

**Transgender Guidelines**



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1. **Introduction and Aims**

Myerscough College is fully committed to the well-being of all students, staff, partners, stakeholders, employers, and those who have direct links with the organisation. The Transgender Guidance aims to create a trans-inclusive culture and learning environment where all trans people are treated with respect and dignity in their identified gender. It is important to create a safe and supportive environment for staff and students who are considering, in the process of, or have transitioned, in line with the Equality Act 2010. This includes staff and students who identify as non-binary or gender fluid, or who do not propose to undergo medical interventions, to ensure they are fully supported at Myerscough College.

The Transgender Guidance gives information and advice to staff and students who have initiated the process of gender reassignment to offer support and understanding to individuals who wish to take, or have taken steps, to live in a gender different to the gender assigned at birth. Transition can be complex and difficult for an individual and the Guidance aims to offer supportive and sensitive approach to assist the transition period.

The Transgender Guidance is part of Myerscough College’s FREDIE Policy. The Guidance sets out the College’s obligations under the Equality Act 2010, the Gender Recognition Act 2004, and the Human Rights Act 1998.Within the Equality Act 2010, gender reassignment is one of the protected characteristics.

**Creating an Inclusive Environment**

These guidelines will apply to current employees, students, governors, volunteers and visitors across all Centres and areas of Myerscough College activity. People are expected to treat trans and non-binary staff, students, and members of the public in an inclusive and respectful manner. This includes any person associated with them such as partners and other family members, and those who are perceived to be trans in terms of their gender identity; their right to work and study with dignity; their name and personal identity; and their privacy and confidentiality.

An annual review will be undertaken by the FREDIE Strategic Group. Where new legislation is introduced interim reviews will be held and the guidelines updated and amended accordingly. Governors are responsible for ensuring that the College’s strategic plan includes a commitment to equality for trans people as part of our equality duty.

**FREDIE Principles**

Myerscough College has adopted the FREDIE Principles to advance excellence and our commitment to Equality, Diversity, and Inclusion,

* **Fairness:** Being reasonable, right and just.

* **Respect:** Having due regard for the feelings, wishes and rights of others.

* **Equality:** Where every person has equal rights and every person has a fair chance.

* **Diversity**: Diverse means different. We are all different, so diversity include us all. The concept of diversity encompasses understanding, acceptance and respect.

* **Inclusion**: Where every person feels respected, valued and that they fit with the organizational culture.

* **Engagement:** Two-way commitment and communication between and organisation and its employees, students, and stakeholders.
1. **Legal Framework**

The Equality Act 2010 makes it unlawful to discriminate against, or to harass or victimise a person because they are intending to undergo, are undergoing, or have undergone gender reassignment whether or not they have had or intend to have any medical gender reassignment treatment.

The Act also protects:

* People who face discrimination because they are perceived as trans.
* People who face discrimination because they are associate with someone who is, or is perceived to be, trans.

Individuals who need to take time off work to transition must not be treated less favourably than if they were taking time off due to sickness or injury, or for other authorised reasons.

**The Gender Recognition Act 2004** is mainly concerned with the process by which a person can get a Gender Recognition Certificate and correct their original birth certificate to match their true gender. If an applicant is successful, they will be issued with a full or interim gender recognition certificate (GRC).

The minimum age for legal gender recognition is 18, however this may be something many young people aspire to achieve. Further information regarding requirements can be viewed on the Government Equalities Office – Trans People in the UK.

In specified circumstances, the Gender Recognition Act prohibits disclosure of the fact that someone has applied for a gender recognition certificate (GRC), or disclosure of someone’s gender before the acquisition of a GRC. Such disclosure may constitute a criminal offence.

**A GRC is not necessary to prove transition.**

1. **Myerscough Framework**

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

With regard to students, this guidance applies, but is not limited to, admissions, to teaching, learning and research provision, to student support, College accommodation, sports facilities and other facilities, to health and safety, to personal conduct, and to student complaints and disciplinary procedures.

Trans students and staff can be confident that Myerscough College will:

Ensure fair and equal treatment of trans students and staff

respect their confidentiality

have effective and efficient processes for managing transition

ensure agreed actions are guided by the wishes of the student

take action against any student or staff member who bullies, harasses, or discriminates against a trans student.

1. **Responsibilities**
	1. **Governors**

Governors are responsible for ensuring that:

the College’s has a strategic commitment to equality for trans people.

* Equality training, including in trans issues, will feature as part of the College’s training plan.
* Governors are aware of the College’s statutory responsibilities in relation to gender reassignment legislation as an employer and service provider.
* Governors receive and respond to monitoring information.
	1. **The College Principalship and Senior Leadership Team**are responsible for:
* taking the lead in creating a positive, inclusive ethos that challenges discriminatory behaviour on the part of the managers, staff, or learners.
	1. **Managers**are responsible for ensuring that:

* They are aware of the College’s statutory duties in relation to all legislation relating to trans people
* All aspects of College activity are sensitive to gender identity
* The procedures for the recruitment and promotion of staff enshrine best practice in relation to equality and diversity
* The College’s publicity materials present appropriate positive and non-stereotypical messages about trans people
* Appropriate training and development are provided to support the appreciation and understanding of diversity.

* 1. **Staff**are responsible for ensuring that:

* They are aware of the College’s statutory duties in relation to gender reassignment and other relevant equality legislation
* They challenge discriminatory behaviour by learners, placement providers, outside contractors or members of staff

The primary contacts to provide practical support on transition to students at the College are the Director of Student Support and Welfare, Lisa Hartley and the EDI Co-ordinator, Karen Livesey. Case workers will be allocated to support the student or staff through initial discussions, action planning and ongoing support.

**Supporting Transition**

Myerscough College aims to create an inclusive trans-friendly environment in the learning areas, the workplace, research settings, across campus and within college online activities. We work to ensure these environments are free from discrimination, harassment, or victimisation, where all transgender people are treated with dignity and respect.

The process of transition at work or study can be initiated through confidential discussions with a Line Manager or HR Manager (in the case of staff) or Student Welfare and Support. Student Support teams have expertise in supporting trans students. We recognise that the process of transition can be complex and difficult for the individual and staff at Myerscough College will act in a supportive and sensitive way to ease any transition period.

If the person transitioning wishes to, they can also seek support from a member of the FREDIE Team who can offer help, advice and signposting to external organisations. Support can also be provided by the FREDIE Team to any person who has been contacted by a transitioning member of staff or student for their support, with full respect for confidentiality of the person transitioning. In addition, staff and students can receive support from staff and student Counselling services or LGBT Student networks.

**Students:**

A range of support is available to students and a **Transgender Student Handbook** is available on the staff and student intranet and the College internet which includes,

* Support updating College records with the student’s chosen name and gender.
* Talking to the curriculum and support staff and with the student about appropriate pronouns
* Talking to curriculum and support staff about adjustments that may be required during student’s studies and residency e.g., residential accommodation, absence to attend appointments,
* Organising new Myerscough College identity cards and updating student ID photograph
* Creating a personalised staying well plan
* Support regarding changing accommodation
* Information about local trans groups or LGBTQ organisations as appropriate.
* Supporting with work placements and apprenticeships
* Providing mental health, disability, or counselling support if requested.

**Staff**

The People and Experience (Human Resources) Team will provide appropriate support and guidance for trans staff.

**Transitioning Process**

Myerscough College aims to respond positively to the needs of trans students and staff, providing a professional and consistent delivery of service so that all trans members of the College feel safe, valued and supported in achieving their potential and contributing as members of the College. Myerscough College understands that every process of transition is personal to the individual and that everyone’s dignity should be respected. The process should be driven by the individual and include the timescale, activity, and communication.

**Legal name change.**

**Students**

If you are **16** or **17 years old**, you do not need to have the consent of your parents or anyone with parental responsibility for you to change your name — legally you have the right to choose your own name.

If you get a **statutory declaration**, it is legal proof that you have undertaken a **name change**.

A **statutory declaration** must be witnessed by a solicitor (but not the person who prepared your **statutory declaration**) or a Justice of the Peace (JP) and be signed by you using your new **name.** This can be very straight forward; you can go to your local Magistrates Court and the Clark to the Magistrates can sign the Statutory declaration for a nominal fee (around £15.00).

A copy of a Statutory declaration template is in the Appendixes.

Myerscough College can change a student’s name on the College system without a legal name change at any time and any person changing their name should be treated just like any other person changing their name.

However, this is generally in the ‘known as’ section and official mail may still be posted in the transitioning student’s legal name. Legal proof of a change of name is required in order to issue or re-issue a qualification certificate in a name different to that in which a student originally registered. Students need to notify Student Finance of their name change and should ensure that their bank details are correct so that payments are not delayed. The Management Information Service team can offer further guidance and support on how to change a name on the College systems. Further information in relation to Awarding Body requirements should be sought from the Quality Team.

**Staff**

Staff may change their name by completing a change of name form and providing Human Resources with a legal name change document. Gender can be changed on the College system at the same time, by notifying HR that the individual would like this done.

It is up to the individual to check and change their name with pension providers, bank (to ensure wages can be paid), etc.

**Use of facilities**

Transgender people use the facilities that match the gender with which they identify. Trans staff and students are not limited to the use of gender-neutral facilities if available and are able to access facilities, spaces or groups which align with their gender identity.

It is not acceptable to restrict a student to use for example, disabled or unisex facilities, although a student may use these facilities if that is their preference.

The Allocation of Accommodation policy acknowledges and ensures that residential accommodation is the individual’s choice of gender specific halls of residence and that the student will have equal opportunity to access appropriate accommodation. The Residential Support Manager will support the student in their choice of accommodation.

**Use of Appropriate Language**

Myerscough College recognises the importance of correct terminology and the use of language as a matter of fairness, respect, and inclusion. It is important everyone has a clear understanding that sexual orientation (being heterosexual, bisexual, gay or lesbian) and gender identity (being male or female) are completely different. Hearing people use “him” or “her” incorrectly can be uncomfortable or seriously detrimental for a Trans person to hear, especially when they are confirming people’s awareness of their identity. Having language that helps demonstrate the many ways we experience, express or identify ourselves allows us all to more clearly see and understand the entire spectrum.

Whilst all staff are expected to be sensitive and supportive to trans students and staff and to ensure that they do not experience discrimination or harassed, it is recognised that not everybody in the College will be aware of the most appropriate language to use in relation to transgender issues and transitioning.

Myerscough College considers the following points as the minimum level of good practice for all staff to adhere to:

* Trans students should always be referred to as their chosen name, not their birth name
* A person who identifies as a certain gender, whether or not they have taken hormones or had surgery, should be referred to using the pronoun (he or she) appropriate for that gender. If unsure what the correct pronoun is, the staff member should ask the student what they prefer.
* It is inappropriate and outdated to use the terms ‘sex-change’ or ‘pre/post-operative’. This is because it implies that the process of transition must involve some form of surgery, which may not necessarily be the case.
* Staff should not ask personal questions without seeking the student’s permission first. Questions such as ‘are you taking hormones?’ can be considered personal.

**11. Work experience**

There is an obligation on the part of the College and its work experience placements to keep student safe. The Equality Act 2010 encompasses every environment that students will be working in, therefore all placements should be aware of their duties and responsibilities. With regards to work experience or Apprenticeships the College must complete a suitable assessment on the potential placement to establish if there is any risk (physical or otherwise), taking account of rights to privacy - as a general principle personal information on a young Trans person must not to be shared.

Myerscough College must be sensitive to this in their planning before any young Trans person is placed in any business or organisation. Careful discussion about the placement with the student, parents or carers needs to occur as early as possible to find the most suitable way forward to ensure the placement is successful.

**12. Record Keeping, Data Protection and Confidentiality:**

Myerscough College will respect the confidentiality of all trans staff and students and will not reveal information without the prior agreement of the individual. If an individual notifies the College in writing of their intention to transition during their employment or education, it will agree with them the date from which their gender is changed on all records.

A trans person’s file should reflect their current name and gender. Any material that needs to be kept related to the person’s trans status, such as records of absence for medical reasons, will be stored confidentially. No records will be changed without the permission of the staff member or student concerned.

It is illegal to reveal someone’s trans status without their consent. The Data Protection Act 1998 covers all of the data that Myerscough College holds, and as such governs how we share data. For the purposes of the Data Protection Act, trans status is classified as ‘Sensitive information’ and should be dealt with according to the guidance provided in this Act.

**13. Protection against Harassment and Bullying**

Myerscough College recognises it is the right of every individual to choose whether to be open about their gender identity and history. To ‘out’ someone, whether staff or student, without their permission is a criminal offence and will be dealt with by the College accordingly. Transphobic bullying and harassment will not be tolerated and may be regarded as grounds for disciplinary action, which may include grounds for dismissal.

Transphobic harassment may include, but is not limited to:

The persistent use of incorrect pronouns (e.g. he/him instead of she/her for a transwoman)

Use of a trans persons previous name persistently or maliciously

Outing a person as trans, stating that they ‘used to be a man/woman’

Such behaviour will be dealt with under the College Student Anti-bullying Policy and HR related policies.

In the case of any perceived/actual discrimination, support can be sought from HR (for staff) or from Student Support Services (for students) or Hate Crime support agencies.

 <https://www.report-it.org.uk/report_a_hate_crime>.

[https://www.lancashire.police.uk/contact-us/hate-crime-and-third-party-reporting-centres/#](https://www.lancashire.police.uk/contact-us/hate-crime-and-third-party-reporting-centres/)

**14.Support and Training**

Guidance, support, and training will be provided through the Student Support Services, Equality, Diversity and Inclusion Co-ordinator and HR Team. Access to counselling service is available to students via Student Support Services.

Several CPD FREDIE training programmes are available for staff including Transgender and Gender identify through face to face, online, self- directed with resources on the Staff and Student Intranets.

**15. Further Information:**

**The Proud Trust** is a life enhancing organisation that helps young people empower themselves to make a positive change for themselves and their communities.

info@theproudtrust.org 0161 6603347

**UR Potential** Blackpool, Fylde, and Wyre offer trans advice, information, trans youth group and adult family support. lgbt@urpotential.co.uk 07445 641768

**GIRES** is a UK organisation that empowers and gives voice to trans and gender non-conforming individuals [www.gires.org.uk](http://www.gires.org.uk)

**LGBT Youth North West** is a Regional youth organisation that supports young people through ace to face youth work and through regional events and LGBT Youth Conferences [www.lgbtyouthnorthwest.org.uk](http://www.lgbtyouthnorthwest.org.uk)

**Lancashire LGBT** supports LGB and/or Trans adults in Lancashire [www.lancslgbt.org.uk](http://www.lancslgbt.org.uk)

**GYRO** <https://www.liverpoolcamhs.com/support/gyro-ypas/> 0151 702 6087

A collection of youth groups who identify as Lesbian, Gay, Bisexual or Trans.

[**Mermaids UK**](http://www.mermaidsuk.org.uk/) is a National Charity that connects and supports young Trans people and their families. <https://mermaidsuk.org.uk/>

**Imaan** is the UK leading LGBTQ Muslim Charity <https://imaanlondon.wordpress.com/>

[Stonewall](http://www.stonewall.org.uk/our-work/workplace-resources) have some useful resources and links to Trans organisations that can offer support for all aspects of the transition process.

[Getting it right with your Trans Service Users and Customers (2016)](http://www.stonewall.org.uk/sites/default/files/getting_it_right_with_your_trans_service_users_and_customers.pdf)

[Engaging all Staff in Trans Inclusion (2016)](http://www.stonewall.org.uk/sites/default/files/engaging_all_staff_in_trans_inclusion.pdf)

[First Steps to Trans Inclusion (2016)](http://www.stonewall.org.uk/sites/default/files/first_steps_to_trans_inclusion_2016.pdf)

Myerscough College is an active member of Equality and Diversity UK and Stonewell. <https://www.stonewall.org.uk/>

 **APPENDIX A**

**DEFINITIONS:**

**Assigned gender/gender assigned at birth** is the gender role someone is given at their birth (e.g. male), usually determined by the baby’s genitals.

**Gender reassignment:** anyone 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)**.** It is important to note that no medical intervention is required for a person to transition. The individual simply needs to choose to live as a different gender to the one they were assigned at birth.

**Gender identity:** A person has an internal, deeply held sense of their own gender. For trans people, their own sense of who they are does not match the sex that society assigns to them when they are born.

**Gender expression:** This refers to the ways in which people manifest their gender. For example, through what they wear, how they speak and how they act.

**Trans:** An umbrella term for people whose identity differs from what is typically associated with the sex they were assigned at birth. People under the trans umbrella may describe themselves using one or more of a wide variety of terms – including transgender. Some of those terms are defined here.

**Cisgender:** People whose gender identity matches the sex that society assigned to them when they were born. Non-trans is also used.

**Transgender man:** People who were assigned female at birth but identify and live as a man may use this term to describe themselves. They may shorten it to trans man. Some may also use FTM, an abbreviation for female-to-male. Some may prefer to simply be called men, without any modifier. It is best to ask which term an individual prefers

**Transgender woman:** People who were assigned male at birth but identify and live as a woman may use this term to describe themselves. They may shorten to trans woman. Some may also use MTF, an abbreviation for male-to-female. Some may prefer to simply be called women, without any modifier. It is best to ask which term an individual prefers.

**Transsexual:** An older term still preferred by some people who have transitioned to live as a different gender than the one society assigns them at birth. Many trans people do not identify as transsexual and prefer the word transgender. It is best to ask which term an individual prefers. If preferred, use as an adjective: transsexual woman or transsexual man.

**Transitioning** is the term used to describe the process someone goes through to change from one gender to another, with or without medical intervention. Not every trans person will feel it is appropriate to use the binary genders of male or female during or after transition.

**Non-binary:** Non-binary is a term for people whose gender identities do not fit into the gender binary of male or female. A non-binary person might consider themselves to be neither male nor female, or to be in some sense both male and female, or to be sometimes male and sometimes female. People who identify as non-binary will sometimes prefer to refer to themselves using pronouns which are not gendered, for example ‘they’ or ‘ze’.

**Androgynous:** People who have both typically male and female characteristics in a way which makes it hard to identify their gender. There is usually no need to know this information, but where there is it is polite to ask.

**Cross-dresser:** A person who dresses in clothes normally associated with another gender. People cross-dress either privately or publicly for a variety of reasons and many crossdressers do not identify as trans. This replaces the term transvestite which many people find offensive.

**Gender dysphoria:** Gender dysphoria is where a person experiences discomfort or distress because there is a mismatch between their biological sex and their gender identity. For example, some people may have the anatomy associated with men, but identify themselves as a woman, while others may not feel they are definitively either male or female. This mismatch between sex and gender identity can lead to distressing and uncomfortable feelings that are called gender dysphoria.

**Transition:** Where someone takes steps to live as the gender which they identify as. What this involves varies from person to person. For some people this might involve medical surgeries. Not everybody wants to have these procedures or is able to have them. A transition also might involve things like telling friends and family, dressing differently, and changing official documents.

**Gender Recognition Certificate:** In the UK people can obtain a Gender Recognition Certificate (GRC), which enables them to get a new accurate birth certificate. The process for applying for a GRC can be quite burdensome and not every trans person will choose to do so. People do not need a GRC to transition at work or for most official purposes. In order to receive a Gender Recognition Certificate, you must:

* be 18 or over
* be diagnosed with gender dysphoria (unhappiness with your birth gender)
* have lived as your acquired gender for at least two years
* intend to live in your acquired gender for the rest of your life
* apply to the Gender Recognition Panel.

**Intersex:** Intersex people are individuals whose anatomy or physiology differ from contemporary cultural assumptions about what constitutes male or female. Such variation may involve genital ambiguity, and combinations of chromosomal genotype and sexual phenotype other than XY-male and XX-female.



**STRATEGIES FOR CREATING A SUPPORTIVE ENVIRONMENT – APPENDIX B**

Myerscough College recommends the following strategies to help create a supportive environment:

Be supportive – every person’s transition will be different and likely to require varying levels of support.

Listen to the trans person – everyone is different, so ask what works for them.

When it comes to using pronouns to identify a trans person, it’s mostly a question of asking them which pronoun they would like you to use and respecting their choice.

Use gender neutral language where possible, e.g. use “they” instead of “he/she in policies and practices.

Pronouns are used in sentences where your name would otherwise go. ‘He’ for male, ‘she’ for female, and ‘they’ is neutral. There is gender neutral you may not have heard of – 'xe', or 'ze' for example. Never make assumptions about the pronouns someone may wish to use – if unsure, ask.

Give people space to identify their gender as they wish on monitoring forms and surveys, e.g. “if you prefer to use your own term, specify here”.

Don’t challenge someone using facilities such as toilets. The law provides that people may use the facilities of the gender with which they identify.

Always combat transphobia if you see or hear it – report any such instances to FREDIE team.

 **Letter A Template APPENDIX C**

**Notification of change of gender status**

Please send this letter or email information to the Director of Student Support Services or alternatively email it to lhartley@myerscough.ac.uk

Director of Student Support and Welfare

Lisa Hartley

The Core

Myerscough College

Bilsborrow

Preston

PR3 ORY

Date

Student number (if known)

Date of birth

Dear Lisa,

I am writing to notify the College that I am intending to change or have already changed my gender status from that which I was born. I have read the College’s Transgender Guidelines.

As required by the Guidelines, I give you my explicit written consent to notify people on a need-to-know basis so that a named contact can be appointed to provide support and develop a confidential action plan that will address matters relating to changes to College records, disclosure to others and support available during my studies. I know if may take some time to put in place the appropriate arrangements.

Yours Sincerely

(your name as it is currently held by the College)

**Letter B Template  APPENDIX D**

**Consent to share information and update College records**

Please send this letter to the Director of Student Support Services or alternatively email it to lhartley@myerscough.ac.uk

Director of Student Support and Welfare

Lisa Hartley

The Core

Myerscough College

Bilsborrow

Preston

PR3 0RY

Date

Student number (if known)

Date of birth

Dear Lisa

I am writing to grant you permission to discuss my transition to my new gender role on a need-to-know basis at Myerscough College, so that appropriate arrangements can be put in place to support me during my transition.

Please also accept this letter as my consent to make necessary arrangements for College documents, records and systems to be updated so that all references to me in my former name and gender are replaced with my new name and gender role as stated below.

I understand that by requesting this change, my original College provided email and cloud storage account will be deleted and recreated with my new credentials. I will take appropriate measures to back up any emails, files or other electronic media stored in the cloud and take responsibility for restoring them into my new account. I understand that once my original account is deleted, any information will be lost irretrievably.

New Title:

New Forename(s):

New Surname (if applicable):

New Gender role:

I confirm that I intend to commence living full time in my new gender role from *enter date here*.

I welcome the opportunity to discuss changing records so that we can agree priorities and a reasonable timescale and explore how my transition may impact on my studies. I know it may take some time to put in place the appropriate arrangements.

Yours Sincerely

 (Your name as it is currently held by the College)

**Confidential Disclosure & Support Plan– Transgender Students  APPENDIX E**

|  |  |
| --- | --- |
| Previous name(s)  |   |
| Students new name(s)  |   |
| Preferred pronoun |  |
| Date of Birth:  |   |
| Course/Proposed Course  |   |
| Student Number   |   |
| Student email address |   |
| The date the student intends to transition formally known as “real life experience”  |   |
|  |
| Records that need to be changed: | Staff member: | Date completed: |
| ID card |  |  |
| UNIT- E / Promonitor  |  |  |
| One File (apprentices) |  |  |
| Finance |  |  |
| Accommodation |  |  |
| Awarding Bodies (if appropriate)  |  |  |
| What supportive adjustments or support available regarding the student’s studies. |    |
| When to inform the department and students and if the student wishes to do this themselves or prefer that to be done for them. |   |
| Any plans the person might currently have to start hormone therapy and/or undergo surgery. Any external support or referrals?  |   |
| When the student will start using any single-sex facilities. |   |
| Any plans the person might currently have to start hormone therapy and/or undergo surgery.  |   |
|  What emotional support can be put in place for the student e.g. counselling, mental health support, referral to other relevant agencies. |      |
| Explanation of how the student is covered by existing policies relating to issues such as Confidentiality, Equal Opportunities, etc  |  |
| Where copies of this form are kept and who has access to this information. |   |
| If the student is Residential – contact the Residential Support Officer and agree appropriate Residential arrangements. |   |
| Completed by:  |   |
| Date: |   |

