Trans and Non-Binary Student Inclusion Policy

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A. Introduction

1. ArtsEd welcomes gender diversity and recognises the value such diversity brings, and we are committed to creating an environment where trans and non-binary students feel included, supported and comfortable. This policy sets out our approach and provides guidance to staff and students who are working with and/or supporting trans and non-binary students, and students who identify as trans and/or non-binary.

2. In this policy we have used the term 'trans and non-binary' to mean anyone who feels that the sex they were assigned at birth, and the corresponding gender they were assumed to have, does not match or sit easily with their own sense of self. It includes everyone who has an experience of gender like, or similar to, this and we encourage students to use the language they choose.

3. We recognise that laws relevant to trans and non-binary people are still developing and occasionally lack inclusivity by relying on the binary definitions of gender. We remain committed to supporting students, protecting their rights. Our Code of Practice for Freedom of Speech sets out our commitments and approach to protecting freedom of speech and academic freedom within the law. The key pieces of legislation are:
    i.   Equality Act 2010
    ii.   Gender Recognition Act 2004
    iii. Data Protection Act 2018 (UK)
    iv.   General Data Protection Regulations (GDPR) (UK) 2018
    v.   Human Rights Act 1998
    vi.   Higher Education (Freedom of Speech) Act 2023

4. Everybody is entitled to their beliefs and a person's right to hold those beliefs will be respected. However, conduct that amounts to discrimination, bullying, harassment or

victimisation based on a person's gender identity and/or gender expression is not tolerated and may be considered under the relevant ArtsEd misconduct procedure.

5. If a student tells you they are trans or non-binary, the following approach is a good place to start:
   - Recognise you might be the first person they have told and your reaction is important
   - Confirm the extent to which you can maintain confidentiality
   - Let the student lead the conversation and listen actively
   - Avoid making assumptions
   - Establish why the student is telling you and what they want you do to, acknowledging they might not want you to do anything at all
   - Agree next steps if they want you to take action and whether they want you to check in with them in a certain time period
   - Signpost the student to internal and/or external services, policies, information and support as appropriate

6. This policy should be read in conjunction with the following documents, available on the Policies page of our website:
   i. Code of Practice for Freedom of Speech
   ii. Equal Opportunities Policy
   iii. Student Charter
   iv. Casting Policy
   v. Safeguarding Policy
   vi. Support for Study Policy
   vii. Student Bulling, Harassment and Sexual Misconduct Policy
   viii. Student Misconduct and Disciplinary Procedure
   ix. Student Complaints Procedure
   x. Staff Code of Conduct

7. This policy and guidance has been co-produced with the voluntary engagement of staff and students, with guidance from Gendered Intelligence.

B. Language

8. We have chosen 'trans and non-binary' because it is one of the broadest and most widely accepted phrases in current use. However, we recognise not everyone uses these terms, and we respect everyone's right to choose how they are described as individuals. Language is always evolving, and we will regularly review terminology in consultation with the community.

9. We particularly note that some people who transition will regard themselves as men or women afterwards and no longer consider themselves trans. We also acknowledge those who are exploring their gender identity and may describe themselves as gender questioning.

10. The Policy and guidance will use several terms you may not be familiar with. A glossary is provided in Appendix 1, and key terms include:

- **Sex** – usually refers to a person's biological and physical characteristics, associated with male and female.
- **Gender** – a wide-ranging term used to describe several different but intersecting aspects that are mainly social, cultural and behavioural.
- **Trans** – an umbrella term people may use to describe themselves if their own sense of gender (their gender identity) does not match or sit easily with the gender they were assumed to have based on the sex they were assigned at birth.
- **Non-binary** – one of a number of terms people might use to describe the experience of having a gender that is neither male nor female, both male and female and/or between, beyond or unrelated to the binary categories of man and woman. Some people use it as an umbrella term, encompassing a spectrum of experiences such as those described under gender fluid and agender.
- **Gender questioning** – a term usually used to mean exploring your gender with a view to understanding it more fully

11. We aim to use language that recognises the agency of trans and non-binary people, validates their gender identity and empowers them. We therefore encourage staff and students to use the following terms and phrases:
    - '**Chosen name**', '**chosen pronoun**' (or simply 'name' and 'pronoun') – 'chosen' is used instead of 'preferred'. It does not imply that trans and non-binary people 'choose their gender' or 'choose to be trans' / 'choose to be non-binary'.
    - '**Prior to transition**' – used instead of phrases such as 'when the person was a woman' or 'before becoming a man' as these phrases imply that the gender a person was assumed to have at birth was correct / valid. Such phrases also label the person with their assumed gender which may be upsetting.
    - '**Assigned at birth**' / '**assumed at birth**' – we use this phrasing to acknowledge that sex is assigned by others at our birth, and we are assumed to have a corresponding gender.

12. You may be worried about getting language right and making a mistake when you are interacting with a student, colleague or other individual. Here are some simple tips to help you:
    - **Avoid assuming gender** – start with gender neutral language until you find out what terms someone wants you to use (e.g. they/them pronouns, using 'everyone' instead of 'guys' to address groups)
    - **Ask, listen, respect** – don't be afraid to ask which terms someone uses / wants you to use. We do this all the time with names, and we can do it with pronouns and other language too
    - **Listen, don't label** – the right term to use is the one the individual chooses or asks you to use
    - **If you make a mistake** – apologise briefly and move on. We are all only human.

C. Principles

13. ArtsEd will:

- Provide all gender facilities that are clearly signposted to all students and develop a culture where people can choose the right option for them
- Develop a curriculum that does not intentionally rely on or reinforce stereotypical assumptions about trans and non-binary people, whilst respecting academic freedom and the requirements of content to meet academic outcomes
- Provide opportunities for staff and students to complete trans and non-binary training and development activities
- Support staff and students to feel confident to challenge and/or report behaviour that could be considered as discrimination, harassment, and/or victimisation
- Use person-centred approaches to support students who are trans, non-binary, transitioning or gender questioning
- Ensure uniform and kit lists are inclusive of trans and non-binary people

D. Confidentiality

14. We recognise that 'outing' a person as trans or non-binary can make their life unsafe. ArtsEd will treat a person's trans or non-binary status and history (e.g. former names, gender and sex) as a Special Category of data, which means it won't be shared without their explicit consent.

15. Requests for letters, documents and references will state the most recent information held by ArtsEd and will not use former names or disclose trans or non-binary status or history without written consent and justification. This includes requests about alumni.

16. If a student discloses a new name and/or gender identity to you, it's important to gain consent before sharing or using these with other people to reduce the risk of 'outing' a person. They might have approached you as someone they feel safe and comfortable with, and your actions should be informed by their preferences.

E. Admissions and Student Records

Admissions and auditions

17. ArtsEd encourages all applicants to disclose their gender and/or history during the application and audition process. This is to ensure they receive the support they might need, for example, documentation and communicating information the applicant might want audition staff to be aware of. Applicants will not be questioned about their sex, gender or history during auditions and interviews.

18. Students who are offered places on our courses must provide us with copies of legal identification documents when they register. They will be kept on a strict need-to-know basis in line with Data Protection guidelines and won't be communicated to staff or students without explicit consent and justification.

Changing names and/or pronouns and student records

19. Using a new name and/or pronouns can be one of the most positive, validating things a person can do, but communicating this is a deeply personal process. Students can ask

staff and students to use a different name and/or gender (e.g. pronouns) at any time and this does not need to be recorded unless the student gives permission. We also advise students to tell the person whether they want to use their new name and/or pronouns with other staff or students and to let them know if that changes. This enables the student to control the flow of information and do things at their own pace, e.g. if the student wants to tell staff/students themselves, or over a period of time.

20. Students don't need to formally change their name and/or gender identity for their chosen name to be used on class lists and registers, assessment and feedback, or their ArtsEd IT account, email address and ID card. This can be actioned by contacting a member of the Registry team at any time. Please note, this does not apply to stage names, nicknames or abbreviated names.

21. If a student or alumni formally changes their name, they can ask for all references to their former name and gender are removed and replaced under the Gender Recognition Act.

22. ArtsEd has an obligation to operate in line with Higher Education Statistics Agency (HESA) equalities monitoring requirements, and as such data that is collected and reported to HESA may be mandatory and subject to change. HESA will be notified of changes made to a students' record that are part of mandatory reporting, including gender.

Certificates and transcripts

23. Award certificates and transcripts are legal documents and must state a student's legal name. However, we recognise not everyone chooses to legally change their name or might not have done so before their graduation and can request for their chosen name to be added to their certificate.

F. Supporting Trans and Non-Binary Students

24. We recognise everyone's journey is unique and use person-centred, solution focused approaches to support students, which means our actions and decisions are led by the student.

25. Identifying as or being trans, non-binary, transitioning and/or gender questioning can be very affirming, but can also mean a lot of worry and stress that can affect a person's mental health. Some people might prefer to speak to others who can identify with their journey, and we will work with students to explore this if our current services don't meet those needs.

26. Representation and inclusivity in the curriculum, particularly casting, is very important to under-represented communities in the performing arts industry and increasingly highlighted publicly. To foster this environment at ArtsEd, we encourage staff to engage students in contextual discussions about gender during casting and ask students to discuss what gender(s) they are comfortable with or prefer playing with relevant staff and/or creatives. We do, however, acknowledge that our actions and decisions might be limited for various reasons, e.g. our legal obligation to respect academic freedom, public production licences, transpose songs or to meet learning outcomes.

27. There are a range of reasons why someone might tell you they are trans or non-binary, e.g. they want their identity and history to be visible, and not everyone will need or want support. It's good to establish the reason they are telling you so you can provide appropriate guidance.

Appendix 1: Glossary of Terms

This glossary focusses specifically on a short list of terms that describe key ideas relevant to trans people's lives. These are terms that enable us to think and talk meaningfully about wider trans inclusion and to establish positive, inclusive policy and practice. **It is not an exhaustive list of all terms relating to trans people, and the descriptions should not be regarded as fixed definitions used or agreed by everyone.** However, they have been carefully considered and written to underpin a consistent, practical understanding of the basics.

This list includes some terms that people may use to describe their identity or experience. The focus of those terms in this context is not to list identities, but to offer some basic umbrella language to refer to broad groups of experiences that are not always recognised or provided for in higher education.

It should not be assumed that all people with those experiences use particular terms to describe themselves. These descriptions are deliberately structured to emphasise individual language choice.

We recommend using Stonewall's list of LGBTQIA+ terms for further information and guidance.

Trans	People may use the term 'trans' to describe themselves if their own sense of gender (their gender identity) does not match or sit easily with the gender they were assumed to have based on the sex they were assigned at birth. Not all trans people transition (see below). *NOTE: Whilst not everyone who has this experience uses the term 'trans' to describe themselves, it is probably the broadest and most widely used single-word term currently in use. As such, this glossary uses the term 'trans' as a very broad single-word umbrella term to include trans men, trans women, non-binary people, gender fluid people, agender people and anyone else with an experience of gender like or similar to the above.*
Transition	Refers to the changes a trans person makes to affirm their gender identity and to live their life in a way that better aligns with that identity. These changes can be: • Social (e.g. changing their name and/or pronoun; changing aspects of their presentation such as clothes, hair, mannerisms etc; changing the gender marker on their documents like passports; changing which toilets they use) • Emotional (e.g. adapting to the world responding to them differently because of the shift in how their gender is perceived; learning how to navigate new or unfamiliar situations and spaces) • Medical (e.g. using hormones and/or surgery) • Legal (e.g. changing legal sex)
Non-binary	One of a number of terms people might use to describe the experience of having a gender that is neither male nor female, both male and female and/or between, beyond or unrelated to the binary categories of man and woman. Some people use it as an umbrella term,

encompassing a spectrum of experiences such as those described under gender fluid and agender.

Gender fluid	A term people might use to describe the experience of having a gender that varies. This may be variation over time, or in another way, for example according to different environments / settings.
Agender	People might use agender to describe the experience of having no gender (or very little gender).
Gender questioning	Exploring your gender with a view to understanding it more fully
Sex	Usually used to refer to a person's biological and physical characteristics, associated with the categories of male and female. It includes external genitalia, internal reproductive organs, chromosomes, hormones and secondary sex characteristics such as facial hair that typically develop around puberty. Sex is assigned at birth, typically based only on the appearance of the baby's genitalia. *NOTE: In many circumstances, such as on registration forms and in relation to single sex spaces, sex is often in practice used interchangeably with gender as the two are intertwined and are not experienced independently of each other. Some languages do not have separate words for sex and gender and may use terms such as 'lived sex', 'physical sex', 'legal sex' to talk about different aspects of sex/gender.*
Cisgender	Describes the experience of having a gender that matches their sex assigned at birth in the typically expected way. In other words, a man assigned male at birth, or a woman assigned female at birth. *NOTE: It is important to have a term to describe this life experience, because otherwise the norms associated with it can be invisible, and the privileges attached to it can be taken for granted.*
Intersex	One of a number of terms people might use to describe the experience of being born with sex characteristics (including genitals, reproductive organs and/or chromosome patterns) that vary from typical binary notions of male or female bodies. It is an umbrella term that encompasses a wide range of natural bodily variations. *NOTE: Intersex variations are often not noticed or apparent at birth as all that is typically looked at is whether a person's external genitalia broadly look like what's generally expected. Intersex variations may become apparent later in life e.g. at puberty if secondary sexual development does not occur as expected; during fertility investigations; or accidentally during unrelated surgery or other investigations. Some people will spend their entire lives unaware they have an intersex variation. The terms intersex and trans refer to two different life experiences, although some people may have the intersectional experience of both*

Gender

Refers to the social and cultural ideas we hold about masculinity and femininity, and what it means to 'be a man' or 'be a woman'. These ideas vary across time, across location and across cultures and are therefore often described as 'culturally constructed'. Although it may be constructed, gender is both powerful and real. Gender affects almost every aspect of the world we live in, including goods, services, spaces, practices, laws and language.

All aspects of gender intersect and are not experienced independently of each other, nor is gender experienced independently of physical embodiment.

Some of the common terms are explained below:

Gender identity	Gender as a person's inner and deeply held sense of self. Most people have a sense of gender, including cisgender people, and there are multiple and complex ways in which these senses of self come about. Using 'gender identity' to stand in for 'being trans' implies that only trans people have a gender identity. This can lead people to distinguish between trans and cis identities in ways that sometimes create a hierarchy e.g. "This person just 'identifies as' a woman, but I am a woman."
Gender expression	Gender as behaviours, the cultural gender-related cues and behaviours a person uses, traditionally associated with masculinity and femininity, such as name, pronoun, title, clothing, hair, walk, speech, mannerisms and any other gendered aspects of presentation. It can also extend to which gendered spaces a person uses (such as toilets) and the gender marker they have on documentation (such as their passport and driving licence).
Gender diversity	Describes a population of people, such as a class or school, and often feels like a more inclusive term. However, if 'diverse' is used to mean 'non-cis ways of doing gender', this positions cis experiences as the invisible and unspoken norm *outside* of the spectrum of diversity, instead of *inside* it where they can be recognised as some of the many equally valid ways to experience gender. This is a good term to indicate all the many ways people might experience/express gender, including cis experiences. It describes a 'cloud of possibilities'. This is really useful when we are speaking about including **everyone**, which should be the starting point for all inclusion work.

These terms and definitions have been adapted from Gendered Intelligence's glossary.

Appendix 2: Further Information, Resources, Support and Organisations

For students:

Mental health	MindLine Trans+
	Gendered Intelligence Support Line
Peer support	Gendered Intelligence Youth Groups (under age 25)
	GIRES 'TransWiki' – interactive map of support groups
	TransUnite – list of support groups
Mentoring	Gendered Intelligence Mentoring in education
Legal guidance	Applying for a Passport – UK Government
	Changing your name and title – Mermaids
Practical guidance	Practical guide - Gender Construction Kit
	Summary of healthcare – NHS
Religion and faith	Proud Trust
	Gender Kit - faith
Industry guidance	Working with LGBT+ performers – Equity

For staff:

Further information	Transition-related information – Gender Kit
	Higher education context – Equality Challenge Unit
Supporting students	Supporting people through transitioning – Proud Trust
	Good practice tips – Gendered Intelligence
Curriculum	Tips - AHEP
Industry guidance	Working with LGBT+ performers – Equity

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