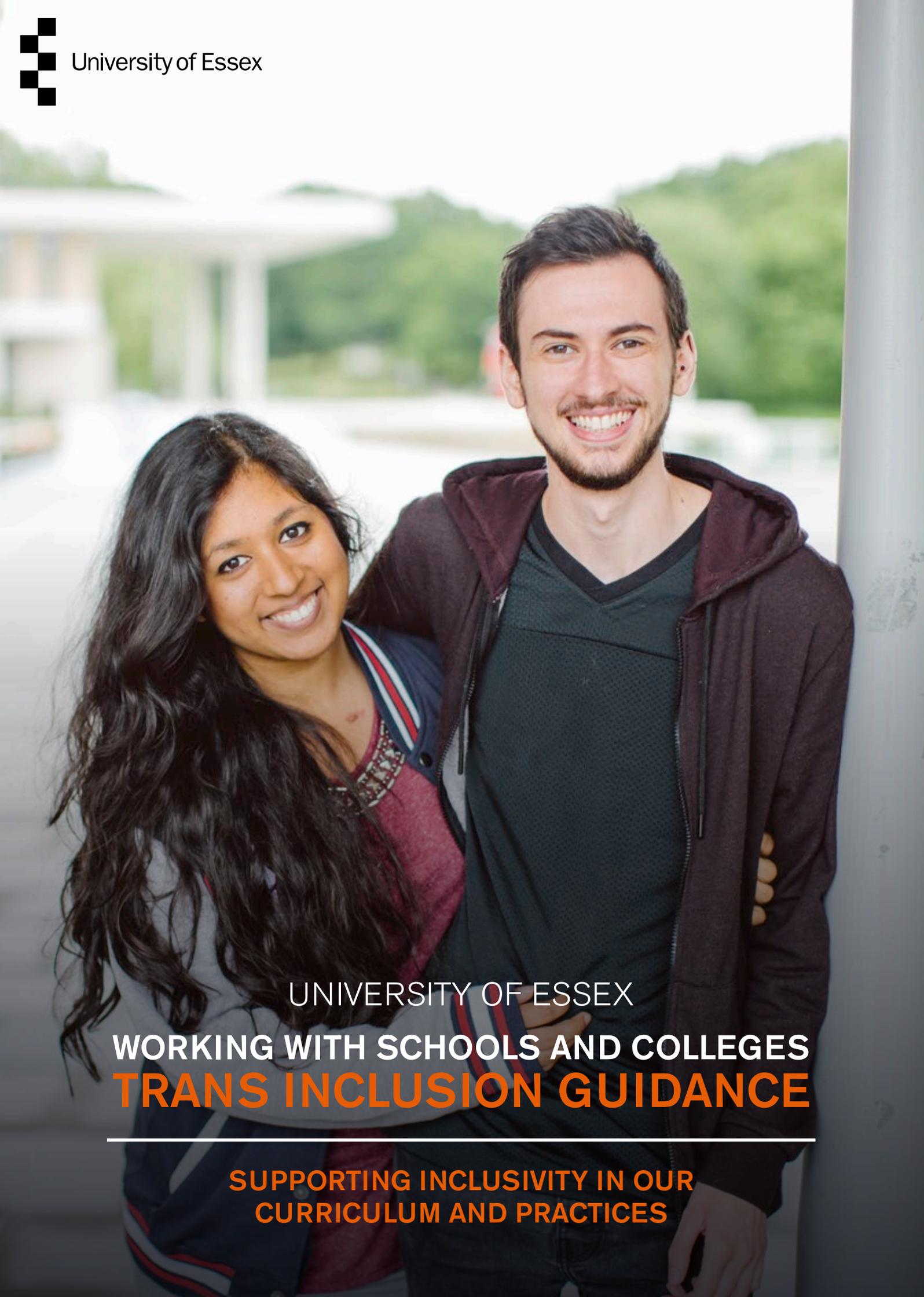


University of Essex



UNIVERSITY OF ESSEX

WORKING WITH SCHOOLS AND COLLEGES  
**TRANS INCLUSION GUIDANCE**

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**SUPPORTING INCLUSIVITY IN OUR  
CURRICULUM AND PRACTICES**

## i FOREWORDS

One of the University's core values is 'commitment to inclusivity'. This is reflected in our **People Supporting Strategy**, which sets out how we aim to build the knowledge, understanding and commitment to equality and diversity of all members of the University community and promote a culture in which equality and diversity is celebrated.

This guidance supports the University's equality and diversity aims by providing a structured source of support for schools liaison staff in the implementation of an inclusive approach to the delivery of their activities. It also makes clear to a wider audience that we take seriously our responsibility to foster an inclusive and diverse environment for studying, working and living and that we have a zero tolerance approach to harassment and bullying.

Trans people face distinct challenges, which differ significantly from those faced by people with other protected characteristics, which is why this guide is so important and I believe it will go a long way in helping young trans people and those questioning their gender identity to feel accepted without exception.



**Karen Bush**  
Head of Equality and Diversity

I am delighted that this guidance document has been produced. We believe that aspirations will only be raised when individual needs are being met in a safe and secure environment. Therefore, it is really important that all individuals participating in our outreach and recruitment activities feel safe and supported. As a result, the purpose of this guide is to develop our approach to trans inclusion, in order to ensure that all individuals feel welcome and enjoy the time spent engaging with our activities. Moreover, we hope that this approach will inspire those working with schools and colleges, to be role models for trans inclusion and acceptance.



**Lucy Murray**  
Director of Admissions and Access

## ii ACKNOWLEDGEMENTS

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# SECTION 1

## DEVELOPING UNDERSTANDING OF TRANS AND GENDER QUESTIONING PEOPLE

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Throughout this guidance document, the term 'trans' is used to refer to anyone who feels that their gender identity differs from their sex assigned at birth. Whilst this is widely thought to be acceptable, it is important to note that individuals should be given the opportunity to describe themselves rather than have a label ascribed to them. Moreover, when working with young people it is not uncommon to find that they might question their gender identity. There are a range of reasons for this, which could mean that an individual does not go on to identify as trans or transition. With that in mind, you should be aware that not all people who identify as trans decide to transition or undergo gender reassignment. This is an entirely personal decision that any trans person should not be questioned about.

### 1.1 DEFINITIONS

Alongside these definitions, we encourage you to read the [Stonewall Glossary of Terms](#)

**Agender:** refers to a neutral gender identity whereby the person does not feel male or female. This term literally translates to 'without gender.'

**Ally:** A (typically) straight and/or cis person who supports members of the LGBT community.

**Androgynous:** is a person who identifies with a gender that is simultaneously masculine and feminine.

**Assigned gender:** this refers to the gender a person is assigned at birth, usually according to their biological sex.

**Bigender:** refers to a gender identity whereby a person identifies with two genders. This can be simultaneously or to a varying degree between both genders.

**Biological sex:** is a person's anatomy as male, female or intersex; referring to, for example, chromosomal make-up, internal sex organs, external genitalia and hormones.

**Cisgender person:** is a person whose gender identity is the same as their biological sex, which is assigned at birth.

**Coming out:** the first time a person tells someone else about their gender identity.

**Cross-dresser:** a person who enjoys wearing items of clothing and other accoutrements that are typically associated with a gender that differs to their biological sex, or that which they were assigned at birth.

**Culturally specific gender identity:** often referred to as 'third gender,' this is a term used to recognise any societal or legal reorganisation of the usual gender binary such as can be found in cultures in Nepal, India, Pakistan, Bangladesh, Germany, New Zealand and Australia.

**Deadnaming:** Calling someone, typically a trans person, by their birth name after they have changed their name, often deliberately.

**Demigender:** refers to a gender identity whereby the person partially identifies with a particular gender.

**Gender Recognition Certificate (GRC):** this can be issued to persons 18+ and allows trans people to be legally recognised in their self-identified gender. They will also be issued with a new birth certificate. Not all trans people will apply for a GRC and it is not needed to change gender at work, or on legal documents such as a passport.

**Gender dysphoria:** is a condition whereby a person feels psychological discomfort and often distress, because their internal gender identity differs from their biological sex and the gender assigned at birth.

**Gender fluid:** refers to a gender identity that has the capacity to change over time.

**Gender identity:** is a person's internal, unique sense of their own gender, whether this is male, female, non-binary or another alternative.

**Gender reassignment therapy:** the medical procedures undertaken in order to alter a transgender person's physical appearance and function of their existing sexual characteristics (this can be internal and external) in order to resemble that of their gender identity. This can include hormone replacement therapy and surgery.

**Intersex:** is a general term used to describe a variety of conditions whereby a person is born with a reproductive or sexual anatomy that does not fit the typical definitions of female or male. For example, a person might appear to be male or female according to their genitalia, but have internal sex organs typical of the opposite sex. Alternatively, someone's biological sex might be unclear. A person may also be born with mosaic genetics, in which case some of their cells will have XX chromosomes and some of them will have XY.

**Non-binary:** (sometimes referred to as gender-queer, although this can be seen as an insult) – is an umbrella term used to describe a person who does not identify with the male or female gender binary. This includes, but is not limited to, an androgynous gender, agender, bigender, pangender, gender fluid, demigender, culturally specific gender identity.

**Outed:** when a person's gender identity is disclosed without their consent.

**Pangender:** refers to a gender identity whereby a person identifies with a multitude, and perhaps infinite (going beyond the current knowledge of genders) number of genders either simultaneously, to varying degrees, or over the course of time.

**Pronoun:** These are the words we use in conversation to refer to a person's gender, such as 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language by using pronouns such as they/their and ze/zir.

**Queer:** In the past this has been used as a derogatory term for LGBT individuals. Although still viewed to be derogatory by some, the term is now used to describe young people in particular, who don't identify with the traditional categories associated with gender identity and sexual orientation.

**Questioning:** The process of exploring your own sexual orientation and/or gender identity.

**Transgender man:** is a person who identifies as male but was assigned a female gender at birth due to their biological sex. This could be shorted to trans man, or FTM, which is an abbreviation for female-to-male.

**Transgender or trans person:** is an umbrella term used to describe a person whose gender is not the same as, or does not sit comfortably with, their biological sex or the gender they were assigned at birth. Some transgender people might describe themselves using one, or even several, of a variety of terms including, but not limited to, transgender, transsexual, cross-dresser, non-binary, gender-queer.

**Transgender woman:** is a person who identifies as female but was assigned a male gender at birth due to their biological sex. This could be shorted to trans woman, or MTF, which is an abbreviation for male-to-female.

**Transition:** the process of changing the outward appearance of gender in order to match the internal, gender identity. This can include gender reassignment therapy, although not all people decide this is right for them.

**Transphobia:** a social construct that describes a prejudice against those who identify as trans. To be transphobic is to hold or express prejudicial views against trans people.

**Transsexual:** in the past, this term was used to describe a person who had transitioned to living and identifying with a gender different to that which was assigned at birth. This was typically a medical term and although still used by some, many prefer trans or transgender.

## 1.2 GENDER IDENTITY AND SEXUAL ORIENTATION

As outlined in section 1.1, gender identity refers to a person's unique and internal sense of self, as well as how a person chooses to express this. Gender identity is therefore understood as an entirely different construct to sexual orientation. As such, sexual orientation refers to a person's sexual identity in terms of who they are attracted to.

With that in mind, trans people, just like cisgender people, can identify with a range of sexual orientations. For example, trans women might identify as straight (sexually attracted to men), lesbian (sexually attracted to women), bisexual (sexually attracted to men and women) or asexual (feeling no sexual attraction to anyone). Similarly, trans men might identify as straight (sexually attracted to women), gay (sexually attracted to men), bisexual (sexually attracted to women and men) or asexual (feeling no sexual attraction to anyone). Furthermore, both trans and cisgender people could identify as pansexual, meaning they are sexually attracted to people of all gender identities, including those that do not ascribe to a gender binary.

Both constructs, gender identity and sexual orientation, are complex and may be fluid overtime. However, whilst both are very different, there is often a relationship between transphobia and homophobia (a fear or dislike of gay, lesbian or bisexual people). For example, trans people often experience homophobic and biphobic abuse, whilst lesbian, gay and bisexual people often face discrimination based on their gender presentation. Consequently, it is very important to understand the differences between gender identity and sexual orientation, whilst being aware that transphobia, homophobia and biphobia could present individually or simultaneously, and perhaps unexpectedly or where it seems to be out of context.



# SECTION 2

## LEGAL CONTEXT

### 2.1 LEGAL CONTEXT

In order to raise aspirations, highlight the benefits of higher education and encourage progression, the University of Essex Outreach and student recruitment teams work closely with students from schools and colleges. It is therefore appropriate to follow the same guidance given to schools under The Equality Act (2010), which states that schools must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

Furthermore, the Act refers to the following nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

#### **The Equality Act (2010) defines gender reassignment as applying to:**

*'...anyone who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex.'*

Under this definition then, a student does not necessarily have to be undertaking medical procedures to change their gender in order to be protected. Students undertaking a social transition, such as by changing their name, pronoun or dress-sense, are protected by The Equality Act (2010).

As a result, The Equality Act (2010) protects staff and students from discrimination in schools because of gender reassignment. This means that it is against the law for schools to treat students unfairly due to their gender reassignment. Moreover, schools will have to account for gender reassignment when considering their obligations under the new Equality Duty.

By extension, all school and college activities are thus subject to the same Equality Duty. The needs of those who are protected under The Equality Act (2010) should be considered during the planning, delivery and follow-up of such activities.

In addition, the University is committed to going above and beyond the law, to foster inclusivity for all individuals under the trans umbrella. We therefore commit to these terms for those who are not currently protected by law, such as non-binary or gender fluid people.

### 2.2 SAFEGUARDING

Child protection and safeguarding laws do not differ in the case of trans children, young people and vulnerable adults. Thus, there is no prescribed safeguarding practice that is specific to trans children, young people and vulnerable adults, aside from what is in place to keep all children, young people and vulnerable adults safe. Usual child protection and safeguarding laws should therefore be upheld to the highest degree when planning, delivering and following-up on school and college activities.

In addition, those working with schools and colleges should be aware of the following signs, which indicate that a trans person might need additional support:

- Lack of concentration
- Poor educational performance
- Total immersion in school work
- Reluctance to use public toilets
- Reluctance to participate in physical exercise, especially if it is strongly associated to the assigned birth gender
- Reluctance to use public showers and changing rooms
- Often at the receiving end of bullying, sometimes severe, often homophobic bullying
- Few friends
- Signs of self-harm
- Signs of depression
- Signs of an eating disorder
- Truancy
- Sickness and absenteeism

A trans person should never be 'outed', as this can be distressing. However, it is acceptable for you to confidentially discuss concerns about a trans person with a University of Essex designated safeguarding officer. The safeguarding officer will then decide if it is necessary to pass the concerns to a parent/carer and/or teacher.



## 2.3 DISCLOSURE

The experience of Gender Dysphoria is often psychologically distressing, so it is important that disclosures, especially if they are first-time disclosures, are taken seriously. The reaction to a disclosure can be remembered by a person for years to come and could even play a part in enhancing any distressing feelings the person already has.

### 2.3.1 Personal disclosure

Aside from upholding the usual safeguarding practices in instances where individuals appear to be at risk, if a person discloses an experience of gender dysphoria or a transgender identity to you during an activity, you should:

- Take the comments seriously
- Ask the person if they have told anyone else about the disclosure
- Explain the issue of confidentiality with regards to their disclosure
- If there are signs of self-harm or distress, advise the person that you will have to share their disclosure
- Ask the person how you can help them
- Ask questions in a sensitive and gentle manner
- Reassure the person that their feelings are valid
- Reassure the person that you are pleased they are able to talk to you about how they feel
- Try to be positive and somewhat 'matter of fact'
- Do not act surprised or make a big deal of the disclosure

As previously mentioned, a trans person should never be 'outed', as this can cause increased levels of distress. However, it is okay for you to talk confidentially with a University of Essex designated safeguarding officer if a person has disclosed a transgender identity to you. Safeguarding officers are trained to handle sensitive issues and situations; they will not breach any codes of conduct. Ensure you tell the officer everything you can about the disclosure and they will decide if it is necessary to pass the information on to a parent/carer and/or teacher.

### 2.3.2 Second-hand disclosure

When working with school or college students, it is possible that another person might 'out' a trans person or confidentially disclose some worries about a trans person close to them, be that a friend, relative or loved one. In such instances, you should:

- Take the comments seriously
- Do not act surprised or make a big deal out of the disclosure
- Ask the person how you can help them
- Try to be positive and somewhat 'matter of fact'
- Ask the person if their friend/relative/loved one has told anyone else about the disclosure
- Ask the person if their friend/relative/loved one knows that they are talking to you
- Explain the issue of confidentiality
- If there are concerns that the trans person might be self-harming or distressed, advise the person that you will have to share their concerns
- Ask questions in a sensitive and gentle manner
- Reassure the person that their feelings are valid
- Reassure the person that you are pleased they are able to talk to you about their concerns
- If the person has 'outed' the trans person, calmly remind them that it is not okay to discuss someone else's private issues and move the subject on
- If the trans person has witnessed the 'outing', check that they are okay in a calm and collected manner; do not act as if the disclosure is a shock or is unusual

If there are concerns for the welfare of the trans person discussed, it is okay for you to talk confidentially with a University of Essex designated safeguarding officer. Safeguarding officers are trained to handle sensitive issues and situations; they will not breach any codes of conduct. Ensure you tell the officer everything you can about the concerns and they will decide if it is necessary to pass the information on to a parent/carer and/or teacher.



# SECTION 3

## MANAGING SPECIFIC ISSUES FOR TRANS AND GENDER QUESTIONING PEOPLE DURING SCHOOL AND/OR COLLEGE ACTIVITIES

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### 3.1 NAMES AND PRONOUNS

A trans person may wish to change their name or pronoun so that it is in line with their gender identity, rather than their biological sex or assigned gender. There is no requirement for changes to be made by deed poll in order for such requests to be valid; it is a trans person's right to be referred to in a manner they find agreeable. Respecting a person's request to change their name and/or pronoun to those they feel are correct, is an important part of supporting gender identity. It is thus important to refer to a person by the name that they introduce themselves with. Preferred pronouns should also be used consistently in order to protect a person's confidentiality and not to 'out' them in ways that might be unsafe, distressing or exposing. Those who identify as non-binary might prefer pronouns such as them/they/their or zie and hir. If you are unsure of a person's preferred pronoun you may ask them in a discrete and respectful manner. Alternatively, refer to the person by their preferred name.

### 3.2 COLLECTING PERSONAL DATA FOR TRACKING, MONITORING, EVALUATION AND RESEARCH

It is currently understood that, unless a trans person's birth certificate/legal gender is changed by way of Gender Recognition Certificate, the gender on school records has to remain the same as that which was registered at the time a Unique Pupil Number (UPN) was assigned. This is because all of the DfE analysis for that school would be based on the individual's assigned gender. Exam results are also linked to a UPN or Unique Learner Number (ULN), which are only linked with legal names, not preferred names. In order to use a chosen or preferred name on an exam document, a student will need to have changed their name by deed poll.

Therefore, when collecting data to be recorded on the Higher Education Access Tracker (HEAT) database or the Customer Relationship Management (CRM) database, birth name and gender, as well as preferred name and gender, should be sought.

In the event that a student must self-consent to data sharing, this could be a potential source of distress for a trans student. Care should be taken to minimise any distress by discussing with the school that students will be asked to self-consent to data sharing, which might be upsetting for trans students. In instances where schools are aware of a trans student's gender identity, this should not be disclosed to university staff without that person's permission. Instead, a member of school staff who is trusted by the student should discuss the prospect of data sharing with them. The trans student should be allowed to decide whether they would like to share their information in a safe one-to-one environment prior to participating in the activity, during the activity along with other participating students, or not at all. It should be clear that it is not compulsory to share this information in order to engage in an activity and that sharing the information in no way invalidates their chosen identity. No trans student should be asked for this data without prior warning or by someone they do not know or do not trust.



### 3.3 CONFIDENTIALITY AND DATA SHARING

All people have a right to privacy. This includes the right to keeping gender identity private during university-led activities.

Information about a trans student's status, legal name, or assigned gender might also constitute confidential medical information. Staff should not disclose information that might reveal a trans student's gender identity to others, including parents, carers, teachers and other members of staff, unless legally required to do so or because the trans person has asked them to do so. When handling a trans student's data for HEAT or CRM, this should be managed by as few staff as possible. All copies, hard and/or electronic, will be stored in a secure location with minimal access.

Staff should not discuss trans students with other members of staff, or outside of work with friends and family, even if making no particular reference to personal details such as a name or school. The trans community is such a small one that even casual reference to a student could result in 'outing' that person or compromising their confidentiality. The only instance in which a trans student can be discussed without their consent is if there is a safeguarding concern, in which case, concerns should be passed to a designated University of Essex safeguarding officer.

When contacting the parent, carer or teacher of a trans or gender questioning student, staff should use the student's preferred name and pronoun unless the student, parent, carer or teacher has specified otherwise.

### 3.4 WORKING WITH PARENTS AND CARERS

When working with parents and carers, university staff should bear in mind that, similarly to schools, they are representing the interests of the student. As far as possible, the staff should take care to ensure that the wishes of the individual student are taken into account, with a view of supporting the school and any potential transition the student might be undertaking. In instances where parents or carers do not support their child's wish to express their gender identity during university-led activities, advice should initially be sought from the student's school.

University staff are not permitted to share confidential information with the parents or carers of trans students without the student's permission, unless for safeguarding purposes.

### 3.5 TOILETS

All people have the right to use the toilet that corresponds to their gender identity, including those who participate in university-led activities. Any person who has a need for increased privacy should be allowed access to a single stall toilet; however, no person should be required to use it.

When participating in on-campus activities, students should always have access to single stall toilets. In some areas of the University, unisex toilets are also available. Prior to an event, university staff should inform school staff that trans students should be notified that they may ask student ambassadors, or members of school staff also attending, to accompany them to the toilets if this helps to make them feel safe when using the facilities.

When participating in in-school university-led activities, schools are responsible for providing appropriate toilet facilities that accommodate the needs of trans students.

### 3.6 RESIDENTIAL TRIPS

A degree of discretion, care and individual consideration should be taken to enable trans students to participate in residential activities, such as summer school.

As far as possible, trans students should be able to sleep in flats or houses appropriate to their gender identity. In cases where they do not wish to do so, alternative arrangements, such as a gender neutral space, should be offered. Such decisions should be reached by discussing the needs of trans students with the student themselves, as well as with parents or carers. Where possible and if necessary, during residential activities trans students should be supervised by student ambassadors and/or university staff of the same gender identity or the same gender as that which the trans student identifies with.

The degree to which a trans student feels comfortable participating in physical activities should also be discussed with them and their parents or carers prior to a residential experience. For example, young trans men who are binding their breasts can feel great discomfort during physical activities and might therefore wish to opt out. In such cases, a more appropriate alternative activity should be arranged for that student. Risk assessments should be conducted prior to residential activities in order to make reasonable adjustments which would enable the participation of trans students.

Objections to the inclusion of trans students or proposed sleeping arrangements, which may come from other students' parents, or other students themselves, should be discussed with those raising the concern. If necessary, alternative arrangements can be made for the objecting student, but the decision of where a trans person should sleep, or how and when a trans person should participate in an activity, should never be based on another person's prejudice or transphobia.

### 3.7 DISCRIMINATION

The Equality Act (2010) ensures legal protection against the unjust or prejudicial treatment (direct or indirect) of different categories of people in employment and education, as well as the provision of services and the delivery of public functions. Previously mentioned in section 2.1, gender reassignment is one of the nine protected characteristics in the Act. Despite this, however, Metro Youth Chances (2014) found that 32% of the 956 trans young people surveyed had reportedly missed lessons due to discrimination or fear of discrimination. It is evident, then, that the university stance on discrimination must be clear in order to foster a welcoming and inclusive environment for trans people.

At all times, those working with school and college students should aim to eliminate unlawful discrimination, harassment and victimisation of trans people. Moreover, they should advance equality of opportunity and foster good relations within and between trans and cisgendered people. This is also relevant to those who are not protected by law, such as non-binary and/or gender fluid people.

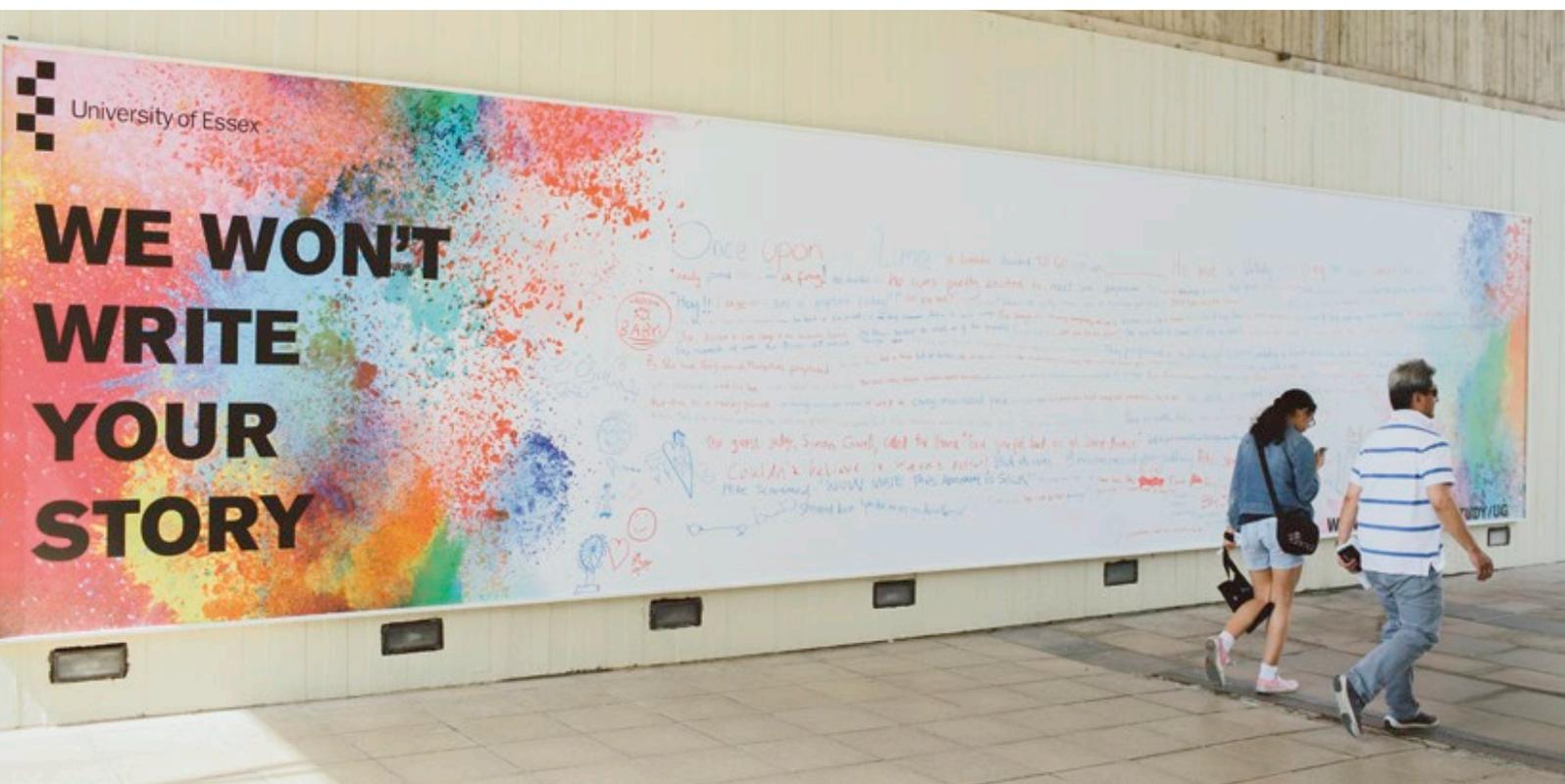
Unlike most protected characteristics in the Act (e.g. sex, race, religion), but similar to disability, the protection of gender reassignment is directional. In other words, being cisgendered is not a protected characteristic. Thus, in order to advance equality of opportunity and foster good relations, the Outreach and Student Recruitment Teams are lawfully free to take special steps to meet the needs of trans students without being accused of discriminating against cisgender students.

### 3.8 TRANSPHOBIC BULLYING AND INCIDENTS

Metro Youth Chances (2014) reported that 83% of trans young people had experienced name-calling, whilst 35% had experienced physical attacks. Moreover, trans students have reported that they are subject to targeted bullying in schools (LGBT Excellence Centre, 2012) and appear to be at risk of dropping out of school due to these experiences. Trans students are therefore a particularly vulnerable group and, as a result, they often leave school much earlier than their cisgendered peers and will thus be less likely to pursue higher education studies. As such, it is of utmost importance that those working with school and college students are fully aware of the signs of transphobic bullying and are dedicated to fostering good relations between students, teachers and themselves.

Whilst some transphobic bullying might be direct and obvious (e.g. deliberately referring to the person according to their assigned gender rather than their gender identity), as mentioned in section 1.2, other instances might be less obvious. For example, someone whose gender presentation appears different to their biological sex could be vulnerable to homophobic or sexist and sexual bullying. A trans boy might be assumed to be a masculine appearing girl and be called homophobic names like 'lezza' or 'dyke'. Similarly, a trans girl could be subject to homophobic and sexist name-calling, such as 'sissy' and 'poof'. Direct or indirect transphobic incidents should not be tolerated during any university-led activity. Such behaviour should be challenged in a sensitive and appropriate manner so as not to cause the trans person any increased distress. Details of such instances, including names, dates and times, should be recorded and passed to an appropriate school contact.

It should be understood that the University of Essex has a zero tolerance approach to bullying, so those working with school and college students should uphold this by liaising with schools to promote trans inclusion and eliminate transphobic bullying incidents.



# SECTION 4

## APPENDIX 1: USEFUL RESOURCES

### 4.1 POLICIES AND GUIDANCE

- [University of Essex LGBT+ Toolkit.](#)
- [Trans Inclusion Schools Toolkit: Supporting transgender and gender questioning children and young people in East Sussex schools and colleges.](#)
- [Guidance for schools on preventing and responding to sexist, sexual and transphobic bullying.](#)
- [A guide to supporting trans children and young people.](#)

### 4.2 WEBSITES

#### [www.mermaidsuk.org.uk](http://www.mermaidsuk.org.uk)

Mermaids is a support service for young people with gender identity issues and their families, as well as children with trans parents.

#### [www.stonewall.org.uk](http://www.stonewall.org.uk)

Stonewall is a global organisation offering support to the LGBT community.

#### [www.gendertrust.org.uk](http://www.gendertrust.org.uk)

The Gender Trust provides an information centre for anyone with any question or problem concerning their gender identity, or whose loved one is struggling with gender identity issues.

#### [www.gires.org.uk](http://www.gires.org.uk)

The Gender Identity and Research Society provides information and trans awareness training for trans people, their families and the professionals who care for them. This includes guidance on combating transphobic bullying.

#### [www.transstudent.org](http://www.transstudent.org)

Trans Student Educational Resources is a youth-led organisation dedicated to changing the educational environment for trans students by supplying trans resources that advocate change in schools and beyond.



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