

Transgender and Gender Non-Conforming Guidance





Equality Statement

The College is committed to providing equal opportunities to ensure its students, staff, customers and visitors are treated equally regardless of age; disability; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race, religion or belief; sex; sexual orientation.

1. Contents

History of Amendments.....1

Contents2

1. Introduction3

2. Student Guidance3

3. Bullying and Harassment7

4. Language8

5. Linked Policies and Procedures.....8

6. Resources9

1. Introduction

- 1.1. Under the Equality Act 2010 a person has the protected characteristic of gender reassignment if [“the person is proposing to undergo, is undergoing or has undergone a process \(or part of a process\) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex”](#).
- 1.2. The [Equality Act Statutory Codes of Practice](#) make clear that you don’t need to have spoken to a doctor and you don’t need to take hormones or have any surgery. You don’t need to have a gender recognition certificate (GRC). It’s enough to have proposed, for example, that you intend to change your name or title (e.g. Ms/Mx/Mr) or the pronouns you use (e.g. She/They/He). The Service Provision Statutory Code of Practice states that gender-variant children are included in the gender reassignment protected characteristic.
- 1.3. In September 2020, the Employment Tribunal ruled in [Taylor v Jaguar Land Rover Limited](#) that the protected characteristic of gender reassignment includes people who identify as non-binary or gender fluid.
- 1.4. This guidance is designed to be a resource for students. It includes working hyperlinks for ease of access to external websites and specialist organisations. It is fully inclusive of and extends its protection over, all transgender and gender non-conforming identities including non-binary and gender-fluid.

2. Student Guidance

- 2.1. The College understands that the process of transitioning is challenging, trans identities are diverse, and that support must be flexible and tailored to the individual. When a student discloses to a member of staff that they are transitioning. The member of staff will discuss the following:
 - The date that the student would like to being officially associated with their affirmed gender.
 - The process for changes to records and other information.

- How relevant staff members and students will be informed of the students affirmed gender, pronouns, name etc.

2.2. When the student is ready to do so, they can request a change to their details through MyWest by clicking on 'Update My Details'.



2.3. This will then open a confidential online form.

The screenshot shows a web form titled "MyWest: Update My Information" with a subtitle "Use this form to request a change to the personal information contained within your Student Record." The form includes a header with a logo and a navigation menu. Below the header, there is a message: "Hi, [Name] When you submit this form, the owner will see your name and email address." followed by a "Required" label. The form consists of five numbered sections: 1. Student Reference Number (text input), 2. Campus of study (radio buttons for Clydebank, Greenock or Greenock Waterfront, Paisley, and Other), 3. Tell us what you want to change (e.g. Mobile phone number) (text input), 4. Tell us what you want us to change it to (text input), and 5. Some changes require proof. If required, please upload your document(s) here: (Non-anonymous question) (text input). Below section 5, there is an "Upload file" button and a note: "File number limit: 5 Single file size limit: 100MB Allowed file types: Word, Excel, PPT, PDF, Image, Video, Audio". At the bottom of the form is a "Submit" button.

- 2.4. This form should be used to explain new name, affirmed gender and pronouns. The contents of this form is sent to the Online Services mailbox (onlineservices@wcs.ac.uk) for action by a member of the Online Service Team. The Online Services team member will then action or seek further information. Alternatively, the student can email directly to the online services mailbox from their student email account.
- 2.5. If a student has *legally* changed their first name by deed poll, they should include a copy of their deed poll certificate as evidence on the online form or in their email to Online Services. The College will ensure that any such disclosure is respectfully

and sensitively dealt with, and that confidentiality is maintained at all times. All changes to details will be dealt with in a sensitive and confidential manner and in line with all relevant General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

- 2.6. When a student has updated their records with the College, the SQA will be informed of any change of name. You can view the [SQA guidance](#) on their website.
- 2.7. When a student will be undergoing gender reassignment surgery, they should follow the 'Student Attendance and Engagement Procedure'. For outpatient appointments prior to the surgery these will be marked as authorised absences and for sick leave following the surgery this will be classed as a long-term medical absence. It is common for individuals to be back at work 6 weeks after surgery.

Uniform/PPE

- 2.8. Uniform and PPE are not gender specific. PPE is mandatory as it directly aligns with a risk assessment for the work that is carried out. If a student is unable to wear PPE, they are unable to participate in the activity.

Gender-Neutral Facilities

- 2.9. There are designated gender-neutral facilities on each campus.

Clydebank

Ground Floor Gender Neutral Accessible Toilet and Changing Room.

1st Floor Gender Neutral Toilets in the centre of the corridor.

Greenock (Finnart)

Gender Neutral Toilets and Changing Room 4th and 7th Floor. Gender Neutral Toilet on First Floor.

Greenock (Waterfront)

Gender Neutral Toilets and Changing Room Ground Floor Right Hand Side.

Paisley

All Accessible toilets are Gender Neutral.

Gender Neutral Accessible Toilet and Changing Room Ground Floor Renfrew Ground Floor.

Support for Students

2.10. The College has dedicated Student Wellbeing and Counselling services. Both services are LGBTQIA+ inclusive.

Safeguarding

2.11. Being a transgender or gender non-conforming student or young person is not in itself a safeguarding risk and should not be treated as such. It only becomes a safeguarding matter when the individual is being abused; namely physical abuse, emotional abuse, sexual abuse or neglect.

If you have any concerns, discuss with your CQL and refer to the WCS Safeguarding policy and/or liaise with the Wellbeing and Safeguarding Team. If there's a safeguarding issue related to the student's gender status and their welfare is at risk, it would then be acceptable to disclose their transgender status in line with safeguarding protocols. Remember that the needs of all students involved in a safeguarding issue should be approached in a balanced and considered way.

3. Bullying and Harassment

3.1. The College operates a zero-tolerance policy on all bullying, harassment and discrimination, including ones on the grounds of gender identity/expression and/or

trans identity. Transphobia may look like but are not limited to use of derogatory language, jokes or banter, insults or threats, social exclusion, rumours or gossip, asking intrusive questions, unnecessary and degrading references to one's gender identity.

- 3.2. Students should report any bullying, harassment or discrimination to their lecturer or curriculum quality leader in the first instance. Then the relevant policy or procedure will be followed thereafter. Complaints may also be dealt with informally by contacting the Inclusion lead inclusion@wcs.ac.uk
- 3.3. Staff should report any bullying, harassment or discrimination to their manager or head of sector in the first instance. Then the relevant policy or procedure will be followed thereafter. Complaints may also be dealt with informally by contacting the Inclusion lead inclusion@wcs.ac.uk

4. Language

- 4.1. Everyone's gender identity and expression must be respected, and its validity must not be questioned. Therefore, make sure to address a trans person using their correct name and pronouns. Never assume what these might be, if unsure ask the person how they would like to be addressed. It is inappropriate to ask a transgender person questions around their body/transition/experiences of surgery, etc.
- 4.2. The use of derogatory language both from / to students and colleagues is discrimination and harassment, and breaches relevant legislation.
- 4.3. Further information on what is acceptable LGBTQIA+ - related language can be found under 'Resources' section of this document.

5. Linked Policies and Procedures

5.1. For Students

- Student Attendance and Engagement Procedure
- Safeguarding Policy
- Student Disciplinary Policy

5.2. For Staff

- Equality, Diversity and Inclusion Procedure
- Anti-Bullying and Harassment Policy
- Recruitment and Selection Procedure
- Supporting Attendance Policy
- Special Leave Policy
- Grievance Resolution Procedure
- Disciplinary Policy

6. Resources

6.1. Relevant Legislation:

- [Equality Act 2010](#)
- [Commission in Scotland | Equality and Human Rights Commission](#)
- [Gender Recognition Act \(2004\)](#)
- [General Data Protection Regulations and Data Protection Act \(2018\)](#)
- [The Data Protection Act 2018](#)
- [Human Rights Act \(1998\)](#)

6.2. Appropriate LGBTQ+ - related Language and Glossary of Terms:

- [GLAAD Media Glossary of Terms - LGBTQ](#)
- [GLAAD Media Glossary of Terms - Transgender](#)
- [Scottish Trans list of Terms](#)

6.3. External Support and Additional Information:

- [Samaritans](#) - Confidential support.
- [TransEdu](#) - A central resource for information on supporting trans applicants, students and staff in Higher and Further Education.

- [Scottish Trans Alliance](#) - The Scottish Trans Alliance project (Scottish Trans for short) assist trans people, service providers, employers, and equality organisations to engage together to improve gender identity and gender reassignment equality, rights and inclusion in Scotland.
- [LGBT Youth](#) - Scotland's national charity for LGBTI young people, working with 13–25-year-olds across the country.
- [Stonewall Scotland](#) - Key LGBT+ charity organisation.
- [Gendered Intelligence](#) - A Community Interest Company whose object is to deliver arts programmers and creative workshops to trans youth from across the UK in order to increase the quality of young trans people's life experiences.
- [GIRES](#) - A UK wide organisation whose purpose is to improve the lives of trans and gender nonconforming people of all ages, including those who are non-binary and non-gender.
- [LGBT Health & Wellbeing](#) - Established in 2003, LGBT Health and Wellbeing works to improve the health, wellbeing and equality of lesbian, gay, bisexual, and trans (LGBT) people in Scotland .

