes and so on).

Some young people may begin their medical transition while in school. Schools and teachers do not need to be involved in this, unless the young person asks them to be. More information about medical transition is on page 46.

Gender non-conforming people

People who do not conform to gender stereotypes in clothes and accessories; speech or mannerisms; interests and behaviour. This term is mainly used to describe children under 12.

Although they may never identify as transgender, gender non-conforming people may experience the same sort of bullying and similar issues at school as trans boys, trans girls and non-binary people.

Sexual orientation and being transgender

Being transgender is different from sexual orientation. Sometimes these two different concepts are conflated. Young people who identify as transgender can find it frustrating when others focus on their sexual orientation rather than supporting their gender identity. It is, therefore, helpful for teachers to understand the differences:

- The term transgender describes a person's gender identity
- Sexual orientation describes who an individual is physically and/or emotionally attracted to
- Transgender people and their partners can be straight, gay, lesbian, bisexual or any other sexual orientation

“The difference between gender identity and sexual orientation is between who you are and who you love.”

– from the United Nations Free and Equal campaign

Policy, legislation and further information

In this section:

Education policy and approach

Legislation

Puberty and medical transition

Additional resources

This section sets out the policy and legislative context for supporting transgender young people in schools. It describes how puberty might affect a transgender young person and medical transition. It also suggests some useful educational resources, books and sources of further information.

Education policy and approach

The following policy and legislation provides the context and legal framework for supporting transgender young people in schools.

Education policy and approaches are designed to allow teachers to use their professional judgement to establish the content, context and manner in how they are carried out. If the words 'trans' or 'transgender' are not specifically mentioned in policy, it does not mean they should be excluded from your approach or from the curriculum.

Curriculum for Excellence

Curriculum for Excellence (CfE) aims for children and young people to be confident individuals, effective contributors, responsible citizens and successful learners.

Under '**Health and Wellbeing**' responsibilities for all, 'Children and young people should feel happy, safe, respected and included in the school environment and all staff should be proactive in promoting positive behaviour in the classroom, playground and the wider school community'. For transgender young people to feel happy, safe, respected and included, their identities need to be positively included in the learning environment, and they need to feel confident that they can talk to school staff.

Under '**Responsibilities for All**' teachers must ensure that all children and young people can, amongst other things:

- Develop my self-awareness, self-worth and respect for others
- Understand and develop my physical, mental and spiritual wellbeing and social skills
- Understand that adults in my school community have a responsibility to look after me, listen to my concerns and involve others where necessary



- Learn about where to find help and resources to inform choices
- Reflect on my strengths and skills to help me make informed choices when planning my next steps
- Acknowledge diversity and understand that it is everyone's responsibility to challenge discrimination

CfE experiences and outcomes under Health and Wellbeing cover respect, healthy relationships and personal development. There are opportunities in other curriculum areas too, including social studies:

- 'I can gather and use information about forms of discrimination against people in societies and consider the impact this has on people's lives.' SOC 2-16b
- 'I can discuss issues of the diversity of cultures, values and customs in our society.' SOC 2-16c
- 'I can explain why a group I have identified might experience inequality and can suggest ways in which this inequality might be addressed.' SOC 3-16a

These outcomes give teachers scope to discuss the experiences of transgender people, and encourage understanding of issues which affect transgender young people and adults.

In March 2017, the Scottish Government published guidelines on what it expects to be covered through Health and Wellbeing. It notes that learners working in Level 2 and higher should be able to 'demonstrate an understanding of diversity in sexuality and gender identity'.

Getting it right for every child

"I felt unsafe at school. People would yell at me across rooms, shove me into walls and on the stairs and I've had water bottles thrown at me."

– Trans young person

Getting it Right for Every Child (GIRFEC) aims to ensure that all children and young people get the best start in life and can succeed as adults. The practice model is:

- **Child-focused:** ensuring the child or young person, and their family, are at the centre of decision-making, and building solutions to support them
- **Holistic:** looking at the whole picture of a child or young person's wellbeing so that appropriate and effective support is offered at the right time
- **Preventative:** identifying a need as early as possible to avoid it developing into a concern or growing into a problem
- **Joined-up:** the child or young person, their family and professionals work together to consider what help is required, involve only the services needed to support them, and minimise unnecessary interruption in family life

For transgender young people, GIRFEC means that schools should identify their support needs; listen to their opinions; and help them to achieve and live happy and productive lives.

The preventative approach means that schools should actively ensure that the learning environment is inclusive of transgender identities, even if there are no 'out' transgender young people in the school. This helps to raise everyone's awareness and prevent transphobic bullying.

As part of the GIRFEC framework, all young people should be safe, healthy, achieving, nurtured, active, respected, responsible and included (SHANARRI indicators). Schools should consider any specific needs of transgender young people within this.

“You just have to be more open-minded and understand that that's a person, it doesn't even matter about the gender, that there's a person behind that.”

– Trans young person

United Nations Convention on the Rights of the Child (UNCRC)

The 54 articles which make up the UNCRC apply to all children and young people and underpin the approach to children's rights in Scotland. They are an important reference in supporting transgender young people. For example:

- **Article 2** ensures the right to protection from discrimination. Discrimination is defined as being treated unfairly because of who they are (see below The Equality Act 2010). Transgender young people have the right to fair treatment in school. Refusing to accommodate a transgender young person could constitute discrimination
- **Article 3** requires that the best interests of the child must be the primary concern in making decisions that may affect them. Schools must keep the best interests of a transgender young person at the heart of decisions made about them
- **Article 6** requires ensures children and young people have a right to life, to survive and develop. Transgender young people have the right to develop and grow in school, and this article states clearly that they should be supported in that. Transgender young people are more likely to suffer from suicidal thoughts and self-harm²³ than their peers
- **Article 8** details the right to an identity. It doesn't specifically talk about transgender young people or gender identity but it clearly states that parties should respect the right of the child to their own identity and name
- **Article 12** requires respect for the views of the child. When schools make decisions about a young person, they should inform the young person and take their views into account. This is, therefore, important when making decisions about transgender young people in school settings
- **Article 16** ensures a child's right to privacy. If a young person comes out as transgender there is no immediate need to inform their parents or others. See more on confidentiality and information sharing on page 23
- **Article 17** gives children the right to information that is important to their health and wellbeing. For transgender young people, this includes telling them about the support available
- **Article 19** gives children the right to be protected from being hurt and mistreated, physically or mentally. Schools have a key role in keeping transgender young people safe from bullying, including transphobic bullying
- **Articles 28 and 29** ensure the right of all young people to an education. This can only be achieved if trans identities are respected and included in the school environment

23. Bradlow, Bartram, Guasp and Jadvva (2017). *School Report: the experiences of lesbian, gay, bi and trans young people in Britain's schools in 2017*. Stonewall & University of Cambridge.

Legislation

The Equality Act 2010

This UK law protects individuals from discrimination, harassment and victimisation in services, facilities, and employment and promotes a fair and more equal society. The nine protected characteristics outlined in this legislation are: **age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity.**

The Act protects those with a protected characteristic from discrimination in all services and facilities, including education²⁴. This includes direct discrimination (someone is treated less favourably) and also indirect discrimination (a policy or practice intended to treat everyone the same which negatively affects transgender people).

- Although the term 'gender reassignment'²⁵ is used in the legislation, a young person does not need to have undergone any changes or have any medical treatment or assessment for the Act to apply. If a young person discusses with someone that they are exploring their gender identity or considering using different pronouns in the future, they are legally protected
- The Act protects young people who are perceived as transgender. For example, a young person who does not consider themselves to be transgender may experience unlawful transphobic discrimination because their appearance, clothing, mannerisms, interests and/or behaviour – do not conform to gender stereotypes
- It also protects people from discrimination because they are associated with someone with the protected characteristic of 'gender reassignment' for example a parent, partner, sibling or friend
- The Act requires public bodies such as local authorities and schools to be proactive about equality when writing policies, providing services and supporting employees, and to have due regard to the need to eliminate discrimination and harassment; advance equality of opportunity; and foster good relations between those who have protected characteristics and those who do not

The Act protects people of faith from discrimination and harassment. This includes transgender young people who hold religious beliefs.

The Act does not allow teachers to make discriminatory statements about others, or allow young people to make discriminatory statements about their peers, even if they say that their view is part of their faith. Scottish Government guidance, published by Learning and Teaching Scotland²⁶, (now Education Scotland) states that '...conveying a belief within an educational context in a way that harasses or berates a particular learner or group of learners is unacceptable and may constitute unlawful discrimination'.

For more information see: www.equalityhumanrights.com

24. The Public Sector Equality Duty, outlined in the Equality Act 2010, does not apply discrimination related to the protected characteristics of 'age' and 'civil partnership' to the provision of education. These do, however, apply to staff working in schools and education settings.

25. Gender reassignment is a personal, social, and sometimes medical, process by which a person's gender appears to others to have changed. Anyone who proposes to, starts or has completed a process to change their gender is protected from discrimination under the Equality Act.

26. Learning Teaching Scotland (2006). *Toolkit for Teachers: dealing with homophobia and homophobic bullying in Scottish schools*. www.lgbtyouth.org.uk.

The Education (Additional Support for Learning) (Scotland) Act 2004, as amended

The Act states that additional support needs occur 'where, for whatever reason, the child or young person is, or is likely to be, unable without the provision of additional support to benefit from school education provided or to be provided for the child or young person'.

This applies to any young person experiencing bullying or discrimination on the basis of a protected characteristic under the Equality Act 2010, such as 'gender reassignment'. It also applies to children and young people experiencing poor mental health.

Children and Young People (Scotland) Act 2014

The Children and Young People (Scotland) Act 2014 places a duty on the Scottish Government and Scottish Ministers to take account of the UNCRC and children's rights. Schools should be mindful of this and of the duty on local authorities to report on the steps to improve young people's understanding, and realisation, of their rights.

The Offences (Aggravated by Prejudice) (Scotland) Act 2009

The Act creates a statutory aggravation for crimes motivated by malice and ill-will towards an individual based on their actual or perceived sexual orientation, transgender identity or disability. This Act, in combination with similar legislation focusing on religion and race, is commonly referred to as 'Hate Crime' legislation.

If offences are proven to result from such malice or ill-will, the court must take this into account when determining a sentence. This can lead to a longer custodial sentence, higher fine or a different type of sentence.

For more information see: www.scotland.police.uk

The Age of Legal Capacity (Scotland) Act 1991 Section 2

This Act states that a child of 12 and over is presumed to have sufficient capacity to instruct a solicitor, to sue on their own behalf, and to enter into transactions usual for a child of that age.

Child development specialists state that children and young people develop their sense of their gender and gender identity between age three and five²⁷. Young people should be supported to explore and express their gender identity regardless of their age.

27. Newmann (2012). *Development Through Life: a psychosocial approach*. Cengage Learning.

The Gender Recognition Act 2004 and legal recognition

The Gender Recognition Act created a process for changing legal gender.

If an individual is 18 years or older, has lived in a way that affirms their gender identity for at least two years, and has been diagnosed as having gender dysphoria²⁸, they can apply to receive a Gender Recognition Certificate (GRC). A GRC enables individuals to receive a gender-corrected birth certificate. An individual can receive legal gender recognition without having undergone hormone treatment or surgery.

Individuals with a GRC have enhanced privacy rights, and do not have to disclose that they have a GRC. Service providers are not entitled to see or record the details of a GRC, or ask for evidence of an individual's trans status. To do so implies that the individual will be treated differently depending on the evidence provided. Likewise, individuals should not be asked to provide any evidence of their gender-reassignment history, such as medical information or name change documents.

At present, the gender recognition process is unavailable to those under the age of 18 and those whose gender identity is non-binary²⁹. The Scottish Trans Alliance and the Equality Network are working on changing this. More about the Equal Recognition campaign and why it is important at www.equalrecognition.scot

Despite not being able to change the gender on their birth certificates, young people under 18 are able to change their gender on other documents such as passports and driving licences.

For more information see: www.scottishtrans.org

Puberty and medical transition

Transgender young people may recognise and discuss their gender identity at any age. Before puberty, any transition or change is limited to socially changing their name, pronoun and gender expression. These aspects do not need medical or healthcare involvement.

The onset of puberty can often confirm feelings of 'gender dysphoria' when the body begins to change and develop in ways which are inconsistent with the young person's gender identity. This can be very distressing and transgender young people may develop negative ways of coping such as self-harming. Teachers should refer to guidelines on supporting young people who are self-harming. See the Scottish Association for Mental Health for more information: www.samh.org.uk

In Scotland, all medical interventions for transgender young people (under 18) take place at the Sandyford Gender Identity Clinic in Glasgow. They can refer or be referred before puberty, though the main focus of the clinic is on young people who are about to enter puberty and onwards.

28. Refers to a person's sense of distress or discomfort about some aspect of their gender experience. This can be body dysphoria (for example a trans person who is distressed about having a penis, or a trans person who is distressed about their facial or body hair), or it can be social dysphoria (for example a non-binary person who is distressed about people assuming they are female when they meet them, and using female gendered language to refer to them).

29. See definition of non-binary on page 39.

Transgender young people can be referred to the clinic by:

- Their GP
- Their parent(s) or carer(s)
- An outside agency
- Self-referring

There is a waiting list, so young people may wait some time for an appointment with the clinic. This can be very difficult for some young people. The school, their families and outside agencies often have to support transgender young people at this time.

If the gender clinic diagnoses a young person with 'gender dysphoria', it can offer ongoing support and, when they enter puberty, medical intervention. This may involve starting puberty blockers, which puts puberty on hold, meaning the young person temporarily stops developing secondary sex characteristics. If they stop taking the blockers, their puberty will begin again.

Older transgender young people may be prescribed gender affirming hormones. Young people assigned female at birth are given testosterone, while those assigned male at birth are given oestrogen (and some may also require testosterone blockers).

Regardless of the stage of puberty or medical intervention, the school should affirm the transgender young person's gender identity and listen to what they say they need. Not all transgender young people seek medical assistance, and teachers should avoid assuming that young people either want this or are receiving it.

For more information about medical transition, contact the Sandyford Clinic at;
www.sandyford.org

Additional resources

'Introducing Transgender Identities' lesson activities

Working closely with trans young people, LGBT Youth Scotland has produced lesson activities and presentations covering the basics of what it means to be transgender in Scotland. Designed for secondary schools but could be adapted and used in upper primary. Contact:

info@lgbtyouth.org.uk

Toolkit for teachers: dealing with homophobia and homophobic bullying in Scottish schools

A 'how-to-guide' on dealing with homophobia and homophobic bullying. Commissioned by the Scottish Government, developed by LGBT Youth Scotland and published by Learning and Teaching Scotland (now Education Scotland). It is accompanied by 16 lesson plans on identifying, understanding and tackling discrimination and prejudice: Contact:

info@lgbtyouth.org.uk

The Scottish Trans Alliance

A project overseen by the Equality Network to improve gender identity and gender reassignment equality, rights and inclusion in Scotland. Its website includes lots of useful information for trans people and professionals, including research reports on trans mental health and non-binary identities: **www.scottishtrans.org**

Rights Respecting Schools award

UNICEF works with schools in the UK to create safe and inspiring places to learn, where children are respected, their talents are nurtured, and they are able to thrive. Schools who engage with the Rights Respecting Schools award can improve young people's awareness of the rights of all learners, including transgender learners: www.unicef.org.uk/rights-respecting-schools

Films

My Generation

A film project set up to record the experiences and perspectives of gender variance. Their mission is to create short films which accurately represent individual journeys relevant to gender expression and self-identity. Suggested films for use in Scottish schools include: Luke, Reuben, Rueben six months later, Captain Hannah and Private Mel.

www.mygeneration.com

www.youtube.com/user/MyGeneration

CBBC My Life series 'I am Leo'

The BBC channel (aimed at children aged 6 to 12) developed a Bafta award-winning series which includes a short 25-minute film about 13-year-old trans young person Leo.

www.youtube.com/watch?v=0x_u2cs8Dpl

Raising Ryland (USA)

A documentary produced by CNN Films which takes an intimate look at parenting a transgender child. A seven-minute film is also available on YouTube called 'The Whittington Family, Ryland's Story'. www.raisingryland.com

www.youtube.com/watch?v=yAHCqnux2fk

Channel 4: My transgender kid

Documentary about two British families who have gender non-conforming children. Useful introduction for staff, but developed for entertainment purposes.

www.channel4.com/programmes/my-transgender-kid

Note: some UK 'documentaries' are not suitable for educational purposes. Contact info@lgbtyouth.org.uk if you need advice about using a particular programme.

Books

Suggested books for primary schools to use are:

- **Red, a crayon's story**, by Michael Hall
- **I am Jazz**, by Jazz Jennings (picture book)
- **Introducing Teddy**, by Jessica Walton
- **Are you a boy or are you a girl**, by Sarah Savage and Fox Fisher
- **Who are you**, by Brook Pessin-Whedbee

Suggested books for secondary schools to use are:

- **The art of being normal**, by Lisa Williamson
- **Beyond Magenta: transgender teens speak out**, by Susan Kuklin
- **I am J**, by Cris Beam
- **If I was your girl**, by Meredith Russo
- **Rethinking normal** by Katie Rain Hill
- **TransMission** by Alex Bertie

For a full list of LGBT-inclusive books, contact LGBT Youth Scotland: info@lgbtyouth.org.uk



Appendices

1. Scenarios for teachers

Scenario 1

What do I do if...?

A young person comes out to you as transgender and is looking for support. In order to adequately support them, you feel you need to speak to your colleagues for advice and support. You ask if it's OK to share but the young person says it isn't, they only want you to know.

Suggested response

Confidentiality and privacy are important in building trust with young people. If a young person trusts you, they are more likely to ask for your advice and support.

Your response will depend on the situation. No teacher can guarantee absolute confidentiality but teachers are expected to act in accordance with the wishes of a young person, especially if there are no other concerns.

- If information is already in the public domain you are not breaching confidentiality if you share it with a colleague or manager for advice
- You can also talk to others if what you say would not specifically identify a young person or breach their confidentiality
- Being transgender is not a child protection issue but if there is a child protection or wellbeing concern, you should follow your school's guidelines.

See more on confidentiality and information sharing on page 23, coming out on page 13, and steps for good practice on page 28.

Scenario 2

What do I do if...?

A young person has 'come out' as transgender. Other young people are calling them names, threatening them and shoving them or tripping them up in the corridors.

Suggested response

All of the above constitute bullying. You should respond as soon as possible, consistent with the school anti-bullying policy. It is important to base your response on what the young person wants to happen. Being bullied can be disempowering. It's therefore important that they have a say about what happens next.

- Firstly take some time to listen to the young person and find out what support they need. They may not want anything to happen at this stage
- Record the incident in line with your school bullying policy and procedure
- Arrange a follow-up meeting and let the young person know who they can talk to

If the school anti-bullying policy does not explicitly mention transphobic, homophobic or biphobic bullying, the school should review its policies and procedures.

If any of the elements are violent or could be identified as criminal behaviour this can be reported to Police Scotland.

See more on bullying on page 11.

Scenario 3

What do I do if...?

A teacher deliberately uses the wrong pronoun and name for a trans young person despite being briefed by the school. This is making the young person visibly upset and angry.

Suggested response

This scenario is different from getting someone's name or pronoun wrong by accident and is clearly inappropriate behaviour from a staff member. If someone gets a name or pronoun wrong by accident they should simply apologise and try not to do this again.

- In this scenario you should report this to the head teacher. The head teacher has a duty to investigate what has happened, and the young person has the right to know the outcome of the investigation
- If others witnessed the behaviour, ask them to report it too
- If you, or the young person, are not happy with the outcome of the investigation, either of you can contact your local authority education team or ask them to investigate too

If a head teacher behaves inappropriately towards a transgender young person, you can report the incident to the deputy head or to the local authority education team.

Scenario 4

What do I do if...?

A young person wants to change their name and gender on the official record system (SEEMiS).

Suggested response

This is fairly straightforward. There is no reason why a trans young person cannot change their name and gender on school information management systems. The following is recommended:

- The young person should send in a written request (see sample letter in the appendix), with the consent of parent(s)/carer(s) if the young person is under 16
- If a young person (over 16) has requested this but has not spoken to their parent(s)/carer(s) about their gender identity, let the young person know that changing their SEEMiS record means that any letters sent home will effectively 'out' them
- At present, there is no option to record non-binary³⁰ gender options on SEEMiS. Schools can ask if the young person prefers one gender over another to be on the official record

This does not affect a young person's candidate SQA number. See more on changing names, pronouns and SEEMiS on page 15.

Scenario 5

What do I do if...?

A young person comes out and wants to transition immediately. You would like some time to talk to colleagues to ensure that there is planned support for the young person.

Suggested response

As far as possible, you should support the young person in their desire to transition when they choose. Delaying a transgender young person's wish to transition could negatively affect their mental health.

It can, however, be reasonable for you to ask a young person for time to ensure the right support is in place for them. This should happen in consultation with the young person so that they know what support you are looking for and how long it will take. The following is recommended:

- Find out when the young person is looking to transition and in what way, for example to change their name and gender on records
- Spend some time listening to, and understanding, any concerns they may have
- Consider different scenarios with the young person, thinking about who needs to know and what they should know
- Outline when you will get back to the young person and clearly explain the reasons for any delay

Note: a young person does not need to agree to any delay.

30. See definition of non-binary on page 39.

Scenario 6

What do I do if...?

A young person wants to use the toilet facilities which align with the gender they identify with. The school is concerned that this may not be safe, or that other learners or parent(s)/carer(s) will complain.

Suggested response

There is no law in Scotland, or in the UK, to state that people assigned male at birth must use men's toilets and people assigned female must use women's toilets: it's custom not law.

Schools should:

- Support the transgender young person to use the toilet facilities they feel most comfortable with
- Not refuse to let a trans young person use a facility. This could be viewed as unlawful conduct
- If necessary, explore the concerns of others, and help to eliminate myths and misconceptions

If anywhere in a school is 'unsafe' for any young person, that is a separate matter and should be investigated. You may need to follow the school anti-bullying policy.

See more on toilets and changing rooms on page 17.

2. Sample letter: instructing change of name and gender

Young person's address:

.....

School address:

.....

INSTRUCTION FOR CHANGE OF NAME AND GENDER

Date:

To whom it may concern

I/We [insert full name/s], the parent(s)/guardian(s) of [insert child/young person's name as it appears on current records], in accordance with their wishes, request for them to now be known as [insert child/young person's new name].

From now on, please ensure all records, documentation, resources and workbooks are in the new name of [insert child/young person's new name].

We also request that previous records, documentation, resources and workbooks be changed from [insert child/young person's name as it appears on current records] to [insert child/young person's new name]. **OR** Previous records, documentation, resources and workbooks do not need to be changed from [insert child/young person's name as it appears on current records] to [insert child/young person's new name].

The name [insert child/young person's old name] should no longer be used to refer to [insert child/young person's new name].

We also request, in accordance with the wishes of [insert child/young person's new name], that all locations where gender is recorded, including on SEEMiS, are updated to record the gender of [insert child/young person's new name] as [insert male or female] and that the pronouns [he/him or she/her] are used when referring to [insert child/young person's new name]. **OR** We also request, in accordance with the wishes of [insert child/young person's new name], that the pronouns [they/them or specify other non-binary pronouns] are used when referring to [insert child/young person's new name] and that gender neutral language is used so that [insert child/young person's new name] is not referred to as a female/girl or as a male/boy.

Yours faithfully [Insert full name/s]

.....

.....

WE CELEBRATE TRANSGENDER VISIBILITY

GENDER IS NOT THIS...



Contact:


is available to chat more about gender identity
and transgender people if you have questions.

LGBT
YOUTH
SCOTLAND

WE CELEBRATE TRANSGENDER VISIBILITY



**RESPECT EVERYONE'S GENDER IDENTITY.
USE THE PRONOUNS PEOPLE ASK YOU TO USE.**

Contact:



is available to chat more about gender identity
and transgender people if you have questions.



Acknowledgements and supporters

This guidance was developed by LGBT Youth Scotland working with the Scottish Trans Alliance, and funded by the Scottish Government's Equality Unit.

LGBT Youth Scotland would like to thank all the organisations, support groups and young people that supported the development of this resource. The following organisations endorse this guidance:



The following local authorities endorse this guidance:



If you would like to endorse this document please get in touch.

LGBT Youth Scotland can add your logo to this electronic document at a later stage.

The guidance was developed by LGBT Youth Scotland, working closely with Scottish Trans Alliance. LGBT Youth Scotland is a company limited by guarantee (No.SC244805) and a registered charity (SC024047) © 2017

Reference

LGBT Youth Scotland (2017). *Supporting Transgender Young People: guidance for schools in Scotland*.

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SUPPORTING TRANSGENDER YOUNG PEOPLE

GUIDANCE FOR SCHOOLS
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