

Gender Identity Policy Statement

Introduction

Gender reassignment is a protected characteristic under the Equality Act 2010. As such it is one of the newest equality strands to be protected by legislation and has not been routinely considered in policy development in the past. Canterbury Christ Church University (CCCU) has therefore developed this specific policy statement in relation to Gender Identity.

CCCU recognises that there can be differences between physical sex and gender identity, appearance and/or expression¹. Where this policy statement refers to 'trans people', it means people who would consider themselves to be in any of the following categories: transgender, intersex², transvestite, transsexual or of any non-normative gender identity.³ Definitions of these terms can be found at the end of this document. When it refers to 'gender identity', it covers both the identities of people living in the gender assigned to them at birth and the identities of trans people which can be fixed or fluid.

CCCU celebrates and values the diversity of its workforce, and believes that the University will benefit from employing trans people at all levels of responsibility, thus hoping to provide role models for students who identify as trans. CCCU will treat all employees and students with respect, and seek to provide a positive working and learning environment free from discrimination, harassment or victimisation.

The University's commitment to trans staff and students:

- I. Students will not be denied access to programmes, progression to other courses, or fair and equal treatment while on courses because of their gender identity.
- II. The curriculum will not be delivered in a way that results in harassment of or discrimination towards trans people.
- III. CCCU will respect the confidentiality of all trans staff and students and will not reveal information without prior agreement of the individual or if required by law.

¹ Or gender performativity as denoted in Queer Theory.

² While recognising the difference between trans and intersex people, for the purpose of this policy the term trans includes intersex conditions and identities.

³ Including, for example, gender incongruence, gender fluidity, 'gender queerness', gender resistance and a-genderism.

- IV. Staff will not be excluded from employment or promotion because of their gender identity.
- V. CCCU welcomes, and will provide appropriate facilities (for example toilets) for trans students and staff.
- VI. CCCU acknowledges the personal safety issues of trans people and where possible will take reasonable action to address them.
- VII. Trans-phobic abuse, harassment or bullying (name-calling/ derogatory jokes, unacceptable behaviour, intrusive questions) will not be tolerated.
- VIII. Trans-phobic propaganda, in the form of written materials, graffiti, music or speeches, will not be tolerated. CCCU undertakes to remove any such propaganda whenever it appears on the premises.
- IX. CCCU 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. To intentionally 'out' someone, whether staff or students, without their permission is a form of harassment and, possibly, a criminal offence. Gender identity issues will be included in equality training.
- X. Having consulted with trans staff and students and the trans community, CCCU will include gender identity in internal attitudinal surveys, and when monitoring complaints of harassment.
- XI. In providing accommodation for students, any concerns or issues raised by trans students will be handled by the accommodation office and will be treated fairly and in line with the University's obligations under equality law.
- XII. Staff and students undergoing psychological, medical or surgical interventions related to gender identity will receive where possible reasonable support from CCCU to meet their particular needs during this period.
- XIII. CCCU recognises that trans staff and students come from diverse backgrounds, and will strive to ensure they do not face discrimination on the grounds of their gender identity or in relation to other aspects of their identity, for example, their race, age, religion, disability or sexual orientation. In addition, in the University's policies, assumptions will not be made about the partners of trans staff or students.
- XIV. CCCU will ensure that its environment, in terms of its pictures, images, publicity materials and literature, reflects the diversity of its staff and students.

- XV. When requested, CCCU will take reasonable steps to change the records of trans students to reflect their identity, including records and documentation under CCCU's control of former students who change their identity in a way covered by this policy statement.
- XVI. Breaches of this policy may constitute disciplinary offences and will be dealt with under the appropriate staff and student procedures or relevant professional codes of conduct.

Definitions

The following definitions are taken from the Equality Challenge Unit guidance: *Trans Staff and Students in Higher Education (2010)*.

Please be aware that this is an area of ongoing discussion and debate and that definitions can be contested and vary according to individual perspective.

Gender

Gender consists of two related aspects: gender identity, which is a person's internal perception and experience of their gender; and gender role or expression, which is the way a person lives in society and interacts with others. Gender is less clearly defined than anatomical sex, and does not necessarily represent a simple binary choice: some people have a gender identity that is neither clearly female nor clearly male; however, the overwhelming majority of the population has a gender that accords with their anatomical sex. It should be noted that currently, for the purposes of the law, gender is binary – people can only be male or female.

Gender presentation/expression

While gender identity is subjective and internal to the individual, gender presentation, either through personality or clothing, can determine how a person's gender is perceived by others. Typically, trans people seek to make their gender expression and presentation match their gender identity, rather than their birth sex.

Gender/sex reassignment

Gender reassignment is a process undertaken under medical supervision to reassign a person's gender by changing their physical sexual characteristics. Gender reassignment or transition includes some or all of the following social, legal and medical adjustments: telling one's family, friends, and/or colleagues; changing one's name and/or sex on legal documents; hormone therapy; hair removal, voice therapy and possibly (although not always) chest and/or genital surgery.

Gender reassignment is also referred to as sex reassignment. In fact, the term gender reassignment is considered by some to be inaccurate, as people with gender dysphoria do not change the gender with which they identify, they change their sexual characteristics to match their gender identity.

Intersex

Intersex is a biological condition that people are born with. Intersex people can have a combination of male and female anatomy; as a result, their biological sex cannot easily be classified as either male or female. Until recently, the medical profession encouraged parents to elect for surgery on their intersex baby so that their child would conform to stereotypical male or female appearances. Subsequently, many intersex people encountered difficulties later in life as the gender prescribed by the medical profession and their parents was different from the gender with which they associate. Today, parents are advised to delay surgery until their child reaches puberty so that the child can inform decision-making. Not all intersex people opt for surgery, and many will consider themselves to be intersex rather than male or female.

In addition, there are a number of sex chromosomal variations which may not produce any visible anatomical variation in a person, and which may not be detected until puberty or even later in life. This can include medical conditions such as Turner's syndrome, Klinefelter's syndrome (XXY syndrome), and mosaicisms whereby half of a person's cells have one form of sex chromosomes and the other half another (eg XX/XY mosaicism).

While trans issues are different from intersex issues, intersex people who had their gender incorrectly prescribed at birth may decide to transition to the gender with which they identify later in life.

Trans

An inclusive term for those who identify themselves as transgender, transsexual or transvestite. The term 'trans' can be used without offence but should only be used as an adjective, for example 'a trans student'.

Trans man – a person who is transitioning, or has transitioned from female to male. The term female-to-male (or FTM) is a medical term indicating the direction of a person’s transition and may occasionally be used to describe a trans man.

Trans woman – a person who is transitioning, or has transitioned from male to female. The term male-to-female (or MTF) is a medical term indicating the direction of a person’s transition and may occasionally be used to describe a trans woman.

Transgender

An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. The term may include, but is not limited to, transsexual people and those who see themselves as not clearly fitting into a male or female identity. Transgender people may or may not alter their bodies hormonally and/or surgically. The term transgender should only be used as an adjective, for example, ‘transgender people’.

Transitioning

Transitioning is the term used to describe someone changing from one gender to another, with or without medical intervention.

Transphobia

Transphobia is a term used to describe discrimination that can be experienced by trans people, which arises as a result of their expression of their gender identity (see Gender).

Transsexual person

A transsexual person is someone who feels a consistent and overwhelming desire to transition to their preferred gender. Someone in this position will have the medical condition gender dysphoria. This term should only be used as an adjective; individuals should be referred to as ‘transsexual people’ not ‘transsexuals’.

Transvestite or cross-dresser

The terms transvestite and cross-dresser refer to someone who dresses in the clothing typically worn by the opposite sex. Generally, people who are transvestites/cross-dressers do not wish to alter their body and do not necessarily experience gender dysphoria.

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