

## 1 GREAT ACADEMIES STATEMENT OF INTENT

The Trust as a Multi Academy Trust ensures that each of its academies are inclusive academies which focus upon the well-being and progress of every child and where all members of our community are of equal worth. We believe that the Equality Act provides a framework to support our commitment to valuing diversity, tackling discrimination, promoting equality and fostering good relationships between people. It also ensures that we continue to tackle issues of disadvantage and underachievement of different groups. We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

## 2 OUR AIMS

The Equality Act 2010 was introduced to ensure protection from discrimination, harassment and victimisation on the grounds of specific characteristics (referred to as protected characteristics). This means that academies cannot discriminate against pupils or treat them less favourably because of their sex (gender), race, disability, religion or belief, gender reassignment, sexual orientation or pregnancy or maternity. Age and marriage and civil partnership are also “protected characteristics” but are not a direct part of the academies provisions related to pupils (however the Trust recognises its role in promoting equality within its wider communities). This requires all public organisations, including academies to eliminate unlawful discrimination, harassment and victimisation. Additionally academies must:

Advance equality of opportunity between different groups,  
Foster good relations between different groups.

## 3 OBJECTIVES

Our approach to equality is based on the following 7 key principles:

All learners are of equal value, whether or not they are disabled, whatever their ethnicity, culture, national origin or national status, whatever their gender and gender identity, whatever their religious or non-religious affiliation or faith background and whatever their sexual orientation.

We recognize, respect and value difference and understand that diversity is a strength. We take account of differences and strive to remove barriers and

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disadvantages which people may face, in relation to disability, ethnicity, gender, religion, belief or faith and sexual orientation. We believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit our academies.

We foster positive attitudes and relationships. We actively promote positive attitudes and mutual respect between groups and communities different from each other.

We foster a shared sense of cohesion and belonging. We want all members of our academies community to feel a sense of belonging within their respective academy, within the Trust and within the wider community and to feel that they are respected and able to participate fully in academy life.

We observe good equalities practice for our staff. We ensure that policies and procedures benefit all employees and potential employees in all aspects of their work, including in recruitment and promotion, and in continuing professional development.

We have the highest expectations of all our pupils. We expect that all pupils can make good progress and achieve to their highest potential.

We work to raise standards for all pupils, but especially for the most vulnerable. We believe that improving the quality of education for the most vulnerable groups of pupils raises standards across the whole of the Trust and within each academy.

## **4 IMPLEMENTATION GUIDANCE**

### **4.1 Development of the policy**

This policy is part of our commitment to promoting equalities and providing inclusive academies, When developing the policy we took account of the DfE guidance on the Equality Act 2010 and also the Ofsted inspection framework, which places a strong focus on improving the learning and progress of different groups and on closing gaps in standards. We note that Ofsted has a statutory duty to report on the outcomes and provision for pupils who are disabled and those who have special educational needs.

### **4.2 Equality Objectives**

In line with legislation we have produced the following equality objectives which will be reviewed in 2020:

1. To promote cultural understanding and awareness of different religious beliefs between different ethnic groups within our academies and local communities.
2. To monitor and promote the involvement of all groups of pupils in the extra-curricular life of the academies, including leadership opportunities, especially pupils with special educational needs.

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3. To close gaps in attainment and achievement between pupils and all groups of pupils; especially boys and girls, pupils eligible for free-school meals, pupils with special educational needs and disabilities, looked after children and pupils from different heritage groups.
4. To endeavour to ensure that the staff body and representation of staff in leadership roles is reflective of the local community.
5. To reduce the incidence of the use of homophobic, sexist and racist language by pupils.

### **4.3 What we are doing to eliminate discrimination, harassment and victimisation**

We take account of equality issues in relation to admissions and exclusions; the way we provide education for our pupils and the way we provide access for pupils to facilities and services.

We are aware of the Reasonable Adjustment duty for disabled pupils – designed to enhance access and participation to the level of non-disabled pupils and stop disabled children being placed at a disadvantage compared to their non-disabled peers.

The Trust ensures that all appointment panels give due regard to this policy so that no one is discriminated against when it comes to employment, promotion or training opportunities.

We take seriously the need to consider the equality implications when we develop, adapt and review any policy or procedure and whenever we make significant decisions about the day-to-day life of our academies. We actively promote equality and diversity through the curriculum and by creating an environment which champions respect for all.

Our admissions arrangements are fair and transparent, and we do not discriminate against pupils by treating them less favourably on the grounds of their sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity.

### **4.4 Behaviour, Exclusions and Attendance**

The Trust Policy on Behaviour takes full account of the new duties under the Equality Act. We make reasonable, appropriate and flexible adjustment for pupils with a disability. We closely monitor data on exclusions and absence from each academy for evidence of over-representation of different groups and take action promptly to address concerns.

Addressing prejudice and prejudice based bullying: The academies challenge all forms of prejudice and prejudice-based bullying, which stand in the way of fulfilling

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our commitment to inclusion and equality: - prejudices around disability and special educational needs - prejudices around race, religion or belief, for example anti-Semitism and Islamophobia, Travellers, migrants, refugees and people seeking asylum - prejudices around gender and sexual orientation, including homophobic and transphobic attitudes

We treat all bullying incidents equally seriously. We keep a record of different prejudice-related incidents and a report is provide to the governors and the Trustees about the numbers, types and seriousness of prejudice-related incidents at our school and how we have dealt with them. We review this data regularly and take action to reduce incidents.

#### **4.5 What we are doing to advance equality of opportunity between different groups.**

- We know the needs of our academies population very well and collect and analyse data in order to inform our planning and identify targets to achieve improvements.
- We have procedures, working in partnership with parents and carers, to identify children who have a disability through our pupil admissions meetings.
- We collect data and monitor progress and outcomes of different groups of pupils and use this data to support academy improvement.
- We take action to close any gaps, for example, for those making slow progress in acquiring age appropriate literacy and number skills.
- We collect, analyse and publish data: on the school population by gender and ethnicity; on the % of pupils identified as having a special educational need and/or disability and by their principal need or disability; by year group – in terms of ethnicity, gender and proficiency in English; on inequalities of outcome and participation, related to ethnicity, gender and disability and proficiency in English.
- We collect, analyse and use data in relation to attendance and exclusions of different groups.
- We avoid language that runs the risk of placing a ceiling on any pupils' achievement or that seeks to define their potential as learners, such as "less able".
- We use a range of teaching strategies that ensures we meet the needs of all pupils.
- We provide support to pupils at risk of underachieving.
- We are alert and proactive about the potentially damaging impact of negative language in matters such as race, gender, disability and sexuality. In addition to avoiding or minimising possible negative impacts of our policies, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between, for example: - disabled and non- disabled people - people of different ethnic, cultural and religious backgrounds - girls and boys.
- We ensure equality of access for all pupils to a broad and balanced curriculum, removing barriers to participation where necessary.

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#### 4.6 Positive Action

We will take positive and proportionate action to address the disadvantage faced by particular groups of pupils with particular protected characteristics, such as targeted support.

#### 4.7 What we are doing to foster good relations

We prepare our pupils for life in a diverse society and ensure that there are activities across the curriculum that promote the spiritual, moral, social and cultural development of our pupils.

We teach about difference and diversity and the impact of stereotyping, prejudice and discrimination through PSHE and citizenship and across the curriculum. We use materials and resources that reflect the diversity of each academy, population and local community in terms of race, gender, sexual identity and disability, avoiding stereotyping. We promote a whole academy ethos and values that challenge prejudice based discriminatory language, attitudes and behaviour.

We provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures. We include the contribution of different cultures to world history and that promote positive images of people. We provide opportunities for pupils to listen to a range of opinions and empathise with different experiences.

We promote positive messages about equality and diversity through displays, assemblies, visitors, whole academy events.

#### 4.8 Equal Opportunities for staff

We are committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment. All staff appointments and promotions are made on the basis of merit and ability and in compliance with the law. We are also concerned to ensure wherever possible that the staffing of the school reflects the diversity of our community.

As an employer we strive to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within our workforce. We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

We ensure that all staff members, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

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#### 4.9 Disseminating the Policy

This Equality Policy is available on the school website and paper copies by request. We publish on the school’s website copies of relevant policies and guidance, including those on behaviour, anti-bullying and special educational needs.

### 5. ROLES AND RESPONSIBILITIES

We expect all members of each academy community to support our commitment to promoting equalities and meeting the requirements of the Equality Act. We will provide training, guidance and information to enable them to do this.

#### Board of Trustees

The Board of Trustees has ultimate responsibility for ensuring compliance with The Equality Act. The Board will receive reports on compliance with the equality & diversity requirements from each Local Governing Body and will ensure that there is both legislative compliance and policy compliance.

#### Governing body

The governing body of each academy is responsible for ensuring that their academy complies with legislation, and that this policy and its related procedures and plans are implemented. The governing body will monitor aspects of the academy’s commitment to the Equality Duty under review, for example, in terms of standards, curriculum, admissions, exclusions, personnel issues and the academy environment.

#### Principals and Leadership team

The Principal is responsible for implementing the policy in their particular academy and to work with colleagues across the family of academies; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.

#### Teaching and Support Staff

All teaching and support staff will:

- promote an inclusive and collaborative ethos in their classroom;
- challenge prejudice and discrimination;
- deal fairly and professionally with any prejudice-related incidents that may occur;
- plan and deliver curricula and lessons that reflect the academy’s principles, for example, in providing materials that give positive images in terms of race, gender and disability;
- maintain the highest expectations of success for all pupils;
- support different groups of pupils in their class through differentiated planning and teaching, especially those who may (sometimes temporarily)

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- find aspects of academic learning difficult;
- keep up-to-date with equalities legislation relevant to their work. We will provide training and guidance on Equalities for all staff new to an academy as part of the induction procedure.

**Visitors**

All visitors to an academy, including parents and carers are expected to support our commitment to equalities and comply with the duties set out in this policy.

**6 MONITORING, EVALUATION AND REVIEW**

This policy should be read in conjunction with;

- GAET HR policies
- Behaviour policy
- Anti-bullying policy
- SEN policy
- Attendance policy

Date - 26th September 2016

Date for next review September 2018

**8 SOURCES CONSULTED**

- Equality Act 2010
- UN Convention on the Rights of the Child
- UN Convention on the Rights of People with Disabilities
- Human Rights Act 1998
- Ofsted inspection framework

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**Appendix 1**

**How Trustees and governors implement the Equality Duty**

**Aims of the equality Duty**

1. To eliminate discrimination, harassment, victimisation and any conduct that is prohibited by or under the Equality Act (the Act);
2. To advance equality between persons who share a relevant protected characteristic and persons who do not share it;
3. To foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Specific Duties**

1. To publish information which demonstrates our compliance with the need to have due regard for the three aims of the Act;
2. To prepare and publish specific and measurable objects.

**Practice/Procedure**

1. Whilst making a decision that might affect an equality group, the decision – maker must have regard to the three aims of the Equality Act.
2. The duty will be exercised with rigour and with attention to relevant evidence, including that derived from consultation with staff and with the wider community.
3. The duty is continuing and will be subject to review.
4. We will keep records to show that the equality duties have been considered on each relevant occasion.

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## Appendix 2

### Transgender Guidance

The purpose of this guidance is to explain the Trust's good practice in the field of Transgender consideration in order to minimise the distress and disruption to all students by:

- ensuring teachers and Governors are dealing with Transgender matters inclusively and sensitively;
- providing an inclusive environment for any Transgender student;
- ensuring all students are aware of and educated on issues of Transgender.

### Transgender Identity

A Transgender person feels that their external appearance (*sex*) does not match up with the way they feel internally about their gender identity. A Female to Male (*F2M*) person will have the external appearance or body of a female and identify their gender as male; a Male to Female (*M2F*) person will have the external appearance or body of a male and identify their gender as female.

The word Transgender is sometimes used interchangeably with the term *gender-variant* but usually has a narrower meaning and different connotations than gender variant, including non-identification with the gender assigned at birth. Children and students that experience or show gender variance may or may not be transsexual, as some will not retain their gender variance following puberty because gender variance can be fluid.

Gender Dysphoria (*or Gender Identity Disorder*) is a clinical condition that can present from as early as age 2 and can only be diagnosed by a medical and/or psychiatric expert. A person diagnosed with Gender Dysphoria may require treatment, e.g. hormone blockers (currently not available in the UK under the age of 16), to ameliorate the symptoms associated with being Transgender. A Transgender person may live their life without being or needing to be diagnosed as having Gender Dysphoria.

Diagnosis and treatment for young people is currently only possible through a specialist team from the Tavistock clinic in London (*the Tavistock hold regular satellite clinics in Exeter*). It must be understood that some people with Gender Dysphoria may not want any treatment. Some may choose to be known by a different name or to wear different clothes. However, most or all young Transgender people (and their families) will need some expert support as they grow up and develop.

### Legislation

#### Data Protection Act 1998 (UK)

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Information about a person’s Transgender status is considered “sensitive personal data” and is subject to tighter controls than other personal data. Explicit consent is required before it can be processed.

- Personal data must be looked after properly following the eight data protection principles, which include ensuring personal data is accurate, secure and processed fairly and lawfully.
- Failure to change a person’s title, name and gender when requested could lead to the following offences under the Act.
  - Disclosure of personal information that is used, held or disclosed unfairly, or without proper security
  - Failure to ensure personal information is accurate and up-to-date
  - Processing of data likely to cause distress to the individual

### **The Human Rights Act 1998**

The following Articles from The Human Rights Act 1998 support the rights and needs of Transgender people to live their lives in their true gender.

- Article 8: right to respect for private life and family life
- Article 10: freedom of expression
- Article 14: the prohibition of discrimination

### **The Gender Recognition Act 2004**

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth certificate to match their true gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to.

### **Equality Act 2010 (Great Britain)**

The Equality Act 2010 ensures legal protection against discrimination, harassment and victimisation (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment (also known as Transgender).

Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to Academy and young people.

The Equality Act 2010 (2:1:7) states that:

A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex.

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The Act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a student will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so.

### **Sex Discrimination (Gender Reassignment) Regulations 1999**

- Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, academy and vocational training (including higher education study).
- Less favourable treatment relating to absences arising from gender reassignment is unlawful if:
  - the treatment is less favourable than if it had been due to sickness or injury
  - the treatment is less favourable than if it had been due to some other cause  
and, having regard to the circumstances of the case, it is reasonable not to be treated less favourably.
- Less favourable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

### **Discrimination**

As stated, The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act, one of which is Gender Reassignment.

The legislation states that an academy must not discriminate against a student because of their Transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible academy uniform rule which offers no “unisex” options such as trousers for girls, and which would therefore create a particular difficulty for a F2M student.

### **Academy Attendance**

The Trust and its academies will make reasonable adjustments to accommodate absence requests for treatment and external sources in line with their absence policy. Sensitive care will be taken when recording the reason for absence.

### **Transphobia and Bullying**

The Trust and its academies have a robust anti-bullying policy. In line with this policy, transphobia incidents will be recorded and dealt with in the same

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manner as other incidents that are motivated by prejudice, e.g. racist or homophobic incidents.

### **Training**

In order to ensure all staff and Governors have the skills to deal with Transgender issues, the Trust and academies will hold training sessions on topics such as:

- Safe Guarding
- Confidentiality
- Gender Identity
- Tackling transphobia
- Relevant legislation

All topics will be covered during any INSET programme and will be revisited annually.

### **The Curriculum**

The issues connected to Transgender will be visited for all students during curriculum time during the PSHE programme. These issues will also be touched upon during other subjects.

### **Physical Education**

Sports and Physical Education is a key aspect of the national curriculum and the physical and mental well-being of young people. Physical Education develops students' competence and confidence to take part in a range of physical activities that become a central part of their lives, both in and out of the academies. A young Transgender person has the same right to Physical Education as other young people.

With regard to young Transgender people, there should be reasonably few, if any, issues regarding participation within the sports of their true gender. There may be sports where, as puberty develops, M2F Transgender participants may have a physical advantage over other girls but this should not present a problem within a carefully and sensitively managed lesson context. The issue of physical risk within certain sports should also be managed properly within the lesson context rather than preventing young Transgender people from participating (which would be discriminatory).

It may be that due to the nature of contact and physicality of sports such as rugby, the academy would consider whether a Transgender person participating in full contact lessons is appropriate towards the latter stages of puberty. This is something that the academies will take a view on prior to the delivery of those lessons, in discussion with parents or guardians.

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The use of changing room facilities will also be carefully considered. Facilities for Transgender participants will be sensitive to their needs and also recognise the needs and sensitivities of other students. When competing at another academy or outside venue, academy staff must ensure there is appropriate sensitive provision available.

### **Work Experience**

As already stated, the Equality Act 2010 encompasses every environment that pupils will be working in, therefore all placements should be aware of their duties and responsibilities. Where the academy is considering allowing a Transgender young person to attend a work experience placement the academy will complete a suitable assessment on the potential placement to establish if there is any risk to the young Transgender person, taking account of the young Transgender person's right to privacy – as a general principle, personal information on the young Transgender person must not be shared.

The Trust and its academies will be sensitive to this in their planning before any young Transgender person is placed in any business or organisation. Careful discussion about the placement with the student and parents or guardians, will occur to find the most suitable way forward to ensure the placement is successful.

### **Changing/Toilet Facilities**

Provision will exist for unisex toilets. Transgender students will be able to use these facilities which have been labelled sensitively and appropriately. Each academy has conducted an audit of the appropriateness of the facilities.

### **Academy Uniform**

Transgender students will be expected to follow the academy Uniform Policy, which covers uniform, make-up and jewellery.

There is a generally broad range of uniform available for both genders (i.e. girls and boys can wear trousers and all students must wear a blazer, shirt and tie).

### **Name Changing and Exam Certification**

If a Transgender student wishes to have their preferred name recognised on academy systems, this will be supported and will feed on to letters home, report cycles, bus pass information etc. Furthermore, the change of name and associated gender identity will be respected and accommodated by an academy. It is a real indicator that the Transgender student is taking steps to, or proposing to move towards a gender they feel they wish to live in.

Technically, students can be entered under any name with an Examination Board. However, it is a very complex matter. Once a result is accredited it will need to be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which existed in the academy census information submitted in January of the

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examination year. UPNs and ULNs are only linked with legal names, not preferred names. It is possible for examination certificates to be issued in the preferred name, but any young person finding themselves in this position should discuss this issue with their Head of Year and parents or guardians to ensure the best way forward.

Academies are encouraged to ensure a strategy is agreed with the student and their parents or guardians, then agreed with the various Examination Boards prior to starting GCSE courses as some examinations may be sat in year 10 and the length of time the process re-registering may take. Academies will also need to be aware that the DfE analysis of academy performance may still present the student in the gender registered by their UPN.

It is possible for any document to be changed to reflect the chosen name of the young person. Changing the gender recorded on a birth certificate is not possible until a Gender Recognition Certificate has been issued. In order to change a name on other official documents such as a passport, it might be necessary for evidence of change of name to be produced: there are two main ways in which this can be done, by deed poll and by statutory declaration. The Citizens Advice Bureau and other Transgender support organisations will have more information on this subject. A person under 16 years of age cannot change their name legally without the consent of a parent.

### **Vaccinations**

Each academy will allow any gender specific vaccinations to be carried out at the GP's surgery in order to eliminate any embarrassment.

### **Visits**

Learning about different cultures and lives and taking part in activities may lead to overnight stays, both at home and abroad. Issues may arise for both young Transgender students and other students but this must not mean Transgender students cannot be included on the visit. Each academy will give consideration well in advance of any additional needs which may include having a parent or guardian (or member of staff) accompanying the visit to ensure the Transgender student is fully included.

The sleeping arrangements will be considered before a visit is undertaken; it is possible that the Transgender student would prefer to have a separate room etc. Each individual case and visit needs to be considered separately and in depth discussions will happen well in advance, with all appropriate bodies, linked to the accommodation available.

With regards to a visit abroad, anyone can be searched at borders and other places. Different countries will have policies and procedures they will follow. The Trust and each academy will contact the relevant border control or agency in advance to ensure that any policy or risk assessment completed by the academy is accurate for that visit.

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There are countries that are not as legally and culturally open as the UK. In fact, some have laws that make it illegal to be part of the Transgender community. Some countries even make it an offence not to report to the authorities that someone is part of the Transgender community. The Trust will consider and investigate the laws regarding Transgender communities in any country considered for an academy visit.

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## GLOSSARY OF TERMS

**Binding** – a F2M adolescent that is developing breasts may strap down their chest so that it is less obvious. This can be hot, uncomfortable and restrictive but very important to their psychological and emotional wellbeing. It might make certain PE lessons difficult for them to participate in and could sometimes lead to breathing difficulties, skeletal problems and fainting.

**F2M** – Female to Male, a person that was identified as Female at birth but came to feel that their true gender is actually Male.

**Gender** – the way that a person feels about themselves in relation to their physical and mental self; the basis of their identifying as male, or female, or neither, or either, or both.

**Gender Dysphoria** – the medical condition that describes the symptoms of being Transgender.

**Gender Identity Disorder** – GID is a medical term describing being Transgender, this tends not to be used owing to the subtext around the word „disorder“.

**Gender Recognition Certificate** – an official document presented by a Gender Recognition Panel that enables all official documents and records (including birth certificate) to be amended to the true gender of the individual thereby providing full legal recognition.

**Gender Role** – the social role/interaction with others, which gives expression to the inner gender identity and reinforces it.

**M2F** – Male to Female, a person that was identified as Male at birth but came to feel that their true gender is actually Female.

**Packing** – a F2M person may wear a prosthetic item in their pants that will give a „bulge“ in their trousers so as to appear more male.

**Sex** – the way a person’s body appears, sometimes wrongly, to indicate their gender.

**Transgender** – a person that feels the assigned gender and sex at birth conflicts with their true gender.

**Transsexual** – a Transgender person who lives fulltime in their true gender.

**True Gender** – the gender that a person truly feels they are inside.

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