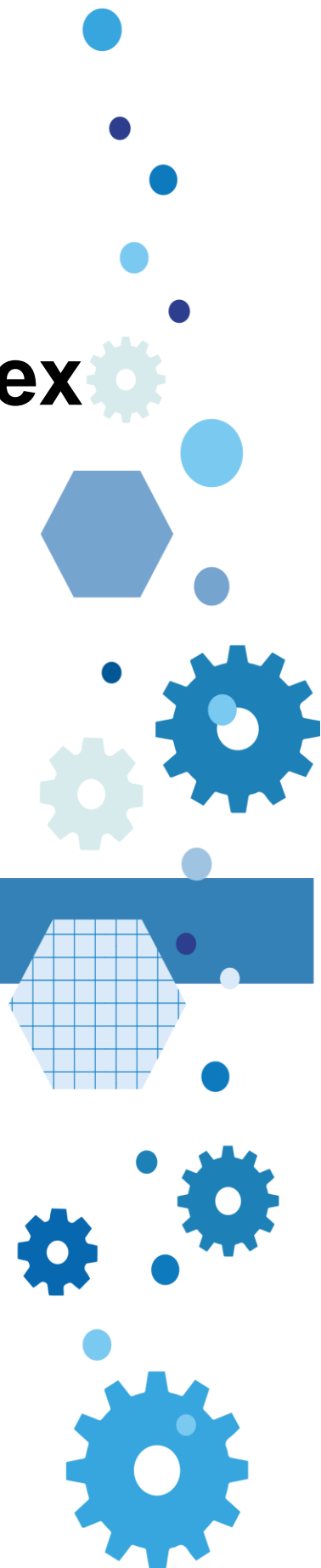


SOAS Trans, Non-binary & Intersex Inclusion Policy for Staff and Students:

September 2022



gendered intelligence
increasing understandings of gender diversity



Purpose and Intent

The purpose of this policy is:

- To ensure that trans, non-binary and intersex staff and students at SOAS are able to participate in the SOAS community alongside all others, and that they experience their work / study life without additional barriers
- To enable managers, colleagues, and fellow students to support trans, non-binary and intersex staff and students effectively
- To recognise and value diversity of gender identity, gender expression and sex characteristics
- To recognise and value that trans, non-binary and intersex experiences are influenced by intersectional experiences of ethnicity, culture, faith, age, class, sexual orientation, disability, health conditions, learning differences, neurodiversity, as well as many other factors.

This policy will:

- Be integrated with existing policies, act as a living document in the public domain and be proudly celebrated.

This policy sits alongside our Trans, Non-binary and Intersex Inclusion Guidance for Staff and our Trans, Non-binary and Intersex Inclusion Guidance for Students and cross refers as necessary.

This policy and the accompanying guidance are to be read in conjunction with SOAS's other governance policies: <https://www.soas.ac.uk/governance/policies/>

Scope / Who is Covered

This policy applies to our staff, students, visitors, trustees, and contractors.

In this policy we have used the terms trans, non-binary and intersex people to describe the group of people the policy is intended to include and support. For more information on language and descriptions of terms please see our accompanying guidance.

Audiences

The anticipated audiences for this guidance are:

- Trans, non-binary and intersex staff and students (to enable them to see what they should expect and have confidence that SOAS will support them)
- Managers (to enable them to support staff)
- Colleagues of trans, non-binary and intersex staff and fellow students of trans, non-binary and intersex students (to enable them to see how trans, non-binary and intersex staff and students should be treated, and develop understanding)
- Academic staff and other staff supporting students
- Student Support Services teams
- Academic Registrar and Admissions
- HR, IT, estates and facilities management teams
- Visitors and external agents coming onto SOAS's campus and to run events, lectures, workshops etc.

This policy is available on our website for the following audiences:

- Trans, non-binary and intersex people considering working or studying at SOAS
- Allies (cisgender, endosex and / or heterosexual people who support trans, non-binary and intersex inclusion)

Policy statement

SOAS is committed to equality and inclusion for trans, non-binary and intersex people and aims to reduce barriers and enable their access to all parts of SOAS life. SOAS recognises that each person's experience of gender identity, gender expression and sex characteristics are not independent of other aspects of our lives. How trans, non-binary and intersex people experience and express themselves is influenced by intersectional experiences of ethnicity, culture, faith, age, class, sexual orientation, disability, health conditions, learning differences, neurodiversity, as well as many other factors.

SOAS wishes to be a university where trans, non-binary and intersex staff and students are:

- Safe and supported
- Validated and valued
- Welcomed and celebrated

See Appendix 1 regarding the background to the policy and guidance in the accompanying guidance.

Key Principles

Best Practice - At a systemic level, SOAS regularly reviews systems, both practical and cultural, with a view to maximising their wider inclusivity. On an individual level, SOAS aims to listen to the needs of the individual and place those needs at the centre of decision making and actions.

Language - SOAS aims to use language in a way that recognises the agency of trans, non-binary and intersex people, and that validates and empowers them.

Visibility, Celebration and Allyship - SOAS aims to ensure that there is visibility and recognition of our diverse community, including trans, non-binary and intersex people.

SOAS engages with a range of activities including recognising key dates and events across the year, to recognise and celebrate the contributions trans, non-binary and intersex people make, and to make a stand against harm.

Education and Training - SOAS provides professional education and training for staff to a level appropriate to their role. This includes broad spectrum, basic trans, non-binary and intersex training for new staff as part of their induction phase; in depth training for all staff in Human Resources (HR) and Equality, Diversity and Inclusion (EDI); and specific related training for staff responsible for student admissions.

SOAS also provides opportunities to students to learn about inclusion and respect for all.

Representation in the curriculum - SOAS encourages staff to embed trans, non-binary and intersex awareness into their curriculum as well as to incorporate critical thinking around sex / gender stereotypes and hetero/cis/endonormativity. This sits alongside all efforts, including decolonising the curriculum, to ensure that the curriculum that is taught at SOAS is diverse and not reinforcing a white, heterosexual, cisgender, male-centric canon of education.

Facilities: Toilets, Showers and Changing Spaces - We recognise that gender neutral toilet provision is essential for non-binary people and is an option that others, including trans, intersex, cis and endosex people may need or choose. For more information about what is meant by a gender-neutral toilet see our supporting guidance documents.

SOAS assumes everyone chooses the facilities that are the best option for them out of the options available. It is not appropriate to question people about their choice of facility based on their appearance.

Universal toilets are clearly signed.

SOAS plans to ensure that universal toilets are available on campus for staff and student use and in hired venues.

Current provision of gender-neutral toilets on SOAS campus are located in the lower basement Senate House (6 cubicles) and in the lower basement Phillips building (2 cubicles).

IT Systems/ Databases - SOAS ensures a range of options for gender markers (M, F and X with an additional open text box) and titles are available in our IT and databases to make provision for all. We only ask for information about a person's gender where it is necessary, and title is not a mandatory field.

Each person's file reflects their current name, title and gender marker.

In circumstances where SOAS requires official confirmation of a person's identity they will be given the option of providing more than one type of official identification such as driving licence, passport, statutory declaration or birth certificate, in line with regulatory requirements.

Confidentiality - Students and staff have a right to expect confidentiality on personal matters (except in certain safeguarding and criminal justice situations) and are protected under the Data Protection Act 2018 (DPA). This includes the 'right to be forgotten'.

For more information on the Data Protection Act 2018 see Appendix 1 – The Law in the accompanying guidance.

We recognise that 'outing' a person as trans, non-binary or intersex can make their life unsafe and we take breaches of confidentiality seriously.

A person's trans, non-binary or intersex status / history is no-one else's to share without the person's explicit consent. SOAS will never assume that a person is happy to share the information they are trans, non-binary, or intersex, or that they are a person of

trans, non-binary or intersex history. In particular we will not assume that if they have shared in some situations / places, they have shared (or are happy to share) in others.

Whilst a person's trans, non-binary, or intersex status is not listed as 'Special Category' data in the Data Protection Act, sexual orientation is. SOAS deems these two aspects of identity as clearly comparable and therefore SOAS will treat the information of a person's trans, non-binary or intersex status as 'Special Category'.

Any material that needs to be kept related to the person's trans, non-binary or intersex status, such as records of absence for medical reasons, should be stored confidentially.

In addition to the DPA, the Gender Recognition Act 2004 (essentially accessible only to some trans people), reiterates that a person has the right to request that all records of their former name and gender marker are removed and replaced with their current name and gender marker.

For more information on the Gender Recognition Act 2004 see Appendix 1 – The Law in the accompanying guidance.

Support around transition – SOAS aims to provide support and to ensure a positive experience for staff and students who transition at SOAS. We recognise that no aspects of transition are needed to respect someone's gender identity, expression and chosen language. Whether, how and at what pace a person transitions is individual to them and is affected by their own particular experiences and life circumstances.

Names - Students and staff can request a name change at any point. Formal evidence of name change is not required in order for a name to be used by colleagues and students, or on records across SOAS.

Staff should approach their line manager to do this.

Students can change their name by logging into Online Student Services and making updates - <https://studentonline.soas.ac.uk/WCFWebSite/OnlineServices/adlogin.aspx>

For students, formal evidence of name change is not required at enrolment at SOAS but is required for the purposes of receiving qualification certificates in the student's new name.

For staff, formal evidence of name change is required for their bank account, HMRC records, and pension scheme.

Under the Gender Recognition Act, a person has the right to request that all references to their former name and gender are removed and replaced with their current name and gender. Any records of staff members' and students previous names and gender markers should be confidential.

Pronouns - Everyone's choice of pronouns will be respected. If someone doesn't make it clear what pronouns they use it is okay to ask.

If mistakes with pronouns are made we acknowledge the error, apologise, and move on. Intentionally not using a person's name or pronoun that they have explicitly asked

for can constitute harassment and is not in accordance with our Dignity and Respect Policy - <https://www.soas.ac.uk/equalitydiversity/reports/file139468.pdf>

Students will be able to state their pronoun as part of the on-line registration process.

Title - Along with titles such as Mr. and Ms, people may request gender-neutral titles such as Mx, (pronounced 'Mix' or 'Mux').

Discrimination and Harassment - Students and staff should expect to be treated with dignity and respect at all times. Any complaint of discrimination or harassment will be treated seriously and thoroughly investigated. Action will be taken in cases where discrimination/harassment have been proved as founded.

Any student or staff member who feels they are being discriminated against or harassed by a staff member or student on grounds of their experiences as trans, non-binary or intersex individuals should raise the matter through Report and Support <https://reportandsupport.soas.ac.uk/>, where confidential support is also available to students and staff affected by discrimination and harassment.

The Equalities Act 2010 protects individuals from unlawful discrimination. The Equalities Act 2010 provides some legal protections regarding discrimination and harassment. However, these provisions do not cover everyone. SOAS aims for best practice and assures all trans, non-binary and intersex people, whether they are technically covered by the law or not, that their inclusion and safety is taken seriously.

For more information on the Equalities Act 2010 see Appendix 2 – The Law in accompanying guidance.

International Travel - Travelling abroad can pose problems for trans, non-binary and intersex people. SOAS considers the safety and wellbeing of its staff and students as paramount. SOAS will assess the risk of travelling and any trans, non-binary and intersex staff and students are always involved in decisions about overseas travel and have the final say over whether to go. SOAS will actively seek alternative opportunities for learning opportunities regarding student placements.

Medical leave for staff - People who undergo a medical transition or have ongoing needs related to their trans, non-binary and intersex healthcare may require periods of time off work. Some people may need reduced hours or duties for a temporary period when they return to work following surgery.

No staff will be unfairly disadvantaged for accessing trans, non-binary and intersex related healthcare. In particular:

- Staff will not be required or encouraged to take annual leave to cover medical appointments
- Staff will not be asked or encouraged to push back appointments or surgery dates for SOAS's convenience

SOAS understands that there may be ongoing physical health needs from intersex people. This includes medical appointments and ongoing surgeries.

SOAS also understands that there is no say around Gender Identity Clinic appointments and when they are offered. SOAS will consider any reasonable

expectations of remote working e.g. when staff have long journeys to travel to an appointment.

Recruitment for staff - In accordance with our Recruitment Procedure (<https://www.soas.ac.uk/policies-and-procedures/recruitment/procedure/>) SOAS will:

- take active steps to ensure that trans, non-binary and intersex applicants know they will be welcome, and to provide information about processes and practices that support trans, non-binary and intersex people, both in the recruitment process and in employment.
- be clear about the inclusivity of any roles where being of a particular sex is an Occupational Requirement for the role
- recognise that a person may sometimes struggle to provide references, ID etc. in their current name and we will set out clear approaches to minimise anxiety and maintain confidentiality in those circumstances
- invite all applicants and interview panel members to share pronouns at interview.

Where the position requires a DBS check, SOAS gives candidates the information that there is a confidential application route for people who have changed their name (<https://www.gov.uk/guidance/transgender-applications>).

If someone discloses their trans, non-binary and intersex status / history or their intent to transition at interview or application, this will not affect someone's likelihood of being appointed.

For new recruits, SOAS only needs to know the applicants' lived gender. However, if their gender is neither M nor F, they will need to select a binary gender for HMRC purposes.

Student Admissions – SOAS ensures that they provide information for potential students on how they value equality and diversity across SOAS, including a statement on trans, non-binary and intersex inclusion, and signposting where potential applicants can get more information

An applicant will not be questioned about their sex or gender identity or history during their interview.

References for students and staff - current or former students and staff will make no reference to the person's trans, non-binary or intersex status. References will use the appropriate pronoun and should not refer to a person's former names, or out them as trans, non-binary or intersex.

Qualification certificates - Students will usually be required to show evidence of a formal name change (e.g. a statutory declaration of name change or deed poll) in order for a certificate to be issued under a name different from that under which they registered. In exceptional circumstances where provision of such documentation is associated with insurmountable barriers, the University will consider possible alternatives on a case-by-case basis.

Alumni students wishing to gain a replacement certificate for a qualification that they received in a previous name must provide evidence of formal name change

Parental Leave - SOAS recognises the many different ways people may become parents, including intersex people and/or men with a trans history, trans men, trans-masculine or Assigned Female at Birth non-binary birth parents. SOAS will not make assumptions about gender as regards to parenting, or about family structure.

Where statutory organisations use gendered language, we will use neutral language and cross refer as necessary. SOAS will act as an advocate on the staff member's behalf (where the staff member wishes) to help navigate statutory agencies' processes and forms and find solutions to issues arising.

See our Parental Leave policy - <https://www.soas.ac.uk/policies-and-procedures/parental/>

Support Around Health and Well-being - Staff and students have access to support regarding their physical and mental health and emotional well-being.

SOAS's Staff Benefits (<https://www.soas.ac.uk/working-at-soas/>) require that our Employee Assistance Scheme benefits have sufficient knowledge of trans, non-binary and intersex people to be able to support and include them effectively. (<https://www.soas.ac.uk/policies-and-procedures/pphealthwelfare/empsup/>)

For students, see our <https://www.soas.ac.uk/soas-life/student-support-and-advice/> for information about student support services, <https://www.soas.ac.uk/su/> and <https://soasunion.org/> about our Student Union and <https://www.soas.ac.uk/studentadviceandwellbeing/students/money/hardship-funds/> about hardship funds.

See Appendix 4 – Further Information, Resources and Organisations in our accompanying guidance.

Social Events and Activities - In order to ensure trans, non-binary and intersex people are included in social and similar events, SOAS asks venues about their toilets, security/ID arrangements and how they have ensured their staff are trans aware/trans inclusive.

Living Document / Intent to Review

This policy will be reviewed every 2 years and when there are relevant changes in the law.

Responsibilities, Ownership and Implementation

SOAS is committed to the implementation and enactment of this policy.

The EDI department is responsible for ensuring that this policy is enacted with the EDI manager to oversee.

Each business area (i.e. Professional services, HR, CIO and academic departments) are responsible for their own IT systems.

The Assistant Director of Estates - Property Services has responsibilities for parts of the policy relating to facilities.

The Human Resources Operations team have responsibilities for parts of the policy relating to staff training.

Limitations

There are some limitations to this policy.

It is important to note that certain external agencies / forms that are not (yet) fully inclusive e.g. the NHS Maternity Leave form; HMRC's binary legal gender approach. SOAS will establish HR as a confidential interface with such external agencies / providers; to help with navigating their processes and forms; to advocate for the staff member and act on the staff member's behalf (with their consent); to help answer questions and find solutions and workarounds.

Note adopting gender neutral language across all policies will take time. This will be implemented at each policy renewal stage and monitored through the EDI team.

About Gendered Intelligence (GI)

GI is a registered charity that works to increase understandings of gender diversity and improve the lives of trans people.

They work throughout the UK, offering a broad spectrum of non-judgmental, practical services to the public, private and not-for-profit sectors, including: staff training, speakers and panellists for events and conferences, and wide-ranging consultancy.

They also provide services for trans and gender questioning people, especially young people, and those who support them.

To find out more, visit www.genderedintelligence.co.uk



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