Gender Expression and Identity

1. Policy Statement

Mary Immaculate College's (MIC) is committed to supporting staff and students with diverse genders. This Policy provides advice and guidance for the support of non-binary, intersex and trans-gender students and staff members of the MIC community to ensure good practice in our collective approach to embracing diversity through gender expression and identity.

The purpose of this policy is to outline MIC's commitment to equality and support for the expression of gender and identity, and to ensure that MIC does not discriminate in any way on the basis of sex, gender identity, or gender expression. It provides information and guidance to staff, managers, students and alumni to ensure that all within the MIC community feel supported and that transphobia is prevented, while ensuring MIC remains compliant with legislation.

This Policy sets forth guidelines to address the needs of all gender identities and expressions of staff, students and alumni, and the implementation of the law in situations where questions may arise as to how to protect the legal rights or safety of such for all people. This policy cannot forecast or anticipate every situation that might occur, however, it safeguards that the needs of each transgender person may be assessed on a case-by-case basis. MIC recognises that the transition period can be very complicated, difficult and stressful for the individual and MIC is committed to acting in a supportive and sensitive way to ease any transition period, and experiences thereafter.

In all cases related to MIC staff, the goal is to ensure the safety, comfort, and healthy development of transgender people while maximising the employees workplace integration and eliminating the stigmatisation of the employee.

In all cases with regards to students, the goal is to ensure the safety, comfort, and healthy development of transgender students while maximising the student's educational success and integration, and eliminating stigmatisation of the student.

2. Scope

This Policy applies to:

Current employees, former employees, all applicants for employment, all student applicants, current students and alumni, referred to staff and students from here onwards.

All members of the MIC community share the right to protection under this Policy and a responsibility for ensuring that this Policy is adhered to. In particular, this Policy includes conduct that takes place on campus, on College property, at College functions and activities where one is representing the College. This Policy also pertains to the usage of electronic technology and communication in the aforementioned locations and situations.

3. Related Documents

MIC recognises, and by virtue of this policy, seeks to uphold its legal obligations in relation to gender expression and will constantly strive to respect and support any staff member or student's identity, expression and transition.

Consequently, this policy has been developed and will be reviewed on an ongoing basis, having regard to all applicable laws, including but not limited to:

- The European Convention on Human Rights;
- Bunreacht na hÉireann 1937;
- The Equal Status Acts 2000-2015;
- The Irish Human Rights and Equality Commission Act 2014;
- The Data Protection Acts 1988 -2018.
- The Gender Recognition Act 2015;
- The Employment Equality Acts 1998 – 2015;

The Employment Equality Acts prohibits discrimination in employment – including recruitment, promotion, pay and other terms and conditions of employment.

Discrimination includes:

a. Direct discrimination is when an employee is treated less favourably than another employee in the same situation or circumstances because of their gender identity or gender expression.

b. Direct discrimination is when student is treated less well than another student in the same situation or circumstances because of their gender identity or gender expression

c. Indirect discrimination is when an employee or group of employees or job applicants are treated less favourably as a result of requirements that they might find hard to satisfy.

d. Indirect discrimination happens where a student or group of students or student applicants are treated less favourably as a result of requirements that they might find hard to satisfy

The Equal Status Act prohibits discrimination in access to and provision of services, accommodation and educational establishments. The Equal Status Acts makes it unlawful for education establishments to discriminate in relation to admissions; access to any course, facility or benefit they provide; any other term or condition of participation; and the expulsion of a student, or any other sanction against a student.

Irish law also prohibits harassment that is defined as any form of unwanted conduct related to any of the discriminatory grounds which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the persons.

Harassment is legally defined as any act or contact that is unwelcome to a person and is offensive, humiliating or intimidating to a person and could take the form of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. For example, a line manager putting unreasonable demands on an employee, or an MIC employee or fellow student engaging in rumour spreading and verbal and psychological put downs and threats.

It is considered victimisation if an employee is dismissed or penalised in some other way if they have: made a complaint of discrimination to the employer; been involved in any discrimination proceedings; helped a colleague to make a claim; been penalised as a result of an unfair comparison with a colleague known as a 'comparator'; acted as a witness in legal discrimination proceedings; taken a discrimination claim to court under the Acts; or informed an employer that they intend to do any of the things mentioned in any of these points. It is also considered victimisation if a student is suspended or

expelled or penalised in some other way if they have: made a complaint of discrimination to the college; helped a fellow student to make a claim; been involved in any discrimination proceedings; been penalised as a result of an unfair comparison with a student known as a 'comparator'; acted as a witness in legal discrimination proceedings; taken a discrimination claim to court under the Acts; or informed MIC that they intend to do any of the things mentioned in any of these points.

This aspect of the law aims to uphold the dignity of transgender people and requires MIC to proactively ensure that offensive language and behaviour is eliminated. Some indicative examples of unlawful discrimination or harassment because of a person's gender identity or gender expression include:

a. Refusing employment, education, services or support;
b. Making offensive comments about a person's gender identity or gender expression;
c. Verbally or physically threatening someone or spreading malicious gossip;
d. Refusing to address a person by their correct gender pronoun or new name; and
e. Revealing the gender identity of a person to others without their explicit consent, either by disclosing information to individuals or groups – in other words, 'outing' someone - excluding exceptional circumstances detailed in the Section 2 Confidentiality of the Procedure for MIC Staff and Students.

The Gender Recognition Act 2015 provides a process enabling some transgender people to achieve full legal recognition of their gender and allows for the acquisition of a new birth certificate that reflects this change. It allows all individuals over the age of 18 to self-declare their own gender identity.

The Public Sector Duty was introduced under the Irish Human Rights and Equality Commission Act 2014. It places an obligation on public sector bodies, in the performance of its functions, to have regard to the need to eliminate discrimination, promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and to protect the human rights of its members, staff and the persons to whom it provides services.

4. Definitions

The definitions provided here are not intended to label any person, but rather assist in understanding this Policy and the legal obligations of MIC. All people have the freedom to adopt or refuse these terms to describe their identity.

Term	Definition
Ally	Typically, a straight and/or cisgender person who supports, is in solidarity and respects members of the LGBT community
Cisgender	A person whose sex assigned at birth and their own gender identity align. For example, someone who was assigned male at birth and identifies as a man.
Gender expression	An individual's characteristics and behaviours such as appearance, dress, mannerisms, speech patterns, and social interactions that may be perceived as masculine or feminine.
Gender identity	A person's internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has the right to express a gender identity.

Gender non-conforming	This term describes people who have, or are perceived to have, gender characteristics and/ or behaviours that do not conform to traditional or societal expectations. Keep in mind that these expectations can vary across cultures and have changed over time.
Heteronormativity	The assumption, in individuals and/or in institutions, that everyone is heterosexual and that heterosexuality is superior to all other sexualities. This can lead to invisibility and stigmatising of other sexualities: For example, when learning a woman is married, asking her what her husband's name is. Heteronormativity also leads us to assume that only feminine women and masculine men are straight.
Intersex	Term for a combination of chromosomes, gonads, hormones, internal sex organs, and genitals that differs from the two traditional patterns of male or female.
LGBT	A common abbreviation that refers to the lesbian, gay, bisexual, and transgender community.
Non-Binary	An umbrella term for gender identities that fall outside the gender binary of female or male. This includes individuals whose gender identity is neither exclusively male nor female, a combination of male and female or between or beyond genders.
Sexual orientation	A person's physical or emotional attraction to people of the same and/or other gender. Straight, gay, and bisexual are some terms used to describe sexual orientation. It is important to note that sexual orientation is distinct from gender identity and expression. Transgender people can be gay, lesbian, bisexual, or straight, just like non-transgender people.
Transgender	An umbrella term that can be used to describe people whose gender identity and/or expression is different from their assigned sex at birth. - A person whose sex assigned at birth was female but who identifies as male is a transgender man. - A person whose sex assigned at birth was male but who identifies as female is a transgender woman. - Some people described by this definition do not consider themselves transgender – they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for MIC's non-discrimination policies to apply to them.
Transition	A process through which some transgender people begin to live as the gender with which they identify, rather than the one they were assigned at birth. Transition might include social, medical, physical or legal and can include coming out to family, friends, co-workers and others; changing one's appearance; changing one's name, pronoun and sex designation on legal documents (e.g. driving licence or passport); and medical intervention (e.g. through hormone enhancement therapy or surgery).
Transphobia	Transphobia is a range of negative attitudes, feelings or actions directed towards transgender people. Transphobia can be emotional disgust, fear, violence, anger or discomfort felt or expressed towards people who may be perceived to not conform.

For further definitions, see the Glossary of Terms at the following organisations:
Transgender Equality Network Ireland (TENI), https://www.teni.ie/resources/trans-terms/

GOSHH Gender Definitions https://goshh.ie/gender/
Shoutout https://www.shoutout.ie/

5. Principles

The following principles and commitments underpin all activities of MIC:

- MIC treats all transgender and gender non-conforming staff and students with dignity and respect and seeks to provide a work and educational environment free from discrimination, harassment or victimisation.
- MIC is committed to non-discrimination (direct or indirect) on the grounds of gender identity and gender expression.
- MIC supports an inclusive environment of dignity and respect where everyone can develop their full potential. MIC does not tolerate harassment or bullying of staff, students or other members of the MIC community including on the basis of gender identity and expression. Any such incidents involving staff will be dealt with via the procedures outlined in the MIC Dignity and Respect at Work Policy.
- MIC respects the privacy of all transgender and gender non-conforming individuals and will not reveal information related to their transgender or gender non-conforming identity without their prior agreement. MIC fully respects the right to privacy and actively seeks to preserve the privacy rights of those who share information with the College. Any personal data provided to the College will be treated with the highest standards of security and confidentiality, in accordance with the Data Protection Act 2018 and the GDPR (please see Data Staff and Student Data Privacy Notice).
- MIC seeks to provide a supportive environment for staff and students.
- MIC supports an environment in which transgender and gender non-conforming individuals can be open about their gender identity and feel respected and safe.
- MIC supports and is committed to providing reasonable accommodations for staff and students undergoing medical procedures related to transition.
- MIC facilitates staff and students seeking to update their personal records to match their gender identity and expression by providing clear and easily accessible guidelines on processes.
- MIC encourages and facilitates staff training and awareness to ensure a supportive environment.
- MIC is committed to removing unnecessary gender distinctions within the MIC environment.

6. Roles, Rights & Responsibilities

A Transgender individual has a right to:

- Openly be who they are. This means expressing one's gender identity without fear of consequences.
- Be treated with fairness, dignity and respect.
- Privacy and appropriate confidentiality of records. Disclosure of information will only happen with the person's consent. MIC fully respects the right to privacy and actively seeks to preserve the privacy rights of those who share information with the College. Any personal data provided to the College will be treated with the highest standards of security and confidentiality, in accordance

with the Data Protection Act 2018 and the GDPR (please see Data [Staff](#) and [Student Data Privacy Notice](#)).

- Equal access to employment, education, services, activities and facilities throughout MIC.
- To access facilities which one feels best corresponds to one's gender identity.
  - Reasonable and appropriate arrangements, academic adjustments, and services if gender identity or transition is affecting one's engagement with work.
  - Should one wish to disclose or avail of MIC supports/change records, a transgender individual has a responsibility to:
    - o Inform MIC of any support needs as soon as possible (please see supporting guidance document) to allow appropriate arrangements to be put in place in a timely fashion.
    - o Provide any documentation necessary for changing records in a timely manner.

MIC has a right to:

- Request the individual to provide information and documentation to establish the nature of reasonable arrangements to be put in place.
- Request documentation from the individual which is necessary to change records if applicable.

MIC has a responsibility to:

- Oversee the implementation of the MIC policy in relation to gender identity and gender expression in a fair and transparent manner.
- Take all reasonable steps to provide appropriate support and arrangements for transgender individuals.
- To develop best practice and policy in line with legislation.
- To raise awareness, to provide advice and training on gender identity and expression to staff and students in MIC.

7. Change History

Reason for the new change and what sections of the procedure are affected. Previous revision and its document/change control number.

Revision	Document History	Reviewed By ET	Approved By UR
0	Initial release	ET2024#01	UR2024#01
1	Review January 2027		
2			
3			
4			
5			
6			

Principles for MIC Students & Staff

1.   Training and Awareness Raising in MIC

MIC is committed to providing professional development training for all staff, including staff who are supporting students or staff through a period of transition/name and/or gender change. MIC provides training for all staff at all levels in order to ensure the implementation of this policy throughout the College.

Awareness will be incorporated in relevant training programmes for staff including equality, diversity, inclusion and interculturalism (EDII) training, and staff support training. This will include online and printed literature as appropriate. MIC will continue to develop, promote and run specific training on trans issues for students and staff.

See Appendix 3 for guidance for staff on supporting transgender individuals and Appendix 4 for guidance on how to promote transgender equality within MIC.

2.   Confidentiality and Privacy

All persons have a right to privacy, and this includes the right to keep one's transgender identity private. Each individual has the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share.

MIC is committed to respecting the right to privacy. All information disclosed relating to a person's gender identity and expression will be treated as confidential. Confidential information will only be disclosed with the person's prior consent.

The principle that no confidential information will be passed on to third parties without the express permission of the individual concerned applies, unless there is a serious concern that there may be a threat to the safety or life of the individual or is otherwise required by operation of law.

Information held by MIC complies with the requirements of the Data Protection Act and the Freedom of Information Act and relevant MIC policies. In order to comply with the above principles, MIC staff must take all necessary precautions to ensure the safe-keeping and accuracy of all records containing personal information.

Where information is recorded or shared, the terminology used must be respectful. The accompanying guidance document Section 2.2 may be used to understand what is acceptable language.

Exceptional and limited circumstances may arise where a person's gender identity may be disclosed for the safety and/or well-being of the individual, including the referral to medical or psychological support in an emergency or sudden critical illness.

2.1. Being 'out' or not

- Some people are 'out' – open about their gender identity or expression – and others are not. Always respect the person's choice.
- Remember, there is no legal requirement for someone to reveal their gender identity at work or university, and they may only have provided information to certain individuals within MIC.
- When referring to a person in their absence, the person's preferred pronouns should be used. Doing so respects the person's identity and helps prevent confusion and embarrassment for everyone.
- Do not disclose a person's status without their consent.
- Do not use a Transperson's previous held name.

2.2. Guidelines on Respectful and Appropriate Language

It is important to use appropriate language when speaking about a person's gender identity and expression. The following outlines some additional information on designated/preferred names and the use of pronouns, including what to do if you are unsure of what pronoun to use or, if you make a mistake. Finally, a brief explanation is presented regarding how to treat a person's private information in the context of the person 'being out' regarding their gender identity.

2.2.1. Designated/Preferred Name

- If you are unsure of a person's designated (i.e. preferred) name and it is necessary to know the person's name, politely and circumspectly ask for clarification of the way the person wishes to be addressed (i.e. their name).

2.2.2. Pronouns (he/she/they)

- If you are unsure of the pronouns or multiple pronouns to use (i.e. he, she or they), first listen to determine how the person refers to themselves.
- If you still cannot find out a person's pronoun or multiple pronouns, an easy approach is to be gender-neutral: use the plural pronouns 'they' and 'their' in the singular sense or the individual's name.
- As MIC staff and students adjust to a change in a student's or colleague's name and pronouns, they may make mistakes. Adjusting to a change in gender is about respect rather than perfection. If you are unsure of how a person would wish to be addressed, it is acceptable to politely ask: "Excuse me, which pronoun do you use?" or "Excuse me, how do you wish to be addressed?"
- If you accidentally use the wrong pronouns, apologise once and continue the conversation. Make a concerted effort not to make the same mistake again.
- Some MIC staff have adopted the practice of identifying their own pronoun (e.g. she/her, he/him, or they/them) as part of their email signature or MS Teams usernames. This is one way of cultivating a friendly and welcoming environment for Transgender and Non-Binary people.

3. Supporting Transitioning Students & Staff

MIC aims to support students and staff considering transition of any kind (e.g. legal, social), including medical transition, and offers a number of support services. MIC is aware that transition, including

medical transition, may not be applicable, necessary or desirable for all transgender individuals for a variety of reasons.

Medical transitioning is a process that is undertaken under medical supervision for the purpose of changing physiological or other characteristics of sex, to correspond with an individual's gender identity, and includes any part of such a process.

3.1. Supporting Transitioning Students

3.1.1   First points of contact

A student who wishes to avail of this policy to change their gender identity and name should first make contact with the Director of Equality, Diversity, Inclusion and Interculturalism (edii@mic.ul.ie), or in their absence the EDII Manager (edii@mic.ul.ie).

3.1.2.   Meeting(s) with the student

Once contact is made, a meeting (or series of meetings) will be arranged with the student to discuss and agree a transition plan. At the student's discretion, the meeting attendees might include a number of relevant MIC staff applicable to their place of study. The aim of the meeting(s) will be to discuss in confidence how the student wishes to deal with their transition and to agree to follow a process and reasonable timelines with which they are comfortable. The student is welcome to invite their own support to the meeting, such as a representative from the MISU or any other supportive person or person(s) they deem appropriate. Appendix 1 provides a useful checklist covering most of the issues that need to be considered when a student is going through this process. It would be helpful for students and key staff to read this checklist in advance of any meeting(s).

A very important element of the meeting(s) will be to determine who should be told what, when and how this should occur.

It can be helpful to draw up a confidential plan for the period of transition and thereafter. The plan's implementation should be reviewed regularly and reassessed at each significant part of the process. The plan should include the following issues:

- The expected point (or phase) where the person's name, gender, or personal details will change;
- If applicable, the expected time scale of any medical and surgical procedures, including what time off will be required for treatment and or possible side effects from any medication and how this is likely to affect the Trans student's course of study;
- Whether the student wishes to inform lecturers and class members themselves or would prefer this to be done for them;
- What amendments will be required to the student's records;
- Whether training or briefing of the student's lecturers and class members will be required, at what point and by whom this will be carried out;
- What supports the MIC can provide to the student (e.g. counselling, medical, academic etc.).

The transition plan will be agreed with guidance from the student. The student can change their transition plan at any time for any reason they deem appropriate.

3.1.3. Student Records

Please note that everyone has the right to be addressed by their current name and pronoun.

Students or graduates with a Gender Recognition Certificate, passport or deed poll

If students have official proof of a name change, such as a Gender Recognition Certificate, passport, or deed poll, the relevant changes can be applied to the student registration system upon presentation of documentation to the Student Academic Administration (SAA) office.

A graduate can present a Gender Recognition Certificate or passport in order to change a name on an official graduation parchment. Parchments already issued in a former name must be returned before a new parchment can be issued.

Students or graduates who wish to change their name and/or gender on official MIC records after providing a Gender Recognition Cert or passport should also note that:

- The MIC Card is not a legal document, and MIC has no control over how/whether the MIC Card is accepted as a form of valid identification outside of MIC;
- Once a name change takes place using a Gender Recognition Cert or passport, MIC will correspond with the student solely by reference to the updated record;
- Once a name change takes place using a Gender Recognition Cert or passport, the name on the student's Permanent Address and Study Address will be changed. Letters from MIC will be addressed using only the student's newly recorded name.

Students without a Gender Recognition Certificate, passport or deed poll

Given that MIC respects the principle that Trans and Non-Binary people can self-identify and self-determine how that identity manifests, every student has the right to be addressed by their preferred name and pronoun within MIC. In addition, every student's record should reflect their chosen name and gender. In this regard, MIC also wishes to ensure student confidentiality and safety therefore with the written permission of the student, many MIC systems such as the name and photo on their MIC card, their name displayed on class lists and on Moodle/MS Teams can be changed to the student's preferred name and photo without official legal proof of a name change such as a gender recognition certificate, or passport as long as an official letter addressed to the Director of Equality, Diversity, Inclusion and Interculturalism (EDII) from a GP, school teacher or principal until such a time that the student attains their Gender Recognition Certificate. Some records cannot be changed without a Gender Recognition Certificate or passport. For example, final award documents such as the student's graduation parchment or final transcripts of results require official legal proof of a name change.

3.2.   Supporting Transitioning Staff

Everyone has the right to be addressed by their current name and pronoun. Staff wishing to change their gender and name under this Policy may contact either the Office of Equality, Diversity, Inclusion and Interculturalism (EDII), the Director HR, or their line manager, in confidence. A Gender Recognition Certificate or passport is not required for a staff member to change their official records on Moodle/MS Teams, their name on email addresses, or on HR systems; however, a GRC may be required to change pension-related systems. If the staff member wishes, local MIC offices and departments will use the staff member's preferred name in an everyday social context. Documents

relating to previous gender identitiy or transition will be stored securely in line with MIC policies. Strict access permissions will be maintained by EDII for the retention period.

If a passport from another country is the sole documentation available for a current or prospective staff member wishing to take up employment in MIC under their preferred gender and name, but that passport does not reflect the person's chosen name or gender identity due to non-inclusive legislation provision in that country, the flexibility afforded to non-international staff will be extended to international staff. This flexibility is especially pertinent in cases where formal documents have been requested by MIC before commencing employment, such as a passport or birth certificate; such documentation will show that the person was assigned a different gender at birth will be kept confidential.

Once contact has been made, a meeting (or series of meetings) will be arranged between the staff member and the Director of EDII/Director of HR/line manager as appropriate to discuss in confidence how the staff member wishes to deal with their transition and to agree and follow a process and reasonable timelines with which they are comfortable.

A crucial element of this meeting will be to determine who should be told what, and when and how this should occur.

It can be helpful to draw up a confidential plan for the period of transition and thereafter, as appropriate. The implementation of the plan should be reviewed regularly and reassessed at each significant part of the process.

The plan should include the following issues:

- The expected point (or phase) where the person's name, gender, or personal details will change;
- Ti me off work for medical procedures and/or treatment is to be treated as sick leave in accordance with the relevant policy;
- Whether the individual wishes to inform line managers and members of their team themselves or would prefer this to be done for them;
- What amendments will be required to records and systems; Whether training or briefing of the staff member's team will be necessary, at what point and by whom this will be carried out;
- What supports MIC can provide to the staff member (e.g. employee assistance programme, local support from line managers, EDII office and HR).

The transition plan will be agreed with guidance from the employee. The employee can change their transition plan at any time for any reason they deem appropriate.

Appendix 1 provides a useful checklist covering most of the issues that need to be considered when a staff member is going through this process. It would be useful to consult Appendix 1 in advance of the meeting(s).

4.   Practical Considerations

Some practical considerations will arise when a person is transitioning, for example, single gender facilities. See Appendix 3 for guidance on practical considerations and how to promote transgender equality within MIC.

Please note that when a person transitions to live in the gender in which they identify, they will normally use the facilities appropriate for their identified gender and the use of the gender neutral facilities.

5.   Mental Health and Supports in College

Staff Resources

The following resources are available for staff seeking advice or support.

- Human Resources
- The Employee Assistance Programme (available here)
- EDII Office
- Trade Union Representative
- Chaplain, MIC Limerick
- Chaplain, MIC Thurles
- TENI – Transgender Equality Netowrk Ireland
- GOSSH – Gender, Oriention, Sexual Health and HIV
- Shoutout - Shoutout
- INTO LGBT Teacher's Group
- Trans Limerick Community (TLC)
- Annual training is offered by the EDII Office inperson and online that staff and students can avail of in the following areas EDI in Higher Education (online), Bystander Intervention (online), Active Consent* (online), Gender Expression and Identity (online and in person) with additional training opportunities unfolding annually.
- In addition, the MIC Teaching for Inclusion Seminar entitled Gender Diversity in the Primary School Setting Presented by Daire Dempsey, TENI can be accessed here and the content while targeted at inclusion within primary schools, is applicable to all settings.

Student Resources

The following resources are available for students seeking advice or support.

- MIC Student Handbook – see here for full overview of MIC student supports
- Student Counsellors - Contact details for Limerick and Thurles counselling services can be found here.
- Medical Centre - Limerick (+353 61 204343), T.307 and Thurles (+353 504 21155)
- Director of Equality, Diversity, Inclusion and Interculturalism and contact details are here
- Manager of Equality, Diversity, Inclusion and Interculturalism and contact details are here
- Director of Student Life and contact details are here

- Student Union President and Equality, Diversity and Inclusion Officer – Mary Immaculate College Students' Union (MISU)
- Chaplain, MIC Limerick
- Chaplain, MIC Thurles
- TENI – Transgender Equality Netowrk Ireland
- GOSSH – Gender, Oriention, Sexual Health and HIV
- Shoutout - Shoutout
- INTO LGBT Teacher's Group
- Trans Limerick Community (TLC)
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- In addition, the MIC Teaching for Inclusion Seminar entitled Gender Diversity in the Primary School Setting Presented by Daire Dempsey, TENI can be accessed here and the content while targeted at inclusion within primary schools, is applicable to all settings.

6.   Complaints Procedures

•   Bullying or harassment and complaints alleging discrimination based on a person's actual or perceived gender identity or expression will be taken seriously and will be dealt with under the MIC Dignity and Respect At Work Policy, available here or the MIC Student Code of Conduct, available here and the MIC Students Complaints Policy, available here

•   To identify an individual as transgender to a third party without the individual's permission (i.e. to 'out' someone) is a form of harassment. The aim of the MIC Dignity and Respect At Work Policy, available, the MIC Student Code of Conduct and the Gender Expression and Identity Policy is to promote a working and learning environment in which harassment and bullying are known to be unacceptable and where individuals have the confidence to deal with harassment and bullying without fear of victimisation.

•   For complaints of discrimination under the Equal Status Acts there is a requirement for a written notification to the person against whom the complaint is being made within 2 months of the most recent occurrence of the incident; a six-month time-limit for raising a complaint with the Work Place Relations Commission applies. For more information please see the MIC Staff Grievance Policy & Procedures, available here. the MIC Student Complaints Procedure, available here. Procedures outline in this procedure apply with regard to gender expression and identity.

7.   Policy Review Procedures

This policy shall complement existing Equality policies adopted by MIC. It shall be subject to continuous assessment and evaluation, and shall be reviewed at least once every three years. The implementation of this policy entails taking into account the impact of other policies on Transgender staff, students, and services users. Guidance on implementation can be sought from the Director of Equality, Diversity , Inclusion and Interculturalism (EDII).

8.   Further Guidance

A guidance document accompanies this policy and covers the following:

•   Appropriate Language and Terminology;
•   Facilities;
•   Records;
•   Communication;
•   Training and Awareness Raising;
•   Supporting People who come out;
•   Supporting the Transition process;
    -        Appendix 1: Gender Identity and Gender Expression Policy - Flowcharts and checklists for transition
    -        Appendix 2: Gender Identity and Gender Expression Policy - Notes regarding official Documentation
    -        Appendix 3: Gender Identity and Gender Expression Policy - Guidance for Staff and Managers in promoting transgender equality within MIC: Accommodation, Campus Facilities and other Practical Considerations
    -        Appendix 4: Gender Identity and Gender Expression Policy - Guidance to Staff and Students on Supporting Trans Individuals
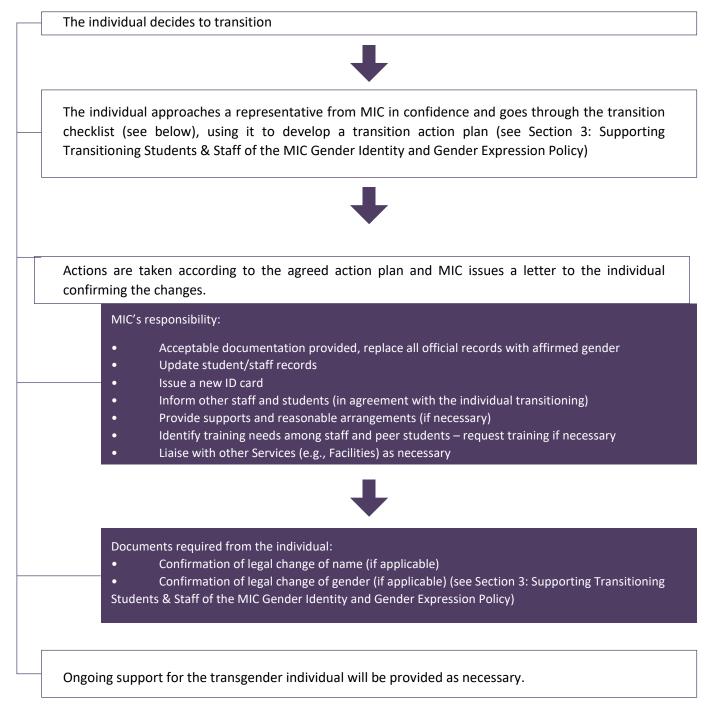
GENDER IDENTITY AND GENDER EXPRESSION - SUPPORTING GUIDANCE DOCUMENT

APPENDIX 1:

FLOWCHARTS AND CHECKLISTS FOR TRANSITION

It is important to note that each individual will have a different approach to their transition. Some may want to change their entire record, yet others may not wish to do so and the College will respect and support individual's choices and wishes. If someone does not wish to change their record, some of the actions below may not apply. This flowchart is only a guideline and all cases will be treated individually.

The individual decides to transition

The individual approaches a representative from MIC in confidence and goes through the transition checklist (see below), using it to develop a transition action plan (see Section 3: Supporting Transitioning Students & Staff of the MIC Gender Identity and Gender Expression Policy)

Actions are taken according to the agreed action plan and MIC issues a letter to the individual confirming the changes.

MIC's responsibility:

- Acceptable documentation provided, replace all official records with affirmed gender
- Update student/staff records
- Issue a new ID card
- Inform other staff and students (in agreement with the individual transitioning)
- Provide supports and reasonable arrangements (if necessary)
- Identify training needs among staff and peer students – request training if necessary
- Liaise with other Services (e.g., Facilities) as necessary

Documents required from the individual:

- Confirmation of legal change of name (if applicable)
- Confirmation of legal change of gender (if applicable) (see Section 3: Supporting Transitioning Students & Staff of the MIC Gender Identity and Gender Expression Policy)

Ongoing support for the transgender individual will be provided as necessary.

Checklist to consider when discussing a student or staff member's transition

Time scale

- What will be the timetable of transition? What will be the date for
  - name changes,
  - use of facilities (toilets)
  - Change of records?
- What is the expected time scale of any medical procedures? (Note the need for flexibility as the timescale for medical procedures may not always be clear from the outset)

Updating Records

Which identification / records will need to be changed? (Check all that apply)

- MIC staff / student ID card (new photograph and names and title); All student/staff records systems and databases;
- Information on MIC/ service websites (e.g. staff biographies);
- Name plates on offices;
- Any locally held records with MIC / staff area e.g. programme and module lists; All HR held records (for staff);
- Exams office (for students); Library records;
- Personal tutor records (for students);
- Placement reports;
- Services used (Counselling records, Medical Centre, Access Office, Gym etc.);
- Login / Email address;
- Volunteering and mentoring records;
- Committee minutes and records;
- Certificates, e.g. training attendance, Transcripts / degree certificates, Club and society membership records;
- Payroll (and banking details);
- Employee Benefits, e.g. Pension and Death in Service Benefits.

Supports during Transition

Who will need to be informed initially, and what level of information should be provided, in order to offer support and arrangements during the transition process?

If the individual experiences effects from any medication what accommodations may be needed?

Will the individual require time off for medical treatment and recovery, or flexibility for transitions?

If yes, what will be done to ensure they remain on their programme of study/in employment, or can return when they are feeling well.

Are there any professional requirements or attendance requirements that may be affected by the person's absence for medical treatment?

The day the transition will be made known to work colleagues:

1.   An agreed date and time for a Team meeting that includes the transitioning employee, the employee's supervisor, the employee's co-workers, and any other team or regional leadership if they are able to attend live. Otherwise, remote conference any members of the transition team or the employee's work team that cannot be there live. It's important to have this meeting in person if at all possible. If the employee thinks it would be helpful, a handout about transgender issues can be provided at this meeting. It is up to the employee whether they feel comfortable attending or would prefer not to be there.

2.   The head of the employee's work team should announce the transition, along with any other high-level management who are there in order to show solidarity for the transitioning employee. The speaking supervisor must:

    i.   Emphasise the management's complete support of the employee's transition.

    ii.   Review the College's relevant non-discrimination policies.

    iii.   Indicate that the transitioning employee will be presenting themselves in accordance with their gender identity and this should be respected. The manager should also advise co-workers about the transitioning employee's new name and preferred pronoun.

    iv.   Be a behavioural model by using the transitioning employee's new name and pronoun in all communication – written and oral, formal and informal.

    v.   Make a point that the transition will not change the workplace and that everything should go on as it did previously.

    vi.   Solicit any questions. Refer questions the manager cannot answer to HR.

    vii.   If training is going to occur, the date should be announced at this meeting. If possible, the training should occur before the date of the employee's official workplace transition.

The first day of the employee's official workplace transition:

The transitioning employee's supervisor should be clear that all elements are in place, in the same way the supervisor would for a new hire or transferred employee. These elements include:

1.   Making sure that the transitioning employee has a new ID badge and photo if necessary.

2.   Ensuring all work documents have the appropriate name and gender and checking that these have been changed in all of the places an employee's name may appear.

Other considerations:

If the individual is involved in an awards ceremony during the transition process what name will be used?

If the individual is involved in a degree ceremony during the transition process what name will be used if the person's name has not been changed legally (on certificate, in ceremony programmes, name read out, etc.)?

Training and Awareness:

Who will need to be informed, and who will inform (Check all that apply and state who will inform):

- Does the individual wish to inform line managers, co- workers/fellow students themselves, or would prefer this to be done for them?
- Who will need to be informed:
- Staff within the individual's department / area?
- Students within the individual's department / area?
- Support departments used by the individual (access, student counselling, etc.) Work placement providers?
- Committee chairs/secretaries where the individual is a member? Club and society members?

Training:

Who will need to be informed, and who will inform (Check all that apply and state who will inform):

- Will there be a need to arrange training?
- Who should be trained, e.g. fellow students or colleagues, staff in staff/ student services?
- Who will deliver this training? What will the training cover?
- Will the student/staff member be involved to share their experience and expectations?

APPENDIX 2:
NOTES REGARDING OFFICIAL DOCUMENTATION

Note: This applies to current record.

To change all records one of the following documentation would be acceptable: Passport, Birth Certificate, Driver's License, Deed Poll (for name change), National Identity Card (country dependent), Gender Recognition Certificate or other documentation deemed acceptable by SAA or Human Resources.

Relevant forms and further procedures for students are available from SAA. Relevant forms and further procedures for staff are available from Human Resources

Limitations for Change of Name for Students:

MIC will maintain records in the name and gender under which an individual originally applied to, and was admitted, to MIC. MIC will change an individual's official record to reflect a change in name or gender upon receipt of documentation. In order to facilitate the processing of arrangements for Conferring ceremonies, student's eligible to amend their name should contact saa@mic.ul.ie as soon as possible.

Changing a Degree Certificate:

Alumni who wish to change the name in which they were admitted to an award must submit a request in writing to the SAA Office, requests should provide the following:

• Full name (forename[s] and surname) in which award(s) made

• Date of birth

• Awards obtained from MIC

• Year(s) in which award(s) made

• Current address

• Previous address (for verification purposes)

Any request for a change or correction to a name or date of birth in the record of a graduate must be supported by official documentation (See Notes on Official Documentation).

APPENDIX 3:
GUIDANCE FOR STAFF AND MANAGERS IN PROMOTING TRANSGENDER EQUALITY WITHIN MIC:

CAMPUS FACILITIES AND OTHER PRACTICAL CONSIDERATIONS

Organisational Strategies for Creating a Transgender-Affirming Environment

There are several steps that management at Higher Education Institutions can take to support staff in creating an environment of care that allows transgender people to feel safe, included, and welcome.

Here are some suggestions:
• Include "gender identity and expression" in non-discrimination policies. Post those policies.
• If possible, have single-occupancy bathrooms that are not designated as male or female.
• If this is not an option, consider putting full-length doors on stalls.
• In all cases, have a policy that allows transgender staff to use the bathroom that matches their gender identity and/or the gender neutral facilities.
• Provide regular training in transgender cultural competency for staff.
• Train all new staff within 30 days of hire.
• Have clear lines of referral for complaints and questions from both staff and patients.
• Appoint a staff person responsible for providing guidance, assisting with procedures, offering referrals, fielding complaints.
• Have procedures in place that hold staff accountable for making negative or discriminatory comments or actions against transgender people.

Bathroom Facilities

Staff and students shall have access to the bathroom corresponding to their gender identity. Any employee or student who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to a single-stall restroom, when available. No employee or student, however, shall be required to use such a bathroom.

All staff and students have a right to safe and appropriate bathroom facilities, including the right to use a bathroom that best corresponds to the employee's/student's gender identity, regardless of the employee's/student's sex assigned at birth. That decision should be left to the transgender employee/student to determine the most appropriate and safest option for them.

When a person transitions they will normally use the facilities (e.g. toilet) appropriate for their identified gender. It is unacceptable and unlawful under the Equal Status Act and the Employment Equality Acts to restrict a transgender person to use disabled toilets or other unisex facilities. Requiring the person to use disabled toilet facilities is unlawful unless the person requires these facilities due to a disability.

When a person who is transitioning begins to live in the gender in which they identify, they will normally start to use the facilities appropriate for their identified gender. It may be desirable to

explain the situation carefully to work/study colleagues after consultation with the person who is transitioning.

If a person who is transitioning specifically asks for other facilities accommodation for safety or privacy reasons, MIC commits to give the request serious consideration.

Forms and questionnaires

When designing forms and questionnaires consider whether it is necessary to request that respondents provide their gender.

If it is necessary to request gender, bear in mind that some people prefer a further option in addition to 'male' or 'female', for example 'non-binary/other'. Also, an option 'prefer not to disclose' is helpful. We also recommend a fill-in box where possible.

It should also be made clear on forms requesting this information what the intended use is, as this may affect how some transgender people respond.

Pensions

For pension, life cover and disability cover purposes; all staff can only be regarded as their legal sex.

References

References for current or former students or staff who have transitioned must make no reference to the person's former names or gender and must use the appropriate pronoun. If MIC receives a reference for someone who has previously transitioned, which refers to them by a previous name, this information should be treated as confidential.

Sport

MIC expects MIC student sports clubs and societies to support its Gender Identity and Gender Expression policy & procedures. Sports Clubs should seek to be inclusive in their activities, ensuring a person can participate according to their identified gender.

MIC is aware there may be restrictions in place regarding some competitive sports and sports clubs should address these external sporting bodies for guidance regarding this. The Equality, Diversity, Inclusion and Interculturalism Office is available to provide advice on supporting this policy in sports activities.

APPENDIX 4:
GUIDANCE TO STAFF AND STUDENTS ON SUPPORTING TRANS INDIVIDUALS

Maintaining a Respectful Workplace Culture

The following represents a series of best practice guidelines for creating a transgender-affirming culture at the workplace and maintaining a respectful workplace culture.

- Speak with transgender individuals just as one would speak to anyone else.

- Avoid asking unnecessary questions: Transgender people want to keep their medical and personal lives private. Respect people's privacy. Do not ask what their 'real' or 'birth' name is. Trans people may often prefer to not reveal information about their past, especially if they think it might affect how they are perceived in the present.

- Before asking a transgender person a personal question, first ask yourself:

- Is my question necessary for their care or am I asking it for my own curiosity?
- If for your own curiosity, it is not appropriate to ask.
- Think instead about: What do I know? What do I need to know? How can I ask for the information I need to know in a sensitive way?
- Do not tell others about a person's trans identity. If documents have to be kept that have the person's old name and gender on them, keep them confidential.

- Do not gossip or joke about transgender people: Gossiping about someone's transition, or making fun of a person's efforts to change their gender expression, for example, should not be tolerated. In addition, only discuss a patient's transgender identity with those who need to know for providing appropriate and sensitive care.

- Use the name and pronoun that the person asks to be used. If unsure, what the right pronoun is, ask.

- If a mistake with pronouns occurs, correct oneself and apologise – 'I apologise for using the wrong pronoun. I did not mean to disrespect you.'

- Practice making these language changes with a friend/peer/work colleague.

- Continue to use a colleague's current name and pronoun, even when they are not present:

- Create an environment of accountability: Don't be afraid to politely correct colleagues if they use the wrong names and pronouns, or if they make insensitive comments. Creating an environment of accountability and respect requires everyone to work together.

- Think of the person as being the gender that they identify as.

- Listen to the person, and ask how they want to be treated and referred to.

(Adapted from the Equality Challenge Unit: Trans Staff and Students in Higher Education: 2010 and Affirmative Care for Transgender and Emergency Preparedness and Lesbian, Gay, Bisexual & Transgender (LGBT) People: What Health Centers Need to Know chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.lgbtqiahealtheducation.org/wp-content/uploads/Emergency-Preparedness-for-LGBT-People-Final.pdf

Helpful Resources

- General Information on Transgender Health Care
- World Professional Association for Transgender Health Standards of Care: www.wpath.org
- Center of Excellence for Transgender Health Primary Care Protocols www.transhealth.ucsf.edu
- Vancouver Coastal Health: Guidelines for Transgender Care:
  www.transhealth.vch.ca/resources/careguidelines.html
- The Fenway Guide to LGBT Health, American College of Physicians
- TENI – Transgender Equality Netowrk Ireland
- GOSSH – Gender, Oriention, Sexual Health and HIV
- Shoutout – Shoutout
- INTO LGBT – Teacher's Group