Gender Identity & Expression Policy

Purpose: This policy outlines DkIT's formal commitment to recognise
                                      and support an individual's gender identity and expression
                                      so that all members of the institute community experience a
                                      positive tolerant environment where every member is
                                      treated with dignity and respect.

Circulation: This document is available for all to review and will be
                                      published on the Institute's website

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Policy Owner: EDI Committee
                                      Governing Body

Approval Date   EDI Committee: 15 March 2022
                                      Governing Body: 3 May 2022
                                      Leadership Team: 1 June 2022

Approval Date: EDI Committee: 15 March 2022

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1. Introduction

DkIT is committed to promoting equality and providing an environment where all members of its community are treated with respect and dignity. The institute aims to provide an environment that is inclusive for all regardless of their gender expression and/or identity.

This policy outlines DkIT's formal commitment to recognise and support an individual's gender identity and expression so that all members of the institute community experience a positive tolerant environment where every member is treated with dignity and respect.

Scope
This policy applies to all students and, where applicable, alumni of the institute.

Context
This policy is developed in the context of the Gender Recognition Act 2015, which provides a process enabling Trans people to achieve full legal recognition, by the State of their preferred gender and allows for the acquisition of a new birth certificate that reflects this change. The act allows all individuals over the age of 18 to self-declare their own gender identity, while requiring young people, aged 16-17, to make formal application for such recognition. It provides that a gender recognition certificate may be used as proof of gender or identity, if a person chooses, but that is shall not be required as proof or identity "for any purposes save as required by law".

The other directly relevant legislation is the Employment Equality Act 1998 (as amended) and Equal Status Acts 2000 (as amended) which prohibit direct and indirect discrimination, sexual harassment, harassment and victimisation in relation to nine equality grounds.

Other Policies
This policy should be read in conjunction with the following policies:

- Data Protection Policy
- Dignity at Work Policy
- Equality, Diversity and Inclusion Policy

Definitions
The definitions provided here are not intended to label, but rather assist in understanding this policy and the legal obligations of the institute.
- **Cisgender:** A person whose sex assigned at birth and gender identity align (e.g. 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 a gender identity.
- **Intersex:** Intersex refers to a number of different variations in a person's sex characteristics that do not match strict medical definitions of male or female. These characteristics may be chromosomal, hormonal and/or anatomical and may be present to differing degrees. Intersex people are typically coercively assigned as male or female at birth. Some intersex people identify with their assigned sex, while others do not. Some choose to identify as intersex. Intersex people like the general population, may or may not identity as Trans.

- **Non-binary:** People may have a non-binary gender identity; these people can also be described as gender fluid, because they experience different gender identities at different times.
- **Transgender/ Trans:** An umbrella term that can be used without offence for people whose gender identity and/or gender expression differs from that which is usually associated with the sex assigned to them at birth. **Trans or trans*:** Commonly used shorthand for transgender. Avoid using this term as a noun: a person is not 'a trans'; they may be a Trans person.
- **Transition:** A process through which some transgender people begin to live as the gender with which they identify, rather than the one assigned at birth. Transition might include social, physical or legal changes such as 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 hormones or surgery).
- **Transphobia:** a term used to describe an aversion to, fear or hatred or intolerance of Trans people and communities.

2. Policy Statement

DkIT respects the human rights and dignity of all members of the Institute community. As a place where all members of the community are welcomed and valued equally, the Institute is committed to ensuring that all staff and students can participate freely and fully in the life of the Institute regardless of their gender identity or gender expression.

Our institute therefore:

- Supports an inclusive environment of dignity and respect whereby everyone can develop to their full potential free of discrimination. DkIT does not tolerate harassment, bullying, or discrimination of any member of the Institute community based on gender identity and expression. Any such incidents will be dealt with under the procedure outlined in our Dignity at Work Policy.
- Supports an environment in which all individuals who chose to be open about their gender identity feel respected, safe, and welcome and included in our Institute community.
- Facilitates all Institute community members and alumni that seek to update their personal records to match their gender identity and expression by providing clear and easily accessible guidelines for all related processes while ensuring confidentiality throughout.
- Encourages and facilitates colleague and student training and awareness to ensure a supportive and accepting environment that will foster a culture of Institute community diversity and equality

3. Implementing the Policy

The principles underpinning this policy should inform all decision-making within the Institute and should be incorporated, as far as is practical, into the routine operations of the Institute. The Institutes Procedures' document in Appendix 1 and related process permit the student to change the official gender recorded on entry to the Institute.

The Institute may for some categories of changes defined in the procedures document require particular documentation that may include:

- Professional or medical reports to establish the nature of any reasonable supports to be put in place for a student;
- Gender Recognition Certificates;
- Deed Poll.

The implementation date of this policy is 01/09/2022

4. DkIT Supports and Resources

The following resources are available to students who may require support or guidance:

- Health Unit
- Student Counselling Service
- Equality Diversity Office

External Resources:

Legal recognition of your preferred gender (citizensinformation.ie)

Policy review

The Institute is committed to continually assessing this Policy in line with changes in the law, best practice, relevant case law and other developments, and reviewing at a minimum every three years. It is the policy of the Institute to observe the above provisions; however, it reserves the right to depart from it where appropriate.
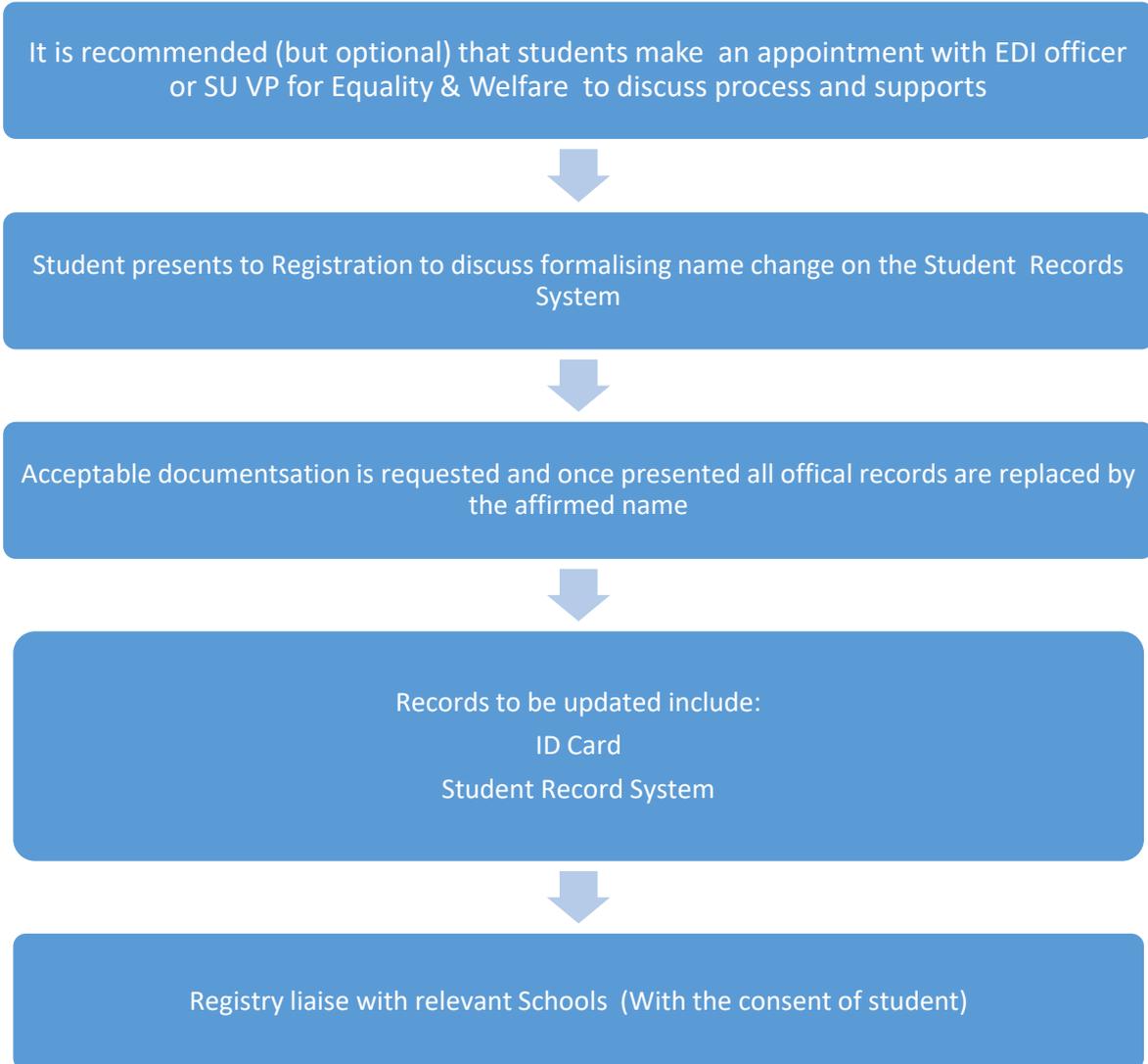
Appendix 1

Process

Introduction

The issue of student choice in gender assignment will inform the Institute's record system. This procedures document refers to the procedures for enacting a formal name change on the student record system. The name change will permeate all relevant activities of the Institute and will be produced on class lists, Institute correspondence, ID cards etc.

Process Flowchart

It is recommended (but optional) that students make an appointment with EDI officer or SU VP for Equality & Welfare to discuss process and supports

Student presents to Registration to discuss formalising name change on the Student Records System

Acceptable documentsation is requested and once presented all offical records are replaced by the affirmed name

Records to be updated include:

ID Card

Student Record System

Registry liaise with relevant Schools (With the consent of student)

Documentation required

The Institute has a right to request documentation from you that is necessary to change your records. To change all records one of the following documents would be acceptable:

1. Gender Recognition Certificates;
2. Deed Poll;
3. Passport
4. Driving License

Retrospective changing a Parchment

Alumni wishing to change the name on parchment or transcripts from original issue must submit a formal request to the Examinations Office. The process as outlined in Standards, Assessments and Awards and outlined below will be employed in this instance supported by the presentation of required documentation to support name change request.

It is important to note that there is only one original parchment which is the parchment presented to the graduand on the day of conferring or conferred in absentia. Additional copies thereafter are made available in circumstances where the original parchment is irretrievably lost or destroyed. This principle should apply to all circumstances where graduates look for another parchment for a variety of reasons including a change of name subsequent to the conferring ceremony.

DkIT has a process in place for authentication of requests for duplicate parchments. Any graduate seeking such a duplicate parchment will be required to provide authenticated reasons for seeking same. The Institute may elect to employ secure channels through which it will transmit such a duplicate parchment.

A replacement parchment will involve the exchange of one original parchment for another original parchment.