



Considering Trans People at Manchester Metropolitan University

This factsheet supports the University in strengthening its general duty under the Equality Act 2010 and to have due regard to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Foster good relations between people who share a protected characteristic¹ and those who do not.

It contains information for staff and students at MMU on Transgendered (Trans) people in order to help raise awareness, support and understanding and sets out the definitions, the legal context and ways in which to meet people's needs.

Who are Trans' people?

There are many different terms and phrases that are used to describe trans people. This can be confusing because each has a different meaning to different people. Therefore, the list that follows is a brief explanation of some of the more common words that are used to define and describe Trans people.

'**Trans**' is an umbrella term used politically and collectively - it is generic and captures the variety of Trans identities without being limiting. Trans refers to a diverse and inclusive community of people ranging from part-time cross dressers to transsexual people who may undergo gender reassignment surgeries.

'**Transgenderism**' is a term that identifies those who feel their assigned sex at birth does not match their personal gender identification. It is used as a term to describe those people who live temporarily or permanently in their preferred gender role who may use hormonal and/or surgical treatments to assist their gender identification.

'**Transsexualism**' is a medical description for those people who seek gender reassignment treatments that may include genital reconstructive surgery. This term is often disliked by many Trans people. Someone who is transitioning from female to male is often known as a 'Trans man', while male to female transsexual people are known as 'Trans women'. After successfully transitioning to live permanently in their preferred gender role, many prefer to be considered simply men or women.

'**Gender Dysphoria**' and '**Gender Identity Disorder**' are controversial medical identifications. They can be applied to all expressions of transgenderism.

'**Transvestite/Cross-dresser**' refers to those people who dress partly or fully in the clothing typically worn by the opposite sex. Transvestites generally do not wish to alter their body. They may cross-dress temporarily or permanently. Many prefer to be referred to as 'Trans women' and 'Trans men'. Nearly all wish to be referred to by their visually expressed gender identity.

'**Intersex**' refers to people whose physical form, usually at birth, cannot be easily defined as female or male. Some may undergo surgery/hormonal treatment. Some may identify as Trans. Some may re-identify their gender in adulthood. Most intersex people do not identify as Trans.

Legal context

The definition of gender reassignment within the *Equality Act 2010* gives protection from discrimination to a person who has **proposed, started or completed a process to change their sex**. Under the Act 'gender reassignment' is a personal process, that is, moving away from one's birth sex to the preferred gender rather than a medical process.

In the past, a person's legal gender was defined by their birth certificate and could not be changed. *The Gender Recognition Act 2004* means that people can now apply to gain recognition of their preferred gender identity for all legal purposes.

For further guidance in relation to the Gender Recognition Certificate (GRC) and/or 'Change of Gender Process', please speak to the E&D team.

Where an individual has been diagnosed as having 'Gender Dysphoria' and the condition has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities, they may also be protected under the disability discrimination provisions of the Equality Act.

¹ The new duty covers the following nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Confidentiality

Revealing the trans status of a person to others, either by disclosing information to individuals or groups - in other words 'outing' someone or passing judgment on how convincing a trans person is in their acquired gender, amounts to bullying, harassment and discrimination, which are unlawful.

Confidentiality is crucial and can be a matter of personal safety rather than purely about privacy.

Any disclosure of information about the individual could constitute a criminal offence liable to a fine.

Trans staff may choose voluntarily to disclose information at a secondary level, for example, answering an equal opportunities questionnaire, or asking for support from a line manager. Again, strict confidentiality should be observed as further disclosure must not be made without the express permission of the individual.

Communication and engagement

Good communication for MMU staff includes:

- Using the name and title that the person who is transitioning deems to be correct (e.g. Mr, Mrs, Miss or Ms) do not use any descriptions concerning a Trans identity, i.e. transsexual people, transsexual individual or someone who is transsexual;
- Thinking of the person as being the gender that they want you to think of them as.
- Respecting people's privacy. Do not ask what their 'real' or 'birth' name is and do not tell others about a person's Trans status.
- Respecting people's boundaries. If you feel it is appropriate to ask a personal question, first ask if it is ok to do so.
- Listening to the person, and ask how they want to be treated and referred to.
- Avoiding using disrespectful terms such as 'disorder' or 'disease'.
- Avoid using the wrong pronoun, i.e. using 'he' rather than 'she' and vice versa.

Do not be afraid to challenge negative comments and jokes about Trans people and/or Trans issues or report incidents of Transphobic abuse.

A **cautionary note**, some Trans people may have reclaimed derogatory words such as 'tranny' to describe themselves but it is not appropriate for our organisation to use these words to describe people. Most people are happy with 'Trans' but if in doubt, ask!

Meeting other needs

It is important to remember that being Trans is about gender identity and not sexual orientation. Trans people can be lesbian, gay or bisexual (LGB) or straight (heterosexual).

Links and resources

'Living my life: Information for people who currently identify as Trans or who are beginning to explore their gender identity'

www.nhs.uk/Livewell/Transhealth/Documents/LivingMyLife.pdf

Equality Challenge Unit's Guidance 'Trans Staff and Students in Higher Education'

www.ecu.ac.uk/publications/files/trans-staff-and-students-in-he-revised-2010.pdf/view?searchterm=trans

Gendered Intelligence, a community interest group

www.genderedintelligence.co.uk/index.php

HM Courts and Tribunal Service, Explanatory Leaflet, A guide for users, Gender Recognition Act 2004

www.justice.gov.uk/downloads/guidance/courts-and-tribunals/tribunals/gender-recognition-panel/overseas-application-process/explanatory-leaflet-guide-for-users.pdf

NHS Choices website

www.nhs.uk/conditions/Gender-dysphoria/Pages/Introduction.aspx

NHS Northwest

www.help.northwest.nhs.uk/lgbt_timeline

Press for Change - Campaign for equal civil rights for Trans people.

www.transequality.co.uk/default.aspx

Further info on terms like 'Cis' can be found here:

www.gender.wikia.com/wiki/Cisgender
www.gender.wikia.com/wiki/Cissexual

For more information

For more information, please contact the Equality & Diversity team:

Telephone 0161 247 6417
Email Equalities@mmu.ac.uk

Acknowledgments

Equality Challenge Unit

MMU Lesbian, Gay, Bisexual & Transgender Staff Forum

Mr Lee R. J. Middlehurst, PhD Researcher, Sociology, MMU

NHS Trusts

Organisation Development, Training & Diversity April 2012
