

Trans & Non-Binary Policy (including Policy on Transitioning)

Version 1: September 2019

Supporting materials:

- Guidance for Colleague: Supporting trans & Non-Binary Colleagues
- A colleague Guide to Supporting Student Gender Diversity
- All related University HR policies and procedures can be found at:
<https://www.salford.ac.uk/hr>
- Student related policies can be found on the Student Channel:
<http://www.salford.ac.uk/students>
- Glossary of Terms – Trans & Non-Binary



University of
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1.0 Introduction

The University of Salford, fully supported by its senior management team, wholeheartedly promotes the principle of Equality, Diversity and Inclusion. Our aim is to create an organisation that values diversity and promotes equality of opportunity regardless of age, disability, gender identity, gender expression, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, HIV status, Trade Union Membership and any intersections. Our purpose is:

“To create an inspirational, inclusive learning, research and working environment, celebrating the diversity of our University community in our everyday conversations”

The University of Salford has noticed a significant increase in the numbers of students and colleagues who have sought support for gender identity and/or transition and the purpose of this policy is to address this to ensure that our services and employment practices are inclusive to everyone.

This policy relates to both Trans and Non-Binary people and is a statement of support for both. We recognise that gender identity is a spectrum and both trans and cisgender people (see online glossary) do not always identify as binary male and female identities. This first part of the policy is for all colleagues and students that identify as Trans or Non-Binary. The second part of the policy relates to those that may transition. This separation is important as we recognise that not all Trans and Non-Binary people will transition but may still identify as Trans or Non-Binary.

Research undertaken by organisations such as Stonewall shows that there are significant barriers in employment, education and healthcare for Trans and Non-Binary people in society and that Trans and Non-Binary people are highly likely to be victims of hate crime, bullying and harassment and that this is often unreported.

In the 2010 Equality Act the relevant protected characteristic is described as ‘Gender Reassignment’. Throughout this policy we have replaced this term with ‘Gender Identity’ and ‘Gender Expression’ as the University believes that these terms are more inclusive and reflects people who are not undergoing or considering medical interventions.

We are committed to achieving an environment in which all colleagues and students are treated with respect, in which a zero tolerance approach is taken to bullying, harassment or discrimination; all people have the opportunity to realise their full potential; and all decisions are based on merit. By embracing equality, diversity and peoples’ human rights, we will make our University more responsive to the needs of, and accessible to our diverse communities

1.1 Responsibilities

Vice Chancellors Executive Team (VCET)

VCET has overall responsibility for the effective implementation of this policy and compliance with the Equality Act (2010). This is delivered through the Inclusion, Diversity and Engagement Committee (IDEC) which reports directly to VCET and feeds into Council from a governance oversight perspective.

Director of Human Resources & Organisational Development and PVC Student Experience

The Director of Human Resources and the Pro Vice Chancellor (Student Experience) have joint lead responsibility for ensuring that this policy translates into effective action at an operational level.

Inclusion and Diversity Manager/ Student Inclusion and Diversity Manager

The Inclusion and Diversity Manager and the Student Inclusion and Diversity Manager will advise on the implementation of the policy and monitor its effectiveness.

Line Managers

All managers have responsibility for ensuring that employees are aware of the policy, and that they adhere to the terms and the spirit of the policy. Specific responsibility and any action falls upon managers to ensure that they promote an equality conscious environment and they carry out duties such as recruitment and training in line with the policy.

Colleagues

All colleagues have a responsibility to familiarise themselves with this policy and to ensure they apply it fairly and consistently to all colleagues, students and visitors.

A duty is placed on all colleagues to assist the University to meet its commitment to provide equal opportunities in employment and study, and to avoid unlawful discrimination. Colleagues can be held personally liable as well as, or instead of, the University for any act of unlawful discrimination committed during in the course of their employment.

Students

All students must take personal responsibility to foster good relations, promote inclusion and report any discriminatory behaviour to staff or the Students' Union.

External Contactors and Agencies

External contractors and agencies providing services on behalf of the University will be expected to make their staff aware of the University's policy and comply with it.

2.0 Who is it for?

The policy is applicable to University colleagues, students, visiting or emeritus colleagues, associates, holders of honorary and clinical contracts, contractors and consultants and others working on University premises, or carrying out other research activity in the name of, or on behalf of the University of Salford, within the constraints of the international context.

3.0 Purpose

We know that there are significant barriers in employment, education and healthcare for Trans and Non-Binary people in society. Trans and Non-Binary people are highly likely to be victims of hate crime, bullying and harassment and that this is often unreported. In the UK 42% of people not living fully in their gender identity are prevented from doing so because they fear it may threaten their employment status (Equalities Review, 2007). This policy will address barriers at all stages of a Trans* colleagues work journey.

Trans and Non-Binary students are also more likely to have poor mental health not because of their gender identity but because of negative stereotypes, actions and fear in society, difficult relationships with family (including estrangement) and they are more likely to leave without a degree. This policy was also address this at all stages of the student journey.

The University is committed to ensuring all Trans and Non-Binary colleagues, students and visitors are treated with respect throughout their relationship with the University.

The University is committed to ensuring that it is one of the first Trans* friendly Universities in the UK and this policy is an essential part in achieving this. Trans and Non-Binary people are part of the future of the University, and their contribution is vital, having a positive impact on the University's values and priorities.

The aim of this policy is to communicate the University's commitment to the promotion of Trans and Non-Binary inclusion and best practice. It sets out our duty to tackle discrimination and transphobia in all areas of the University, from recruitment and employment policies through to access and support for students.

4.0 Principles

4.1 For everyone

1

All people at the University have a gender identity and we will treat that with dignity and respect. Furthermore, we consider any gender identity outside the gender binary as valid gender identities and as such are treated as protected characteristics.

2

The guiding principles for the University are that all colleagues, students and visitors have a right to decide their own gender identity and gender expression and we will enable that decision to be respected and endorsed on campus. To enable this, **the University has zero tolerance to purposeful misgendering and any form of transphobia, bullying and harassment and hate crime** which will be dealt with through internal and/or external channels

3

Discrimination, harassment and victimisation will not be tolerated anywhere in the University – whether this is directed towards colleagues, students or visitors. The University will take all appropriate steps to protect its colleagues and students from illegal discrimination, victimisation or harassment.

4

Dress codes or uniforms should be gender neutral and be applied consistently across the University. If a specific uniform is required, then a gender should not be attached to that uniform. Trans and Non-Binary colleagues and students have a right to comply with a dress code in a manner consistent with their gender identity

5

All University policies will be reviewed regularly to ensure that gender neutral language is used throughout.

6

The University of Salford is committed to ensuring that **all its activities are designed and delivered in a way that meets the needs of everyone** including Trans and Non-Binary people.

7

The University will support a Salford Trans* Forum (a forum of Trans and Non-Binary colleagues, students and allies) to ensure that we are continually providing exemplary support to all our colleagues and students. This forum will ensure that the voice of Trans and Non-Binary people are heard and will be supported by an action plan to ensure best practice is maintained.

8

We will continue to **develop strong and co-productive links** with Trans* organisations and community groups

9

We will continue to develop our monitoring and collection of relevant information on gender identity to ensure it is compliant and to help us support our colleagues and students the best we can. The University of Salford acknowledges the importance of monitoring the effectiveness of the Equality, Diversity and Inclusion Policy. Our annual workforce and student monitoring report will measure the composition of our workforce and student population by collecting relevant statistics relating to the protected characteristics. All data will be anonymised and treated under strict data protection rules as laid out in associated policies

10

The University believes that all people on campus have the right to use washing and toilet facilities and other communal facilities that reflect their gender identity and other people do not have the right to make this decision for them. The University have made a commitment to have gender neutral facilities in every building which are available to all colleagues, students and visitors. Details of inclusive facilities can be accessed [here](#).

The campus masterplan will reflect as a 'non-negotiable', planning for gender neutral facilities in all new buildings and facilities planned on campus.

4.0 Principles

4.2 Colleagues

- 1** The process of recruitment and selection is to identify the most suitable person for the job in respect of experience, qualifications, skills and behaviours. It is designed to be free from bias and discrimination either directly or indirectly on the grounds of gender identity.
- 2** We aim to ensure that the colleague induction process demonstrates from day one the commitment that is outlined in this policy and includes **information about our staff network, Salford Proud and Trans* specific work that we undertake.**
- 3** **Trans and Non-Binary people should be represented at all levels of the organisation** and we will work hard to give opportunities for them to progress.
- 4** **All managers will receive training in the principles of equal opportunity** in employment which will include specific barriers that Trans* people face in employment, which will take place within general management training courses and specific colleague related courses such as: - Recruitment and Selection, Performance Development Reviews and Induction. In addition, it is a mandatory requirement that all colleagues will complete the Equality, Inclusion and Diversity e-learning package.
- 5** **Regular gender/identity training will be available for all colleagues and can be requested by all managers** when there is a perceived need by a manager for such training. Specific training relating to mental health and gender identity will also be available. Bespoke mandatory training that is role specific will be identified and rolled out across the University to promote an inclusive student experience.

4.3 Students

- 1** **Specialist Trans and Non-Binary support** will be available in askUS, where colleagues are trained to act as a single point of contact.
- 2** In the University's outreach and recruitment work we will ensure that all material and work we do with schools, colleges and the community, including summer schools and open days, **will always be Trans and Non-Binary inclusive**
- 3** **We aim to ensure that all Trans and Non-Binary students are treated with respect and have access to services, support and facilities that are inclusive to them.** We will ensure that students have access to regular training sessions and events around Trans* inclusion and that these are publicised and open to all students.
- 4** **We aim to ensure that all students are aware of our organisation's emphasis on inclusion** and that we provide Trans* inclusive images and portray positive Trans* role models and that training needs across the wider student population are addressed when identified or needed.
- 5** **The curriculum will be reviewed regularly** to ensure that it does not rely on or reinforce stereotypical assumptions about Trans* people, and that it contains material that positively represents Trans* people and Trans* lives.

5.0 Transitioning

5.1 What is transitioning?

Transition is the term that is used to describe the process and steps an individual takes to live in the gender they identify as. People do this in different ways and there is no one transitioning process that you can map to all colleagues or students. Many Trans and Non-Binary people will not transition at all, hence why this section is separate from the rest of the policy as it will not apply to all Trans and Non-Binary people.

A 'Transition' can include changing the way they dress, changing documents such as bank accounts, telling friends and colleagues etc. All of these are included in the scope of this policy and explained in the associated guidance.

The starting point for a transition is different for everyone and should be defined by the individual not the organisation.

Although some Trans* people will identify as a 'Trans* Man' or a 'Trans* Woman', others will just identify as a 'Woman' or a 'Man'. Their definition should be respected and communicated as necessary to colleagues.

A glossary of common terms is provided in a separate document and is available at [\[link to online glossary\]](#)

A transition at work or study covers all aspects of the transition the person chooses for themselves at work and study and this is covered by this policy statement.

The transition policy statement covers both colleagues and students. The process for colleagues and students may be different, which is explained in any accompanying guidance documents.

Medical interventions such as surgery and hormone treatment do not define a person's transition but are options some people undertake as part of their transition. People who do not undertake these interventions are still included in the scope of this policy statement

A Gender Recognition Certificate (GRC) is very rarely the end result of a transition and most Trans* people will never have one. A transition should never be defined by this and the University should never ask for one as this is illegal.

The Equality Act 2010 is a useful tool, but we aim for this policy to go beyond compliance. Some of the language used within the Act is now outdated and should not be avoided - e.g. 'Transsexual' (although a small number of people will still identify with this term) and 'Gender Reassignment'. The University and this policy uses 'Trans(gender)' and 'Transition' instead and includes all gender identities and expressions including non-binary people in the scope of this policy.

5.2 Purpose

The University believes that all people should have the correct support in place if they wish to transition in their place of work or study so that they feel open and comfortable to do so.

Transitioning has an impact on a person's whole life. The work and/or study place is an important element of this, and we recognise targeted support is crucial to an employee's and student's wellbeing.

The University also believes that Trans* people are valuable members of our workforce and study community and their experiences contribute to university life.

The purpose of this policy statement is to:

1. Give people working and studying with Trans and Non-Binary people who are transitioning, the skills and the confidence to ensure that their colleagues and fellow students needs are considered.
2. Ensure that the transition is controlled by the person transitioning and that we treat their experience as unique.
3. To demonstrate to Trans* colleagues and students that they will be supported throughout their transition and this policy and any associated guidance will act as a template for their transition.

5.0 Transitioning

5.3 Colleagues

1

Good practice should be shown at all key milestones of a colleague's transition journey.

Good practice in each of these key milestones is explained in the guidance documents and includes:

- ✓ Recruitment
- ✓ Induction
- ✓ First meeting with manager/ HR/ Staff network officer to decide on timelines and plans
- ✓ When colleagues/ staff will be informed (for existing staff)
- ✓ Whether training is required for colleagues
- ✓ Staff development and progression for those who are transitioning

2

A checklist which considers the following factors should be drawn up with the staff member.

Support with this can be sought from the Inclusion & Diversity Manager. A plan should be created with consideration to the areas below, including timeframes and who is responsible. It should be agreed by both parties and could cover:

- ✓ Data Protection (GDPR) & Confidentiality
- ✓ Work permits
- ✓ National Insurance
- ✓ Redeployment
- ✓ Pensions
- ✓ Professional Registration
- ✓ References
- ✓ DBS checks
- ✓ Updating Records
- ✓ Facilities
- ✓ Time off for transition related appointments and recovery.
- ✓ Dress codes
- ✓ Salford Proud
- ✓ Interactions with students and colleagues
- ✓ Use of IT systems – changing information
- ✓ Anything else that is relevant to the staff members situation.

5.4 Students

1

The University will have a robust and confidential service from as specialist single point of contact team trained in gender identity that enables students to transition whilst at university. The details of this service will be widely available to students and the details of this service are provided to colleagues in the guidance document, 'A Colleague Guide to Supporting Student Gender Diversity'.

2

Student peer support and mechanisms to meet other students if necessary to reduce isolation and promote well-being

3

An easy process to change and share information when required on university and accommodation systems, where necessary from pre-registration to post graduation.

4

Training for colleagues and other students when required. This to particularly include bespoke Trans* training for colleagues working in student mental health and as designated contacts

5

Working with the Student Union on visible events to commemorate Trans* people's lives.

6

The ability for students to tell us their gender identity, pronouns and non binary titles if they wish, secure in the knowledge that we will treat this confidentially and within the law and only use it to ensure they receive a excellent service from the university.

6.0 Bullying, Harassment, Sexual Violence, Hate Crime and Complaints

The university has zero tolerance to any form of discrimination, bullying, harassment, sexual violence or hate crime and has policies in these areas which are inclusive of Trans and Non-Binary people. This includes deliberate misgendering of colleagues, students and visitors.

Colleagues and students who believe that they have suffered any form of discrimination (including misgendering), harassment or victimisation are entitled to raise the matter under the Dignity at Work and Study Policy. Copies of these policies and procedures are available on the following link <http://www.salford.ac.uk/policies>. Hate Crime because of someone's gender identity should be reported to the Police and the University using Report-it-HateCrime@salford.ac.uk (see relevant policies)

7.0 Transphobia

Transphobia (see online glossary) is a type of discrimination and is often a hate crime/ incident. The university has a zero policy on all incidents of malicious or repeated transphobia.

Examples of transphobia includes:

- Speculating about someone's gender (e.g. "Is that a man or a woman?")
- Deciding what facilities someone else should use ("Why is he using the women's toilet?")
- Assessing someone's gender expression (e.g. "She would be more convincing if she used a bit of makeup")
- Disclosing someone's Trans* history (e.g. "he used to be a woman")
- Purposefully ignoring someone's preferred pronoun – this is called misgendering and should never happen. If you do make a mistake with someone's pronouns you should apologise and quickly move on).
- Talking about medical interventions inappropriately (e.g. "Have you had them removed?")

8.0 Equality Impact Assessment

An Equality Impact Assessment has been carried out on this policy to identify and remove any negative impact for protected groups and to find ways to advance equality of opportunity and foster good relations between people.

If any aspect of this policy causes you difficulty on account of any disability that you may have, you should raise this issue with your manager (colleague) or askUS (students) in the first instance, who will make appropriate arrangements.

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Status and reason for development	
Status:	Approved
Reason for development:	New Policy and guidance

Revision History				
Date	Date	Author	Summary of changes	Version No.

Policy Management and Responsibilities	
Owner:	Human Resources Division & SES
Author:	Arron Pile, SES
Others with responsibilities	Sue Clark , HR
(please specify):	

Assessment	Tick relevant assessments	Tick if not applicable
Equality Assessment	✓	
Legal		
Information Governance		
Academic Governance		

Authorised by:	ISEC
Date authorised:	11 th July 2019
Effective from:	02 Sept 2019
Review due:	02 Sept 2021

Document location:	http://www.salford.ac.uk/hr
Document dissemination and communications plan	US Online, Employees.