

Trans and Non-Binary Employee Inclusion Policy

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This policy will be reviewed annually to ensure compliance with changes in employment law, equality legislation, language and best practice in regard to trans and non-binary inclusion. in the event that this policy or procedure is not compliant, the relevant legislation shall prevail.

Changes to this policy will be subject to consultation and agreement with the University's recognised Trade Unions before implementation

Table of Contents

1. Introduction to the Policy	3
2. Definitions.....	3
3. Policy Aims and Objectives	4
4. Scope.....	4
5. The Legal Framework.....	4
Equality Act 2010	4
Gender Reassignment Regulations 1999	5
Gender Recognition Act 2004	5
Data Protection Act 1998.....	5
Human Rights Act 1998.....	5
6. Roles and responsibilities.....	5
Transitioning Employees.....	5
7. Employee Leave of absence.....	8
8. Contacts for Additional Support	8
External information, advice, and support	8
Specialist Trans Support Services.....	9
9. Creating a Workplace Transition Plan.....	9
How should we inform colleagues of a trans person’s plan to transition?	10
How should we respond to a request for name and title changes?.....	10
How should we respond to requests for time off for medical treatment?	10
10. Guidance for Individuals Applying to Work at the University.....	10
Appendix A - Full Glossary of Terms	11
Appendix B - Workplace Transition Plan.....	14
Appendix C - Frequently Asked Questions.....	16
Appendix D - Pensions	18
Appendix E - Records and Documents which may need to be changed.....	19
Appendix F – Genuine Occupational Qualifications	20

1. Introduction to the Policy

At Brunel University London, we aim to promote equality, diversity and inclusive practice throughout the campus environment and in the experiences we offer to the University community. We are committed to creating a trans-friendly culture and learning environment, free from discrimination, harassment or victimisation, where all transgender and non-binary students and employees are treated with dignity and respect in the gender in which they choose to present themselves.

Building a culture and community that is kind, committed to fairness and open to change centres on providing accessible and inclusive policies and actions to ensure all prospective and current students and employees feel welcome, safe and respected.

Rebecca Lingwood, Provost, Brunel University London

2. Definitions

We have adopted the definitions from [Stonewalls Glossary of Terms](#)

TRANS

An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, Trans masculine, Trans feminine and neutrois.

NON-BINARY

An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

TRANSITIONING

The steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.

3. Policy Aims and Objectives

The purpose of this policy is to assist in maintaining a healthy working environment for all employees. In particular, it sets out:

- the University's duty and commitment to providing a supportive environment for employees who wish it to be known that they are trans. It is the right of the individual to choose whether they wish to be open about their gender identity in the University;
- employees who are going through the process of transitioning will be supported by the University to ensure that their needs are met during this period.;
- employees who have indicated a wish to live in a gender other than their sex at birth (whether or not medical supervision or surgery is either involved or contemplated);
- Employees will not be excluded from employment or promotion because of their gender identity, trans history, or because they are transitioning. Further details can be found on the University's website <https://intra.brunel.ac.uk/s/hr/for-managers/Pages/default.aspx>
- respect for the confidentiality of trans and non-binary employees and students and that no information will be revealed without the prior agreement of the individual;
- transphobic abuse, harassment or bullying (e.g. name calling, derogatory jokes, unacceptable or unwanted behaviour, intrusive questions, hate crime) is treated seriously and may be subject to disciplinary proceedings in accordance with the University's [Disciplinary Policy and Procedure](#).

<https://intra.brunel.ac.uk/s/hr/Pages/HR-Team.aspx>

4. Scope

The trans and non-binary inclusion policy applies to all employees, workers and contractors working with the University.

5. The Legal Framework

There are various key pieces of legislation that govern this area of equality and protect trans people against unlawful discrimination:

Equality Act 2010

Gender reassignment (gender identity and gender expression) is one of nine protected characteristics within the Equality Act 2010. The definition of gender reassignment within the Act gives protection from direct and indirect discrimination, harassment and victimisation to trans employees at any and all stages of the transition.

The Act protects:

- trans people who are not under medical supervision;
- people who experience discrimination because they are perceived to be trans or non-binary;
- people who experience discrimination by association because of gender identity and gender expression.

In addition to the [Equality Act 2010](#) other legislation that governs this area of equality are:

Gender Reassignment Regulations 1999

This protects a trans person who is intending to undergo, is undergoing or has undergone the process of transitioning, from the moment of decision to start the process. It is unlawful for a person to be treated less favourably, nor to be harassed because of their trans status or history. Furthermore, no person should be treated less favourably by reason of their absence from study or work while undergoing transitioning. The process of transitioning can involve many steps, including telling family and friends, changing legal documents, and in some cases, medical procedures.

Gender Recognition Act 2004

This certificate allows for official change of identity on documents (e.g., birth certificate) and in processes (e.g., marriage) in their affirmed gender identity. The law does require that an individual has been living in their gender identity for two years, but this does not necessarily mean that the individual has finished the process. The Act makes it unlawful to pass information about a person's trans status to a third person without the consent of the trans person.

Data Protection Act 1998

The above Act specifically protects the data of people relating to their gender identity or trans status. An individual's trans history or status constitute sensitive personal data for the purpose of the legislation and must be processed as such.

General Data Protection Regulation (GDPR)

Specifically protects the data of people relating to their "sexual life" and "sexual orientation" which means you cannot pass on sensitive personal data. Sexual orientation and gender identity are not linked and do not dictate one another.

Human Rights Act 1998

The Human Rights Act provides protection to trans and non-binary people, principally under the right to a private life.

6. Roles and responsibilities

Transitioning Employees

Employees who have decided to transition are encouraged to contact their HR Business Partner in confidence as soon as possible to inform them of the length of time in which they might go about the process of transitioning to ensure that any support can be put in place. Employees will be encouraged to create a workplace transition plan that can then be reviewed by them and

their manager to ensure all practical and support arrangements are in place. The individual transitioning plan is led by the employee throughout the transition process.

Equality, Diversity and Inclusion (EDI) Team

The EDI team can offer support, for example assisting with facilitating meetings between the employee and their manager, advising on transition plans, facilitating meetings with colleagues and providing guidance on equality and diversity issues.

HR Business Partner

The HR Business Partnering team will provide expertise and guidance to ensure that workplace transition plans consider University policies and procedures, legal requirements and best practice as well as assisting the employee and line manager with the implementation of the transition plan and providing coaching and development support and interventions as needed.

Manager

The manager is responsible for ensuring that identified and agreed support is in place and that the workplace transitioning plan is implemented effectively. Managers may take part in an initial meeting with HR if the employee is happy for them to be present. Managers should review the workplace transition plan for all business needs and should set expectations for colleagues' behavior including arranging additional training or intervention if required.

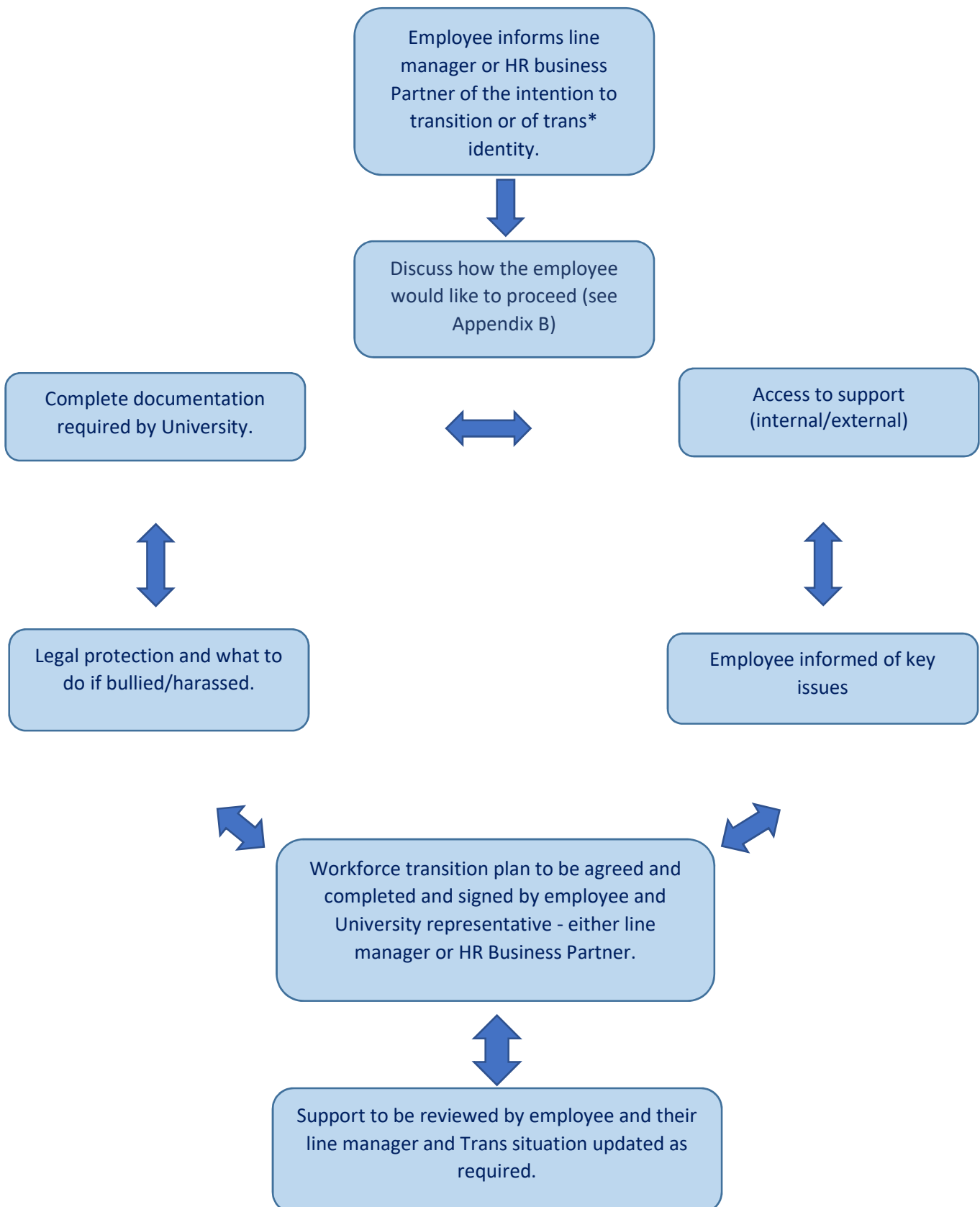
LGBTQ+ Staff network

The LGBTQ+ Staff Network will promote respect, and work with internal and external partners to help engage, empower and develop LGBTQ+ people in the University community. The network can be a great source of support.

Colleagues

Respect is expected to be mutual between all University employees, including the expectation to demonstrate respect for transitioning or trans individuals both in and out of the workplace.

Flowchart for supporting employee transition



7. Employee Leave of absence

We are compassionate and sympathetic at Brunel University London and we understand that everyone's transition experience is different. Brunel provides paid leave to assist employees undergoing a gender transition, including:

- Gender Transition Leave – Employees who are transitioning or are questioning their gender identity can apply for up to 100 hours paid leave at their discretion (this is a one-off leave allocation).

In addition to the Gender Transition Leave other leave policy will be used to support an employee to safely transition at work and this is examined on a case-by-case basis. Employees who are supporting a partner to safely transition will be supported under our compassionate leave policy.

8. Contacts for Additional Support

[The Equality, Diversity and Inclusion Team](#) can be contacted for further information and guidance.

Support is available for individuals through the Employee Assistance Programme – ([EAP](#)) – 0808 168 2143

The University recognises the following [Trade Unions](#):

- GMB
- UCU
- UNISON
- UNITE

External information, advice, and support

The list of useful contacts given below is correct at the time of writing (April 2021). Please check the web for up-to-date contact information. Please note that Brunel University London does not endorse or take responsibility for the information provided by external organisations.

Equality Challenge Unit - provides advice and support for staff on equality and diversity in higher education — ecu.ac.uk/guidance-resources/inclusive-environment/providing-support/trans-people

Equality and Human Rights Commission is the statutory body responsible for protecting, enforcing and promoting equality across nine protected characteristics — age, disability, gender expression and gender identity, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation — equalityhumanrights.com

Specialist Trans Support Services

Gendered Intelligence provides support, training and resources for all those who work with and support trans people as students, pupils, employees, colleagues, or clients; and works extensively in schools, colleges and universities with students and staff offering mentoring, workshops and training — genderedintelligence.co.uk

LGBTQ+ Switchboard provides a one-stop listening service for LGBTQ+ people on the phone, by email and through Instant Messaging – Tel: 0300 330 0630.

Depend offers advice, information and support to all family members, partners, spouses and friends of trans people — depend.org.uk

Transgender Zone is an online resource covering all aspects of transgender issues — transgenderzone.com

Nonbinary inclusion project fights for the inclusion and recognition of non-binary people in law, media and everyday life within the UK — nonbinary.co.uk

Press for Change campaigns to achieve equal civil rights and liberties for all transgender people in the UK through legislation and social change — pfc.org.uk

TranzWiki is a directory of the groups campaigning for, supporting or assisting trans and gender non-conforming individuals, including those who are non-binary and non-gender, as well as their families across the UK — tranzwiki.net

Stonewall helps organisations including HEIs and colleges to recognise the benefits of the perspectives of lesbian, gay, bi and trans people for all employees, service users and members of the community. It is also a campaigning organisation — stonewall.org.

National LGBT Hate Crime Partnership brings together 35 LGBT organisations from across England, Wales and Scotland and is led by the LGBT consortium on behalf of the EHRC. It aims to increase the reporting of homophobic, biphobic and transphobic hate crimes and incidents and improve the support available to those targeted — lgbthatecrime.org.uk

9. Creating a Workplace Transition Plan

The Transitioning employee should create a workplace transition plan as part of the transitioning process. This can be used both to guide the initial conversations and to create a support team to help through the transition. A solid plan can help smooth the transition by reducing uncertainties and giving everyone involved a common roadmap from which to work.

A template plan is available in Appendix B.

How should we inform colleagues of a trans person's plan to transition?

The manager and transitioning employee should discuss and agree how best to inform work colleagues about the transitioning employee's plan to transition. If a person transitioned before joining our organisation, no information about this will be passed on to others unless absolutely necessary, and then only with the permission of the person concerned.

This information cannot be kept secret if a person transitions in the workplace, so careful planning should be undertaken in the run-up to the transition. It may not be necessary to inform the entire workforce and who should be informed and what will be said should be agreed with the transitioning employee. The extent of disclosure, and how it is to be done, is likely to vary depending on how much face-to-face contact the individual has with colleagues and students.

How should we respond to a request for name and title changes?

The transitioning employee is encouraged to discuss with their Line Manager, and to inform Human Resources, how and when their name change is to occur and what practical arrangements are necessary. The University does not insist on employees providing more than a simple signed statement saying that they are changing from the old name and title, to the new one. All changes to the individual's records are managed under the Data Protection Act 1998. Brunel employees have access to the CHIME self-service system that allows employees to update their own personal information, and reduces the need to continually 'out' themselves in order to have information updated.

How should we respond to requests for time off for medical treatment?

Transitioning employees may need time off work to undergo treatment as part of the transitioning process.

We offer paid leave as detailed in section 7 of this policy so that they are able to undergo their treatments associated with transitioning. This does not impact on annual leave entitlement. We would expect them to discuss as far as possible in advance the time away from work that they believe they will need. We follow the normal policy for medical appointments – where possible the line manager should be flexible if an individual needs to rearrange working hours in order to attend additional appointments, for example, electrolysis.

10. Guidance for Individuals Applying to Work at the University

Any disclosure made at any point will be treated with absolute confidentiality, and any reasonable adjustments required should be requested at the earliest opportunity.

- As not all trans people will hold official documentation that is reflective of their affirmed gender identity, the University may need more than one type of official identification which could be a driving licence, passport, birth certificate, a Statutory Declaration or change of name by Deed Poll.
- Applicants who wish to confidentially disclose their trans status during the application process, may do so by contacting the Recruiting Manager or Human Resources Department.

Appendix A - Full Glossary of Terms

This was compiled with support from our LGBTQ+ network and specialist knowledge from the following organisations where further detail can be found for which we are most grateful:

- Equality Challenge Unit – ecu.ac.uk/guidance-resources/inclusive-environment/providing-support/trans-people
- Gendered Intelligence – genderedintelligence.co.uk
- Stonewall — stonewall.org.uk
- National LGBT Hate Crime Partnership — lgbthatecrime.org.uk

It should be noted that language in this area is constantly changing and that it is vital to check with individuals what terminology they feel comfortable with and what they choose to use

AFAB	Acronyms meaning “assigned female at birth” (also designated female at birth or female assigned at birth). No one, whether cis or trans, has a choice in the assignment of sex. This term is preferred to “biological female”, “female bodied”, “natal female”, and “born female”. (Please note that people should not use these acronyms unless the individual has specifically stated that they use the acronym for themselves)
Agender	Pronounced āgender – An umbrella term encompassing many different genders of people who commonly do not have a gender and/or have a gender that they describe as neutral. Many agender people are trans. Because this is a new and quickly-evolving term, it should be used with caution — check a user’s definition of the term before responding or using it.
Ally	A (typically) straight and/or cis person who supports members of the LGBTQ+ community. Members of the LGB community can be allies to trans people. Members of the LGT community can be allies to bi people.
AMAB	Acronym meaning “assigned male at birth” (also designated male at birth or male assigned at birth). No one, whether cis or trans, has a choice in the assignment of sex. This term is preferred to “biological male”, “male bodied”, “natal male/”, and “born male”. (Please note that people should not use these acronyms unless the individual has specifically stated that they use the acronym for themselves)
Cis-gender/ Cis	Someone whose gender identity is the same as their sex at birth.
Deadnaming	Using someone’s birth name rather than a changed preferred name; often referring to misaddressing a trans person after a name-change as part of transition.
Genderqueer	An identity commonly used by people who do not self-identify or express gender within the gender binary. A person who identifies as genderqueer may identify as neither a man nor a woman, may see themselves outside of, or in between the binary gender boxes, or may simply feel restricted by gender labels. Many genderqueer people are cisgender and identify with it as an

	aesthetic. Not everyone who identifies as genderqueer identifies as trans* or non-binary.
Gender-fluid	A changing or “fluid” gender identity
Gender binary	A system of viewing man and woman as two opposite categories, in which no other possibilities are believed to exist. This system is oppressive to anyone who defies the sex assigned at birth, but particularly those who are gender-variant, or are intersex.
Gender dysphoria	Used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn’t feel comfortable with the sex they were assigned at birth.
Gender expression	A person’s outward expression of gender identity, within the context of societal expectations of gender. A person who does not confirm to societal expectations of gender may not, however, identify as trans.
Gender identity	A person’s innate sense of gender self-knowledge, whether man or woman, or something else (see non-binary below), which may or may not correspond to their sex.
Gender Recognition Certificate	This enables trans people to be recognized legally in the affirmed gender, and to be issued with a revised birth certificate in the new gender. The certificate is not needed to change gender markers in work or study environments, or to change gender on other legal documents, such as a passport. The certificate is only available to those over 18 years old.
Gender variant	An individual’s behavior or gender expression by an individual that does not match masculine and feminine gender norms.
Intersex	A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female or non-binary.
Medical transition	May include hormone replacement therapy (HRT) and/or gender reassignment surgeries. For a transman, this may include Phalloplasty (lower surgery), breast reduction (top surgery) and hysterectomy. For a transwoman, this may include breast augmentation, orchiectomy (removal of testes), tracheal shaving (removal of Adam’s apple), facial feminisation surgery and penile inversion vaginoplasty (creation of a vagina by inverting penile skin).
Non-binary	An umbrella term for people whose gender identity doesn’t sit comfortably with ‘man’ or ‘woman’. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.
Out	To disclose gender identity or sexual orientation without the subject’s consent: this negative action often causes distress and may be considered abusive.
Passing	If someone is regarded, at a glance, to be a cisgender man or cisgender woman.
Pronoun	Words we use for people’s gender – for example, ‘he’ or ‘she’. Some people may prefer others to use them in gender neutral language and use pronouns such as they/their and ze/zir.
Queer	In current usage, the term is used by LGBTQ+ individuals who do not identify

	with traditional categories of gender identity and/or sexual orientation. However, the term is still associated by some with the previous derogatory connotations.
Questioning	The process of exploring an individual's own sexual orientation and/or gender identity.
Social transition	May include coming out to friends and family as transgender; asking people to use pronouns (he/him, she/her, they/them) that match gender identity; going by a different name; dressing/grooming in ways that match gender identity.
Stealth	Desisting from being openly transgender in all, or almost all, social situations. Some transgender persons who can consistently pass in society choose stealth.
Trans	An umbrella term to describe people whose gender is not the same as, or does not sit with, their sex at birth. There is a wide variety of terms used by trans people to describe themselves including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, two-spirit, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.
Trans feminine	A person who identifies with femininity rather than masculinity but does not want to be defined as wholly woman.
Transgender	A person whose gender differs from their sex at birth — that written on their birth certificate. Gender can refer to one's own, internal sense of being a man or woman, or another type that doesn't fit either category.
Trans masculine	A person who identifies with masculinity rather than femininity but does not want to be defined as wholly man.
Transphobia	Fear, disgust, violence or discomfort of someone on the grounds of trans status, including denial or refusal to accept professed gender identity.
Transsexual	This was used in the past as a more medical term (similarly to homosexual) to refer to someone whose gender is not the same as, or does not sit comfortably with, the sex assigned at birth. This term is still used by some, although many people prefer the term trans* or transgender.
Trans man	A term used to describe someone who is female at birth but identifies and lives as a man. The same meaning as FTM, an abbreviation for female-to-male.
Trans woman	A term used to describe someone who is male at birth but identifies and lives as a woman. The same meaning as MTF, an abbreviation for male-to-female.
Trigender	A gender identity which can be literally translated as 'three genders' or 'triple gender'. Trigender people experience exactly three gender identities, either simultaneously or varying between them. These three gender identities can be a man or a woman and/or any non-binary identities.

Appendix B - Workplace Transition Plan

A Workforce Transitioning Plan will help the University to work with the transitioning employee to ensure a smooth transition at work. The plan does not represent a binding and unchangeable arrangement, but rather a commitment by the University to engage with, and support, the employee with their transition at all stages. A flexible plan can help smooth the transition by reducing uncertainties and giving everyone involved a common roadmap from which to work from.

Discussions about the workplace transition plan will be handled sensitively and confidentially and managers will listen to any suggestions and consider any possibilities – with the aim of agreeing an arrangement that will help the employee to feel comfortable in the workplace. Human Resources are available to assist with these discussions and the development of the Plan as required. Please note that this should always be led by the transitioning employee.

The plan should be reviewed at least every three months and can be reassessed at each significant stage of the process. If necessary, the employee can ask at any time that the plan be reviewed at an earlier point in time.

Key questions and steps to take:

- What is the likely timetable for the transition and any key dates? In particular, when will the employee begin their gender presentation in a different manner, (their workplace transition date)?
 - Create a timeline
 - Define your transition milestone
- Who are all the people at the University the employee may need to engage during the transition?
- When do they need to be engaged?
- Does the staff member give their permission for information to be shared with these people?
- Are there any specific issues that need to be addressed sooner rather than later?
- Consider what information needs to be updated by the workplace transition date to reflect the staff member's identity? Who will be responsible for arranging these changes?
For example:

- a) Employment records (held by HR)
- b) All Core University Systems and Databases e.g., CHIME
- c) Email and telephone systems
- d) University I.D. cards*
- e) Gym membership cards
- f) Staff contact lists
- g) Office door names
- h) Intranet and internet references to the staff member*

- i) Course handbooks*
- j) Any information provided to students
- k) Prospectuses
- l) Membership lists of groups and committees where this includes photos of the member of staff, these may need to be updated at a later stage and/or on more than one occasion as the person's appearance changes.

Considerations

- Which changes need to be made to capture information (e.g., getting a security badge photo, tax forms, benefits paperwork, name changes, company directory, etc.).
- Estimate how long these normally take and when can the change process begin?
- Do a search for your name on our internal sites. Create a list of which sites need to be altered or removed?
- Decide how existing hard copy documents that cannot be changed are to be stored, and only accessible to named people, under specific circumstances.
- Determine if you will need to re-apply for or change any professional certifications?
- Discuss with your manager and HR business partner how and when should your colleagues be informed.
- Think about which discussions you prefer to lead (if any) and what are your expectations of your manager.
- HR discussions about insurance, pensions etc.

Appendix C - Frequently Asked Questions

‘I wish to transition, who do I need to contact first for support?’

Although some individuals may identify as a trans-man or trans-woman, many identify with simply woman or man or non-binary.

If you wish to transition, please contact your line manager or a Human Resources colleague in the Equality, Diversity and Inclusion Team or Business Partner Team

Where can I get confidential advice around transitioning?

Equality, Diversity and Inclusion Team (Employees)
Employee Assistance Programme
Stonewall
GIREs

Will all my colleagues be informed of my transition?

Individuals will not be informed without the consent of the individual transitioning.

Can I assume a different role within the organization while I’m transitioning?”

Yes, this may be possible but will be according to business need, if there is a suitable alternative role available.

Can I use the facilities, for example changing rooms and toilets, which match my gender identity?

Yes, individuals will be supported to use the facilities that match their gender identity. The University will ensure that where appropriate we identify gender neutral facilities to those transitioning employees and we will commit to include gender neutral facilities in any future sites or refurbishments.

Who do I go to if I’m being bullied or harassed about my transition or gender identity?

If you are being bullied or harassed about your transition, please contact your line manager or please get in touch with HR or the Equality, Diversity and Inclusion team or see our [Dignity at Work Policy](#)

What support will the University offer me if I’m transitioning?

We support our employees their right to openly be who they are. This means expressing your gender identity and gender expression without fear of consequences.

What does it mean if someone is transitioning and what does it involve?

The steps a trans person may take to live in the gender with which they identify. Each person’s transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.

Someone has told me they want to transition, what do I do?

Some trans and non-binary people feel comfortable disclosing their trans/ non-binary status to others, and some do not. Knowing a trans and non-binary person’s status is personal

information, and it is up to them to share it. If an employee has trusted you with this information ensure you maintain the confidentiality. You can signpost them to this policy.

What is a pronoun and how do I know which one to use?

If you're unsure which pronoun a person prefers, listen first to the pronoun other people use when referring to that person. Someone who knows the person well will probably use the correct pronoun. If you must ask which pronoun the person prefers, start with your own. For example, "Hi, I'm Dani and I use the pronouns she and her. What about you?" It is important to note that the use of pronouns is entirely optional, and no one should be made to feel uncomfortable or feel forced to share their pronoun.

When do people who are transitioning start to use the facilities, like changing rooms and toilets, which match their affirmed gender?

As soon as you begin transitioning you are able to use facilities that correspond with your gender expression. We have gender neutral facilities available in several of our buildings: Bannerman, Wilfred Brown, and the Sports Centre.

Appendix D - Pensions

As pension schemes vary in their administration – you are encouraged to contact your Pension Scheme directly should you have any questions. Details on how to contact the Pension Schemes are detailed on the [Your Rewards](#) pages on IntraBrunel. If you have any further queries, you can also contact any member of the Payroll Team, in Rewards.

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.

Appendix E - Records and Documents which may need to be changed

This list is not exhaustive; please refer to the Equality Challenge Unit/Advance HE for further information.

1. University ID card
2. Staff email
3. Library card
4. Trades union membership badge
5. Professional membership cards
6. CHIME - Records and documents

Note: You may not be able to amend historical minutes. Consider officially noting someone's transition during minute proceedings if appropriate.

Alternatively, committees should consider thanking the existing committee members for their services and welcome the trans employee as a new committee member under their new name.

Appendix F – 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, and 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 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 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.