

# Guidance for Transgender, Non-Binary, and Gender Non-Conforming Students and Applicants at The University of Nottingham

## Table of Contents

- 1. Introduction.....2
- 2. Relevant legislation .....3
  - 2.1 The Human Rights Act 1998 .....3
  - 2.2 The Gender Recognition Act 2004 .....3
  - 2.3 Equality Act 2010.....3
  - 2.4 General Data Protection Regulations (2018) .....4
- 3. The Process of Medical Transition .....4
- 4. Support.....4
  - 4.1 Extra Support for Trans and Gender Non-Conforming Students .....5
  - 4.2 Sickness and Absence from the University .....5
  - 4.3 Dress code guidance.....5
- 5. How to be a good ally! .....6
  - 5.1 Confidentiality .....6
  - 5.2 Facilities/Toilets.....7
- 6. Records.....7
  - 6.1 Applicants.....8
  - 6.2 University Registration .....8
  - 6.3 Degree Certificates .....8
  - 6.4 University Student card.....8
- 7. References.....9
- Appendix A: Terminology .....10
- Appendix B: Examples of Extra Support for Students .....14
- Appendix C: Further Information and Sources of Support.....15

## 1. Introduction

Inclusivity is a core value of the University of Nottingham. We are a community where everyone can contribute and be appreciated for who they are. As such we expect all members of our community to treat anyone's gender identity with dignity and respect.

This guidance is designed as information for transgender, non-binary and gender non-conforming students. It can also be used to increase awareness of trans and gender non-conforming identities more generally for all students. Guidance for staff is available in a companion guide.

Transgender is an umbrella term for people whose gender identity differs from the gender they were assigned at birth. This can include gender non-conforming people, but not all gender non-conforming people are trans.

The University recognises that coming out as trans or non-binary can be a very difficult and complex time and wishes to act in a sensitive and supportive way by having helpful guidance in place to ease any challenges students may face. The decision to come out for the first time as trans or non-binary is not something a person undertakes lightly and the support of University staff and peers is often vital. It is also important to note that the University understands that 'coming out' is a continuous process, and not a one-time event. With every person they meet, LGBT+ students weigh up whether or not it is safe to come out.

Trans, non-binary and gender non-conforming students have been identified as a particularly vulnerable group. We recognise our responsibility to protect the rights of trans and gender non-conforming students and to ensure that no individual is subject to discrimination or victimisation as a result of their gender identity.

In order to understand the social, medical and legal implications of issues affecting transgender, non-binary and gender non-conforming students, it is important to be aware of the variety of relevant terms used. A guide to Terminology is provided in Appendix A. This guidance should be read as part of the wider set of policies including the University's [\*\*Dignity at Nottingham Policy\*\*](#).

## 2. Relevant legislation

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

### 2.1 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 their gender 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.

### 2.2 The Gender Recognition Act 2004

The [Gender Recognition Act 2004](#) allows trans people to apply to have legal recognition of their gender by acquiring a Gender Recognition Certificate. The Gender Recognition Certificate allows trans men and women to correct the sex marker on their birth certificate; there is no non-binary option. A Gender Recognition Certificate is not required to change name and gender marker on many documents, including passports and many trans people do not hold one. It is unlawful to demand evidence of a Gender Recognition Certificate.

Gendered Intelligence provides helpful guidance on how trans people can [change documents](#) and [change their names](#).

### 2.3 Equality Act 2010

The Equality Act 2010 has strengthened and streamlined previous equalities legislation.

Gender Reassignment is one of the nine protected characteristics in the Act- and is also included in the Public Sector Equality Duty. Under Gender Reassignment, the Act gives

protection from discrimination to a person who intends to, has started, or has completed the process of gender transition. The Act does not require a person to undergo medical treatment to be protected. The act also protects:

- People who experience discrimination because they are perceived to be trans (whether or not they are).
- People who are discriminated against because of their association with a 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.

It is important to note that the University's approach to [Equality, Diversity, and Inclusion](#) goes beyond the characteristics outlined in this act, demonstrating our commitment to protect and support everyone within our community.

## 2.4 General Data Protection Regulations (2018)

Under the General Data Protection Regulations (GDPR) 2018, trans identity and medical transition constitute 'special category' data for the purposes of the legislation. Therefore, it is important to note that, **information relating to a person's trans status cannot be recorded or passed to another person unless conditions under Article 9 of the GDPR for processing special category data are met.**

## 3. The Process of Medical Transition

Medical Transitions can take many forms and there is no 'right' way to transition. For students considering transitioning there are helpful on line resources such as <https://genderkit.org.uk/> that will provide information on the process. Gendered Intelligence also provide helpful resources on [transitioning](#).

## 4. Support

Trans and gender non-conforming students can seek support from their:

- Personal Tutor,
- Support and Wellbeing Team,
- The Students' Union, including the LGBT+ Students' Network
- The University's Counselling Service

- Student Services by contacting the Head of the relevant Service Centre:
  - University Park Central/Jubilee Campus: Rebecca Disney-Scott
  - University Park East: Andrea Blackbourn
  - QMC/Derby/Sutton Bonington: Tracey George

Student Services staff have received training to support and advise trans students.

#### 4.1 Extra Support for Trans and Gender Non-Conforming Students

It is a matter of personal choice as to who you may contact, but it is recommended that, where possible, the contact person should work with you to agree any extra support where required. Appendix B provides some themes/topics to assist with the framing of any such conversion.

It is imperative that confidentiality is maintained at all times.

Staff will be guided at all times by your preferences. Be assured that under no circumstances will anything be done without your explicit consent.

#### 4.2 Sickness and Absence from the University

In putting together details of extra support needs, absence management may be discussed. You will be granted time off for medical appointments or wellbeing treatment. If you will be absent for medical treatment this would be managed through the Policy on Circumstances Affecting Students' Ability to Study and Complete Assessments and/or Voluntary Interruption of Study Procedure. For reference please see [Attendance and Engagement Regulations](#). School to manage Extenuating Circumstances including mental health either through appropriate adjustments or through voluntarily interrupting for a while until you are able to attend as their Programme of Study requires. It won't be necessary for sensitive personal information to be provided with an Extenuating Circumstance claim.

#### 4.3 Dress code guidance

Students, including trans and non-binary students, are supported to dress in line with their gender identity and expression.

## 5. How to be a good ally!

The following are informal guidelines that the University has issued to everyone in our community on how to be a good ally to people who are trans, non-binary or gender non-conforming. You should expect respect and behaviour from staff and other students around these guidelines:

- Respect the person's gender identity.
- Listen to the person, and ask how they want to be treated and referred to.
- Use the name and pronoun that the person asks you to. If you aren't sure what the right pronoun is, ask. However, recognise in some situations, it is not appropriate to ask e.g. during a lecture which will out a person to 300+ people. 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 deadname is. Do not tell others about a person's gender identity without their permission. Documents that have the person's previous name and gender on them are legally required to be kept confidential. Avoid personal/intrusive questioning, such as asking trans, non-binary or gender non-conforming people what genitalia they have, or what their 'real' or 'birth' name is. In general, do not ask questions that you would not ask any other student.
- When chairing meetings and making introductions, offer the opportunity for people to present their pronouns in conjunction with their name. As well as this, give your pronouns if you feel comfortable to. For example "I would like everyone to introduce themselves, please say your name, your position and your pronouns if you would like". You can also include them in your email signature and as part of your avatar for your IT account.
- Use gender-neutral language. For example, don't gender things unnecessarily e.g. using '... if he/she wants' – this can easily be substituted for 'if they want'. Also don't gender professions e.g. 'Fireman' can be substituted for 'Firefighter', 'Policeman' can be substituted for 'Police Officer' and so on.
- Wear something which is a symbol of support. For example, rainbow lanyards.

### 5.1 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. This also applies if someone has told you their deadname, information regarding their transition etc.

If you or anyone you know feels they have been subject to harassment can report this to the University via [our Report & Support webpages](#). There is also a Report & Support tile on the MyNottingham mobile phone app.

## 5.2 Facilities/Toilets

As a University, we champion the right for people to use a toilet or facility that they feel comfortable using. [A list of gender-neutral Toilets across our campuses can be found online](#).

## 6. Records

Trans and gender non-conforming students can request amendments to their student records via the Student Service Centres. The fields and main options are listed below:

- Gender: Male, Female, Other
- Title: Mr, Mrs, Miss, Ms, Mx
- Name
- Sexual Orientation: Bisexual, Gay man, Lesbian, Heterosexual, Other, Prefer not to say

Where you request a change the request is passed to the Director of Campus Life. They will review the reason for the name change, and make a formal recommendation to the Registrar that the recorded legal name should be changed on University systems.

The Registrar approves the change and therefore holds the audit trail that this is the change to the legal name on the student record system.

Once the request is approved, Student Services will change the student record. A change of name on the student record will push through a change on other systems e.g. MSTeams, email address.

Requests would only ever be refused if there was a specific and detailed safeguarding concern in relation to you as a result of the change. In this circumstances, trained colleagues from our wellbeing team would discuss these matters with you so that we can provide support to ensure that the change can be made.

## 6.1 Applicants

If an applicant is transitioning, following their statement of intent to transition, the guidance above should be followed. The decision to use preferred name or legal name on written correspondence prior to admission to the University should be discussed with the applicant.

## 6.2 University Registration

University Registration is a formal process and registration is normally undertaken in the student's legal name as it appears on their passport or other formal identification documentation. New full-time students register in person and online with part-time, distance learning and returning students registering only online.

Should an applicant wish to change their gender identification and/or name during the registration period the guidance above should be followed.

## 6.3 Degree Certificates

In circumstances where an individual has changed their name as a result of transitioning, and the individual asks the University to reissue a degree certificate in their new name, this request will be granted upon production of proof of name change. There is no charge for this service.

Individuals will also be asked how they want their official University record to be reflected for the future and the record will be updated accordingly. Individuals will normally be required to return their original degree certificate at the time a new degree certificate is issued.

In circumstances where a graduate needs to present as a different identity in a different country for various reasons, we can accommodate this by issuing two degree certificates; one in your legal name and one in your preferred name. There is no charge for this service and can be done by contacting Student Services.

## 6.4 University Student card

The Head of the relevant Student Services Centre will liaise with the University Card team to organise a new card as part of the record change process. There will be an opportunity to upload a new photo if you wish to do this. There is no charge for this service. In some



circumstances e.g. a change of name immediately before an exam period it may be necessary to keep the original and new card.

## 7. 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.

## Appendix A: Terminology

Note: Stonewall provides an extensive and regularly updated [glossary of terms](#) that is a helpful resource.

**Cisgender (cis)** - A term for people whose gender identity is consistent with the gender they were assigned at birth. A cis man is a person who was assigned male at birth, and whose gender identity is a man. A cis woman is an individual who was assigned female at birth, whose gender identity is a woman.

**Coming Out** - Refers to the process when someone discloses their gender identity (and/or sexual orientation) to others. It is also important to note that coming out is a continuous process, and not a one-time event. With every person they meet, LGBT+ students have to weigh up whether or not it is safe to come out.

**Deadname** - A birth name of someone who had changed it. It is primarily used in the community by people who are trans and choose to go by their chosen name instead of their given name.

**Gender** - A personal relationship with masculinity, femininity, both or neither. Gender consists of: gender identity, which is a person's internal perception and experience of their gender; and gender expression, which is the way a person presents their gender. Currently, UK law only recognises gender as binary – people can only be either a man or woman. However, gender is not binary, and people can be non-binary, genderqueer, etc.

**Gender Dysphoria** - A medical diagnosis in which a person has been assigned one gender (usually at birth based on 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 assigned sex at birth. They may feel that their gender identity is different from their assigned sex at birth. This dysphoria may lead to a fear of expressing their feelings and a fear of rejection and in some cases, severe anxiety or chronic depression. (Greek 'dysphoria' = dissatisfaction)

**Gender Expression** - Refers to how you **present** your gender, for example, through dress, demeanour and actions. Such expression is usually culturally determined and interpreted through gender norms. Typically, trans people seek to make their gender expression match their gender identity, rather than their assigned sex at birth.

**Gender Identity** - Refers to how you **perceive** your gender, including man, woman, genderqueer, etc. Gender identity is often a deeply-held and embodied sense of a being male, female or a different gender.

**Gender Recognition Certificates (GRC)** - Formal documentation which is issued under the Gender Recognition Act 2004 by a gender recognition panel. The holder of a full GRC grants legal recognition in their gender for all purposes, including legal and social contexts. 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 gender for two years before their application and intends to live permanently in their gender. It is unlawful to ask a trans person for a GRC. Once a person has obtained a certificate, they are only required to disclose their past in rare and exceptional circumstances. Someone does not need a GRC to change their gender markers at work or to legally change their gender on other documents such as their passport.

**Intersex** – Refers to chromosomal and/or hormonal and/or anatomical sex characteristics that fall outside of society’s classification of ‘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 binary male or female appearances. Subsequently, many intersex people encountered difficulties later in life as the gender prescribed by the medical profession and their parents were 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. While trans issues are different from intersex issues, some intersex people also identify as transgender and/or non-binary.

**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 gender for all legal purposes.

**Lesbian, Gay, Bisexual, Trans, Queer (LGBTQ)** - 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.

**Medical Transition** - The process which is undertaken through medical supervision to change a person's physical and sexual characteristics to match their gender. Medical transition can include hormone therapy; voice therapy and possibly (although not always) chest and lower surgery. However, this is not an exhaustive list. This process is also referred to as 'gender reassignment' in equality legislation.

**Mx** - The most common gender-neutral honorific/title that does not indicate a gender. This honorific/title was developed as an alternative to Mr and Mrs and is increasingly used and accepted.

**Non-Binary** - An umbrella term for all genders other than woman/man. These can include agender, genderqueer, bigender, genderfluid, among others.

**Outed** - When a person's gender identity (or history) is disclosed to someone else without their consent. This term is also used in terms of revealing an individual's sexual orientation without their permission.

**Passing** - A term that often refers to a transgender person, where they are widely perceived as the gender that they wish to present themselves as.

**Pronouns** - Words that replace nouns in a sentence. Personal pronouns replace someone's name and in English, refer to a person's gender in a conversation (e.g. 'she', 'he' or 'they'). It is best practice to ask someone for their pronouns if unknown.

**Queer** - A term used by those wanting to reject specific labels of romantic orientation, sexual orientation and/or gender identity. It can also be a way of rejecting the perceived norms in the LGBT community. Although some LGBT people view the word as a slur, it was reclaimed in the late 80s by the queer community who have embraced it.

**Social Transition - Involves** social, cosmetic, and legal changes, without regard to medical interventions. People who socially transitioned may ask others to refer to them by their preferred name and pronouns, and some may legally change their name.

**Sexual Orientation** - Refers to which gender you're attracted to. This includes heterosexual, homosexual, bisexual, pansexual, asexual etc. Sexual orientation is different from gender identity, and trans people identify with all sexual orientations, or lack of.

**Transgender** - An umbrella term for people whose gender identity differs from their assigned sex at birth. Transgender people may or may not seek medically transition; however, this is unique to the individual. The term transgender should only be used as an adjective, for example, 'transgender people'.

**Trans** - An inclusive term for transgender people. The term 'trans' can be used without offence but should only be used as an adjective, for example 'a trans student'. However, always check with the person that it is appropriate to use terminology before assuming that it won't offend.

**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. Please note trans and man are separate words and shouldn't be combined as one word.

**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. Please note trans and woman are separate words and shouldn't be combined as one word.

**Transitioning** - The term used to describe someone changing from one gender to another, with or without medical intervention. This can include social, legal and/or medical transitioning.

**Transphobia** - 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).

## Appendix B: Examples of Extra Support for Students

The information below can be used as a prompt for discussion. This should be confidential and discussion should take place to agree where copies are kept and who should have access to them.

Encourage the student to contact their Personal Tutor or a member of the Student Services Support and Wellbeing Team. In the case of a student in halls talk to the student to consider whether the Warden should be involved in early discussions.
Has the student told anyone else, do they need any help with managing the reactions?
Is there any indication on 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?
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 they feel comfortable using? 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: <ul style="list-style-type: none"><li>• online records,</li><li>• university ID card,</li><li>• finance records</li><li>• Contact Student Services for advice <b>[Head of relevant Service Centre].</b></li></ul>
Actions agreed.
Date of next meeting.

## Appendix C: Further Information and Sources of Support

**The LGBT+ Students' Network** at the University of Nottingham Students' Union represents all students who do not conform to the heteronormative or cisnormative expectations of society (and therefore anyone who identifies as LGBT+). This also includes anyone who experiences any sort of homophobia, biphobia, transphobia, etc. Contact: [sulgbofficer@nottingham.ac.uk](mailto:sulgbofficer@nottingham.ac.uk) or see:

<https://www.su.nottingham.ac.uk/societies/society/lgbt/welfare/>

<https://www.su.nottingham.ac.uk/societies/society/lgbt/resources/>

**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](http://www.equalityhumanrights.com)

**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](http://www.depend.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](http://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](http://www.mermaidsuk.org.uk)

**Genderkit** is a resource for people who are considering transitioning. <https://genderkit.org.uk>

**Stonewall** is a charity who campaigns for the equality of lesbian, gay, bi and trans people across Britain. <https://www.stonewall.org.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

**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. <https://sgforum.org.uk>

**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. Resources for specific LGBT intersections are available at: <https://www.gires.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](http://www.pfc.org.uk)

**Other useful resources:**

<https://www.refugerestrooms.org/>

<http://genderedintelligence.co.uk/projects/kip/genderex/haircuts>

<https://nottstranshub.wordpress.com/trans-friendly-barbers-and-hairdressers/>

<http://genderedintelligence.co.uk/projects/kip>