

Trans and Non-binary Students: Inclusion and Equality Policy

Based on Staff policy: Draft January 2020 based on draft provided by Stonewall

Feedback from the LGBT Staff Network received August 2021

12 October 2021: Approved by SLT

December 2021-February 2022: Updated following advice from Stonewall

May 2022: transitioning leave clarified; confidentiality statement strengthened; and a link to Stonewall's list of LGBTQ+ terms added

July 2022: updates approved by SLT

Student version DRAFT Una Fairbrother 4th Nov 2022

29 November 2022: Update by LGBTQ+ Staff Network (Sebastian Cordoba)

February 2023: Update by LGBTQ+ Staff Network (Charlie Snelgrove)

February 2024: Policy Review (Charlie Snelgrove)

Owner: Dean of Students

Version: 1.0

Coming into effect: 2023-09-01

Review date: 2024-June

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1. Statement of Purpose

- 1.1. London Metropolitan University is committed to supporting all trans and non-binary students. This document aims to raise awareness of this aspect of gender equality to ensure that trans and non-binary students do not experience discrimination, harassment or victimisation.
- 1.2. The policy is not intended to be prescriptive and does not anticipate every situation that might occur. The needs of each individual must be addressed on a case-by-case basis. In all cases, the policies are intended to support individuals and to provide a safe and inclusive learning environment for all students.
- 1.3. Where this policy refers to 'trans people', this refers to a broad range of those whose gender identity is not expressed in ways that are typically associated with their assigned sex at birth. This includes those who have non-binary, non-gender or gender fluid identities and individuals who may not identify as trans but who are impacted by matters covered under this policy. Whilst not a gender identity, the University offers its full support to intersex individuals, who are also protected under this policy.
- 1.4. This policy has been developed in conjunction with trans students, staff and the wider LGBTQ+ community. It outlines the University's commitments to the following principles and should be read in conjunction with our [Equality and Diversity policy](#). Any breaches of this policy will be taken seriously and will be dealt with promptly with due consideration to the complainant and other individuals involved, where applicable.
- 1.5. In order to ensure the best experience for the London Metropolitan community, the University has named Trans and Non-Binary Student Support Leads responsible for the implementation of this procedure and supporting students.

2. Legal Framework

- 2.1. The Equality Act (2010): Gender reassignment is one of nine protected characteristics under the act. The protected characteristic of gender reassignment applies to a person who 'proposes to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning

the person's sex by changing physiological or other attributes of sex' (Equality Act, 2010). The Act protects: trans people whether or not they are under medical supervision to undergo gender reassignment. People who are discriminated against because they are perceived to be trans (even if that perception is incorrect). People who are discriminated against because of their association with a trans person The term 'gender identity' better describes the legal term of 'gender reassignment.'

- 2.2. Under the Equality Act 2010 the University has a public duty to eliminate discrimination and advance equality of opportunity on the grounds of gender reassignment and to foster good relations between those with the protected characteristic of gender reassignment and those without.
- 2.3. The Gender Recognition Act (2004) allows trans people to apply to have their affirmed gender legally recognised through a Gender Recognition Certificate (GRC), which allows the individual to apply for a revised birth certificate. Nobody is entitled to see or record the details of a Gender Recognition Certificate and hence proof of legal gender is evidenced by birth certificate (or similar document). Many trans people do not get a GRC; trans experiences differ, and many people do not wish to follow that path.
- 2.4. The General Data Protection Regulations (GDPR): Special category data is personal data that needs more protection because it is sensitive. The GDPR refers to the processing of these data as 'special categories of personal data'. This includes personal data about an individual's gender status or identity. This means that information regarding a person's trans status cannot be recorded or passed to another person unless conditions under Article 9 of the GDPR are met.
- 2.5. The Human Rights Act (1988) provides protection to trans people, principally under the right to a private life (including how someone expresses their gender).

3. Scope

- 3.1. In general terms, this policy ensures that trans and non-binary students are not treated less favourably than any other student on the grounds of their gender identity and/or reassignment in relation (but not limited) to:
 - 3.1.1. Admissions

- 3.1.2. Teaching
 - 3.1.3. Learning and research provision
 - 3.1.4. Professional and industrial placements
 - 3.1.5. The award of scholarships, grants and other awards under the University's control;
 - 3.1.6. student support
 - 3.1.7. University accommodation and other facilities
 - 3.1.8. Health and safety
 - 3.1.9. Student complaints and disciplinary procedures
- 3.2. Students will not be denied access to courses, progression to other courses, or fair and equal treatment while on courses because of their gender identity.
- 3.3. Creating an environment that does not tolerate bullying or harassment including online. For example, the University will not tolerate harassment or transphobic abuse which can include; misgendering, deliberately using the wrong pronouns, referring to a trans person's previous name, discrimination on the basis of gender identity or trans status, or threats to disclose personal information.
- 3.4. Students have the right to be addressed by the name and pronoun that corresponds to their gender identity. The intentional or persistent refusal to respect a student's gender identity can constitute harassment and is a violation of this policy.
- 3.5. The confidentiality of all trans students and will not reveal information without the prior agreement of the individual. Data on transitioning will be treated as personal sensitive data and will be treated in the same way as special category personal data as set out in our Data Protection Policy.
- 3.6. A supportive environment for students who wish their trans status to be known. Trans and non-binary students have the right to discuss their gender identity or expression openly, or to keep that information private. The student decides when, with whom, and how much to share their private information.
- 3.7. The University is committed to providing a supportive environment, including working to provide appropriate facilities for trans student and staff groups, including use of preferred changing and toilet facilities. You should not be asked, nor will be expected to use disabled/accessible facilities as an alternative.

- 3.8. The provision of positive support to students who are undergoing transition, including identifying supportive actions and adjustments. For instance, the University is committed to ensuring that its records best reflect the identity of its trans and non-binary applicants, students, and graduates.

4. Transitioning at University

- 4.1. London Metropolitan University will provide a safe, supportive and inclusive environment for those who are transitioning.
- 4.2. All students will be treated with respect and the transitioning individual has the right to openly be who they are. This means the individual may express their gender identity, characteristics or expression without fear of consequences.
- 4.3. Under no circumstances should any communication or actions be taken without the explicit consent of the individual.
- 4.4. These action plans must be kept strictly confidential, and any records destroyed after the person has transitioned. Sample actions are contained in the Advance Higher Education's Equality Challenge Unit's checklist '[Trans Staff and Student in HE](#)' –Appendix A.
- 4.5. If you decide to transition while studying at the University, you do not need to inform anybody of your intention. If you do decide to inform the University, on-going support will be provided by specific contacts; details of these are outlined in 7.0 Students FAQ.

5. Confidentiality

- 5.1. If a student or member of staff discloses that they have transitioned/are transitioning or intend to, or are considering transitioning, it is the responsibility of all staff and students to treat this confidentially.
- 5.2. Under the Gender Recognition Act 2004 and relevant data protection legislation, any disclosure made by a student or staff member will be treated with confidentiality. If a student wishes to make changes to their student record, a small number of staff members will need to be informed, with consent, in order to complete the updates.
- 5.3. In exceptional circumstances, where there is a concern for the safety of an

individual, staff have a duty to inform relevant bodies. In such cases this will only relate to appropriate information and would not include sensitive discussions regarding gender identity.

6. Available Support

- 6.1. Any student who believes they have received less favourable treatment in respect to being transgender is entitled to follow the [Student Conduct Policy and Procedure](#). All staff will have completed Equality, Diversity and Inclusion training and any employee who discriminates against a student may be subject to disciplinary procedure.
- 6.2. The University [Student Services](#) department houses initiatives to help support, maintain and improve the physical and mental wellbeing for all students during their time in higher education.
- 6.3. The LGBTQ+ Student Society, as well as the LGBTQ+ Staff Network, is committed to inclusiveness and to celebrating our diversity to embed LGBTQ+ -affirming policies and principles into the University culture and can be reached by students seeking information and support. More information can be found at [Students Union LGBTQ+](#).
- 6.4. While the University appreciates that LGBT+ staff and students may wish to provide peer support to Trans and Non-Binary students, we request that they also encourage such students to contact the Trans and Non-Binary Support Lead at inclusive@londonmet.ac.uk so that formal support structures can also be put in place.
- 6.5. Once notified, the Trans and Non-Binary Support Lead shall respond to arrange a meeting with the student to discuss any support they may need to access from the University. The student may be accompanied to the meeting by anybody of their choosing.

7. Students FAQ

- 7.1. **Who can I go to for support?** The University has a range of support for students, all staff have completed diversity and inclusivity training and can be approached to signpost to available support.
- 7.2. **Where can I get confidential advice or support around transitioning?** If

you are unsure who to approach regarding questions around transitioning, the Trans and Non-Binary Support Lead can advise what support is available at the university.

- 7.3. **How do I contact a Trans and Non-Binary Support Lead?** The Trans and Non-Binary Support Lead can be contacted at inclusive@londonmet.ac.uk
- 7.4. **Can I change my gender or title?** Your personal information can be updated to reflect your name and/or title if this is different to the details used during your enrolment. To do so please contact either your [School Office](#) or the Trans and Non-Binary Support Lead.
- 7.5. **What documents will I need to change my details?** You can change your 'known as' name at any time by. In order to update your official student record the University requires legal documentation to show use of the new name.
- 7.6. **What is the difference between a preferred 'known as' name and my official record?** Your 'known as' name appears on attendance registers and Evision only, however changing your official record will also be reflected on your ID card, degree certificate and any official documentation from the university.
- 7.7. **How do I get a student ID card using my new name?** Once you have changed your legal name and your university records have been updated you will be issued a free new ID card in your new name.
- 7.8. **Will my email address still use my old name?** Email addresses can be changed upon request once your student record has been updated.
- 7.9. **How do I update my picture on evision?** Please contact either your [School Office](#) or the Trans and Non-Binary Support Lead for information.
- 7.10. **What name will be issued on my Degree Certificate?** Your degree certificate will match your university record, if you are not sure what name will be issued on your certificate please contact your [School Office](#) who will be able to check your record.
- 7.11. **Where can I find gender neutral bathrooms or changing areas around the university?** There are gender neutral service facilities at both Holloway and Aldgate campus, for more information please visit the London Metropolitan university webpage.
- 7.12. **I am an international student will my visa be affected if I change my details?** If you are studying on a student visa this may depend on the issuing

authority, before attempting to change your details please contact the [International Advice](#) team or the Trans and Non-Binary Support Lead.

- 7.13. **I believe a member of staff, or another student, is treating me differently because of my gender identity. Who can I talk to?** The University takes discrimination very seriously, if you or someone you know it being treated differently due to their gender identity, please inform a member of staff urgently so they can assist.
- 7.14. **I wish to transition or am in the process of transitioning - who do I need to contact within the University?** You do not need to inform anyone unless you wish to, if you choose to discuss this with a member of staff it will be treated in confidence.
- 7.15. **I wish to transition or am in the process of transitioning – how will this affect my study?** If you think your ability to submit assessments or sit an exam may be impacted by your transition, you can apply for [Mitigating Circumstances](#).
- 7.16. **I have graduated previously from the University and have now transitioned, who should I contact about getting my award certificate updated with my new name?** Even if you have completed your course, you will still be able to change the name on the degree certificate after you've been awarded. In order to do so please contact your [School Office](#) or the Trans and Non-Binary Support Lead who will guide you through the process.

8. Terminology

- 8.1. The terminology provided here is not intended to label students but rather to assist in understanding the terms of this document. Students may, or may not, use these terms to describe themselves. There are many nuances in the ways students understand their gender identities and expressions and may describe themselves using a variety of terms. For more information on the terminology listed below, visit [Stonewall's website](#). Glossary of terms (based on information included in ECU guidance): Acquired gender - A legal term used in the Gender Recognition Act 2004. It refers to the gender that a person who is applying for a Gender Recognition Certificate (GRC) has lived for two years and intends to continue living in.
- 8.2. Affirmed gender - may be used when a person has transitioned but has

decided not to apply for a GRC.

- 8.3. Cisgender - often shortened to 'cis', is a word to describe people whose gender is the same as the sex they were assigned at birth, i.e., people who are not trans. Based on the Latin prefix cis which means 'on the side of', the use of cisgender is debated within the trans community and some people prefer the term non-trans as it familiarises the use of the term trans.
- 8.4. Gender dysphoria - 'is a term describing the discomfort or distress caused by the discrepancy between a person's gender identity (their psychological sense of themselves as men or women) and the sex they were assigned at birth (with the accompanying primary/secondary sexual characteristics and/or expected social gender role)' (NHS, 2013). Gender dysphoria is not considered a mental health issue but unmanaged dysphoria or the social stigma that may accompany it and any changes a person makes to their gender expression can result in 'clinically significant levels of distress' (NHS, 2013). In order to qualify for NHS medical assistance to transition, a trans person in the UK must have a diagnosis of gender dysphoria. As not all trans people have gender dysphoria this presents a significant barrier to accessing medical support and the provisions of the Gender Recognition Act.
- 8.5. Gender Identity: A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.
- 8.6. Gender Expression is how a person expresses themselves. A person presents as masculine, feminine or in another way and this can change over time, but none of these expressions make their identity any less valid or worthy of respect.
- 8.7. Gender Reassignment - another way of describing a person's transition. To undergo gender reassignment usually means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender. Gender reassignment is a characteristic that is protected by the Equality Act 2010, and it is further interpreted in the Equality Act 2010 approved code of practice. It is a term of much contention.
- 8.8. Inter sex - An umbrella term used for people who are born with variations of sex characteristics, which do not always fit society's perception of male or

female bodies. Intersex is not the same as gender identity or sexual orientation.

- 8.9. Legal Sex - A person's 'legal' sex is determined by their sex on their birth certificate and the assumption made at birth is that their gender status (boy, girl) matches. For higher education institutions (HEI's) and colleges a person's legal sex is only relevant for insurance, pension purposes and in rare cases occupational requirements
- 8.10. Non-binary (or genderqueer) - is an umbrella term that can be used to describe people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary people can feel that their gender identity and gender experience involve being both a man and a woman, or that it is fluid, in between, or completely outside of that binary. While the term trans generally encompasses people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth, some non-binary people don't see themselves as trans. It's always important to respect the language someone uses to define themselves. Trans and non-binary people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, non-gender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.
- 8.11. Pronoun - the term used to refer to somebody for example she/her/hers/herself or he/him/his/himself. Gender-neutral pronouns include:
 - 8.11.1. They/them/their/themselves
 - 8.11.2. E/Em/Eir/Eirs/Emself
 - 8.11.3. Per(person)/pers/perself
 - 8.11.4. Xe/ hir/ hirs/ hirsself
- 8.12. Trans (or transgender) - an inclusive term for all those whose gender expression falls outside the typical gender norms. The term 'trans' can be used to identify people undergoing gender transition, people who identify themselves as someone with a different gender from that assigned to them at birth (whether or not they decide to undergo medical treatment). This term should only be used as an adjective. It is important to note that many trans men and women no longer use the term 'trans' to describe themselves.

Instead, some use 'man/woman with trans history', for instance. Others simply use 'men' and 'women' without 'trans.'

- 8.13. Transmisogyny is the intersection of transphobia and misogyny that is experienced by trans women and other trans people who were not assigned female at birth.
- 8.14. Transition refers to the steps that a trans person takes so that their presentation or body better reflects their gender. Transitioning can, but does not need to, include the following: using different pronouns, choosing a different name, wearing different clothes, using different gender facilities, changing gender or sex markers on official records, taking hormones or having surgery. Not all trans people want or are able to transition. Transitioning is referred to as 'gender reassignment' in law.
- 8.15. Transphobia is the system of oppression and discrimination towards trans people that exists in society and its institutions. The term transphobia is also used to refer to hatred, prejudice and acts of violence towards trans people by individuals, including the denial/refusal to accept their gender identity.
- 8.16. Transsexual person – this can be a sensitive term that some people will find offensive as 'transsexual' remains a medically defined term, appearing in diagnostic guides, and ascribed to people by doctors. This term should be used with caution due to the sensitivity of the term. While some people may find the term offensive, others may use it to describe themselves