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|-------------------------------------|---|----------------------|--------------|--|
| College Manual/Share Point Section: | Human Resources, Equality and Diversity |                      |              |  |
| Responsibility:                     | Equality and Diversity Coordinator      | Date doc. created:   | October 2009 |  |
| E&D Impact Assessment date:         | October 2015                            | Review date of doc.: | June 2019    |  |

## Gender Reassignment Policy and Procedures

### 1. AIM

The aim of this policy is to ensure fair treatment of staff, students and other users at New College who are living or intend to live in a gender other than that previously ascribed to them hereafter referred to as trans or gender variant people. Terms used in the Equality Act 2010 such as gender reassignment and transsexual are used in this document although they may not be preferred by the trans community.

Appendix 1 Glossary of terms

Appendix 2 Record keeping and DBS checks (Employment)

Appendix 3 Short guide to supporting a student in gender transition at New College

Appendix 4 Sample gender reassignment transition plan for New College

Appendix 5 Guidance for trans students on changing records at New College

Appendix 6 Support Groups

### 2. OBJECTIVES

2.1 To outline the College's legal duties and responsibilities towards trans or gender variant people

2.2 To describe the assistance that the College offers

2.3 To detail the practical steps that the individual and the College are required to take

This policy was originally based on guidance jointly agreed between the Association of Colleges and the representative Trades Unions in March 2006 and updated in 2014 based on information from Press for Change, a leading transgender campaigning organisation.

### 3. OUR LEGAL DUTIES

Colleges are required to meet their legal obligations under the Equality Act 2010 and the Gender Recognition Act 2004.

Gender reassignment is a protected characteristic under the Equality Act 2010. A transgender person is protected under the Equality Act 2010 from the start of their transition, i.e., living either partly or permanently in their preferred gender role, with the intention of permanently doing so either now or at some point in the future, for the remainder of their life. They are not required to have undertaken any legal or medical processes in order to have protection under the law.

For more information on the Equality Act 2010 use the [EHRC guidance](#).

### 4. MEETING OUR LEGAL DUTIES

4.1 New College celebrates and values the diversity of its student population and workforce. The College will treat all employees and students with respect, and seek to provide a positive working and learning environment free from discrimination, harassment or victimisation. The aim is to create a positive inclusive ethos with a shared commitment to respecting diversity and difference, and to encouraging good relations between people with any gender identity. New College applies these principles beyond the scope of the Equality Act 2010 to all those with gender variance, some of whom may not permanently identify as male or female.

**4.2** The College will not discriminate on grounds of gender identity in the way it recruits and selects staff or students. The College will ensure that trans members of staff are treated fairly and equally in all aspects of staff management.

**4.3** The College will not discriminate on grounds of gender identity in the services provided to applicants, students, visitors and other college customers. Applicants and students will be offered support and guidance if appropriate.

**4.4** Bullying and harassment of trans staff or students are viewed by the College as very serious offences, which if proven will lead to disciplinary procedures and may in certain circumstances lead to the dismissal of a member of staff or the expulsion of a student.

**4.5** Trans equality training and information will be offered as a means of understanding the diversities of trans people and the barriers they face.

## **5. COLLEGE RECORDS**

**5.1** The College will create or update records to include the name and sex chosen by the individual upon production of formal documents and proof of identity. Section 7.7 details these requirements and a process for people in transition. The College recognises that there is particular legal protection for those who have obtained a Gender Recognition Certificate. The College is required to use the Disclosure and Barring Service (DBS) to identify candidates who may be unsuitable for certain work that involves contact with children or other vulnerable members of society. The DBS has arrangements to maintain confidentiality. (See Appendix 2)

## **6. ISSUES OF SUPPORT AND DUTY OF CARE FOR TRANS PEOPLE**

**6.1** Any individual who is going through the transition process will receive at least the same level of support and protection as any other. Any reasonable requests will be considered. The Equality and Diversity Coordinator can provide information and support.

**6.2** The Equality Act 2010 makes it unlawful to discriminate in relation to absences relating to a trans employee's gender reassignment, by treating them less favourably than they would be treated for absence for reasons of sickness or injury, or any other reason. The College recognises that there may be a continued need for trans people to access medical treatment, which may include periods away from work or study. The College will provide support for staff and students returning after a break caused by medical treatment.

## **7. GENDER TRANSITION (Also Appendix 3: Short guide to the gender transition process at New College)**

**7.1** Any member of staff who has taken the decision to go through the transition process can request a meeting with a representative of the College's Human Resources department and take their trade union representative, a friend or supporter.

**7.2** A student should request a meeting with their personal tutor in the first instance and may take a supporter. College student support services could then be involved.

**7.3** A draft written transition plan may be agreed at this point. Guidelines for this plan are given at Appendix 4. This will be a confidential document. The transitioning individual may then request meetings with their line manager, the Equality and Diversity Coordinator, the College's Human Resources team, the teaching team or student support services. They will also have the right not to have such meetings.

**7.4 Single sex facilities.** Those involved in these meetings may discuss access to single sex facilities such as changing rooms and toilet facilities.

**7.4.1** The College and the individual should agree the point at which the use of facilities such as changing rooms and toilets should change from one sex to the other. This may be, for example, the point at which the individual begins to present permanently in the sex to which they identify.

**7.4.2** It is not acceptable to treat a trans person as though they have a third sex, i.e. neither male nor female. It is therefore not acceptable to insist on a transsexual employee using separate facilities in the long term, for example an accessible toilet for disabled people.

**7.4.3** A trans person should be granted access to 'men only' or 'women only' areas according to the sex in which they permanently present. Under no circumstances should they be expected, after transitioning, to use the facilities of their former gender.

**7.5** While all trans people can expect to have any requests treated in utmost confidence, College staff may advise further disclosure to facilitate a smoother transition. It is essential that the person grants permission before their status is discussed with any third party.

**7.6** The College will not in any way penalise any member of staff or student for failing to make their trans or transitioning status known to colleagues or personnel, or for any delays in making this information known. Conversely, the person transitioning should appreciate that they cannot expect the College to make adjustments on their behalf if the College does not know about their status.

**7.7 Organisational records.** The person undergoing transition will have the freedom to choose a date at which they expect College records to be changed. No changes will be made without prior request. No reasonable requests will be turned down.

“There are NO LEGAL REQUIREMENTS as such, before trans people can ask organisations to change their name or gender on their personal records.... However, organisations can require some formal proof of name and status changes, if they have similar requirements for others, e.g. if they would also require a woman who marries to show her marriage certificate before her name or status was altered on her records.”

*A Guide to Changing Names and Genders for Trans People, Employers, and Other Organisations* produced by Press for Change in 2013 Section 7.4.1. [Stored on the College VLE.](#)

The College will comply with requests for changes from students on production of formal documents, e.g., birth certificate, passport, statutory declaration witnessed by a solicitor or other authorised person, deed poll witnessed by two people as described in [guidance at www.gov.uk/change-name-deed-poll](http://www.gov.uk/change-name-deed-poll). A Guidance for Trans Students document is appended and a Change of Details form is available from College Information Systems (CIS) Dept. General guidance on changing names is available from [gendered intelligence](#)

Where a trans or gender variant student **has not obtained formal documents but wishes to be known by a preferred name**, the College Information Services (CIS) will consider requests for changes within the limits of what is required to comply with Funding Agency regulations. CIS will place an alert on registers that the student wishes to be known as their preferred name and authorize reissue of their ID badge with their preferred name. Students requiring this service are advised to make their requests to CIS as early as possible.

All students must be registered as either Female or Male to comply with Funding Agency data requirements.

Staff records must be in the official name of the individual and can only be changed on production of formal documents. Staff are advised to contact Human Resources at the earliest opportunity to discuss their intentions and plan the way in which changes to records, including ID badges and email addresses, are made.

College ID badges must be used in accordance with the Proof of Identity Policy 2013.

**7.8** The person undergoing transition will have the right to request a meeting with others in their area of study or work at which their status as a transitioning person is explained with support from a representative of the College.

**7.9** At all meetings those involved will be bound by rules of confidentiality. The status of the individual undergoing transition will not be discussed with any third party without the prior consent of the person who is changing gender.

**7.10** In general, the College will take the word of the person transitioning. No attempt will be made to obtain proof of medical conditions such as gender dysphoria. Nor will any person transitioning be subject to intrusive questioning by any representative of the institution.

**7.11 Nondisclosure.** The College will not penalise any member of staff or student for failing to make their trans or transitioning status known to colleagues or personnel, or for any delays in making this information known. If the College does not know about their status or permission has not been granted for adequate disclosure, then the College will be limited in the assistance that can be offered.

## **8. EQUALITY MONITORING**

The College systems presently record individuals as female or male. The College has decided not to ask staff and student applicants for information on gender reassignment. Anonymous opinion surveys give respondents the option of indicating gender reassignment.

## **9. DIVISION OF RESPONSIBILITIES**

**9.1** All staff are responsible for following this College policy, supporting trans staff and students and challenging any discriminatory behaviour by learners, placement providers, outside contractors or other members of staff. Personal tutors are required to support their students throughout.

**9.2** The College Principal/Chief Executive and Senior Management Team are responsible for taking the lead in creating a positive, inclusive ethos that challenges discriminatory behaviour on the part of the managers, staff or learners. They must be aware of the College's statutory duties in relation to all legislation relating to trans people.

**9.3** Governors are responsible for ensuring that the College's strategic plan includes a commitment to equality (including for trans people) and that they are aware of the Corporation's statutory responsibilities in relation to gender reassignment legislation as an employer and service provider.

## **10. PUBLICISING OUR POLICY AND PROGRESS**

**10.1** Our commitment to equality on grounds of gender reassignment will be highlighted in our equality statements published for the general public.

**10.2** All staff will have access to a copy of the policy. The staff and student induction programmes will highlight the College's commitment to equality for all, action to be taken by those who suffer discrimination and the action to be taken against any perpetrators of such discrimination

## **11. COMPLAINTS**

**11.1** The College will provide accessible procedures and appropriate support for those wishing to make claims of discrimination or harassment.

**11.2** Acts of discrimination, harassment, victimisation or abuse on the grounds of gender identity will be treated as a serious disciplinary offence.

## 12. REVIEW AND CONSULTATION

12.1 This policy will be reviewed in accordance with legislative developments and suggestions for good practice. Any feedback from those directly affected will be used to evaluate our policies and procedures.

|                         |   |
|-------------------------|---|
| <b>Linked Policies:</b> | Proof of Identity Policy<br>Equalising Opportunity Celebrating Diversity Policy |
|-------------------------|---|

| <b>NEW COLLEGE EQUALITY IMPACT ANALYSIS</b>  | <b>DATE: May 2018</b> |
|--|-----------------------|
| <b>Function: Gender Reassignment Policy and Procedure</b>  |                       |
| <p>This policy, plan, procedure, process has been examined for equality impact, i.e., the impact that this function will have on different groups of actual and potential learners, service users and staff taking account of the protected characteristics of the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation).</p>   |                       |
| <p>1. <b>If Equality Impact Analysis is not relevant to this function, give reasons and proceed to section 5 below.</b></p>  |                       |
| <p>2. <b>In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?</b> Not applicable.</p>  |                       |
| <p>3. <b>In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?</b> This policy will empower trans people associated with New College and give clear guidance to College managers and other members of the College community.</p>   |                       |
| <p>4. <b>What evidence supports your judgment e.g. consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?</b> This policy was originally based on guidance jointly agreed between the Association of Colleges and the representative Trades Unions. It was then approved by the local consultation/negotiating body within the College in 2009. The policy and procedure was updated in 2014 based on legal information from <i>Press for Change</i>, a leading transgender campaigning organisation. Advice has been sought from members of the local trans community. This policy was updated in 2018 as a result of student and staff feedback.</p> |                       |
| <p>5. <b>Name and job title of manager responsible:</b> Trudy Murphy Equality and Diversity Coordinator</p>  |                       |

## Appendix 1: Glossary of terms taken from <http://www.gires.org.uk/> June 2017

**GENDER IDENTITY** describes the psychological identification of oneself, typically, as a boy/man or as a girl/woman, known as the 'binary' model. There is a presumption that this sense of identity will be consistent with the, respectively, male or female sex appearance. Where sex appearance and gender identity are congruent, the terms **cisgender** or **cis** apply.

However, some people experience a gender identity that is somewhat, or completely, inconsistent with their sex appearance; or they may regard themselves as **gender neutral**, or **non-gender**, or as embracing aspects of both man and woman and, possibly, falling on a spectrum between the two. People have the right to self-identify, and many people reject the whole idea of binary tick-boxes, and describe themselves in **non-binary**, more wide-ranging, open terms such as **pan-gender**, **poly-gender**, **third gender**, **gender queer**, **neutrois** and so on. Pronouns he/she, his/hers, may be replaced with more neutral pronouns such as: they, per, zie or fey; and the title Mx may be preferred to Mr, Mrs, Miss or Ms.

**SEX** refers to the male/female physical development - the phenotype. In an infant, the sex is judged entirely on the genital appearance at birth, but internal reproductive organs, skeletal characteristics and musculature, and the brain, are all sex differentiated. Other factors such as karyotype (chromosomal configuration) are seldom tested unless a genital anomaly is present. There is a presumption that an apparently male infant will identify as a boy, and vice versa.

**GENDER ROLE** is the social role - the interaction with others which both gives expression to the inner gender identity and reinforces it. Despite the greater gender equality in modern Western culture in terms of the subjects studied in school and at university; the choice of friends; work and domestic arrangements; dress and leisure pursuits, there is still a presumption of conformity with society's 'rules' about what is appropriate for a man or a woman, a boy or a girl, especially in terms of appearance. A significant departure from stereotypical gender expression often causes anxiety and discomfort in those who witness it. Their own discomfort may be reflected back on gender nonconforming individuals, causing a continuous source of stress in social situations.

**GENDER VARIANCE/GENDER NONCONFORMITY.** It is now understood that gender identity, although powerfully influenced by the sex of the genitalia and the gender of rearing, is not determined by these factors. There is evidence that sex differentiation of the brain is inconsistent with other sex characteristics, resulting in individuals having a predisposition to develop a gender identity that is not typically associated with the assigned sex. They may dress and/or behave in ways that are perceived by others as being outside typical cultural gender expressions; these gender expressions may be described as *gender variance* or *gender nonconformity*.

**GENDER DYSPHORIA.** Where conforming to society's cultural expectations causes a persistent personal discomfort, this may be described as gender dysphoria. When individuals seek to overcome this discomfort by living in the role that is congruent with their gender identity, ongoing stress may be experienced, as mentioned above, because of the adverse reactions of others towards people whose gender expression does not reflect their sex as assigned at birth. Dysphoria, in many trans people, includes some level of disgust with the sex characteristics, since these contradict the inner sense of gender identity.

**TRANSSEXUAL.** The terms '*transsexual*' and '*transsexualism*' are now considered old fashioned, and are only likely to be seen in legal and medical documents. Even there, these terms are gradually being replaced with more acceptable terminology, such as 'transgender' and 'trans' (see below). In law, a transsexual person is someone who 'proposes to undergo, is undergoing or has undergone gender reassignment' (Equality Act 2010). For some, this will involve medical intervention to adjust the appearance so that it aligns with the gender identity, and is often associated with changes to the gender role and expression, as well as names and pronouns. These changes may alleviate much or all of the discomfort. The term transsexual is specific, and does not include non-binary identities. The word 'transsexual' should be used as an adjective, not a noun. It is, therefore, never appropriate to refer to an individual as 'a transsexual', or to transsexual people, as 'transsexuals'. The abbreviation 'tranny' is also unacceptable.

**TRANSGENDER** has had different meanings over time, and in different societies. Currently, it is used as an inclusive term describing all those whose gender expression falls outside the typical gender norms. It is often the preferred term for those who change their role permanently, as well as others who, for example, cross-dress intermittently for a variety of reasons including erotic factors (also referred to as transvestism). Those who live continuously outside gender norms, sometimes with, and sometimes

without, medical intervention are covered by this term. There is a growing acknowledgement that although there is a great deal of difference between say, drag artists and people who change their role permanently, there are nonetheless areas in the transgender field where the distinctions are more blurred; for example, someone who cross-dresses intermittently for some years, may later change fully to the opposite gender role. Non-binary gender identities also fall under this umbrella term.

**TRANS.** The expression '*trans*' is often used synonymously with 'transgender' in its broadest sense. Recently the asterisk has become an additional symbol of inclusion of any kind of trans and non-binary gender presentation - hence trans\* person.

'Trans men' are those born with female appearance but identifying as men; and those born with male appearance but identifying as women may be referred to as 'trans women'. The terms may also be used to imply a direction of travel, towards a more masculine or feminine gender expression, rather than a complete transformation of a person's gender status. Many trans people, having transitioned permanently, prefer to be regarded as ordinary men and women, and therefore, cisgender. In these cases, where it becomes essential to refer to their pre-transition status, the phrase 'woman (or man) of trans history' may be used.

**TRANSITION** is the term used to describe the permanent full-time adaptation of the gender role in all spheres of life: in the family, at work, in leisure pursuits and in society generally. A few people make this change overnight, but many do so gradually over a period of time, changing their presentation intermittently, and sometimes whilst undergoing early medical interventions such as hormone therapy. Transition does **not indicate a change of gender identity**. The person still has the same identity post transition; the changes are to their gender role, gender expression and sometimes their sex characteristics, to bring these in line with their identity. A period of 12 months living full-time in the gender role that is congruent with the gender identity is currently required before genital surgery is undertaken. Transition in non-binary individuals is more likely to be a shift in gender presentation, rather than a complete change of role; it may or may not include medical intervention.

**AFFIRMED GENDER.** The process of bringing the gender role and appearance into alignment with the gender identity, 'affirms' that identity. Thus the term 'affirmed' gender, is now becoming more common in describing the post-transition gender status. 'Affirmed' should be used in preference to 'acquired'; the latter is the language of the Gender Recognition Act, and is more appropriately used to describe the acquisition of a Gender Recognition Certificate and new Birth Certificate (see below).

**GENDER CONFIRMATION TREATMENT.** Those undergoing transition permanently usually have gender confirmation treatment that includes hormone therapy and often surgery to bring the secondary sex characteristics: breasts and genitalia, more in line with the gender identity. Such surgery is sometimes referred to as gender (or sex) reassignment surgery. The term 'sex change' is not considered appropriate or polite. Surgeries such as facial feminising and body contouring may be chosen, but these are usually not provided on the NHS.

**INTERSEX CONDITIONS.** There are a number of intersex conditions (renamed Disorders of Sex Development - a clinical description which many in the UK refuse to adopt). In some intersex conditions, the appearance at birth is atypical being neither clearly male nor female. The sex (male or female) assigned, and the anticipated gender role (boy or girl) assumed at that time, may not be consistent with the core gender identity and may, therefore, result in a need to change the gender role at a later stage. In addition, some of these individuals may have had surgery neo-natally to create (usually) a female appearance. This surgery may have a disastrous outcome, since the individual may, in fact, identify as a boy. This occurs in many individuals treated in this way. Surgical intervention before the individual is able to give informed consent is now regarded, by many, as unethical.

**SEXUAL ORIENTATION.** Sexual orientation is a separate issue from gender identity. Sexual orientation is associated with the sexual attraction between one person and another. This is quite different from the internal knowledge of one's own identity. Trans people may be gay, straight, bisexual or, occasionally, asexual. Their sexual relationships may remain the same through the transition process or, sometimes, they shift. So a person who is living as a man, and is in a heterosexual relationship with a woman may, having transitioned to live as a woman, continue to be attracted to women and seek a relationship with a woman - or - may be attracted to men, and therefore seek a relationship with a man. Sometimes trans people make lasting relationships with other trans people, so the possibilities are many and varied, and do not necessarily fit comfortably into typical categorisations of sexual behaviours.

**GENDER RECOGNITION CERTIFICATE.** In 2004 the Gender Recognition Act was passed, and it became effective in 2005. Those people who have undergone a permanent change of gender status may endorse their new gender status by obtaining legal recognition in the form of a Gender Recognition Certificate (GRC). Applicants must provide paper evidence to the Gender Recognition Panel indicating that they have already changed their name, title and gender role, on a continuous basis, for at least two years; there is an expectation that they intend to live in the altered gender role for the rest of their lives. A medical opinion indicating that the applicant has experienced gender dysphoria is necessary. However, no medical treatment is required. Successful applicants acquire the new gender status ‘for all purposes’, entitling them to a new birth certificate registered under the changed name and title, provided that the birth was registered in the UK. The GRC has strict privacy provisions which must not be breached by any person acquiring such information, in an ‘official capacity’. Disclosure to a third party could be a criminal offence.



## Appendix 2: Record keeping and DBS checks (Employment). Guidance from Association of Colleges

### Record keeping

The employer should ensure that all documents, public references (such as telephone directories, prospectuses, web biographies) and employment details reflect the acquired gender of the person. This will prevent any breach of confidentiality.

Where documents have been seen and copies taken at the point of starting employment (such as a birth certificate) then every effort should be made to replace those with equivalent documents in the new name and gender. In some instances, however, it may be necessary to retain records relating to an individual's identity at birth, for example, for pension or insurance purposes prior to obtaining gender recognition.

However, once a person has obtained a **Gender Recognition Certificate** these **MUST** be replaced with new details. Access to records showing the change of name and any other details associated with the individual's transsexual status, (such as records of absence for medical treatment) must be restricted to staff who need the information to do their work. They could include people directly involved in the administration of a process, for example the examining medical officer, or the person who authorises payments into a company pension scheme. They do not include colleagues, clients or line managers.

Once a person has obtained a Gender Recognition Certificate there must be no disclosure of this information, not least because it may be a criminal act subject to a maximum £5,000 fine. Breaches of confidentiality should be treated in the same serious manner as disclosure of personal details of any other member of staff (see below).

Transsexual people in employment may choose voluntarily to disclose information at a secondary level, for example, answering an equal opportunities questionnaire, or asking for support from a line manager. Again, strict confidentiality should be observed as further disclosure must not be made without the express permission of the transsexual person.

### When can the employer make a disclosure?

The GRA defines information about a person's application for gender recognition and a person's gender history as 'protected information'. This means that if an employer or employee acquires the information in the course of official duties, it is a criminal offence to disclose it. It is not an offence, however, to disclose 'protected information' if the person cannot be identified or if the individual gives their consent.

Any records held on a transsexual employee in their birth gender and those held on the same person in their acquired gender should be kept confidential, with only specified staff having access to them. The Data Protection Act 1998 limits the purposes for which information may be kept, and when that information is no longer useful it must be destroyed.

### DBS

The Disclosure and Barring Service provides a service called 'Disclosure.' By providing wider access to criminal record information, the DBS helps employers in the public, private and voluntary sectors identify candidates who may be unsuitable for certain work, especially those positions that involve contact with children or other vulnerable members of society.

### What is the clearance procedure?

To enable it to do its job, the DBS has to be aware of any previous names and/or gender of prospective employees. However, the bureau has now devised a process which allows transsexual people to pass details onto the DBS without first revealing them to the employer.

### What do transsexual applicants have to do?

The DBS has developed a separate application procedure, which allows transsexual applicants to exclude previous names from the Disclosure Application form. However, applicants will still be required to send details of their previous identity in a separate letter directly to the 'Sensitive Casework Manager' within

the DBS. For further information applicants may telephone the CRB on 0151 6761452 to discuss this matter in confidence or email [DBSSensitive@dbs.gsi.gov.uk](mailto:DBSSensitive@dbs.gsi.gov.uk).

The DBS will then check the data sources held against both current and previous names. This avoids the need for disclosure about gender history or former name to the employer or voluntary body at the application stage, but allows the DBS to carry out the requisite checks against any previously held identities.

It should be noted that where a conviction or (in Enhanced Disclosure cases) other relevant information has been recorded in a previous name, this will be revealed on the Disclosure and as such details of any previous identity may be revealed.

Where there are no convictions recorded, the details of any previous names that have been provided directly to the DBS will not be revealed on the Disclosure. Transsexual applicants wishing to take advantage of this separate procedure should contact the DBS for further details.

### **Appendix 3: Short Guide to supporting a student in gender transition at New College to be used in conjunction with the Gender Reassignment Policy.**

- 1. The College recognises that gender reassignment under the Equality Act 2010 is a personal process rather than a medical one and will not ask for medical information.**
- 2. Use the name, title and pronoun by which the person wants to be addressed.** If you are not sure, just ask. If you make a mistake, correct yourself and move on.
- 3. Respect the person's privacy.** If you do need to gather information, ask the person's permission and tell them clearly why you are asking and what will happen as a result. Don't ask personal questions or raise sensitive topics in an attempt to establish rapport. Be led by what they want to say.
- 4. Maintain confidentiality** and only tell others about the person's trans status with their permission. The transitioning student will be supported by their tutor and other College staff if they need to explain their transition to others at the College.
- 5. Transition plan.** The example Transition Plan at Appendix 4 can be amended and reviewed as required. A written record will be useful for all parties. The member of staff should offer to record the plan.
- 6. Appointments and dates for medical treatment** will be regarded in the same way as absence for reasons of sickness or injury. The individual going through the transition process can expect confidentiality when making arrangements for such absence.
- 7. Access to single sex toilet and other facilities.** The individual should be granted access to 'men only' or 'women only' areas according to the sex in which they permanently present. The College and the individual should agree the point at which the use of gender specific facilities such as changing rooms and toilets should change.
- 8. Changing College records.** Guidance for students on changing their College records is at Appendix 5. A Change of Details form is available from College Information Services (CIS). The Personal Tutor will assist with this process.
- 9. It is our duty to provide an environment for work and study that is welcoming and free from discrimination and harassment.** Remember that a trans person generally wants to get on with their life and be valued for their own attributes just like everyone else. Deal with any incidents of bullying and harassment under normal disciplinary processes and report them to the Safeguarding Manager who logs all these events.
- 10. Information and training.** The Equality and Diversity Coordinator can provide information or training on trans issues.

## Appendix 4: New College Confidential Gender Reassignment Transition Plan

| 1. Meeting attended by:  | Date |
|--|------|
| 2. Give the individual a copy of the College policy and record date.   |      |
| 3. Check out the expectations of the individual. How would they like to be addressed? Use this name, personal pronoun and title in all future interactions. Do they have specific requests regarding the transition? Record these, make it clear what will happen next and agree dates for further actions or meetings. In any event cover the following topics. |      |
|  |      |
| 4. Is individual a member of staff or student? Do other people need to be involved before action can be taken? Reach agreement and set a date for next meeting.  |      |
|  |      |
| 5. Does individual have experience or fear of harassment? Alert them to College policies, standards and support systems.   |      |
|  |      |
| 6. Has individual already transitioned and needs amendments to records, e.g., ex-student, returning staff member. If individual has the formal documentation (see policy section 7.7 and Appendix 2), agree dates by which changes will be made. Does individual require any further support? Agree with dates.  |      |
|  |      |
| 7. If individual is beginning or in transition, let them tell you where they are at and what support they want. Do they have the formal documentation (see policy section 7.7 and Appendix 2)? If yes, tell them who needs to be informed and offer assistance to make this disclosure. Agree process and date for this.   |      |
|  |      |
| 8. If they do not have the formal documentation, refer them to the policy (section 7.7). Agree what actions will take place with dates.  |      |
|  |      |
| 9. Does individual require support in introducing themselves in their new name and or gender? Agree this with individual. This could take the form of a written statement or meetings.   |      |
|  |      |
| 10. Is individual requesting time off for medical treatment? Agree how this will be managed and dates.   |      |
|  |      |
| 11. Agree use of gender specific facilities as appropriate. Agree whether other staff need to be informed, for example in the case of changing rooms.  |      |
|  |      |

## Appendix 5: Guidance for trans students on changing personal details on college records

1. General guidance on changing names is available from [gendered intelligence](#) and [UK Trans Info](#) and in [government guidance](#). The College recognises that gender reassignment under the Equality Act 2010 is a personal process rather than a medical one and will not ask for medical information.

2. The College will comply with requests for change of name from trans students aged 16 or over on production of one of these formal documents:

- Birth certificate in your new name,
- Passport in your new name,
- Statutory Declaration witnessed by a solicitor or other authorised person.
- Deed Poll witnessed by two people as described in the [government guidance](#)

The College will accept a Deed Poll document produced by the student at no cost if it complies with the [guidance at www.gov.uk/change-name-deed-poll](#)

Students are encouraged to keep their parents informed as changes are visible on the Parent Portal.

Students aged under 16 years must have parental agreement [Guidance here](#)

3. Students must complete a **Change of Details** form for College Information Services (CIS) and provide one of the documents listed above. A copy of the document will be retained.

4. The title and gender marker (must be either Female or Male to comply with government requirements) can also be changed.

5. The new details will then appear on registers, examination entries and all College records.

6. The student **must obtain a new ID badge from the IT help desk as it is their responsibility to ensure this is consistent with College records.**

7. Where a trans student **does not produce the required documents but wishes to be known by a preferred name**, CIS will make the limited changes described below:

- Name change on registers and ProPortal
- Authorisation for new ID badge

8. The formal student record and all exam entries **remain in the name which was previously enrolled.**

9. The gender marker will remain unchanged. Students must be registered as either Female or Male.

10. If more changes are required, students may wish to consider producing their own deed poll document as described in the [government guidance](#).

## Appendix 6: Trans Support groups at June 2017

### Swindon based

<http://www.outofthecan.org/>

LGBT Youth group 14-25 meets weekly in social settings

<https://transswindon.wordpress.com/>

New all age Trans group with profiles of founding members on the site.

<http://swindon-tg-group.yolasite.com/>

Long standing all age trans group.

### National Organisations

<http://www.gires.org.uk/>

Comprehensive source of information including a listing of other information and support groups.

<http://genderedintelligence.co.uk/projects/kip>

Includes information for young people and families

<https://www.unison.org.uk/content/uploads/2018/03/24861.pdf>

How to be a good ally to trans people at work - 4 page guide.