Gender Identity and Expression Policy

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2   Table of Contents

3   Relevant Information

Equal Status Act 2000 - 2015
Employment Equality Acts 1998 - 2015
Gender Recognition Act 2015
Irish Human Rights and Equality Commission Act 2014 – Public Sector Duty

3.1   Relevant Institutional Policies
Maynooth University Equality and Diversity Policy
Protection of Staff against Bullying, Harassment and Sexual Harassment
Gender Identity and Expression Guidelines (supporting documentation for this policy)*

3.2   External References
Transgender Equality Network Ireland (TENI)
Department of Employment Affairs and Social Protection – Gender Recognition Certificate

4   Glossary of Terms and Definitions

This glossary is intended as a guide to the common terms and definitions currently used when discussing gender expression and identity.

Sex: generally designated at birth based on a brief assessment of anatomy (genitals/ reproductive organs) and/or biology (hormones/ chromosomes).

Gender Identity: how a person identifies as either male/ female (binary) or other. It may or may not align with the determined sex they were assigned at birth.

Gender Expression: individual expression of gender which may include appearance, mannerisms, social interactions and in how they introduce themselves (ie, use of pronoun she/ he/ they). Gender expression may or may not change during the lifetime and there may be an element of 'fluidity'. Descriptions may include masculine, feminine, androgynous etc.

Sexual Orientation: the romantic, emotional or physical attraction to another person (may include lesbian, gay, bisexual, heterosexual, asexual, pansexual).

These are separate and distinct facets of a person and assumptions should not be made about how each aligns with the other. Every person has a sex which was assigned at birth, a gender identity, gender expression and a sexual orientation.

4.1   Key Definitions

This list is not exhaustive and is intended only to provide an introduction to **definitions** pertaining to this Policy:

Transgender: a person whose gender identity and/or expression do not align with the sex assigned to them at birth.

> **Trans man/ FTM**: a female to male trans person

> **Trans woman/ MTF**: a male to female trans person

Cis gender: a person whose gender identity and expression align with their sex assigned at birth.

Transition: the process of beginning to live in the gender with which a person identifies rather than the assigned sex from birth. Aspects of transitioning may include:
- social changes – changes in behaviours including how someone introduces themselves (pronouns), 'coming out' as transgender to their peers, family and friends
- changes in appearance – including grooming, clothing and some mannerisms
- legal changes – including name change, formal gender recognition, updating student/ staff records
- biological/medical changes – including hormones and/or surgery

Transitioning is not a 'check list' and a transgender person may or may not make changes in all these aspects. There is also no specific order in which someone transitions and a person will transition at their own pace.

Gender Binary: a societal system of two genders – male and female. Gender expression legislation in Ireland currently acknowledges two official genders (M/F). Some cultures have a 'third gender' (X) or more.

Gender Fluidity/ Gender Queer/ Gender Non-binary: a person whose gender identity and/or expression falls beyond a gender binary concept. This may be fluid (varies between genders at different points of time) or constant and could be expressed as both genders or neither genders at once.

Gender Variant/ Gender Diverse: a person whose gender expression and/or identity vary from what might be a 'traditional' or 'typical' gender appearance, ie, what a man 'should' look and/or behave like.

Intersex: a term covering a number of variations of a person's sex characteristics which do not fall under the strict medical category of male or female. These variations may be physical (anatomical), chromosomal or hormonal. A person may learn that they are intersex at various stages throughout their life. For example, key stages include:

- at birth based on an initial physical assessment,
- during puberty when secondary sex characteristics form/do not form; or
- later in life due to hormonal changes or if fertility issues arise

It is important to note that intersex and transgender are not the same and should not be covered by any of the same 'umbrella terminology'.

'Outing someone'/ 'Coming out': the process covering disclosure and of disclosing to someone about either your own gender identity and/or orientation, or that of someone else. It is important that you never 'out' someone without their permission. 'Coming out' is a deeply personal decision and cannot be forced from anyone.

Transphobia: covers a range of negative attitudes, feelings or actions toward transgender and/or gender diverse people. Transphobia can include disgust, discomfort, anger, fear or other negative emotions felt or expressed towards people who may not conform to traditional gender 'standards'.

Gender identity or gender based discrimination, bullying or harassment is not tolerated in Maynooth University. Processes for raising complaints are outlined in the relevant policies.

5 Gender Identity and Expression Policy

Maynooth University values diversity in its community and is committed to promoting equality and protecting human rights for all staff and students. The University aims to provide an environment that is inclusive for all regardless of their gender expression and/or identity.

6 Principle

Maynooth University recognises the core human right to freedom of gender identity and authentic self-expression of one's gender. Therefore, the University is committed to a building a community where each individual is free to achieve their full potential without limitations based on gender expression and/or identity.

7 University Aims

To achieve this, the University commits to
- an inclusive community where each person has the right to dignity without experiencing bullying, harassment, sexual harassment or discrimination. The University will provide due process in responding to breaches of this through the Bullying, Harassment and Sexual Harassment Policy
- recognising the true gender of each individual and to providing clear processes for updating official records where required. Further information about this will be provided in the supporting guidelines attached to this policy
- providing reasonable accommodation to any members of the university community which allow for full participation regardless of any transition process (social, medical or otherwise)
- respecting the privacy and confidentiality of each individual in regards to gender diversity, expression and identity
- limiting gender implications when developing and reviewing policies and processes. This will also be extended to the development and redevelopment of campus facilities. The University will aim to remove unnecessary gender distinctions where possible.

8 Scope of the Policy

This Policy applies to all members of the University community including staff, students, associates and all other service users. It embraces individuals at all stages of engagement including applicants (staff and student), current staff, students, retirees and alumni.

The Policy includes conduct and behaviours that take place at events supported by Maynooth University and by individuals who are clear representatives of the University. This includes behaviour conducted on-campus or on University property as well as events and functions away from campus locations.

This Policy and subsequent guidelines aim to provide a standard around supporting transgender and gender diverse students and staff. Detailed processes to accessing formal recognition of gender within the University systems and where to access personal support will be outlined in the Gender Identity and Expression Guidelines.

9 Commitment to Equality and Diversity

The Maynooth University Equality and Diversity Policy (2018) sets the University's commitment to realising the core values of equality, inclusiveness, social justice, dignity and respect. The Gender Identity and Expression Policy is an extension of this commitment and should not be referred to in isolation of the institutional Equality and Diversity Policy.

10 Roles and Responsibilities

10.1 The University Executive
The University Executive is responsible for championing a culture of respect and dignity for everyone. This will be achieved through:
- ensuring adequate resourcing is available to respond to any issues of dignity and respect
- setting standards of behaviour through their own actions

10.2 Equality, Diversity and Inter-culturalism Committee
The EDIC will monitor the effect and relevance of this policy within the University Community

10.3 Head of Department
In holding a role of leadership, it is important that people managers drive this policy through demonstrating standards of behaviour for their team. People managers are required to understand principles of gender diversity and what supports are available to staff and students. It is expected that people managers will:
- respect the privacy and confidentiality of team members and students. It is not acceptable under any circumstance to 'out' anyone without their clear and written consent;
- seek support from HR where necessary regarding communication, processes and potential conflicts if a staff member identifies as trans gender or gender diverse;
- demonstrate respect and support for individuals regarding gender identity and gender expression;
- have an understanding of the supports available to gender diverse individuals and seek out further advice if necessary while upholding confidentiality and privacy;
- refer to gender expression policy and guidelines where appropriate and undertake gender awareness training where possible;
- be aware of the policy and procedures of addressing issues of dignity at work, harassment, sexual harassment, bullying and victimisation;
- provide on-going support and/or follow up with team members where necessary

10.4 Registrar
It is the role of the Registrar and nominated staff members in the Registry Unit to manage student registration and the associated systems. Therefore in regards to this Policy, it is expected that the Registrar will:
- ensure the highest level of respect, confidentiality and privacy for any matters regarding gender diversity for students. This includes any formal gender recognition processes, medical details and/or leave;
- have a clear understanding of this policy and the attached guidelines which outline the steps of any necessary changes to student records, including transition between genders;
- respect the privacy and confidentiality of students. It is not acceptable under any circumstance to 'out' anyone without their clear and written consent;
- demonstrate respect and support for individuals regarding gender identity and gender expression;
- have an understanding of the supports available to gender diverse individuals and seek out further advice if necessary while upholding confidentiality and privacy; and
- refer to gender expression policy and guidelines where appropriate and undertake gender awareness training where possible

10.5 Student Facing and Support Roles (student facing roles including teaching staff, student advisors, chaplains, student support staff and academic supervisors)
Roles which are student facing are vitally important to ensure that students are comfortable in being their authentic selves at university. It is expected that all student facing roles will:
- respect the privacy and confidentiality of students. It is not acceptable under any circumstance to 'out' anyone without their clear and written consent;
- have an understanding of the supports available to gender diverse students and seek out further advice if necessary while upholding the confidentiality and privacy of the student;
- refer to gender expression policy and guidelines where appropriate and undertake gender awareness training where possible;
- demonstrate a standard of behaviour that promotes respect and dignity for all;
- take appropriate actions, make referrals and provide support if they become aware of any incidents of bullying, harassment, sexual harassment, discrimination and/or victimisation.

10.6 Human Resources
With responsibility for this Policy, Human Resources will provide response to any inquiries or questions and will provide updates as required. It is expected that the department will:
- ensure the highest level of respect, confidentiality and privacy for any matters regarding gender diversity for employees. This includes any formal gender recognition processes, medical details and/or leave;
- ensure confidentiality when providing information about an employee to an external agent (for example, employer reference checks);

- ensure compliance with legislation pertaining to employment equality, gender recognition and equal opportunity;
- ensure that staff members who plan to undergo, are undergoing or have undergone transition (whether social, physical or otherwise) are reasonably facilitated and are supported in that transition in the context of the workplace;
- provide support, training and advice for Heads of Department and colleagues of trans gender and gender diverse employees where required;
- communicate with potential employees and applicants that Maynooth University is an equal opportunities employer;
- ensure compliance with the policy of any complaints and provide support where necessary to Head of Department;
- provide training for people managers in dealing with complaints of bullying, harassment, sexual harassment and victimisation;
- provide referrals to support services and networks within the university, including but not limited to, Contact Officers, the Employee Assistance Programme, Student Counselling, Maynooth Students' Union;
- maintain this policy and corresponding guidelines to reflect the highest possible standard of practice and support as well as any legislative updates;
- ensure that sufficient training and support is provided to ensure the implementation of this policy across Maynooth University.

11 Non-compliance with Policy

Staff complaints regarding bullying, harassment and sexual harassment will be addressed through the mechanisms outlined in the Bullying, Harassment and Sexual Harassment Policy.

For all other complaints or equality issues, staff can contact the Equality Officer for further clarification on this Policy:

Human Resources
Equality Officer
Riverstown Lodge, South Campus
01 708 3866
equality@mu.ie.

To raise any complaints or to raise equality issues, students are able to contact the following:

Registrar's Office
Humanity House, South Campus
01 7083579
registrar@mu.ie

Students are also able to contact the Maynooth Students' Union:

Vice President for Welfare and Equality
Maynooth Students' Union
MSU Building, North Campus
01 708 6808
welfare@msu.ie

The following University services are available to students with any issue relating to gender identity and expression:

Student Support Officer
Student Services Centre, North Campus
01 474 7627
student.support@mu.ie

Health Centre
Student Services Centre, North Campus
01 708 3878
student.services@mu.ie

Counselling Service
Student Services Centre, North Campus
01 708 3554

Chaplain
Student Services Centre, North Campus
01 708 3469
chaplaincy@mu.ie

12 Review and Reporting

The University will show transparent commitment to equality and diversity through the following reporting and implementation measures.

- Inclusion of gender awareness training into all Equality and Diversity Training (both online and in person)

- This Policy will be reviewed periodically to reflect legal standards, government policy and practice and will be ideally reviewed every 4 years.

- The Director of Human Resources will inform the University Executive and the Equality, Diversity and Inter-culturalism Committee on any issues or updates to this policy and its implementation