



# Policy & Guidance for Transgender, Transitioning and Gender-Questioning Students

**Student Success**

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## **1. Scope and Purpose**

- 1.1.** Southampton Solent University (the “University”) is an inclusive university, with a rich and diverse student and staff community. We foster a culture which encourages all students to freely express their identity without experiencing bullying, harassment or discrimination.
- 1.2.** We recognise that at any point during your student journey you may question or change your gender identity. We also recognise each person’s journey will be individual to themselves and we will follow this policy and guidance to support you during transition, whether your transition is social, medical or legal.
- 1.3.** This policy sets out the support and advice that we can offer to you when you express an identity different to your sex registered at birth, have begun or undergone the process of gender reassignment, or self-define as trans, non-binary or gender non-conforming. We understand that each student’s needs are different, and we aim to provide this support in a sensitive and empathetic way.
- 1.4.** As part of our commitment to Equality and Diversity, the University strives to provide a culture and environment where all students may study, work and live without encountering discrimination, victimisation or prejudice and treat all students with dignity and respect in compliance with the Equality Act 2010 (the “Act”).

## **2. Definitions**

### **2.1. Trans**

Throughout this guidance, ‘Trans’ is used as an umbrella term for people whose gender identity is not the same as their sex registered at birth. ‘Trans’ therefore includes trans men and trans women, gender-fluid and non-binary people.

### **2.2. Gender reassignment**

‘Gender reassignment’ under the Act means proposing to undergo, undergoing or having undergone a process to reassign sex. Individuals do not have to be under medical supervision or have undergone any medical treatment or surgery to change from their birth sex to their preferred gender to be protected from gender reassignment discrimination. The protected characteristic of ‘gender reassignment’ applies to each stage of transitioning. We recognise that this process will be unique to each individual.

### **2.3. Discrimination**

Treating someone less favourably or unfavourably because of a protected characteristic (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

### **2.4. Harassment**

Unwanted conduct related to a protected characteristic that (i) violates someone’s dignity; or (ii) creates an intimidating, hostile, degrading, humiliating or offensive environment for that person, where in the circumstances it is reasonable for the conduct to have that effect.

In determining whether behaviour amounts to harassment, the University will take into account its duties to secure freedom of speech and academic freedom and will apply a rebuttable presumption that students being exposed to any of the following is unlikely to amount to harassment:

- The content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures.
- Statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course.

### **2.5. Bullying**

Unwanted behaviour from a person or group that is either (i) offensive, intimidating, malicious or insulting; or (ii) an abuse or misuse of power that undermines, humiliates or causes physical or emotional harm to someone. In determining whether behaviours amount to bullying, the University will take into account its duties to secure freedom of speech and academic freedom.

## **3. Academic Freedom & Freedom of Speech**

**3.1.** In applying all its policies, the University will have particular regard to, and place significant weight on the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context and environment.

**3.2.** This guidance will be interpreted and applied in a manner compatible with the Code of Practice: Academic Freedom and Freedom of Speech. In particular, no member of academic staff will be subject to disciplinary action as a consequence of exercising their right to freedom of speech or academic freedom within the law.

## **4. Disclosure & Seeking Support whilst at Solent University**

**4.1.** You are under no obligation to disclose information to the University relating to your Trans-status, however we do encourage you to notify us as soon as you can if you would like your new gender identity to be recognised on University systems, where this is possible in accordance with this policy.

**4.2.** Making a disclosure at an early stage can also enable us to support and assist you in the best way possible. We advise that you contact our [Student Hub team](#) who can offer a central point of contact for support and with your permission assist you to navigate your transition with academic and other support services.

## **5. Change of name and/or gender**

**5.1.** We recognise that you may wish to be known by a different name than your legal name on University systems or formally change your name in connection with your transition.

- 5.2.** In the UK it is possible to change your name informally. However legal change of name will be required to change identification in relation to education, degree, and qualification certificates.
- 5.3.** We encourage you to notify us of your known name. You can tell us that you have a preferred/known name and/or pronouns as part of the online registration process – this is a name different to your legal name. You can also update or change your preferred/known name on the student Gateway system at any point during your studies. This will mean that:
- Your email name will show as your preferred/known name (although your actual email address and username will remain the same, as this is made up of elements of your legal name);
  - Your name on MS Teams will show as your preferred/known name;
  - Your campus card can be printed with your preferred/known name (if you change this part-way through an academic year, you can request a new card free of charge from the Student Hub). If your appearance has changed significantly, you can also request a new student card with an updated photo.
  - Unless there are exceptional and objectively justifiable reasons not to, the University expects all people to be addressed and referred to using the pronouns which make them feel comfortable.
- 5.4.** Your academic staff may not have access to, or regularly check, the student records system, so if you have a preferred/known name or pronoun you wish to be addressed by, we advise that you let your academic staff know. You can speak confidentially to your personal tutor who can assist you with sharing this information across your course team. If you have any concerns or worries about how to start or have that conversation, confidential advice and support is available from the Student Hub. The Student Hub team can also speak to your personal tutor, course team, or other key staff on your behalf (at your request) to ensure that anything you want them to know about your gender identity is shared in a sensitive and confidential way. You can also visit the [Student Minds](#) website where you can find helpful information.
- 5.5.** There are certain things that will remain in your legal name even in circumstances where you have updated your preferred/known name:
- Your degree certificate (or any other certificates) issued at the point of qualification.
  - Government student finance will need to be applied for in your legal name.
- If you change your legal name, for example by deed poll or statutory declaration, we can update your University records.
- 5.6.** If after leaving University, you legally change your name because you transition, a new certificate in your new name can be issued. You can email [certificates@solent.ac.uk](mailto:certificates@solent.ac.uk) with evidence to request this.

## 6. External bodies

- 6.1. For some courses students are required to register with an external body or may be required to register for professional membership.
- 6.2. If you change your name within the University, you should also notify all other relevant external bodies of the change. Different organisations may have different rules regarding names changes and known as names for Trans members.

## 7. International students

- 7.1. If you are an international student residing in the UK you can acquire a deed poll or a statutory declaration of name change to update records maintained by UK institutions, including the University and the UK Border Agency. However, to update records in your home country, such as passports, you must adhere to your country's respective procedures. For guidance on name change processes, you can seek assistance from your country's Embassy or High Commission.
- 7.2. We understand that international students transitioning in the UK may encounter significant challenges, especially if your home country is one where transgender individuals are not recognised or may be at risk of persecution. You can seek confidential support from the International Support Service at the University and be assured that we ensure that information regarding your transition is stored and processed securely in accordance with data protection legislation.

## 8. Time off for medical appointments

- 8.1. We understand that you may need to take time off for medical or therapeutic appointments during the transition process. These absences will be regarded in the same way as any [absence for medical reasons](#). Please note:
  - We encourage you to let your tutors know that you will be absent (you do not need to share details of the reason for your absence).
  - You must log your absence on the attendance monitoring system. You can self-certify for up to 7 calendar days. Absences of more than 7 calendar days will require approval by relevant staff and you will be asked to supply relevant evidence.
  - We encourage you to catch up with any missed learning available via SOL, or through a 1-1 with your tutors.
  - If you are an international student studying on a student visa, you should also make our [International Student Support](#) team aware, as unapproved periods of absence will trigger attendance warning correspondence and you must ensure that you comply with the conditions of your student visa.
- 8.2. If your absence is likely to last for over 4 weeks, we encourage you to suspend your studies under the [Student Attendance & Engagement Policy](#) due to the amount of missed learning and the potential impact on your studies and outcomes. We

understand this can be a big decision, but it is important that this option is considered if you would benefit from taking some time away to focus on your wellbeing and be in a better place to study and achieve your potential. You can visit the Student Hub to discuss your options and the implications of suspending your studies.

- 8.3.** If your ability to submit assessments or sit exams is impacted by your medical treatment, you may be able to apply for [extenuating circumstances](#).

## **9. Graduation**

- 9.1.** At Graduation, your legal name will be read out unless you request on the day of your ceremony that your preferred/known name is read out. Please note your legal name will still appear in the Graduation book, and on your certificate.

## **10. Confidentiality**

- 10.1.** Confidentiality of a person's Trans status is essential. Under data protection legislation, sensitive information such as a person's Trans identity and details regarding gender reassignment are considered "special category data" and are afforded specific protections.

## **11. Discrimination and harassment**

- 11.1.** We take allegations of bullying and harassment seriously and will respond to them proportionately under the relevant procedures. We encourage you to disclose any incidents of this nature to us via our [Report + Support form](#). You can do so anonymously, but that may limit the support we can offer or the action we can take. We therefore encourage you to share your details with us so we can discuss your options for formally reporting (both to the University and to the police if you wish to do so) and ensure that you are offered support if this has had an impact on your wellbeing. You can also report incidents to us that you witnessed even if you were not directly impacted by them. The Student Hub is also a [Hate Crime Reporting Centre](#).
- 11.2.** Should you wish to formally report any incidents of this nature where the alleged party is a student then you can do so through the Student Disciplinary Procedure, if the alleged party is a member of University staff, you can do this through the [Student Complaints Procedure](#). For advice and support with these procedures, you can visit the Student Hub or the Students' Union.

## **12. Support within the University**

- **[Mental Health & Wellbeing team](#)**: A free and confidential service available to all students. Our Mental Health Advisers can help liaise with external specialist services to ensure you receive the most appropriate support.
- **[Student Hub](#)**: Our Student Advisers can provide advice and guidance throughout your transition, including discussing any impact on your studies, and options moving forward, as well as practical support such as printing a new campus card, and liaising with your academic tutors. We can also provide advice and guidance around university procedures.

- **Student Funding:** The Student Funding team are experienced in supporting students who intend to transition or are transitioning and understand the financial impact this can have. The team can offer confidential information, advice and guidance on a case-by-case basis and help you with all matters relating to your student finance and funding entitlement. The Student Funding team also administers non repayable support grants and bursaries.
- **Students' Union:** The Advice Service offers independent, confidential and free advice and guidance on university processes including appeals and complaints. The SU also runs the LGBT+ Student Society.

## Appendix A Legal framework

There are various key pieces of legislation that govern this area of equality and protect people against unlawful discrimination:

### Gender Recognition Act 2004

This enables Trans people to achieve legal recognition in their acquired gender and change their recorded sex on their birth certificate from male to female or vice versa by obtaining a Gender Recognition Certificate. The Act aims to safeguard the privacy of Trans people by making it unlawful to disclose 'protected information' obtained in an official capacity to any other person. 'Protected information' is information relating to a Trans person's application for a GRC, or, where they have received a GRC, information about their gender history, except in certain circumstances.

### Equality Act 2010

This includes the Gender Equality Duty. This requires institutions to have due regard to the need to eliminate unlawful discrimination and harassment, and to promote equality of opportunity for all gender.

The Equality Act 2010 says that you must not be discriminated against because of gender reassignment.

In the Equality Act, gender reassignment means proposing to undergo, undergoing or having undergone a process to reassign your sex.

To be protected from gender reassignment discrimination, you do not need to have undergone any medical treatment or surgery to change from your birth sex to your preferred gender.

You can be at any stage in the transition process, from proposing to reassign your sex, undergoing a process of reassignment, or having completed it. It does not matter whether or not you have applied for or obtained a Gender Recognition Certificate, which is the document that confirms the change of a person's legal sex.

## Appendix B External Services

The list of useful contacts given below is correct at the time of writing (March 2024). Please check the web for up-to-date contact information. Please note that the University does not endorse or take responsibility for the information provided by external organisations.

- **Equality and Human Rights Commission** is the statutory body responsible for protecting, enforcing and promoting equality across nine protected characteristics — age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, and sexual orientation: [equalityhumanrights.com](https://www.equalityhumanrights.com).
- [The Beaumont Society](#) is the largest transgender support group in the UK. It promotes better understanding of the conditions of transgender, transvestism and gender dysphoria.
- [LGBT+ Switchboard](#) provides a one-stop listening service for LGBT+ people on the phone, by email and through Instant Messaging – Tel: 0300 330 0630.



- [Beyond Reflections](#) are a charity supporting trans, non-binary and questioning adults as well as their friends, families and allies in England and Wales.
- [Depend](#) offers advice, information and support to all family members, partners, spouses and friends of Trans people.
- [National LGBT Hate Crime Partnership](#) brings together 35 LGBT organisations from across England, Wales and Scotland and is led by the LGBT consortium on behalf of the EHRC. It aims to increase the reporting of LGBT hate crimes and incidents and improve the support available to those targeted.