

Contents

1. Introduction	3
2. Definitions	3
Gender reassignment	3
Transition	3
3. Legal protection and your responsibilities as a manager	3
Equality Act 2010	3
The Gender Recognition Act 2004.....	4
4. Supporting individuals to transition in the workplace	4
Meeting and Agreeing Support	4
Change of name/gender records	6
5. Managing the reactions of colleagues and students	7
Appendix A: Practicalities Checklist	8

1. Introduction

The [NTU Trans Equality Policy Statement](#) outlines the University's commitments to trans equality.

This guidance provides managers with a framework for supporting colleagues transitioning from one gender to another in the workplace.

Further information about creating a positive and inclusive workplace for trans colleagues can be found in '[Creating a trans inclusive workplace](#)' resource and on the [EDI Trans SharePoint resource](#).

2. Definitions

Gender reassignment

Gender Reassignment is one of the protected characteristics under the Equality Act 2010 and applies to a person who is 'proposing to undergo, is undergoing or has undergone a process or part of a process to reassign their sex'. As 'sex' in UK law is binary Gender Reassignment currently applies to those reassigning their sex to male or to female.

Transition

Transition is the process of a person changing their social role to reflect their gender identity. This may involve changing their name, pronouns, the way gender is expressed, and sometimes medical assistance, such as hormone therapy or surgery.

Definitions of other terms can be found at [Stonewall Glossary of Terms](#).

3. Legal protection and your responsibilities as a manager

Equality Act 2010

Protection from discrimination and harassment applies from the moment the person indicates their intention to undertake Gender Reassignment, even if they then change their mind. The protection does not require that someone undergoes medical treatment.

Gender Reassignment may affect a person's physical and mental health and depending on the level of impact this may also mean they are protected under the Equality Act 2010 in relation to disability.

As a manager, you are responsible for ensuring that individuals with a protected characteristic are not treated unfairly, placed at an unreasonable disadvantage, harassed or bullied on the grounds of their characteristics. Responding effectively and sensitively to gender reassignment is key to this.

Protection under the Equality Act 2010 does not currently apply to those transitioning to a non-binary gender identity or those who identify with other gender identities. However, some of this guidance is still relevant, such as how to support trans individuals in the workplace,

changing details and records, managing the reactions of others and elements of the Practicalities Checklist at **Appendix A**.

NTU will not discriminate against people on the grounds of their gender identity or expression.

The Gender Recognition Act 2004

This Act enables people who have undertaken gender reassignment to gain legal recognition of their gender by applying to receive a Gender Recognition Certificate (GRC). This then allows them to obtain a birth certificate affirming their gender and new name.

Note: It is not appropriate to ask to see a Gender Recognition Certificate and this may be regarded as harassment. Identification, if needed, can be provided by a birth certificate, passport or driving licence.

Under this Act, it is a criminal offence to disclose a transgender person's previous gender to another person if they hold a GRC and have not consented to such a disclosure. This means, for example, that any document containing their previous name and gender, and from which they could be identified, cannot be disclosed without permission. There are exceptions to this rule, such as disclosing the information for medical purposes or for obtaining legal advice.

If a person has a GRC/new birth certificate, then all documents and references to the person's previous name and gender must be changed retrospectively and any reference to their previous gender and name removed from **all** records.

4. Supporting individuals to transition in the workplace

Transition is not undertaken lightly. By the time an individual is contemplating transition they are likely to be experiencing persistent gender discomfort and difficulty living in a gender role that does not reflect their innate identity. The support of managers, colleagues and, where relevant, students, is vital to minimise any avoidable negative experiences for the individual.

Everyone is different and will want to approach their transition differently. For example, whilst one employee may wish to undergo their gender transition publicly, another may wish to do so in the most discreet way possible. Nothing should be done without the consent of the individual.

Their journey may not be linear and may involve periods of exploration and testing out, so it is crucial that each person's needs and circumstances are considered on an individual, ongoing basis.

Meeting and Agreeing Support

Colleagues considering transition are encouraged to approach you, as their line manager, in the first instance so that appropriate support can be put in place.

You should seek the individual's consent to involve a representative of HR at this point, as they will be able to guide you both through the processes and support available.

Organise an initial confidential meeting to reassure the person that they will be supported throughout their transition and to begin to discuss their needs, support available and practical considerations.

Meetings should be handled confidentially, sensitively and with respect.

- Listen to the person and how they refer to themselves. Ask them how they want to be referred to.
- Use the name and pronoun that they ask you to. If you make a mistake with pronouns, apologise, correct yourself and move on.
- Respect privacy. It is not appropriate in the meeting, or at any time, to ask questions of a personal nature relating to the transition. Questions should be focussed on any potential impact in the workplace and any support required.

Areas to discuss at this initial meeting might include:

- Timeframes that they are aware of in relation to their transition.
- When they would like to formally change their name/gender within the University.
- Potential impact on work and how this might be accommodated. For example, if surgery is involved this may affect duties involving lifting, or if the individual is in a customer facing role and undergoing hormone treatment, they may feel uncomfortable whilst their appearance is changing, and a temporary change of duties might be considered.
- Requirement for time off whilst transitioning for associated medical appointments, surgery, counselling etc. Make them aware of the relevant NTU policies, for example Sickness Absence Policy, Special Leave Policy.
- Key people to be informed, when they want this to happen and how, for example whether they wish to do this or would prefer this to be done by someone else.
- Whether training or briefing of colleagues (and where relevant students), would be of benefit, and when and who will do this.
- Any additional support required by the individual.

Appendix A provides a checklist of practical considerations to raise with the individual at this or subsequent meetings.

Bear in mind that everyone's transition journey will be different.

Produce an agreed support plan, based on your initial discussions. This support plan will need to be flexible to accommodate the individual's journey and changing needs. Agree where copies should be kept and who has access, to maintain confidentiality. This will usually be in HR.

Review the support plan periodically with the staff member. In the early stages of transition, they may not permanently present in their acquired gender, as they may not feel able to do so until, for example, hormone therapy starts to alter their body, or because they may fear discrimination.

It is important to allow the person flexibility in how they present during transition. For example, clothing, hair, makeup and jewellery, where relevant. There may be a desire to test out presenting as the acquired gender for some of the time, rather than all the time straight away. If the role requires a uniform, ensure they are supplied with a range of options.

Make them aware that they can use the facilities (toilets, changing rooms) of their choice, and where your local gender inclusive facilities are located.

It can take several years to transition fully. During this time the trans person may experience extensive physical changes. It may be necessary to update photographic identification regularly throughout this period, or to have more than one identification card with different photos/names. This can be supported by NTU Card Services.

Change of name/gender records

The date on which the person will change their gender and name within the University should be agreed. On provision of a relevant document, such as Deed Poll, Passport, Driving Licence etc, HR will then make the necessary changes to the MyHR system.

Individuals who are not formally changing their name can use the 'preferred name' field in MyHR. There is also the option for colleagues who identify as non-binary to change their gender marker to 'Other' in MyHR.

Changes in MyHR will automatically be reflected in some related systems, such as Payroll, however, there will be a need to ensure other NTU systems, documents and key parties are informed of the changes (**See Appendix A**).

HM Revenue & Customs - **The individual** is responsible for ensuring HMRC are informed of the changes. HMRC will change gender and name details, but the individual will generally retain the same National Insurance number. **It is important that the individual notifies HMRC at the same time as the changes are made within the University systems to ensure their payroll records align with those of HMRC.**

The individual is also responsible for contacting their pension provider. Pension providers may require specific ID for changes to name and sex. Forms of legal proof of a name change can include:

- Statutory declaration of name change
- Deed Poll certificate
- Birth certificate (re- issued once the person has their GRC)

If the individual has NTU MyBenefits, for example travel cards, medical insurance etc. they, or if they prefer HR, should contact the HR Reward Manager in strict confidence to discuss implications and any changes that may be required for example, cancelling the travel card and ordering a new card in the individual's new name.

5. Managing the reactions of colleagues and students

Transition may present challenges for the individual concerned and for their colleagues/students. It is important to support the transitioning person by discussing how best to inform people and how to deal with possible reactions.

They may want to tell their colleagues/students/external work contacts about their transition individually or via a meeting. However, they may prefer you as their line manager or HR to inform them. It is the choice of the individual how and when it will be communicated and by whom. Communication must be handled sensitively and confidentially, with the content agreed in advance.

You should make it clear that from the agreed date the person will have changed gender and should be addressed by their new name and using the appropriate pronoun.

It is your responsibility as manager to promote and maintain a respectful environment for all, including trans colleagues. Intentional misgendering or refusal to use a requested name or pronoun could constitute harassment and contravenes the University's Dignity and Respect Policy. Such behaviour should be dealt with swiftly and sensitively.

It may be helpful to direct colleagues to information, resources and training about gender identity which can be found on the [EDI Trans SharePoint resource](#).

If the individual encounters a less supportive environment whilst on University business the University would support them as appropriate and according to the specific situation and the wishes of the person.

Appendix A: Practicalities Checklist

The following checklist should be discussed with the individual to ensure all implications of name/gender change within the University systems and their job role are considered. Not all University systems are linked to MyHR so some systems will need to be contacted separately.

It should be agreed who will take responsibility for notifying University systems and making changes to documents, whether the individual would prefer to do this themselves or for HR/their Manager to do this on their behalf, **in strictest confidence**.

Systems:

- MyHR
- NTU smart card – NTU Card Services to request a new photo/card.
- NUS Extra card - SU
- Trade union membership badge
- NTU Fitness centre/gym membership card
- NTU Catering system
- External contacts
- NTU Email address
- MyBenefits
- HMRC
- Pension provider

Documents: Documents and materials may need to be replaced or altered.

This will depend upon whether records need to be changed retrospectively (e.g. if the person has a GRC/new birth certificate) or forward from the date agreed.

Consider, for example:

- Academic biographies, publications
- Professional/learned body membership cards
- All staff records e.g. HR, Finance, Occupational Health etc.
- Volunteering and mentoring records
- Committee minutes and records, for example, boards of study or academic boards
- Websites pages and online articles
- Certificates, for example, training attendance

People: The extent to which people might be informed and how.

- Colleagues
- Students
- External contacts

Environment:

- Dress and appearance
- Gender inclusive facilities