



Guidance on Supporting Trans Students and Applicants

1. Introduction

This guidance is designed as information for students who are considering transitioning to their preferred gender, are in the process of transitioning, or have transitioned. It can also be used to increase awareness of gender identity more generally for all students and staff who are supporting students.

The University recognises that transitioning can be a very difficult and complex time for an individual and would wish to act in a sensitive and supportive way by having helpful guidance in place to ease any transitional period. The decision to transition to a different gender is not something a person undertakes lightly and the support of University staff and peers is vital.

Trans people have been identified as a particularly vulnerable group. We recognise our legal responsibility to protect the rights of trans people and to ensure that no individual is subject to discrimination or victimisation as a result of the gender in which they present themselves.

This guidance should be read as part of the wider set of policies including the University's [Dignity at Nottingham Policy](#).

2. Equal Opportunities

The University values the diversity of its students and staff and is committed to promoting equal opportunities and eliminating discrimination. Therefore all members of the University will apply and operate this guidance fairly and in doing so ensure that there is no discrimination on the grounds of gender reassignment, gender, sex, race, disability, age, religious or political belief, sexual orientation, pregnancy and maternity, activity or marital status.

3. Definition

Every person is assigned a gender at birth – male or female. A small number of people find the gender they are assigned does not match their gender identity – their internal sense of where they exist in relation to being female or male. A wide variety of terms can be used to describe a person whose gender identity is different to their birth label. Trans is an umbrella term to describe a broad range of different identities, the most well-known of which are probably transgender, transsexual or transvestite. Please see Appendix C: Terminology. The word 'Trans' can be used without offence to identify:

1. People undergoing gender Transition (commonly referred to as a 'sex change').
2. People who identify themselves as someone with a different gender from that assigned to them at birth, but who may have decided not to undergo medical treatment.
3. People who choose to dress in the clothing typically worn by the other sex. It is worth noting that every person is different: some people transition from one gender to another with ease and others do not; some people will transition to their preferred gender full-time and others will choose to live in their preferred gender part-time.

4. Understanding the Challenges Faced

The opposition and barriers that trans people still encounter to the present day are well documented. According to the survey research published as part of the [Equalities Review](#):

- 73% of trans people surveyed experienced some form of harassment in public (ranging from comments and verbal abuse to physical violence).
- 21% stated that they avoided going out because of fear of harassment.
- 46% stated that they had experienced harassment in their neighbourhoods.
- 64% of young trans men and 44% of young trans women experienced harassment or bullying at school, not just from their fellow pupils but also school staff including teachers.
- 28% stated that they had moved to a different neighbourhood because of their transition.

Research carried out by [Press for Change](#) in 2009 reported that trans people are three times more likely to experience a transphobic hate incident or hate crime than lesbians and gay men homophobic hate incidents or crimes. The most common forms of harassment were (unsolicited) comments (44%) and verbal abuse (27%). 15% of the respondents had experienced threatening behaviour and 7% physical abuse.

5. Legislation

5.1 Equality Act 2010

The Equality Act 2010 has strengthened and streamlined previous equalities legislation. Gender reassignment is one of the nine protected characteristics within the Act and is also included in the Public Sector Equality Duty.

Importantly, the definition of gender reassignment within the Act gives protection from discrimination to a person who has proposed, started or completed a process to change their sex. As such, people do not have to undergo a medical process to assign a new gender to be protected by the Act. What matters is that a person has the intention to permanently live, or are already living in their preferred gender role. In short, the Act protects:

- Trans people whether or not they are under medical supervision to undergo gender reassignment.
- People who experience discrimination because they are perceived to be trans people (whether or not they are).
- People who are discriminated against because of their association with trans person.

The Equality Duty requires that the University has due regard to the need to:

- Eliminate discrimination, harassment and victimisation.
- Advance equality of opportunity; and foster good relations.

5.2 The Gender Recognition Act 2004

In the past, a person's legal gender could only be defined by their birth certificate and could not be changed. The Gender Recognition Act 2004 allows trans people to apply to have legal recognition of their acquired gender.

5.3 The Data Protection Act 1988

Under the Data Protection Act 1998, trans identity and gender reassignment constitute 'sensitive data' for the purposes of the legislation. Therefore information relating to a person's trans status cannot be recorded or passed to another person unless conditions under schedule 3 of the Data Protection Act for processing sensitive personal data are met.

5.4 The Human Rights Act 1998

The Human Rights Act 1998 provides protection to trans people, principally under the right to a private life. The courts have interpreted the concept of 'private life' in a very broad way to cover, among other things, a person's right to express a sexual identity, to live a particular lifestyle and to choose the way they look and dress. It also means that personal information (including official records, photographs and letters) should be kept securely and not shared without the permission of the individual concerned. In addition, the right to privacy states that unless a public authority is acting in accordance with the

law, there should be no interference by a public authority with a person's exercise of their right to a private life.

6. Practical Issues

Trans respect guidelines

- The following informal guidelines on how to treat people who are transitioning may be helpful for those involved with a trans person.
- Think of the person as being the gender that they want you to think of them as.
- Use the name and pronoun that the person asks you to. If you aren't sure what the right pronoun is, ask. If you make a mistake with pronouns, correct yourself and move on. Don't make a big deal out of it.
- Respect people's privacy. Do not ask what their 'real' or 'birth' name is. Do not tell others about a person's trans status. If documents have to be kept that have the person's old name and gender on them, keep them confidential.
- Respect people's boundaries. Avoid personal questioning.
- Listen to the person, and ask how they want to be treated and referred to.

6.1 Confidentiality

Confidentiality is crucial. To 'out' someone, without their permission is a form of harassment and a criminal offence and will be treated as such.

6.2 Single-sex Facilities/Toilets

A trans person should have access to 'men-only' and 'women-only' areas according to the gender in which they live permanently. It should be agreed with the individual the point at which the use of facilities such as changing rooms, shower rooms and toilets change from one sex to the other. It is not acceptable to restrict a trans person to use disabled toilet facilities unless they are disabled.

7. Support

A student going through the process of gender reassignment can seek support from their personal tutor/ student support officer, the students union or the University's [Counselling Service](#).

7.1 Transition Action Plan

It is a matter of personal choice as to who the individual may contact, but it is recommended that, where appropriate, the contact person could work with the student to agree an action plan to cover the period of their transition. It is imperative that confidentiality is maintained at all times. Appendix A provides an overview of a typical transition.

If the time is right for the individual; the student and their main contact may decide to write an action plan together for managing their transition whilst at the University. This will include agreeing dates of transition and communication plans; the University being guided at all time by the individual's preferences. Under no circumstances should any communication or actions be taken without explicit consent of the individual. An example action plan can be found in Appendix B.

7.2 Sickness and Absence from the University

In putting together the action plan, absence management may be discussed. If the student will be absent for treatment or surgery this would be managed through the Extenuating Circumstances Policy. For reference please see '[Attendance and Engagement Regulations](#)'. This will enable a School to manage ECs either through appropriate adjustments or through the student suspending for a while until they are able to attend as needed.

8. Records

If a trans student is transitioning and following their statement of intent to transition, their student record should be changed at a mutually agreed time to reflect their preferred gender and name. A written note of intent to transition submitted to any Student Services Centre is sufficient for their gender to be amended and for a preferred name to be added to their student record. No records should be changed without the permission of the student concerned.

To record changes on formal University documents such as a degree certificate, the student concerned will need to send legal proof of a name change. For example:

A statutory declaration of name change, Deed Poll certificate or Birth certificate to any Student Services Centre to ensure their name is changed on student records. To confirm a change of gender a Gender Recognition Certificate will be required formally although interim changes can be made at the student's written request.

8.1 References

References for current or former students who have transitioned must make no reference to the person's former name or gender, and must use the appropriate pronoun.

9. The Process of Gender Reassignment

In order to support trans students it is useful to understand the medical process of gender reassignment that some trans people undergo. Despite recent research showing that gender dysphoria is a biological condition, the medical framework for gender reassignment is based on the premise that gender dysphoria is a mental illness. Subsequently, the framework is controversial and perceived by some to be outdated and discriminatory and, in many respects, equivalent to a medical model being used to 'diagnose' homosexuality or define disability. At present, though, it forms the framework for the majority of transitions, and is the basis of understanding for medical professionals.

Appendix A:

The chart below provides an overview of a typical transition. Each individual's situation will vary depending on a range of factors, including whether or not a person opts for medical procedures, and whether they are receiving medical assistance privately or on the NHS.

Typical Transition Process
A person identifies that their physical gender is not their actual gender
The person is diagnosed with gender dysphoria
The person informs their institution that they are going to present in a different gender to commence a real-life experience
After at least three months, the person begins hormone therapy
At the person's request, the institution updates its records to reflect any name change and gender
A new file is created and any documents revealing their former name and gender that must be kept are marked 'confidential'
After at least 12 months of living in their chosen gender, the person may undergo genital surgery
After two years of living in their chosen gender, whether or not they have undergone surgery, the person applies for a gender recognition certificate
A gender recognition certificate is awarded and the person is issued with a new birth certificate
The person is now legally recognised in their chosen gender – all documents and references that have not already been changed must now be changed

Appendix B: Example of Action Plan to Support Students

This action plan should be confidential and discussion should place to agree where copies are kept and who should have access to them.

Encourage the student to contact their Personal Tutor or Student Services via chris.baxter@nottingham.ac.uk In the case of a student in halls give consideration to whether the Warden should be involved in early discussions.
Has the student told anyone else, do they need any help with managing the reactions?
What is the expected timescale of the medical and surgical procedures, if any?
Is any time off required for medical treatment?
What will the student's new title and name be?
When do they wish to start dressing and presenting as their acquired gender? Again, will this be phased? (This may not necessarily be the same date as above).
Are there any dress codes which need to be considered? (Do new uniforms need to be ordered?).
When does the student wish to use toilet and changing facilities appropriate to their acquired gender? Please note disabled toilets should not be suggested as an alternative.
When, how and which records and or systems will need amending? (Consider for example: online records, university ID card, finance records) contact Student Services for advice katherine.turner@nottingham.ac.uk
When and how should colleagues in the school be informed of the transition?
Actions agreed.
Date of next meeting.

Appendix C: Terminology

In order to understand the social, medical and legal implications of trans issues, it is important to be aware of the variety of terms that may be used.

Affirmed Gender (sometimes may be called 'new' role) - These terms are preferred to the term '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 affirmed gender without medical assistance.

Gender consists of two related aspects: gender identity, which is a person's internal perception and experience of their gender; and gender role or expression which is the way a person lives in society and interacts with others. Gender is less clearly defined than anatomical sex, and does not necessarily represent a simple binary choice: some people have a gender identity that is neither clearly female nor clearly male; however, the overwhelming majority of the population has a gender that accords with their anatomical sex. It should be noted that currently, for the purposes of the law, gender is binary – people can only be male or female.

Gender dysphoria (Greek 'dysphoria' = dissatisfaction) 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. People who have severe gender dysphoria are usually diagnosed with gender identity disorder.

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.

Gender Identity Disorder (GID) refers to a person with Gender dysphoria or associated symptoms; the most profound form is Trans-sexualism

Gender Presentation/Expression - While gender identity is subjective and internal to the individual, gender presentation, either through personality or clothing, can determine how a person's gender is perceived by others. Typically, trans people seek to make their gender expression and presentation match their gender identity, rather than their birth sex.

Gender Recognition Certificates (GRC) are issued under the Gender Recognition Act 2004 by the gender recognition panel. The holder of a full GRC is legally recognised in his or her affirmed gender for all purposes. This means that the person in question now belongs to their affirmed gender in both a legal and a social context. A full GRC is issued to an applicant if they can satisfy the panel that they fulfil all the criteria outlined in the Gender Recognition Act 2004. The act requires that the applicant has, or has had,

gender dysphoria, has lived in their affirmed gender for two years prior to the application, and intends to live permanently in their affirmed gender.

It is unlawful to ask a trans person for a GRC, as once a person has obtained a certificate they are required to disclose their past only in very rare circumstances. See section 8 of this guidance for forms of identification that you can ask a trans person to provide.

Gender/sex Reassignment is a process undertaken under medical supervision to reassign a person's gender by changing their physical sexual characteristics. Gender reassignment or transition includes some or all of the following social, legal and medical adjustments: telling one's family, friends, and/or colleagues; changing one's name and/or sex on legal documents; hormone therapy; hair removal, voice therapy and possibly (although not always) chest and/or genital surgery.

Gender reassignment is also referred to as sex reassignment. In fact, the term gender reassignment is considered by some to be inaccurate, as people with gender dysphoria do not change the gender with which they identify they change their sexual characteristics to match their gender identity.

Intersex is a biological condition that people are born with. Intersex people can have a combination of male and female anatomy; as a result, their biological sex cannot easily be classified as either male or female. Until recently, the medical profession encouraged parents to elect for surgery on their intersex baby so that their child would conform to stereotypical male or female appearances. Subsequently, many intersex people encountered difficulties later in life as the gender prescribed by the medical profession and their parents was different from the gender with which they associate. Today, parents are advised to delay surgery until their child reaches puberty so that the child can inform decision-making. Not all intersex people opt for surgery, and many will consider themselves to be intersex rather than male or female.

In addition, there are a number of sex chromosomal variations which may not produce any visible anatomical variation in a person, and which may not be detected until puberty or even later in life. This can include medical conditions such as Turner's syndrome, Klinefelter's syndrome (XXY syndrome), and mosaicisms whereby half of a person's cells have one form of sex chromosomes and the other half another (e.g. XX/XY mosaicism).

While trans issues are different from intersex issues, intersex people who had their gender incorrectly prescribed at birth may decide to transition to the gender with which they identify later in life.

Legal Gender - In the past, a person's legal gender was defined by their birth certificate and could not be changed. The Gender Recognition Act 2004 means that people can now apply to gain recognition of their affirmed gender for all legal purposes.

Lesbian, Gay, Bisexual and Trans (LGBT) - While trans status is different from sexual orientation, the forms of prejudice and discrimination directed against trans people can be very similar to those directed against lesbian, gay or bisexual people, and historically the two communities have coexisted and supported each other. As a result, action and support groups often have a broader remit than sexual orientation.

Physical (anatomical) Sex refers to a person's physical or anatomical sex (male or female).

Real-life Experience or Test is a phase during gender reassignment in which the individual must live, work and study in the gender with which they identify before they can start hormone therapy and/or undergo surgery. Trans staff and students may require confirmation from their institution that they are undertaking real-life experience. Real-life experience can also be called the real-life test.

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

Trans inclusive term for those who identify themselves as transgender, transsexual or transvestite. The term 'trans' can be used without offence but should only be used as an adjective, for example 'a trans student'.

Trans Man - A person may describe themselves as a trans man – this is a person who is transitioning, or 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 Woman - A person may describe themselves as a trans woman – this is a person who is transitioning, or 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.

Transgender - An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. The term may include, but is not limited to, transsexual people and those who see themselves as not clearly fitting into a male or female identity. Transgender people may or may not alter their bodies hormonally and/or surgically. The term transgender should only be used as an adjective, for example, 'transgender people'.

Transitioning is the term used to describe someone changing from one gender to another, with or without medical intervention.

Transphobia is a term used to describe discrimination that can be experienced by trans people, which arises as a result of their expression of their gender identity (see Gender).

A Transsexual Person is someone who feels a consistent and overwhelming desire to transition to their preferred gender. Someone in this position will have the medical condition gender dysphoria. This term should only be used as an adjective; individuals should be referred to as 'transsexual people' not 'transsexuals'.

Transvestite and Cross-dresser refer to someone who dresses in the clothing typically worn by the opposite sex. Generally, people who are transvestites/cross-dressers do not wish to alter their body and do not necessarily experience gender dysphoria.

Appendix D: Further Information and Sources of Support

The LGBT Network represents all students who identify themselves as lesbian, gay, bisexual, trans, queer, questioning, asexual and/or unsure/undecided or anyone who self-defines as experiencing homophobia, biphobia and/or transphobia for not fitting into heteronormative society at the University of Nottingham Contact: sulgbtofficer@nottingham.ac.uk

Equality Challenge Unit: Trans Staff and Students in Higher Education. Revised 2010

Equality Challenge Unit: The experience of lesbian, gay, bisexual and trans staff and students in higher education. Research report 2009.

Equality Challenge Unit: Guide for HR Staff, managers and staff supporting students, 2013

The Beaumont Society is a support network that promotes better understanding of the conditions of transgender, transvestism and gender dysphoria. www.beaumontsociety.org.uk

Depend is an organisation that offers free, confidential and non-judgmental advice, information and support to all family members, partners, spouses and friends of trans people www.depend.org.uk

Equality and Human Rights Commission is a statutory body with responsibility for protecting, enforcing and promoting equality across nine protected characteristics – age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, and sexual orientation. www.equalityhumanrights.com

Forum on Sexual Orientation and Gender Identity Equality in Post-School Education was established in April 2007 to promote equality and good practice in employment and the provision of post-school education, with a specific focus on sexual orientation and gender identity, or transgender, equality issues. [www.aoc.co.uk/en/Policy and Advisory Work/employment/representation/forum soandgiequality.cfm](http://www.aoc.co.uk/en/Policy%20and%20Advisory%20Work/employment/representation/forum%20soandgiequality.cfm)

Gender Identity Research and Education Society initiates, promotes and supports research, particularly to address the needs of people who have a strong and ongoing desire to live and be accepted in the gender in which they identify, although different from that assigned at birth. www.gires.org.uk

The Gender Trust is recognised as an authoritative centre for professional people who encounter gender identity-related issues in the course of their work. In particular, this group includes employers, human resources officers, health workers and information services. National helpline: 0845 231 0505. www.gendertrust.org.uk

Mermaids UK provides support and information for children and teenagers who are trying to cope with gender identity issues, and for their families and carers. www.mermaidsuk.org.uk

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. www.pfc.org.uk

Transgender Zone is an online resource that covers all aspects of transgender issues, including a section specifically for female-to-male trans people. www.transgenderzone.com