**Equality Impact Analysis**

**⚠️ Content Note:** This Equality Impact Analysis (EIA) discusses issues related to sex, gender identity, Trans and non-binary experiences, and institutional policy. It includes references to discrimination, exclusion, and systemic barriers that may be distressing to some readers. The document is intended to support inclusive practice and legal compliance, but we recognise that the subject matter may evoke strong personal or professional responses. Please take care while reading, and access support if needed.

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 Impact Analysis (EIA) 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 Impact Analysis, please read the [Guidance](https://docs.uwe.ac.uk/sites/equality-and-diversity/_layouts/15/download.aspx?SourceUrl=https://docs.uwe.ac.uk/sites/equality-and-diversity/Documents/Equality%20analysis/Equality%20analysis%20guidance.docx) or contact the Equity, Diversity and Inclusivity Team: [edi@uwe.ac.uk](mailto:edi@uwe.ac.uk).

**Activity title:** Essential amendments to the Trans and Non-Binary Policy following the April 2025 Supreme Court rulingand subsequent letter from the Equalities and Human Rights Commission (EHRC) in Sept 2025 informing us that, quote; *“your policies “Trans and non-binary policy” and “Trans staff guidance” misrepresent the Equality Act 2010, in that they wrongly suggest that people have a legal right to access single-sex spaces and services according to their self-identified gender.”*

**Project sponsor and contact:** Equality Act Task and Finish Group

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

The objective of the activity is to make essential amendments to the Trans and Non-Binary Policy below following the Supreme Court ruling on 16 April 2025 and subsequent EHRC letter.

1. Updated legal definition of sex as defined by Equality Act 2010
2. Removal of Trans equality in the curriculum design/review due to University of Sussex case
3. Clarification around the provision of facilities
4. Clarification around confidential guidance as opposed to anonymous guidance
5. Removal of name change process as this is automated through the student system
6. Update to specify Gender Recognition Certificates (GRC) do not change legal sex for the purposes of the Equality Act
7. Updated legislative backgrounds for Supreme Court Ruling and Freedom of Speech

Assessing the activity from different perspectives

With proportionality in mind, this EIA takes specific consideration of the following groups who have protected characteristics:

* Trans people
* Women
* Those who hold gender critical philosophical beliefs
* Neurodivergent people who are three to six times more likely to identify as gender diverse\*
* Global majority individuals who may experience compounded discrimination due to intersecting identities\*\*

This EIA also considers staff and students who identify as non-binary in respect of our UWE Dignity and Respect Policy. Non-binary is not a protected characteristic under the Equality Act 2010.

**Trans and non-binary people**

The proposed amendments to the policy are minor in number and therefore the existing targeted resource and support for trans and non-binary students and staff is staying in place following these changes. **Overall significant resource remains directed to support trans students and staff in a positive and respectful transition. There will be no reduction in the current provision of available facilities.** Protections related to discrimination, harassment and victimisation remain in the policy. We recognise that the policy changes may be hugely disappointing for some members of our communities, we aim to mitigate this as best we can through the actions outlined in this document.

It is important to recognise that there are some notable exceptions related to facilities, development programmes and participation in sport, as access for trans people may now be limited. While these changes have been made in line with the law, some trans and non-binary students may feel limited or ostracised as a result of these policy changes. Therefore, communication will need to be handled sensitively, with an emphasis on inclusion within the law. There will be no change to the number of facilities available for trans and non-binary students and staff. Further, in line with our inclusive [Estates and Facilities design guide](https://uweacuk.sharepoint.com/sites/staff-intranet-internal-communications/SitePages/Estates-and-Facilities-design-guide.aspx) and guidance from the Equality and Human Rights Commission (EHRC), the university undertook an audit of all the toilet and changing facilities on every campus to determine whether there was sufficient single-sex, gender neutral and accessible provision available. This highlighted some imbalance in provision across campuses. Subsequently gender neutral toilets have been signed in S Block and NAH with additional gender neutral provision forming part of refurbishment plans for these areas. This represents an increase in the provision available to Trans and Non-Binary individuals. In addition, refurbishment of Q Block toilets is planned for this academic year as part of a longer-term rolling programme of upgrades.

Participation in sport is not directly covered in this policy, although it is considered as part of the work between our sports provision and national sporting bodies. The Move programme and casual sports run by UWE, Bristol will remain unchanged, any sporting activities that are governed externally will follow the guidance of that body/association. Similarly participation in development programmes is not directly covered in this policy, although all programmes delivered by UWE, Bristol remain unchanged and any development programmes delivered by external organisations will follow their guidance.

**Women**

The proposed policy changes strengthen women’s right to protected single sex facilities therefore presenting a positive impact on this protected characteristic. Proposed changes to the policy do not direct support or resource away from women. However, as noted above the policy does not explicitly consider participation in sport, although it is considered as part of the work between our sport provision and national sporting bodies.

**Gender Critical Beliefs**

The proposed amendments strengthen the university’s commitment to freedom of speech and academic freedom within the law. Further, there has been improved clarification to distinguish between sex as covered by the Equalities Act 2010 and gender identity. Therefore, presenting a positive impact on this protected characteristic. Positive impact related to this philosophical belief could be greater strengthened by creating clearer distinction in the text about what is objective legal protection afforded by the law, and what is a university value which may not be shared by all.

**Neurodivergent people**

As a result of the intersectionality between neurodivergent people and trans status or gender identity, the impact of the policy changes are broadly in line with the ‘Trans and non-binary’ subsection above. Critically, as the amends proposed are minor, resource and support are broadly being maintained regardless of these proposed changes. This retains the individualised and tailored support required by this group, thereby promoting inclusivity.

**Global majority staff and students**

As the proposed amends are minor in number, resource and support are broadly being maintained regardless of these proposed changes. Therefore, these policy changes are likely to have a neutral impact on trans global majority staff and students. To strengthen positive impact for this group, the policy could include specific consideration of this group, as trans global majority individuals may face compounded discrimination due to intersecting identities.

**Action Planning**: how will you mitigate negative and maximise positive outcomes?

1. Consider the sensitivity of this topic in all comms, emphasising inclusion for trans people and women within the law
2. Liaise with relevant staff networks and the unions to communicate the context of these policy amendments
3. While swift affirmative action is required now in response to the EHRC letter, the University could consider whether the policy could be further strengthened in future by taking the following actions:
   1. Include consideration of participation in sport
   2. Clearly define and separate out what is objective legal protection afforded by the law, and what is a university value which may not be shared by all

Project manager next steps

Does this Equality Analysis require consultation of 3 or 6 weeks ([chart to help you decide](https://docs.uwe.ac.uk/sites/equality-and-diversity/Documents/Equality%20analysis/Equality%20Relevance%20Chart%20for%20Equality%20Analysis%202019.docx)) 3 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

What measure / statistic / data will you use to check if the activity has had a positive, negative, or neutral outcome? Not applicable

When will you review this Equality Analysis? Enter date or project stage suitable to the proposal: Following the three-week consultation

Equity, Diversity, and Inclusivity Team Review

The EDI Team has reviewed this Equality Impact Analysis and is satisfied that it is ready for formal consultation

EDI representative: Elizabeth Garnham Date: 18/09/2025

College/Service/Departmental Sign off

I am satisfied with the results from investigation, consultation, and analysis. The progression of this EIA 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.

College Dean/ Head of Department/ Head of Service: Katherine Davies

College/ Department/ Service: Transformation and Improvement Services

Date: 18/09/2025

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.

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| --- | --- |
| **You said** | **We did** |
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**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**