

The Need for this Work



The shame I felt from such a young age must have had a major impact on my mental health. School was a horrible time for me, and bulimia and self-harm were my ways of coping.

Olly Alexander, Lead Singer with Years & Years



Despite the great strides that have been made in LGBT+ equality in the UK, there is still much work to be done to combat HBT prejudice and discrimination and create safer, more inclusive spaces for LGBT+ people in all sectors of society. Schools and education settings, especially primary schools, are essential sites to engage with this work as they lay the foundation for young people's formative experiences, shaping attitudes, perspectives and behaviours.

LGBT+ Hate Crime in the UK

LGBT+ people still experience negativity and forms of violence, ranging from verbally abusive comments to discrimination, exclusion and physical attacks. The shocking photographs of the bloodied faces of a lesbian couple attacked on a London bus in May 2019 crystallised this (Holden and Addison, 2019). However, this is just one example of many. In the past year, there has been a 25% rise in homophobic hate crime and a 37% increase in transphobic hate crime in England and Wales (Home Office, 2019). There has been a 22% rise in homophobic hate crime in London, indicating that this is the fastest growing type of hate crime in the capital (Met Police, 2020). In particular, it seems younger LGBT+ people are more at risk, with 53% of 18-24-year old transgender people experiencing a hate incident or crime based on their gender identity (Stonewall, 2018) and younger LGBT+ people tending not to report incidents; only one in five anti-LGBT+ hate crimes are reported (Stonewall, 2017). Therefore, there needs to be a sustained focus on protecting, empowering and supporting young LGBT+ people and those that do not conform to gender stereotypes, and the foundations for this can start at primary school.



HBT Bullying in Schools

However, schools themselves are often places of homophobic, biphobic and transphobic prejudice and bullying. This type of bullying is also often targeted at pupils who do not conform to gender stereotypes (Home Office, 2019). One in three respondents to a National LGBT Survey in 2017 experienced negativity and hostility in an education setting due to them being or being perceived to be LGBT+ (Government Equalities Office, 2018a). LGBT+ pupils are also twice as likely to be the target of bullying in secondary school compared to their heterosexual and cisgender peers (Robinson et al., 2013). The survey further revealed that 19% of respondents experienced verbal harassment due to being LGBT+, mostly from other pupils, but shockingly 9% of cases were committed by teaching staff (Government Equalities Office, 2018b). Worryingly, the most serious incidents in education settings were not reported due to a perception that it would not be dealt with and nothing would change (Government Equalities Office, 2018a).

The effects of these experiences within schools are profound; "this type of bullying has significant effects on educational attainment, truancy and absence levels and emotional wellbeing" (Henderson, 2015; Whittle et al., 2007).

Visibility Matters

It is not just bullying that is negatively impacting the lives of young LGBT+ pupils and those who have gay, lesbian, bisexual or transgender family members. Many report never seeing people like themselves or their family reflected in the school curriculum or environment, which can feel alienating and distressing. Dr. Ronx's motto of "You cannot be, what you do not see" (Ikharia, 2020) illustrates the limitations placed on young people if they do not have diverse role models or ones that they can relate to. Yet schools can be sites that almost exclusively accommodate and are comfortable with heteronormative and cisnormative models of families, identities and relationships (Government Equalities Office, 2018a) and this can be reflected, even unintentionally, in the curriculum, books, language and interactions with staff and peers (Rippon, 2019; Bian et al., 2017; Ofsted, 2011). Pupils' attitudes and perspectives are shaped during this time and can result in those who do not fit these models feeling invisible and less valued. The LGBT Survey found that only 3% of respondents had discussed sexual orientation or gender identity in school (Government Equalities Office, 2018a) and that, of this, only 9% felt it had prepared them well for navigating life as an LGBT+ person. Many respondents wrote that they would have benefitted from having LGBT+-related content in their curriculum, including discussions of sexual orientation and gender identity and learning about LGBT+ history (Government Equalities Office, 2018b). For transgender pupils who transitioned during school, only 36% felt supported in their schools and, in terms of this support, 87% felt their teachers were ill equipped to support them (Government Equalities Office, 2018a).

Working Towards Equality

However, it is no surprise that schools are often ill-prepared for creating an environment that is supportive of LGBT+ people. Whilst teachers are often aware that homophobic language is used by young people and admit to witnessing HBT bullying (seven in ten primary school teachers hear homophobic language within their school setting), 86% have never received any specific training on how to tackle it (Stonewall, 2017). This was confirmed in the staff training EqualiTeach ran as part of the Free to Be project, where many staff observed that they often heard the phrase 'that's so gay' being used as an insult or derogatory term and that most teachers and school staff had never discussed this together before, let alone received training on how to approach it with the young people in their care. In addition, school policies often do not specifically address HBT bullying in the same way as they may racism or sexism, resulting in less reporting of HBT bullying. This ultimately results in a lack of staff awareness of the scale and impact of HBT bullying on pupils as well as a lack of support for targets.

It is clear that work needs to be done in schools to ensure there is acceptance, inclusion, respect and safety for all members of the community, regardless of sexual orientation or gender identity.

Some questions and concerns arising from Free to Be staff training sessions about challenging homophobic language:

'What language do you use with children when talking to them about a LGBT+ (bullying) incident?'

'How do I respond to children if they call a child gay?'

'Help on challenging 'don't scream like a girl!'/ 'you're so gay'

'People find it easier to be openly homophobic than other forms of prejudice – what should we say in response to comments?'



The Legislative Framework

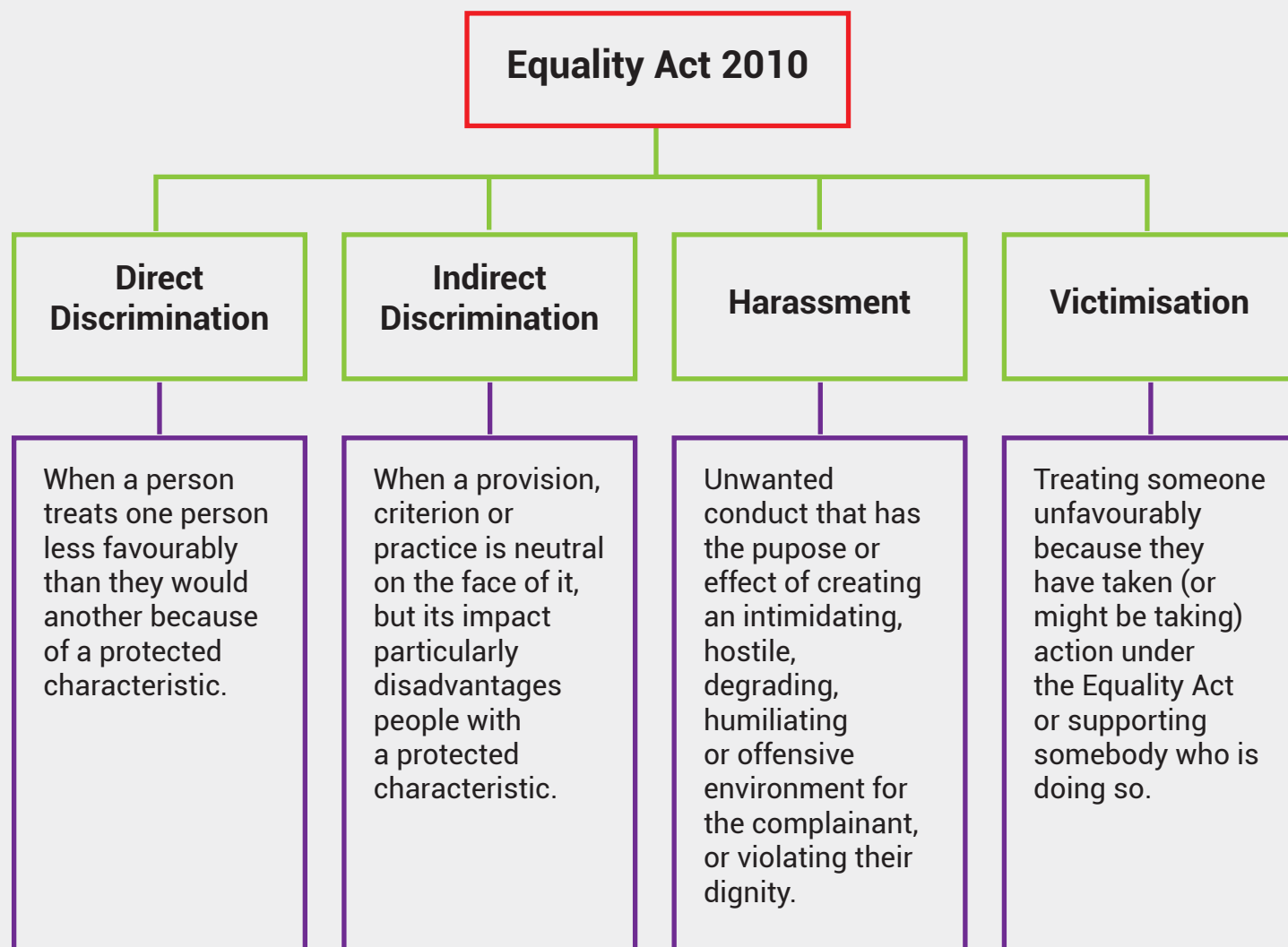
As well as the moral duty to embed LGBT+ equality and tackle HBT bullying, the law places duties on all schools to engage with this work. This section outlines the legal framework which relates to LGBT+ equality.

The Equality Act 2010 is the key piece of legislation pertaining to equality in Great Britain. The Equality Act legislates against discrimination, harassment and victimisation on the basis of nine protected characteristics. These are:

Race, Religion or Belief, Sexual Orientation, Sex, Disability, Age, Gender Reassignment, Pregnancy and Maternity, Marriage and Civil Partnership

The three protected characteristics that this resource is primarily concerned with are sex, sexual orientation and gender reassignment.

Below is an outline of how this Act protects people from four prohibited behaviours:



As well as those who have a particular protected characteristic, the Equality Act 2010 also protects those who are perceived to have a protected characteristic (for example, it is illegal to discriminate against someone because you think that they may be gay) and those who are associated with people who have a protected characteristic (for example, it is illegal to discriminate against someone because their brother is transgender).

The Public Sector Equality Duty is introduced by the Equality Act 2010 and is also known as the 'equality duty' or 'general duty' which those who work in the public sector are required to fulfil. This obligation requires schools to show due regard to the need to:

- eliminate discrimination, victimisation, harassment and any other conduct that is prohibited under the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relationships between persons who share a relevant protected characteristic and persons who do not share it.

In practice, this means that schools have a duty to not only protect people when HBT incidents occur but actively seek to make their setting a more equal and inclusive place.

The Children and Social Work Act 2017 sets out that Relationships Education must be provided to pupils of compulsory school age receiving primary education at schools in England. Broadly, Relationships Education should cover:

- safety in forming and maintaining relationships;
- the characteristics of healthy relationships;
- how relationships may affect physical and mental health and wellbeing.

The Statutory RSE Guidance from the Department for Education sets out that primary schools must embed LGBT+ equality into their Relationships Education curriculum and that all pupils must be taught LGBT+ content at a timely point.

Section 175 of the **Education Act 2002**, the **Education (Independent School Standards) Regulations 2014**, and the **Non-Maintained Special Schools (England) Regulations 2015** impose duties on schools to safeguard young people. These duties are brought together in the Department for Education's statutory guidance **Keeping Children Safe in Education**.

This guidance defines safeguarding and promoting the welfare of children as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.

This guidance places responsibility for safeguarding young people (under the age of 18) upon everyone who comes into contact with them. It sets out that all approaches to safeguarding should be child-centred and in the best interests of the child. Every school should have a designated safeguarding lead who will provide support to staff to carry out their safeguarding duties and who will liaise closely with other services such as children's social care. Any concern for a young person's welfare should be reported to the school's safeguarding lead and in some cases to the police.

Section 78 of the Education Act 2002 requires schools to promote the spiritual, moral, social and cultural development of young people. These four lines of development are generally grouped under the acronym 'SMSC' and schools are permitted to create separate schemes of work to address these areas of learning in addition to the work they embed throughout the whole school setting. SMSC is aimed at helping young people to better understand and develop empathy towards themselves and others and to become responsible, active citizens. The work proposed in this resource helps schools to fulfil this duty.

The Education and Inspections Act 2006 inserted a new section 21(5) to the Education Act 2002 introducing a duty on the governing bodies of schools to promote 'community cohesion'. Ofsted has defined community cohesion as "working towards a society in which there is a common vision and sense of belonging by all communities; a society in which the diversity of people's backgrounds and circumstances is appreciated and valued; a society in which similar life opportunities are available to all; and a society in which strong and positive relationships exist and continue to be developed in the workplace, in schools and in the wider community."

The Ofsted 2019 Inspection Framework makes a number of specific mentions of LGBT+ equality and HBT bullying:

Behaviour and Welfare

- Ofsted will request records and analysis of bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents.

Personal Development of Pupils

- How well schools promote an inclusive environment that meets the needs of all pupils, irrespective of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.



Terminology

Being unsure as to the correct terminology to use can be a source of anxiety for those engaging in this work. To help with this, key terms and phrases used in this resource are provided below, which can provide a point of reference to help educators feel confident in embedding LGBT+ equality and tackling HBT bullying.

A general consensus exists as to whether the terms below are acceptable or unacceptable in the UK. Certain individuals may choose to use some terms with reference to themselves in ways which are different to the general consensus and they have a right to do this. However, terms which are deemed to be generally unacceptable should not be used within a workplace or school setting.

All language changes over time. It is important to remain up to date to make sure the most acceptable terms are being used.

Terminology

Asexual	A lack of sexual attraction.
Bisexual/Bi	An emotional, romantic and/or sexual orientation towards both men and women.
Biphobia	A range of negative attitudes, feelings and/or behaviours towards bisexual people or those perceived to be bisexual.
Cisgender	A term used to describe people whose biological sex is aligned with their gender identity. 'Cis-' is a Latin prefix meaning 'on the same side as' and is therefore an antonym of 'trans-.'
Cisnormativity	The sociocultural conditions which allow the belief that being cisgender is the norm and normal and allow transphobic attitudes to exist.
Gay	A man who is emotionally, mentally and/or physically attracted to other men. Also used as a generic term that covers both lesbians and gay men. Some women define themselves as gay rather than lesbian.
Gender	A social construct in that children learn how to behave in a manner typically associated with their sex. This can include roles, clothes, emotional behaviours and interests.
Gender Identity	Someone's innate psychological understanding of themselves as either a man, woman or another identity beyond the man-woman binary. A person's gender identity may or may not align with their biological sex.
Gender Non-Conforming	A term used by people whose gender expression is different from stereotypical expectations of masculinity and femininity. Not all gender non-conforming people are transgender.

Heteronormativity	The sociocultural conditions that allow heterosexist and/or homophobic attitudes to exist.
Heterosexism	The belief that heterosexuality is normal and the norm.
Homophobia	A range of negative attitudes, feelings and/or behaviours towards gay people or those perceived to be gay.
Homophobic, biphobic or transphobic Incident	The Crown Prosecution Service and National Police Chiefs' Council agreed definition is "Any incident/crime which is perceived by the victim or any other person, to be motivated by hostility or prejudice towards a person because of their sexual orientation or transgender identity or perceived sexual orientation or transgender identity."
Intersex	Where a person is born with a combination of male and female biological characteristics, such as hormones, chromosomes and/or genitalia.
Lesbian	A woman who is mentally, emotionally and physically attracted to other women.
LGBT+	An acronym used to describe lesbian, gay, bisexual and transgender people. The + signifies other groups of people who align with the LGBT community, sometimes represented by additional letters: Q for queer, I for intersex, A for asexual, P for pansexual.
Non-Binary	A term used by some people who experience their gender identity as falling outside the categories of 'man' and 'woman'. Some may define their gender identity as falling somewhere in between man and woman, as a combination of both or as wholly different from these terms.
Pansexual	An emotional, romantic and/or sexual orientation towards all genders.
Queer	A term historically used as a slur against LGBT+ people, however; it has been reclaimed as a term used by those wanting to reject specific labels of sexual orientation and/or gender identity. It can also be a way of rejecting the perceived norms of the LGBT+ community, such as racism and ableism. It is also used in academic studies. However, it is still perceived as a slur by some and should be used with caution by those who are not part of the community.
Sexual Orientation	A term to describe who you are emotionally, mentally and physically attracted to based on their sex/gender in relation to your own. It is inappropriate to use the term 'sexual preference' as sexual orientation is not a choice.
Transgender	An umbrella term for people whose gender identity differs from their biological sex.

Transphobia

A range of negative attitudes, feelings and/or behaviours towards transgender people or people perceived to be transgender.

Transition

The process of changing one's gender and/or biological sex to align with one's gender identity. Transitioning can be a complex process that occurs over a long period of time. Transitioning can include some or all of the following personal, medical and legal steps: telling one's family, friends, and co-workers; using a different name and new pronouns; dressing differently; changing one's name and/or sex on legal documents; hormone therapy; and one or more types of surgery. The exact steps involved in transition vary from person to person.

Using Pronouns

People should always be referred to by the pronoun which matches their gender identity. Traditionally, this has been limited to the binary 'she/her' and 'he/him', but some people are more comfortable using gender-neutral pronouns such as 'they/their' or 'ze/zir'. Consistently using pronouns that make an individual feel uncomfortable and do not reflect their gender identity could be deemed harassment and contravene the Equality Act 2010 (see page 8). Therefore, it is always important to let individuals guide the way when using pronouns to describe themselves and all staff should respect these. If in doubt, ask an individual which pronoun they prefer to use. If it feels uncomfortable to ask, someone can start by introducing their own pronouns, and if a mistake is made, apologise and provide assurance that this won't happen next time. If there are non-binary children or members of staff, make sure that their pronouns are conveyed to new teachers/supply staff.

