Transgender Staff Policy
Transgender Staff Policy

Contents

1.0 Introduction ........................................................................................................................................... 3
2.0 Scope and Definitions ............................................................................................................................. 3
3.0 Policy Statement .................................................................................................................................... 3
4.0 Procedure ................................................................................................................................................ 4
5.0 Responsibilities ...................................................................................................................................... 5
6.0 Associated Documents .......................................................................................................................... 5
   Appendix 1 ............................................................................................................................................... 6
   Appendix 2 ............................................................................................................................................... 8
1.0 Introduction

1.1 The purpose of this policy is to set a framework for how the University will support members of its staff who have initiated the process of gender reassignment or who identify as transgender (trans). The policy and associated guidance give more detail on how the University Equality and Diversity Policy Statement applies to trans people.

1.2 This policy also supports members of the University in meeting the requirements of the Equality Act 2010, which lists gender reassignment as one of the nine protected characteristics on the grounds of which people are protected against unlawful discrimination. The policy also sets out the University obligations under the Gender Recognition Action 2004.

2.0 Scope and Definition

2.1 This policy applies to trans staff with a particular focus on those who have indicated a wish to live permanently in a gender other than that to which they were assigned at birth (whether or not medical supervision or surgery are involved or contemplated). The policy covers people at all stages of the process of gender reassignment, begun or complete.

2.2 In this policy “trans” is used to refer to the following groups:

2.1.1 People covered by the Equality Act definition: “A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex.

2.1.2 People who do not wish to transition permanently to a new gender role, but who identify as genderqueer, gender variant or intersex or choose to live permanently with a more fluid gender identify.

2.3 This policy applies but is not limited to the advertisement of jobs and recruitment and selection, to training and development, to opportunities for promotion, to conditions of service, benefits, facilities and pay to health and safety, conduct at work, to grievance and disciplinary procedures and to termination of employment.

3.0 Policy Statement

3.0 The University of Sunderland aims to give support and understanding to those individuals who wish to take, or have taken steps to present themselves in a gender different to the gender assigned at birth. The University recognises that the period of transition can be very complicated and difficult for the individual and would wish to act in a supportive and sensitive way to ease any transition period.

3.1 The University aims to create an inclusive trans-friendly culture, workplace and learning environment, free from discrimination, harassment or victimisation, where all trans people are treated with dignity and respect in the gender in which they choose to present themselves irrespective of their legal sex.

3.2 No prospective or actual member of staff will be treated less favourably than any other, whether before, during or after their employment at the University on the grounds of gender identity or reassignment.
4.0 Procedure

4.1 The University aims to anticipate and respond positively to the needs of trans staff, providing a professional and consistent service so that all trans members of the University feel welcome, safe, valued and supported in achieving their potential and contributing as a member of the University.

4.2 In particular the University aims to support trans staff living in their affirmed gender role from the time chosen by the individual concerned. By supporting staff through transition, they may be better able to perform well in their work and more likely to meet the requirements of living in their new gender role. An individual action plan will be discussed and agreed with the member of staff who announces their intention to transition.

4.3 The University will respect the confidentiality of all trans staff and will not reveal information without the prior agreement of the individual.

4.4 If an individual notifies the University verbally or in writing of their intention to transition during their employment, the institution will agree with them the date from which their gender is changed on all records. A trans person’s file should reflect their chosen name and gender. Any material that needs to be kept related to the persons trans status, such as record of absence for medical reasons should be stored confidentially. No records should be changed without the permission of the staff member concerned.

4.5 When a trans person receives a Gender Recognition Certificate, they have the right to request that all references to their former name and gender are removed and replaced with their chosen name and gender.

4.6 The university recognises the right of every individual to choose whether to be open about their gender identity. To “out” someone without their permission may amount to a form of harassment and possibly a criminal offence.

4.7 Transphobic bullying and harassment could be regarded as grounds for disciplinary action, which may include dismissal. Such behaviour will be dealt with under the University’s Dignity at Work Policy.

4.8 Some practical considerations will arise when a person is transitioning, for example, single gender facilities and dress codes. When a person who is transitioning begins to live in the gender in which they identify. The University will support a trans person to use the faculties that best reflects their needs at each stage of their transition. This should not happen suddenly; it will be necessary to explain the situation carefully to work/study colleagues after consultation with the person who is transitioning. Requiring the person to use disabled toilet facilities is not acceptable unless the person is disabled however use of accessible facilities is appropriate for all.

4.9 Flexibility is required in dress codes during the transition period and this should be discussed with the person, taking into account what they are required to wear to work.

5.0 Responsibilities

5.1 If a member of staff is considering or undergoing gender reassignment, they may contact Human Resources, or the LGBT Staff Representative who can provide support. A meeting will
be arranged to discuss in confidence how the individual wishes to deal with their transition and to agree and follow a process with which they are comfortable. A very important element of this meeting will be to determine who should be told what, and when and how this should occur.

It can be helpful to draw up a confidential plan for the period of transition and thereafter. The implementation of the plan should be reviewed regularly and reassessed at each significant part of the process. The plan should include the following issues:

- The expected time scale of any medical and surgical procedures
- The expected point or phase of change of name, personal details or gender
- What time off will be required for treatment and/or possible side effects from any medication and how this will affect the trans person’s job
- Whether the individual wishes to inform line managers and members of their team themselves, or would prefer this to be done for them
- What amendments will be required to records and systems
- Whether training or briefing of the staff member’s team will be necessary, at what point and by whom this will be carried out.

5.2 Appendix 1 provides a useful checklist that covers most of the issues that need to be considered when an individual is going through this process.

6.0 Associated Documents

- Dignity at Work Policy
- Equality and Diversity Policy Statement
- People Strategy ‘Excellence through our People’
Appendix 1 - Checklist to consider when discussing a staff member’s transition

What will be the timetable of transition? What will be the date for name changes, use of facilities (toilets, changing rooms), change of records?

Name change

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

- university ID card
- library card
- volunteer/mentor ID badges
- trade union membership badge
- professional/learned body membership cards
- fitness centre/gym membership card
- accommodation access card
- placement ID cards
- course representative card.

Which documents and materials need to be replaced or altered?

- online records, e-portfolio/record of achievements, academic biographies
- all staff records and databases
- programme and module lists
- welfare/disability/counselling/financial records
- volunteering and mentoring records
- committee minutes and records, e.g. boards of study, academic boards
- certificates, e.g. council tax exemption, training attendance, degree
- club and society membership records
- payroll (and banking details)
- pension: death in service and dependents’ benefits
- insurance policies
- local education authority
- Email address

Process

Who will inform:

- programme or service teams?
- other colleagues?
- support departments (finance, student records, accommodation, etc.)?
- work placement providers, volunteer placements?
- committee chairs/secretaries?
- club and society members?

If the staff member is, or will be, undergoing surgery, do they know when this will be?
If the staff member requires time off for surgery and recovery what process/support/adjustments are needed to ensure the staff member remains on their programme of study/in employment, or can return when they have recovered?

Training

- Will there be a need to arrange training?
- Who should be trained, e.g. cleaners, catering staff, academic staff, finance staff, fellow colleagues?
- Who will deliver this training (development department, trans people)?
- What will the training cover?
- Will the staff member be involved to share their experience and expectations?

Discrimination and harassment

- Are there clear guidelines and processes to deal with direct or indirect discrimination, victimisation or harassment of a trans member of staff?
- Are there clear processes to deal with discrimination?
Appendix 2 – Glossary of Terms

Glossary:

**Gender dysphoria** and **gender identity disorder** is a medical condition when a person assigned to one gender (on the basis of their physical characteristics at birth) experiences a deep discomfort with that gender and identifies as belonging to another gender.

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

**Gender reassignment** refers to medical treatment to support transition

**Gender role or expression** relates to the way a person lives in society and interacts with others.

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

**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.

**Intersex** is the term used for humans born with variation in reproductive or sexual anatomy or physiology that do not seem to fit typical definitions of female or male. Sometimes this is apparent at birth. In the past the medical profession would assign a baby to a gender, and might perform surgery so that the child would conform to a more typical male or female appearance. Often this caused problems later in life, when there was a difference between the gender assigned at birth and that with which the individual identified. Nowadays the advice is to wait until an informed choice can be made.

There are a number of **sex chromosomal variations** which may not produce any anatomical variation and may not be detected until puberty, or later in life. This includes medical conditions such as 20 Turner’s Syndrome, Klinefelter’s Syndrome (XXY syndrome), and mosaicism where half of a person’s cells have one form of sex chromosomes and the other half another (e.g. XX/XY mosaicism). Legal gender is defined by a person’s birth certificate. People who obtain a Gender Recognition Certificate under the Gender Recognition Act 2004 can now apply for a revised birth certificate in their acquired gender.

**Sex** refers to biological and physiological characteristics. In Britain the terms male and female are used on birth certificates to denote the sex of children.

**Transgender** is an umbrella term for people whose gender identity and/or gender expression differs from the sex they were assigned at birth. This includes, but is not limited to, transsexual people who feel a consistent and overwhelming desire to transition to their preferred gender. It also includes those who are gender variant or intersex.

**Transphobia** refers to discrimination, harassment and bullying or hate crime experienced by trans people on the grounds of their gender expression.
**Transsexual** is used to refer to someone who has gender dysphoria and intends to undergo, is undergoing or has undergone a process of gender reassignment to live permanently in their confirmed gender. Some people who have transitioned describe themselves as a trans man (female to male transition) or trans woman (male to female transition). Others prefer person with a transsexual history. In most situations within the university, gender is irrelevant.

**Transvestite or cross-dresser** is used for someone who dresses in clothing typically worn by another gender. Generally, people who are transvestites do not wish to alter their body or live permanently in a different gender, although for people experiencing gender dysphoria it can be a way of exploring gender identity.
Transgender Staff Policy

Version 1

Date of Issue: April 2016
Next review date: April 2019
Approved by (e.g. Committee, Director, etc): Equality and Diversity Committee
Date of last approval: April 2016
Author/Owner: Head of HR Business Support
Faculty/Service: Human Resources

This Policy can be obtained from the Human Resources website or by contacting Human Resources.

If you would like this Policy in larger print please contact Human Resources.