

## Transgender and gender identity equality policy: developing an inclusive approach

### 1. Purpose of this policy

This policy sets out the University's approach to transgender<sup>1</sup> equality and creating an organisational culture which is inclusive of diverse gender identity and expression. This fulfils the requirements of the Equality Act 2010 in relation to the protected characteristic of "[gender reassignment](#)", and of the [Gender Recognition Act 2004](#), and places this in the context of a broader institutional commitment to inclusive practice on gender identity.

### 2. Who is the policy for?

This policy is for current and prospective students and staff of the University, staff of Brookes Union, and alumni. Its principles also apply to sub-contracted staff and anyone delivering a service on behalf of the University, visitors and members of the public.

### 3. Policy Statement

- 3.1 Oxford Brookes University celebrates and values the diversity of its student and staff community. We aim to create an environment in which all students, staff and visitors feel fully included and able to be themselves, where diverse gender identities are welcomed, and in which transphobic behaviour is not tolerated.
- 3.2 Oxford Brookes makes a specific commitment to advance equality and promote fair and inclusive practice for current and prospective trans students and staff, and to foster a safe and positive environment for all forms of gender identity and expression.
- 3.3 The University recognises that current legislation does not cover a fully inclusive definition of trans identities: we therefore seek to go beyond legal compliance in our approach. We also seek to learn from emerging good practice and thought leadership in the higher education sector and wider policy developments.
- 3.4 The University will:
  - Adopt a broad and inclusive definition of gender identity, as well as positive language about gender identity affirmation.
  - Support the principle of self-declaration and simplify the process for change of name and gender marker on records, wherever practicable.

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<sup>1</sup> Trans and transgender are inclusive umbrella terms for people whose gender identity and/or gender expression differs from the sex (male or female) they were assigned at birth. The term may include, but is not limited to, trans men and women, non-binary people and dual role people. Not all people that are included in the term will associate with it. (ECU, 2016) Trans people may for example identify as non-binary, non-gendered, gender variant, or gender-fluid and, some intersex people may identify as trans. Trans people may or may not engage with medical intervention.

- Recognise the spectrum of gender identities and that students and staff may identify as non-binary and non-gendered.
- Not tolerate transphobic harassment and bullying.
- Support students and staff who decide to affirm their gender identity to navigate their personal transition in terms of chosen timescale, formality and communication.
- Recognise that this journey is unique for each individual and may or may not involve medical intervention.
- Respect the confidentiality of trans students and staff and not reveal information without the prior consent of the individual.
- Ensure that staff are not disadvantaged in their employment because of their gender identity or gender expression.
- Ensure that students are not disadvantaged in their studies because of their gender identity or gender expression.
- Seek to ensure that the curriculum promotes awareness and positive representations of trans identities and does not reinforce stereotypical assumptions of gender identity or contain transphobic material.
- Use gender neutral language in the development and review of Human Resources and University policies more generally.
- Ensure marketing, website, central communications and promotional materials include positive language and images in relation to diverse gender identities.
- Ensure due consideration of any concerns or issues raised by trans students relating to accommodation provided or owned by the University and its partners.
- Ensure the needs of trans students and staff are considered in estates and facilities development plans for new building design and refurbishment.
- Recognise the potential psychological impacts of gender identity affirmation and ensure access to support for the wellbeing and mental health of trans students and staff.
- Provide support to meet the particular needs of students and staff who are undergoing medical or surgical procedures related to their transition, gender identity affirmation and gender reassignment.

3.5 Oxford Brookes affirms the right of the individual to choose whether they wish to be open about their gender identity, trans status or trans history. To “out” someone, whether student or staff, without their permission will be regarded as a form of harassment.

3.6 Trans students and staff come from diverse backgrounds: other aspects of their identity, such as race, religion or belief, disability or sexual orientation, will intersect with their trans identity and experience. The University will seek to ensure that no stereotypes are reinforced; that trans students or staff do not face discrimination in respect of other protected characteristics; and that no assumptions are made about the gender, gender identity or sexual orientation of their partners.

3.7 In implementing this policy Oxford Brookes will:

- include gender identity and trans issues in equality training
- support and provide appropriate facilities for trans students and staff
- cover trans inclusion in internal staff surveys; and gender identity in all aspects of diversity monitoring.

- 3.8 Oxford Brookes recognises that adopting this policy is part of a learning and development journey towards trans inclusion. The University expects full support from all members of its community and welcomes discussion about how we can improve our approach.

#### **4. Responsibilities**

- 4.1 All managers should make every effort to ensure that trans staff, and any member of staff who takes the decision to affirm their gender identity, are treated fairly and are supported appropriately. Managers should ensure that no harassment or victimisation occurs in the areas of work for which they are responsible.
- 4.2 All teaching staff should make every effort to ensure that their delivery of the curriculum is inclusive of trans identities and that trans students, and any student who takes the decision to affirm their gender identity, is treated fairly and appropriately.
- 4.3 All members of the university community and visitors have the right to be treated with dignity and respect by others, and have a corresponding responsibility to treat others with dignity and respect. All members of the university community have a personal responsibility for complying with this policy.
- 4.4 The Board of Governors, the Vice-Chancellor and senior managers are responsible for ensuring that the University fulfils its legal responsibilities in respect of trans students and staff, and for ensuring this policy is effectively implemented.

#### **5. Putting this policy into practice**

- 5.1 The Equality Diversity and Inclusion Advisory Group (EDIAG) will monitor the effective implementation of this policy.
- 5.2 All new staff will be made aware of this policy as part of their induction to the University.
- 5.3 The staff survey will include questions about awareness of Equality Diversity and Inclusion (EDI) and its implementation, with specific reference to trans inclusion and gender identity. The EDI Newsletter and related communications will encourage students and staff to raise questions and report any issues or concerns.
- 5.4 Opportunities for gathering diversity data on gender identity and trans status are provided during staff recruitment and through self-report on the HR system<sup>2</sup>. This is voluntary: staff may choose not to declare their status. Any data used for monitoring will remain anonymous.
- 5.5 Students will be made aware of this policy as part of their introduction to the University. Student EDI and Brookes Union communications and websites encourage student feedback and provide channels to raise issues or concerns.
- 5.6 Opportunities for gathering diversity data on gender identity, trans status and non-binary gender identity are provided during student enrolment, and through ongoing optional self-report on the Student Record system each year. Anonymous reporting on gender identity is included in student HESA returns<sup>3</sup>.

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<sup>2</sup> Anonymous reporting on gender identity is included in the HESA staff return. Question: "Is your gender identity the same as the gender you were originally assigned at birth?" However, at the current time, the staff HESA return requires completion of the legal sex category which remains M or F. Non-binary gender options will be included within anonymous surveys managed by Brookes, where practicable.

<sup>3</sup> Gender identity question and sex identifier: Student HESA returns are M/F/Other for the sex category.

- 5.7 The [University Harassment and Bullying Policy](#)<sup>4</sup> is promoted to both staff and students, and expressly addresses transphobic bullying and harassment.
- 5.8 The Lesbian, Gay, Bisexual and Transgender+ ([LGBT+ Forum for Staff](#)) links with the Brookes Union LGBT+ Student Group. It provides social and other support to members of the Brookes community. It also acts as a feedback channel to the Equality Diversity and Inclusion Advisory Group.

## 6. Supporting transition

- 6.1 We recognise that each person’s trans journey is unique. At all times the wishes of the individual will be central and should determine the timeframes, actions and communication.
- 6.2 Staff who decide to transition, affirm their gender identity or disclose their trans status or history during employment will be supported by Human Resources (see Appendix 1).
- 6.3 Students who decide to transition, affirm their gender identity or disclose their trans status or history during their studies will be supported by Wellbeing (see Appendix 2).

## 7. Further information

- 7.1 Oxford Brookes works closely with specialist equality partners and is a [Stonewall Diversity Champion](#) and a subscriber to the [Equality Challenge Unit](#) (ECU).
- 7.2 The ECU has developed specific guidance for universities and colleges on supporting and improving the experience of trans staff and students. A revised version was published in 2016 and is hosted on our [EDI webpage](#).
- 7.3 Stonewall, the national LGBT campaigning and advice organisation, has developed a suite of guides to support transgender equality and inclusion for employers, with specific guidance for Creating a Transitioning at Work Policy. These guides are hosted on our [EDI webpage](#).
- 7.4 The Oxford Brookes [EDI Transgender webpage](#) includes a range of resources and details of external support agencies.

## 8. Contact for feedback and queries:

Jane Butcher, Equality Diversity and Inclusion Adviser (Staff)  
[jane.butcher@brookes.ac.uk](mailto:jane.butcher@brookes.ac.uk) 01865 485443

Contacts for Trans Staff
Line manager or your manager’s manager
Equality, Diversity and Inclusion Adviser (Staff) Jane Butcher: <a href="mailto:jane.butcher@brookes.ac.uk">jane.butcher@brookes.ac.uk</a> 01865 485443
Link HR Business Partner or HR Manager ( <a href="https://www2.brookes.ac.uk/services/hr/hr_teams.html">https://www2.brookes.ac.uk/services/hr/hr_teams.html</a> )
Trade union representative

<sup>4</sup> The new Harassment and Bullying Policy for Staff and Students replaces the Dignity and Respect at Work Policy

<http://oxfordbrookes.web.ucu.org.uk/>  
<http://www.brookes.ac.uk/other/unison/>

The Multifaith Chaplaincy  
<http://www.brookes.ac.uk/students/wellbeing/chaplaincy/>

Occupational Health (including counselling for staff)  
[http://www.brookes.ac.uk/services/hr/health\\_safety/](http://www.brookes.ac.uk/services/hr/health_safety/)

[Oxford Friend](#) is a voluntary organisation that provides free and completely confidential information, support and counselling services for the LGBT community in Oxford.

### **Contacts for Trans Students**

EDI Adviser (Students)  
<http://www.brookes.ac.uk/students/wellbeing/edi-adviser/>

Student Support Co-ordinators (contact details on each faculty's web pages)

Wellbeing advisers and/or counsellors, the Senior University Warden and/or the Head of Wellbeing  
<https://www.brookes.ac.uk/students/wellbeing/>

Brookes' Union Advice Centre and Brookes Union officers  
<http://www.brookesunion.org.uk/>

The Multifaith Chaplaincy  
<http://www.brookes.ac.uk/students/wellbeing/chaplaincy/>

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This policy was approved by Executive Board on 8 May 2017.

The policy will be reviewed in May 2019.

## APPENDIX 1

### Support for staff transitioning

Staff who wish to affirm their gender identity, disclose their trans status or history, or give notification of their intention to transition during employment will be supported by Human Resources.

We recognise that each person's trans journey is unique. At all times the wishes of the individual will be central and should determine the timeframes, actions and communication.

Where time off is required in relation to transition, the staff member will be entitled to paid time off for medical reasons up to the same maxima as apply to sick leave.

Staff who decide to transition or affirm their gender identity should inform their manager of their intention. The line manager will contact HR to provide the necessary support. Alternatively, the staff member may approach HR direct. The EDI Adviser (staff) will provide advice on coordinating any arrangements required, including updating university records and systems with any new name or gender.

An initial meeting between the individual and an HR Business Partner or the EDI Adviser will be arranged with the individual. The staff member may be accompanied at the meeting if they so wish.

The purpose of the meeting will be to:

- provide reassurance of the University's support
- clarify the intended timescale and arrangements for the transition
- ensure the individual is aware of, and has access to, available internal and external support
- agree how they wish their intentions to be communicated to colleagues

Following written notification by the staff member of their intention to transition, a further meeting(s) should be arranged with HR or the EDI Adviser to agree a Support Plan. This should cover:

- the indicative timeframe for the process
- who should be informed, when and by whom
- access to appropriate facilities (e.g. toilets and changing rooms)<sup>5</sup>
- arrangements for changes to HR records and other university systems
- details of any time off already planned or anticipated.
- consideration of any reasonable adjustments which may be needed to duties, location or workload.
- whether there is a perceived need for any awareness raising, support or development for other colleagues?
- any considerations in relation to third parties or external media intrusion, and how will these be handled
- information about the LGBT+ Staff Forum, and other internal and external sources of support

The Support Plan will be confidential and only held in agreed places.

The list above is an initial guide. In accordance with the wishes of the individual, HR and the EDI Adviser will ensure that the individual, their line manager and any other key contacts are supported and provided with further guidance throughout the process.

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<sup>5</sup> Brookes is committed to providing gender neutral toilet facilities. The provision of appropriate facilities will be standard as part of our new building and refurbishment work. This is a programme of work which will take some time to complete across all our campuses. If staff or students have particular needs at specific sites, they may raise this with Human Resources who will liaise with the Director of Facilities in EFM.

## APPENDIX 2

### Support for students transitioning

Students who wish to affirm their gender identity, disclose their trans status or history, or give notification of their intention to transition may choose to approach any of the following in the first instance who will consider their needs and agree an appropriate course of action: Student Support Co-ordinator, Wellbeing Adviser, the Head of Wellbeing, EDI Adviser (students) or another member of staff to whom they feel comfortable disclosing.

We recognise that each person's trans journey is unique. At all times the wishes of the individual will be central and should determine the timeframes, actions and communication.

An initial meeting with the individual to:

- provide reassurance of the University's support
- clarify the intended timescale and arrangements for the transition
- ensure the individual is aware of, and has access to, available internal and external support
- agree how they wish their intentions to be communicated to colleagues

Following written notification by the student, a further meeting(s) should be arranged to agree a Support Plan. This should cover:

- the indicative timeframe for the process
- who should be informed, when and by whom
- access to appropriate facilities (e.g. toilets and changing rooms)<sup>6</sup>
- arrangements for changes to student records and other university systems
- details of any time off already planned or anticipated.
- consideration of reasonable adjustments and how to minimise disruption to the student's programme of study
- whether there is a perceived need for any awareness raising, support or development for other colleagues/students?
- any considerations in relation to third parties or external media intrusion, and how will these be handled
- information about the LGBT+ Student Group and other internal and external sources of support

The Support Plan will be confidential and only held in agreed places. The EDI Adviser (Students) is able to provide a single, central point of contact to co-ordinate any arrangements required, including the update of university records and systems with any new name or gender.

The list above is an initial guide. In accordance with the wishes of the individual, Wellbeing and the EDI team will ensure that the individual and any other key contacts are supported and provided with further guidance through the process.

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<sup>6</sup> Brookes is committed to providing gender neutral toilet facilities. The provision of appropriate facilities will be standard as part of our new building and refurbishment work. This is a programme of work which will take some time to complete across all our campuses. If staff or students have particular needs at specific sites, they may raise this with Human Resources who will liaise with the Director of Facilities in EFM.