



**EQUALITY, DIVERSITY
AND INCLUSION POLICY
(including)
DISABILITY DISCLOSURE
AND CONFIDENTIALITY
POLICY & PROCEDURES**

2022/23

EQUALITY, DIVERSITY AND INCLUSION POLICY (including) DISABILITY, DISCLOSURE AND CONFIDENTIALITY POLICY & PROCEDURES

Responsibility

SMT member: Director of Safeguarding, Inclusion and Development
Together with: Senior Management Team (who are responsible to the Directors for implementing the policy)

Aims

Equality and Diversity Policy Statement

The Equality Act came into force in 2010. It provides the context and direction for the practices the College adopts for equality, diversity and inclusion.

The Directors of Hereford Sixth Form College are committed to equality and diversity. They wish that directors, employees, students and visitors should be treated fairly.

The Equality Act recognises a number of protected characteristics, known in the College by the acronym "REGARDS".



For Gender we include sex

To identify any student with learning support/medical needs who has not disclosed a disability on his/her application form, enrolment tutors ask all students if they have any learning support /medical needs. The names of these additional students are collated for the Head of Learning Support who then arranges appropriate support.

4. On-going Opportunities for Disclosure

Meaningful Consent

Situation A

Once a student has disclosed a disability a request must be made for permission for his or her name to be passed to the Learning Support Department. The student is encouraged to give meaningful consent for the disclosure to be communicated to the staff and external agencies of his or her choice. In such circumstances, students sign the JCQ data protection form.

Situation B

Once a student has disclosed a disability to any member of the College staff, but has exercised his or her right to confidentiality and has not given permission for his or her name to be passed to the Learning Support Department, a Confidentiality Agreement must be drawn up between the student who has disclosed and the member of the College staff.

CONFIDENTIALITY AGREEMENT

The notes written here are a record of your conversation with me.

I promise you that this sheet will be put in a sealed envelope, labelled 'confidential' and placed in your personal file with the Director of Studies.

I will see you in 4 weeks to check if anything has changed.

Signed Member of Staff

Signed Student

Date

This date must also be written on the outside of the envelope along with the date for the follow up meeting four weeks later. **Appendix X: Guidance on Transgender Inclusion:**

Appendix X

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

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 HR Administrator. 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;

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 Hereford Sixth Form College should be recorded as 'A' as appropriate.

9. 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

- Where possible, will destroy information regarding a student or staff member's previous gender identity. If this is not possible, we will restrict access and comply with the college's data retention policy and schedule.

- has identified members of staff responsible for this process, who are tasked with updating all records (including old records) in Directors of Studies Support, MIS and HR.

- always acquires written permission before disclosing to a third party about a trans person's gender identity.

10. 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.

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11. 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 Tutorial programme with Personal Tutors, to further challenge transphobia and other prejudices.

Form links with local support and advice groups.

