

Thursday 12 June 2025: Supporting Trans, Intersex and Non-Binary Colleagues and Students

Dear DUCU Committee,

Thank you for your letter of June 9th 2025.

All staff and students at Durham University must be treated with dignity and respect. This applies equally to staff and students that identify as Trans, intersex, queer and non-binary. We have already in our previous letter and the Senate statement recognised the challenges and the emotional impact on the Trans community. We do so again in this letter.

These are sensitive matters that require the time to consider and engage effectively. It is helpful, therefore, that the Equality and Human Rights Commission (EHRC) extended the time available to respond to their consultation on updates to its statutory Code of Practice for services, public functions and associations, following the Supreme Court's ruling on the meaning of 'woman' in the Equality Act 2010.

Following a series of meetings with sector bodies in this past week, we have decided that Durham University should contribute to informing a UUK-led response to the EHRC consultation, in partnership with UCEA, AMOSSHE and AdvanceHE. We are awaiting a framework from them to develop our response. These matters are so important that our work to do so will start imminently.

In doing so, following a helpful and productive meeting with the Staff Network Chairs last week and encouraged by them, we will engage with Staff Networks to inform the University response. This will include the LGBTQ+ Staff Network. Additionally, we are in touch with the Durham Students' Union on their approach. We will consider their response direct to the EHRC in informing the University's response. We will shortly confirm the lead coordinator for this work.

Individuals, groups, associations, etc. and of course DUCU at Durham University may of course submit their own responses to the EHRC directly. It would be helpful to share these responses with us to inform our response.

The Supreme Court ruling has clarified the terms 'woman' and 'man' refer to biological sex and that references to 'sex' are, in law, binary. The University must comply with the law. We are not free to advocate against a Supreme Court ruling or engage in campaigning actively against it. The purpose of the EHRC consultation is to consult on the practical implications of that ruling and enable those who will use the Code to understand and comply with the Equality Act 2010.

In responding to the consultation we will confine our responses to the practical implications for Durham University in trying to implement the Code. We are aware of the limitations of some parts of our built estate. The audit work we are already undertaking will enable us to better inform our University response through UUK and consider these practical implications. Much work has already been done and the interactive map updated. You will appreciate this is time consuming work. We aim to complete it by the end of next week (w/c Monday 16 June).

In respect of the University's policies, the University Secretary's Office already has work underway to implement a co-ordinated system of review and revision of policies.

Our staff deserve up-to date policies and guidance notes. Policies that were previously published are old and need to be consistent with the University's published position now. Work on a draft was underway. Publication remains paused to allow consideration of the EHRC guidance.

Yours,

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