

Gender Identity Policy

From August 2025

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1. Policy Summary

- 1.1. The OCA aims to support gender diverse and trans students to have an equitable student experience and learning environment in line with OCA's Equity, Diversity and Inclusion (EDI) policy and action plan. And to provide a supportive workplace for staff members who may be transitioning to a gender other than the one assigned at birth or who may identify as non-binary.
- 1.2. This policy outlines OCA's process with regard to Trans and non-binary students and staff members wishing to change their recorded gender identity, as well as providing information more generally on gender identity and gender reassignment/transitioning.

2. Scope

2.1. What does this policy cover?

- 2.1.1. All OCA students, tutors, and staff: It applies to everyone within the OCA community.
- 2.1.2. The purpose and general principles of EDI.
- 2.1.3. The principles for embedding EDI.
- 2.1.4. How to raise a concern.
- 2.1.5. The definitions of key terms.

2.2. What does this policy not cover?

- 2.2.1. Detailed disciplinary procedures and appeals processes which are outlined in their respective policies.

3. General Principles

- 3.1. The Open College of the Arts will:
 - 3.1.1. Provide a supportive environment for students and staff who wish their Trans status to be known. However, it is the right of the individual to choose whether they wish to be open about their gender identity, Trans status or Trans history.
 - 3.1.2. Recognise that individuals can identify with a range of different gender identities, and that gender identity may or may not be associated with the sex assigned at birth and gender presentation.
 - 3.1.3. Recognise that to "out" someone, whether an employee or student, without their permission is a form of harassment and could lead to disciplinary action.
 - 3.1.4. Work with our Student Association to provide appropriate opportunities and spaces for Trans and non-binary student and staff groups.

- 3.1.5. Recognise that transphobic abuse, harassment or bullying are serious disciplinary offences and will be dealt with under the appropriate procedure. Transphobic propaganda, in the form of written materials, graffiti, music or speeches, will not be tolerated.
- 3.1.6. Support students and staff members undergoing medical and surgical procedures related to gender reassignment to meet their particular needs during this period.
- 3.1.7. Recognise that Trans and non-binary students and staff come from diverse backgrounds and will strive to ensure they do not face discrimination on the grounds of their gender identity or in relation to other aspects of their identity which may intersect, for example, their race, age, religion or belief, disability or sexual orientation.

4. Responsibilities

4.1. Everyone at OCA:

- 4.1.1. It is everyone's responsibility to understand that transitioning may have an impact on students and staff ability to work and study and to be anticipatory and responsive to their needs and to recognise an individuals' right to share their gender identity or trans status if they wish. To 'out' someone without their permission is a form of harassment, could be considered a criminal offence, and will not be tolerated.
- 4.1.2. Has a responsibility to treat the student or staff member with respect and reassure them that the OCA is committed to an inclusive environment.
- 4.1.3. Has a responsibility to realise this may be a significant step for the student or staff member to take, so be respectful of the fact that you have been trusted with information that is very important to them.
- 4.1.4. Will be led by the student or staff member as to how much or how little support they might need and the extent to which they wish to keep their situation confidential.
- 4.1.5. Must be aware that the student or staff member might ask to use a gender-neutral pronoun, eg they/them, and respect what they request.
- 4.1.6. Can explain that they might need to seek further information or advice from colleagues elsewhere at OCA, who have more experience and knowledge than them. You can do this with, or without, naming the student or staff member so do clarify with

the individual whether they are happy to be named or wish to remain anonymous.

- 4.1.7. We encourage staff and students to share their preferred pronouns, for example in email signatures and during introductions on video conferencing calls or in person. If you see someone using the pronouns he/they or she/they, it means they identify as male or female respectively and are just as comfortable being referred to as 'they' as they would be 'he' or 'she'.

4.2. Students:

- 4.2.1. Students will not be denied access to courses, progression to other courses, or fair and equal treatment while on courses because of their gender identity or because they propose to or have transitioned.
- 4.2.2. Requests to change name and gender on records, email addresses, other electronic handles and ID cards will be handled promptly and confidentially. The students requesting the change will be made aware of any implications of the changes.
- 4.2.3. All students are required to provide formal evidence of a change of name, for example a copy of a deed poll or marriage certificate. We do not require evidence of a change of gender.
- 4.2.4. If you wish to change the way in which your gender is recorded on your student record, then you can simply let us know by emailing learnersupport@oca.ac.uk. Information will be handled with sensitivity and confidentiality.
- 4.2.5. Edits and updates to existing records or a new record will be created depending on what you feel appropriate. Checks will be made if you have any restrictions, safeguarding concerns or disability declarations on your original record and will be moved over to your new record. Reference to your former recorded identity will be avoided as much as possible and only included if required for safeguarding purposes (accessible only by a restricted number of staff).

4.3. Staff Members:

- 4.3.1. The curriculum will be checked to ensure that it does not rely on or reinforce stereotypical assumptions about Trans and non-binary people, and that it contains material that positively represents Trans and non-binary people and Trans and non-binary lives.

- 4.3.2. The OCA will include gender identity issues and allyship in Equality, Diversity and Inclusion training.
- 4.3.3. Staff members will not be excluded from employment or promotion or be redeployed against their wishes because of their gender identity.
- 4.3.4. Special leave will be given in order for a staff member to attend transition-related appointments and treatment. These absences will not be counted in relation to absence monitoring, included in absences for references, taken into consideration for performance monitoring or, for instance, during redundancy procedures.
- 4.3.5. It is discriminatory to treat a staff member who is absent from work to undergo gender reassignment worse than someone who is absent from work for another reason - for example, because they are ill, injured, recuperating or having counselling or medical appointments.
- 4.3.6. In addition, Trans staff members are entitled to the same sickness absence and pay as other staff. Many people have to travel a long distance for appointments, and these may be given at short notice. People may need reduced hours or duties, or other changes to usual working arrangements, for a temporary period following some treatments. Managers will be as flexible as possible to accommodate this.
- 4.3.7. Staff members who may be transitioning can work with their manager to put in place an action plan, or to agree a checklist to clarify the actions that will be taken over the course of their transition, dates by which these will be done, and the person who will take responsibility.
- 4.3.8. The manager and staff member will discuss the individual's preferences in relation to informing others, including other managers, colleagues, service users and other relevant contacts. They will agree whether the employee will do this, whether they would prefer the manager or a work colleague to do this, or a mixture of these options.
- 4.3.9. They will also get express written agreement from the employee about when and how this will happen, including the details of the message and who it will be shared with. Levels of disclosure may vary in detail and will be agreed in advance.
- 4.3.10. Electronic records will be updated in a timely manner, to coincide with the date on which the workplace transition begins. Care will be taken to ensure that records do not link back to the

former name – this may entail creating a whole new email address rather than simply changing the name on the existing one, for instance. The manager and staff member will work together to ensure that nothing is missed.

- 4.3.11. New security passes with the correct name will be issued if applicable.
- 4.3.12. Paper records will be updated where possible. Those which cannot be updated, for instance, paper copies of references relating to the staff member's recruitment, will be stored in a secure place, and clearly marked as only to be looked at by HR.

4.4. New Staff Members

- 4.4.1. People who have already transitioned have no obligation to disclose their gender history.
- 4.4.2. Job applicants and interviewees will not be asked their gender identity during the recruitment process apart from the equality monitoring questions that do not form part of the recruitment process. Neither is there any obligation for a transgender person to disclose this as a condition of employment. If they choose to disclose, this is not in itself a reason for not offering employment, and non-disclosure or subsequent disclosure is not grounds for dismissal. Appointing officers who become aware that an applicant is Trans will maintain full confidentiality in relation to this.
- 4.4.3. The OCA recognises that it can be difficult and expensive for a Trans person to change their qualification certificates. If these are in a former name then where possible a record will be made that the certification has been seen, but a copy will not be taken. If it is absolutely necessary to store a copy, they will be stored securely and only accessed by HR.
- 4.4.4. Where a reference request is received for an existing staff member who has transitioned, the OCA will respect the staff member's privacy and only respond using their correct name and gender since transitioning in the reference. The OCA will not mention previous names or gender identity, unless specifically asked to do so (in writing) by the Trans person. Disclosure on sickness absence will not include time taken off for medical appointments related to transition. This information is strictly confidential, and managers must be very careful of any record keeping in this.

5. How to raise a concern

- 5.1. The OCA takes extremely seriously any reported cases whereby a student or staff feels discriminated, harassed, bullied, or victimised. As a student, you can raise a concern formally with the OCA through the [Learner Support Helpdesk](#). If you are unable to submit a request through the helpdesk you can also email complaints@oca.ac.uk. Once received, the Complaints Management Team will review and take action.
- 5.2. Staff wishing to report any incident should, where possible, in the first instance talk to their line manager. As a member of staff you can raise a concern formally with the OCA by emailing complaints@oca.ac.uk. Once received, and if appropriate, cases will be reviewed by the Head of HR.
- 5.3. You can raise a concern pertaining to the OCA activities about Transphobic abuse, harassment or bullying that you witness or overhear happening to someone else. If you raise a concern the team investigating may contact you for further information.
- 5.4. Staff and students can disclose anonymously via our safe space reporting space.
- 5.5. Please note if you disclose anonymously we won't be able to contact you to offer any advice or support and reporting anonymously will not lead to formal action being taken. It does however alert us that something has happened and allows us to better understand the prevalence of issues within the OCA.
- 5.6. There is no deadline to reporting an allegation in accordance with this policy; however, reporting an incident as soon as possible after it has occurred is recommended.
- 5.7. If more than one person is experiencing Transphobic abuse, harassment or bullying from the same source and they consider reporting an allegation as a group, each individual in the group should, where possible, report on an individual basis. Responses and outcomes of allegations will be advised on an individual basis and not to a group.

6. Procedure

- 6.1. Informal Action

- 6.1.1. If you are a victim of Transphobic abuse, harassment or bullying, you are encouraged to take informal action to resolve the issue, wherever possible.
 - 6.1.2. Where possible, it is strongly advised to retain records of incidents and/or copies of evidence, such as emails, photos, screenshots.
 - 6.1.3. You can raise an issue informally by, for example:
 - 6.1.4. Raise the issue with the person(s) who has caused concern directly, explain the issue and why it is unwanted and/or offensive.
 - 6.1.5. As a student, discuss the issue with your tutor, Programme Leader, or a member of staff and ask them for support.
 - 6.1.6. As a member of staff, where appropriate discuss with your line manager, or a member of the OCA senior leadership team for support.
 - 6.1.7. Write a letter or email to the person(s) who has caused concern to explain the issue and why it is unwanted and/or offensive.
 - 6.1.8. It is not a requirement to raise a concern informally; you can raise a concern formally if you wish.
 - 6.1.9. It may not be possible or feasible to raise an issue informally, or attempts to discuss informally are unsuccessful, in which case it is appropriate to raise a formal concern.
- 6.2. Formal Action
- 6.2.1. You can raise a concern formally through the Learner Support Helpdesk. If you are unable to submit a request through the helpdesk you can also email complaints@oca.ac.uk. Once received, the Complaints Management Team will review and take action.
 - 6.2.2. Once received, the Complaints Management Team will confirm receipt within five working days. This is the start of the formal stage.
 - 6.2.3. Your case will be reviewed by one of the team and a response to the concern provided within 30 working days. If for any reason the review of the case will take longer than 30 working days, a member of the team will be in touch to advise of new timescales for a response.
 - 6.2.4. As part of the investigation the reviewing officer will review all of the information provided as evidence. They may contact you to request further information and/or evidence. The reviewer will also contact the person(s) about whom the concern is raised to request their account, information, and/or evidence.

- 6.2.5. If the concern raised is in relation to a student, and upon review there is evidence that Transphobic abuse, harassment or bullying has occurred, the case will be reviewed in line with the [Student Code of Conduct](#), including sanctions as specified in section 11 of the code.
- 6.2.6. If the concern raised is in relation to a member of staff (including tutors), and upon review there is evidence that Transphobic abuse, harassment or bullying has occurred, the case will be reviewed in line with the Staff Disciplinary Policy (Internal Only) by the Head of HR.
- 6.2.7. The OCA may make temporary arrangements, for example, with allocations to tutor groups and other study activities, as part of the process of investigating an allegation. Such arrangements may be made permanent, depending on the outcome of an allegation and other welfare considerations.
- 6.2.8. If on review there is insufficient evidence to determine that Transphobic abuse, harassment or bullying has occurred, this will be laid out to appropriate parties in the response.
- 6.2.9. Cases of alleged serious criminal offences should be reported by the individual (for example, the victim or a concerned bystander) to the Police. In such cases, the OCA will apply an appropriate policy (such as the Student Code of Conduct) until the outcome of any criminal investigation is confirmed.

7. Data Confidentiality and Record Keeping

- 7.1. Due to the sensitive nature, complaints of Transphobic abuse, harassment or bullying will be investigated with particular care and will remain, where possible, confidential or shared with relevant parties on a need-to-know basis. The purpose of this provision is to protect the confidentiality of the person making the complaint and the reputation of the person being complained about until the matter has been resolved. If it is deemed that the safety of an individual(s) is at risk of serious harm, confidentiality in these circumstances may be overridden by legal obligations to disclose, for example, to make a safeguarding referral or contact the emergency services. [Please see the Data Protection and Confidentiality Policy for details.](#)
- 7.2. Allegations of Transphobic abuse, harassment or bullying reported to the OCA are retained on a student's record for the duration of study.

- 7.3. Allegations of Transphobic abuse, harassment or bullying which are escalated to the emergency services, or social services are required to be retained for the duration of study plus seven years.
- 7.4. Where an allegation of Transphobic abuse, harassment or bullying is considered at the formal stage by the OCA and Transphobic abuse, harassment or bullying is deemed to have occurred, each case will be then reviewed under the [Student Code of Conduct](#).
- 7.5. As part of the [Student Code of Conduct](#), cases may be passed to The Open University at the Review Stage (section 8), and data may be passed to The Open University to facilitate this. Please refer to The Open University [Student Privacy Notice](#) for details.

8. Appeals

- 8.1. If a decision is made that Transphobic abuse, harassment or bullying has not occurred (see paragraph 6.2.8) you may request an administrative review of this decision in line with section 10 of the [Student Complaints and Non-Academic Appeals Policy](#). Appeals must be made within 28 days of the response.
- 8.2. If you are seeking to appeal a decision made through the Student Code of Conduct as outlined in paragraph 6.2.5, please refer to that policy for details on appeals.
- 8.3. If you are seeking to appeal a decision made through the Staff Disciplinary Policy (Internal Only) as outlined in paragraph 6.2.6, please refer to that policy for details on appeals.

9. False complaints

- 9.1. The OCA takes seriously false accusations of Transphobic abuse, harassment or bullying - if an individual brings a complaint that is found to be mischievous or malicious then appropriate action will be taken. This may include disciplinary proceedings.

10. Glossary of terms

- 10.1. Cisgender
 - 10.1.1. Someone whose gender identity is the same as the sex they were assigned at birth.
- 10.2. Gender
 - 10.2.1. Often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.

10.3. Gender identity

- 10.3.1. A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.
- 10.3.2. Gender Recognition Certificate (GRC) - 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.
- 10.3.3. 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.

10.4. Non-binary

- 10.4.1. An 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.

10.5. Pronouns

- 10.5.1. 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. If you are unsure what pronouns to use, it is always best to ask the individual what they prefer.

10.6. Sex

- 10.6.1. Assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes the terms 'sex' and 'gender' are interchanged to mean 'male' or 'female'.

10.7. Trans

- 10.7.1. An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth.
- 10.7.2. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, non gender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.

10.8. Transgender man

- 10.8.1. 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.
- 10.9. Transgender woman
 - 10.9.1. 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.
- 10.10. Transitioning
 - 10.10.1. 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.
 - 10.10.2. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents. Legally, this is referred to as Gender Reassignment and is a protected characteristic under the Equality Act 2010.
- 10.11. Transphobia
 - 10.11.1. The fear or dislike of someone based on the fact they are trans, including denying their gender identity or refusing to accept it. Transphobia may be targeted at people who are, or who are perceived to be, trans.
- 10.12. [For a full list of LGBTQ+ terms visit Stonewall's website here.](#)
(accessed 30 July 2025)
- 11. If you need support**
 - 11.1. Should you need any help or would like to raise any issues with this policy, you should contact our edi@oca.ac.uk for more information.
 - 11.2. The OCA will work to gather student feedback on the outline of the policy, its intentions, the administration of the policy, and a review of all these points in practice. These will then be fed into future reviews of the policy.
 - 11.3. If you are a disabled student and you would like to receive this procedure in an alternative format please contact the OCA's Learner Support team
 - 11.4. If you live in Wales and require this policy in the Welsh language then please contact enquiries@oca.ac.uk

12. Linked and other policies and legislation

12.1. This policy is subject to the [OCA's Terms and Conditions](#).

12.2. OCA Policy:

- 12.2.1. [Anti-Harassment & Bullying Policy](#).
- 12.2.2. [Complaints Policy](#)
- 12.2.3. [Criminal Convictions Policy](#)
- 12.2.4. [Code of Conduct Policy](#)
- 12.2.5. [Data Protection and Confidentiality Policy](#)
- 12.2.6. [Equity, Diversity & Inclusion Policy](#).
- 12.2.7. Fair Selection & Recruitment Policy (Internal only)
- 12.2.8. [Harassment & Sexual Misconduct Policy](#).
- 12.2.9. Menstruation & Menopause Wellbeing Policy (Internal only)
- 12.2.10. [Online Behaviour and Social Media Policy](#)
- 12.2.11. [Prevent Policy](#)
- 12.2.12. [Safeguarding Policy](#)
- 12.2.13. Staff Disciplinary Policy (Internal Only).
- 12.2.14. [Student Accessibility Policy](#).
- 12.2.15. [Student Complaints Policy](#).
- 12.2.16. Whistleblowing Policy (Internal Only).

12.3. Legislation

- 12.3.1. [The Equality Act \(2010\)](#)
- 12.3.2. [Data Protection Act 2018 \(UK\)](#)
- 12.3.3. [The Human Rights Act 1998 \(UK\)](#)
- 12.3.4. [The Gender Recognition Act 2004 \(UK\)](#)
- 12.3.5. [Sex Discrimination \(Gender Reassignment\) Regulations \(Northern Ireland\) 1999](#)

12.4. Links to external websites

- 12.4.1. [Gender reassignment discrimination \(EHRC\)](#)
- 12.4.2. [Stonewall](#)
- 12.4.3. [Switchboard](#)
- 12.4.4. [Trans Unite](#)
- 12.4.5. [Mermaids](#)
- 12.4.6. [The Beaumont Society](#)

13. Changes since previous policy

13.1. Since the last version of this policy, the following changes have been made:

- 13.1.1. Reference to Equality, Diversity and Inclusion Policy changed to Equity, Diversity and Inclusion Policy.
- 13.1.2. Policy updated to utilise the latest OCA policy template.
- 13.1.3. Reviewing the policy responsibility changed from learnersupport@oca.ac.uk to edi@oca.ac.uk.
- 13.1.4. URLs updated to reflect linked titles.

14. Policies superseded by this document

- 14.1. This policy is subject to the OCA's Terms and Conditions.