

Transgender issues: procedure

1. Introduction

This procedure outlines how the University will provide support to an individual who wishes to undertake gender transition. **Throughout this process the institution is committed to being guided by the wishes of the individual at all stages.**

This document also outlines the university's approach to the recruitment and selection of trans people. This document should be read in conjunction with the **Transgender Policy**.

2. Leading up to transition

2.1 Informing others of the intention to transition

Any individual who wishes to embark on gender transition should write a letter to SGUL stating the date that they intend to present themselves as a member of the opposite sex:

For staff

Staff should address this letter to the Director of Human Resources

For students

Students should address this letter to the Academic Registrar.

Staff and students are not required to provide a letter from their doctor stating that they are undergoing transition as the definition of gender reassignment is extended to protect people who are not under medical supervision.

OR

Alternatively the individual may wish to arrange a meeting to discuss the support they need. They may be accompanied by their trade or student union representative or by a friend.

For staff

Staff may arrange to meet with:

- the Divisional Manager
- the Director of Human Resources
- their line manager
- a trade union representative
- a staff representative
- the Equality and Diversity Officer

For students

Students may arrange to meet with:

- the Academic Registrar
- the Students' Union Vice-President (Education, Welfare & Representation)
- the Equality and Diversity Officer
- any other staff member in whom the student has confidence.

The primary recipient of the letter, or the member of the institution first approached, will initially meet with the individual concerned and offer reassurances that the institution will support them during their transition. Any change in gender does not alter the value, standard, or skills of the staff member or student.

2.2 Designated staff member

A designated staff member will then be assigned lead responsibility for liaising with the individual.

For staff

- the Divisional Manager or the Director of Human Resources will allocate the staff member with lead responsibility - for example the line manager

For students

- the Academic Registrar will allocate the staff member with lead responsibility.

The designated staff member will be assigned overall responsibility for ensuring any pre- agreed plan is implemented smoothly.

2.3 Drawing up a plan for the period of transition

The designated staff member will meet with the individual concerned. They will draw up a rolling plan with a timeline detailing what will need to be achieved/agreed with the individual at each stage as they progress through transition.. The timeline will be divided into academic years.

SGUL will be guided by the wishes of the individual in terms of the speed at which the transition will progress and agreement reached on matters such as:

- the expected timescale of the gender reassignment process and what is entailed
- when the individual will first present in a different gender
- what time off will be required for medical appointments and any medical and surgical procedures
- what amendments will be required to records and systems -such as: identification passes, library cards, contact details, email addresses, formal records website references, etc - and when name changes and official records will be altered
- who the individual wants to inform- for staff this may include colleagues, for students this may include members of their peer group- and whether the individual wishes to inform others themselves, or would prefer this to be done for them
- when the individual will start using facilities relating to the gender to which they are reassigning (e.g. toilets, changing rooms)
- how to handle any harassment, hostile reactions or unwanted interest
- the support to be made available to the individual throughout the transition process.

The designated staff member will meet with the individual concerned at regular intervals to update the pre-agreed plan and review progress according to the actions and dates identified in the timeline. The designated staff member will coordinate the institution's requirements with other departments. These discussions will be documented.

The plan is a confidential document. The designated staff member and individual concerned will also agree where copies should be kept and who should have access to the plan.

3. Changes to records

3.1 Transition date

Once a person has informed SGUL stating that they intend to present themselves as a member of the opposite sex, a transition date for this will be agreed. This will usually be the point at which the person begins to live in the gender with which they identify.

3.2 Letter of intention

All records will be replaced with the new details effective from the transition date.

SGUL's documentation and computer systems will accurately reflect a person's current gender.

Personal information (including official records, photographs and letters) will be kept securely and not shared without the permission of the individual concerned.

The extent of expunging of past data will be discussed thoroughly with the individual and the institution will be guided by their wishes. This may include the following:

- records held in a paper file found, and relevant information transferred to a new cover
- the termination of old files
- the effective setting up of a new student or staff record.
- Nothing to remain on the file that would disclose to a third person that a change has occurred. - Current Human Resources or Registry records/ letters/ documents for transitioning staff or students will not refer to a previous name. -

All material that cannot be disposed of will be placed in a sealed envelope and attached to the new file with the instruction:

For staff

- 'Confidential: Human Resources Director Only'.

For students

- 'Confidential: Academic Registrar Only.'

3.3 Access to records

Access to any records showing the change of name and any other information associated with the person's transgender status, such as records of absence for medical treatment, will be restricted to only those staff who require such information to perform their specific duties, for example the person who authorises payments into a pension scheme.

3.4 Name change for undergraduates

The university is obliged by the Higher Education Statistics Agency (HESA) to collect identity data for student enrolment - usually a birth certificate, passport or photo driving licence. However a transgender person will be able to change their name at SGUL on production of a letter stating they wish to change their name and documentation which shows changes from the original birth name to the current name e.g. deed poll. They do not need to provide a Gender Recognition Certificate to do this.

3.5 Name change for postgraduates

For a postgraduate student, the university will need identification documents that relate to the names on the certificates of the first degree of study. If the name on the first degree certificate is different from the students' current name the student will need to provide the institution with documentation which shows changes from the original birth name to the current name e.g deed poll. This information will be kept in the confidential file by the Academic Registrar (see 3.2 above).

3.6 Changes to Payroll

Staff payroll details will be changed. Finance will first check with the individual that they have made a similar change with their bank before payroll details are updated.

3.7 Staff tax forms P60 and P45

Staff tax forms P60 and P45 can be amended to reflect the new identity.

3.8 Staff pension expression of wish forms

For staff 'expression of wish forms' - which detail who you want your pension to go to in the event of your death- will be kept unopened until the person dies.

3.9 Staff or student ID card

Staff or student ID cards will be amended and photos updated to reflect the new identity.

3.10 Administrative support for students

SGUL will provide reasonable administrative assistance to students when dealing with outside agencies on this issue. The most common cases will be in relation to Local Education Authorities, DSS, Inland Revenue, etc. SGUL will, as necessary, assist with verifying any alteration to gender information.

3.11 Awarding of qualifications

The institution will help ensure that any awarding certificate for the student's final qualification is awarded in their new name.

3.12 References

SGUL is committed to preserving confidentiality when providing references on behalf of either students or staff. References for either current or former members of staff or students who have transitioned, will make no reference to the person's former names or gender identity and will use appropriate pronouns. Failure to do so without the individual's consent would be a breach of data protection. If SGUL receives a reference for someone who has previously transitioned gender, which refers to them by a previous name, the institution will treat this information as confidential.

3.13 Changes to academic biographies

Any changes to academic biographies such as information held on Divisional websites or annual reports reflecting the achievement of academic staff will be discussed with the individual and all changes will be agreed before these are made.

3.14 Changes to CVs

All individuals will be responsible for updating their own CV.

3.15 Requests for changes to documents

SGUL will comply with requests to have degree certificates or other documents reissued in a new name at reasonable cost.

3.16 Data protection

Under the Data Protection Act 1998, trans identity and gender reassignment constitutes 'sensitive data' for the purposes of the legislation, and will be processed by SGUL as such.

4. Communicating the change to others

4.1 Calling a meeting

In consultation with the individual, a decision will be taken as to whether or not any larger meeting is needed to communicate the plans for gender transition if it is agreed that this is necessary.

The individual should be free to choose:

- Whether they make an announcement themselves - if so wished and in line with best practice, the designated staff member may attend with the individual concerned

or

- the announcement is made for them by their line manager, the Human Resources Department, a trade or student union representative or the designated member of staff.

The designated staff member will openly demonstrate SGUL's support for the individual.

They will also make a clear statement on confidentiality that emphasises the importance of not discussing the transition of the person with any other member of the institution.

Everyone attending the meeting will be directed by the designated staff member to access the Equality Challenge Unit's guidance on trans people : "trans staff and students in higher education " for website link address please see under further information at the end of this document.

The designated staff member will also advise all those attending the meeting that the law recognises that someone who is undergoing a medical transition to their new gender may require substantial periods of time off work or study for treatment.

4.2 Offering training

Occasionally SGUL may offer training on transgender issues to ensure that participants are able to raise issues and concerns and know how to support any staff or students who are transitioning. SGUL will involve transgender staff or students in the planning and design phase of any training.

5. Toilets

A transgender person will have access to 'men-only' and 'women-only' areas according to the gender in which they live permanently. The institution and the individual will agree the point at which the use of facilities such as changing rooms and toilets change from one sex to the other. This will usually be the agreed transition date: the point at which the person begins to live in the gender with which they identify..

In some situations it may be necessary to explain the situation carefully to colleagues. This will only happen after consultation with the person who is transitioning.

Requiring the person to use disabled toilet facilities is not acceptable unless the individual is disabled.

6. Accommodation for students

The institution makes every effort to treat issues raised by trans students with sympathy and consideration.

If a student is living in university-owned or run halls of residence, on receipt of request from the student **the** student may be relocated to suitable alternative accommodation on or before the day of transition.

Our accommodation contracts are also flexible so as to allow students to leave university owned or run accommodation if the student begins to live in their chosen gender.

7. Professional dress

In some cases - for example students on placements - discussions may need to be held to come to a workable solution i.e. to accommodate the Department of Health's bare below the elbow policy. However SGUL will endeavour to accommodate the process of transition from one sex to another.

8. Managing transition

8.1 Leading up to transition

The transgender person may wish to take a short holiday before the day of transition (the day s/he will come to the university dressed in the clothes of their preferred gender).

8.2 The day of transition

On the day of transition, managers, academic departments and academic support departments should ensure that everything is in place to avoid any contradictory information. All staff lists, student lists, class lists, organisational charts, databases, etc. should all be updated and circulated - omission or contradiction can be embarrassing. See Appendix A checklist for all issues which may need to be considered.

9. Changes to workload or timetable

SGUL realises that the individual may need to be absent during normal working or study hours for rehabilitation, assessment or treatment.

9.1 Time off for medical treatment for staff and students

An individual must not be treated less favourably by reason of their absence from work or study while undergoing gender reassignment, in comparison with someone absent due to illness or for some other similar reason.

Time off to attend hospital or doctor's appointments which last for part of a working day should not be counted as sick leave. Time taken during working hours for the above appointments must be paid and the dates and times of the appointments should be recorded but not classified as sick leave.

Time away from work for surgery and to recover from surgery will be recorded as sickness absence, but should not trigger the formal Sickness Absence Procedure.

If an individual requires time off for surgery and recovery the lead member of staff will discuss with individual concerned the provision of support and adjustments needed to ensure the individual remains on their programme of study or in employment, or can return when they have recovered.

For other treatments such as voice training or electrolysis, requests for time off will be treated sympathetically. Flexible working patterns may be considered as will requests for unpaid leave.

The institution should also be aware that the possible side-effects of medication may adversely affect work performance; for instance hormone treatment may cause mood swings. Transgender people may need reduced hours or duties for a temporary period when they return to work following surgery.

9.2 Changes to staff workload

Staff workload allocation will be discussed with the member of staff before their absence from work and on return their return. Discussions will include any adjustments that might need to be made to facilitate the return to work.

9.3 Changes to student timetable

If a student is on a programme with attendance requirements, it should be discussed how to minimise any disruption. Suggestions may include:

- adjustments of working hours or timetable
- distance learning
- intensive learning before/after treatment
- adjustments to deadlines and assessments
- online learning.

9.4 Student placements

SGUL will not make assumptions about whether or not a student needs any special arrangements to be made while on placement.

If special arrangements do need to be made, after discussion with the individual, SGUL will consider how these might be made without unnecessarily alerting others to the situation.

10. Staff recruitment & Student Admissions

10.1 Staff equal opportunity monitoring form

On our equal opportunity monitoring form, potential staff may identify themselves as male or female. SGUL emphasises its commitment to confidentiality and states how the institution will to use this information.

10.2 Student UCAS form

On the student UCAS form, potential students may identify themselves as male or female. SGUL emphasises its commitment to confidentiality and states how the institution will use this information.

10.3 Request for birth certificate

If a person has not yet received a Gender Recognition Certificate, or has not yet been issued with new identification, their birth certificate will clearly show that the person was born with a different name (and gender).

Wherever possible, SGUL will be flexible about the form of identification they ask for. For instance a P60 or P45 can be amended to reflect the new name and is therefore more discreet. If a birth certificate is required before commencing employment or enrolment, SGUL will emphasise our confidentiality policy.

10.4 The interview process for staff selection or student admissions

SGUL is aware that transgender people may have experienced prejudice and harassment in the past as a result of disclosing their status.

SGUL fully understands that staff or students attending interviews will not necessarily wish to disclose their transgender status as they may consider this to be a private matter.

There is no obligation whatsoever for any applicant to disclose their transgender status. This issue is not relevant to staff employment or student admission.

All staff recruitment and student admission interviewers are made aware that questions regarding transgender status should never be asked at interview.

If an applicant does choose to disclose, this cannot be a reason for not offering employment or admission.

10.5 Successful staff candidates for interview or student admissions

Successful interview candidates are required to complete a questionnaire based on their medical history. This questionnaire is only seen by Occupational Health, who treat all medical questionnaires with extreme confidentiality and do not pass on any information to Human Resources or the Registry without permission from the individual. Therefore a person who has reassigned their gender can feel confident to be open when completing their questionnaire in the knowledge that any information will be kept within Occupational Health.

11. The curriculum for programmes of study

Course Directors will review their curriculum periodically to ensure that they do not rely on stereotypical assumptions, and that they contain no transphobic material.

12. Bullying and Harassment

No harassment, bullying, or victimisation of any kind will be tolerated. Such behaviour is unlawful under The Sex Discrimination (Gender Reassignment Regulations) 1999 and would also be contrary to SGUL's Bullying and Harassment Policy.

Periodically the designated staff member will contact the transgender staff member or student to check they are not experiencing any negative reactions.

**For further information please see:
The Equality Challenge Unit**

The Equality Challenge Unit (ECU) supports the higher education sector to realise the potential of all staff and students, whatever their race, gender, disability, sexual orientation, religion and belief, or age, to the benefit of those individuals, higher education institutions (HEIs) and society. They provide practical support and guidance. Trans Staff and Students in Higher Education Guidance 2008 <http://www.ecu.ac.uk/guidance/supporting-trans-staff-and-students/?searchterm=trans>

The Gender Trust

The Gender Trust is recognised as an authoritative centre for professional people who encounter gender identity-related issues in the course of their work. This group includes employers, human resources officers, health workers and information services. <http://www.gendertrust.org.uk/>

Press for Change

Press for Change is a political lobbying and educational organisation that campaigns to achieve equal civil rights and liberties for all transgender people in the UK through legislation and social change. <http://www.pfc.org.uk/>

The Trades Union Congress

The Trades Union Congress has developed a comprehensive guide, LGBT equality in the workplace, addressing LGBT issues in a trade union context. <http://www.tuc.org.uk/equality/issues>

Unison

Unison has a factsheet, [Bargaining for transgender workers rights](#), which contains advice <http://www.unison.org.uk/get-help/help-with-problems-at-work/>

The University and College Union

UCU has a web page listing LGBT resources. <http://www.ucu.org.uk/index.cfm?articleid=2310>

The National Union of Students has a dedicated Lesbian, Gay, Bisexual, and Trans Campaign. <http://www.nus.org.uk/en/who-we-are/how-we-work/>

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APPENDIX A: CHECKLIST TO CONSIDER WHEN DISCUSSING A STAFF MEMBER OR STUDENT'S GENDER TRANSITION

1. Timetable of Gender Transition

- What will be the timetable of Gender Transition?
- Who will the lead member of staff assigned to meet regularly with the individual concerned?
- How often will these meetings take place?
- What will be the date for name changes, use of facilities (toilets, changing rooms), change of records?

2. Name Change

Which identification cards/name badges will need to be changed?

- university ID card
- library card
- student union card
- National Union of Students card
- club and society cards
- volunteer/mentor ID badges
- trade union membership badge
- professional/learned body membership cards
- fitness centre/gym membership card
- accommodation access card
- catering/food meal card
- placement ID cards,
- course representative card

3. Updating Of Documents

Which documents and materials need to be replaced or altered?

- a new email address
- online records
- e-portfolio/record of achievements
- academic biographies
- all student/staff records and databases
- enrolment forms
- finance records
- programme and module lists
- timetables
- PBL documentation
- personal tutor records
- welfare/disability/counselling records
- volunteering and mentoring records
- course representative posters and contact details
- committee minutes and records (e.g. boards of study, academic boards)
- Degree certificates
- council tax exemption
- training attendance
- club and society membership records
- payroll
- banking details
- pension

- death in service and dependents' benefits
- insurance policies
- student loan company/local education authority

4. Support through Medical Treatment

- If the individual requires time off for surgery and recovery what process/support/adjustments are needed to ensure the individual remains on their programme of study or in employment, or can return when they have recovered?
- Are there any professional requirements or attendance requirements that may be affected by the person's absence for medical treatment? For example, 80% attendance rates, or number of hours in a school or on a hospital placement? How will the student be supported to ensure they can complete their programme of study on time?
- If the individual is, or will be, undergoing surgery, who needs to know when this will be?

5. Training

- Will there be any need to arrange training? If so who will deliver this training?
- Who should be trained? Cleaners, catering staff, academic staff, finance staff, fellow students or colleagues?
- What will the training cover?
- Will the student/staff member be involved to share their experience and expectations?

6. Genuine Occupational Qualification

- Are there any genuine occupational qualification (GOQ) requirements we need to be aware of during the staff member's work or student's programme of study? e.g. counselling, social care, NHS, charities, schools?
- Are there any GOQ requirements on volunteer placements or work-based learning?
- E.g. women's refuges, rape crisis centres?

7. Ceremonies

- During award ceremonies including degree ceremonies, what name will be used if a Gender Recognition Certificate has not yet been granted or the person's name has not been changed legally, including on certificates, in ceremony programmes, name read out, etc?

8. Discrimination and Harassment

- Are there clear guidelines and processes to deal with direct or indirect discrimination, victimisation or harassment of a trans student or member of staff?
- Are there clear processes to deal with discrimination on work placements?
- How is the individual concerned made aware of these processes?
- How are members of staff, other students, and work placement providers and contractors made aware of their responsibilities?