

national centre for circus arts

Inclusivity Policy and Protocols: Sexuality and Sexual Orientation

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1. About the Inclusivity Policy & Protocols

1.1 The National Centre's Inclusivity Policy and Protocols are designed to embed and support an inclusive environment for all members of the the National Centre, from staff to students and beyond. There are several sections to the Inclusivity Policy and Protocols, including:

- Allyship & Being an Active Bystander
- Bereavement Support
- Disabilities
- Gender Identity
- Health and Wellbeing
- Religious Belief and Religious Observance
- Sexuality and Sexual Orientation
- Tackling Racial Inequality

2. About this section of the Inclusivity Policy and Protocols: Sexuality and Sexual Orientation

2.1 The National Centre is committed to the inclusivity of the entire LGBTQIA+ community. This particular section of the Policy and Protocols explicitly covers sexuality and sexual orientation. Matters relating more directly to gender identity are addressed in the the National Centre Inclusivity Policy and Protocols: Gender Identity.

2.2 This is section of the Policy and Protocols is intended to support and facilitate a student's ability to engage positively and fully with their programme of study and to fulfil the expectations of the training and course regardless of their sexuality. It also aims to support and facilitate the experience of current and prospective staff of the National Centre. It is the National Centre's common policy designed to support the needs of all students and staff. This sits with the National Centre Support Through Studies Policy.

3. Context and terminology¹

- 3.1 The National Centre has adapted the following list of definitions, [developed by Stonewall](#), related to sexuality and sexual orientation to highlight the wide spectrum of sexualities and sexual orientation. As our understanding grows, language will change and so it is important to remember that this list is neither exhaustive nor static.
- 3.2 For some people finding a definition or label that they identify with is an important aspect of understanding and feeling comfortable in their identity. Other people may not wish to label themselves. It is important to respect how people wish to self-define and to understand that, for some people, whether and how they choose to label themselves may change overtime.
- 3.3 It is important to be considerate about the language you use. Being sensitive to language can reaffirm and support the identities of people who are oppressed by or erased within a

¹ This section heavily informed by Stonewall website: <https://www.stonewall.org.uk/help-advice/fags-and-glossary/list-lgbtq-terms>

heteronormative society. As a community, we should take opportunities to learn with grace and humility.

4. Purpose of the Policy: Scope and Principles

- 4.1 This policy applies to students studying on a course of Higher Education who are registered students of the National Centre. This policy also applies to staff employed by the National Centre, particularly those who manage staff or support or teach students.
- 4.2 The Inclusivity Policy and Protocols sits within the National Centre's Inclusive Cultures Strategy and is aligned with the National Centre Support Through Studies Policy and Guide to Student Support.
- 4.3 While the aim of the Policy and Protocols is to be inclusive, this section is particularly relevant to sexuality and sexual orientation. This policy covers only those aspects of sexual orientation directly related to learning, teaching, assessment, and employment at the National Centre.
- 4.4 Whatever the individual circumstances, the National Centre is committed to being flexible, and supportive, and making clear that discrimination and harassment on the grounds of a person's actual or perceived sexual orientation will not be tolerated.

5. Legislative Context

- 5.1 There are four pieces of legislation that are relevant to sexuality and sexual orientation in a Higher Education setting:
 - Equality Act 2010
 - Data Protection Act 2018 (UK)
 - General Data Protection Regulations (GDPR) (UK) 2018
 - Human Rights Act 1998
- 5.1.1 Sexual orientation is listed under the nine protected characteristics of the Equality Act. This prohibits discrimination and victimisation against a person on grounds of their actual or perceived sexual orientation or their connection to someone who has a particular sexual orientation.
- 5.1.2 Public bodies are required to integrate consideration of equality and good relations into their day-to-day business and to consider how a function can affect different groups in different ways. This enables a higher education provider to reasonably anticipate the needs of all staff, students, and visitors and to address the potential impacts of any proposed changes to ensure they do not have an adverse effect.
- 5.1.3 It is important to note that terminology and understanding about the vast spectrum of sexual orientations has progressed rapidly since 2010 and that the Equality Act uses a dated and restricted definition of sexual orientation limited to attraction towards people of the same, opposite, or either sex.
- 5.1.4 the National Centre acknowledges that there are many identities that do not fall into these neat categories and this policy will include everyone who identifies with a non-normative sexual orientation and who is therefore subject to similar forms of prejudice and discrimination.

5.2 Data Protection Act 2018 (UK) and General Data Protection Regulations 2018 (UK)

- 5.2.1 The Data Protection Act 2018 (DPA 2018) complements the EU's General Data Protection Regulation 2018 (GDPR) and adds provisions specific to the UK. It has brought stricter rules and tighter controls on personal data. Information about a person's sexual orientation is considered 'special category data' under the Data Protection Act 2018. This data is subject to tighter controls than other personal data. Explicit consent is required before it can be collected, used, and shared.
 - 5.2.2 Personal data must be looked after properly following the seven data protection principles, which include ensuring personal data is accurate, secure, and processed fairly and lawfully.
 - 5.2.3 Under the DPA and GDPR, 'special category data' is afforded an extra level of confidentiality and will nearly always require explicit consent from the individual concerned prior to disclosure to another party. The National Centre also has a responsibility under the DPA and GPDR to ensure that personal information is accurate and up to date.
- ## 5.3 Human Rights Act (1998)
- 5.3.1 Article 8 of the European Convention on Human Rights, as enacted under the Human Rights Act 1998, protects a person's rights to respect your private and family. This includes your right to determine your sexual orientation.

6. Protection Against Harassment and Bullying

- 6.1 All staff, students and other stakeholders should expect to be treated with respect at all times. All complaints of harassment or bullying will be treated seriously and thoroughly investigated. Disciplinary action can be taken in cases where bullying/harassment have been proved.
- 6.2 Any act of harassment or bullying toward a person based on their sexuality will normally, in first instances, be dealt with under the National Centre Sexual Misconduct, Harassment and Related Behaviours Policy.

The Protocols

Protocol Aim	Protocol	How this might be achieved	Supporting guidance and information
Supporting Coming Out	Person-Centred Support	• Use the National Centre Inclusivity Protocol: Sexuality and Sexual Identity to support individuals to support others. • Use the National Centre Inclusivity Protocol: Gender Identity for more advice on person-centred support. • Include LGBTQIA+ allyship in any allyship training.	The National Centre is committed to providing a supportive environment for students and staff who wish to publicly come out. However, individuals have the right to choose whether they wish to be open about their sexual orientation. To 'out' someone without their permission is a form of harassment, it will be treated as such and may result in disciplinary action. More advice and guidance on person-centred support and responding to a person coming out can be found in the National Centre Inclusivity Protocol: Gender Identity.
Fostering Inclusion	Inclusive Language and Behaviours	• Hold an awareness campaign on terminology and context to enable staff and students to communicate confidently. • Use the National Centre Inclusivity Protocol: Allyship and Bystander Intervention to embed a supportive culture in our community. • Normalise the use of inclusive language by avoiding heteronormativity and gender stereotypes: ○ Do not assume someone's sexuality or sexual orientation based on factors such as appearance or mannerisms.	Derogatory and homophobic language has no place in the National Centre. This type of language should never be excused as banter. Regardless of intention, it causes harm to the individual and to society more broadly. It is important to avoid gender stereotypes and heteronormative language and assumptions. For example: ○ Avoid associating strength, violence, or aggressive with masculinity and demureness, fragility, and gentleness with femininity ○ Avoid gender specific language when discussing relationships and families- say partners or significant others rather than boyfriend/girlfriend or husband/wife or parents/guardians rather than mother and father. ○ Avoid assumptions such as: gay men don't like sports, lesbian women dress masculinely, or bi people are promiscuous
Fostering Inclusion	Inclusive Language and Behaviours		

Fostering Inclusion		• Set expectations for appropriate behaviour in the Code of Conduct. • Ensure there is space with kindness and understanding for students and staff to learn. • Support the development of pride alliances or similar groups.	○ Finally, do not assume that everyone experiences emotional, romantic, or sexual attraction. This can be extremely harmful asexual and aromantic people's sense of self.
	Staff and Student Recruitment and Progression	• Ensure that all relevant policies and procedures refer to partners and significant others rather than spouses. • Ensure that any parental leave policies are gender neutral and inclusive for all families.	Under the Equality Act, the recruitment, selection and promotion of staff, and the recruitment, selection and progression of students must be based on relevant criteria only, which do not include sexual orientation. Similarly, under the Equality Act, all benefits and conditions of service will apply equally to all staff (and students where applicable), and same sex partners should be considered in the same way as partners of heterosexual staff.
	The Effects of Historic Bullying	• Recognise that some people may have had negative experiences when coming out or expressing their sexual orientation. • Ensure staff responsible for student support and line-managers are briefed and trained on how to response to trauma caused by historic bullying. • Provide specific mental health support for those who have been bullied due to their sexual orientation.	It is essential to recognise that before students or staff join the National Centre, they may have experienced significant levels of bullying and harassment that has left them with significant trauma.

Fostering Inclusion	Curriculum	• Audit materials to ensure that they discuss and recognise diversity sexuality and sexual orientation. • Audit material and other course item to ensure they do not uphold any harmful stereotypes of the LGBTQIA+ community. • Use the National Centre Inclusivity Protocol: Tackling Racial Inequality for support in developing and inclusive curriculum.	It is important that Schools ensure that their curriculum is inclusive of a wide range of sexualities and does not fall into stereotypes. Caricatures are unacceptable and only serve to uphold constraining and damaging heteronormative structures. Informed academic debates about sexual orientation within the context of learning and teaching should be encouraged to take place within a culture of dignity and respect for all individuals.
	Intersectionality	• Ensure staff and students understand the concept of intersectionality and how a person's various identities may create various forms of disadvantage, underrepresentation, or oppression. • Use all of the National Centre Inclusivity Protocol together holistically to support the whole individual, not just one aspect of their identity.	Individuals are never just one thing- we are a combination of all our various identities and this affects how we walk through the world. Two women, for example, will experience misogyny very differently dependent on their ethnicity, sexual orientation, gender history, socio-economic background, religion, disability status etc. As a consequence, people may experience multiple linked forms of discrimination and therefore everyone has their own unique experiences with discrimination and oppression. These unique experiences should be respected, acknowledged, and validated.
Healthy Relationships	Consent	• Display and signpost to the National Centre policy on sexual harassment, misconduct and other related behaviours • Incorporate open discussions and training about consent and healthy relationships into student and staff induction	Consent is important in all relationships. Unwanted advances or similar behaviours constitute sexual harassment and are equally unacceptable irrespective of the sexual orientation of the victim or the perpetrator. Students and staff, due to life experiences, may have different understandings of consent and so it is important to highlight a collective definition.

Healthy Relationships			
	Creating a Supportive Space Creating a Supportive Space	• Consider organising training or guidance for differentiating between healthy and unhealthy relationships. • Ensure that discussions about healthy relationships are inclusive of all types of relationship. • Provide training and support to ensure that student support and line-managers are able to identify signs of potentially unhealthy relationships and address these situations sensitively. • Always ensure the feelings and wishes of the person in question is at the heart of any action undertaken.	People who are forced to hide their sexuality orientation, for personal, cultural, or societal reasons, can be at increased risk of experiencing toxic or otherwise unhealthy behaviour in their relationships. It is therefore important to be vigilant and sensitive to those around you. When people feel that they are in an inclusive and supportive environment, they are more likely to have the confidence to seek support.

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