TITLE		REF	VERSION
Student Gender Identity Procedure		LSPRO005	3.0
DEPARTMENT	Safeguarding		
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STUDENT GENDER IDENTITY PROCEDURE

Procedure Statement

Activate Learning is committed to providing a safe, respectful and inclusive environment where all students, apprentices, staff and visitors are treated with dignity and where everyone has the opportunity to participate fully, achieve their potential and be protected from bullying, harassment or discrimination.

We recognise that some individuals may question or explore their gender identity, identify as transgender, non-binary, or have a gender which differs from their sex registered at birth. We are committed to ensuring that all members of our community are treated with respect and that appropriate support is available.

This procedure should be read alongside our Safeguarding and Prevent Policy, Equality Diversity and Inclusion Policy, Student Positive Behaviour Management Policy, and relevant guidance such as Keeping Children Safe in Education and the Equality Act and Activate Learning's EDI public statement.

Purpose

This procedure sets out how Activate Learning will respond to requests for support from students and apprentices who are questioning their gender or seeking support in relation to social transition. It provides a framework for ensuring that any response is considered on an individual basis, is proportionate, and informed by the person's best interests and safeguarding responsibilities.

It ensures that Activate Learning meets its responsibilities under the Equality Act 2010 and relevant safeguarding legislation, including Keeping Children Safe in Education.

Scope

This procedure applies to all Activate Learning students, apprentices and staff. Relevant

aspects of the procedure also apply to individuals and organisations working with or on behalf of Activate Learning, including contractors, visitors, and other partners who use our premises, facilities or services.

Procedure statement

Activate Learning operates within the requirements of relevant legislation and statutory guidance.

The Equality Act 2010 provides protection from discrimination on the basis of the protected characteristic of sex and/or gender reassignment. It does not require individuals to have undergone, or be intending to undergo, any particular medical treatment in order to be protected.

Following the Supreme Court judgment in *For Women Scotland Ltd v The Scottish Ministers* (2025), the legal interpretation of the term's "sex", "man" and "woman" within the Equality Act 2010 relates to biological sex (sex registered at birth), rather than certificated sex via a Gender Recognition Certificate (House of Commons, 2026). Where the Equality Act permits exceptions or separate provision based on sex, Activate Learning will consider these carefully and proportionately, taking account of privacy, dignity, safety and the needs of all individuals.

Activate Learning will:

- treat all students, apprentices, staff and visitors with dignity and respect;
- recognise that all people are individuals and avoid assumptions about their experiences or needs;
- respond sensitively and respectfully when someone shares information about their gender identity or that they are questioning their gender;
- consider the age, maturity, wellbeing and safeguarding needs of the individual;
- challenge bullying, harassment, discrimination and victimisation;
- ensure that support arrangements consider the rights and needs of all students, apprentices, and staff as well as our wider community;
- maintain appropriate confidentiality and handle personal information in accordance with data protection requirements.

Definitions

The following definitions are provided to support understanding. Individuals may use different language to describe their experiences, and staff should avoid making

assumptions about how someone identifies.

Biological sex: A legal term used to describe a person's sex registered at birth, typically recorded as male or female.

Cisgender / Cis: A term used to describe a person whose gender identity aligns with their sex registered at birth.

Gender dysphoria: A term used to describe the discomfort or distress that a person experiences when there is a mismatch between their sex assigned at birth and their gender identity. Being transgender or gender questioning is not itself a mental health condition.

Gender identity: A person's internal sense of their gender. This may or may not align with their sex as registered at birth.

Gender questioning: A term used to describe someone who is exploring or questioning their gender with a view to understanding it more fully.

Non-binary: One of a number of terms people might use to describe the experience of having a gender that is neither male nor female, both male and female and/or between, beyond or unrelated to the binary categories of man and woman. Some people use it as an umbrella term, encompassing a spectrum of experiences, including being gender fluid and agender.

Social transition: A term used to describe changes someone may make to how they express or present their gender in everyday life, in a way that reflects their gender identity. This may include changes to a name, clothing, appearance, presentation, or how they wish to be addressed. The nature and extent of social transition will vary between individuals and may change over time.

Transgender / Trans: People may use the term 'trans' to describe themselves if their own sense of gender (their gender identity) does not match or sit easily with the gender they were assumed to have based on the sex they were assigned at birth.

Procedures

1. **Disclosures of gender identity:**

A student or apprentice may choose to share information about their gender identity, that they are questioning their gender, or that they are transgender.

Staff should respond respectfully and sensitively by:

- listening without judgement or making assumptions;
- exploring what support, if any, the individual would find helpful;
- considering any safeguarding or welfare concerns, including bullying, harassment, discrimination, mental health, emotional wellbeing or risks outside the education or workplace setting.

Staff should not seek to influence or direct an individual's exploration of their gender identity or make comments that could be perceived as judgemental. Staff should reassure the individual that Activate Learning is committed to providing a supportive and inclusive environment.

Where an individual does not request any changes to how they are treated and there are no additional welfare, wellbeing or safeguarding concerns, no further action is required beyond the usual support available.

Where additional support is requested, students and apprentices can be referred or self-refer to appropriate services, such as counselling or wellbeing support, or be signposted to relevant external organisations (see Appendix 1).

2. **Supporting requests relating to social transition:**

Not every request relating to a name, pronouns, appearance or form of address constitutes social transition. Staff should consider the context and purpose of the request and should not make assumptions.

Some requests are routine and can be managed through Activate Learning's usual 'Student Change Requests' process in ProSolution. For example, a student or apprentice may request the use of a middle name, an abbreviation of their existing name (such as "Alex" for "Alexander"), or another preferred name for personal reasons. These requests are not, in themselves, considered social transition and do not require Safeguarding Team involvement solely for that reason.

A request falls within this procedure where the individual explicitly links it to their gender

identity or asks Activate Learning to recognise or support a change in how they are socially recognised in relation to their gender. This may include:

- requesting a different name or pronouns because they identify as, or are questioning whether they are, a different gender;
- asking Activate Learning to communicate their gender identity or change of name or pronouns to staff, other students/apprentices or with their parents/carers;
- requesting changes to records, systems or other arrangements as part of social transition; or
- requesting changes to accommodation, facilities or other support specifically in relation to their gender identity.

Where a request relates to social transition, staff should seek appropriate advice, such as from the Safeguarding Team, before agreeing to changes or making commitments.

An individual may subsequently wish to reverse, partially or fully, a previous request or arrangement. Activate Learning will consider their individual circumstances and provide appropriate support. Flexibility should be maintained, with options kept open for those who wish to reconsider previous decisions.

2.1 Requests from students and apprentices

In line with Keeping Children Safe in Education, Activate Learning will not initiate or encourage any process of social transition. Where support is requested, each request will be considered individually before any decisions or arrangements are made.

2.2 Students and apprentices under 18

For students and apprentices under the age of 18, requests relating to social transition must be referred to the Safeguarding Team where there is no explicit parental/carer support, or where staff are unsure whether the request constitutes social transition.

Consideration will be given to:

- the individual’s age, maturity and circumstances;
- their views, wishes and feelings;
- any safeguarding concerns or identified risks;
- their wellbeing, privacy, dignity and safety; and
- any relevant professional advice.

Parents or carers will normally be involved in discussions and decision-making where appropriate, unless doing so would place the child at risk of significant harm or would otherwise be inconsistent with safeguarding responsibilities.

2.3 Students and apprentices aged 18 or over

Requests from students and apprentices aged 18 or over will be considered individually, using the same principles of safeguarding, wellbeing, privacy, dignity and safety.

As adults, students and apprentices can generally decide who is involved in discussions about their request. Information will only be shared with others with their consent, unless there is a legal or safeguarding reason to do so.

3. Personal Information and Records:

Activate Learning is required to maintain accurate records of an individual's legal information, including their sex where this is a required field within our systems and processes. Applicants, students and apprentices must provide their legal first name and surname as part of the application and enrolment process.

Where a student or apprentice requests changes to their personal information, these will be considered carefully on a case-by-case basis, taking account of legal requirements, safeguarding responsibilities, their individual circumstances, and the potential impact.

Requests may include:

- **Change of legal name:** An individual must provide appropriate legal evidence of a change of name, such as a deed poll or marriage certificate, before formal records can be updated.
- **Preferred name:** An individual may request use of a preferred name in appropriate Activate Learning systems and contexts. Preferred names will not replace legal names where official documentation is required, including examination certificates and awarding organisation records.
- **Title:** An individual may request to use an alternative title from the options available within Activate Learning systems.
- **Pronouns:** Requests will be considered sensitively, taking account of safeguarding considerations and the persons individual circumstances.
- **Gender or sex records:** A change to recorded gender or sex will require appropriate legal evidence, such as a Gender Recognition Certificate.

An individual's sex is recorded on the Management Information System (ProSolution). Relevant information, such as preferred name or pronouns, may be displayed within appropriate staff-facing systems, including ProMonitor and Smart Assessor.

Students and apprentices can request changes to their personal information through:

- **Telephone:** 08006126008.
- **Email:** admissions@activatelearning.ac.uk
- **In Person:** By attending an Advice and Admissions centre

Staff must not intentionally use a name, title or form of address in a way that demeans, humiliates, harasses or causes harm to an individual.

Where staff are unsure how to respond to a request or require advice about whether or how information should be amended, they should seek guidance from the Safeguarding Team before making any changes or commitments.

4. **Toilets, Changing Facilities and Privacy:**

Activate Learning recognises that access to toilets, changing rooms and other facilities is an important aspect of wellbeing, privacy and dignity. We are committed to ensuring that all students, apprentices, staff and visitors feel safe and respected.

Activate Learning will maintain appropriate single-sex facilities in accordance with legal requirements. The Equality Act 2010 recognises sex as a protected characteristic and permits separate-sex facilities where this is a proportionate and lawful approach.

Those who do not wish to use facilities designated for their sex should be supported sensitively to explore available alternatives. This may include access to self-contained or gender-neutral facilities. These are available for anyone who does not wish to use communal facilities and are open to all.

This means:

- if your sex was registered male at birth, you should use the men's or gender-neutral toilets and changing rooms
- if your sex was registered female at birth, you should use the women's or gender-neutral toilets and changing rooms

Individuals must not:

- force anyone to use a toilet or changing room space in line with their sex registered at birth or leave trans people without any facilities at all
- harass people for being trans or allow others to harass people for being trans
- accuse people of committing a crime by using a space that aligns with their gender

The new statutory guidance is clear that individuals should not be asked to provide any form of proof (such as a birth certificate, driving licence, other ID documents, or any physical 'proof' relating to their body) to demonstrate that they are entitled to use the toilet or changing room they are using.

Requests for such proof may place people at risk of bullying, harassment (including sexual harassment) or discrimination. Sex and gender discrimination, as well as harassment, are unlawful. Any concerns relating to bullying, harassment or discriminatory behaviour connected to the use of facilities will be addressed through Activate Learning's Positive Behaviour Management Procedure or Professional Conduct Policy, as appropriate.

Staff can, with consideration for people's privacy, safety and dignity, ask people to use a gender-neutral or third space instead of a single-sex one if they know someone is using a space that is not legally intended for them. However, staff should not monitor toilet or changing room use of students, colleagues or members of the public. Everyone should be treated with dignity and respect, including respecting their privacy. It is also important to remember that a person's sex is not always apparent from their appearance, and assumptions about someone's sex or gender can be incorrect and may cause unnecessary distress.

If you witness or experience harmful, inappropriate or discriminatory behaviour in toilets or changing rooms, please report student safeguarding concerns to the Safeguarding Team, and staff welfare concerns to your line manager or the Equality, Diversity and Inclusion (EDI) team.

5. **Sport:**

Activate Learning is committed to ensuring that all students and apprentices have opportunities to participate in sport and physical activity in a safe, respectful and inclusive environment.

For recreational activities, staff should encourage participation wherever possible, while taking account of the individual needs and circumstances of students and apprentices.

For competitive sport, eligibility to participate in a particular sex category is determined by the rules, regulations and eligibility requirements of the relevant sporting governing body or competition organiser. Activate Learning will not determine eligibility for competitive sporting categories where this falls within the remit of an external sporting body.

Where a student or apprentice who identifies as transgender or gender diverse, or who is socially transitioning, wishes to participate in competitive sport, staff should establish the requirements of the relevant sporting governing body or competition organiser and support the student or apprentice in understanding these requirements.

Where participation in a particular competitive category is not permitted under the applicable sporting rules, staff should, wherever possible, identify alternative opportunities for the student or apprentice to participate in sport and physical activity. Any discussions or decisions should be handled sensitively, respectfully and without making assumptions about an individual's identity, while taking account of their wellbeing and the impact of the outcome on them and others.

6. **Residential Accommodation:**

Activate Learning recognises that residential accommodation requires careful consideration due to the shared nature of living arrangements and the importance of maintaining safety, comfort, privacy and dignity for all residents.

In accordance with duties under Keeping Children Safe in Education and the National Minimum Standards, Activate Learning will not place students or apprentices under the age of 18 in shared overnight accommodation with students of a different sex.

Where a student who is questioning their gender, or any other student, does not wish to use overnight accommodation designated for their sex (as registered at birth), Activate Learning will consider whether suitable alternative arrangements can be provided where reasonably practicable. This may include an individual room or other appropriate arrangements. Any alternative arrangements will be considered on a case-by-case basis and should not compromise the safety, comfort, privacy or dignity of the student concerned or of any other students.

Activate Learning will also consider bathroom and washing facilities. Students of the opposite sex will not be expected to share bathroom facilities unless individual lockable toilets and showers are provided within a communal bathroom.

7. **Trips, Visits and Residential Activities:**

When planning trips, visits and residential activities, staff must consider the individual needs of all students and apprentices and ensure appropriate safeguarding arrangements are in place, including for those who are gender questioning, transgender or seeking support with social transition.

Staff should consider any practical arrangements in advance, including:

- overnight accommodation;
- access to changing and toilet facilities;
- travel documentation;
- destination-specific legal, cultural or safeguarding considerations; and
- any risks of discrimination, harassment or harm.

The student or apprentice should be involved, where appropriate, in discussions about arrangements and given the opportunity to raise any concerns.

As above, students and apprentices under the age of 18 will not be placed in shared overnight accommodation with those of the opposite sex. Where a student or apprentice does not wish to use accommodation designated for their sex (as registered at birth), Activate Learning will consider whether suitable alternative arrangements can reasonably be provided. Any alternative arrangements must not compromise the privacy, dignity, safety or wellbeing of the person concerned or of others.

Risk assessments must reflect the needs of all participants and identify any reasonable adjustments or additional safeguarding measures required to enable safe participation. Where staff are uncertain about appropriate arrangements, advice must be sought from the Safeguarding Team before plans are finalised.

8. **Examinations:**

Activate Learning will enter students and apprentices for examinations using the legal

name recorded on the Management Information System (ProSolution), supported by official documentation such as a birth certificate, passport or driving licence, unless an awarding organisation permits an alternative arrangement.

This means that students/apprentices will need to write their legal name on the front of exam papers, and that certificates will be issued in their legal name.

Where a legal change of name has taken place, appropriate evidence, such as a deed poll or other recognised legal documentation, will normally be required before records are amended.

Where a student or apprentice requests to be entered for examinations under a name that differs from their legal documentation, Activate Learning will consider the requirements of the relevant awarding organisation and advise the student/apprentice of any implications. These may include:

- Difficulties demonstrating that examination certificates belong to them when applying for further or higher education, employment, visas or other official purposes.
- Difficulties verifying identity where official identification does not match examination records.
- Potential issues where different awarding organisations hold inconsistent personal information, including when transferring credits or recognising prior learning.

Following completion of their studies, requests to amend examination certificates should be made directly to the relevant awarding organisation in accordance with its published procedures and evidence requirements.

9. **Uniform:**

Where a uniform or dress code applies, Activate Learning will consider reasonable requests relating to uniform, including requests for unisex or alternative uniform options, wherever practicable.

Safeguarding

The fact that somebody is transgender, non-binary or questioning their gender does not indicate that they are at risk of harm. However, as outlined in Keeping Children Safe in

Education, some people may face increased risks associated with prejudice, discrimination, bullying, abuse or exploitation. Staff should remain alert to the individual circumstances of every student and apprentice and consider whether additional support or safeguarding intervention is required.

Examples of concerns that should be reported include:

- bullying, harassment or hate incidents;
- threats or abuse linked to gender identity or perceived identity;
- coercion, exploitation or controlling behaviour;
- significant emotional distress, self-harm or suicidal ideation;
- concerns about a student or apprentice's safety at home, online or in the community.

If staff have concerns about a student or apprentice's welfare, they must follow Activate Learning's Safeguarding – Reporting a Concern Procedure:

- Call: 01865 550401
- Email: safe@activatelearning.ac.uk
- Safeguarding Record of Concern Form
- Speak to a Designated Safeguarding Adviser directly and follow up with a written record

Activate Learning promotes a culture where students and apprentices feel able to seek support from trusted adults. Support may include pastoral support; wellbeing support; safeguarding advice; reasonable adjustments where appropriate; access to enrichment and student communities; and signposting to specialist services. Support will be proportionate and tailored to the individual circumstances.

Confidentiality and Information Sharing

With Parents/Carers:

Activate Learning recognises that information relating to gender identity is personal and sensitive. However, confidentiality is not absolute. Information may need to be shared where there is a legal requirement to do so or where this is necessary to safeguard a person from harm.

When supporting a student or apprentice under the age of 18 who requests support relating to social transition, consideration should be given to their individual circumstances, including:

- their age, maturity and understanding;
- their views, wishes and feelings;
- their wellbeing and support needs; and
- any potential risks associated with sharing or withholding information.

Parents and carers will normally be involved where appropriate, recognising the important role they can play in supporting a young person. However, staff should be mindful that, for some young people, disclosure of their gender identity at home may increase the risk of abuse, rejection or other harm.

Where appropriate, staff should support the young person to consider how and when they may wish to share this information with their parents or carers. Support may include helping them prepare for the conversation or, where agreed and appropriate, supporting the conversation to take place.

Where there is concern that involving parents or carers may place a child at greater risk of harm, staff must seek advice from the Safeguarding Team before sharing information. The Safeguarding Team will consider the circumstances and determine what action is necessary to safeguard the young person, including whether information should be shared, with whom and when.

With Staff and Other Students/Apprentices

Information about a student or apprentice's gender identity should be treated sensitively and should not be shared with other staff or students/apprentices without their consent, unless there is a legal or safeguarding reason to do so.

Where arrangements relating to social transition have been agreed and information needs to be shared to implement those arrangements, this should be discussed with the student or apprentice in advance. They should be given an opportunity to express their preferences about who is informed, how information is communicated and, where

appropriate, whether they would prefer to speak to staff or peers themselves.

Any information shared should be limited to what is necessary and should respect the individual's privacy and dignity.

Following any disclosure or agreed change, the student or apprentice should be offered appropriate support. Staff should remain alert to the potential for bullying, harassment, discrimination or other safeguarding concerns and ensure the individual knows who they can speak to if they experience any issues.

Equality, Diversity and Inclusion

At Activate Learning we value everyone, and we believe that inclusion is everyone's right and responsibility.

We are committed to advancing equality of opportunity, eliminating unlawful discrimination, harassment and victimisation, and fostering an environment where everyone is treated with dignity, respect and fairness. We are committed to meeting our responsibilities under the Equality Act 2010 and giving due regard to the Public Sector Equality Duty.

We recognise that every member of our community is an individual and that support should be tailored to their circumstances. We will explore appropriate support and reasonable adjustments in accordance with relevant legislation and Activate Learning policies.

Activate Learning operates a zero-tolerance approach to bullying, harassment, discrimination and victimisation. Any behaviour of this nature will be addressed promptly and proportionately in line with our policies and procedures.

Feedback

Activate Learning values the views and experiences of members of its community. We seek feedback through a range of mechanisms, including surveys, student conferences, student representative groups, staff voice forums and focus groups.

Feedback is used to evaluate the effectiveness of our policies, procedures and support arrangements and to inform ongoing improvement. Feedback can be shared by email at Feedback@ActivateLearning.ac.uk.

Review

This procedure will be reviewed every three years, or sooner where there are changes to legislation, statutory guidance or organisational practice. Reviews will ensure that the procedure remains legally compliant, reflects current safeguarding guidance, and continues to support the wellbeing, safety and participation of students and apprentices, who are questioning their gender or require support relating to gender identity.

References

This Procedure should be read in conjunction with the following Activate Learning guidance:

- Admissions Procedure Residential Student Accommodation
- Attendance, Punctuality and Absence Management Policy
- Department for Education - Keeping Children Safe in Education
- Equality and Diversity Policy
- Fitness to Study and Reside Procedure
- Information Security and Data Protection Policy
- Professional Conduct Policy
- Residential Student Accommodation Policy
- Safeguarding – Reporting a Concern Procedure
- Safeguarding and Prevent Policy
- Student Attendance, Punctuality and Absence Management Procedure
- Student Positive Behaviour Management Policy
- Student Change in Personal Circumstances Form
- Student Health and Wellbeing Policy
- Trips and Residential Procedure

Appendix 1 – External Resources

Brook

Provides wellbeing and sexual health information and support for young people.

https://www.brook.org.uk/

Galop

0800 999 5428

help@galop.org.uk

galop.org.uk

Provides helplines and other support for LGBT+ adults and young people who have

experienced hate crime, sexual violence or domestic abuse.

Gender Identity Research & Education Society (GIRES)

Works to improve the lives of trans and gender non-conforming people of all ages, including those who are non-binary and non-gender.

gires.org.uk

Gendered Intelligence

Charity supporting young trans people aged under 25, and information for their parents and carers.

genderedintelligence.co.uk

LGBT Foundation

Advice, support and information for people identifying as LGBTQ+.

0345 3 30 30 30

https://lgbt.foundation/

Mermaids

Supports gender-diverse young people aged 19 and under, and their families and carers. Offers a helpline and webchat.

0808 801 0400

mermaidsuk.org.uk

MIND

Useful contacts - LGBTQIA+ mental health

https://www.mind.org.uk/information-support/tips-for-everyday-living/lgbtqia-mental-health/useful-contacts/

Samaritans

Samaritans are open 24/7 for anyone who needs to talk.

116 123 (freephone)

jo@samaritans.org

Stonewall

Information and advice for LGBT people on a range of issues.

08000 50 20 20

stonewall.org.uk