



Valley College

## STAFF AND LEARNER TRANS POLICY

This policy sets out the college's commitment to raise awareness of gender equality and ensure that trans staff and learners do not suffer discrimination, harassment or victimisation. This policy supports the college in meeting our responsibilities under the Equality Act 2010, to eliminate discrimination, advance equality and foster good relations for all the protected characteristics including gender reassignment.

### Definition of terminology used in this policy

Trans is an umbrella term for those who do not identify with the sex they were assigned at birth, including but not limited to those who are transgender and non-binary.

Many people identify as trans including:

- People whose gender differs from the sex they were assigned at birth;
- People undergoing a social gender transition (often referred to as "transition" or "social transition") – this will include name change and pronoun change;
- People undergoing a medical gender transition (often referred to as "transition" or "medical transition", sometimes incorrectly referred to as "sex change" – this is considered an offensive term by most trans people);
- People who express the intent to undergo any social or medical gender transition;
- People who are born with a reproductive or sexual anatomy that does not fit the typical definitions of female or male, although not every intersex person will identify as trans.

Transitioning can involve several procedures, some of which are:

- Medical (e.g. HRT);
- Legal (e.g. deed poll);
- Social (e.g. telling others).

The [Gender Reassignment Regulations 1999](#) will protect an individual if they intend to, currently are or have transitioned. The college is committed to ensuring that individuals will be treated no less favourably because of their trans identity, or harassed because of it. This includes any treatment related to absence from work or study while transitioning, including medical interventions, in comparison to someone absent due to illness or for some other similar reason.

Under the [Gender Recognition Act 2004](#), if an individual meets certain criteria, they will be able to apply for a Gender Recognition Certificate. This certificate allows a person to obtain certain specific legal documentation, for example birth, death, and marriage certificates, in their new legal gender. The legislation also includes confidentiality, and the college will not disclose a person's trans status to another individual without explicit permission.

The college recognises there can be many forms of gender expression and identity and this policy sets out a framework for how we will support a trans employee or learner.

We aim to create an inclusive and trans-friendly culture, workplace and learning environment, free from discrimination, harassment and victimisation, where all individuals will be treated with respect and dignity.

We aim to do this by:

- Sharing this policy with all staff and learners/advocates
- Respecting your confidentiality;
- zero tolerance of transphobic abuse or harassment;
- Providing you with a supportive environment;
- Offering Trans Awareness Training to all staff.

Valley College is committed to ensuring that individuals will not be treated less favourably than any other on the grounds of their gender identity.

### **Supporting staff and learners transitioning at the College**

If a member of staff or learner is considering or undergoing the process of transition, they are strongly advised to speak with the Head of College in confidence. A confidential meeting will be arranged to discuss support, facilities and services available and

- To agree who should be made aware of their transition and options for how they would like this to happen;
- Their preferred date to implement a change of name, personal details, gender and other relevant required amendments to records and systems;
- Timescales of any medical and/or surgical interventions and the time off which may be needed;
- Any time off required for treatment and/or possible side effects from any medication and how this may affect work/study.

We understand that one of the most significant moments will be the decision of when to present publically in the affirmed gender. The college will endeavour to support the member of staff or learner during this period. With agreement, we will ensure that this is managed and communicated in a thorough and appropriate manner to those who have a relationship with the member of staff or learner in terms of employment, for example the line manager, or study, for example the Lecturer.

**Confidentiality** – the college respects confidentiality and will not reveal information without prior agreement.

### **Practical considerations**

#### Use of facilities

The college will support the choice made regarding the use of facilities appropriate for an individual's gender identity. There are also gender neutral toilets available to staff and to learners.

#### Records

The college will work with an individual to consider and agree a date when all records are changed. We will not change records without permission. A legal name may be changed by making a statutory declaration of name change. However, an individual may choose not to change their name immediately or have no intention of changing name. An official document is not required to change some records, for example, gender, email address To have these changed contact the college office if you are a student or the HR manager if you are member of staff. To change HR or learner records, including payroll, pension and accreditation certificates, official documentation is required, for example, a statutory declaration of name change.

Any documents sent to HR or learner records relating to trans identity will be kept confidentially. On receipt of a GRC (Gender Recognition Certificate) it is possible to request that all references to former name and gender are removed from old records. In this case, the college will ensure that all past records relating to

previous name are updated and replaced in the file. Nothing should remain in the file that would reveal to a third party that a change has occurred.

### Accreditation certificates

All certificates should be issued in the name that a learner is registered with at the completion of studies. Proof of change of name will need to be provided for a certificate to be reissued in a different name to the name originally registered with. If a learner does not formally change name, qualifications certificates will be issued in the name originally registered with. The college recognises that not all trans people undergo medical procedures, and therefore provision of a GRC or doctor's letter will not be required.

### Pensions

For the purpose of employer pensions, if a member of staff does not have a GRC, records will remain with the sex that was recorded at birth. It is also usual for private pension providers to require legal evidence of gender as well as name change with the provision of a new birth certificate and if appropriate a statutory declaration of name change being required. For more information please see [www.gov.uk/government/publications/transsexual-people-equal-treatment-for-statepension](http://www.gov.uk/government/publications/transsexual-people-equal-treatment-for-statepension)

Written by:	SJ July 2020
Reviewed by:	

## **APPENDIX A**

Gender identity is how we feel in relation to being male or female - and there are different terms, descriptions and labels for different types of gender identities. For example;

### Agender

Not having a gender or identifying with a gender. They may describe themselves as being gender neutral or genderless.

### Bigender

A person who fluctuates between traditionally “male” and “female” gender-based behaviours and identities.

### Cisgender

A person whose gender identity and biological sex assigned at birth are the same. For example they were born biologically as a male, and express their gender as male.

### Gender Expression

The external display of one’s gender, through a combination of how they dress, how they act and other factors, generally measured on scales of masculinity and femininity.

### Gender Fluid

A mix of boy and girl. A person who is gender fluid may always feel like a mix of the two traditional genders, but may feel more man some days, and more woman other days.

### Genderqueer

A gender identity label often used by people who do not identify with being a man or a woman, or as an umbrella term for many gender non-conforming or non-binary identities.

### Intersex

A person born with a reproductive or sexual anatomy that doesn’t seem to fit the typical definitions of female or male. For example, a person might be born appearing to be female on the outside, but having mostly male-typical anatomy on the inside.

### Gender Variant

Someone who either by nature or by choice does not conform to gender-based expectations of society

### Mx.

Is a title (e.g. Mr., Ms., etc.) that is gender neutral. Pronounced miks, (similar to Ms) it is often the option of choice for folks who do not identify as cisgender.

### Transgender

A person who lives as a member of a gender other than that expected based on sex assigned at birth.

### Alternate pronouns

Alternate pronouns that are gender neutral such as ze/hir, pronounced /zee/ and /here/ they replace “he” and “she” and “his” and “hers” respectively. Alternatively some people who are not comfortable/do not embrace he/she use the plural pronoun “they/their” as a gender neutral singular pronoun.