



Helen is a bisexual teacher who has only recently 'come out'

Tackling homophobia

Legislation outlawing discrimination on grounds of sexual orientation came into force last December. Helen Bowes tells **Adrian Gillan** about her experiences as a bisexual teacher

Despite recently experiencing a campaign of homophobic harassment at school, Helen Bowes decided to bite the bullet and 'come out' as bisexual.

Helen teaches at **Wootton Upper School** in Wootton, Bedfordshire. The campaign started when she tried to stop students using 'gay' as a term of abuse. This led to them asking her inappropriate personal questions in lessons and then on to name-calling both in the classroom and outside.

However, employment laws which were passed on 1 December 2003, have made it illegal for employers to discriminate or tolerate discrimination against an employee on the grounds of their perceived or actual sexual orientation.

With an estimated 35,000 lesbian, gay and bisexual (LGB) teachers in England – represented in almost every school – the significance and potential impact of the legislation is huge.

Alan Wardle, parliamentary director of LGB lobbying group Stonewall, says, "It's the first time LGBs have enjoyed specific legal protection in the workplace, alongside heterosexuals and people who face discrimination because they are transgender. Schools must now reassess certain assumptions that might have become culturally ingrained."

The new laws have certainly helped Helen. "The legislation gave me the confidence to approach senior management for support, and, thanks to their help, my personal issue seems to be pretty much resolved. My head of year and deputy head supported me, took decisive action and the harassment stopped," she says.

Spreading the word

"The culture has to be such that the whole school says 'no' to homophobia, not just a couple of teachers," Helen continues. "So it's vital that all staff, in all schools, are made aware of the new laws and that steps are taken to ensure swift culture change."

However, many straight and gay teachers are not aware of the legislation, or that Section 28, which prohibited local authorities from promoting homosexuality, was repealed last autumn and never

applied directly to schools or teachers. But if schools want to safeguard themselves against litigation, it's essential they convey the importance of these new laws to staff and that they act quickly, where necessary, to change school procedure and culture.

Alan stresses that the laws shouldn't be seen as a threat. "A good school will be doing much of this anyway. It's about leadership – about heads sending out clear messages about what is and is not acceptable and putting explicit policies, procedures and practices in place so as to create a culture of respect. And it should be a whole-school approach, integrated into the school's very fabric."

Sue Sanders of Schools OUT! – an LGB and transgender support, training and lobby group – is an LGB rep on the discussion panels at the series of the Department for Education and Skills regional anti-bullying conferences. She

says there are practical as well as moral reasons for headteachers to take the lead. "Apart from being fair, treating all employees with respect and consideration also helps a school recruit and retain the best staff," she says. "And," she adds, "as

well as saving the school money, this could now also preserve their reputation, as it's less likely they'd be hauled up in front of tribunals under these new laws."

The DfES is conducting research into homophobia in schools and its findings will be presented to ministers later this year. It is also exploring how it can work with organisations such as Schools OUT! to help schools tackle these issues, and considering how they are covered in training for teachers and heads.

Around 3,000 teachers will receive training this year on personal, social and health education, which will help them to address issues such as sexual orientation with young people. Materials for tackling homophobic bullying will also soon be available from the Healthy Schools Programme. Homophobic bullying is included in the Anti-bullying Charter and pack (available from the DfES at www.dfes.gov.uk/bullying) and has been raised at anti-bullying conferences across the country.

Promoting equality

Anne Barton, headteacher at **Eltham Green Sports College** in south-east London, says she engaged in equality issues long before the new laws arrived. She says it's up to the whole leadership →

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WHAT THE LEGISLATION MEANS FOR SCHOOLS

The Employment Equality (Sexual Orientation)

Regulations came into force on 1 December 2003. It is unlawful to discriminate (directly or indirectly) or harass a person in relation to employment or vocational training on the grounds of that person's sexual orientation.

The legislation means schools now risk legal challenge unless they protect staff from:

- being treated less favourably than others – at any stage from recruitment to dismissal, including job offers, their terms of employment, benefits, training and other opportunities – because they are, or are presumed to be lesbian, gay or

bisexual or because they

- associate with people who are
- being disadvantaged as a group by workplace practice and policy – if they fail to qualify for workplace benefits, for example – because of their sexual orientation
- being harassed, however unintentionally, by the homophobic actions or comments of employers or employees ('harassment' means engaging in unwanted conduct which violates, or is intended to violate, a person's dignity, or creates, or is intended to create, a hostile, offensive, intimidating, degrading, or humiliating environment; this could include telling an employee they can't be 'out')

Schools must be aware that:

- the regulations apply to all forms of vocational training including teacher training
- they must take appropriate action in response to homophobic actions or comments by pupils or any third party entering the school to deliver services
- same-sex partners are now entitled to the same advantages and benefits available to heterosexual non-married partners of school employees
- benefits currently offered only to married partners will need to be extended to same-sex civil partners if the Civil Partnership Bill is ratified by Parliament as drafted
- the laws apply to faith schools



“Treating all employees with respect helps schools recruit and retain the best staff”

SUE SANDERS, Schools OUT!

colleague asks you what you did that weekend and you feel you have to be vague or evasive.

“Though it’s normally inappropriate for students to ask about your private life – and vice versa – if I’m teaching sociology or referring to some research I’ve done on, say, bisexuality, it often makes sense to draw on personal experience and anecdote as other people do,” she continues. “One should have and feel the freedom to do this should you want to.”

More awareness

Jonathan Charlesworth, of Educational Action Challenging Homophobia (which supports LGB pupils and teachers), agrees.

However, he believes teachers need advice on what to say and what not to say. “Teachers need guidance on what it’s appropriate to say on LGB matters in class and in wider school life. They must be more aware of the new legislation and the protection it offers.”

As for schools managers, Anne says, “If a head and their team still aren’t tackling equality issues in their school, my question is, ‘Why aren’t they?’”

Further information

www.teachernet.gov.uk/wholeschool/behaviour/homophobia

DfES Anti-bullying Charter and pack

www.dfes.gov.uk/bullying

Guidance on the legislation

www.dti.gov.uk/er/equality

National Children’s Bureau homophobic bullying factsheet

www.ncb.org.uk/sef/publications_sem.asp

Schools OUT!

www.schools-out.org.uk

Stonewall www.stonewall.org.uk

Educational Action Challenging Homophobia (EACH)

www.eachaction.org.uk

For advice, call the EACH confidential helpline on 0808 100 0143

team to promote equality. “In the past five years, we have had something of a culture change here. We have a more diverse staff now that reflects this.”

Ms Barton adds that a culture of inclusion and breaking down barriers to pupil achievement permeates her entire school. “I find it hard to single out specific things as it’s become so integrated,” she says. “It’s about the whole school learning not to make certain assumptions.”

Whether teachers choose to ‘come out’ at school is a personal matter, says Chris Lines, who is chair of NASUWT’s Equal Opportunities committee. “The school must now legally support teachers who choose to reveal their sexual identity. On the other hand, it’s also no one’s business what someone else’s sexuality is and the law likewise protects that privacy too.”

Helen has certainly found some benefits to being ‘out’. “It’s good to be able to be open to members of staff when you want to,” she says. “It’s stressful when a



“It’s about leadership. It’s about heads sending out clear messages”

ALAN WARDLE, Stonewall

CULTURE CHANGE: PRACTICAL STEPS FOR A MORE LGB-FRIENDLY SECONDARY SCHOOL

To help ensure workplace culture is compatible with the new legislation (see box on page 9), schools should:

- internally publicise the fact and significance of the new legislation
- stress that Section 28, which prohibited local authorities from promoting homosexuality, was repealed last autumn and never applied to schools or teachers directly

- review all practices and policies – notably the equal opportunities policy (EOP) and anti-bullying policy – to ensure that lesbian, gay and bisexuals (LGBs) are explicitly protected or catered for
- ensure that PSHE openly and positively covers the whole range of relationship and family unit scenarios
- provide ongoing staff training on recognising and tackling homophobia, and leadership training on

- culture change for headteachers
- advertise for recruits in LGB media and include explicit EOP/inclusion statements in all adverts and application packs; deliver LGB diversity training in all staff inductions
- provide positive images of LGB citizens – past and present, famous or otherwise – in relevant contexts
- agree how teachers should respond to any pupil who uses words like ‘gay’ abusively

- use inclusive imagery and language in posters, school social invitations and newsletters
- make sure that email filters don’t block LGB-related words
- organise LGB interest groups for staff, where relevant, both for support and consultation
- review support procedures for LGB staff who wish to ‘come out’
- finally, do not assume that everyone is heterosexual