

# Trans Matters

## Trans, Gender Identity and Gender Expression Guidance for Staff and Students

### Commitment to trans equality

King's College London is committed to equality of opportunity and values the diversity of its staff and student body. King's commits to providing a safe and inclusive environment where all students and staff can achieve their potential. We do not tolerate discrimination, victimisation, or harassment on any basis, including a person's gender identity, gender expression, trans status or history.

This document is for all staff, students and visitors and outlines our commitment to embed equality for trans students and staff across the institution and provides practical guidance on trans matters.

### Definitions

'Trans' is an umbrella term to describe people whose gender is different from, or does not sit comfortably with, the sex they were assigned at birth. Gender reassignment is the protected characteristic in the Equality Act 2010 that protects trans people from discrimination, victimisation, and harassment in employment from the moment they indicate their intention to transition.

Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, genderqueer (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.

We do not tolerate discrimination, victimisation, or harassment on any basis, and this includes a person's gender identity, gender expression, trans status or history.

While not a gender identity, we offer our full support to intersex individuals, who may also find this guidance beneficial.

Further definitions are available in the Trans Matters Glossary.

## Legal Framework

### Equality Act 2010

Gender Reassignment is one of the nine protected characteristics covered by the Equality Act 2010.

The Act protects:

- a person who has proposed, started, or completed a process to change their gender
- Transgender people who are not under medical supervision
- people who experience discrimination because they are perceived to be Transgender
- people who experience discrimination by association on the grounds of gender reassignment; for example, the parents of a Transgender child because their child is transitioning
- people who need time off work or study to transition.

The Act also makes it unlawful on the grounds of gender reassignment to:

- treat someone who is Transgender differently to other employees, students, or other service users or to refuse a service to them based on their Transgender identity
- subject someone to harassment; that is unwanted conduct that violates a person's dignity and creates an intimidating, hostile, degrading, humiliating or offensive environment

- victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint of discrimination
- discriminate against someone in some circumstances after the working relationship has ended.

The Act recognises that gender reassignment is a personal process and not a medical one and offers protection accordingly. Employers can be held responsible for the actions of staff under the Act. Employees are also individually responsible for their own discriminatory actions.

### **Gender Recognition Act 2004**

The Gender Recognition Act 2004 allows Transgender people who can satisfy the Act's evidence requirements, to apply to the Gender Recognition Panel to seek full legal recognition of their acquired gender. If an applicant is successful, they will be issued with a full or interim Gender Recognition Certificate (GRC). A full GRC enables the person to obtain a new birth certificate which does not disclose the fact that they have changed gender. The Gender Recognition Act also makes the disclosure without permission by a third party of an individual's Transgender status, a criminal act.

### **Other relevant legislation**

- Human Rights Act (1998)
- Data Protection Act (2018)
- Equality Act (2010)
- The Education (No 2) Act 1986

## **Embedding and promoting trans equality at King's**

King's undertakes the following practical steps, to ensure that trans staff and students are part of a supportive and inclusive work/study environment, and do not face discrimination on the grounds of their gender identity, gender expression, trans status or history.

### **Promoting Trans Equality**

- King's will include gender identity issues in equality training and raise awareness of the importance of using correct names and pronouns.
- King's welcomes trans student and staff groups and networks, will encourage celebration of trans calendar events and engagement with the LGBTQ+ Staff Network.
- King's commits to ensuring College publicity materials, literature and images reflect the diversity of our staff and students.
- King's will continue to promote trans equality through equality analysis of new and updated policies and practices.

### **Harassment and Complaints**

- Discrimination, bullying, and harassment based on actual or perceived gender identity, gender expression and/or trans status/ history will not be tolerated by the College. [The Dignity at King's – Bullying and Harassment policy](#) sets out the expected behaviour of all members of the King's Community, to bring to life our zero-tolerance approach to bullying and harassment. The policy outlines the range of options and support for staff and students.
- The College will act on complaints brought by trans people, or their representatives, where these commitments are not being honoured.

## Dress Codes

- Staff and students at King's are encouraged to dress in a way that makes them safe and comfortable for work and study. Where they exist, such as for uniformed teams and health and safety purposes, dress codes at King's are gender neutral.
- Staff and students who have already been provided with uniforms to wear have the option to request a set of new uniforms that are appropriate for their gender expression at no extra charge. New uniforms can be used to replace previous ones or can be used as additional garments for students with gender fluid identities and/or expression.

## Facilities

- All staff, students and visitors to King's can use the facilities (such as toilets and changing rooms) that they are most comfortable with.
- The College is committed to providing a gender-neutral toilet and changing facilities where possible on each campus.<sup>1</sup>

## Student Accommodation

- King's has mixed-gender, men's, and women's accommodation. Requests for gender-specific accommodation are allocated on a case-by-case basis on request. No assumptions are made about the type of accommodation a student would like to be allocated based on personal characteristics.
- We provide all students, including trans students, with access to suitable accommodation for their gender identity.
- It is recognised that some trans students may not feel comfortable using communal toilets and washing facilities, and it may be appropriate to allocate ensuite accommodation on this basis.

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<sup>1</sup> A map of these toilets is available [here](#); they are also listed on the King's Mobile App which can be downloaded [here](#).

- Students who wish to change their accommodation whilst transitioning at any point during their time at King's, will be offered a room transfer and/or flexibility where possible, subject to the availability of suitable alternative accommodation.
- Students who are transitioning, intending to transition during their time at King's, or who do not wish to, or cannot be open about their gender identity in their application for accommodation are encouraged to discuss their arrangements with the Additional Accommodation Requirements Team via [aar@kcl.ac.uk](mailto:aar@kcl.ac.uk) as early as possible to ensure suitability and appropriateness of accommodation and available facilities. Enquiries will be treated with confidentiality, sensitivity, and consideration.

## **Learning and Teaching**

- Programme content will not rely on, or reinforce, stereotype or assumptions about trans people.

## **Recruitment, Admissions, Retention and Success**

- Gender identity, gender expression, trans status or history will not be a barrier to staff recruitment, selection and promotion, or access to training.
- Student applicants will not be denied access to programmes, or progression to further study, or treated unfairly based upon their gender identity, gender expression, trans status or history.

## **Healthcare and Absences**

- Staff will be supported to utilise flexible working, and if applicable, hybrid working, to manage routine appointments, where these cannot be arranged outside of typical working hours.
- Where a person needs to take time off work or study for medical assistance because of their transition, they will not be treated less favourably than if the absence was due to another cause (such as sickness, injury, or parental leave).

- For staff, the College's [sickness absence management](#) policy and sickness pay provisions will apply.
- Staff and students have access to the [King's College NHS Health Centre](#) (a team of doctors, nurses, and other health workers who provide staff with a confidential health care service)
  - Staff and students may register at the Health Centre as their GP regardless of where they live.
- Staff and students will be provided with support in obtaining adjustments, be they temporary or permanent, to their work or study during this period.
  - For staff, this support will be provided by their line manager, with support from People Partners, and if required, Occupational Health.
  - For students, this support will be provided by their personal tutor as the first point of contact.

## **Human Resources, Registry Services, and IT**

- King's recognises that trans people may not hold the full range of documents reflective of their affirmed name/gender. In circumstances where the university requires official confirmation of a person's identity subject to legislative requirements, staff and students have the option to provide more than one type of official identification.
  - Suitable options include a statutory declaration of name change, deed poll, driving license, passport, or birth certificate.
- Requests to change name and gender on records will be handled promptly and staff and students will be made aware of any implications of the changes.
- Further information about how to update your personal data can be found in the Transitioning at King's Staff and Student guides.

## References

- Reference requests for current or former trans staff or students who have transitioned should make no reference to the individual's former name, gender, or pronouns unless explicitly requested by the individual. If you are aware of a previous name used, or records are in an earlier name, check with the person requesting a reference how they would like you to manage this.

## Sport

- King's Sport provide gender-neutral spaces across all programmes including gyms, BeActive and the Active Wellness Scheme, with no restrictions to participation based on gender identity, gender expression, trans status or history. Participants can use the gender-neutral facilities (such as toilets and changing rooms) or the gendered facilities that they are most comfortable with.
- Competitive sport at King's is under the remit of the Students' Union (KCLSU) and is managed in accordance with the British Universities & Colleges Sport ([BUCS Transgender policy](#)). BUCS endorses equality of access to sport and physical activity, and is committed to eliminating transphobia and all other forms of discrimination within university sport.

## Data and Confidentiality

- Trans people may be 'out' to some people and not to others, or they may only be 'out' in some circumstances and not in others, so confidentiality is vital to retaining and maintaining privacy.
- It is the right of the individual to choose whether to disclose their gender identity or trans status to the College, and to whom.
- It is recognised that there are differences between gender identity, gender expression and trans status/history and that not all trans people will require additional guidance or support. However, where disclosure has not occurred, the College may not be able to respond appropriately. Trans people are therefore encouraged to inform the College of their trans status where relevant when accessing services and support.

- If a colleague or a student discloses to you that they have transitioned / are transitioning or intend to or are considering transitioning, it is the responsibility of all staff and students to treat this information confidentially.
- No identifying information should be shared with any person at any time without the individual's explicit consent. In line with our responsibility under the Gender Recognition Act 2004 and relevant data protection legislation, any disclosure made by a student or staff member will be treated with absolute confidentiality.
- The individual's explicit consent will be sought before any information about their transition or intent to transition is passed to anybody, both within and external to the University and any implications of not providing consent will be explained.
- To share information about an individual's trans status, whether staff or student, without their permission is a form of harassment and, in several contexts may amount to a criminal offence. Further Anonymous guidance on providing support and services for trans staff and students can be sought from [diversity@kcl.ac.uk](mailto:diversity@kcl.ac.uk). Enquiries should stipulate the matter at hand without the disclosure of personal details.
- We commit to monitor the gender identity and trans status/history of staff, students and those applying to study or work.
- We maintain anonymity in our reporting and will not report on numbers of trans staff or students where there is any risk of identifying individuals. King's uses the [HESA Rounding Methodology](#) for data suppression.
- Individuals are given the option not to disclose this information, however confidential disclosure helps us to monitor the impact of any changes in policy or practices. This is of particular importance for demographics with small populations, where anonymisation may render data not suitable to publish if reporting rates are low.