



Policy and guidance for Trans Students

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Explanation of terminology

The term 'Trans' is used throughout this document and is intended to be an inclusive term. It is not generally considered to be an offensive term and can be used to describe any student who:

- o is undergoing gender transition
- o identifies as someone with a different gender from that which they were assigned at birth, but who may have decided **not** to undergo medical treatment. This could include how someone presents through dress.
- o identifies as non-binary which means their gender identity is not exclusively male or female, and could identify as both or neither or something else entirely.

It is important to reiterate that under the Equality Act 2010, gender reassignment is defined as a personal process, rather than a medical process and so a student does not have to be under clinical supervision to be considered in 'transition'.

Policy

UCL is committed to providing an inclusive and welcoming community where all students are enabled to meet their full potential and are respected as individuals. This includes providing support and understanding to individuals who wish to take, or have taken, steps to present themselves in a gender different to their birth gender, or in a gender fluid way.

UCL recognises that transitioning whether medically or socially can be a difficult and complex time for an individual and wish to act in a sensitive and supportive way by having helpful policies and practices in place.

UCL staff will help to make certain that no student is subject to discrimination or harassment as a result of gender presentation.

Trans students can be confident that UCL staff will

- o ensure fair and equal treatment of trans students
- o respect their confidentiality
- o have effective and efficient processes for managing transition
- o ensure agreed actions are guided by the wishes of the student
- o take action against any student or staff member who bullies, harasses or discriminates against a trans student

Providing support

UCL has a designated, primary contact person to provide practical support on transitioning to students at the University.

This contact is currently the **Director of Student Support and Wellbeing**. If the Director of Student Support and Wellbeing is unavailable for a substantial period of time a deputy member of staff will be assigned to assist students.

A student who intends to transition, or is transitioning, should in the first instance contact the Director of Student Support and Wellbeing as soon as possible.

The Director of Student Support and Wellbeing will treat all queries sensitively and confidentially. No action will be taken at any point without the student's permission. The Director of Student Support and Wellbeing can help the student write an action plan, if required, to coordinate the process of transition with the necessary divisions within UCL's Student and Registry Services and also with relevant academic and departmental staff.

In addition, there are other sources of support available. University College London's Student Union (UCLU) has a dedicated LGBT+ student officer to help trans students and also students who are Lesbian, Gay, Bisexual, and/or any other gender/sexual minority including but not limited to Asexual, Queer and Intersex who can be contacted on uclu-lgbt.officer@ucl.ac.uk. UCL's **Student Psychological Services** have counsellors who are trained on transgender issues but they are also available to speak to trans students about non-gender-related issues. **UCLU Student Rights and Advice Centre** is also able to offer wide-ranging practical advice.

Preparing for transition

Please be aware: This guidance applies both to students who plan to undergo medical gender transition and also those who present as a different gender to the one they were assigned at birth but who may choose to not to have any medical procedures.

Once a student has made the decision that they will be transitioning, the first step should be for them to contact and then meet with the Director of Student Support and Wellbeing.

The Director of Student Support and Wellbeing, will offer to be accompanied by a member of the Student Disability Services (SDS) team¹. The SDS team can then provide additional support and signposting to other services if necessary and communication with departments, to accommodate absences for medical/ counselling appointments etc

In the meeting with the Director of Student Support and Wellbeing the student will be informed about the support that is available to them within UCL and an action plan with timescales can be discussed and agreed. The action plan will include:

- Key dates, such as medical appointments, where applicable, and if they are known. The student is not expected to provide details of these appointments and will only need to indicate if the appointment may involve a recovery period and, consequently, time off from their studies or impact on their ability to continue or complete their studies within the period of registration.
- A planned start date for when the student intends to start presenting as their affirmed gender, either on a full time or part-time basis.
- A summary of how and when information will be managed and by whom. For example students may either wish the Director of Student Support and Wellbeing to inform departmental staff about the transition or they may prefer to speak to their departmental or faculty contact themselves.
- Considerations for minimising disruption to learning, for example by making adjustments to attendance requirements, deadlines or assessments. This may require an application for suspension of regulations. There is also the potential for an interruption of studies.
- What amendments will be required to UCL's student records and systems.
- How other students might be briefed to ensure they respond to the transition sensitively. This will only happen, however, with the trans student's consent.

Once the action plan has been agreed, it will be necessary for the student and the Director of Student Support and Wellbeing to agree and confirm the details of the action plan with the appropriate departmental or faculty tutor. This can either happen face-to-face in a meeting or by email depending on practical factors and the student's wishes.

The action plan will not be regarded as a final or conclusive document. It can be reviewed and updated as often as required if timescales or circumstances change.

¹ Use of the SDS team is based on appropriateness of skills and does not infer trans identity has any correlation with disability identity.

It is recognised that the process of transition is not instantaneous; what it means to live 'full-time' as a gender is an experience that will vary from student to student. The NHS dates the date of 'real-life experience' from the date of name change, but it is possible for a student to live full-time without having changed their name, or for a student who has changed their name to use it in some situations or not in others. A student may choose to attend some classes in their acquired/affirmed gender but not in other classes, depending on which spaces they feel most comfortable in. The Director of Student Support and Wellbeing will clarify with the student what path they feel most comfortable taking.

For some students, the process of transition may happen more gradually than for others and over a much longer period of time with less certain timescales. UCL staff will strive to be as accommodating as possible and aim to be flexible in how this guidance is implemented (within the law and within the reasonable application of UCL policies, regulations and systems). UCL's **Support to Study Policy and Fitness to Study Procedure** are applicable to students transitioning, and every effort will be made to accommodate the particular needs of students transitioning in order to support continuity of study.

Support from departmental staff

Students who plan to transition are strongly encouraged to follow the steps set out in the previous section and meet with the Director of Student Support and Wellbeing to agree an action plan. This will ensure all trans students receive consistent advice and support from a member of staff who has received training on trans awareness issues. If, for any reason, a student prefers to directly contact staff in their department to notify them of their intent to transition, they are of course free to do so. Students are encouraged to discuss this guidance with departmental staff.

In addition, there is a **check list on supporting a trans staff member or student** on the Equality Challenge Unit's website that students and departmental staff can refer to. It lists some key actions that may need to be taken into account to support the process of a student in transition at UCL.

Appropriate language staff

UCL is a very large, diverse organisation with more than 11,000 staff from over 140 countries. Whilst all staff are expected to be sensitive and supportive to trans students and to ensure that they are not discriminated against or harassed, it is recognised that not everybody in the UCL community will be aware of the most appropriate, contemporary language to use in relation to trans identities. UCL considers the following points as the minimal 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 gender pronoun (he/she/they) that they prefer. If unsure what the correct pronoun is, the staff member should ask the student what they prefer. For example 'how would you like to be addressed' or 'how should I refer to you when speaking to others'.
- 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.
- If a trans person informs a staff member that a word or phrasing is inappropriate or offensive, then that staff member should take their word for it, and adjust their phraseology accordingly
- Staff should not ask personal questions unless relevant and have sought the students permission first. Questions such as 'are you taking hormones?' can be considered personal.

Practical Issues

Updating student records

The Director of Student Support and Wellbeing will be able to assist a trans student with the procedure for updating their student records and UCL Student ID Card if they intend to change their name, whether this is a legal name change or not.

Departments often hold their own systems and databases as well, and these will not automatically be reconfigured to show the name change. Consideration of how autonomously held departmental records will be updated can be incorporated into the student's transition action plan i.e. who in the department should be informed of the name change, when they should be informed and by whom.

Students should be aware that unless they have changed their name legally they will still be officially enrolled at UCL under their legal name and degree certificates can also only be issued in the student's legal name as well. Students who do change their name legally can have all of their records and documents formally updated. Proof of the name change will be required.

It is possible for anyone living in the UK to change their name legally relatively easily. It can be done by deed poll, by making a 'statutory declaration of name change'² or even if the person just states their intentions in writing and has the document witnessed. It is also possible to change the title at the same time. Citizens Advice can provide advice on this.

Students wishing to change their name should first obtain one of the documents above, which will also allow them to change their name at important institutions/ organisations students commonly interact with, for example health services, banks and student loans companies. Changing formal documentation, such as UK-held driving licenses and passports, will require further documentation.

Check the latest advice on www.gov.uk.

Once the Director of Student Support and Wellbeing is in receipt of proof of name change, they will ensure UCL's Assessment and Student Records team update the Portico records held by UCL to reflect both the new name and gender. Once this has happened a new student identity card can also be issued and also a new UPI (unique personal identifier) number, if required.

At no stage should any member of staff ask a student for medical evidence of their transition or to see a Gender Recognition Certificate.

International students

International students that live in the UK are still able to obtain a deed poll or 'statutory declaration of name change' to update records held by UK institutions (including UCL and the UK Border Agency) but to update records held in their country of origin, such as passports, international students will have to follow their own country's procedure. The appropriate Embassy or High Commission may be able to provide further advice on how individuals can change their names.

Students with Tier 4 visas are required to report a legal name change to the UK Visa and Immigration authorities.

The Student Rights and Advice Centre at UCLU will also advise international students on these matters as much as their expertise permits.

² For more information please see: http://www.adviceguide.org.uk/england/relationships_e/relationships_birth_certificates_and_changing_your_name_e/changing_your_name/statutory_declaraton_of_change_of_name.htm

UCLU membership

All students who attend UCL are automatically registered as a member of University College London Union (UCLU), the representative organisation of students. UCL's data is shared with the Union, therefore any amendments that are made to the records held by Portico will automatically update the records held by UCLU. In some circumstances this can initiate an additional membership registration, rather than a straight forward replacement of the data. To avoid this happening, it is advisable for the student to notify the Union directly of the name change. The appropriate person to notify is the Representation and Campaigns Manager and they can be contacted at simon.to@ucl.ac.uk or 020 7679 7707.

While it is possible to update the Union's centrally held records, there are a large number of devolved activities within UCLU, for example clubs and societies are likely to have their own mailing lists. If a student wishing to change their name is a member of a specific club or society, the onus is on them to contact the relevant secretary or president to request that their information is changed.

Reissuing degree certificates

UCL graduates can request to have their degree certificate reissued in a different name by contacting the Director of Student Support and Wellbeing.

References

Graduates can also request references in their new name but will need to contact their former department directly and again send proof of the name change. Staff must not disclose the graduate's gender history, name or fact that they have transitioned in any references. Graduates are also entitled to have any online records or biographies amended.

Gender recognition certificates

Some students who have transitioned may choose to obtain a Gender Recognition Certificate (GRC) although this is not a requirement for updating records at UCL.

When a person receives a GRC, they have the right to request that all references to their previous name or birth gender be removed from old records to ensure their

former identity is not revealed. All records, including those held on paper file, must be found and replaced with new records, for example birth certificates or original offer letters. It is illegal for documents to remain on file that would disclose to a third person that a change has occurred.

More information on GRCs can be found on page 13.

Confidentiality

UCL understands how important confidentiality is in respect of not disclosing a previous name, gender or transition to a third party.

Facilities and accommodation

UCL's halls of residences are all mixed sex and have unisex facilities which are for the use of all students. Smaller accommodation, such as flats, can be single sex. Any student living in single sex accommodation who wishes to move should discuss this with the Director of Student Support and Wellbeing, who will be able to liaise with UCL Student Accommodation on their behalf.

On campus, trans students can use 'men only' or 'women only' changing rooms or toilets according to which one they feel most comfortable in, or that they feel is most appropriate for them.

There are also many gender neutral toilets in UCL's main buildings. Trans students should not feel restricted to using them, however, as like all students they are free to choose whether to use same sex or gender neutral facilities.

Bloomsbury Fitness does not currently have private cubicles for changing or gender neutral facilities.

Sports

UCLU provides a large number of competitive and recreational sporting opportunities. Competitive sport is co-ordinated by British Universities and Colleges Sport (BUCS) who use the regulations dictated by each individual National Governing Body to decide on the participation of trans people at a competitive level.

Time off for medical appointments

Trans students undergoing medical and surgical procedures related to gender reassignment may need to be absent from their usual study activities. Time off for such medical appointments will not be differentiated from any other medically-related absence any student might have to take, for example through illness or injury.

Time off for medical appointments (or to recuperate from them) should be incorporated into the student's transition action plan, which can then be shared with the relevant departmental or faculty tutor in advance. In some circumstances, proof may be required of the medical appointment, either prior to the appointment or after. Whilst this could be a letter confirming the time and date of the appointment, students are not required to give specific details about the procedure being undertaken, and information can be blanked out. Staff should be aware that it might not be straight forward for trans students to provide evidence of medical appointments. For example, provision of a letter from a Gender Identity Clinic may in itself be quite revealing and intrusive for the student. Staff should seek advice from the Director of Student Support and Wellbeing if they have any questions about how best to approach this.

Communicating with others

As people transition, the process may cause confusion for other students if they have little or no understanding of transgender issues.

Trans students may want to tell their fellow students about their impending transition individually by themselves. However, with the student's consent, a meeting can be arranged with fellow students from their halls of residence or tutorial groups.

The student can choose to be supported or represented at the meeting by the Director of Student Support and Wellbeing or a suitable person from her office, a warden from their halls of residence or a personal tutor, depending on the circumstances and their preference. It is very important to ensure that any email invitations to such a meeting do not make any reference to transitioning. In advance of the meeting, the content of it will be discussed and agreed in full with the trans student but it could:

- make clear that the student who is transitioning has the full support of UCL
- emphasize UCL's policies on bullying and harassment and how they apply to trans students
- explain that the student will be known by a new name and a different pronoun from a date of their choosing
- set out ground rules for showing respect for trans students

Training

UCL's Equality Diversity and Inclusion Team and UCLU's LGBT+ Officer are happy to provide trans awareness briefings for staff and students as required. Contact equalities@ucl.ac.uk or uclu-lgbt.officer@ucl.ac.uk

Bullying & harassment

Trans students have the right to study and socialise in an environment that is free from bullying or harassment. Any staff member or student who is accused of this will be investigated and potentially be subject to disciplinary action. Harassment does not have to include overtly unpleasant words or actions. Examples of other behaviours that could be considered harassment include:

- gossiping about a trans person
- ignoring an individual
- passing judgment about how convincing a trans person is in their acquired gender
- refusing to address the person in their acquired gender or new name
- purposefully disclosing confidential information

Legal framework

Equality Act 2010

The Equality Act 2010 prohibits discrimination and harassment on the grounds of nine protected characteristics, one of which is gender reassignment. This includes transgender people, people who are proposing to undergo, are undergoing or have undergone the process of changing their gender. To qualify for protection, a transgender person does not have to show that they are under medical supervision or inform the university of their trans status.

The Equality Act makes the following conduct unlawful:

- **Direct discrimination.** This occurs when a person is treated less favourably than another person because of gender reassignment. This definition is broad to cover perceptive discrimination (i.e. a person may not be trans but they are treated unfairly because they are wrongly perceived to be) and associative discrimination (a person is treated less favourably because they are closely associated with a trans person. The association could be a partner, family member or perhaps even close friend)
- **Indirect discrimination.** This occurs when a policy or practice applies in the same way to everyone but has an effect which particularly disadvantages trans people
- **Harassment.** This is defined as unwanted conduct which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. This definition is also broad enough to cover harassment by perception and association. Which means this sort of behaviour is unlawful even if the person is not actually trans but they are wrongly perceived as being so or are closely associated with a trans person.
- The Equality Act includes a general duty for universities and other public sector institutions to have due regard for advancing equality for people with a protected characteristic, such as being trans. They must do this by having due regard to:
 - removing or minimising disadvantages suffered by trans people
 - taking steps to meet the needs of trans people where these are different from the needs of other people
 - encouraging trans people to participate in public life or in other activities where their participation is disproportionately low.

Gender Recognition Act 2004

The Gender Recognition Act 2004 enables people to change their legal gender. This includes the right to a new birth certificate if the birth was registered in the UK, and provides recognition of a person's acquired gender for all legal purposes.

It means that the person must be regarded as their acquired gender in all aspects of life. Under the Act, adults can apply for a Gender Recognition Certificate (GRC) if they have:

- been living full-time in their acquired gender for over two years and intend to do so permanently, and
- been diagnosed as having gender dysphoria.

Surgery, or other treatment such as hormone therapy, is not a pre-requisite to obtaining a GRC. The GRC is a legal document issued by the Gender Recognition Panel, which is part of the tribunals service and includes legal and medical professionals.

A person born outside of the UK can also apply for gender recognition in the UK. They may be able to change their birth certificate in their home country, but in many countries this is still not possible. Many trans people do not apply for gender recognition for various reasons, for example:

- Many trans people will not fulfil all the requirements for gender recognition – they may not be able to or want to undergo permanent gender reassignment for personal, financial or family reasons. For example, a person who was married in the gender assigned at birth, before undergoing gender reassignment, may not currently apply for a full certificate without dissolving their marriage.
- Many organisations and institutions wrongly assume that GRCs are required as ‘proof’ of gender reassignment. This is not the case and students will never be asked for one at UCL.

Privacy rights

Section 22 of the Gender Recognition Act 2004, gives extended privacy rights to anyone who has a GRC or has applied for one. Knowledge about gender recognition is protected information and it is a criminal offence to pass it on without the trans person’s consent. This applies to anyone in the course of official duties including employment, service provision (including education), union organisation or representation.

It means that if a member of staff or fellow student informs anyone that a student ‘used to be a man/woman’ or ‘had a sex change’ then they are at risk of prosecution. It is imperative that anyone who may acquire such knowledge understands this.

People have no obligation to disclose whether they have a GRC. UCL will always strive to afford maximum confidentiality to all trans students regardless of whether they have one or not.

Records that refer to a previous name/gender will be destroyed. If they must be kept and cannot be updated, their security will be ensured. If information needs to be passed on, Student Records or departmental staff must agree this on a case-by-case with the student, preferably in writing.

Disclosure and Barring Service (DBS)

Students registered on certain degree programmes or those involved in voluntary work, may be required to undergo a Disclosure and Barring Service (DBS) check. DBS checks have replaced the more widely known Criminal Records Bureau (CRB) checks.

The DBS has a confidential checking service for trans applicants who do not want to reveal details of their previous identity to the organisation that requires the check.

Applicants should contact sensitive@dbb.gsi.gov.uk or 0151 676 1452 for more information.

Equality, Diversity & Inclusion
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www.ucl.ac.uk/hr/equalities