

# STUDENT TRANSGENDER POLICY & PROCEDURES

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Version:	1
Original issue date:	16 <sup>th</sup> September 2024
Author:	Principal & CEO
Approval body:	Strategic Leadership Team
Renewal timescale:	Three years
Reviewed:	
Next review due:	September 2027
Approved and authorised by:	Equality, Diversity & Inclusion Committee Strategic Leadership Team

To support our commitment to Sustainable Development Goals, the policy has identified three SDG's it is working towards. The full list of SDGs can be found here - [THE 17 GOALS | Sustainable Development \(un.org\)](#)

Please identify the goal, a target and current position.

Goal	Target	Current position
Reduce inequality within and among countries	Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard	2

1. Sector leading
2. On target
3. Below target
4. Not started

# Policy and Procedures in Support of 16-19 Transgender Students and Students Transitioning Gender

## 1 Policy Purpose

- 1.0 This information is for students transitioning gender and staff who are supporting them through the process.
- 1.1 Leeds College of Building 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 live in the gender with which they identify, where it differs from the sex and gender they were assigned at birth.
- 1.2 The College recognises that this can be a difficult and complex time for an individual and would wish to act in a sensitive and supportive way by having helpful policies and practices in place to ease any transition a student may choose to take.
- 1.3 Leeds College of Building staff will help to make certain that no student is subject to discrimination or harassment because of their gender identity and expression.
- 1.4 Trans students can be confident that staff at the College will:
- ensure fair and equal treatment of trans students
  - respect their confidentiality
  - have effective and efficient processes for managing transition
  - ensure agreed actions are guided by the wishes of the student
  - act against any student or staff member who bullies, harasses or discriminates against a trans student, using the disciplinary process
- 1.5 The primary contact person to provide practical support on transitioning to students are the Heads of College Experience, Behaviour & Engagement. Contact details are available from Student Experience. In the first instance, please speak to Progress Coaches.

## 2. Explanation of Terminology

2.0 The term 'trans' is used throughout this document and is intended to be an inclusive term describing all those whose gender identity is different from their sex assigned at birth, including, but not limited to, those who identify as:

- transgender
- gender queer
- gender fluid
- non-binary
- agender
- pangender

Many cultures across the world have gender systems that differ from that of the western world. A person who identifies as a gender from within their culture that does not exist in UK culture may or may not identify as trans.

### **Trans boy or man**

A person registered female at birth and whose gender identity is that of a boy or a man.

### **Trans girl or woman**

A person registered male at birth and whose gender identity is that of a girl or woman.

### **Transition**

The steps a trans person may take to live in the gender with which they identify or their 'true' gender. Each person's transition will vary. Transitioning might involve things such as telling friends and family, dressing differently and changing official documents. For some it may also involve medical intervention, such as puberty blockers, hormone therapy and surgeries, but not all trans people want or are able to have this. A young trans person cannot have surgery in the UK until they are an adult, i.e., over eighteen.

It is important to note that under the Equality Act 2010, gender reassignment is defined as follows:

A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.<sup>1</sup>

The [Department for Education Advice on the Equality Act 2010](#) further states:

This definition means that to be protected under the Act, a pupil will not necessarily have to be undertaking a medical or legal procedure to change their sex but must be taking steps to live in the opposite gender or proposing to do so.<sup>2</sup>

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<sup>1</sup> Section 7, The Equality Act  
<https://www.legislation.gov.uk/ukpga/2010/15/section/7> (Retrieved 19.5.20)

<sup>2</sup> Equality Act; Advice for Schools (2018) p17  
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Retrieved 19.5.20) and re-stated  
<https://commonslibrary.parliament.uk/research-briefings/cbp-8969/>

### **3. Support at Leeds College of Building**

- 3.0 Leeds College of Building tutors will provide the practical support on transitioning to students at the College. The overall responsibility for overseeing smooth transition experiences lies with the Vice Principal Curriculum, Quality & Innovation.
- 3.1 A student at the College who proposes to undergo a transition, or is transitioning, should in the first instance contact their tutor as soon as possible. If, for any reason, this is not a preferred route, the student should contact Student Experience. For students seeking admission to the College who would like their application to be processed using a new gender identity, the contact would be through the admissions team initially who will then involve the Vice Principal or Heads of College Experience, Behaviour & Engagement.
- 3.2 For current students, the tutor, and for joining students, the College will treat all communication and queries around trans matters sensitively and confidentially. No action will be taken at any point without the student's permission. The tutor or Heads of College Experience, Behaviour & Engagement will help the student to write an action plan to coordinate the process of transition with the necessary departments within Leeds College of Building including Information Technology and Services teams and with relevant academic and tutorial staff.
- 3.3 Leeds College of Building's Student Experience Team have Progress Coaches who are experienced in discussing gender identity matters and are also available to speak to trans students about non-gender-related issues. The team can also signpost students to external LGBTQ+ support organisations.

### **4. Preparing for transition**

- 4.0 This guidance applies both to students who plan to undergo any medical intervention, such as hormone therapy, and to those who wish only to transition socially (e.g., dressing differently, changing names and pronouns, and amending official documents) but who may be choosing not to have any medical intervention.
- 4.1 Once a student at college has made the decision that they wish to transition, the first step should be for them to contact and then meet with their tutor. If, for any reason, this is not a preferred route, the student should contact the Heads of College Experience, Behaviour & Engagement.
- 4.2 In the initial meeting, the student will be informed about the support that is available to them within Leeds College of Building and an action plan with timescales can be discussed and agreed. The action plan will include:
- Key dates, such as medical, therapeutic or psychological 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 planned two years at college.
  - A planned start date for when the student intends to start presenting in the gender with which they identify (for example, by using a different name or a different pronoun)
  - A summary of how and when information will be managed and by whom. For example, students may either wish the tutor to inform teaching staff about the transition or they may

prefer to speak to their departmental contacts themselves.

- Considerations for minimising disruption to learning, for example by adjusting 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 Leeds College of Building's student records and systems, including consideration of facial ID and external examination regulations.
- 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.

4.3 Once the action plan has been agreed, it will be necessary for the student to agree and confirm the details of the action plan. 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.

4.4 It is recognised that the process of transition is ongoing and not instantaneous; what it means to live 'full-time' in the gender with which they identify 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. The action plan will clarify with the student what path they feel most comfortable taking and will be reviewed regularly.

4.5 For some students, the process of transition may happen more gradually than for others and over a much longer period with less certain timescales. Leeds College of Building 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 Leeds College of Building's policies, regulations and systems). Leeds College of Building's policies are applicable to students transitioning, and every effort will be made to accommodate the needs of students transitioning to support continuity of study.

## **5. 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 their tutor to agree an action plan. If, for any reason, a student prefers to directly contact a different member of staff to notify them of their intent to transition, they are of course free to do so.

## **6 Use of Appropriate Language**

6.0 Leeds College of Building is a large, diverse organisation with more than 400 staff. 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, despite transgender training of all teaching and support staff, not everybody in the Leeds College of Building community will be fully aware of the most appropriate, contemporary language to use in relation to transgender matters and transitioning.

6.1 The College 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 if this is different, unless previously agreed otherwise.
  - A person who identifies as a particular gender should be referred to using the

pronouns the person selects to describe themselves, such as he/she/they. Some people (particularly non-binary people) use other neo-pronouns which are gender neutral. If unsure what the correct pronoun is, the staff member should sensitively ask the student what they prefer. More information on pronouns is available at:

<https://www.mypronouns.org/>

- It is inappropriate and outdated to use the terms 'sex-change'. This is because it implies that the process of transition must involve some form of surgery, which may not necessarily be the case, and which does not apply to under 18s.
- Staff should not ask personal questions without seeking the student's permission first. Questions such as 'are you taking hormones?' can be considered personal.

## **7 Updating Student Records**

7.0 Progress Coaches will be able to assist a trans student with the procedure for updating their student records if they intend to change their first name.

7.1 Students who do not wish to change their first name legally can nonetheless have their first name changed on college systems. This name will appear on all the main student IT interfaces and will also feed into departmental systems.

7.2 Departments often hold their own systems and databases as well, however, and these will not automatically be reconfigured to show the 'known as' name. 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 can also choose to have their 'known as' name on their Leeds College of Building facial ID record, as this does not happen automatically, as part of their transition action plan.

7.3 Students who just wish to change their 'known as' name should be made aware that they will still be officially enrolled at Leeds College of Building under their legal name and examination certificates can also only be issued in the student's legal name.

7.4 Students who wish to change their name legally and have all their records and documents formally updated can do so. Proof of the name change will be required. This would include either a deed poll, passport or UK held driving licence (or provisional) as evidence.

7.5 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' 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. It is recommended that the student seeks advice when changing their name, as some organisations may not accept a deed poll the student has made themselves as proof of the new name. The Citizens Advice Bureau can provide advice on this and more information is available at <https://www.gov.uk/change-name-deed-poll/make-an-adult-deed-poll>

7.6 Once the tutor is in receipt of proof of the legal name change, they will ensure Leeds College of Building's Data and Information Services team update the records held by Leeds College of Building to reflect both the new name and title.

7.7 At no stage should any member of staff ask a student for medical evidence of their transition.

## **8 Gender Recognition Certificates - applies to students over 18 yrs. only**

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

When a person receives a GRC, they have the right to request that all references to their former name and gender are removed from old records to ensure their former identity is not revealed. This request should be made to their tutor or another member of the Guidance team in the first instance.

## **9 Confidentiality**

Leeds College of Building understands how important confidentiality is in respect of not disclosing a previous name, gender, or transition to a third party. All information will be processed in compliance with the Gender 2004 and Data Protection Act 2018 (see further detail at 18.1).

## **10 Facilities and Accommodation**

On the College site, trans students can use 'men only' or 'women only' changing rooms or toilets according to the gender with which they identify. It is entirely the student's decision as to when they might like to use the facilities which correspond with their gender identity.

## **11 Sports**

Leeds College of Building provides many competitive and recreational sporting opportunities. Trans students should be able to take part in lessons or teams in accordance with their gender identity and according to guidance from sporting bodies.

Competitive sport at Leeds College of Building is coordinated by the Association of Colleges (AoC) who use the regulations dictated by each individual National Governing Body to decide on the participation of trans people at a competitive level.

Enrichment staff, as part of their usual practice, take account of the range of size, build and ability of individuals in the group and differentiate accordingly to keep all students safe. The issue of physical risk will be managed within the lesson context rather than by preventing trans students from participating.

However, there may be occasions in which students are unable to take part in sport or activities due to the nature, level of contact or physicality of the relevant sport and/or activity. Staff will consider if there are any reasonable adjustments or alternative arrangements to facilitate participation and will only consider non-participation as the last resort. Staff will inform the student if they are unable to participate in advance of the delivery of the lesson and/or activity in private.

The handling of changing facilities at an 'away game' will also be sensitively managed and staff will try to ensure there is appropriate sensitive provision available.

## **12 Time off for appointments**

- a. Some students who may need to attend medical, therapeutic, or psychological appointments related to transition 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.

- b. Time off for appointments (or to recuperate from them) should be incorporated into the student's transition action plan, which can then be shared with the relevant staff in advance. In some circumstances, proof may be required of the 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 any procedure being undertaken, and information can be blanked out.
- c. 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 the Gender Identity Development Service may be quite revealing and intrusive for the student. Staff should seek advice from the Vice Principal Curriculum, Quality and Innovation if they have any questions about how best to approach this.

### **13 Communicating with others**

- a. As people transition, the process may cause confusion for other students if they have little or no understanding of transgender matters.
- b. Trans students may want to tell their fellow students about their transition individually by themselves. However, with the student's consent, a meeting can be arranged with fellow students from their teaching groups or tutorial group.
- c. The student can choose to be supported or represented at the meeting by their tutor, or another member of staff, 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:
  - i. make clear that the student who is transitioning has the full support of the College
  - ii. emphasise Leeds College of Building's policies on bullying and harassment and how they apply to trans students
  - iii. explain that the student will be known by a new name and different pronouns from a date of their choosing
  - iv. set out the expectations for showing respect for trans students

### **14 Bullying and Harassment**

Trans students have the right to study and socialise in an environment that is free from bullying or harassment. Any member of the Leeds College of Building community 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:

- a. gossiping about a trans person
- b. routinely ignoring an individual
- c. passing judgment about how convincing a trans person is in their gender presentation
- d. 'deadnaming' and misgendering, i.e., refusing to address or refer to the person by their new name or in the gender with which they identify, purposefully
- e. disclosing confidential information

## **15 Legal Framework - Gender Recognition Act 2004 - this applies to students over 18 years only**

- 15.0 The Gender Recognition Act 2004 enables adults 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 gender for all legal purposes. Gender Recognition Certificates (GRC) are only explicitly needed for changing the gender marker on a birth certificate. Alternative methods, typically a letter from a GP or specialist stating that a person's change in gender is likely to be permanent can be used for passport gender mark changes. Everything else only requires a deed poll.
- 15.1 It means that the person must be regarded as their confirmed gender in all aspects of life. Under the Act, adults can apply for a GRC if they:
- 15.1.1.1 are aged 18 or over.
  - 15.1.1.2 been living in their affirmed gender for at least two years and intend to do so for the rest of their life, and have been diagnosed as having gender dysphoria
- 15.2 Surgery, or other medical 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.
- 15.3 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 about half of the world's countries this is still not possible. Many trans people do not apply for a GRC for various reasons, for example:
- 15.3.1.1 they may not fulfil all the requirements for a GRC
  - 15.3.1.2 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 their pre-transition gender may not currently apply for a full certificate without dissolving their marriage. Married persons can have their GRC vetoed by a spouse. Additionally, GRC decision processes can be invasive, as evidence of a person living in role, sensitive medical information etc. is put before a panel without presence of the person in question.
- 15.4 Many organisations and institutions wrongly assume that GRCs are required as 'proof' of gender reassignment. This is not the case and staff, or other adults, will never be asked for one at Leeds College of Building.

## **16 Privacy Rights**

- 16.0 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.

## **17 Disclosure and Barring Service**

- 17.0 Students registered on certain work experience placements or those involved in voluntary work, may be required to undergo a Disclosure and Barring Service (DBS) check.

- 17.1 The DBS has a confidential checking service for transgender applicants who do not want to reveal details of their previous identity to the organisation that requires the check.
- 17.2 Applicants should contact [sensitive@dbs.gsi.gov.uk](mailto:sensitive@dbs.gsi.gov.uk) or 0151 676 1452 for more information.