



“Inspiring learning, developing character, building futures”

Other Cross College Policies

Equality and diversity (E&D) policy

Aim: The college is committed to ensuring the promotion of equality of opportunity for all members of the college community. We seek to create a climate where all forms of discriminatory behaviour are challenged, diversity is celebrated and a culture is generated in which all staff and students are encouraged to flourish and achieve their full potential. The college is keen to advance equality of opportunity for all (in particular, between people who share a protected characteristic and those who do not) and ensure that it underpins all policies, valuing all members of the college community equally. The college aims to foster good relations between all members of its community and, in particular, between people who share a protected characteristic and those who do not.

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Table of contents

1. Introduction	3
2. Scope of the policy	3
3. E&D and our core values	3
4. E&D in employment	5
5. Implementation and training	5
6. Records and monitoring	6
7. Breaches of the equality and diversity policy	6
8. Access to the equality and diversity policy	7
9. Summary of expectations	7
10. Review	8
11. Linked policies	8
Appendix 1 - Equality, diversity and efficient working impact assessment	10
Appendix 2 - Types of discrimination	11
Appendix 3 - Guidance on transgender inclusion	12
Appendix 4 - Guidance/legislation	17

1. Introduction

Blackpool Sixth is committed to providing equal opportunities in employment and study. The college is opposed to all forms of discrimination in line with the Public Sector Equality Duty 2011 and as defined by the Equality Act 2010, whether direct, perceived, indirect or by association (see appendix 2 for more information about forms of discrimination).

The college has a duty to ensure that no individual or group, because of their protected characteristic, faces discrimination, harassment or victimisation. The Equality Act 2010 sets out 9 protected characteristics:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

The three aims of the The Equality Duty require the college to have due regard to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The college will pay due regard to selection, recruitment, training and development processes to ensure candidates are selected for their aptitude and ability. We will mitigate against unconscious bias through training and create a culture where discrimination, harassment, bullying and victimisation is totally unacceptable. Any problems will be dealt with quickly, thoroughly and confidentially.

2. Scope of the policy

The policy is applicable to all students, staff, governing body members, contractors, parents, applicants and other visitors or users of the college facilities.

3. E&D and our core values

Promoting, celebrating and valuing diversity and ensuring equality are at the heart of the college's core values, and will benefit the college in all aspects of its members' performance. These encompass the British values of mutual respect for and acceptance of those with different faiths and beliefs and for those without faith, the rule of law, individual liberty and democracy.

3.1 Respect

The college will ensure that all individuals and groups are valued and treated fairly, courteously and with respect. Beliefs, values and religious views will be respected and tolerance encouraged where individuals or groups may have differences. The college promotes and raises awareness of respect for the rule of law and for the environment. No member of the college should act in a way that might cause distress or embarrassment to another person, either intentionally or not.

3.2 Excellence and high aspirations

The college will ensure that all members of the community are encouraged, supported and have equal opportunity to achieve their full potential. Pride will be taken in all achievements, and celebrated where appropriate.

3.3 Support

All members of the college community will be given equal access to support in their work or studies and help to succeed. The college will make all reasonable adjustments to ensure individuals are given assistance and help where appropriate. The college will support its members to develop their self-knowledge, self-esteem and self-confidence.

3.4 Inclusion

Diversity is not only valued by the college, but also celebrated and promoted. The college will seek to ensure that individuals understand differences in others and that activities and opportunities are adjusted where appropriate to ensure equality of access for all groups. In the spirit of democracy, the college works in harmony with and seeks opinions from its stakeholders and, where appropriate, acts on that feedback.

3.5 Global citizenship

The college celebrates and promotes understanding of international differences and individual liberty to choose and to hold other faiths and beliefs (except where they are in conflict with our core values), encouraging all members of the college community to develop a better appreciation, tolerance and respect for global issues.

3.6 Enthusiasm

The college is a passionate place to work and learn, and will seek to nurture a positive attitude amongst all of the college community towards diversity, celebrating and valuing differences and all individuals.

3.7 Integrity

All inappropriate behaviour and actions against the spirit of this policy will be challenged and not tolerated. Members of the college community are expected to act with integrity at all times in recognising and respecting individuals' differences.

4. E&D in employment

4.1 The college will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

4.2 Job descriptions and person specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions other than in exceptional circumstances.

4.3 The college will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering 'flexible working' requests permitted by law and any other request for a variation to standard working practices. The college will comply with its obligations in relation to statutory requests for flexible working and will decline such requests only in accordance with the statutory procedure. The college will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

4.4 As a minimum, the college will monitor the ethnic, gender and age composition of the existing workforce, student population and of applicants for jobs, and the number of people with disabilities within these groups. The college will consider and take any appropriate action to address any issues that may be identified as a result of the monitoring process.

4.5 The college will not discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address identified under-representation of any group in particular types and levels of job.

4.6 It is unlawful for employers to ask health-related questions prior to a job offer, unless the questions are specifically related to an intrinsic function of the work.

5. Implementation and training

5.1 We train all staff on equality and diversity upon induction to the college and regularly update for all staff.

5.2 We obtain commitments from others engaging with the college, such as contractors and agencies, that they will comply with the Equality Act 2010.

5.3 Pastoral Mentors deliver annual equality and diversity awareness raising sessions to students as part of the pastoral programme.

6. Records and monitoring

6.1 The equality and diversity policy is operationalised through the Strategic Equality Committee (SEC).

6.2 The college publishes its equality and diversity objectives on its website and these are monitored and reported upon through the Strategic Equality Committee (SEC).

6.3 The E&D Committee is chaired by the Assistant Principal - Student Support.

6.4 Equality impact assessments will be conducted at the redraft stage of all updated and new policies by the policy author and will be checked by the Senior Leadership Team when the policy is quality assured. Any actions resulting from impact assessments will be included in the policy where relevant. The equality impact assessment includes all of the protected characteristics.

6.5 Each year, an equality and diversity report, approved by the Strategic Equality Committee (SEC) and SLT, will be published as part of the college's Spring newsletter.

6.6 The college collects, analyses and reports on appropriate equality and diversity data. This will include student attendance, retention, progress and progression rates for different diversity groups. Staff recruitment data is provided annually as part of the directors' report.

6.7 Where possible, the college will benchmark by comparing its performance against similar organisations.

6.8 The college will also ensure that staff are aware that inclusion must always be considered when organising college events. Where necessary amendments to the organisation of the event will be made in light of this inclusion.

7. Breaches of the equality and diversity policy

7.1 The college will take very seriously any instances of non-compliance to the college's equality and diversity policy by staff, students or other members of the college community. All instances will be investigated and appropriate disciplinary action taken against the student or staff member.

7.2 Employees should report any bullying or harassment to their line manager, Human Resources and/or the deputy principal who will take appropriate action.

7.3 Students should report any bullying or harassment to their pastoral mentor, a member of staff in whom they feel they can confide or a member of the Senior Leadership Team, who will take appropriate action.

8. Access to the equality and diversity policy

8.1 The college will seek to ensure that directors, staff, students and other members of the college community (e.g. work placement providers) are aware of the equality and diversity policy and expectations it conveys.

8.2 The college's commitment to equality and diversity will be embedded in college publications and the college website.

8.3 The student induction programme will emphasise the college's commitment to equality and diversity, highlighting the expectations of student behaviour, and the consequences for engaging in inappropriate conduct.

8.4 The college pastoral programme will further address issues of equality and diversity, celebrating differences and encouraging students to uphold the college's core values.

8.5 All work placement providers will agree to abide by the Equality Act 2010 and to support students with additional needs.

8.6 All new staff will be given appropriate equality and diversity staff development as part of their programme of induction, and existing staff will receive staff development updates on equality and diversity issues where appropriate.

9. Summary of expectations

9.1 Students will be expected to:

- uphold the core values of the college at all times
- not engage in or accept any bullying or harassment
- respect, recognise and acknowledge varying needs of all members of the college community
- be prepared to challenge and report inappropriate behaviour
- act with due consideration and respect towards all members of the college community at all times.
- treat all staff, fellow students and visitors with courtesy and respect at all times, and without discrimination.

9.2 Students can expect from college:

- inclusive quality first teaching, which acknowledges differences in students' ways of learning and their abilities.
- learning materials free from bias, which celebrate diversity and challenge stereotyping
- all instances of bullying, harassment or discrimination to be taken seriously and fully investigated, with appropriate action taken.
- to be treated with respect and courtesy at all times.
- a learning environment where differences are not only respected but are celebrated
- equality of opportunity to participate in college organised events, where appropriate
- reasonable adjustments and support in helping students meet their learning aims

9.3 Staff will be expected to:

- uphold our core values at all times
- challenge and report all instances of bullying, harassment and discrimination in the college community.
- lead by example in demonstrating understanding of, and respect for differences in diversity groups
- be courteous, respectful and treat without discrimination all members of the college community
- contribute to the development of a learning environment free from discrimination, victimisation harassment

9.4 Staff can expect from college:

- all employees to have equal chances of staff development, career development and promotion opportunities
- appropriate induction training and subsequent staff development on equality and diversity issues where appropriate
- inappropriate behaviour from any member of the college community to be challenged, with appropriate disciplinary action taken
- to be treated fairly at all times, in an environment which respects individual differences and challenges discrimination
- all staff members to take responsibility for promoting a fair, inclusive and supportive environment, where discriminatory practices are challenged.

9.5 As required on our InVentry sign-in system, visitors will be expected to and agree to:

- uphold our core values at all times
- challenge and report all instances of bullying, harassment and discrimination in the college community.
- lead by example in demonstrating understanding of, and respect for differences in diversity groups
- be courteous, respectful and treat without discrimination all members of the college community
- contribute to the development of a learning environment free from discrimination, victimisation harassment

10. Review

The content and operation of this policy will be reviewed every 3 years by the Assistant Principal - Student Support.

11. Linked policies

- Recruitment and selection policy
- Whistleblowing policy
- Admissions and marketing policy

- Staff disciplinary policy
- Positive behaviour policy and student disciplinary procedures
- Anti-bullying policy (students)
- Code of conduct (staff)
- Grievance policy
- Social media policy
- E-safety policy (including IT Acceptable Use)
- Safeguarding and child protection policy
- Expects document (for students and parents)
- Work placement policy and procedures
- SEND policy
- Educational visits policy
- Data protection policy
- Prevent Duty Action Plan

Appendix 1 - Equality, diversity and efficient working impact assessment

Date:	Policy / Activity:	Assessor:
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Number	Protected Characteristic/Aspect of E&D or Efficient Working	Any Concerns Arising?	Details of Concerns	Recommendations
1	Disability			
	<i>Example: physical disabilities, learning difficulties or medical needs</i>			
2	Gender			
	Females / Males			
	Gender Reassignment			
3	Sexual Orientation			
	<i>Example: Gay, lesbian,</i>			
4	Carer			
	<i>Young carers / carers</i>			
5	Race / Ethnic Group			
	<i>Example: Black, Asian, Chinese etc</i>			
6	Pregnancy / Maternity			
	Pregnancy or maternity/ paternity			
7	Marriage / Civil Partnership			
	Marriage / Civil partnership			
8	Religion or Beliefs			
	<i>Example: Jewish, Muslim, Christian etc</i>			
9	Age			
	Age			
10	Safeguarding			
	<i>Example: risk of radicalisation or extremism, LAC, CSE</i>			
11	Staff Wellbeing			
	Efficient working. <i>Example: use of paper, efficient working processes etc</i>			
	Staff wellbeing			
Notes				

Appendix 2 - Types of discrimination

There are four main types of discrimination.

Direct discrimination

This means treating one person worse than another person because of a protected characteristic. For example, a promotion comes up at work. The employer believes that people's memories get worse as they get older so doesn't tell one of his older employees about it, because he thinks the employee wouldn't be able to do the job.

Indirect discrimination

This can happen when an organisation puts a rule or a policy or a way of doing things in place which has a worse impact on someone with a protected characteristic than someone without one. For example, a local authority is planning to redevelop some of its housing. It decides to hold consultation events in the evening. Many of the female residents complain that they cannot attend these meetings because of childcare responsibilities.

Harassment

This means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment. For example a man with Down's syndrome is visiting a pub with friends. The bar staff make derogatory and offensive comments about him, which upset and offend him.

Victimisation

This means people cannot treat you unfairly if you are taking action under the Equality Act (like making a complaint of discrimination), or if you are supporting someone else who is doing so. For example, an employee makes a complaint of sexual harassment at work and is dismissed as a consequence.

Appendix 3 - Guidance on transgender inclusion

1. Introduction

When considering transgender identities, it is important to understand that there is a difference between biological sex and gender. Biological sex refers to chromosomal makeup, genitalia and hormones: the physical anatomy of a person (for example, male, female or intersex), whereas gender concerns internal sense of self and how people choose to express themselves. Gender is considered by some to be a social construction in that children learn how to behave in a manner deemed to be in line with their biological sex.

Gender identity is completely different from sexual orientation which concerns who people are sexually attracted to – men, women, both or neither. This said, there are similarities between homophobia and transphobia, with lesbian, gay, bisexual and transgender (LGBT) people experiencing homophobic-type abuse or discrimination based on their gender presentation.

Transgender people (especially young people) can be a vulnerable group. On average, they will be at greater risk from bullying and suicide or suicidal thoughts. Transgender young people are also statistically more likely to leave school at an earlier age than average. It is vital that transgender staff and students at Blackpool Sixth are able to access the support they need in order to succeed in their work/studies and socially.

In all external written college communication with parents/carers the staff/student's chosen name only will be used and pronouns will not be used. The college's student application and enrolment forms include sex at birth and gender identity (gender identity asks if it is the same as sex at birth with possible answers of yes, no and prefer not to say). The college will sensitively follow up students who have ticked "no" to take a full disclosure if desired; the college will not follow up students who have ticked "prefer not to say" respecting their wish not to discuss it. Staff application forms don't request gender.

Trans equality (along with other protected characteristics) is included in the staff E&D induction training and in the staff and student handbooks. The staff and student handbooks state: "Blackpool Sixth is committed to advancing equality of opportunity, fostering good relations and eliminating discrimination, harassment and victimisation. This is in relation to all members of the college community and with particular regard to those who share a protected characteristic. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and marriage and civil partnership."

2. College's obligations

In supporting a transgender person, it may be necessary to reconsider views and practices on gender and identity which have been accepted as 'standard' for a long time. This can be challenging, but all are entitled to equality of opportunity. Under the Public Sector Equality Duty (2011) within the Equality Act (2010) college must seek to:

- eliminate unlawful discrimination, harassment and victimisation (and any other conduct prohibited by the Equality Act);
- advance equality of opportunity between people who share a protected characteristic and

- those who do not;
- foster good relations between people who share a protected characteristic and those who do not. * Gender reassignment is one of the protected characteristics identified in the Equality Act 2010.

3. What happens when a member of staff/a student makes a disclosure

- Where a member of staff/a student makes a disclosure relating to a transgender issue, the person to whom they have disclosed should follow this guidance. For a student, the person to whom they've disclosed should encourage the student to go to the Focus Centre, so that details can be taken by a member of the ALS team. The student may wish to be accompanied, for example by the member of staff, a parent or a friend. For a member of staff, the colleague to whom they've disclosed should encourage the member of staff to speak with a member of the Human Resources (HR) team. The member of staff may wish to be accompanied by a colleague.
- If the member of staff/student is not yet ready to present in the gender with which they identify, they will be encouraged to update the disclosure as necessary.
- Following the disclosure, an agreement will be reached with the member of staff/student about how college can best support their needs. This will include the following, including a time-frame where appropriate:
 - o the person's chosen name;
 - o the preferred pronoun, which will in likelihood be in accordance with the gender in which the person presents;
 - o which facilities (e.g. toilets, changing rooms) will be used – the member of staff/student may wish to use facilities according to the gender in which they present, or to use individual cubicle toilets;
 - o any HR/line management or pastoral/additional support requirements.
- The member of staff/student will be encouraged to discuss their other transgender intentions, e.g. psychological assessment, hormone therapy and surgery, with a time-frame, so that college is able to offer further appropriate support, such as counselling, and to plan for any periods of absence.
- Once a member of staff/student has declared an intention to identify as a gender other than that assigned at birth, HR/MIS will be informed so that college systems can be updated. From then onwards, the member of staff/student will identify their chosen name and gender identity (where gender identity has been disclosed and agreed that it can be shared).
- Students will be made aware that it will only be possible to have a chosen name and/or gender identity reflected in official documentation (such as examination entries and certificates), if it has been changed legally, by deed poll or statutory declaration. See current JCQ regulations.
- Students will be made aware that it will only be possible to have a chosen name and/or gender identity reflected in official documentation (such as examination entries and certificates), if it has been changed legally, by deed poll or statutory declaration. See current JCQ regulations.

4. Talking to a transgender person

The college offers transgender awareness training to staff in its continuing professional development programme.

- When speaking to a transgender person, use their chosen name and preferred

- pronoun.
- Transgender people are generally happy for someone to ask about names and pronouns, and this should be done discreetly and sensitively.
 - Treat transgender people according to the gender with which they identify.
 - Do not ask highly personal questions; the same level of appropriateness applies as for non-transgender people.

5. Facilities

- Transgender staff/students should be allowed to use toilet and changing facilities appropriate to the gender with which they identify. The college has identified single cubicle toilets as “all-gender”.
- It would be inappropriate for college to require that transgender people be allowed only to use accessible toilets. However, it should be noted that some transgender people (and indeed others with a need or desire for increased privacy) may express a preference to use single cubicle toilets, all of which are accessible toilets at Blackpool Sixth.
- Transgender students may feel vulnerable when using changing facilities, and staff should consider this when determining the level of staff presence or supervision. Any transgender person with a need or desire for increased privacy (regardless of the underlying reason) should be provided with an alternative changing area, e.g. a nearby toilet, or an alternative time to change in an area which corresponds to their gender identity.

6. Residential trips

- It would contravene the Equality Act 2010, to exclude a person from a trip on the grounds of their transgender status.
- When planning and costing trips, organisers should give consideration to available facilities for transgender people, such as shared accommodation. Transgender staff/students will have single room accommodation; if shared accommodation is desired, this must be agreed by all parties sharing (e.g. staff or students and parents/carers).
- For trips abroad, the trip leader should consider and investigate the laws regarding transgender communities in countries being visited. Advice can be obtained from the International Lesbian and Gay Association (ILGA).
- Whilst all staff/students should have access to all opportunities on a trip, if transgender people do not wish to participate in a certain activity (e.g. a physical activity), alternative arrangements should be made. It would be advantageous to discuss the itinerary in advance with the member of staff/student, and further advice can be sought from HR/the Additional Learning Support (ALS) team.
- In itself, being transgender does not imply an additional learning need – it would be inappropriate to require that a transgender student be accompanied on trips simply because they are transgender.

7. Attendance issues

In addition to the social support needs, some transgender people will want medical transition, which may include a psychological assessment, hormone treatment and gender reassignment therapy. The college should be sensitive to the fact that this may impact on their attendance. If it is known that support (e.g. counselling) is being offered by an outside agency, student attendance

should be recorded as 'X' as appropriate.

8. Confidentiality and information sharing

The Gender Recognition Act 2004 requires that people who hold a gender recognition certificate must be treated according to their acquired gender. All people have a right to privacy, including the right to keep private their transgender status.

- Do not discuss a person's transgender status with others (including parents, other students / staff) unless legally required to do so, or unless the transgender person has indicated that they are happy for this to happen. For example, when contacting a parent, use the person's birth-name and pronouns corresponding with the gender assigned at birth, unless the person has specified otherwise.
- It is professionally wrong, and in many cases it may be a criminal offence, to pass on information about a trans person's gender identity without their consent.

The college:

- avoids routinely asking transsexual staff or students to produce a gender recognition certificate as evidence of their legal gender
- awards gender reassignment information the highest security classification under the data protection policy
- destroys all information regarding a student or staff member's previous gender identity. If this is not possible, we restrict access to personal information
- encrypts any information held electronically; avoids sharing it through networks or allowing it to leave the premises on laptops or memory sticks
- places any paper documentation that cannot be destroyed in a sealed envelope and attaches it to a new file, clearly marked as confidential and for the attention of the appropriate person, which for staff will be the HR manager
- has identified members of staff responsible for this process, who **are** tasked with updating all records (including old records) in Student Support, MIS and HR.
- always acquires written permission before disclosing to a third party

9. General advice

- In addition to using the chosen name and appropriate pronoun when addressing a transgender person (see **Talking to a transgender person**), avoid gender-stereotyping for students in the classroom and plan schemes of work which do not present a prejudiced view of gender.
- Avoid seeing the transgender person as a problem and instead an opportunity to enrich the college community and to challenge gender stereotypes and norms on a wider scale.
- Consider gender as a spectrum and take a non-binary approach to gender. Gender is often an important part of our identity and developing a positive sense of gender identity is part of growing up. However, gender identity is often complex and there is a spectrum of gender which is wider than just male and female.
- Listen to the member of staff, students and parents or carers, and wherever possible follow their lead and preferences.
- Providing support to a transgender person at any particular point in time does not signal that they are, or will conform to, any single transgender identity or follow any particular path of transition.
- Avoid where possible gender segregated activities and where this cannot be avoided allow

the person to access the activity that corresponds to their gender identity.

10. Next steps

- Carry out all the recommendations for schools and colleges included in the Ofsted review of sexual abuse in schools and colleges in England.
- Increased awareness-raising activities about sexual harassment and online abuse to help change attitudes, including advice for students, staff, parents and carers.
- Seek to develop curriculum opportunities, e.g. through Pastoral Mentor sessions, to further challenge transphobia and other prejudices.
- Form links with local support and advice groups.

Glossary

- **Transgender/trans** – umbrella terms used to describe people who identify as transgender; transvestite; trans male/trans female; gender fluidity.
- **Gender identity (ID)** – how a person feels in regard to male/female/neither/both. A cognitive process of recognising one's identity.
- **Transgender** – a person whose gender identity is different from the gender they were assigned at birth. Some transgender people will choose to transition socially and some will also take medical steps to physically transition to live in the gender role of their choice.
- **Trans male, trans female** – a trans male is someone who was assigned female at birth but who identifies as male. A trans female was assigned male at birth but identifies as female.
- **Transvestite (or cross dresser)** – a person who dresses in the clothing typically defined as that of the opposite sex.
- **Gender reassignment** – the surgical procedure(s) by which a transgender person's physical appearance and function of their existing sexual characteristics are altered to resemble that of their identified gender. Gender reassignment is a protected characteristic. (It is not necessary to be under medical supervision to be protected by the Equality Act, for example, a person assigned a female gender at birth who decides to live permanently as a man but does not undergo any medical procedures is protected.
- **Sexual Orientation** – a term that refers to being romantically or sexually attracted to people of a specific gender. Sexual orientation and gender identity are separate, distinct parts of our overall identity. Sexual orientation is a protected characteristic.
- **Gender Fluidity** - conveys a wider, more flexible range of gender expression, with interests and behaviors that may even change from day to day. Gender fluid people do not feel confined by the boundaries of stereotypical expectations of males or females. In other words, a gender fluid person may feel they are a female some days and a male on others, or possibly may feel that neither term describes them accurately.
- **Transphobia** – intense dislike of or prejudice against transsexual or transgender people.

Appendix 4 - Guidance/legislation

- The Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

<https://www.gov.uk/guidance/equality-act-2010-guidance>

- The Equality Duty 2011

<https://www.gov.uk/guidance/equality-act-2010-guidance#public-sector-equality-duty>

- The forum for sexual orientation and gender identity equality in post-school education

https://sgforum.org.uk/wp-content/uploads/2013/04/guidance_on_trans_equality_in_post-school_education_2012.pdf

- The Gender Recognition Act 2004

<http://www.legislation.gov.uk/ukpga/2004/7/contents>