

Gender Identity Policy

HARROW, RICHMOND AND UXBRIDGE COLLEGES POLICY AND PROCEDURES



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Person responsible:	Assistant Principal – Workplace and Employability Skills
Approved by:	Curriculum & Quality Board
For action by:	Teaching staff, Tutors, Learning Advocates, appropriate Heads of School and Examinations
For information to:	All staff and learners

1. Equality, Diversity and Inclusion Ethos Statement

- 1.1 HRUC is fully committed to promoting, maintaining and supporting equality and diversity in all aspects of its work. HRUC aims to create an environment where all individuals have the opportunity to achieve their full potential and gain a feeling of self-esteem and respect for and from all others. HRUC expresses its opposition to all forms of inequality and discrimination.

2. Background

HRUC recognises that there can be differences between physical sex and gender identity/expression. HRUC will at no time discriminate against people on the grounds of gender reassignment, gender identity, intersex status, or associated processes at any stage, whether or not a formal medical or legal transition has taken place. This commitment covers learners, staff, and applicants across all areas of college life. Throughout this policy, “trans people” is used as an umbrella term covering a wide range of identities, including (but not limited to) transgender, non-binary, gender-fluid, and gender-questioning individuals. 'Gender identity' includes both fixed identities and more fluid or evolving identities. In all cases, HRUC will ensure dignity, confidentiality, and appropriate support for individuals, while also safeguarding the well-being of the wider community.

3. Legislation on Gender Reassignment, Gender Identity and Safeguarding Duties

- 3.1 The Equality Act 2010 remains the key legislation underpinning HRUC's approach.

- 3.2 Under The Equality Act 2010, gender reassignment is a protected characteristic. This covers anyone who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning their gender, with or without medical supervision. Protection applies from the moment an individual indicates an intention to transition. The nine 'protected characteristics' under the Act are:
- Age
 - Disability
 - Gender reassignment (people undergoing gender reassignment or who are trans-gender)
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation (gay, lesbian, bisexual and heterosexual orientation)
- 3.3 The Act does not fully define the protected characteristic of sex, but it is generally understood to refer to a learner's natal sex (the sex assigned at birth). After the age of 18, individuals can obtain a gender recognition certificate, which means their sex is recognised as their acquired gender (the gender they live as).
- 3.4 In April 2025, the UK Supreme Court clarified that for the purposes of the Equality Act 2010, the term "sex" refers to biological sex. This ruling affects how single-sex spaces and services are lawfully managed. While HRUC remains committed to supporting trans and gender-diverse individuals, it must also comply with this legal interpretation. As such, HRUC may apply single-sex exemptions where it is a proportionate means of achieving a legitimate aim, such as ensuring privacy, dignity, or safeguarding. This includes the provision of toilets, changing rooms, and other gender-specific facilities. These decisions will be made on a case-by-case basis, with due regard to the rights and well-being of all individuals involved.

4. Gender Recognition Act

- 4.1 The Gender Recognition Act 2004 enables individuals who meet specific criteria to obtain a Gender Recognition Certificate (GRC), meaning they are legally recognised in their affirmed gender. It also protects the privacy of information relating to an individual's gender history, with unauthorised disclosure being a criminal offence.
- 4.2 This means that individuals obtain a Gender Recognition Certificate:
- Are granted the same legal rights and responsibilities as any other individual living in their affirmed gender.
 - May marry a person of the opposite gender or enter into a civil partnership, in line with their legal rights.
 - Become eligible for the state retirement pension and other benefits, based on the age appropriate to their affirmed gender.
 - Can apply for a new birth certificate that reflects their lived gender without indicating any previous designation.
 - Are safeguarded against dismissal on the grounds of impending gender confirmation treatment—employers must treat such absences similarly to other life-altering conditions, with reasonable accommodations provided as needed.
 - Have their gender reassignment information protected by law, ensuring that no unauthorised disclosure occurs.

- 4.3 The Ministry of Justice holds responsibility for the Gender Recognition Act. Additional information can be found on the Gender Recognition Panel website on how to gain a Gender Recognition Certificate <http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/gender-recognition-panel/>.

5. DfE Gender Questioning Children Guidance

- 5.1 Following updated guidance from the Department for Education (December 2023), HRUC recognises that:
- Requests for changes to names, pronouns, uniforms, and facilities must be considered carefully.
 - Safeguarding, the well-being of the individual, and the impact on the broader college community must be balanced.
 - Parental engagement (for learners under 18) is essential.
 - Social transition is recognised as an active and significant intervention, not a neutral act.

6. Intent

- 6.1 HRUC is committed to supporting trans and gender-questioning students and staff while promoting a respectful and inclusive environment for all. The following principles apply:
- Students will not be denied access to courses, progression to other courses, or fair and equal treatment while on courses because of their gender identity.
 - The curriculum will be checked to ensure that it does not rely on or reinforce stereotypical assumptions about trans people, and that it does not contain transphobic material.
 - All programmes of study will be reviewed to ensure they do not reinforce gender stereotypes or include transphobic material.
 - The confidentiality of trans and gender-questioning individuals will be strictly maintained. No information will be disclosed without explicit consent, except where legally required or necessary to safeguard individuals.
 - Decisions about social transition (including name or pronoun changes) will always prioritise the safeguarding, well-being, and educational needs of the individual, while considering the impact on the wider HRUC community.
 - HRUC will include gender identity awareness and inclusive practice as part of equality, diversity and inclusion training for all staff.
 - We will provide appropriate support mechanisms for staff and students undergoing transition or questioning their gender identity, recognising that the process may require flexibility in academic or work arrangements.
 - HRUC welcomes and supports the establishment of appropriate facilities and groups for trans and gender-questioning students and staff.
 - HRUC provides separate single-sex toilets for boys and girls. It also provides single sex changing facilities for boys and girls. Toilet cubicles are partitioned and have lockable doors.
 - Students who identify as trans girls (biological boys) should not be permitted to use the girls' toilet or changing facilities, and students who identify as trans boys (biological girls) should not be permitted to use the boys' toilet or changing facilities. Inclusive toilets and changing rooms are provided.
 - HRUC acknowledges and protects the rights of all individuals, including those who hold religious or philosophical belief.

7. Implementation

- 7.1 Supporting transitioning learners and staff whilst in college:

- When an individual identifies that their assigned gender at birth does not align with their actual or preferred gender, and they wish to transition, they may approach HRUC to initiate the process of transitioning to their preferred gender, which may include commencing a real-life experience.
- Staff members who wish to transition should first discuss their intentions with their line manager or People Advisor. For learners, the designated staff member from Learner Support will engage with the individual to facilitate the process.
- A comprehensive plan, in the form of a Memorandum of Understanding (MoU), will be drawn up to guide the transition process, ensuring clarity on support required and agreed timescales.

7.2 This MoU should outline:

- **Timing of Transition:** This includes the timing of changes to gender presentation, name, and pronouns. It's important to note that a social name change does not require official documentation.
- **Updating Documentation and Records:** Changing records may require a Statutory Declaration or Deed Poll to formalise the change of name and title. A Gender Recognition Certificate (GRC) is not necessary for this process at the initial stages of transition.
- **Confidentiality of Former Identity:** Strict measures must be taken to protect any documentation that contains previous gender identification information.
- **Communication Strategy:** The individual will be supported in determining when, how, and by whom colleagues or learners are informed of the transition. Some may prefer to inform others themselves, with appropriate support, while others may wish for someone, they trust to assist in communicating this information.
- **Support for Academic or Work Progression:** If the individual requires additional support to make up for time lost due to treatment or appointments, adjustments should be made. Where possible, medical treatments or procedures may be scheduled during vacation periods. However, precise dates for NHS treatment may not always be predictable.

7.3 Finalising the Transition Process:

- Upon the individual's request, HRUC will update its records to reflect the name change and new gender identity, ensuring all data accurately represents their current gender and name.
- A new file will be created, and any documentation that still references the person's previous identity (such as pension records) will be marked as 'confidential' to protect privacy.
- After a minimum of 12 months of living in their preferred gender, the individual may choose to undergo gender-affirming surgery.
- After two years of living in their preferred gender, regardless of whether surgery has taken place, the individual can apply for a Gender Recognition Certificate (GRC). The GRC enables the person to be legally recognised in their chosen gender, and any remaining documents or records not yet updated must be revised to reflect this change.
- **Note:** Gender Recognition Certificates are typically only issued once an individual reaches the age of 18, though any documentation can be updated following transition.
- For staff members who are part of the institution's pension scheme, a copy of the updated birth certificate should be submitted to ensure the pension records reflect the person's new gender.

8. Context and Other College Policies

- ### 8.1 This policy should be interpreted in the context of other relevant College Policies and Procedures, for example:
- Admissions Policy

- Safeguarding & Child Protection Policy
- Complaints Policy & Procedures
- Course Enquiries, Careers Information and Guidance Policy
- Equality, Diversity and Inclusion Policy
- Learning Support Policy
- GDPR (General Data Protection Regulations) Policy & Associated Documents
- Quality Management Policy
- Code of Conduct for Students
- Student Disciplinary Policy & Procedure
- Student Charter Policy
- Curriculum and Student policies
- People and Organisational Development (POD) Policies and Procedures

8.2 Further information and guidance can be found from the following sources:

- [Equality Act 2010: guidance - GOV.UK](#) (Equality Act 2010 is up to date with all changes known to be in force on or before 28 April 2025. There are changes that may be brought into force at a future date)
- [Government Equalities Office - GOV.UK](#)
- [Supporting transgender and non-binary people at work: Guide for people professionals | CIPD](#)

9. Review

9.1 This policy will be regularly reviewed and updated to reflect any changes in legislation, including the recent Scottish ruling on Gender Identity (April 2025). As legal frameworks evolve, HRUC will ensure the policy remains compliant and supportive of all staff and learners. Any significant updates will be communicated to all relevant parties.

10. Appendix 1 Glossary of Terms

10.1 Introduction

Terminology within the transgender field is continually evolving as our understanding of gender diversity grows. Traditional binary concepts of gender are increasingly questioned, and many individuals, particularly younger generations, reject rigid gender classifications. Terms such as "pan-gender," "genderqueer," and "third gender" are gaining use to describe a broader range of gender identities. It is important to note that individuals have the right to self-identify, and this glossary aims to reflect common terms while acknowledging the fluidity and diversity of gender identity.

10.2 Gender Identity

Gender identity refers to an individual's internal sense of their gender, typically as male or female. While many people's gender identity aligns with their sex assigned at birth, others may identify outside the binary framework, with some experiencing a gender identity that is inconsistent with their sex appearance or adopting a neutral or fluid identity.

10.3 Sex

Sex refers to the biological and physical characteristics typically associated with male or female

bodies. At birth, sex is usually determined based on genital appearance, but this classification is not always an accurate reflection of an individual's gender identity.

10.4 Gender Role

Gender role describes the societal expectations and behaviours associated with being male or female, shaped by culture, tradition, and social norms. While gender roles have evolved, there remains societal pressure to conform to expected behaviours based on gender, and deviation from these roles may cause discomfort or anxiety.

10.5 Gender Variance/Gender Dysphoria/Gender Identity Disorder

Gender variance refers to gender expression that deviates from cultural norms. When this variance leads to personal discomfort, it may be categorized as gender dysphoria, often associated with a disconnect between one's physical appearance and gender identity. However, many prefer "gender variance" as it avoids pathologizing these experiences.

10.6 Transsexualism

Transsexualism refers to individuals who experience significant discomfort with their sex assigned at birth and pursue medical interventions such as hormone therapy or surgery to align their physical characteristics with their gender identity. The term "transsexual" should be used as an adjective, not a noun (e.g., "transsexual person").

10.7 Transition

Transition describes the process by which an individual changes their gender expression and role to align with their gender identity. This may occur gradually or suddenly and may involve social, legal, and medical changes. "Affirmed gender" is now a commonly used term to refer to the gender identity an individual embraces.

10.8 Gender Confirmation Treatment

Gender confirmation treatments include hormone therapy and gender-affirming surgeries that help individuals align their physical appearance with their gender identity. The term "sex change" is considered outdated and inappropriate; "gender confirmation" is the preferred terminology.

10.9 Transgender

"Transgender" is an inclusive term for individuals whose gender expression falls outside typical gender norms. This term encompasses a wide range of identities, including those who cross-dress, live outside gender norms, or undergo medical interventions. Although distinctions exist between various identities (e.g., drag artists vs. transsexual individuals), these lines can sometimes be blurred, and self-identification is key.

10.10 Trans Men and Trans Women

"Trans men" refers to individuals assigned female at birth who identify as male, while "trans women" refers to those assigned male at birth who identify as female. These terms are often used interchangeably with "transsexual men" and "transsexual women." Many individuals prefer to simply be referred to as men or women, with "woman (or man) of trans history" used when necessary to clarify pre-transition status.

10.11 Intersex Conditions

Intersex conditions, also known as Disorders of Sex Development (DSDs), are biological conditions where an individual's sex characteristics do not align with typical male or female classifications. These conditions may result in physical differences that can influence gender identity and expression.

10.12 Sexual Orientation

Sexual orientation is distinct from gender identity. It refers to who a person is attracted to, which may be same-sex, opposite-sex, or other orientations. Transgender individuals, like anyone else, may identify as gay, straight, bisexual, or asexual, and their sexual orientation may or may not change throughout the transition process.

10.13 Gender Recognition Certificate

The Gender Recognition Act 2004 provides for legal recognition of gender for individuals who have transitioned. A Gender Recognition Certificate (GRC) allows individuals to change their legal gender, which is reflected in their birth certificate. Those in existing marriages or civil partnerships must annul them before applying for a GRC.

11. Appendix 2: Guidelines for HRUC Staff on Gender-Neutral Language in the Classroom

11.1 Foreword

HRUC is committed to fostering an inclusive, respectful, and supportive environment for all learners. As gender diversity becomes more visible in educational settings, it is important for HRUC staff to adopt gender-neutral language and inclusive practices to create an atmosphere where all learners can thrive. This guidance draws on the Department for Education's (DfE) Gender Questioning Children Non-statutory guidance for schools and colleges in England (2023).

11.2 Terminology

Language around gender identity continues to evolve. It is essential to stay updated and to use terms in a way that respects individual identities. Below are definitions for key terms relevant to HRUC staff:

- **Gender Identity:** One's personal sense of their gender, which may or may not align with their sex assigned at birth.
- **Gender Questioning:** Describes individuals exploring their gender identity.
- **Gender Dysphoria:** Clinical distress arising from a mismatch between one's gender identity and assigned sex.
- **Gender Binary:** The concept of gender being strictly categorized as either male or female, not accounting for nonbinary identities.
- **Nonbinary:** An identity that does not fall within the traditional categories of male or female.
- **Gender Fluid:** A flexible gender identity that may shift over time.
- **Agender:** A person who does not identify with any gender.
- **Cisgender:** A person whose gender identity aligns with the sex assigned at birth.

- Transgender: An umbrella term for individuals whose gender identity differs from their sex assigned at birth.
- Gender Confirmation Treatment: Medical treatments such as hormone therapy or surgery during transition.

11.3 Pronouns and Gender Identity: A Considerate Approach

It is important for HRUC staff to be sensitive when using learners' chosen names and pronouns. To foster an inclusive environment:

- Respect and Affirmation: Always use a learner's preferred name and pronouns if disclosed. If unsure, kindly ask the learner and respect their choice.
- Consultation: If a learner requests a change of pronouns, consult with Learner Support, parents/guardians (where appropriate), and any relevant staff.
- Limited Scope for Change: Requests to change pronouns should be carefully considered. In general, it is expected that requests to change pronouns will be rare. Ensure that the benefits to the individual outweigh any potential community impact.
- No Compulsion: No learner or staff member should be compelled to use pronouns that they are uncomfortable with.
- Alternatives: If using pronouns creates safeguarding or practical concerns, use the learner's first name, or neutral language, where possible.
- Confidentiality and Safeguarding: Relevant staff should be made aware of gender-questioning learners' identities as required to ensure the learner's safety and well-being.

12. Conclusion

- 12.1 By following these guidelines, HRUC staff can ensure a welcoming and inclusive environment where all learners are supported in expressing their gender identities. Our collective responsibility is to foster an atmosphere of respect, inclusivity, and understanding.