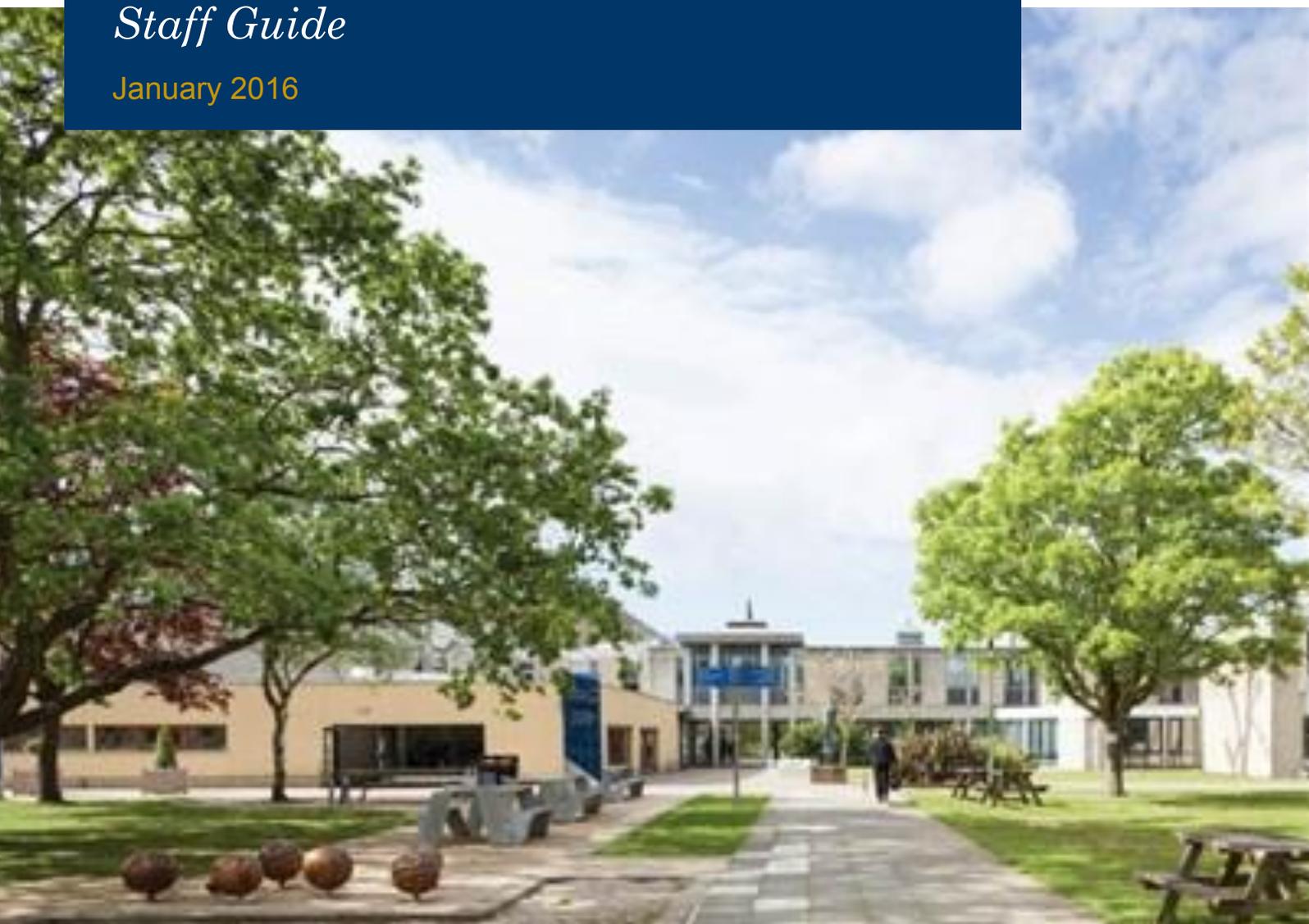


# EQUALITY, DIVERSITY AND INCLUSIVITY/ **SUPPORTING GENDER REASSIGNMENT IN THE WORKPLACE:**

*Staff Guide*

January 2016



# CONTENTS

<b>Introduction</b>	<b>2</b>
<b>Our commitment</b>	<b>3</b>
<b>Legal framework</b>	<b>4</b>
<b>Supporting transition</b>	<b>7</b>
<b>Supporting staff</b>	<b>8</b>
<b>Recruitment and selection</b>	<b>10</b>
<b>Managers toolkit</b>	<b>11</b>
<b>Further information</b>	<b>13</b>
<b>FAQs</b>	<b>14</b>
<b>Appendices:</b>	
A - Checklist: Informing the University	20
B - Checklist: Formulating an action plan for the transition process	21
C - Glossary	22

## INTRODUCTION

Gender reassignment refers to individuals who:

Have undergone, intend to undergo or are currently undergoing medical and surgical treatment to alter their body.

or

Do not intend to undergo medical treatment, but wish to live permanently in a different gender from the gender assigned to them at birth.

Gender reassignment may include personal, social, legal and medical adjustments such as: telling family, friends or colleagues; changing names and/or sex on legal documents; hormone therapy; hair removal; voice therapy; or chest or genital surgery.

The aim of this document is to

- a) Guide staff on gender identity inclusivity in the workplace;
- b) Outline the university's legal obligations under the Equality Act (2010).

It provides:

- Information on language and etiquette (a Glossary is also provided at Appendix C);
- practical information to support colleagues;
- advice on how to handle information and

confidentiality;

- Resources and information for continued understanding.

Whilst legislation focuses primarily on gender reassignment (see page 4) the University of Kent recognises that it is good practice to have policies and procedures in place which are inclusive of all staff regardless of their gender identity.

The guide complements existing policies available from the [Human Resources website](#), including the EDI, Disability in Employment and Dignity at Work policies.

The guide is informed by: "Trans staff and students in Higher Education" (Equality Challenge Unit, 2010).

Please note that trans is an inclusive term used throughout this guide.

Transition refers to a process and/or period of time during which gender reassignment occurs (with or without medical intervention) and is the term used to describe a permanent change of gender. There are no fixed timeframes in which transition happens.



## OUR COMMITMENT

“To recognise and celebrate the diversity of gender identity and expression of our staff, students, alumni, and visitors or members of the public”.

A decision to undergo a process of transition can be very complex and difficult for the individual and others who may be involved.

The support of colleagues is vital and the university wishes to act sensitively.

### We recognise:

- that trans staff come from diverse backgrounds;
- the importance of providing a supportive environment for all staff who wish their trans status to be known;
- the right of the individual to choose whether they wish to be open about their gender identity, and the importance of confidentiality;
- the need to build and maintain an inclusive environment which encourages and welcomes and affirms trans individuals in the workplace;
- the need to be as open, clear and flexible as possible when supporting gender reassignment in the workplace;
- that gender reassignment discrimination or harassment will not be tolerated;
- the need to anticipate and respond positively and to provide a professional and consistent service, so that all members of the University feel welcomed, valued and able to achieve their potential.



## LEGAL FRAMEWORK

### The Equality Act (2010)

The Equality Act makes it unlawful to discriminate against someone who has the protected characteristic of gender reassignment. Anyone who proposes to undergo, is undergoing, or has undergone a process (or part of a process) of gender reassignment - regardless of whether or not they are under medical supervision – is protected by the Equality Act. Protection is afforded from the moment that the individual indicates their intention to make a permanent change to their gender identity, even if they later change their mind. Further information on gender reassignment discrimination is available from the EHRC<sup>1</sup>.

There are four main types of unlawful discrimination:

- **Direct discrimination:** treating someone less favourably than other staff because of gender reassignment, whether actual or perceived, or because they associate with someone who intends to undergo, is undergoing or has undergone gender reassignment. An example would include not employing someone because they have undergone gender reassignment and it may make the team uncomfortable.
- **Indirect discrimination:** this can occur where there is a policy, practice or procedure that applies to all staff, but particularly disadvantages people who intend to undergo, are undergoing, or have undergone gender reassignment. An example would include the application of a procedure that forces an individual to disclose that they have undergone gender reassignment.
- **Harassment:** this is when unwanted conduct related to gender reassignment has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading or humiliating environment. An example would include “outing” someone (revealing the trans status of a person to others) without their permission.
- **Victimisation:** this is when someone is treated unfairly because they have made or supported a complaint about gender reassignment discrimination in the workplace.

Kent's equality and diversity policies outline the rights and responsibilities of all staff. Additional examples of discrimination might include:

- refusing to promote a member of staff because they are trans;
- deliberately excluding a person from a work-related activity on the grounds of their gender identity;
- verbally or physically threatening a trans person, or spreading malicious gossip ;
- refusing to associate with, or ignoring someone because they are trans;
- refusing to address someone with their preferred pronouns or use their new name;
- passing judgment on how convincing a trans person is in their acquired gender.

### Disability discrimination (Equality Act 2010)

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<sup>1</sup> Equality Human Rights Commission: gender reassignment discrimination information available at <http://www.equalityhumanrights.com/your-rights/equal-rights/gender-reassignment-discrimination>

Please note that where an individual has been diagnosed with Gender Dysphoria (see the Glossary at Appendix C) and this has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities, they may also be protected under the disability discrimination provisions of the Equality Act. Please refer to Kent's Disability in Employment policy for further information on disability discrimination.

### Gender Recognition Act (2004)

A person's legal sex is defined by their birth certificate which, until 2004, could not be changed. However, the Gender Recognition Act:

1. Enables people who have permanently transitioned to gain recognition of their new gender for all legal purposes.

This requires assessment by a Gender Recognition Panel<sup>2</sup>, who issue a Gender Recognition Certificate (GRC) when satisfied that the individual has:

- gender dysphoria;
- lived in their acquired gender for two years prior to the date of application;
- intends to live in their acquired gender for the rest of their life.

A Gender Recognition Certificate (GRC) enables a person to obtain a new birth certificate which does not disclose the fact that they have changed their gender. This provides legal recognition of their new gender for all purposes, including marriage and civil partnership.

***Once a person has obtained a Gender Recognition Certificate they do not have to disclose their past history to anyone.***

2. Provides extended privacy rights to those applying for, or in possession of, a Gender Recognition Certificate. This knowledge is protected information.

It is a criminal offence for a person who has acquired protected information about a GRC in an official capacity to disclose this to anyone else; this could incur liability of a fine of up to £5000.

As a member of staff, if you become the holder of such information you should seek advice. In the first instance, you should consult with your line manager whilst taking care not to discuss the information with colleagues. You must take care to ***remove any information that would identify the individual before seeking advice.***

<sup>2</sup> Evidence is submitted to the panel which includes a report from a registered medical practitioner or a chartered psychologist practicing in the field of gender dysphoria, the diagnosis and treatment and a statutory declaration by the applicant.

## Data Protection Act (1988)

A person's gender identity history constitutes sensitive personal data and cannot be recorded or passed to another person unless the conditions of the Data Protection Act 1998 for processing sensitive data are met. Advice on this should be sought from the Information Compliance office via [www.kent.ac.uk/infocompliance](http://www.kent.ac.uk/infocompliance).

### Updating records: the legal position

In the UK, anyone who wishes to be known by a different name can change this at any time<sup>3</sup>. There is no legal procedure; they can simply start using a new forename, family name, or rearranged names.

With the exception of a degree certificate or pension scheme, **a written notification of intent to transition is sufficient for the name on employment records to be changed**. The procedures for any other name change request, such as marriage, should be followed. A trans person does not need a Gender Recognition Certificate to be able to change their name and title, and it **is unlawful to request one**.

**Records cannot be changed without the express permission of the person concerned.**

On a practical level, material that needs to be kept relating to a person's trans status should be placed in a sealed envelope and attached to a new file with instructions such as "Confidential: [HR Manager] or [Head of School/Department/other designate] only".

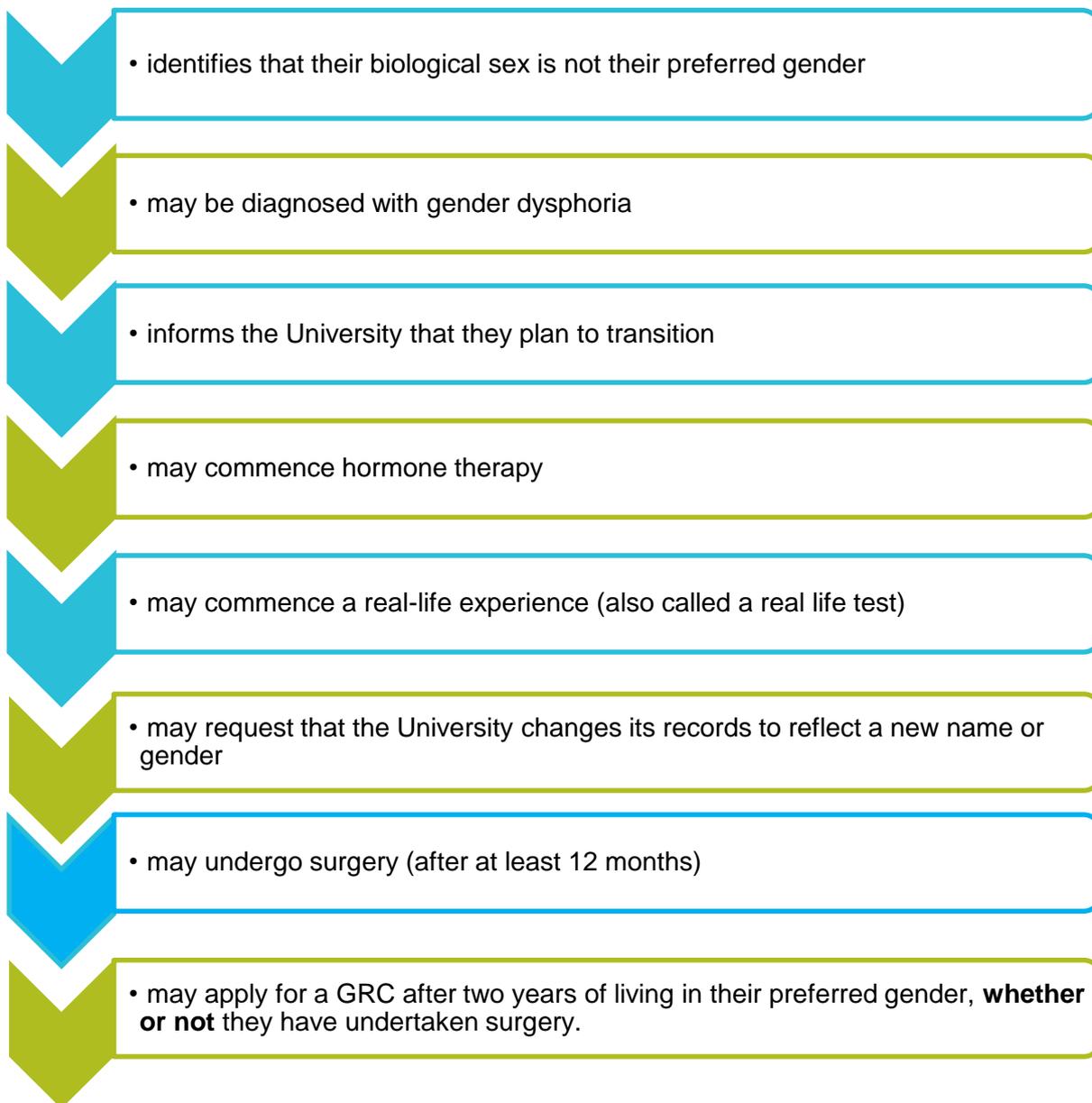
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<sup>3</sup> With the exception of records that cannot legally be changed without a GRC, for example pay and pension records and degree certificates.

## SUPPORTING TRANSITION

The following provides an overview of the gender reassignment process. Please note that an individual's circumstances will vary.

The individual:



Individuals may also undertake various treatments such as: counselling; hair transplants; electrolysis; speech therapy; chest or genital surgery; facial surgery.

## SUPPORTING STAFF

The university aims to support staff through their transition so that they are able to perform to their potential, can be themselves and are more likely to meet the requirements of living in their new gender.

### Informing the University

Individuals are encouraged to talk to their line manager or designated Employee Relations Adviser (available via the [Who to contact](#) section of the HR website), to discuss their needs and how they would like to proceed.

A checklist for **Informing the University** can be found at Appendix A.

### Practical considerations

It is good practice for the individual to work with their line manager and designated Employee Relations Adviser (available via the [Who to contact](#) section of the HR website), to compile and agree an action plan to support the process of transition. This should consider the following:

- communicating with others
- accessing facilities
- supporting the change in presentation
- changing a name
- managing any potential absence
- accessing toilet and/or changing facilities (see guidance provided in the FAQs).

A checklist, **Formulating an Action Plan for the Transition Process**, can be found at Appendix B.

### Respect guidelines

Staff may feel unsure about how to support a colleague who is undergoing transition. The following guidelines will help to facilitate and model good practice. Remember:

- to use the person's chosen name;
- to think of them as being the gender that they want you to think of them as;
- to use the pronoun - he or she - and if you are not sure, ask what they prefer and respect their wishes (if you make a mistake, correct yourself and swiftly move on as a commitment to use correct language in future is the important learning point);
- to respect their privacy;
- that trans people are often sensitive about revealing information about their past, especially if they think it might affect how they are perceived in the present;

- to 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 may include anything to do with one’s sex life, anatomy and relationship status – past, present or future);
- to use the term “presenting as” in reference to appearing in public (rather than ‘dresses as’, or ‘dressed up as’).

Some terms, for example ‘she-male’, ‘he-she’, ‘it’, ‘lady-boy’, ‘trannie’/‘tranny’, are deemed as discriminatory and should not be used. Also please note that it is not usually appropriate to use the term ‘sex change’ or ‘pre/post-operative’, as this may imply that the process of transition involves surgery - which may not be the case.

Finally, it is not appropriate to ask a trans person what their ‘real’ or ‘birth’ name is, or to put quotation marks around their chosen name or the pronoun that reflects their gender identity.

For further information, please see “Trans Staff and Students in Higher Education” (Equality Challenge Unit, 2010).

**In summary:**

- Listen and ask the individual how they want to be treated, then follow their steer and respect their wishes.
- Pay attention to confidentiality and disclosure, and take care not to reveal a person’s trans status without their express permission. If documents have to be kept with the previous name and gender, keep them in a secure location clearly marked as **confidential**.
- Try to familiarise yourself with key terminology listed in the **Glossary**.

**Support network at Kent**

Further information and advice can be found from the following sources:

- The [Equality, Diversity and Inclusivity team](#) and trans webpages;
- your designated Employee Relations Adviser (see [Who to contact](#) via HR website);
- the [University Counselling Service](#);
- the Lesbian, Gay, Bisexual and Trans (LGBT) Staff Network;
- A confidential [peer-support group](#) run with TG Pals for all trans, intersex and non-binary gender people;
- Departmental [EDI Representatives](#);
- Harassment Contacts or the Emergency Response team (see the [EDI website](#));
- the Mediation Service (details available from the [Mediation website](#)).

In addition, [Occupational Health](#) provides **confidential advice and support** to staff on health and wellbeing issues. Individuals can self-refer, or line managers can make a referral with the permission of the individual.

A referral is advisable in the following situations:

- when an individual is experiencing work related stress;
- prior to any surgery, or two to four weeks after surgery;
- when there is a history of previous surgery that may impact on their role.

## RECRUITMENT AND SELECTION

Members of the HR Resourcing team have undertaken EDI training which includes trans awareness in the workplace.

A trans job applicant or potential applicant should contact the designated Resourcing Adviser (as detailed in the job advertisement), on a private and confidential basis, should they have any questions around their participation (including any potential disclosure of their trans status) during any aspect of the recruitment and selection process.

Applicants have the right not to disclose their trans status at any time during the recruitment and selection process, or at any time following their appointment - either as part of completing an application form or via the equal opportunities monitoring form.

Please note that applicants are not asked any questions about trans status during the recruitment and selection process however, applicants may themselves volunteer this information as part of their application. Please also note that applicants are asked 'what is your legal sex?' as part of equality monitoring during the recruitment and selection process, with the option to say: "male"; "female"; or "prefer not to say". Later, the employment record of the successful applicant will record their legal sex based on the evidence provided under right to work requirements.

Applicants who have any queries regarding confidentiality and disclosure (and any potential risks attached to this) during the recruitment and selection process should in the first instance contact their Resourcing Advisor.

### Documents and Evidence

A passport (not birth certificate) is the usual form of identification required during the recruitment and selection process.

### Further information

Kent's recruitment and selection procedures are available on the HR website. All members of staff involved in the recruitment and selection process should make sure they have completed training, and that this is up to date (please see the next section, 'Managers Toolkit', for details).

# MANAGERS TOOLKIT

## Checklists

The following checklists are available to help facilitate conversations in the workplace:

- Informing the University (see Appendix A)
- Creating an Action Plan for the Transition Process (see Appendix B).

When completing any documentation please remember to store the information securely.

## Training and development

Line managers should ensure that they, and their team, have completed the following e-learning modules:

- Transgender Awareness training
- Diversity in the Workplace
- Equality and Diversity in Recruitment and Selection.

These are available via the [EDl website](#). Once completed, staff are advised to re-visit the modules periodically to refresh their knowledge.

## Communicating with, and managing the reactions of, colleagues

As people transition, the process may present challenges for others, particularly those who may have fixed notions of gender. Colleagues may need support in understanding the situation and may want to ask questions. While some individuals are very open about their transition, others may require support to deal with other people's questions.

The following guidelines should be considered when communicating with colleagues. Please note that this should always be after discussion and prior agreement with the individual, whilst also keeping in mind that some trans staff may choose not to be publicly identified.

- The individual should be free to choose whether they wish to make an announcement about their transition themselves, or whether they prefer this to be made by a chosen representative.
- It may be useful to arrange a meeting with colleagues or students, with invitations sent to anyone the person works or interacts with frequently. Please note however, that the content of any meeting should be fully discussed with the trans person in advance. It may also help to provide an opportunity to ask questions - either of the person hosting the meeting, or of the person concerned - if they are comfortable.
- A senior member of staff within the school/department should be nominated as an advocate to provide visible support to the communications. Their role should be to:
  - articulate that the person has the full support of the institution;
  - reiterate Kent's commitment to equality, diversity and inclusivity and related policies (including dignity at work or study);

- emphasise that, from the determined date, the person will have changed gender and should be addressed by their new name and appropriate pronoun.
- emphasise the date at which there will be a change in the use of facilities such as toilets and changing rooms. Please refer to Appendix B- Checklist: Formulating an action plan for the transition process, which considers these and other practical arrangements.
- Further information, awareness training or briefings for colleagues may be helpful. It would be good practice to involve the trans member of staff in the design and planning of this.

Individuals who transition may choose to make an announcement, then take a short time away from work to return in their new name and gender.

## FURTHER INFORMATION

- **Beaumont Society**

A support network that promotes understandings of trans, transvestism and gender dysphoria. <http://www.beaumontsociety.org.uk/>

- **Depend**

Offer free, confidential and non-judgmental advice, information and support to all family members, partners, and friends of trans people. <http://www.depend.org.uk/>

- **Equality Challenge Unit (ECU)**

Provide sector specific guidance on supporting staff and students who are transitioning (see [Trans Staff and Students in Higher Education](#)). [www.ecu.ac.uk](http://www.ecu.ac.uk)

- **Equality and Human Rights Commission (EHRC)**

Tackle transgender discrimination and promote equality. [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

- **FTM Network**

An informal self-help group, open to all female to male transgender and transsexual people, or those exploring this aspect of their gender. [www.ftmlondon.org.uk](http://www.ftmlondon.org.uk)

- **Gender Dysphoria**

Information can be found at <http://www.nhs.uk/conditions/gender-dysphoria/Pages/Introduction.aspx>

- **Gender Identity Research and Education Society (GIRES)**

Promote research for people who need to live and be accepted in the gender in which they identify when different from that assigned at birth. <http://www.gires.org.uk/>

- **Gendered Intelligence**

Create cohesion across the UK trans community, and raise awareness of needs through training, policy and consultation. [www.genderedintelligence.co.uk](http://www.genderedintelligence.co.uk)

- **Gender Recognition Panel**

Provide guidance on obtaining legal recognition of an acquired gender and process applications for Gender Recognition Certificates. [www.grp.gov.uk](http://www.grp.gov.uk)

- **Gender Trust**

An authoritative centre for professional people who encounter gender identity-related issues in the course of their work. [www.gendertrust.org.uk](http://www.gendertrust.org.uk)

- **Press for Change**

An educational/political lobbying organisation for trans people in the UK. [www.pfc.org.uk](http://www.pfc.org.uk)

- **The UK Intersex Association**

Campaigns for and supports intersex people in the UK. [www.ukia.co.uk](http://www.ukia.co.uk)

## FAQs

**Q I am a line manager and a member of my team has told me they are thinking of transitioning; who should I inform?**

This will depend on the wishes of the individual. You should refer to the guidance contained within this document and utilise the checklists to guide you through the process of supporting an individual. You may also wish to view the sector-specific case studies provided on the EDI website to help you understand others' experiences of transitioning. These can be accessed at [www.kent.ac.uk/hr-equalityanddiversity](http://www.kent.ac.uk/hr-equalityanddiversity).

**Q What happens if I tell someone about the trans status of an individual?**

The trans status of an individual is regarded as sensitive, personal data. Disclosing this to someone without the permission of the individual would be a breach of confidentiality. Further, if they hold a Gender Recognition Certificate (GRC), you could be liable to criminal proceedings by passing this on without their express permission.

**Q Who can advise line managers on how to support trans individuals?**

Your designated Employee Relations Adviser can advise and support line managers. Additionally, Occupational Health can advise individuals and line managers on specific requirements or adjustments which may be needed to support someone in the workplace if the individual is in agreement for this conversation to happen.

**Q I am aware that someone transitioned prior to joining our work team; should I let their new colleagues know?**

You should not mention their trans history to others without their permission.

**Q I would like to understand more about the experience of trans individuals; what resources can I access to do this?**

You can access a range of case studies via the EDI website ([www.kent.ac.uk/hr-equalityanddiversity](http://www.kent.ac.uk/hr-equalityanddiversity)).

**Q What is the experience of trans individuals at work?**

Data is not available on the number of trans staff at the University of Kent. Statistically, only a very small number of staff are likely to be trans. However, research shows that trans status can have a major impact on the experience of individuals more generally at work. Responses to a government Equalities Office transgender survey showed that:

- 50% of trans employees said they had been harassed or discriminated against in their current or previous job because of their gender identity
- 88% of respondents said that ignorance of trans issues was the biggest challenge they faced in employment
- trans people highlighted transitioning at work as one of the most significant triggers for discrimination.

**Q Can individuals refuse to work with someone who plans to change their gender?**

It is unlawful to refuse to work with a trans person, or to discriminate against someone, because they are trans. If an individual has concerns about working or interacting with a trans person this should be discussed with their line manager or designated HR representative.

**Q Does everyone who changes their gender have surgery?**

No, not everyone will undertake surgery.

**Q A member of my team needs several weeks off (at least 12) as a result of surgery to reassign their gender. Can I agree this, and how will it be recorded?**

The amount of time off required following surgery will vary greatly, typically from one to twelve weeks (or longer), depending on the nature of the surgery and the physical demands of the person's work. A member of staff under medical supervision because of their transition has the right to be absent from work due to surgery or possible side effects of medication. HR and Occupational Health can support the management of the absence and subsequent return to work. Absence of this nature will be recorded as sickness absence, but will not contribute towards the trigger points in the absence management process.

**Q What should happen about the use of facilities such as single sex toilets, especially if gender neutral toilets are not available?**

The University supports the right that a trans person is able to access facilities (such as single-sex accommodation, changing rooms or toilets) according to the gender in which they present.

In managing any potential reaction from colleagues it is important to remember that many single-sex toilets have separate cubicles and may be cleaned by someone of the opposite gender. Where single-sex areas such as toilets or changing rooms are provided, trans people are encouraged to use the facilities according to the gender in which they present.

On occasion a trans person may feel more comfortable using a gender neutral toilet and not presenting as a specific gender. Where gender neutral toilets are not otherwise available, reasonable steps should be taken to provide such provision such as by re-designating the Ladies as a gender neutral toilet, either on a permanent or temporary basis. Such changes should be made with due regard to those who may prefer single-sex toilets and efforts should be made to balance toilet provision, wherever possible, so that all have access to a toilet that they feel comfortable using and so that advance communication of any planned changes can take place. In circumstances however where it is not possible to offer a reasonable level of access to both gender neutral and Ladies toilets, the default position will be that the Ladies will be re-designated as a gender neutral toilet for the period necessary.

It is unacceptable to tell a trans person that they can only use a gender neutral or disabled toilet if single-sex toilets are also available. If a trans individual offers to use a separate toilet, this should not be a permanent arrangement, and under no circumstances should a trans person be expected to use the facilities of their former gender.

**Q What does the legislation say with regard to data protection?**

For the purposes of the Data Protection Act (1998), gender reassignment and any information pertaining to an individual's gender identity history would constitute sensitive data, which can only be processed for certain specified reasons, as set out in the Act. The Data Protection team at [www.kent.ac.uk/infocompliance](http://www.kent.ac.uk/infocompliance) can provide further advice.

**Q What does the legislation say with regard to privacy?**

Article 8 of the Human Rights Act (1998) gives everyone, including trans people, the right to privacy and family life. Respect for privacy and a freedom from workplace gossip,

including the unnecessary broadcasting of personal circumstances, is a reasonable consideration. Most trans people wish to keep their gender status as private as possible, but some are willing to discuss it either confidentially or openly. It is important that colleagues do not breach the personal privacy of staff.

Reference to a person by their previous name or gender could reveal the status of the person and constitute a breach of confidentiality that is, potentially, harassment.

*Note: Given the wider privacy protection applicable to all, it is good practice to assume any trans person has gender recognition, and to treat them accordingly.*

**Q Who should contact HMRC and/or pension providers when someone changes gender?**

It is the responsibility of the individual to inform relevant external authorities and to provide information and evidence required to amend any records. The University does not take responsibility for informing other organisations.

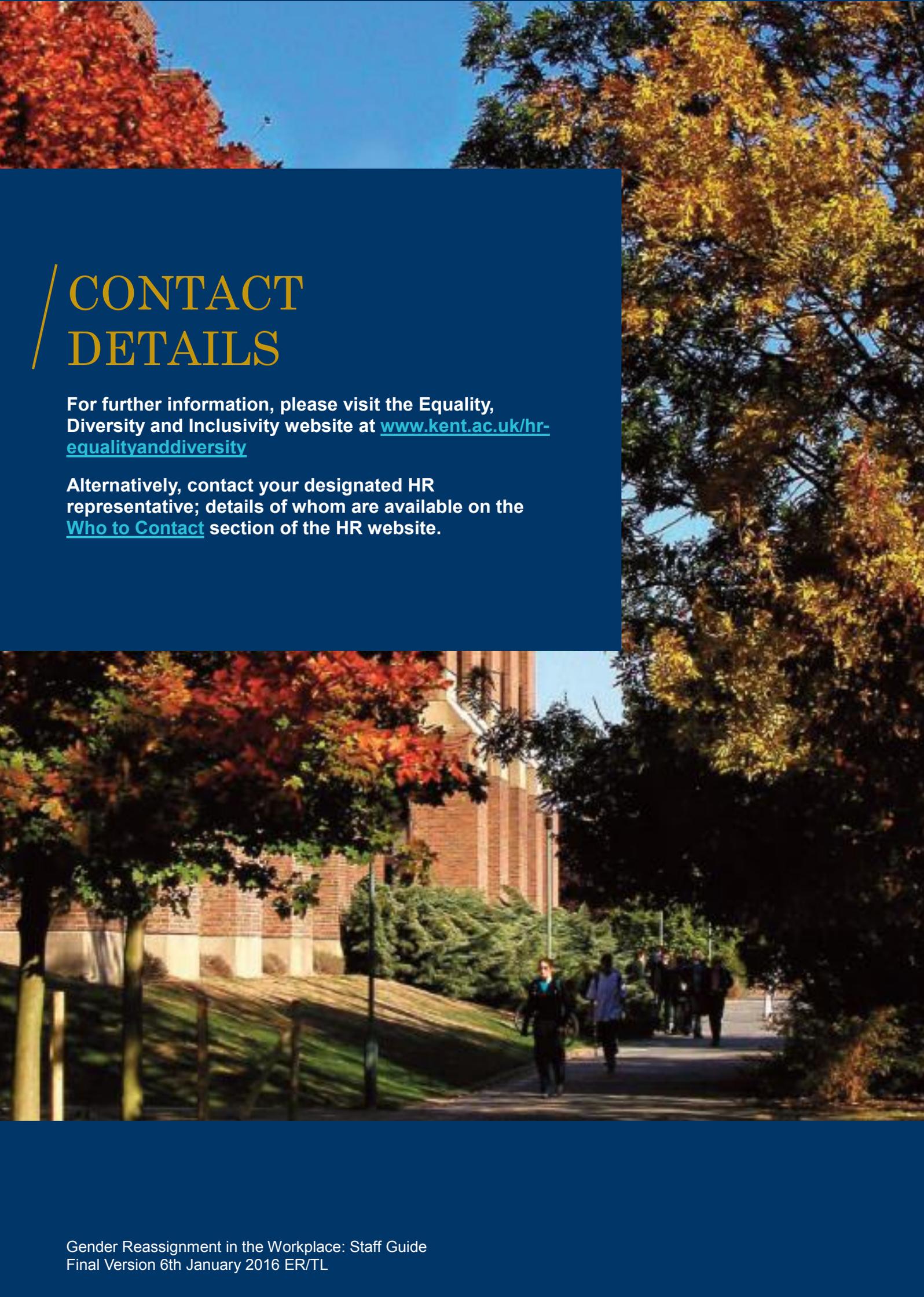
**Q Can I change my name on my employment record?**

Yes, you can choose to use a preferred name which will be added to your employment record. You can request this change in writing to the HR Operational Services team (or Hospitality HR, for those staff in Commercial Services and the Gulbenkian). Your legal name and legal sex will always need to be retained on your employment record - specifically for pay and pension and other purposes. However, upon receipt of a Gender Recognition Certificate, or by changing your name via deed poll, your legally recorded sex and or/name will be amended.

**Q Can I use a gender-neutral title on my staff record, or when making a job application?**

Yes, the HR system enables staff to choose to be addressed by the title 'Mx'. Job applicants can use the free text box to input 'Mx' as their chosen title.

The University endeavours to respect people in the gender in which they present, irrespective of their legal sex. However, when dealing with external organisations, for example, with regard to taxes, national insurance, pensions or visas, it is important to be aware that they will be dealing with legal sex, and not the presenting gender.



# CONTACT DETAILS

For further information, please visit the Equality, Diversity and Inclusivity website at [www.kent.ac.uk/hr-equalityanddiversity](http://www.kent.ac.uk/hr-equalityanddiversity)

Alternatively, contact your designated HR representative; details of whom are available on the [Who to Contact](#) section of the HR website.

## SUPPORTING GENDER REASSIGNMENT IN THE WORKPLACE/ **APPENDIX A:** Checklist - Informing the University

This checklist assumes that the trans individual will inform the University by initiating a discussion with their line manager or designated HR representative. The checklist is designed for managers in order to facilitate an initial discussion, develop confidence, and provide a step by step guide to supporting the individual. It can also be used to formulate a clear, initial action plan for the practical arrangements needed at work.

<b>Initial discussion with line manager / HR representative</b>	<b>Tick</b>
Ensure that the meeting takes place in a suitable private location.	
Inform the individual of relevant University policies and sources of support, for example, HR policies (including the EDI and Dignity at Work policies). Full details are on the <a href="#">HR website</a>	
Inform the individual of trans information available from the staff EDI website and the EDI team, including this guidance document. Details are available at the <a href="#">Equality, Diversity and Inclusivity webpages</a>	
Discuss/confirm a date when the change in gender presentation is likely to begin	
Explore any practical arrangements required at work, and the support available	
Confirm dates of any requests for absence (appointments, surgery, other, etc.)	
Discuss who else will need to be informed at an early stage, in order to manage the transition process in the workplace. This should be considered in terms of the practical help that others can offer and a genuine need to inform individuals for operational reasons.  It might include: the line manager; the relevant HR representative; the Head of School/Department, Occupational Health; Pay and Pensions; or other colleagues.  Be led by the wishes of the individual and, if possible, try to confirm dates when this might take effect, whilst noting that it does not need to be agreed at this point and could be decided at a later meeting.	
Discuss the storage of sensitive personal data: what will be recorded and by whom; where this will be stored; and who will have access to the data. This should include reference to confidentiality and disclosure, and data protection.	
Agree a date to create an Action Plan for the Transition Process (see Appendix B)	
Agree any review dates and next steps.	
<b>Follow up the meeting by agreeing any actions to be undertaken in writing with the individual, before going ahead.</b>	

## SUPPORTING GENDER REASSIGNMENT IN THE WORKPLACE/ **APPENDIX B:** Checklist - Formulating an Action Plan for the Transition Process

Points to discuss	Tick
Ensure that the meeting takes place in a suitable private location.	
Confirm the date for the change of gender presentation	
Confirm dates of requests for absence (appointments, surgery, etc.)	
<p>Agree a list of key personnel who need to be informed, when and how confidentiality will be managed. This might include HR, Occupational Health and the Head of School/Department.</p> <p><b>NB:</b> As a minimal operational requirement, Human Resources need to be notified: a) so that employment records can be updated to reflect a change of name; and b) to provide support for the transition process.</p>	
<p>Discuss options for communicating with others:</p> <ul style="list-style-type: none"> <li>• How would the individual like colleagues (and students if relevant) to be informed?</li> <li>• Do they wish to inform colleagues themselves?</li> <li>• Would they like their line manager to do this?</li> <li>• Would they like a senior manager to be involved (see p10 of the Supporting Gender Reassignment: Staff Guide)?</li> </ul> <p>Share the Respect Guidelines (see p8 of the Supporting Gender Reassignment: Staff Guide) and consider how these will be used as part of the communication process.</p>	
<p>Discuss and agree practical considerations, for example:</p> <ul style="list-style-type: none"> <li>• A change in use of facilities (toilets, changing rooms, accommodation) and dates when changes need to take effect. (see FAQs page 16 for guidance)</li> <li>• ID and membership card/s to be amended</li> <li>• HR employment record</li> <li>• Payroll details</li> <li>• Contact details in staff directories</li> <li>• Staff listings: email; circulation lists</li> <li>• Departmental records, lists and mailing lists</li> <li>• Module and programme handbooks and documentation</li> <li>• Online information such as staff profiles and biographies</li> <li>• Photo boards and publicity materials (online and in print)</li> <li>• Amending records</li> </ul> <p><b>N.B:</b> This list is not exhaustive, nor will it be relevant in every situation. Allow the individual to express their needs and identify dates when they could take effect.</p>	
Agree any next steps and set a date to review.	
<b>Follow up the meeting by agreeing any actions to be undertaken in writing with the individual, before going ahead.</b>	

## INTRODUCTION

Please note that terminology in this area is varied and constantly evolving as understanding develops. New words appear and meanings can shift; there are no absolute definitions, only common understandings and interpretations. The best advice is to always check with the individual and ask them to state their preference. It is hoped that this glossary will be a useful resource however, additional guidance on terminology can be accessed from Gendered Intelligence (see the Further Information section for details).

### Acquired gender

The new gender of a person who has socially transitioned and had their gender reassigned and/or legally recognised. It is possible for an individual to transition and receive legal recognition of their acquired gender without medical assistance.

### 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 or new Birth Certificate.

### Agendered

A trans person who does not have a gender or gender identity. They may also be described as gender neutral.

### Androgyne

Someone who identifies as gender non-binary and may possess traits that are simultaneously feminine and masculine, or neither.

### Cross dresser or transvestite

A person who dresses in clothing, accessories and/or make up typically worn by the opposite sex, but does not feel the requirement to live permanently in the opposite gender.

A transvestite, or cross dresser, does not usually wish to alter their body and does not necessarily experience gender dysphoria.

*Please note: 'transvestite' is generally an inappropriate term to use in the context of a trans person; they are not dressing for pleasure, rather, they are dressing to express openly who they see themselves as.*

## Gender

“Gender consists of two related aspects: *gender identity* (a person’s internal perception and experience of their gender); and *gender expression* (the way a person behaves and lives in society and interacts with others, based on their gender identity).” Trans Staff and Student in Higher Education, ECU (2010, p4).

## Gender binary

Describes the classification of sex and gender into two distinct forms of masculine/male and feminine/female.

## Gender dysphoria

“Gender dysphoria is a medical condition in which a person has been assigned one gender (usually at birth on the basis of their sex), but identifies as belonging to another gender, or does not conform to the gender role society ascribes to them. Gender dysphoria is not related to sexual orientation. [...] A person with gender dysphoria can experience anxiety, uncertainty or persistently uncomfortable feelings about their birth gender. They may feel that their gender identity is different from their anatomical sex. This dysphoria may lead to a fear of expressing their feelings and a fear of rejection and in some cases deep anxiety or chronic depression. Sometimes a person with gender dysphoria assumes an identity in the opposite sex. This may involve undergoing hormone and, perhaps, surgical procedures to change their sex.” Trans Staff and Student in Higher Education, ECU (2010, p4).

## Gender identity

Gender identity is a person’s internal perception and experience of their gender.

## Gender presentation/expression

Gender presentation - through personality or clothing - can determine how a person’s gender is perceived by others. Trans people may seek to make their gender expression and presentation match their gender identity (which is subjective and internal to them as an individual), rather than their birth sex. See Trans Staff and Student in Higher Education, ECU (2010, p5).

*Please note: it is good practice to use “presenting as...” as an inclusive term to express how someone is appearing in public.*

## Genderqueer

Genderqueer is a term used for people with gender identities other than male or female, thus outside the gender binary.

Genderqueer people may think of themselves as one or more of the following:

- both men and women (bigender, pangender);
- neither men nor women (genderless, agender);
- moving between genders (genderfluid);
- third gender or other-gendered;
- having an overlap of, or blurred lines between gender identity and sexual or romantic orientation.

## Gender/sex reassignment

“The process of transitioning from one sex to another. See also transgender. People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex have the protected characteristic of gender reassignment under the Equality Act 2010” (EHRC, 2015, available at: <http://www.equalityhumanrights.com/about-us/our-work/key-projects/britain-fairer/supporting-evidence/glossary>, accessed 26/11/15)

The process of gender reassignment (or *transition*) is most frequently, but not exclusively accompanied by treatment that can include hormone administration and surgery to reassign the sex characteristics of the body into alignment with the individual’s *gender identity*. It may include social, legal and medical adjustments such as:

- telling family, friends or colleagues;
- changing one’s name and/or sex on legal documents;
- hormone therapy;
- hair removal, voice therapy and possibly chest or genital surgery.

*Please note: gender reassignment is considered by some to be inaccurate: people with gender dysphoria do not change the gender with which they identify, they change their sexual characteristics to match their gender identity.*

### **Gender Recognition Certificate (GRC)**

A GRC may be issued under the Gender Recognition Act (2004) by a Gender Recognition Panel. A holder of a GRC is legally recognised in their acquired gender for all purposes.

### **Gender Recognition Panel**

A panel of lawyers and doctors who assess whether an individual meets the criteria for the issuing of a Gender Recognition Certificate.

### **Gender variant**

Gender variant people see gender as a spectrum rather than binary, and express their identity in ways that reflect this. This includes androgynous or polygender people.

### **Intersex**

This refers to a number of genetic and hormonal conditions, which in some individuals lead to a visible mixture of male and female sex traits. In others, the variation is far less noticeable (including at chromosomal level), and many intersexual people probably live their lives as men or women without any concerns about their gender identity.

### **Legal sex**

A person’s legal sex is defined by their birth certificate. Previously, this could not be changed, but the Gender Recognition Act (2004) means that people can now apply for recognition of their acquired gender for all legal purposes.

### **Openly trans**

A person who self-identifies as trans in their personal, public or professional life.

### **Polygendered**

A person with multiple genders that can fluctuate or be simultaneously present.

### **Protected characteristic**

“A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or have 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).

*Please note: no medical involvement is required for legal protection; it is a self-definition.*

### **Real-life experience or test**

A phase during gender reassignment, when an individual must live and work in the gender with which they identify.

### **Sexual orientation**

This is a different from gender identity, and the two are not related. Trans people, like any other people, can be heterosexual, lesbian, gay or bisexual.

### **Trans**

“An inclusive term for people who may identify themselves as transgender, transsexual or transvestite.” Trans Staff and Student in Higher Education, ECU (2010, p7). Trans may also include identities such as agendered, polygendered, non-gendered or gender queer.

*Please note: It is good practice to use the terms “trans” as an adjective to describe people, for example, ‘a trans member of staff’.*

*Please also note, you may see trans\* appearing in documentation where it is sometimes used in place of writing transgender and/or transsexual.*

### **Trans man (or FTM)**

Someone transitioning, or who has transitioned, from female to male. “The term female-to-male (or FTM) is a medical term indicating the direction of a person’s transition and may occasionally be used to describe a trans man.” Trans Staff and Student in Higher Education, ECU (2010, p7).

### **Trans woman (or MTF)**

Someone transitioning, or who has transitioned, from male to female. “The term male-to-female (or MTF) is a medical term indicating the direction of a person’s transition and may occasionally be used to describe a trans woman.” Trans Staff and Student in Higher Education, ECU (2010, p7).

### **Transgender (often abbreviated to “trans”)**

“An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with ‘trans’. See also Gender reassignment”. (EHRC, 2015, available at: <http://www.equalityhumanrights.com/about-us/our-work/key-projects/britain-fairer/supporting-evidence/glossary> Accessed 26/11/15)

*Transgender* includes transsexual people, but is scoped much wider to embrace a wider variety of gender expression, including those who have no intention of permanently changing gender.

*Please note: it is good practice to use the term 'transgender as an adjective, for example, 'transgender people'.*

## **Transition**

The process of changing from the gender assigned at birth to a gender with which the individual identifies. This may, or may not, involve medical or surgical treatment.

Gender transition is a journey that is different for everyone. Every individual is unique and will experience gender variance to different degrees, this is also affected by cultural and social circumstances. Some may attempt to suppress their discomfort, while others may live permanently in the gender role that is most comfortable for them, but without seeking any medical treatment. Some people choose to follow a process called **gender reassignment**.

## **Transphobia/transphobic**

Terms used to describe discrimination that can be experienced by trans people which arises as a result of their expression of their gender identity.

## **Transsexual**

An overwhelming, and ongoing desire to live and be accepted as a member of the sex opposite to that "allocated" at birth. It follows that there is a persistent discomfort with the individual's anatomical sex and a sense of incongruence with that gender role.

Someone in this position may have the medical condition of gender dysphoria (ECU, 2010, p8).

*Please note: it is good practice to use this term as an adjective by referring to individuals as 'transsexual people', but not 'transsexuals'*