



## Queen Victoria School

# Supporting Transgender, Non-binary and Gender Questioning Students

## Guidance

Please note that this guidance has been updated due to the Supreme Court ruling on 16<sup>th</sup> April 2025, which stated that, legally:

- A woman is a biological woman or girl (a person born female)
- A man is a biological man or boy (a person born male)

**Purpose:** This guidance is intended to support staff to provide a safe and inclusive environment for **all young people** at Queen Victoria School (QVS), including those who are questioning their gender and those who identify as transgender or non-binary.

At QVS, we are committed to creating a safe, inclusive, and supportive environment **for all of our young people**. We recognise and celebrate the diversity of our student body and we are committed to ensuring that all students, including those who are questioning their gender or identify as transgender or non-binary, are treated with respect and dignity. It sets out the steps that we will take to support and respect transgender and non-binary students at our school and takes account of the School's responsibilities under the Equality Act 2010. The guidance also takes account of the May 2025 Guidance provided by the Care Inspectorate in Scotland, which itself is based on the Supreme Court ruling of April 2025.

Staff should create a safe and confidential environment for a young person to explore their gender identity, which provides access to relevant sources of support and allows them to change their mind in future if they wish to do so. Not all young people who are questioning their gender identity will go on to identify as transgender or non-binary, and staff should be mindful of any underlying reasons as to why a young person may be questioning their gender. As with all young people, staff should follow the GIRFEC<sup>1</sup> principles when supporting a young person in this context, and adopt a holistic approach where parents, carers and other professionals work together to consider whether any help is required, involve the services needed to support them and ensure co-ordination of services where beneficial through a single planning process. It is important that those with parental responsibility (referred to in this guidance as 'parents') are involved in any discussions concerning a change in gender identity and parents should only

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<sup>1</sup> Getting it right for every child

not be informed where QVS has evidence that there is a real possibility of significant harm if information is disclosed to parents.

### **General Guidance:**

- All young people have the right to respect in relation to their gender identity.
- All staff are required to use the name and pronouns that correspond to a student's gender identity.
- Ideally, transgender young people would have access to their own changing and toilet facilities. Where this is not possible, actions will take place to ensure alternative provision.
- Transgender young people's participation in sports and other activities will take into account considerations of fairness and safety for all participants involved and, where relevant, will be in line with the guidelines from each relevant sporting body e.g. Scottish Athletics, Scottish Rugby, Scottish Hockey, the Scottish Football Association etc.
- All staff and young people should report any incidents of discrimination or harassment against any young person to a member of staff or to the Child Protection Coordinator.

### **Guidance regarding a change in name:**

- A student may make a request that they be known informally by a first name or gender that is different to their formal name on school records. This is known as the "preferred name" and can be recorded as such on 3SYS. Whilst the school will not normally refuse a young person's request to be known informally by a preferred first name, the name change should not take place without a parent being informed and them having the opportunity to offer guidance to the young person.
- Their formal gender will continue to be defined as their biological sex on school records, but staff should ensure that the young person is addressed informally, on a day-to-day basis, by their chosen pronouns.
- If a young person wishes to change their name on school records, they should complete a request form, provided by the school. Where the young person is under 16, the request should be with the consent of all those with parental responsibility for the young person.
- Parents of any young person under 18 will be informed of any request to change name as they are the persons charged with providing guidance to those for whom they have parental responsibility. Parents should only not be informed where doing so would pose a real risk of significant harm to the young person, for which there is clear evidence.
- Once approved, the School will update the young person's records on our Information Management System.
- The school will inform all staff members of the young person's new preferred name and ensure that the young person is addressed using their chosen pronouns.
- The school will continue to provide the young person with appropriate support as these changes are taking place.

**Guidelines for addressing transgender students by their preferred name and pronouns in QVS include the following:**

- Where members of staff are not sure of a young person's pronouns or preferred name, they should check with the young person in private at an appropriate time.
- Encourage all staff and young people to use gender-neutral language where appropriate.
- Provide training for staff and advice for young people on the importance of respecting transgender young people's chosen names and pronouns.
- Provide support for all young people at all times, no matter how they identify.

### **Boarding arrangements:**

- A transgender young person is not permitted to share a room with other young people. The Care Inspectorate guidance on this point is clear: it is not appropriate for them to room-share with those of their biological sex or the gender they currently identify as.
- If possible, transgender young people will be allocated a single room in an appropriate boarding house, with separate ablutions. If this cannot be managed within our existing accommodation, it will not be possible for the young person to be offered a place at QVS.
- In the case of a young person identifying differently from the time they started at QVS, they will continue to board in the Boarding House they were initially allocated based on their biological sex at birth. Ideally, a single room will be available and we will try to provide access to private facilities. However, if this is not possible, we will consider a rota allowing the young person to use the facilities in private. We will work closely with the young person and their family to find the most supportive solution.
- QVS will endeavour to provide private, gender-neutral facilities for transgender and non-binary young people but this may not be possible.

### **Privacy and confidentiality:**

So far as is reasonable, appropriate and consistent with the guidance contained in this document, QVS will seek to respect the privacy and confidentiality of young people respecting their gender status. Nevertheless, QVS reserves the right to share the status of a transgender young person where necessary and appropriate with others.

QVS will make every effort to agree the terms of any communication between QVS and the family of the transgender young person. Any sharing of information regarding transgender status must be on a strictly need to know basis and any staff member who is unsure about what information can be shared and with whom, should check the position with their line manager before anything is disclosed.

### **Implementation:**

- QVS will provide training for staff and young people on issues related to gender identity.
- QVS will review and update this guidance every 6 months.

The creation of this guidance has considered the following legislation and guidance:

1. [Care Inspectorate Guidance May 2025](#): You can see the guidance [here](#).
2. [Equality Act 2010](#): This legislation prohibits discrimination on the grounds of nine protected characteristics, which include sex and gender reassignment. Schools in

Scotland are required to adhere to this legislation and should ensure that their policies and practices do not discriminate against transgender students, who may have the protected characteristic of gender reassignment.

3. [Gender Recognition Act \(2004\)](#): This legislation provides a legal process for transgender people to change their legal sex by obtaining a Gender Recognition Certificate. This legislation only applies to those aged 18 and over and is therefore unlikely to apply to a student at QVS. Specific advice should be sought if QVS requires to engage with a student who has a Gender Recognition Certificate.