

## Equality Analysis

This form enables you to reflect on your proposed activity, and to assess the potential positive and negative impacts it might have on different members of the community. The Equality Analysis is designed to help you ensure your activities are meaningfully considered and not spending your time on an activity that will later need to be changed or disbanded due to not thinking about the practical needs of diverse communities who we are required to protect. If you have any questions about how to complete this Equality Analysis, please read the [Guidance](#) or contact the Equality, Diversity and Inclusivity Team: [edi@uwe.ac.uk](mailto:edi@uwe.ac.uk).

<b>Activity Title</b>	Refresh of Trans and Non-Binary Policy, Guidance Referring to Trans and Non-Binary Students, and Guidance Referring to Trans and Non-Binary Staff
<b>Project Manager and Contact</b>	Vicky Swinerd <a href="mailto:edi@uwe.ac.uk">edi@uwe.ac.uk</a>

### 1. Proposed activity (change, refresh, policy, process or practice) being analysed

UWE Bristol is committed to providing an inclusive and supportive environment for trans and non-binary students and staff, where everyone can reach their full potential. We are refreshing the Trans and Non-Binary Policy, which sets out our commitments to trans and non-binary people, and refreshing the student and staff guidance, which describes supportive processes, facilities and partnerships. We aspire to support these policy and guidance documents with staff training and guides on the staff intranet to bring our expectations to life, emphasise our inclusive values, and offer inclusive good practice advice and examples.

We recognise that our current policy and guidance documents are outdated in terms of process and terminology, and we are looking to update both through this refresh. We are exploring templates from other universities that use more approachable language and formats, for example, FAQs, to describe practical elements of support. We have also engaged with UWE trans\* communities and updated the title of these documents, from our current 'Trans' Policy, to 'Trans and Non-Binary' Policy.

We are working across the university to better understand and record current trans and non-binary support processes (centrally and locally, as appropriate), increasing staff skill and confidence in these processes. We are also taking the opportunity to pass a critical eye over these practices, informed by a survey, workshops and interviews with trans and non-binary students and staff, and by sector best practice from AdvanceHE, Stonewall and other external bodies, and to innovate and improve where we can.

--

**2. What sources of information/data, or who have you identified to help explore potential equalities impacts?**

This refresh is being informed by input from:

- Stonewall;
- AdvanceHE;
- Trans and non-binary students, staff, and staff who are parents of trans and non-binary people, including Staff Network representatives;
- A wider group of stakeholders, through this Equality Analysis;
- Trade Unions;
- Community partners;
- Best practice from similar policies in the higher education sector;
- Best practice from other national organisations, e.g. GIRES;
- Trans and non-binary support and related expertise across UWE Bristol.

We appreciate that some stakeholders may wish to raise considerations about this piece of work anonymously. We have provided a generic email address, where stakeholders can send their feedback during the Equality Analysis consultation. If stakeholders state that they would like their feedback to be passed on anonymously, identifying information will be removed before feedback is passed on to the staff working on the refresh.

**3. Assessing the activity from different perspectives**

Might your proposal impact people who identify with the protected groups below in the following contexts?

- Access to or participation in UWE Bristol Faculties or Professional Services?
- Student experience, attainment or withdrawal?
- Staff experience, representation, or progression?

Explain why you have made that assessment, and plan your response.

		<b>Action Planning:</b> how will you mitigate negative and maximise positive outcomes?
--	--	--

	<b>Possible Negative or Positive Impact on Groups'</b> Include relevant data if possible.	<b>Please feed information from this action plan to your activity's own planning documents e.g. action plans, risk registers, benefits maps</b>				
		<b>Actions Required</b>	<b>Responsible Person</b>	<b>Target date</b>	<b>Success indicators</b>	<b>Progress to date</b>
<b>All</b> (possible impacts affecting many groups)	<p>Our current policy and guidance documents are outdated in terms of process and terminology, and we are looking to update both through this refresh. We are working across the university to better understand and record current trans and non-binary support processes (centrally and locally, as appropriate), increasing staff skill and confidence in these processes. We are exploring templates from other universities that use more approachable language and formats, for example, FAQs, to describe practical elements of support. This approach is intended to reduce stress for students and staff, both trans and non-binary people, and for staff involved in support.</p> <p>The launch of the materials also gives us an opportunity to cement better signposting of the points of contact for trans</p>	<p>Include points of contact prominently on central communication of new materials.</p>	Vicky Swinerd	Material launch		

	<p>and non-binary people exploring support.</p> <p>We will be engaging with advice to ensure that we are appropriately representing the rights of all people in the Policy, while ensuring that our messaging, training and guidance promotes an inclusive and supportive environment for all.</p> <p>The policy and guidance signpost student societies and staff networks as sources of networking and support. The policy and guidance do not place limits on students and staff gathering on the basis of a protected characteristic.</p>	<p>Continue to collate points for external advice, and ensure resulting feedback is incorporated into the refreshed materials.</p>	<p>Vicky Swinerd / Policy working group</p>	<p>Ongoing</p>		
<p><b>Age</b> (older people, younger people)</p>	<p>We recognise that many trans people will experience milestones that are typically associated with their sex, for example they may menstruate, carry children, give birth, be parents, experience infertility, experience the menopause, or experience other medical conditions . We have acknowledged this in the</p>					

	<p>Policy, and highlighted that trans people may be reluctant to discuss conditions, symptoms or other medical details if doing so would disclose their trans status. We are working to create a culture that values diversity and normalises conversations about support. All support offered by the university is available to all students or staff, including to those staff or students who identify as trans, non-binary, non-gender or gender-fluid.</p>					
<p><b>Disability</b>, including mental health and non-visible disabilities</p>	<p>Some trans and non-binary people are also disabled (including physical and mental health conditions, and non-visible conditions) and others are not. The documents include signposting to Wellbeing and Disability support, as students and staff are not automatically referred to these Services as standard. This approach is intended to positively impact the experience of trans disabled students and staff. We aspire to avoid medical assumptions</p>					

	<p>about trans and non-binary people's mental health.</p> <p>We aspire over time to offering a mixed provision of toilets (women's, men's, gender-neutral, and accessible) across all campuses. Increased provision of gender neutral toilets may result over time in less use of accessible toilets by those trans and non-binary people who don't feel comfortable to use the women's or men's toilets.</p> <p>We aspire to promote an inclusive culture and mixed provision of toilets in which everyone is comfortable to use toilet facilities.</p>	<p>The refreshed policy will go to senior committees at the university accompanied by a paper intended to further conversation on gender neutral toilet provision on campus.</p>	Vicky Swinerd	March 2021		
<b>Women and men</b>	<p>We recognise that some people are more comfortable using single-sex spaces. We aspire over time to a mixed provision of single sex and gender-neutral facilities across all of our campuses, and are committed to providing an inclusive and supportive environment for all.</p>	<p>The refreshed policy will go to senior committees at the university accompanied by a paper intended to outline further conversation on safeguarding.</p> <p>We have taken legal advice during policy development to ensure that our policy position sits comfortably</p>	<p>Vicky Swinerd</p> <p>Vicky Swinerd</p>	<p>March 2021</p> <p>December 2020</p>	<p>Legal advice incorporated with policy drafts.</p>	<p>Complete</p>

		alongside legal rights around single sex spaces.				
<b>Trans and non-binary people</b> , including gender reassignment	<p>This policy and guidance refresh aims to embed trans-inclusive culture and practice across the University. We are aiming to remove barriers for trans students and staff, enabling more trans students and staff to apply /progress /achieve their potential in the University.</p> <p>We hope that the refresh will have a positive impact on trans and non-binary people, particularly as we are taking the opportunity to pass a critical eye over our trans support practices, informed by a survey, workshops and interviews with trans and non-binary students and staff, and by sector best practice from AdvanceHE, Stonewall and other external bodies, and to innovate and improve where we can.</p> <p>The materials will signpost a range of useful internal and external contacts for trans and non-binary people (including</p>					

	support while planning for, or during transition) while setting out the university's commitment to trans inclusive practice, and flagging conduct and freedom of speech policies.					
<b>Marriage and/or civil partnership</b>	No impacts identified.					
<b>Pregnancy and/or maternity</b> , including Adoption	We recognise that some people are more comfortable using single-sex spaces. We aspire over time to a mixed provision of single sex and gender-neutral facilities across all of our campuses, and are committed to providing an inclusive and supportive environment for all.	The refreshed policy will go to senior committees at the university accompanied by a paper intended to outline further conversation on safeguarding.  We have taken legal advice during policy development to ensure that our policy position sits comfortably alongside legal rights around single sex spaces.	Vicky Swinerd  Vicky Swinerd	March 2021  December 2020	Legal advice incorporated with policy drafts.	Complete
<b>Race</b> , including ethnicity and citizenship	We recognise that different cultures use different concepts and language to talk about gender identity and trans status. We intend to acknowledge this in the accompanying intranet materials, and we flag in several contexts that, if you're unsure what words to use to					



	describe a person's identity, the best thing to do is to ask.					
<b>Religion and/or belief</b> , including those without religion and/or belief	<p>Some faith groups may require single-sex spaces for prayer or ablutions, and some individuals from faith groups are more comfortable using these spaces, and using single sex toilets.</p> <p>We aspire over time to a mixed provision of single sex and gender neutral facilities across campus. We aspire over time for everyone to be able to use facilities that meet their needs, and we are committed to providing an inclusive and supportive environment for all.</p>	The refreshed policy will go to senior committees at the university accompanied by a paper intended to outline further conversation on safeguarding.	Vicky Swinerd	March 2021		
<b>Sexual orientation</b>	The trans policy and guidance documents support communication that gender identity and sexual orientation are separate parts of an individual's identity, and offer clarity about how the two are different.					
<b>Other specific group</b> (e.g. International or Access)						

<sup>i</sup> A **positive outcome** or impact is where a person or people may experience an advantage or benefit as a result of the proposed change. This includes positive action to overcome a disadvantage, meet different needs or encourage participation. For example, increasing lighting in public spaces of campus, which increases personal safety, particularly for people from protected groups. A **negative outcome** or impact is where a person or people may experience a disadvantage compared with others, or compared with what was previously available, or planned. For example a new bus service is set up to help all students travel between campuses, but no drop kerbs or accessible buses are available. Bear in mind that some negative outcomes may be justified on the basis of a legal requirement or applicable exemption including use of positive action or where the outcome would conflict with other legislation, e.g. Health & Safety. If a negative outcome can not be mitigated due to a legal requirement, identify the legislation and considerations you have considered to reduce the negative impact and/or rationale for the decision.

<b>4. Project Manager Next Steps</b>		Delete or complete as appropriate	
Does this Equality Analysis require consultation of 3 or 6 weeks ( <a href="#">chart to help you decide</a> )			6 weeks
Is further monitoring or engagement required? (in addition to the formal Equality Analysis consultation, e.g. with the Students' Union, Disability Services, relevant staff groups)		Yes	No
What measure / statistic / data will you use to check if the activity has had a positive, negative or neutral outcome?	Large scale policy user engagement poses challenges because of the relatively small numbers of people using them. We will continue to engage with trans communities, all communities at UWE Bristol, and with staff involved in trans inclusive practice to improve our materials and the underlying processes.		
When will you review this Equality Analysis?	In line with policy review schedule.		

<b>5. Equality, Diversity and Inclusivity Team Review</b>			
The EDI Team has reviewed this Equality Analysis and is satisfied that it is ready for formal consultation			
EDI representative	Vicky Swinerd	Date	04.01.2021

<b>6. Faculty/Service/ Departmental Sign off</b>
I am satisfied with the results from investigation, consultation and analysis. The progression of this EA will continue to throughout the activity/project and I will ensure that a review is undertaken following the final implementation of the proposal, to assess its actual impact. Any actions or feedback that results

as a consequence of ongoing project changes will be monitored and incorporated within the stated processes. Any negative outcomes will be resolved with the appropriate stakeholders identified.

Faculty Dean / Head of Department / Head of Service	
Faculty / Department / Service	
Date	

### 7. So what?

Consultation and engagement feedback is extremely important in Equality Analysis. Listening to student and staff voices and acting on their feedback mean that activities become fit for purpose for diverse student and staff communities. Complete the 'You Said, We Did' table **before and after formal consultation**, and throughout the remaining lifetime of your activity to show the impact of feedback on your activity. The Equality and Diversity Unit will be in touch to gather examples of this feedback to share with equality stakeholders. Please add additional rows to the table as required.

<b>You said</b>	<b>We did</b>
There is currently no formal process to support trans students to take extended leave (e.g. fee waiver, adjusted deadlines).	We've completed initial exploratory work with Student Support Advisers, Student Data Management, and Student Money Service. The Student Adviser team are leading implementation of a new process.
Staff records in the HR database currently only contain staff official names, not preferred names for day-to-day use.	The proposed change went to the ITS Rapid Assessment Group and Continuous Improvement Board in spring 2021: the CI Board agreed to picking this up as part of a wider ITS project on staff records, provisionally in around spring 2022.
Leave for people with caring responsibilities for trans people: UWE supports staff to take leave for unexpected events relating to caring responsibilities, but doesn't currently offer leave to staff who are parents / carers, if the leave can be anticipated, for example a clinic appointment.	EDI have made a brief scan of practice in the sector, and confirmed our current practice is in line with the sector. HR will look at how we can be clearer about the other leave options, and see if there is good practice from elsewhere.
Please check that the university's policy position is legally compliant, with respect to women's right, disabled people's rights, LGB+ people's rights,	We have consulted with Eversheds Sutherland to ensure legal compliance: We asked them to help us find a position and form of words that balanced

<p>and the rights of those who observe a religious belief, particularly with respect to use of toilets and other similar facilities.</p>	<p>the rights of trans people and those of all other groups and identities, and relied on that advice to shape the relevant sections of the policy and guidance. We have also amended the documents to explicitly refer to our aspiration to offer a mixed provision of facilities.</p>
<p>Please ensure transphobia is defined / not defined by the policy. (Feedback received reflected both sides.) Also, will a person be disciplined for not using a trans person's name and pronouns if they have a compelling reason? (e.g. a person may experience a barrier to using a trans person's pronouns, if their first language does not use gendered pronouns.)</p>	<p>We are committed to providing an inclusive and supportive environment where everyone can reach their full potential. Our policy seeks to outline some of the possible ways transphobia may manifest, and signpost the relevant behavioural policies. All behavioural policies support case by case consideration of incidents, including informal and formal processes as appropriate. We have amended the documents to help avoid confusion in this respect.</p>
<p>How does the Trans and Non-Binary Policy work alongside strategic priorities addressing sexual violence, health and wellbeing, and alongside safeguarding? Feedback shared concerns about challenging use of women's spaces by perpetrators of sexual violence in the context of the Policy, taking in themes on sexual orientation, disability and religion/belief, and about negative impacts on mental wellbeing for those anxious about this.</p>	<p>Consultation with legal firm Eversheds Sutherland has confirmed that our Policy balances the legal rights of trans people and those of all other groups and identities. We recognise there are significant concerns about sexual violence and are working with colleagues on Speak Up and health and wellbeing projects to ensure our work and messaging is aligned.</p> <p>The safeguarding manager will identify whether there are currently any spaces we need to explore as potential single sex spaces – the legal bar for this is likely to be high and the process is likely to involve escalation to Directorate after seeking legal advice. The safeguarding manager and the EDI team will explore how existing safeguarding processes align with this (and other related policies) and will make changes as required.</p>
<p>Mixed provision of toilet and changing facilities: this is inconsistent across campuses and in particular the Centre for Sport does not currently meet this expectation.</p>	<p>Mixed provision of toilets, including gender neutral toilets, is embedded within Estates' Design Guide: this will be amended to include changing facilities. We've also recently updated the UWE campus wayfinding app with search terms and icons to support users finding a mixed provision of facilities. The lack of consistency in provision on campuses, and particularly the lack of capacity for mixed provision in the Centre for Sport is noted in the EDI corporate risk register and will be reviewed</p>

	periodically. Follow up work is planned with Centre for Sport staff, EDI team and the safeguarding manager, to ensure processes are appropriate to mitigate the risk. Senior colleagues have clarified that any decisions on designating spaces as single sex should be escalated to the Directorate.
Faith spaces and single sex provision.	Equality Analysis consultation has opened lines of communication on observance of faith on campus and single sex spaces: EDI and key voices from UWE faith communities are beginning conversations about faith and trans and non-binary provision. An exercise is planned for summer 2021, to engage with faith communities on provision, culture, and opportunities to work together.
We received lots of feedback on the glossary, many thanks for this.	We have condensed the glossary so that it refers to concepts and language used in the policy and guidance, and sought a balance in the remaining terms. We acknowledge that language is very important and its impact is keenly felt, and that it changes with context and over time. Our aim is to provide an inclusive environment for all.
Why is intersex included in the policy? This is not a gender identity, and including it could cause offence.	We have removed intersex from the scope of the policy, and re-worked its definition in the appendices. The new definition reflects language from a recent government consultation on lived experience of people born with a variation in sex characteristics / intersex people, although we recognise that this language is also a part of the government's consultation. This (and all aspects of the policy and guidance) will be reviewed in alignment with the review cycle framework.

**Please forward an electronic copy to the EDI Team by emailing [edi@uwe.ac.uk](mailto:edi@uwe.ac.uk)**

**The original signed hard copy and/or electronic copy should be kept with your team for actions, review, and progression of Freedom of Information requests.**