



Middlesex University Student Trans Policy and Guidance

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Middlesex University Student Trans Policy 2020-21

Contents

Policy Statement 3

Equal Opportunities 3

Definitions 3

Understanding the Challenges Faced 4

Providing support to students who are transitioning..... 4

 Confidentiality..... 5

 Change of name and/or gender 5

 Communication with staff and students during transition..... 6

 Time off for medical appointments or gender affirming medical treatment..... 6

 Placements..... 7

 Toilets & Changing Facilities 7

Respecting a student’s identity..... 7

Protection from discrimination and harassment..... 8

Complaints 8

Further guidance for staff 9

Appendices..... 9

 Appendix A: Example of Student Support Plan..... 9

 Appendix B: Terminology..... 13

 Appendix C: Understanding the Challenges Faced 14

 Appendix D: Further information and sources of support 14

 Appendix E: legislation..... 16

Policy Statement

This guidance is designed as information for trans and non-binary students, particularly those considering or in the process of receiving gender affirming medical treatment (see the definitions section for further explanations). It will also be used to increase awareness of trans and non-binary gender identities more generally for all students and staff who are supporting students.

The University recognises that coming out as trans or non-binary may be a very difficult and complex time for some students, and will act in a sensitive and supportive way by having helpful guidance in place to ease any challenges, as well as provide any support as appropriate. The decision to come out as trans or non-binary is not something a person undertakes lightly and the support of University staff and peers is vital.

Trans and non-binary students have been identified as a particularly marginalised group. Research has shown that mental health problems, such as depression and anxiety are more common in the LGBT+ community, but trans people are more likely to experience depression and anxiety than LGBT people as a whole. A recent report from [Rethink Mental Illness](#) has shown that 88% of trans people had experienced depression and 84% had thought of ending their life. We recognise our responsibility to protect the rights of trans and non-binary students and to ensure that no individual is subject to discrimination or victimisation as a result of their gender identity, and that trans students are properly supported throughout their time at University.

This guidance should be read as part of the wider set of policies including the [University's Equality & Diversity Policy](#).

Equal Opportunities

The University values the diversity of its students and staff and is committed to promoting equal opportunities and eliminating discrimination, as well as ensuring students and staff abide by the Equality Act 2010. All members of the University will apply and operate this guidance fairly and in doing so ensure that there is no discrimination on the grounds of gender identity, sex, race, disability, age, religious or political belief, sexual orientation, pregnancy and maternity or marital status.

Definitions

These definitions were sourced directly from Stonewall's [glossary of terminology](#). It should be noted that language in this area is constantly changing and it is important to check with individual students what terminology they feel most comfortable with and what they choose to use.

Gender: often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.

Gender identity: a person's innate sense of their own gender, whether male, female or something else, which may or may not correspond to the sex assigned at birth.

Gender expression: how a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not conform to societal expectations of gender may not, however, identify as trans.

Trans: An umbrella term for people whose gender identity differs from the gender they were assigned at birth. This can include people who identify as nonbinary, but not all nonbinary people identify as trans.

Cisgender: A term for people whose gender identity is consistent with the gender they were assigned at birth.

Gender affirming medical treatment: treatment that a trans person may undergo to affirm their gender identity, for example hormone therapy or surgery. It is important to note that this is a very personal choice and not all trans people choose to undergo gender affirming medical treatment. This is also referred to as 'gender reassignment' in equality legislation.

Non-binary: umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

Please also see Appendix B: Terminology for further definitions on language used.

Understanding the Challenges Faced

The challenges that trans and non-binary people still encounter are well documented. According to Stonewall's LGBT in Britain Universities report (2018):

- **Three in five trans students (60%)** have been the target of negative comments or conduct from other students.
- **One in seven trans students (14%)** had to drop out of a course or considered dropping out of a course because of experiencing harassment or discrimination
- **Two in five trans students (39%)** wouldn't feel confident reporting any homophobic, biphobic or transphobic bullying to university staff.

Please see Appendix C for further key statistics and Appendix D for further reports and information.

Providing support to students who are transitioning

The way each student may transition will vary depending on a range of factors, including whether a person chooses to socially transition but not undergo any medical treatment, opt for medical procedures or alter their gender expression without undertaking any other steps of transition. Middlesex University recognises that all journeys are valid and all students will be supported.

Students are encouraged to discuss their transition with a member of staff they feel comfortable with, although we recommend this to be a student's personal tutor as a student's identified constant point of

contact through their time at Middlesex. If the student reaches out for support, it is important to determine what kind of support the student wishes to receive. Arrangements may be agreed in the form of a support plan (see appendix A) if the student would find this helpful as a written record of conversations and support agreed. Some students may find this helpful, particularly if various staff or services are involved with their support. This may entail a gradual and incremental process, with regular reviews and revisions, but should be student led and remain confidential. If the student wishes to complete a support plan with their Personal Tutor, a copy of this plan will be kept by the Personal Tutor for the duration of the student life cycle, after which it should be managed in line with data protection law. Details within the plan, or the plan itself, will only be shared with the student's written consent and on a 'need to know' basis.

Confidentiality

Middlesex University respects the confidentiality of each of its students and will not reveal sensitive information about a student's trans status without the prior agreement of the individual (unless this is required as part of a safeguarding request). If a staff member feels they need to share this information with colleagues (for example, to update their student record), they must ask the student's permission first. In order to action certain support and processes, a staff member may need to inform other relevant staff, but won't do so without the student's consent. If consent is granted, it may be useful to share the support plan. If consent isn't given, only limited support may be able to be provided. To 'out' someone, without their permission is a form of harassment and a criminal offence and will be treated as such.

Change of name and/or gender

Trans and non-binary students can amend their details on their student record via UniHub. The changes we can make to records include a student's gender identity, name and sexual orientation. Please find below a summary of available options:

- Gender identity: Male, Female, Other (NB: Middlesex University has been asked to collect the following information by the Higher Education Statistical Agency to monitor equal opportunity issues in the Higher Education sector and support higher education providers in meeting their obligations under the Equality Act 2010. The information given will be held securely within the University database and only used for the above purpose)
- Name
- Sexual Orientation: Bisexual, Gay man, Gay woman/lesbian, Heterosexual, Other, Prefer not to say

In order to change a student's name on the University systems, a student's name must match the full legal name on a passport and requires an official change of name document. A chosen first name can be entered if it is different from the legal name.

After 2 years of living in their chosen gender, the student can currently apply for a Gender Recognition Certificate (GRC), should they choose to. Currently only naturalised UK citizens can apply for a GRC, and these are only available for trans men and trans women, as non-binary people have no legal recognition. When issued, they will receive a new birth certificate and they will have the right to request that all references to their former name and gender are removed and replaced with their current name and

gender. Middlesex University will support any request received and make the required change(s). More information about this can be found here: <https://www.gov.uk/apply-gender-recognition-certificate>

Middlesex University requires verification (e.g. passport, deed poll or statutory change of name) before considering the replacement or re-issue of a degree certificate for a graduate of the University. Further guidance on changing name can be found on [Gendered Intelligence's website](#).

International students on a Tier 4 visa and in the UK short term may wish to use a preferred name and gender within the University but make no changes to their documentation from their own country. If they want to make a formal change, the Home Office advises that transgender people who hold non-British passports in their former name and gender should align their passports and other identity documents to reflect their acquired name and gender so that they use one name for all purposes. If a student is from a country where changes to name and gender in passports and official identity documents are not recognised, they could obtain a biometric residence permit in their acquired gender as long as they can demonstrate that they use their acquired name/gender for all purposes.

International students on a Tier 4 visa can discuss their transition with a member of the [International Students Advice Team](#). Further guidance for international students can be found [here](#).

Communication with staff and students during transition

The student will consider when or whether to inform fellow students and appropriate staff about any point of transition, and what information should be given. Some students may choose to send an email or letter to their fellow students and/or staff, while others may prefer that an agreed statement should come from a tutor. The transitioning individual may choose to take a short time away from work or study, then return using their new name and express their gender in a new way. This period may be offered as an opportunity to brief people about the change. Any communication should be led by the student involved, including the timing of any communication.

Students should seek advice from the Progression & Support Team on their planned time away from their studies. There may be implications, particularly for students on a Tier 4 visa (where info should be sought from the [International Students Advice Team](#)), for those on courses with placement elements, or near assessment times. If a student on a Tier 4 visa wishes to take time away from their studies, they should be aware that if they don't engage in their course for 60 days, sponsorship for their visa may be withdrawn.

Students and staff can get support and training in responding appropriately and some may want to ask questions. If staff have any questions on how best to support a student they can reach out to the staff LGBT+ Network at lgbt@mdx.ac.uk. If a student has any questions about supporting a peer who identifies as trans or non-binary they can contact wellbeing@mdx.ac.uk. While some trans individuals are very open about their gender identity or expression, they should not need to answer any intrusive questions if they do not wish.

Time off for medical appointments or gender affirming medical treatment

When discussing a student's support plan, absence management may be discussed.

If a student needs time off for medical appointments or surgery, they should try to schedule these outside of their teaching hours. However, where this is not possible, students should give as much notice as possible to their Programme Leader so that the student can remain up to date with teaching content. The Programme Leader can then inform relevant module leaders and ensure that the student has access to teaching content. It will be noted that appointments at Gender Identity Clinics (GICs) are often offered at very late notice, therefore academic teams will be as flexible as possible with understand time off required and supporting students to keep up. It will be noted that where there are exams or other deadlines which are not flexible, the student will be signposted to the appropriate team(s) e.g. Progression and Support. International students on a Tier 4 visa, should be aware that any leave may have implications on their visa – advice can be sought from the [International Students Advice Team](#).

If the student will be absent for medical treatment this would be managed through the [Attendance Policy](#) and/or [Interruption of Studies](#). For reference, please see [Attendance Regulations](#). If a student's absence from teaching due to medical treatment affected their ability to meet an assessment deadline this would be managed through the [Extenuating Circumstances Policy](#).

Placements

A student who is on placement or who is preparing to go on placement may need some support in informing their placement employer and colleagues. Any student preparing to study on a placement abroad will be required to complete a risk assessment as part of this process. This is usually done with the Programme Leader. Risks relating to students who wish to take a placement in a country which is not LGB or trans friendly are taken into account as part of this process.

Toilets & Changing Facilities

Trans and non-binary people have the right to use facilities and changing rooms corresponding to their gender identity without fear of harassment. However, we recognise that some trans and non-binary people (and others) feel more comfortable using gender neutral toilets. Gender neutral toilets can be found on campus in the following buildings:

- Grove Building:
 - Grove A: GG22, G117 & G211
 - Grove B: G270
- College House
 - Ground floor (entrance foyer)
- Barn

The University is committed to increasing the number of gender neutral facilities on campus and including these facilities in the plans for new building developments.

Respecting a student's identity

The following are informal guidelines on how to support people who are trans or non-binary:

- Treat trans and non-binary people with the dignity and respect they deserve and consider the additional barriers and sensitivities they may face.
- Respect the person's gender identity. Recognise that an individual's identity may change over time, depending on how they'd like to identify. Trust that their identity exists and is valid.

- Listen – if a student or colleague feels comfortable in opening up to you, the most important thing you can do is listen.
- Don't assume a person's gender by their name, voice or way they express their clothing.
- It might be possible to listen and observe how an individual might like to be addressed, or what pronouns they use, but sometimes this may not be possible. If the opportunity doesn't arise, you could use the singular 'they' or respectfully ask what pronouns a person uses – e.g. 'May I ask what pronoun you would like me to use to address you?'
- Use the name and pronoun that the person asks you to. If you make a mistake with pronouns, correct yourself, apologise and move on.
- Support and correct each other if a person makes a mistake with someone's pronouns, whether the individual is present or not
- Respect people's privacy. Do not ask what their 'real' or 'birth' name is.
- If you happen to know the name someone was given at birth but no longer uses, don't share it or their trans status without the person's explicit permission. If documents have to be kept that have the person's previous name and gender on them, keep them confidential.
- Avoid personal questioning and respect people's boundaries. People are often curious about LGBT+ people and their lives which can lead them to want to ask personal questions. However, like everyone else, LGBT+ people may want to keep their personal lives private. Consider if you would feel comfortable asking a straight or cisgender colleague the same question, if not, then you probably shouldn't ask an LGBT+ person the same thing. If staff have any questions on how best to support a student they can reach out to the staff LGBT+ Network at lgbt@mdx.ac.uk. If a student has any questions about supporting a peer who identifies as trans or non-binary they can contact wellbeing@mdx.ac.uk.

Protection from discrimination and harassment

Middlesex University takes any allegation of transphobia, biphobia or homophobia by students and staff extremely seriously. The University does not tolerate any kind of hate crime and recognises that these comments can have a negative impact on a student's University experience, and a detrimental effect on their mental health and engagement with their course. The University is committed to challenging and ending hate crime on campus, further information can be found [here](#). If a member of staff or student witnesses or experiences any such incident, this will be reported immediately through [Report.It.To.Stop.It](#). If someone requires immediate support on campus, they can contact security in the Quad or on 0208 411 6200. Changing the Culture is a University wide programme which has been set up to tackle violence, harassment and hate. As part of this, students within the Faculty of Arts & Creative Industries have created a variety of short films addressing different themes related to these topics – more information on this programme can be found [here](#).

Complaints

Any student who feels that the University has failed to comply with their policy may use the University's Complaints procedure under 'dissatisfaction about a standard of service provided by or on behalf of Middlesex University'. Before making a complaint, the student is encouraged to read the [Student Complaints and Grievance Policy](#). The student can also receive free, confidential advice from the [MDXSU Advice Service](#).

Further guidance for staff

Further guidance on how best to support a student who is transitioning can be found on the [Staff Intranet here](#). External support and guidance can be found in Appendix D.

Appendices

Appendix A: Example of Student Support Plan

Student's details	
Name	
Student ID	
Email	
Year of study	
Are you studying on a Tier 4 visa?	
Programme details	
Programme title	
Department	
Department contact	
Communication*	
Would you like to share the news with fellow students/staff/tutor?	
How? - personally, tutor, other	e.g. verbally/email/other
*Please note that some information may need to be shared with other staff in order to implement specific support. This may be subject to change at any point if the student's consent may be approved/withdrawn.	
Timescales	

<p>Are there any timings in your transition that you would like to make the University aware of?</p> <p><i>This could include medical appointments, time off, personal goals</i></p>	
<p>Do you want to take a leave of absence?</p> <p><i>The member of staff may need to explain what options the student has in relation to the <u>Attendance Policy</u> and <u>Interruption of Studies Policy</u> (e.g. the staff member may ask if the student wishes to be supported by the Progression & Support Team).</i></p>	
When?	
How long for?	
Do you anticipate needing to take other time off?	
At what stage and how long for?	
<p>Will any absence impact your ability to complete any module requirements/assessments?</p> <p><i>The member of staff may need to explain what options the student has in relation to the <u>Extenuating Circumstances Policy</u>.</i></p>	
If so, please provide details	
Will alternative arrangements be required for outstanding or incomplete assessments?	
Changes to records	
Do you want to make any changes to your formal records, ID cards, email accounts such as name and/or gender?	
What amendments would you like?	
When?	

Which documents?	
Will the student request these changes themselves or would they prefer the staff member to request changes?	
Support needs	
Do you need any support to be put in place? <i>This could include coursework extension, change of accommodation, support managing transition at work placement etc</i>	
What and when?	
Will you need any reasonable adjustments? <i>This might be because of medical treatment and/or side effects of drug therapy and could include regular rest breaks, extra time etc</i>	
What and when?	
Accommodation and/or other facilities	
Do you have any concerns about your current accommodation or access to facilities? <i>e.g. halls, access to toilets on campus</i>	
Will you want any changes in your accommodation and/or access to other facilities?	
Dress code	
Will you need any changes in the dress code to be made? <i>e.g. if the student is on placement - there may be limited support if placement providers have their own policies. Students are encouraged to check their Programme Handbook and placement provider policies.</i>	

Any other information, comments or concerns?

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Signatures

Plan to be reviewed on	
Agreed by staff member <i>Name, title and signature</i>	
Date	
Agreed by student <i>Name and signature</i>	
Date	

Appendix B: Terminology

The below terminology is taken from Stonewall's [glossary of terms](#).

Cisgender: cisgender people are those whose gender identity and expression matches their assigned sex at birth.

Gender: often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.

Gender affirming medical treatment or gender reassignment: another way of describing a person's transition. To undergo gender reassignment usually means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender. Gender reassignment is a characteristic that is protected by the Equality Act 2010, and it is further interpreted in the Equality Act 2010 approved code of practice. It is a term of much contention and one that some organisations feel should be reviewed.

Gender Dysphoria: used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn't feel comfortable with the sex they were assigned at birth.

Gender expression: how a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not conform to societal expectations of gender may not, however, identify as trans.

Gender identity: a person's innate sense of their own gender, whether male, female or something else, which may or may not correspond to the sex assigned at birth.

Gender Recognition Certificate: this enables trans people to be legally recognised in their affirmed gender and to be issued with a new birth certificate. Not all trans people will apply for a GRC and you currently have to be over 18 to apply. You do not need a GRC to change your gender markers at work or to legally change your gender on other documents such as your passport.

Intersex: a term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female, non-binary or another identity.

LGBT+: an acronym that stands for Lesbian, Gay, Bisexual and Trans. The '+' symbol recognises other identities which do not fall into these categories such as questioning, non-binary, intersex, asexual and gender-fluid. The LGBT+ community is not a single homogeneous group and experiences of individuals will be different across the community.

Non-binary: a spectrum of gender identities that are not exclusively masculine or feminine – identities that are outside the established gender binary of woman and man.

Pronouns: words we use to refer to people's gender in conversation – for example, 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they/their and ze/zir.

Sex: assigned to a person on the basis of primary sex characteristics and reproduction functions.

Trans: transgender people have a gender identity or gender expression that differs from their sex assigned at birth

Transgender man: a term used to describe someone who is assigned female at birth but identifies and lives as a man. This may be shortened to trans man, or FTM, an abbreviation for female-to-male.

Transgender woman: a term used to describe someone who is assigned male at birth but identifies and lives as a woman. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female.

Transitioning: the steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.

Appendix C: Understanding the Challenges Faced

The challenges that trans and non-binary people still encounter are well documented. According to Stonewall's LGBT in Britain Universities report (2018):

- More than a **third of trans students (36%)** faced negative comments or conduct from university staff in the last year because they are LGBT.
- **Three in five trans students (60%)** have been the target of negative comments or conduct from other students.
- **7% of trans students** were physically attacked by another student or member of university staff in the last year because of being trans.
- **One in seven trans students (14%)** had to drop out of a course or considered dropping out of a course because of experiencing harassment or discrimination
- **Two in five trans students (39%)** wouldn't feel confident reporting any homophobic, biphobic or transphobic bullying to university staff.
- **One in five trans students (20%)** were encouraged by university staff to hide or disguise that they are trans.
- **One in four non-binary students (24%)** and **one in six trans students (16%)** don't feel able to wear clothes representing their gender expression at university.
- **One in six trans students (17%)** report being unable to use the toilet they feel comfortable with at university
- **Almost a quarter of trans students (23%)** say they aren't addressed with their correct name and pronouns.

Appendix D: Further information and sources of support

Unihub: Our LGBTQIA community - information and guidance for members of the LGBTQ+ community at Middlesex.

[University Student Support and Wellbeing](#) – information and contact details for teams, such as Counselling & Mental Health, International Student Advice, Student Welfare and Disability Service, with Student Support and Wellbeing.

[Stonewall LGBT in Britain Universities report \(2018\)](#) - a report looking into the experiences of LGBT+ people at University

[MDXSU LGBTQ+ Liberation Group](#) open to any students who identify as Lesbian, Gay, Bisexual or Trans/Nonbinary. The group provides a space for meeting other people, sharing experiences and creating change on campus, and over the year runs a variety of events, parties, campaigns and meetings for both members and allies.

[NUS: Education Beyond the Straight & Narrow – LGBT Students’ Experience of Higher Education \(2014\)](#)

[TransEdu Scotland: Researching the experience of trans and gender diverse applicants, students and staff in Scotland’s colleges and universities](#)

[Equality Challenge Unit: Guidance on Trans staff and students in HE and colleges: improving experiences](#)

[The Beaumont Society](#) - a national self-help body run by and for the trans community.

[Depend](#) - an organisation that offers free, confidential and non-judgmental advice, information and support to all family members, partners, spouses and friends of trans people.

[Equality and Human Rights Commission](#) - a statutory body with responsibility 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.

[Gender Identity Research and Education Society](#) - initiates, promotes and supports research, particularly to address the needs of trans people.

[Gendered Intelligence](#) – a trans-led charity working across the UK aiming to increase the understandings of gender diversity.

[The Tavistock and Portman Gender Identity Clinic](#)

[Mermaids UK](#) - provides support and information for children and teenagers who are trying to cope with gender identity issues, and for their families and carers.

[Press for Change](#) - a political lobbying and educational organisation that campaigns to achieve equal civil rights and liberties for all trans people in the UK through legislation and social change.

[Transgender Zone](#) - an online resource that covers all aspects of trans issues, including a section specifically for trans men.

[Stonewall](#) – an LGBT rights charity that works to bring equality to LGBT people at home, school and at work. Stonewall produces a variety of helpful guides on many LGBT issues.

Appendix E: legislation

The Equality Act 2010

The Equality Act 2010 has strengthened and streamlined previous equalities legislation. Gender reassignment is one of the nine protected characteristics within the Act and is also included in the Public Sector Equality Duty. Importantly, the definition of gender reassignment within the Act gives protection from discrimination to a person who has proposed, started or completed a process to change their gender. As such, trans people do not have to undergo medical treatment to be protected by the Act. What matters is that a person has the intention to permanently live, or are already living as their preferred gender. In short, the Act protects:

- Trans people whether or not they undergo gender affirming medical treatment
- People who experience discrimination because they are perceived to be trans (whether or not they are)
- People who are discriminated against because of their association with a trans person.

The Act, however, is insufficient in its terminology and framework and does not address the challenges faced by people who identify as non-binary. Middlesex University is committed to protecting trans and non-binary students beyond this legislation.

The Equality Duty requires that the University has due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity; and foster good relations

The Gender Recognition Act 2004

In the past, a person's legal gender could only be defined by their birth certificate and could not be changed. The Gender Recognition Act 2004 allows trans people to apply to have legal recognition of their acquired gender by acquiring a gender recognition certificate. This certificate enables trans people to apply for secure documents (such as birth certificates and passports) to be reissued in accordance with their gender identity.

N.B. you should never ask to see a person's gender recognition certificate. A trans person can change their name by deed poll and apply for a passport in their new name and change their work record to their affirmed gender, however, changing your passport (or other records) to be in your new name and gender doesn't give any legal recognition to your change of gender. It's merely a recognition by those record holders that you've adopted a new identity.

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 Under relevant data protection legislation, trans identity and gender reassignment constitute 'special categories data' for the purposes of the legislation. Therefore information relating to a person's trans status cannot be recorded or passed to another person unless conditions under chapter 2 of the Data Protection Act 2018 for processing sensitive personal data are met. Please note that it is a criminal offence for any member of staff who has acquired protected information regarding an individual's gender identity to disclose that information to any other person.

The Human Rights Act 1998

The Human Rights Act 1998 provides protection to trans people, principally under the right to a private life. The courts have interpreted the concept of 'private life' in a very broad way to cover, among other things, a person's right to express a sexual identity, to live a particular lifestyle and to choose the way they look and dress. It also means that personal information (including official records, photographs and letters) should be kept securely and not shared without the permission of the individual concerned. In addition, the right to privacy states that unless a public authority is acting in accordance with the law, there should be no interference by a public authority with a person's exercise of their right to a private life.