



BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891



TRANSGENDER POLICY

Transgender Equality at Bucks – Staff and
Students’ Policy and Procedure

Contents

Background.....	3
Purpose Statement, applicability and scope.....	3
Responsibilities	4
Definitions	5
Transgender and transitioning.....	5
Gender identity and sexual orientation	5
Legal implications.....	6
The importance of creating an inclusive work and learning environment.....	6
Maintain contact.....	6
Post transition.....	7
Further information and queries	7
Appendix 1-Terminology and definitions	8
Appendix 2 – Sources of support and information.....	13
Appendix 3 – Etiquette	15
Appendix 4 – Staff Journey	16
Appendix 5 – Student Journey.....	18

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Related Forms:

- Form 1: Staff Action Plan
- Form 2: Student Action Plan

Background

- 1 Bucks New University (Bucks) celebrates and values the diversity of its workforce and its students, and believes that the University will benefit from employing transgender (trans) individuals at all levels of the organisation, seeking to provide role models for students that identify as trans.
- 2 Bucks is committed to ensuring that trans individuals are treated with respect and that it does not discriminate unlawfully. This commitment is an important aspect of its overall commitment to providing equal opportunities for its staff and students. When this policy refers to 'trans individual / individuals', it has in mind people living with a range of identities (see definitions in Appendix 1). When it refers to 'gender identity', it covers both the fixed identity of people living in the gender of their birth, and the more fluid identities of many trans individuals. Colleagues should be mindful that the terminology relating to transgender issues is evolving as society becomes more tolerant and individuals increasingly self-define.

Purpose Statement, applicability and scope

- 3 This policy is intended to assist the University to put this commitment into practice and to help Bucks, trans individuals and other staff and students to deal with any practical issues that may arise. Compliance with this policy should also ensure that staff and students do not commit unlawful acts of discrimination. The University seeks not only to eliminate all discrimination on grounds of gender identity, but also to create an inclusive working and learning environment based on good relations between all staff and students, including trans individuals. To this end, Bucks undertakes to provide diverse, non-stereotypical images of diverse gender identities in any materials, which it produces. The aim is to create a positive inclusive ethos where issues of stereotyping can be discussed openly, with a shared commitment to respecting diversity and difference, and to encouraging good relations between people with any gender identity, or in relation to other aspects of their identity, such as their age, religion or belief, disability or sexual orientation.
- 4 Bucks strives to ensure that the University environment is free of harassment and bullying and that everyone is treated with dignity and respect. Bucks has a separate *Dignity at Work Policy* and a *Student Bullying and Harassment Policy* that deals with these issues.
- 5 The University recognises that, despite legislative attempts to achieve equality, trans individuals are still subject to discrimination. Trans individuals may be over-represented among poorly paid and transitory groups, including students.
- 6 This document should also be read alongside the ECU (now part of Advance HE) guidance "Trans staff and students in HE and colleges: improving experiences".

Responsibilities

- 7 Bucks will be supportive of any member of staff or student who expresses an intention to transition and will work with them to ensure as smooth a transition at work or study as possible. Where this includes medical or surgical procedures relating to gender reassignment Bucks will aim to provide positive support to ensure their particular work or study needs are met during this period.
- 8 There are many support organisations who are also able to provide information, help and guidance to individuals and some of these are listed in Appendix 2.
- 9 Bucks will appoint, in consultation with the individual, a manager to be the principal point of contact. In most cases it will be the Equality, Diversity & Inclusion (EDI) lead (employees) and the EDI lead - Directorate of Student Success (students) who will be responsible for agreeing an action plan for managing the transition at work/study with the individual. The EDI leads are also the first point of contact for managers/lecturers who might have concerns on transgender issues about staff or students.
- 10 Appendices 4 and 5 cover the key actions that need to be addressed when someone is transitioning, although details of support will be different for each individual (see paragraph 18).
- 11 **Specific training** on issues relating to trans matters will be offered where appropriate i.e. training could be provided for an employee's colleagues, or a student's personal tutor, to improve their understanding of transgender issues and minimise the risk of harassment, and general training sessions will be organised on a regular basis by the Human Resources team. This type of training should help prevent the situation where other colleagues or students avoid contact with the individual because they do not want to say the wrong thing.
- 12 **Photographic identification** – individuals who are transitioning should be given the opportunity, without charge to update any photos on their ID cards and the University webpages. They may wish to make several changes as their physical appearance changes over time.
- 13 **Name changes** – Information relating to an individual's previous identity, that needs to be retained, such as copies of qualification certificates, should be kept confidentially and separately from their current record. It is the individual's responsibility to contact external agencies such as banks and the UK border agency.
- 14 **Gender-neutral and single-sex toilets and changing facilities** – the installation of gender-neutral toilets, washing and changing facilities is beneficial to trans individuals, particularly non-binary individuals. Trans individuals should be allowed to use single-sex toilets and changing facilities appropriate to their self-identified gender. It is not acceptable to restrict a trans person to using disabled toilets or gender-neutral facilities. If a person needs to change the facilities they use because they transition, it may be helpful to explain the situation to work colleagues or other students who use the facilities; however, this should only be done following full consultation with the trans person, and if the person concerned wants this conversation to take place.

Definitions

- 15 Further details on terminology and definitions can be located in Appendix 1 of this policy.

Transgender and transitioning

- 16 Transgender is an umbrella term describing people who feel the need to present themselves in a gender that differs from the one they were assigned at birth. (see Appendix 1 for definitions).
- 17 Transitioning is a term used to describe the process and steps an individual takes in order to live in the gender they identify as. This may involve surgical treatment but some transgender people will not undergo surgery for personal reasons, such as age, health or finance. The process of transitioning will normally involve a period of at least one year when the trans person must live and work in the gender to which they are transitioning ("real life experience") before they can undergo surgery.
- 18 Transitioning is a unique process for each individual and may include any number of changes to a person's life. There is no right or wrong way to transition. The start or intent to transition will be different for everyone. After an individual transitions they may not identify as trans; they may simply see the process as being part of their past and not current identity.
- 19 Many people falsely believe that in order to transition a person must undergo a medical intervention, such as hormone treatment or surgery, or gain a Gender Recognition Certificate (GRC). It should not be assumed that that the goal of every individual's transition is to change their physiology or legal gender. If a trans person chooses not to undergo any medical intervention or gain a GRC, they are still entitled to dignity and respect along their chosen path of transition, whatever that may consist of. For example, if someone is in a civil partnership, he or she needs to dissolve the civil partnership or convert it to marriage before being able to obtain a GRC, because the law prohibits civil partnerships between people of the opposite sex.
- 20 Appendix 4 (staff) and Appendix 5 (students) sets out details of the milestones along the transition process based on work and study journeys.

Gender identity and sexual orientation

- 21 Gender identity and sexual orientation are not interchangeable terms. Gender identity is about the internal sense of one's gender. Sexual orientation is about a person's preference for sexual partners and encompasses attraction towards persons of the same sex, persons of the opposite sex, and persons of both sexes. Trans individuals can be bisexual, gay or lesbian and assumptions should not be made about an individual's particular sexual orientation.

Legal implications

- 22 In 2016 the Government committed to reviewing the Gender Recognition Act 2004 which allows transgender people who have transitioned to apply for a gender recognition certificate (GRC) see Appendix 1 for more details. When a full GRC has been issued, the person is considered in the eyes of the law to be of the acquired gender. There is no obligation on an individual to apply for a GRC and there may be good personal reasons why someone has not applied for one. There are special laws protecting the privacy of someone who has a gender recognition certificate: a person may commit a criminal offence if they disclose information about the gender history of someone with a GRC without that person's consent. It is illegal for the University to ask to see a GRC. However, the University will require a 'Statutory Declaration of Name Change', deed poll or other official identification.
- 23 The Equality Act 2010 makes it unlawful to treat someone less favourably than other people in relation to employment or vocational training on grounds that they propose to, start or have completed a process to change their gender. It is no longer necessary for the individual to be under medical supervision to be protected, so it is sufficient if they decide to live as a member of the opposite sex but do not undergo any medical procedures. The protection applies whether or not the individual has a GRC. Harassment or bullying on the grounds that a person is proposing to transition, is transitioning or has transitioned is unlawful discrimination.
- 24 Other relevant legislation includes the General Data Protection Regulation (GDPR), the Human Rights Act 1998 and the Legal Aid, Sentencing and Punishing of Offenders Act 2012.

The importance of creating an inclusive work and learning environment

- 25 An inclusive work and learning environment is one where everyone is recognised and valued, regardless of their gender identity, and where barriers that prevent people from feeling at ease and respected are removed. When people feel respected and valued they are more likely to be productive, motivated and successful.
- 26 Studies have found that discrimination can lead to individuals underperforming and losing their skills and knowledge; have a negative impact on people's wellbeing; and prevent people from working together effectively.
- 27 Some tips on language and etiquette can be found in Appendix 3.

Maintain contact

- 28 At some point, the trans individual may no longer want or need specific support in relation to their gender reassignment. Communications will revert to the usual interventions. It is important that assumptions are not made about this and agreement should be reached with the individual when support around the transition is complete. Some individuals may want a longer period of support and may request different support at different times of their transition, such as counselling. It should be noted that

sometimes transition results in personal or family relationships breaking down temporarily or permanently and the University can offer a place of stability during difficult times.

Post transition

- 29 When people complete their transition, some people may consider this part of their history that has now been resolved. In such cases, they will simply describe themselves as a man or woman and this decision must be respected by the University.

Further information and queries

- 30 The document has been produced drawing on guidance from the Government Equalities Office, Equality Challenge Unit (ECU – now part of Advance HE), Stonewall, Xpert HR and other sector best practice. It should be noted that language continues to evolve and this guidance will be updated on a regular basis. Any queries concerning this document should be addressed to the Human Resources Directorate.

Appendix 1-Terminology and definitions

Understanding the terminology relating to trans issues is the first step to creating an inclusive workplace for transgender people. The inappropriate use of language can cause offence and distress to individuals and undermine the University's efforts to support transgender people.

Trans individuals may have preferences regarding the language they use, and their wishes should be respected. The following are some of the key terms of which staff and students should be aware: See Appendix 3 for some guidelines on general etiquette when people are transitioning.

Acquired gender: A legal term used in the Gender Recognition Act 2004. It refers to the gender that a person who is applying for a gender recognition certificate (GRC) has lived for two years and intends to continue living in. Affirmed gender may be used when a person has transitioned but has decided not to apply for a GRC.

Cisgender: A term used to describe people who are not transgender. Cisgender is based on the Latin prefix cis which means 'on this side of'. The Latin prefix trans means 'across from' or 'on the other side of'. The use of cisgender is debated within the trans community and some people prefer the term non-trans as it familiarises the use of the term trans (see below).

Dual role: A dual role person occasionally wears clothing and/or makeup and accessories that are not traditionally associated with the sex they were assigned at birth. Generally, dual role people do not wish to transition and do not necessarily experience gender dysphoria. Some people prefer the term alter ego. Historically the terms transvestite and cross dresser were used to describe dual role people, but they are now considered to be outdated. While some people may use the terms to describe themselves, other people may find the terms offensive.

Gender: Gender refers to the cultural and social distinctions between men and women. It consists of three related aspects: a society's constructed gender roles, norms and behaviours which are essentially based on the sex assigned at birth; gender identity, which is a person's internal perception of their identity; gender expression, which is the way a person lives in society and interacts with others. Gender does not necessarily represent a simple binary choice: some people have a gender identity that cannot be defined simply by the use of the terms woman or man. It should be noted that currently, for the purposes of UK law, gender is binary – people can only be male or female. However, there is growing pressure from campaign groups for this to change in line with other countries including Australia, Bangladesh, Denmark, Germany, India, Nepal and New Zealand.

Gender expression: While gender identity is subjective and internal to the individual, gender expression refers to all of the external characteristics and behaviours that are socially defined as either masculine or feminine, such as clothing, hairstyle, make-up, mannerisms, speech patterns and social interactions.

Typically, trans individuals seek to make their gender expression match their gender identity, but this is not always possible. It is best practice to not assume someone's gender identity

on the basis of their gender expression. If you are not sure, it is best to ask a person how they would like to be addressed.

Gender incongruence and gender dysphoria: Gender incongruence is a medical term used to describe a person whose gender identity does not align, to a greater or lesser extent, with the sex assigned at birth. Where this causes discomfort it is known as gender dysphoria. Gender dysphoria 'is a term describing the discomfort or distress caused by the discrepancy between a person's gender identity (their psychological sense of themselves as men or women) and the sex they were assigned at birth (with the accompanying primary/secondary sexual characteristics and/or expected social gender role)' (NHS, 2013).

Gender dysphoria is not considered a mental health issue but unmanaged dysphoria or the social stigma that may accompany it and any changes a person makes to their gender expression can result in 'clinically significant levels of distress' (NHS, 2013).

In order to qualify for NHS medical assistance to transition, a trans individual in the UK must have a diagnosis of gender dysphoria. As not all trans individuals have gender dysphoria this presents a significant barrier to accessing medical support and the provisions of the Gender Recognition Act. For more information see ECU's guide¹.

Gender reassignment: The legal term used in the Equality Act to describe the protected characteristic of anyone who 'proposes to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex' (Equality Act, 2010).

This is the protected characteristic that protects trans individuals from discrimination, victimisation and harassment in employment, education and when using services. Importantly, the act requires no medical supervision or interventions for a trans person to be afforded protection.

Gender recognition certificates (GRC) are issued by the gender recognition panel under the provisions of the Gender Recognition Act 2004. The holder of a full GRC is legally recognised in their acquired gender for all purposes. A full GRC is issued to an applicant if they can satisfy the panel that they fulfil all the criteria outlined in the Gender Recognition Act. Applicants can be UK residents or from recognised overseas territories who have already acquired a new legal gender. The act requires that the applicant is over 18, has, or has had, gender dysphoria, has lived in their affirmed gender for two years prior to the application, and intends to live permanently according to their acquired gender status. See ECU guidance.

It is never appropriate to ask a trans person for a GRC and regarded as unlawful because it breaches their right to privacy. Once a person has obtained a GRC their gender history can only be disclosed where there are explicit exceptions in law:

- in accordance with an order of or proceedings before a court or tribunal, when it is strictly relevant to proceedings

¹ For more information see ECU's guide 'Trans staff and students in HE and colleges improving experience'.

- for the purposes of preventing or investigating crime, where it is relevant
- for the purposes of the social security system or a pension scheme

Gender variance: also referred to as gender non-conformity, is behaviour or gender expression that does not match socially constructed gender norms for men and women.

Intersex: An umbrella term used for people who are born with variations of sex characteristics, which do not always fit society's perception of male or female bodies. Intersex is not the same as gender identity or sexual orientation.

Until recently, parents of intersex babies were encouraged to elect for surgery so that their child would conform to stereotypical male or female appearances. As a result, many intersex people can encounter difficulties as the gender assigned at birth may differ from their gender identity and surgery may have compromised sexual, urinary and reproductive function. Today, parents are advised to delay surgery until their child reaches puberty so that the child can inform decision-making. Some parents do not observe this advice and attitudes will vary country by country. Not all intersex people opt for surgery, and many will consider themselves to be intersex rather than male or female.

Some intersex people may decide to transition to their self-identified gender and start to identify as trans.

Legal sex: A person's 'legal' sex is determined by their sex on their birth certificate and the assumption made at birth is that their gender status (boy, girl) matches. For higher education institutions (HEI's) and colleges a person's legal sex is only relevant for insurance, pension purposes and in rare cases occupational requirements.

For the purposes of everyday life (including banking, personal identification and travel), a person's legal sex may not be the same as their self-identified gender. For instance, a trans woman can have identity documents such as a passport, driving licence and employment records based upon her gender as female, but still have a birth certificate which states that she is male.

Lesbian, gay, bisexual, trans plus(LGBT+): While being trans or having a trans history is different from sexual orientation, the forms of prejudice and discrimination directed against trans individuals can be similar to those directed against lesbian, gay, bisexual plus (LGB+) people and historically the two communities have coexisted and supported each other. As a result, advocacy and support groups often cover LGBT+ issues. Trans individuals can also identify as LGB+.

Non-binary: Non-binary is used to refer to a person who has a gender identity which is in between or beyond the two categories 'man' and 'woman', fluctuates between 'man' and 'woman', or who has no gender, either permanently or some of the time.

People who are non-binary may have gender identities that fluctuate (genderfluid), they may identify as having more than one gender depending on the context (e.g. bigender or pangender), feel that they have no gender (e.g. agender, non-gendered), or they may identify gender differently (e.g. third gender, genderqueer).

Research by the Scottish Transgender Alliance (2016) found that 65 per cent of non-binary respondents identify as trans. Just as with trans men and trans women, non-binary people

transition and live their lives in various ways – which may or may not include medically transitioning (ie taking hormones or having surgeries).

Pronoun: A pronoun is the term used to refer to somebody for example she/her/hers/herself or he/him/his/himself. Gender-neutral pronouns include

- they / them / their / themselves
- che / chim / chis / chimself
- E / Em / Eir / Eirs / Emself
- Per(person) / pers /perself
- Xe / hir / hirs / hirself

A person should be addressed and referred to using the pronouns which make them feel comfortable. If you are not sure what the correct pronoun is, politely ask the person what they prefer. This could be he, she or some trans individuals, particularly those with non-binary identities, may prefer a gender-neutral pronoun, such as they or per. It is never appropriate to put quotation marks around a trans person's chosen pronoun.

'Real-life experience' or 'experience': are the terms used by the medical profession and refers to the period in which an individual is required to live, work and study full-time in their affirmed gender before they can undergo genital surgery. Previously the requirement applied to hormone replacement as well as genital surgery. Some trans staff and students may be asked by a gender identity clinic to provide confirmation from their institution that they are undertaking real-life experience or experience.

Self-identified gender: The gender that a person identifies as. The trans community is campaigning for UK law to be based on self-identification as is currently the case in other European countries. It is recommended by ECU that colleges and HEIs recognise a student or staff member's self-identified gender.

Sex: Sex refers to the biological status of a person as male or female in their physical development. Sex is judged entirely on the genital appearance at birth but internal reproductive organs, skeletal characteristics and musculature are also sex differentiated.

Sexual orientation is different from gender identity. Trans individuals, like any other people, can have a wide range of sexual orientations beyond those recognised by the Equality Act including heterosexual, lesbian, gay, bisexual, asexual, pansexual, omnisexual and demisexual.

Trans and transgender: Trans and transgender are inclusive umbrella terms for people whose gender identity and/or gender expression differs from the sex (male or female) they were assigned at birth. The term may include, but is not limited to, trans men and women, non-binary people and dual role people. Not all people that can be included in the term will associate with it.

The terms trans should only be used as an adjective, for example, trans individual, trans man or trans woman. However, a trans person may say 'I am trans'.

Trans history: A person with a trans history will have transitioned to their self-identified gender. Consequently, they may no longer identify as a trans person, and simply see their transition as one part of their history.

Trans man: A person who was assigned female at birth but identifies as a man or towards the masculine end of the gender spectrum. He usually uses male pronouns and is likely to transition to live fully as a man. The terms 'female-to-male' or 'FtM' are shorthand for indicating the direction of a person's transition but these terms can be seen as offensive. Other people may use these terms to describe themselves.

Trans woman: A person who was assigned male at birth but identifies as a woman or towards the feminine end of the gender spectrum. She usually uses female pronouns and is likely to transition to live fully as a woman. The term 'male-to-female' or 'MtF' are shorthand for indicating the direction of a person's transition but these terms can be seen as offensive. Other people may use these terms to describe themselves.

Transition: Transition is the process of a person changing their social role in order to match their gender identity. Examples of transitioning include telling friends, family and colleagues, changing names, asking people to use different pronouns, and changing the way gender is expressed. For some people, this may involve medical assistance such as hormone therapy and surgery.

Transphobia: Transphobia is a term used to describe the fear, anger, intolerance, resentment and discomfort that some people may have as a result of another person being trans. This can result in discrimination, harassment, victimisation and hate crime.

Transsexual: Transsexual is a term that was traditionally used to describe a person diagnosed with gender dysphoria. Increasingly trans individuals are not comfortable with the use of this term preferring instead trans or transgender. While some people may find the term offensive, others may use it to describe themselves.

Appendix 2 – Sources of support and information

Some useful agency and organisation who offer support:

- [a:gender](#): This is the support network for staff in government departments and agencies who have changed or need to change permanently their perceived gender, or who identify as intersex.
- [The Beaumont Society](#): This is a national self-help body run by and for transgender people. Its website provides links to a range of information and advice resources.
- [Consortium of lesbian, gay, bisexual and transgendered voluntary and community organisations](#): This is a national specialist infrastructure and membership organisation focusing on the development and support of lesbian, gay, bisexual and transgender groups, organisations and projects.
- [Depend](#) is an organisation that offers free, confidential and non-judgemental advice, information and support to all family members, partners, spouses and friends of trans individuals.
- [Equality and Human Rights Commission](#): This provides guidance on the Equality Act 2010 and has a range of research reports relating to transgender issues.
- [The Forum](#): for sexual orientation and gender identity equality in post-school education promotes equality and good practice in employment and the provision of post-school education, with a specific focus on sexual orientation and gender identity, or transgender, equality issues.
- [Gender Identity Research and Education Society \(GIRES\)](#): This seeks to improve the circumstances in which trans individuals live by changing the way society treats them. It provides advice to policy makers, acts as a consultancy service and provides training, promotes research and develops good practice guidelines and literature on gender identity.
- [Gendered intelligence](#): This Community Interest Company works predominantly with supporting young trans individuals aged 8 -25.
- [The Gender Trust](#) : This provides advice, information and support on gender identity issues to individuals and employers.
- [Mermaids UK](#) provides support and information for children and teenagers who are trying to cope with gender identity issues, and for their families and carers.
- [National LGBT Hate Crime Partnership](#) brings together 35 LGBT organisations from across England, Wales and Scotland and is led by the LGBT consortium on behalf of the EHRC. It aims to increase the reporting of homophobic, biphobic and transphobic hate crimes and incidents and improve the support available to those targeted.
- [Nonbinary inclusion project](#) is a grassroots organisation fighting for the inclusion and recognition of non-binary people in law, media and everyday life within the UK.

- [Government Equalities Office](#): This has responsibility across the Government for equality strategy and legislation.
- [Press for Change](#): This is a political, lobbying and educational organisation, which campaigns to achieve equal rights for trans individuals. Its website is a useful source of information on the law and research into trans issues. Its TransEquality project provides professional legal support to trans individuals in key areas of the law, and advice to businesses and non-profit organisations.
- [Stonewall](#) is a campaigning organisation but also helps organisations including HEIs and colleges to recognise the benefits of the perspectives of lesbian, gay, bi and trans individuals for all employees, service users and members of the community. Recently Stonewall has published a series of publications on trans employees.
- [Transgender Zone](#) is an online resource that covers all aspects of transgender issues, including a section specifically for female-to-male trans individuals.

Appendix 3 – Etiquette

The following informal guidelines on how to treat people who are transitioning or genderqueer and non-binary (see appendix 2) may be helpful for colleagues and fellow students:

- Listen to the person, and ask them how they want to be treated and referred to.
- Think of the person as being the gender that they self-identify as.
- Use the name and pronoun that the person asks you to. If you are not sure what the right pronoun is, then simply ask. If you make a mistake with pronouns, correct yourself and move on. Do not make a big deal out of it. Some genderqueer people prefer to use gender neutral pronouns.
- Do not ask what their 'real' or 'birth' name is. Trans individuals are often sensitive about revealing information about their past, especially if they think it might affect how they are perceived in the present, and their real name is the one they are currently using.
- Do not tell others about a person's trans status. If documents have to be kept that have the person's previous name and gender on them, keep them confidential.
- Respect people's boundaries. If you feel it is appropriate to ask a personal question, first ask if it is ok to do so. Personal questions include anything to do with one's sex life, anatomy (not just genitalia), medical treatment and relationship status – past, present or future. Would you ask this question of any other colleague?
- When someone starts to live as their correct gender, they may be very sensitive to the ways in which their physical appearance differs from gender norms. It is usually inappropriate to discuss someone's appearance and never appropriate to judge someone by how they look.
- If you hear, or see staff members or students using transphobic language or behaviour challenge it and or bring to the attention of an appropriate member of staff.

The process of transition is complex and requires understanding on all sides. This is a difficult situation and it is normal for people to be interested, as they might be about any major life change of a colleague. Interest is not necessarily intrusive, but may be a way of expressing support.

The [transgender health](#) site on NHS Choices has a number of case studies and videos; these resources which along with arranged sessions (see para 22 of main document) will help to increase understanding and raise awareness.

Appendix 4 – Staff Journey

Recruitment

A job applicant's gender identity status is irrelevant to the recruitment process, except in the rare circumstances where an occupational requirement applies to the role. If there is an occupational requirement, it will need to be made clear in the recruitment material. The University will not ask questions about gender identity status and job applicants are not required to volunteer information about it, unless an occupational requirement makes this relevant. A job applicant with a gender recognition certificate is never required to disclose their gender history. The University operates an anonymised selection process as part of the recruitment process.

If during the recruitment process information is disclosed about a job applicant's gender history, for example because certain documents are in a previous name, Bucks New University will keep the applicant's gender history confidential and will not take this into account in the selection process, unless an occupational requirement makes this relevant. Candidates for employment will be accessed objectively against the requirements that are necessary for the effective performance of the job.

If disclosure from the Disclosure and Barring Service (DBS) is required as part of the recruitment process, applicants must disclose any previous names and/or gender to the DBS. Transgender applicants may make use of the special application procedure established by the DBS so that their previous name is not disclosed to the university.

Employment

The University does not normally need to be made aware of the gender history of a member of staff who has transitioned. If it becomes aware of information relating to a staff member's gender history, it will keep this information confidential. It will not disclose information about an individual's gender history to a third party without the individual's consent. Any records that Bucks New University needs to keep that relate to an individual's previous gender, for example relevant qualifications in a previous name, will be kept confidential, with only specified staff having access to them. The records will be destroyed when there is no longer any need to keep them.

The University will not take account of an individual's gender identity status or history in making employment decisions except where necessary and permitted by law.

The gender history of an individual with a gender recognition certificate will never be relevant to employment decisions. An individual with a gender recognition certificate will be treated in accordance with their acquired gender for all employment benefits including pensions and insurance.

An individual who has transitioned but does not have a gender recognition certificate may be required to disclose their gender history for insurance or pension purposes. This information will be passed only to those people who require it for these purposes and will be kept confidential.

The University will make it clear in information about insurance whether the insurance providers require disclosure of gender history. A transgender member of staff has an

obligation to disclose necessary information to the insurance company if the University is not aware of the individual's gender history. If Bucks is aware of the individual's gender history, the University can supply the information to the insurance company with the individual's consent.

Bucks will make it clear in information about the occupational pension what information is required and any implications that transitioning has on the occupational pension.

Dealing with the transition

Bucks will be supportive of any member of staff who expresses an intention to transition and will work with them to try to ensure as smooth a transition at work as possible.

The University will appoint, in consultation with the individual, a manager to be their principal point of contact. In most cases this will be the Equality, Diversity & Inclusion (EDI) lead for employees who will be responsible for agreeing with the member of staff an action plan (see Form 1) for managing the transition at work.

Matters to be addressed may include the following:

- The individuals' job: Consideration will be given to whether the member of staff wishes to stay in the same job and location or, if possible, to move post and/or location. In the rare cases where an occupational requirement applies to the post, a change of job may be required.
- Time off: The member of staff may require time off for medical or other treatment. Time off for these purposes will be treated no less favourably than time off for illness or other medical appointments.
- Change of social gender: Consideration will be given to:
 - when the individual expects to change name and to start presenting at work in the new gender;
 - how work colleagues and clients are to be informed of the change;
 - whether the individual wishes to inform colleagues and clients of the change or have their Line Manager or the EDI Lead to do this;
 - what information or training is to be given to managers and work colleagues;
 - the point at which the individual will start to use any single-sex facilities, such as toilets, in their new gender.
- Dress codes: If there is a dress code applying to the job done by the member of staff consideration will be given to what, if any, flexibility may be required to accommodate the transition.
- Records: Consideration will be given to changes to records and systems that may be needed. After a member of staff has transitioned, records relating to the transition will be destroyed.

References

When asked for a reference for a trans individual, the usual principles of fairness and accuracy apply. If asked for a reference from someone who has transitioned since leaving the University, it is advisable to make direct contact with the ex-member of staff to discuss the reference. Clearly the content of the reference in terms of capabilities, experience etc. will be the same but care must be taken around the use of pronouns and names.

Appendix 5 – Student Journey

Recruitment Process

A student's gender identity status is irrelevant to the recruitment process. The University will not ask questions about gender identity status and applicants are not required to volunteer information about it. A student with a gender recognition certificate is never required to disclose their gender history.

If during the recruitment process information is disclosed about an applicant's gender history, for example because certain documents are in a previous name, Bucks New University will keep the applicant's gender history confidential and will not take this into account in the recruitment process.

If disclosure from the Disclosure and Barring Service (DBS) is required as part of the recruitment process, applicants must disclose any previous names and/or gender to the DBS. Transgender applicants may make use of the special application procedure established by the DBS so that their previous name is not disclosed to the University.

Dealing with the transition

Bucks will be supportive of any student who expresses an intention to transition and will work with them to try to ensure as smooth a transition at University as possible.

The University will appoint, in consultation with the student, a member of staff to be the student's principal point of contact. In most cases this will be the EDI lead within the Directorate of Student Success who will be responsible for agreeing with the student an action plan (see Form 2) for managing the transition whilst studying.

Matters to be addressed may include the following:

- Study. The impact the transition will have on their course. Whether the student wants to continue their programme of study, defer for a set amount of time, or come to some other arrangement. While equality law does not make specific provision for student leave due to gender reassignment, it would be good practice to ensure that students are not treated any less favourably for being absent due to gender reassignment than if their absence was due to illness or injury. If the leave taken coincides with coursework deadlines, examinations or placements, consideration should be given to alternative forms of assessment, extensions to coursework deadlines and how the student can demonstrate the placement requirements within the timeframe available. If it is necessary for a student to retake a module or suspend their studies consideration will need to be given to the support that they will need to enable them to successfully complete their course within a reasonable timeframe. Given the financial impact on students they should not automatically be required to take a full year out of their course.
- Time off: The student may require time off for medical or other treatment. Time off for these purposes will be treated no less favourably than time off for illness or other medical appointments.
- Change of social gender: Consideration will be given to:

- when the student expects to change name and to start presenting at University in the new gender and the steps that need to be taken to prepare for that point;
 - how staff and fellow students are to be informed of the change;
 - whether the student wishes to inform others of the change or have their Lecturer or someone else such as the EDI Lead within the Directorate of Student Success to do this;
 - what information or training is to be given to staff and course members;
 - the point at which the student will start to use any single-sex facilities, such as toilets, in their new gender.
- Records: Consideration will be given to changes to records and systems that may be needed. After a student has transitioned, records relating to the transition will be destroyed.
 - The action plan and timetable will need to be reviewed periodically with the student. Particular attention will need to be given to students in programmes of study that require them to undertake course placements or to study at a particular rate to qualify for funding or meet course requirements.
 - Where a trans student suspends their studies, it is good practice to allow them to continue to access any mentoring, and counselling programmes. If they are taking a break because they are struggling they are typically left with very little help when they need it most.

Former Students

Former students may contact the University requesting that changes are made to their records. This is likely to be because they have a GRC and they are entitled to request that their former name and gender are removed from all records. Where such a request is made the former name and gender should be removed from all records and replaced with the new one and confirmation, in writing, should be given to confirm that this has been done.

Trans alumni without a GRC may also make such a request and it would be good practice to fulfil it but as with current students, identification documents as provided during enrolment may need to be kept and stored confidentially in line with the policy for existing students.