

Document Title:	CARDIFF UNIVERSITY TRANS POLICY
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Version Number:	V2.2
Document Status:	
Date Approved:	
Approved By:	
Effective Date:	
Date of Next Review:	
Superseded Version:	V2.1 Policy and Guidance for Supporting Trans Students and Staff

Document History

Version	Date	Author/Consulted	Notes on Revisions
V1.0	2013	GOVRN	Updated 2016 – contact details changed
V2.0	2018	DOSPG	Updated terminology; including of single points of contact for staff and students; updated process around name and record changes.
V2.1	2019	DOSPG	Updated contact details under 6.2
V2.2	2021	USO	Further updates to 6.2



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Trans Policy

March 2018

Version 2.1

Should you or someone you know require this document in an alternative format, please contact the Equality Unit on 02920 870230, email: morganca5@cardiff.ac.uk

Department of Strategic Planning and Governance

Cardiff University

Cardiff University Trans Policy

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1 Policy Statement

- 1.1 Cardiff University celebrates and values the diversity of its University community including its staff and students. The University is committed to treating all employees and students with dignity and respect, and seeks to provide a positive working and learning environment free from discrimination, harassment or victimisation.
- 1.2 Cardiff University will not discriminate against people on the grounds of their gender identity or gender expression. Where this policy refers to 'trans people', this refers to a broad range of people whose gender identity is not expressed in ways that are typically associated with their assigned sex at birth. This includes those who have non-binary, non-gender or gender fluid identities and individuals who may not identify as trans but who are impacted by matters covered under this policy. While not a gender identity, the University offers its full support to intersex individuals, who are also protected under this policy.
- 1.3 Cardiff University is committed to providing a supportive environment for trans staff and students, including working to provide appropriate facilities for trans student and staff groups, including use of preferred changing and toilet facilities. The University is committed to ensuring that University policies provide clear statements on harassment and bullying and ensuring a clear and positive process for disclosure of trans status and the amendment of University records.
- 1.4 The University recognises that to 'out' someone, i.e. to reveal a person's trans status without their consent, whether staff or student, without their permission is a form of harassment and, in a number of contexts, may amount to a criminal offence. The University also recognises that protection under the Equality Act 2010 is extended to trans individuals from the moment they indicate their intention to transition. We will provide support in line with this, including to those staff or students who identify as non-binary, non-gender or gender-fluid.
- 1.5 The Education (No 2) Act 1986 places a responsibility upon the University to protect and promote freedom of speech as far as practicably possible and within the law for staff, students and visiting speakers¹. The University has in place measures to ensure the exercise of freedom of speech does not amount to unlawful harassment. For more information, please contact the Assurance Service at assuranceservices@cardiff.ac.uk.

2 Policy Objectives

- 2.1 This policy has been developed in conjunction with trans students, staff and the wider trans community. It outlines the University's commitments to the following principles:

¹ https://intranet.cardiff.ac.uk/__data/assets/pdf_file/0006/966696/2017-Oct-Code-of-Practice-on-Freedom-of-Speech-Final.pdf

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- Students will not be denied access to courses, progression to other courses, or fair and equal treatment while on courses because of their gender identity or because they propose to or have transitioned.
- Requests to change name and gender on records will be handled promptly and staff and students will be made aware of any implications of the changes.
- We will incorporate trans equality into the inclusive curriculum agenda, using curriculum reviews to ensure courses do not rely on or reinforce stereotypical assumptions about trans people and that the course does not contain transphobic material.
- We will ensure confidentiality for all trans staff and students in line with GDPR guidance, not revealing information without the prior explicit agreement of the individual.
- Staff will not be excluded from employment or promotion or be redeployed against their wishes because of their gender identity.
- Transphobic abuse, harassment or bullying (name-calling/derogatory jokes (written or spoken), unacceptable or unwanted behaviour, intrusive questions) are serious disciplinary offences and will be dealt with under the appropriate policies and procedures. Any transphobic material will be removed whenever it appears on the premises in line with the University's Dignity at Work and Study Policy and its Code of Practice on Freedom of Speech.
- We will provide a supportive environment for staff and students who wish their trans status to be known. However, it is the right of the individual to choose whether they wish to be open about their gender identity, trans status or trans history.
- We will include gender identity issues in equality training and, having consulted with trans staff and students and the wider trans community, include gender identity in internal attitudinal surveys, and when monitoring complaints of harassment.
- In providing accommodation for students, any concerns or issues raised by trans students will be handled by the Residences Office and will be treated fairly and in line with our obligations under equality law.
- Staff and students undergoing medical and surgical procedures related to gender reassignment will receive positive support to meet their particular needs during this period.

3 Confidentiality

- 3.1 If a colleague or a student discloses to you that they have transitioned / are transitioning or intend to or are considering transitioning, it is the responsibility of all staff and students to treat this information confidentially. Anonymous guidance be sought from the Assurance Service by emailing assuranceservices@cardiff.ac.uk. **No identifying information should be shared with any person at any time without the individual's explicit consent.**
- 3.2 In line with our responsibility under the Gender Recognition Act 2004 and relevant data protection legislation, any disclosure made by a student or staff member will be treated with absolute confidentiality.
- 3.3 The individual's explicit consent will be sought before any information about their transition or intent to transition is passed to anybody, both within and external to the University and any implications of not providing consent will be explained.
- 3.4 Cardiff University has obligations to monitor staff and student equality data. The University is absolutely committed to maintaining anonymity in our reporting and will not report on numbers of trans staff or students where there is any risk of identifying individuals. Individuals are given the option not to disclose this information, however confidential disclosure helps us to monitor the impact of any changes in policy or practices

4 Transitioning at the University

- 4.1 It is important to note that transitioning is a personal, not medical, process. It should never be assumed that a trans individual suffers from gender dysphoria² or that they intend to undergo any medical processes relating to their transition, nor should trans people be asked about their intention to undergo these processes.
- 4.2 If you decide to transition while studying or working at the University, you do not need to inform anybody of your intention. If you do decide to inform the University, on-going support will be provided by specific contacts; details of these are outlined in the Guidance and Frequently Asked Questions in Section 6.
- 4.3 The process of transitioning will be led entirely by you. It would be useful to arrange a meeting between you and the person you disclose to in order to discuss what next steps, if any, you would like to take and to seek advice from you on the kind of support you would like us to provide.
- 4.4 An action plan can be put in place to guide you through the process of transitioning. This may include:
- Outlining any potential periods of absence

² <https://www.nhs.uk/conditions/gender-dysphoria/>

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- Making referrals for support
 - Identifying who may need to be informed and whether / how / when you wish for this to happen
 - Making changes to records
 - The date, if applicable, from which you wish to use a different name or change records
 - Planning if awareness training to colleagues/other students required
- 4.5 In order to provide the best possible support, it may be necessary for the person to whom you make a disclosure to contact the Equality and Diversity Unit, or Equality, Diversity and Inclusion contacts within HR, to request anonymous advice. No identifying information will be shared without your explicit consent.
- 4.6 It can be useful to agree a date from which you intend to live in your affirmed gender so that the University can organise the changing of records, names and other matters to coincide with this date. However, some people may prefer not to set a date and the University will do all it can to ensure you are able to express your gender in the manner and at the time which works for you.
- 4.7 You have a legal right under the Equality Act 2010 to access facilities – such as changing rooms and toilets – according to the gender with which you identify. This may mean that you may change the facilities you use at the point when you start to live in your affirmed gender. Ultimately it is your choice to use whichever facilities you feel comfortable using.
- 4.8 You should not be asked and will not be expected to use disabled/accessible facilities as an alternative.
- 4.9 If you feel it would be helpful to let others in your School or Department know that you will be using different facilities (for example, if you regularly use changing rooms with other students), your Personal Tutor or Line Manager can assist you with communicating this within your School or Department. You should discuss your preference as to how this information is shared with your Personal Tutor or Line Manager. These individuals can contact assuranceservices@cardiff.ac.uk for confidential advice about this process. You do not need to seek permission to use the facilities you prefer once you have started to live in your affirmed gender.
- 4.10 All new University buildings will include gender neutral toilets and the University is working to ensure that existing buildings also have similar facilities. If there is a lack of gender neutral facilities in the area where you work or study, this should be reported to the Assurance Service at assuranceservices@cardiff.ac.uk.
- 4.11 The University will support you in your choice of dress in connection with your gender identity.

5 Non-Binary, Non-gender, Gender-Fluid and Intersex Individuals

Non-binary, non-gender and gender-fluid

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- 5.1 Some trans people do not identify as either male or female, they identify as both and possibly to varying degrees, or they have a fluid sense of gender identity.
- 5.2 **All support** outlined in this policy applies in equal measure to all trans people regardless of their gender identity.
- 5.3 The University provides the option of selecting gender markers other than ‘male’ and ‘female’ for both staff and students.
- 5.4 Where an individual’s gender identity varies, this will not affect their access to facilities and support, which can be decided by the individual based on their own sense of gender identity at that time.

Intersex

- 5.5 Intersex is not a gender identity. It is a physical condition that affects up to 2% of the population, with many people being unaware that they are intersex.
- 5.6 Intersex is not protected under the Equality Act 2010. However, the University recognises the specific needs and challenges that may be encountered by some intersex people and will extend all support and protection outlined in this policy to these individuals.

6 Guidance and Frequently Asked Questions for Students and Staff

- 6.1 Gender transition will be different for everyone - there is no “right” or “wrong” way and you can therefore expect to be asked how you want issues considered and dealt with. Please take time to consider your options, and if you need more time please say. The process of transitioning whilst at the University should be led by you. The guidance should also be of use if you have transitioned before joining the University.

The following FAQs and guidance have been put together as a starting point but will not cover all eventualities.

6.2 FAQ and Guidance for Students

Question	
Where can I get confidential advice or support around transitioning?	<p>Internal:</p> <ul style="list-style-type: none">• Trans Support Team (Student Support and Wellbeing) TransCU@cardiff.ac.uk; +44 (0) 29 2251 8888• Student Health and Wellbeing Service wellbeingandcounselling@Cardiff.ac.uk +44 (0) 29 2251 8888 <p>Residences</p>

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	<ul style="list-style-type: none">• Residences Life Team +44 (0)29 2087 4849 residences@cardiff.ac.uk <p>At the Students' Union:</p> <ul style="list-style-type: none">• LGBT+ Association• LGBT+ Elected Officers (SU Representatives)• LGBT+ Society: CU Pride <p>External:</p> <ul style="list-style-type: none">• Umbrella Cymru• Stonewall Cymru• TSMU (Trans Social Meet Up) – monthly meetups in Cardiff https://www.facebook.com/groups/tsmucardiff/• Out and Proud Cardiff - for 13-21 year olds – weekly meetings in Cardiff http://outandproudcardiff.co.uk/ or info@outandproudcardiff.co.uk• LGBT Good Vibes - for 11-25 year olds – weekly meetups in Swansea http://www.ymcaswansea.org.uk/young-people/youthgroups/lgbt-goodvibes/
<p>I am applying to study at Cardiff University. How do I enrol with my affirmed name and gender?</p>	<p>The UK government now specifies the type of identification students are required to present during enrolment. This is a passport, visa or birth certificate combined with other forms of identification.</p> <p>As not all trans people will hold a birth certificate that is reflective of their affirmed gender, where Cardiff University requires official confirmation of a person's identity, you will be given the option of providing more than one type of official identification, for example a driving licence, passport, birth certificate, a Statutory Declaration or change of name by Deed Poll.</p> <p>If you do not have any identification that includes your preferred name or affirmed gender, you will still be able to enrol using the name and gender marker of your choice. Some of the documents listed above will be required as proof of legal identity but will be stored securely by Registry in a system accessible only by approved members of Registry staff.</p> <p>If you have legally changed your name and updated your identification documents, you can enrol as normal using</p>

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	<p>this name and the gender marker that most closely matches your affirmed gender (i.e. male, female, other).</p>
<p>I wish to transition or am in the process of transitioning, - who do I need to contact within the University?</p>	<p>This can be decided by you, however it is recommended in the first instance you approach Student Support Services, who will be able to provide support and guidance throughout the process of transitioning and beyond:</p> <ul style="list-style-type: none"> • Trans Support Team (Student Support and Wellbeing) – Email: TransCU@cardiff.ac.uk; Tel: +44 (0) 29 2251 8888 • Student Health and Wellbeing Service -Email wellbeingandcounselling@Cardiff.ac.uk; Tel: +44 (0) 29 2251 8888 <p>You can also contact your Personal Tutor or your School's Equality, Diversity and Inclusion contact. A list of EDI Contacts is available on the intranet.</p> <p>You may wish to use the Proforma provided in Appendix 2.</p>
<p>Who will they tell?</p>	<p>The disclosure will be treated as confidential. No one else will be informed until you have been involved in a discussion about who needs to be informed and when and have given your consent.</p> <p>If you want to make changes to your student record, a small number of other staff members will likely need to be informed, with your consent (see sections on name and record changes below).</p> <p>Areas for consideration: In exceptional circumstances, where the person who you tell is concerned for your safety or that of others, they have a duty to inform relevant bodies. In such instances, disclosure would relate only to concerns about your safety or the safety of others and would not involve any disclosure or breaking of confidentiality regarding your gender identity.</p>
<p>What student accommodation options are available?</p>	<p>When submitting an online application for University residences all applicants are asked to indicate if they would prefer single or mixed gender flats. We do our best to meet these requests when allocating rooms but unfortunately this cannot be guaranteed.</p> <p>Applicants can also telephone or email their Residences Manager or the Residences Office to disclose/discuss any</p>

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	<p>specific requirements that they may have relating to accommodation.</p> <p>Once in accommodation, if you wish to change accommodation you can contact the Residences Manager. The Residences Manager can explain the transfer process and discuss the different options available. However, all room moves are subject to vacancies.</p>
<p>What records do I need to consider?</p>	<p>The University stores student records in multiple places, including in Registry, in your School and in Student Services, among others.</p> <p>With your consent and from the date agreed with you, the University will endeavour wherever possible to amend or destroy records held which make reference to your former name and/or gender marker. Any records which cannot be amended will be stored confidentially; you will be made aware of these records and of who, if anyone, can access them. Please be aware that this may require us to disclose your identity to a small number of staff members, although only with your explicit consent.</p> <p>If you are aware of a record that may be held somewhere we wouldn't normally be able to access, e.g. counselling services, you should consider whether these records need to be changed and whether you are comfortable disclosing their existence so that colleagues can make the appropriate changes.</p>
<p>How can I change my name with the University?</p>	<p>You do not need to hold a Gender Recognition Certificate, a Statutory Declaration or evidence of name change via Deed Poll in order to have your details changed on the student information management system.</p> <p>The University will change your name without any documentation or proof of legal name change upon request. This will mean that all correspondence generated to you will use the preferred name by which you have asked to be registered.</p> <p>In order to change your name with the University, you should contact either of the following staff within Registry:</p> <p>Head of Student Operations Helen Cowley</p>

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cowleyhm@cardiff.ac.uk

Deputy Head of Registry

Tracey Evans

evanste@cardiff.ac.uk

While you are not required to legally change your name, doing so will enable you to change identification documents, bank accounts and, in relation to education, degree and qualification certificates. The University will only be able to issue degree certificates in your legal name.

If you change the name under which you are registered at the institution, whether legally or informally, you may need to inform the student loans company, your local authority, any sponsor, and your bank to ensure payments are not delayed. For support with issues of this kind, please contact the Advice and Money Team at the Student Support Centre who will be able to help with this.

During transition, you may use more than one name. For example, you may enrol under your preferred name while your bank still holds your legal name. This is not illegal as long as it is not used for fraudulent purposes.

Areas for consideration:

This name will be used for all correspondence including letters sent to the address you provide. You may wish to consider whether you are happy for this name to be visible on correspondence sent in the post, via email etc. and update your address preferences accordingly.

Degree certificates can only be issued in your legal name. In order for the University to issue a degree certificate in your preferred name, you must provide Registry with proof of legal name change no later than 3 months before the date of your graduation.

If you legally change your name due to transitioning after graduating, you can contact the Head of Student Operations directly to request the issue of new certificates. This will require you to send the University your original certificates. If you graduated pre-2005, please contact the University of Wales Registry at Registryhelpdesk@wales.ac.uk. The University of Wales have been consulted in the development of this policy and

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	<p>appropriate measures to ensure confidentiality and ease of process are in place.</p> <p>There are implications with a number of professional bodies supporting health related qualifications that are being investigated. You will need to discuss with your School and Registry whether it is possible to amend the name on your certificate and other formal documents which record academic achievement and enable you to register to practice. Further guidance will be provided at a later date.</p>
<p>Can I change my gender or title?</p>	<p>You can choose the gender marker or title that reflects your affirmed gender, whether binary or non-binary.</p> <p>There is the option of using Mx instead of Miss, Mr, Mrs on the student and staff records management systems. You may also choose the gender markers of 'male', 'female' or 'other'.</p>
<p>Can I change my ID and email address?</p>	<p>You can change your ID card by visiting the Security Office on Park Place, where they will be able to update your name, title and photo. You can do this as many times as necessary if your appearance changes while at University.</p> <p>You can also change your email address if you change your name. No legal proof of name change is required.</p> <p>You must first contact Registry to update your name and gender on your student record before these changes can be made. The Head of Student Operations will be able to help you work with colleagues in IT and the Security Office to ensure the changes are made as easily and confidentially as possible.</p>
<p>How will time off for medical or other appointments be dealt with?</p>	<p>Absences for medical or other appointments, including appointments for counselling etc, that fall within scheduled learning activities, will be dealt with in line with the Attendance, Academic Progress Requirements and Absence Procedure.</p> <p>It would be useful to have a conversation with your Personal Tutor about any absences you expect to take so that measures can be put in place to minimise any impact on your studies. Wherever possible, you are encouraged to arrange medical appointments outside the times you have scheduled learning activities and to inform your Personal Tutor when this is not possible. You do not need to give specific details about the medical appointments</p>

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	<p>(such as the procedure being undertaken) when informing the University of appointments, provided you can evidence appointment/surgery dates as appropriate.</p> <p>The Student Cases team in Registry are available to provide advice on how to manage long term absences as a result of transitioning or absences relating to being intersex.</p> <p>If your studies are likely to be affected over a long period of time, you should refer to Student Support.</p>
<p>Can I dress to reflect my gender identity?</p>	<p>The University will support you in your choice of dress in connection with your gender identity.</p>
<p>If I'm being bullied or harassed within the University about my transition or gender identity, who can I talk to and how can I report this formally if I want to?</p>	<p>Transphobic abuse, harassment or bullying (including name-calling / derogatory jokes / repeated or intentional use of incorrect pronouns or name) will be dealt with under the Dignity at Work and Study Policy which states that the University will not tolerate such behaviour. It will be treated by the University as a disciplinary offence.</p> <p>You should tell your Personal Tutor or Student Services if you experience any form of transphobic abuse. Support is also available from Student Counselling or the Health and Wellbeing Team.</p> <p>Areas for consideration: If you are subject to bullying, harassment or discrimination in the local community, Student Services can offer advice and guidance on how to take your complaint further. The University will aim to provide whatever support is appropriate in these circumstances.</p>
<p>Will I still be able to undertake work experience, placements or field work associated with my course or will there be any implications for work?</p>	<p>Sex-related occupational requirements may apply to student placements in health and social care, counselling and youth work.</p> <p>Placement providers should be asked by the University if they have occupational requirements and where they do, these should be clearly communicated to all students. If you do not have a GRC and new birth certificate and you are on a course that involves placements where occupational requirements apply, it is essential that this is discussed at the earliest opportunity. The aim of the meeting should be to identify the most suitable placement with the student and who will need to be informed when a placement provider has occupational requirements.</p>

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	<p>There is no occupational requirement whereby an employer can specify that a post must be performed by a trans person. There is the potential occupational requirement however that a specific post may not be performed by a person of a particular gender. This may apply to certain positions in religious organisations, to certain narrow fields within the military and in specialised services such as rape crisis support.</p> <p>In certain limited circumstances it is lawful to discriminate in employment on the grounds of sex if there is a Genuine Occupational Qualification (GOQ) for doing so. If a trans person has obtained a full Gender Recognition Certificate (GRC), they are deemed in law to be of the gender to which they have transitioned with respect to most jobs and course placements where GOQs apply. Please note however that there are a few limited circumstances in which this is not the case. Further information can be found here:</p> <p>http://www.wales.nhs.uk/sitesplus/documents/862/350-App1-LegalFrameworkExpanded.pdf</p> <p>Students should discuss with their Personal Tutor or a relevant Academic Tutor whether a Genuine Occupational Qualification applies to their course or their intended career path. Where this is the case, this will need to be discussed with the relevant professional body.</p>
<p>Can I obtain a DBS check without disclosing my trans status?</p>	<p>Agencies responsible for checking criminal records in the UK all have specific processes in place for trans people, including those with a full GRC. The Disclosure and Barring Service carries out checks in England and Wales and has a sensitive applications team: sensitive@db.s.gsi.gov.uk</p>
<p>What advice is there for studying abroad as part of my study programme?</p>	<p>Guidance on equality and diversity when studying abroad is available on the Student Intranet at the link below:</p> <p>https://intranet.cardiff.ac.uk/students/study/spend-time-abroad/stay-safe-abroad</p> <p>Consideration will have been given to how studying abroad might impact on trans students when the course was developed but if you have any concerns, you should raise these as soon as possible with your Personal Tutor or the Assurance Service, at assuranceservices@cardiff.ac.uk.</p>
<p>I am a trans international student. Are there any</p>	<p>In the first instance you should approach the Head of Student Operations or Deputy Head of Registry to discuss</p>

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<p>different or additional requirements for me?</p>	<p>any implications for your visa. The University will endeavor to use your preferred name and affirmed gender as far as possible in line with visa requirements.</p> <p>Guidance from the Home Office states that the name on your Biometric Residence Permit (BRP) or Residence Card will be issued in the same name as that on your passport. To change the name on your passport, you will need proof of legal name change such as a statutory declaration or evidence of a deed poll. If you are a trans person from a country that does not recognise changes to your name or gender and therefore you are unable to change your name on your passport, you can apply for a deed poll which will allow the Home Office to issue a BRP in your preferred name.</p> <p>You may use a different name on your BRP or Residence Card if your country of origin does not recognize changes to your name or gender.</p>
<p>Do I need a Gender Recognition Certificate?</p>	<p>You do not need, and will not be asked to produce, a Gender Recognition Certificate at any point. The University will extend to all trans students the same support, guidance and sensitivity whether or not they possess a GRC.</p> <p>If you possess a GRC, you will be legally recognised as your affirmed gender, including in many instances where a Genuine Occupational Qualification applies (see section on placements for more information and exemptions).</p>
<p>What about references?</p>	<p>The University will always endeavor to provide references in your affirmed name and gender and will not disclose your trans status to a potential employer or institution. If you have any concerns, you should discuss these with your referee.</p>

6.3 FAQ and Guidance for Staff

<p>Applying for work</p>	<p>Applicants are able to apply for posts at Cardiff University without disclosing their trans status. Any disclosure made at any point will be treated with absolute confidentiality and the offer of support will be extended.</p>
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	<p>Where possible, steps should be taken to ensure that a person's trans status is not disclosed, for example by checking the names used in references before passing them to the person responsible for recruitment and ensuring that documentation showing a person's legal sex is viewed on a strictly need-to-know basis.</p> <p>As not all trans people will hold official documentation that is reflective of their preferred gender, where Cardiff University requires official confirmation of a person's identity, you will be given the option of providing more than one type of official identification, for example a driving licence, passport, birth certificate, a Statutory Declaration or change of name by Deed Poll.</p> <p>If you wish to confidentially disclose your trans status during the application process, you may do so by contacting the Human Resources individual responsible for administration of the interview, who will not be involved in the interview panel itself.</p>
<p>I wish to transition, or am in the process of transitioning- who do I need to contact to inform the University?</p>	<p>Whether you have joined the University while transitioning or transition while you are a member of staff, we work in partnership with you to ensure that the appropriate support is identified and the timing of decisions are led by you.</p> <p>No matter who you inform first, the disclosure will be treated as confidential. No one else will be informed until they have discussed with you who you wish to inform, whether anyone needs to be informed, and when.</p> <p>You may want to tell colleagues, students or managers about your decision. You may want to discuss this with your key support contact within the University and also consider change of name, use of pronouns. This process can be led by you or the University, depending on your preference.</p> <p>The following colleagues are able to provide support and advice if you decide to transition and, as such, you may wish to speak to them first:</p> <ul style="list-style-type: none">• Your HR Business Partner <p>A list of HR Business Partners is available on the intranet: https://intranet.cardiff.ac.uk/staff/your-</p>

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	<p>employment/local-hr-representatives</p> <ul style="list-style-type: none"> • Equality and Diversity Officer in HR Karen Cooke cookek1@cardiff.ac.uk • Assurance Service in Strategic Planning and Governance assuranceservices@cardiff.ac.uk (Please note all colleagues in the Assurance Service have access to this inbox) • Your Line Manager <p>You can also contact the LGBT+ staff and postgraduate network, Enfys, for confidential support and advice around transitioning.</p> <p>You may prefer to contact these colleagues in writing. A proforma is provided at Appendix 2.</p> <p>Whoever you decide to inform, we have written guidance in place to assist them in supporting you in whatever way you need.</p>
<p>Where can I get confidential advice or support around transitioning?</p>	<p>Internal: Employee Assistance Programme Staff Wellbeing Team Enfys – Staff and Postgraduate student network</p> <p>External: Stonewall Umbrella Cymru</p>
<p>If I'm being bullied or harassed about my transition or gender identity, who can I talk to and how can I report this formally?</p>	<p>Transphobic abuse, harassment or bullying (including name-calling / derogatory jokes / repeated or intentional use of incorrect pronouns or name) will be dealt with under the Dignity at Work and Study Policy which states that the University will not tolerate such behaviour. It will be treated by the University as a disciplinary offence.</p> <p>You should report any instances of transphobic abuse to any of the following: Assurance Service – assuranceservices@cardiff.ac.uk Line Manager Your HR Business Partner</p>

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	Equality and Diversity Officer in HR Enfys
How do I change my name and ID to reflect my change of name and gender?	<p>You do not need to hold a Gender Recognition Certificate, a Statutory Declaration or evidence of name change via Deed Poll in order to change your name with the University.</p> <p>The University will change your name without any documentation or proof of legal name change upon request. The contact you disclose to will have a conversation with you about how changing your name will work across University systems.</p> <p>In order to change your name with the University, you should liaise with your key support contact who can help arrange this process, or your HR Business Partner at College or Professional Services level. Alternatively, you can contact the following Equality, Diversity and Inclusion staff in HR:</p> <p>Organisational Development Manager Karen Cooke cookek1@cardiff.ac.uk</p> <p>Equality and Diversity Officer Julie Bugden bugdenja@cardiff.ac.uk</p> <p>During transition, you may use more than one name. For example, you use your preferred name at work while your bank still holds your legal name. This is not illegal as long as it is not used for fraudulent purposes. While you are not required to legally change your name, doing so will enable you to change identification documents, bank accounts, etc.</p> <p>You can apply for a new ID card in your preferred name once your staff record has been amended by approaching the Security Office. You can also contact IT to request a new email address.</p> <p>Alternatively, your key support contact within the University may be able to do this on your behalf to ensure all records are updated at the same time.</p> <p>Areas for consideration:</p>

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	<p>This name will be used for all correspondence including letters sent to the address you provide. You may wish to consider whether you are happy for this name to be visible on correspondence sent in the post, via email etc. and update your address preferences accordingly.</p>
<p>What other records do I need to consider?</p>	<p>The University will hold other records of your name and gender marker, including but not limited to:</p> <ul style="list-style-type: none"> Minutes of meetings Calendar invites Staff profile on intranet Academic publications Recorded lecture materials P45 / P60³ <p>With your consent and from the date agreed with you, the University will endeavour wherever possible to amend or destroy records held which make reference to your former name and/or gender marker. Any records which cannot be amended will be stored confidentially; you will be made aware of these records and of who, if anyone, can access them. Please be aware that this may require us to disclose your identity to a small number of staff members, although only with your explicit consent.</p>
<p>What about my pension and taxes?</p>	<p>As your original staff record will be amended to reflect your new name, there should be no implications regarding taxes.</p> <p>Advice on pensions is outlined in Appendix 1. You should contact your pension administrator to discuss whether your transition will result in changes to your pension.</p>
<p>How will time off for medical or other appointments be dealt with?</p>	<p>In line with current policies for arranging time for any other medical appointment for staff – including appointments for counselling etc.</p> <p>Where you need time off, the University’s policy of managing sickness absence should be used. Other policies e.g. leave/flexible working and work/life balance policies may also be relevant to consider. Managers should try to</p>

³ Guidance issued by HMRC on how to update your name and/or gender on their records can be found at the link below. Please note, without legal proof of gender change, documents such as P45s and P60s may be issued under your legal gender. You can contact Special Section D at HMRC for advice and guidance. Their contact details are included in the link below:
<https://www.gov.uk/tell-hmrc-change-of-details/gender-change>

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	<p>be as flexible as possible to meet reasonable requests for leave or changes in working patterns within the needs of the service and it may be useful to consider the timetable of work and medical appointments together.</p>
<p>Will there be any implications for work?</p>	<p>Genuine Occupational Qualifications: In certain limited circumstances it is lawful to discriminate in employment on the grounds of sex if there is a Genuine Occupational Qualification (GOQ) for doing so. If a trans person has obtained a full Gender Recognition Certificate (GRC), they are deemed in law to be of the gender to which they have transitioned with respect to most jobs and course placements where GOQs apply. Please note however that there are a few limited circumstances in which this is not the case. Further information can be found here:</p> <p>http://www.wales.nhs.uk/sitesplus/documents/862/350-App1-LegalFrameworkExpanded.pdf</p> <p>If you are unsure, you should discuss with your line manager whether there is a GOQ associated with your job.</p> <p>Criminal Record Checks: Agencies responsible for checking criminal records in the UK all have specific processes in place for trans people, including those with a full GRC. Employers and placement providers will provide a form that is to be completed by the person whose criminal record is being checked. Before an application is submitted by an employer or placement provider, trans people will need to contact the relevant organisation and contact who will guide them through the process, track the application and maintain confidentiality. The Disclosure and Barring Service carries out checks in England and Wales and has a sensitive applications team: sensitive@dbs.gsi.gov.uk</p> <p>Academic Publications: Academic publications are maintained by the publisher and the University is unable to make these changes on behalf of staff. The University will provide support and guidance in contacting publishers.</p> <p>Redeployment and Role: Beyond Genuine Occupational Qualifications, being trans or transitioning at work should have no impact</p>

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	<p>whatsoever on your job description or the support extended to you in performing your role.</p> <p>If you feel it would be helpful to do so however, it might be possible to alter elements of your job during your transition. The University will do everything possible to ensure you are supported in continuing in your role but if you want to explore these options, it is recommended you discuss them with your line manager.</p>
What about references?	<p>The University will always endeavor to provide references in your affirmed name and gender and will not disclose your trans status to a potential employer or institution. If you have any concerns, you should discuss these with your referee.</p>

Appendix 1 Pensions ⁴

The following information has been taken from a guide for workplaces available on www.gov.uk.

State Pensions and National Insurance Contributions

The process of equalising the state pension age of men and women and the age limit for the payment of employee's National Insurance Contributions began in April 2010 and will be achieved by 2020 at the latest. Change of gender does not affect these age limits for those born after 5 April 1955, but those born earlier should consult their pension provider or HM Revenue & Customs for advice. For any trans women who remain in a marriage pre-dating transition, it is important that your pension provider is aware of your situation in order to correctly calculate your wife's survivorship rights to your pension should you pre- decease her. Your pension provider can advise you of the circumstances in which they need to know if you obtain gender recognition and of any changes arising since this guidance was prepared. Organisations should arrange named contacts to ensure that transsexual staff can retain privacy in relation to their pension arrangements and enquiries.

It is the responsibility of the individual member of the MyCSP to contact their pension administrator and inform them of their gender transition, the name and title by which they wish to be known, any change in their marriage or civil partnership status and when gender recognition was obtained. The member's pension calculation and any subsequent claim to a survivor's pension can then be correctly calculated by the Civil Service Pensions administrators. Failure to notify such information may result in pension accounts being wrongly calculated and the possibility of members or their survivor being distressed by resulting inaccuracies to their data.

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https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/503663/Workplace_Guide_CSEP_revised_Final_V1_.pdf

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Appendix 2 Disclosure

This proforma was adapted from a document supplied by Equality Challenge Unit/Advance HE and may be used by staff wishing to make a disclosure in writing.

Dear

I am writing to notify **Cardiff University** that (please tick as appropriate):

- I have already transitioned to my self-defined or legally recognised gender
- I intend to transition to my self-defined gender

I understand that the information that I share with you will be used to ensure that I can go about my day to day life in my self-identified or legally recognised gender with ease.

I also understand that if appropriate, the information shared will be used to ensure appropriate support for me as an applicant to/ student of /staff member of **Cardiff University**.

Please tick:

- I understand that the information I share with you will only be passed on with my consent.
- I understand that you will contact me within **one week where possible** to organise a meeting as soon as possible that will provide an opportunity for me to give an overview of my circumstances, discuss the changes that can be made, the support available and any timescales.

Legal Name:

Student/staff identifier:

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Preferred Name:

Pronouns:

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Email:

Contact number:

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Signed:

Print name:

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Date:

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Appendix 3

Records and documents which may need to be changed

This list is not exhaustive, and please refer to ECU/Advance HE for further information.

- Email** - Which email accounts and user names will need to be changed and when?
- If the staff member or student has a fluid gender identity, will separate email accounts need to be created or is it possible to link the two?
- ID** - Which identification cards/name badges will need to be changed and when?
If the staff member or student has a fluid gender identity, will they need more than one of these types of identification?
- University or college ID card
 - Library card
 - Students' union or association card
 - National Union of Students card
 - Club and society cards
 - Volunteer/mentor ID badges
 - Trades union membership badge
 - Professional/learned body membership cards
 - Fitness centre/gym membership card
 - Accommodation access card
 - Catering/food meal card
 - Placement ID cards
 - Course representative card

Records and documents

- Which documents and records need to be replaced or altered and when? If the staff member or student has a fluid gender identity, will they need more than one of these types of identification?
 - E-portfolio/record of achievements
 - Academic biographies
 - Photographs
 - All student/staff records and databases, enrolment forms, finance records
 - Course, programme and module lists
 - Personal tutor records
 - Welfare/disability/counselling records
 - Volunteering and mentoring records
 - Course representative posters and contact details
 - Certificates, for example, council tax exemption, training attendance, degree
 - Club and society membership records
 - Payroll (and banking details)
 - Pension, death in service and dependents' benefits

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- Insurance policies
- Funders
- Committee minutes and records, for example, boards of study or academic boards

Note: You may not be able to amend historical minutes.

Consider officially noting someone's transition during minuted proceedings if appropriate. Alternatively, consider thanking the existing committee member for their services and welcome them as a new committee member under their new name.

Occupational requirements

- Are there any occupational requirements during the student's programme of study or staff member's work?
- Some roles may be more likely than others to include occupational requirements, such as roles within counselling, social care, NHS, charities, schools.
- Are there any occupational requirements for volunteer placements or work-based learning?
- Some roles may be more likely than others to include occupational requirements, such as roles within women's refuges, rape crisis centres.

Ceremonies

During awards ceremonies, what name will be used if a person has not formally changed their name or informed their family of their trans identity?

Consider:

- on the certificate
- in ceremony or awarding programmes
- when read out

Appendix 4. Genuine Occupational Qualifications

In certain limited circumstances it is lawful to discriminate in employment on the grounds of sex (gender) if there is a Genuine Occupational Qualification (GOQ) for doing so. If a trans person has obtained a full gender recognition certificate (GRC), they are deemed in law to be of the gender to which they have transitioned, and must be treated in that gender with respect to most jobs and course placements where GOQs apply. Please note however that there are a few limited circumstances in which this is not the case.

Examples of grounds for applying GOQs are:

- Privacy and decency
- Personal welfare or educational services – e.g. requiring a counsellor in a rape crisis centre to be female.

Other GOQs may apply if:

- The job involves the holder working in a private home and the employer because of intimate contact in these circumstances can show a reasonable objection.
- The job involves the post holder sharing accommodation, and it is not reasonable on privacy or decency grounds for an individual to do so with either sex while in the process of undergoing gender reassignment.
- The job requires the post holder to provide vulnerable individuals with personal services promoting their welfare, or similar personal circumstances, and in the reasonable view of the employer, those services cannot be adequately provided by a person while undergoing gender reassignment.

In all of these cases, the employer/placement provider must be able to show that they acted reasonably.

As an employer, an HEI may need to apply a GOQ to certain posts in Student Services, for example counsellors, or for positions in single-sex halls of residence. The Equality Act makes it clear that an employer must act reasonably in claiming a GOQ, for example, by considering whether tasks could be carried out by someone else. The GOQ must be identified at the beginning of the recruitment and selection process, and be stated in the application pack. Best practice would then be to request to see a birth certificate for all shortlisted applicants to confirm their legal sex rather than enquiring about trans status, which could in itself be deemed as discriminatory.

If a trans person does not hold a GRC, or is transitioning while in post or on a course that involves placements where GOQs apply, it is essential that the institution and the individual meet to discuss the situation as soon as possible, with the individual's trade or students' union representatives present, if required.

Where a trans person does not hold a GRC, the law allows employers, in very specific circumstances, to prohibit the trans person from taking up a post to which a gender-related GOQ applies. In such circumstances, the employer will need to demonstrate that this

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restriction is a proportionate means of achieving a legitimate aim. The Equality and Human Rights Commission recommends that HEIs should assume by default that a trans person is eligible for a job or placement, and seek expert advice in rare circumstances where the institution thinks otherwise.

Appendix 5.

Glossary of terms (based on information included in ECU guidance)

Terminology changes and its use can be highly individualised. It is important to be mindful of trends in language as a staff member or student may associate with a term perceived by some, even members of the same community, to be inappropriate.

Acquired gender - A legal term used in the Gender Recognition Act 2004. It refers to the gender that a person who is applying for a Gender Recognition Certificate (GRC) has lived for two years and intends to continue living in.

Affirmed gender may be used when a person has transitioned but has decided not to apply for a GRC.

Cisgender is based on the Latin prefix cis which means 'on this side of'. The Latin prefix trans means 'across from' or 'on the other side of'. The use of cisgender is debated within the trans community and some people prefer the term non-trans as it familiarises the use of the term trans.

A **dual role person** occasionally wears clothing and/or makeup and accessories that are not traditionally associated with the sex they were assigned at birth. Generally, dual role people do not wish to transition and do not necessarily experience gender dysphoria. Some people prefer the term

Gender - sex is the biological difference between men and women, however gender includes socially constructed roles.

Gender identity - a person's internal perception of their identity;

Gender expression - the way a person lives in society and interacts with others. Gender does not necessarily represent a simple binary choice: some people have a gender identity that cannot be defined simply by the use of the terms woman or man. It should be noted that currently, for the purposes of UK law, gender is binary – people can only be male or female.

Gender dysphoria 'is a term describing the discomfort or distress caused by the discrepancy between a person's gender identity (their psychological sense of themselves as men or women) and the sex they were assigned at birth (with the accompanying primary/secondary sexual characteristics and/or expected social gender role)' (NHS, 2013). Gender dysphoria is not considered a mental health issue but unmanaged dysphoria or the social stigma that may accompany it and any changes a person makes to their gender expression can result in 'clinically significant levels of distress' (NHS, 2013). In order to qualify for NHS medical assistance to transition, a trans person in the UK must have a diagnosis of gender dysphoria. As not all trans people have gender dysphoria this presents a significant barrier to accessing medical support and the provisions of the Gender Recognition Act.

Gender reassignment The legal term used in the Equality Act to describe the protected characteristic of anyone who 'proposes to undergo, is undergoing or has undergone a

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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). This is the protected characteristic that protects trans people from discrimination, victimisation and harassment in employment, education and when using services. Importantly, the act requires no medical supervision or interventions for a trans person to be afforded protection.

Gender recognition certificates (GRC) are issued by the gender recognition panel under the provisions of the **Gender Recognition Act 2004**. The holder of a full GRC is legally recognised in their acquired gender for all purposes. A full GRC is issued to an applicant if they can satisfy the panel that they fulfil all the criteria outlined in the Gender Recognition Act. Applicants can be UK residents or from recognised overseas territories who have already acquired a new legal gender. The act requires that the applicant is over 18, has, or has had, gender dysphoria, has lived in their affirmed gender for two years prior to the application, and intends to live permanently according to their acquired gender status

It is never appropriate to ask a trans person for a GRC and regarded as unlawful because it breaches their right to privacy. Once a person has obtained a GRC their gender history can only be disclosed where there are explicit exceptions in law:

Gender Variance – a more neutral term than 'Gender Dysphoria' when individuals experience a mismatch between the way they look on the outside and the gender identity they feel inside or denoting a departure from stereotypical gender experience and expression e.g. dressing or behaving in a way which is perceived by others as being outside cultural gender norms

Inter sex - An umbrella term used for people who are born with variations of sex characteristics, which do not always fit society's perception of male or female bodies. Intersex is not the same as gender identity or sexual orientation.

Legal Sex - A person's 'legal' sex is determined by their sex on their birth certificate and the assumption made at birth is that their gender status (boy, girl) matches. For higher education institutions (HEI's) and colleges a person's legal sex is only relevant for insurance, pension purposes and in rare cases occupational requirements

Non- Binary - Non-binary is used to refer to a person who has a gender identity which is in between or beyond the two categories 'man' and 'woman', fluctuates between 'man' and 'woman', or who has no gender, either permanently or some of the time.

Pronoun - A pronoun is the term used to refer to somebody for example she/her/hers/herself or he/him/his/himself. Gender-neutral pronouns include:
they/them/their/themselves
che/chim/chis/chimself
E/Em/Eir/Eirs/Emself
Per(person)/pers/perself
Xe/ hir/ hirs/ hirsself

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Trans - Trans is an inclusive term for all those whose gender expression falls outside the typical gender norms. The term 'trans' can be used to identify people undergoing gender transition, people who identify themselves as someone with a different gender from that assigned to them at birth (whether or not they decide to undergo medical treatment). This term should only be used as an adjective.

Note:

Sexual orientation is a separate issue from gender identity, Trans People may be gay, lesbian, bisexual, straight/heterosexual or identify as having another sexual orientation e.g. asexual, pansexual etc. Sexual relationships may remain the same through the transition process, or they may change.

Transition is the process of a person changing their social role in order to match their gender identity. Examples of transitioning include telling friends, family and colleagues, changing names, asking people to use different pronouns, and changing the way gender is expressed. For some people, this may involve medical assistance such as hormone therapy and surgery.

Transphobia is a term used to describe the fear, anger, intolerance, resentment and discomfort that some people may have as a result of another person being trans. This can result in discrimination, harassment, victimisation and hate crime.

Transsexual person – this can be a sensitive term that some people will find offensive as 'transsexual' remains a medically defined term, appearing in diagnostic guides, and ascribed to people by doctors. This term should be used with caution due to the sensitivity of the term. While some people may find the term offensive, others may use it to describe themselves