INTERNATIONAL TRAVEL FOR LGBTQ+ STAFF IN HIGHER EDUCATION

The growing focus on internationalisation across UK Higher Education creates additional challenges for LGBTQ+ Staff owing to the complex and uneven legal and social framework for LGBTQ+ people worldwide. In this report, we detail how these issues are currently being addressed across the sector, highlight instances of best practice, and outline the need for further work and research in this area.

Dr Frances Hamilton and Cameron Giles
Faculty of Business and Law, Northumbria University

CONTENTS

Contact Details

Frances Hamilton – email: frances.hamilton@northumbria.ac.uk

Cameron Giles – email: cameron.a.r.giles@northumbria.ac.uk; tweet: @giles_cameron

INTRODUCTION

Using responses from a sector wide Freedom of Information request, this report provides analysis and commentary on the extent and adequacy of policies addressing international travel by LGBTQ+ staff and students in the UK Higher Education sector. In particular, we address the scope and application of policies implemented by UK Higher Education Institutions ("HEIs") and highlight particular examples of good practice. The continued prioritisation of internationalisation across UK Higher Education [1] presents particular challenges for lesbian, gay, bisexual, transgender and queer staff, and students, at all levels; as a result of the various dangers that LGBTQ+ travellers can face when travelling abroad. The data presented here shows that institutional policies addressing these challenges are less common and there is some variation between policies where they do exist. It is also apparent that there are several examples of effective policies addressing these issues and, we would argue, that there are benefits to institutions developing these policies ahead of time, rather than when issues inevitably arise.

The first part of this report will highlight some of the dangers and challenges presently facing LGBTQ+ staff travelling internationally. This is not intended to be a comprehensive outline of the differences in the legal and cultural frameworks relevant to LGBTQ+ people in different jurisdictions, instead we suggest it highlights just some of the issues that institutions will need to consider when developing their own policies. The second part will explain how the data we explore was collected and explain some of the limitations of the data we present. The third part will detail the findings of our research and discuss the recommendations we make based on the best practices observed in other institutions policies.

BACKGROUND: THE ISSUES FACING LGBTQ+ TRAVELLERS

Safety and security for LGBTQ+ people travelling internationally remains a pressing concern, with global trends on equality, acceptance and rights based on sexual orientation and gender identity uneven and uncertain. [2] Personal accounts have highlighted the experiences of LGBTQ+ employees undertaking international deployments, including the impact of both legal and social attitudes in individual jurisdictions, and argued for a shared framework of responsibility for both employers and employees considering international postings.[3]

Although, as lawyers, we are particularly conscious of the various legal challenges that LGBTQ+ travellers face, including criminalisation, a lack of legal rights and limited legal protection in certain countries, we are also mindful of the difficulties that travellers might face in countries which on first consideration appear less challenging. McPhail and McNulty emphasise that the 'largely invisible and implicit' differences in

---

[1] Elizabeth Rider-Grant, 'The Internationalisation of Higher Education Whitepaper' (jobs.ac.uk 2014).
[2] Mark Frary, 'Hiding Your True Self: LGBT People Face Particular Discrimination at Some International Borders' (2019) 48 Index on Censorship 23.
[3] Julie Gedro and others, 'Going Global: Professional Mobility and Concerns for LGBT Workers' (2013) 16 Human Resource Development International 282, 294.

social, and legal, standing of LGBTQ+ individuals mean that staff may face unexpected and unprepared for situations and go on to emphasise the significant impact that these differences might have on staff wellbeing, in addition to physical and legal safety.[4]

Table 1 : "Dimensions of dangerous locations for LGBT expatriates, taken from McPhail and McNulty (2015, p 756)

Dimensions	
Legal	Legal repercussions for being 'out'
	Death penalty for homosexual acts
	Anti-homosexual law/legislation in place or proposed
	Anti-homosexual law/legislation in place and acted on
	Local laws do not protect LGBT people
	Local laws prohibit LGBT activities
Cultural	Rural locations
	Quality life or livelihood threatened if 'outed'
	Required to be closeted/in
	Imminent threat
	Fear of physical violence, aggression, humiliation, ostracism, demotion and/or termination
	Threats of death
	Culture encourages and does not criminalise violent activity that targets LGBT people

Additionally, guidance developed by Stonewall to support LGBTQ+ students during study abroad placements emphasises legal, social and cultural factors which can impact safety and wellbeing, as well as the overall experiences and academic success, of students. This includes the lack of protection and recognition of LGBTQ+ identities in other jurisdictions, and the reduced visibility or non-existence of support networks in some countries.[5] At a time when there is an increased focus on supporting LGBTQ+ students across the HE sector also,[6] we were we were also mindful of that students may find it particularly difficult to seek support and guidance in relation to these issues and may face further challenges because of their age/position as students.

---

[4] Ruth McPhail and Yvonne McNulty, '"Oh, the Places You Won't Go as an LGBT Expat!" A Study of HRM's Duty of Care to Lesbian, Gay, Bisexual and Transgender Expatriates in Dangerous Locations' (2015) 9 European J. International Management 737, 745ff.

[5] Stonewall, 'Studying Abroad: A Guide to Supporting LGBT Students in Higher Education' (2017) 3.

[6] Equity Challenge Unit, 'The Experience of Lesbian, Gay, Bosexual and Trans Staff and Students in Higher Education' (2009); Vicky Gunn, Jane Morrison and Pauline Hanesworth, 'Equality and Diversity in Learning and Teaching at Scotland's Universities' (2015); Stephanie Mckendry and Matson Lawrence, 'TransEdu Scotland: Researching the Experience of Trans and Gender Diverse Applicants, Students and Staff in Scotland's Colleges and Universities Key' (2017).

METHODOLOGY

This report discusses the responses received to a mass Freedom of Information request ("FOI") made to all UK Higher Education Institutions ("HEIs") submitted in late 2019. Employing FOIs as part of social research remains, arguably, an underexplored and utilised methodology which has a number of advantages for researchers. Previous work has highlighted how Freedom of Information legislation[7] gives researchers access to a wide range of documents, revealing previously unseen day-to-day practices and administrative policies.[8]

Savage and Hyde suggest that FOIs enable small research projects to address issues which were once the domain of large-scale research teams, however, they also identify that there are challenges associated with FOI methods. The formalised language of FOI requests and responses may make analysing responses difficult; whilst in situations where the subject of a request does not respond, careful consideration needs to be given as to whether to consider a non-response data in its own right.[9] In this project, non-responses from institutions not subject to FOI legislation[10] were only considered in passing. However, non-responses from HEIs subject to FOI legislation were considered relevant in light of the high number of HEIs reporting that they had no policy. Although determining whether a non-response results from omission, error or intent is clearly not possible,[11] because one of the aims of this project was to investigate the extent to which policies existed and were readily available: where no response was received this highlights issues surrounding the accessibility of institutional polices to existing, and prospective, staff and students.

When making FOI requests, researchers need to be attuned to the language and syntax of the subject-respondent. Requests should be clear, unambiguous and precise.[12] This was somewhat challenging in this project, which was in essence attempting to capture a relatively broad range of possible policies. Our request was drafted to request *any* policies which specifically addressed travel by staff *or* students who were LGBTQ+. We also specifically requested *any* policies which addressed travel by transgender staff, in recognition of the particular legal issues that transgender travellers might face in relation to issues such as documentation. The challenge of the broad nature of our request was apparent in a number of responses which addressed only domestic, commuter type, travel and not, also, international travel as we had intended. Whilst we were interested to see if institutions addressed the challenges that employees might also face whilst travelling in the UK on business, the domestic travel policies provided were not LGBTQ+ specific and were generally expense related.

---

[7] In England and Wales, the Freedom of Information Act 2000, and in Scotland, the Freedom of Information (Scotland) Act 2002.

[8] Raymond M Lee, 'The UK Freedom of Information Act and Social Research' (2005) 8 International Journal of Social Research Methodology: Theory and Practice 1.

[9] Ashley Savage and Richard Hyde, 'Using Freedom of Information Requests to Facilitate Research' (2014) 17 International Journal of Social Research Methodology 303, 308–312.

[10] Discussed below.

[11] Ashley Savage and Richard Hyde, 'Local Authority Handling of Freedom of Information Requests: Lessons from a Research Project' (2013) 19 Web Journal of Current Legal Issues 11.

[12] Lee (n 8); Kevin Walby and Mike Larsen, 'Access to Information and Freedom of Information Requests: Neglected Means of Data Production in the Social Sciences' (2012) 18 Qualitative Inquiry 31, 35–36.

Lee notes that, in the US context, FOI type requests can sometimes be met with unofficial '"adversarialism" in which officials hamper requests for information by pushing exemptions to the limit, over-estimating fees, or delaying responses.'[13] It is worth noting that in this project most institutions were more than supportive of the project's aims, potentially as a result of the inclusions of an invitation to the dissemination event alongside the initial request, alongside the clear implication that the request did not focus on their institution in isolation and was aiming to highlight good practice.[14] Only a small handful of institutions made use of legislative exemptions and even where this was the case going someway to still contribute data to the project.

Sampling: UK HEIs

Using the list of institutions available on the Higher Education Statistics Authority ("HESA") website, responses were sent to all UK HEIs, with the exception of Northumbria University and one institution which had ceased to operate in 2019.[15] Although HESAs records were compiled for the academic year 2017/2018, it offered a number of advantages over the Office for Students or gov.uk records,[16] and it was possible to check the records against these sources for completeness. In contrast to the OfS it listed institutions beyond England and Wales and distinguished between Higher Education Institutions and Alternate Providers ("APs") who do not receive research council or public funding.

Requests were sent to all HEIs, other than those detailed above, as well as to the 6 APs entitled to and using "University" in their trading name.[17] Despite social and cultural distinctions being, perhaps, more complex;[18] the statutory definitions of HEIs in the UK are relatively clear and unambiguous.[19] As such it was possible to attempt to capture a complete sample for the sector.

As APs are not public bodies, they are not subject to FOI provisions. However, requests were submitted as the nature of these institutions, and their branding, share clear similarities with HEIs. Requests explained the nature of the project and requested the same information, making it clear that we sought the information within the broader context of the project. Unfortunately, no responses were received from any of the six APs. As explained above, these non-responses were not considered to reflect the exitance or

---

[13] Lee (n 8) 14.

[14] On this, see, Gabrielle Bourke, Ben Worthy and Robert Hazell, 'Making Freedom of Information Requests A Guide for Academic Researchers About This Guide' (2012) 7–8.

[15] Heythrop College ceased operations 31 Jan 2019.

[16] https://www.gov.uk/check-a-university-is-officially-recognised/recognised-bodies

[17] These APs are: Arden University; BPP University; Buckingham University; Regent's University London; Richmond, The American International University in London; and, The University of Law.

[18] Arild Wæraas and Marianne N Solbakk, 'Defining the Essence of a University: Lessons from Higher Education Branding' (2009) 57 Higher Education 449; Malcolm Tight, 'How Many Universities Are There in the United Kingdom? How Many Should There Be?' (2011) 62 Higher Education 649.

[19] Further and Higher Education Act 1992 Pt 2; Higher Education and Research Act 2017 s3; see, also, Roger Brown, 'Looking Back, Looking Forward: The Changin Structure of UK Higher Education, 1980-2012' in John Brennan and Tarla Shah (eds), *Higher Education and Society in Changing Times: looking back and looking forward* (Centre for Higher Education Research Information 2011).

non-existence of relevant policies at these institutions, and further research may wish to consider exploring the approach of APs in detail compared to our findings below.

Analysing Responses

For analysis purposes, each institution was categorised according to a number of criteria. These included: domicile within the UK, based on the location of the institution's primary campus in either England, Scotland, Wales or Northern Ireland; whether the HEI was a member of a number of established associations of UK Universities, such as the Russell Group;[20] and whether the institution was a pre-1992 or post-1992 University.[21] Where institutions began operating as independent institutions post-1992 but had been members of federal pre-1992 institutions, there institutions were categorised as pre-1992. Where institutions had merged, it was only necessary for any one constituent of the merger to be pre-1992. Overlap was dealt with on a case-by-case basis, several institutions - although HEIs in their own right – were part of a federal structure or otherwise linked in some way. Where such institutions had different policies or responded differently, there were categorised as separate responses. However, where the same policy was provided, or only one response was received, there were counted as one response.

In total, 158 responses were received, with the 6 AP non-responses and a remaining 4 non-responses from HEIs making up the remainder of the sample. Of the 158 response, 2 were discounted from further analysis as they related to institutions with complex internal structures where policy of this kind would not exist at an institutional level.

Analysis of the responses was undertaken using a bottom-up "subsumption" approach outlined by Schreier, this involved reading each response and categorising each concept relevant to the project's aims by first determining if a relevant sub-category existed and, if not, by creating a new category to cover that concept.[22] This process produced a set of coding definitions and rules which were applied across the entire data set,[23] the results of which are outlined below. The data set collected was extensive and only some examples are provided here to exemplify the best practices as we see them from across the sector. Certain demographic data about the institution is provided but institutions are only named where it would not be possible to present the example without this information included. This was done in order to reflect that several institutions may employ similar good practice and it would be cumbersome to name all institutions demonstrating a practice at each example.

---

[20] The following associations were included: The Russell Group, Universities UK, GuildHE, Million+, the Cathedrals Group. These were chosen as they were not region specific, such as Doctrinal Training Partnerships or certain funding groups, and had sufficient numbers to make statistical analysis possible.

[21] This data was taken from the OfS register for English Universities and from Tight (n 18) 652–653.

[22] Margrit Schreier, 'Qualitative Content Analysis' in Uwe Flick (ed), *The SAGE Handbook of Qualitative Data Analysis* (SAGE Publications Ltd 2014).

[23] Philipp Mayring, 'Qualitative Content Analysis' (2000) 1 FQS.

FINDINGS

Finding 1: A Lack of Policy

One of the most revealing results from our analysis was the relative lack of policies addressing the international travel concerns we outline above. Most responses to our request explained that the institution did not have a policy in this area. Some institutions responded that they did not have a specific policy but that these issues would be captured by their existing travel policy and risk assessment procedures. Such responses were categorised as a non-policy unless the institutions response did address LGBTQ+ *specific* travel concerns such as the ones we outline above by, for example, highlighting a lack of legal protection for LGBTQ+ travellers in the risk assessment process. Similarly, some institutions provided their generic travel policy and an equality and diversity policy (or similar) and explained that the travel document would be read in light of the E&D policy. Whilst we recognise that some of the equality and diversity policies we received were highly developed and should encourage consideration of some of the issues we identify when planning overseas deployment for staff, these were not catagorised as travel policies for the purposes of our analysis as they did not assist in specifically planning for and preventing some of the concerns we identify here.

SUB-FINDING: LOCATING POLICIES

Of those institutions which did have a policy (n=27, 16.7% of responses), this was most likely to be located within a broader document, such as a general travel policy (n=15, 56% of those with policies). Some institutions (n=6, 22%) had a policy only in the broadest sense, specifically making mention of gender diversity and/or sexual orientation alongside other protected characteristics or with mention of a specific issue that an LGBTQ+ traveller might face. A similar proportion of institutions (n=6, 22%) had dedicated policies for LGBTQ+ travellers, either developed in relation to a specific trip or more broadly intended for those travelling overseas.
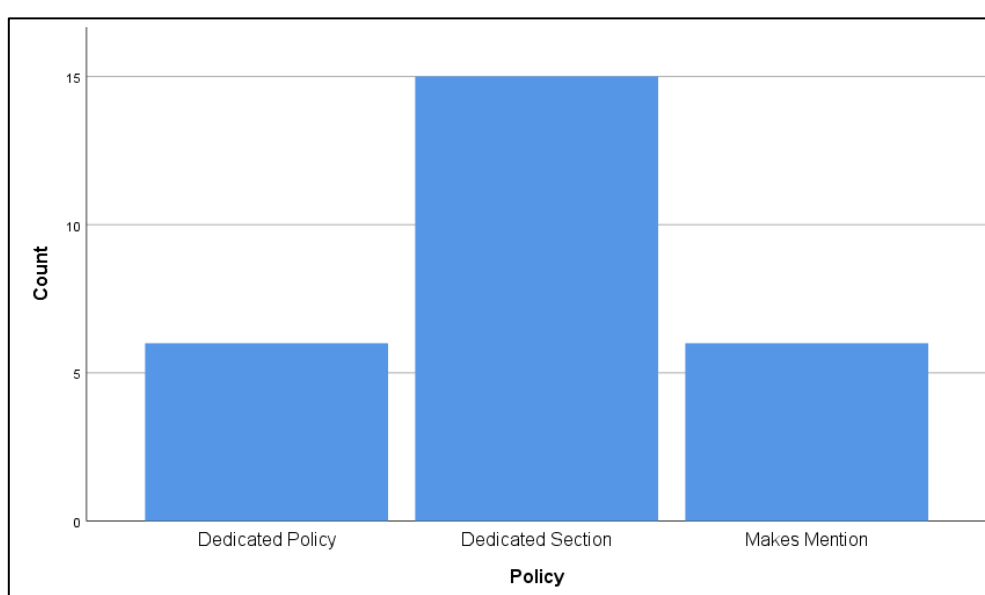

Fig 1. A Bar Graph of Institutions with Policies, broken down by location of policy.

As outlined above, each respondent institution was classified based on a number of criteria. Basic statistical analysis was carried out based on whether institutions had a policy (either dedicated/within a document/making mention) or not having a policy, to see whether there were any trends across the sector. This revealed few statistically significant trends, save that Russell Group institutions were more likely to have policies than general trends would suggest. Of course, this does not necessitate a causal relationship, but may be notable given the focus on internationalisation expressed by the group.[24] The lack of other trends across the sector may reflect the general lack of policy across the board as we have outlined here.

Finding 2: Policies are likely to be "all-inclusive"

Institutions which had policy of any kind were likely to address *both* sexual orientation and gender identity in their policy (n=19, 73% of those with policies) in contrast to those which only addressed sexual orientation (n=2, 8%) or gender identity (n=5, 20%). Policies were also more likely to address travel by both staff *and* students (n=17, 11%) compared to a smaller number addressing staff (n=3, 12%) or students (n=4, 15%) or where this was unclear (n=2, 8%). Although it should be noted that not all of those policies addressing staff *and* students did so with equal weighting.

Finding 3: Limited Sources of Information

Institutions reported drawing on several sources of information when developing their policies, including by providing links to external sources within their policy documents. Given the variation in even the more developed policies, we would suggest that these additional sources of information are likely to be highly influential on the implementation of these policies by line managers and institutional HR departments.

The most references source of information was the Foreign and Commonwealth Office's guidance on LGBT overseas travel, or other similar sources at the FCO or on gov.uk webpages. These sources were often referenced as part of risk assessment processes which required those carrying out the risk assessment and/or those intending to travel to reference the source when determining whether to travel/to authorise travel. For some institutions, a reference to the FCO website made up the majority of their response, although this was considered insufficient to be counted as a policy unless there was a specific reference to LGBT traveller concerns.

Other often cited sources included Stonewall and the ILGA as well as, less frequently, the Equity Challenge Unit and Human Rights Watch. Infrequently cited sources included the Universities Safety and Heath Association and several transgender specific support organisations and charities.

---

[24] Russell Group, 'New International Strategy' (16 March 2019) <https://russellgroup.ac.uk/news/new-international-strategy/> accessed 13 January 2020.
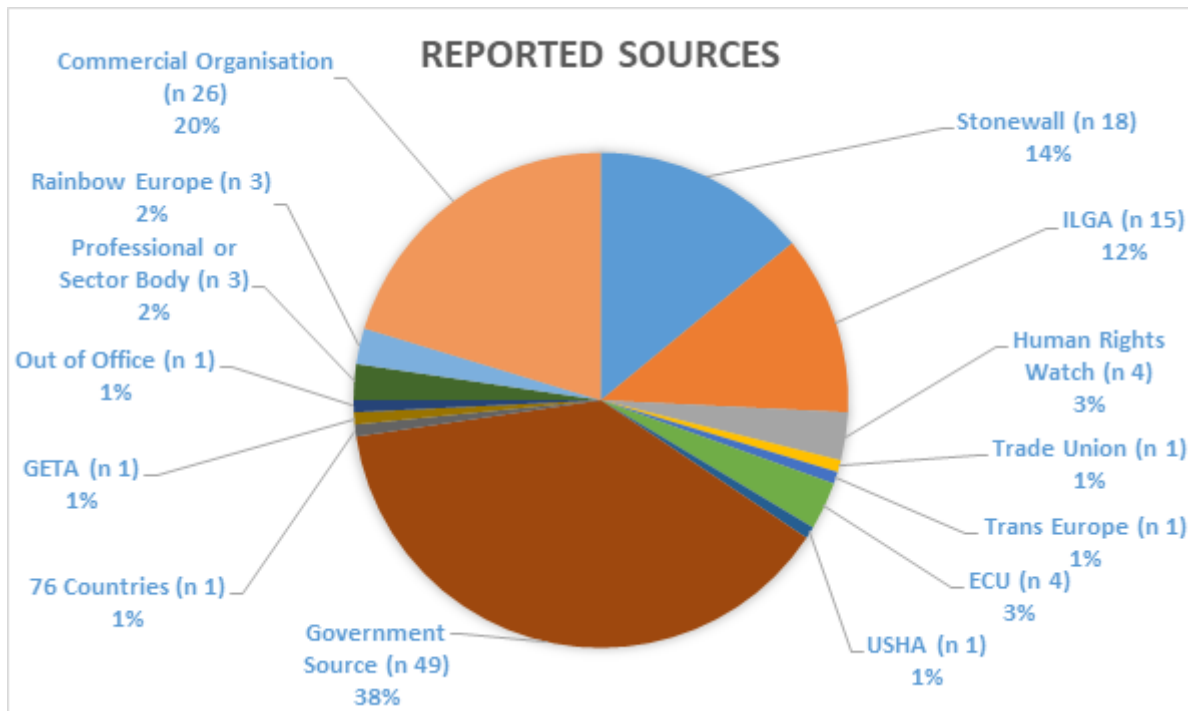
Fig 2. A Pie Chart of Sources Cited in Reponses, whether or not as part of a policy.

Some institutions referred primarily or exclusively to an external travel provider, typically a commercial travel provider used by the institution, suggesting that although they did not have a policy specific to LGBTQ+ traveller their provider may or did. As this project was interested in institutional policies, we do not make any particular claims about the adequacy or inadequacy of these policies, where they exist, but further research may wish to consider what policies exist in this respect and the impact that they have.

There were also a number of sources which were not references within responses, but which could be found by searching elsewhere on institutional webpages which were linked to in responses. These are not included here, but are referenced in some instances below, as we were unable to search every institutions webpages and intranet pages, particularly where responses indicated that there was no policy. We acknowledge that this overview of sources is only a preliminary indication of the sources cited and that those making travel related decisions may look further than these sources. Indeed, we would suggest that it is quite possible that some of those institutions who responded that they did not have a policy may be using some of these, and other source, on an official or unofficial basis, because of the extent to which these sources are available freely online. By noting that there is a focus on a particular range of sources we merely aim to highlight: a) the importance of these quite prominent pieces of guidance, and, b) that some institutions complement or supersede these sources by developing their own policies which draw on/sit alongside/replace this guidance. [25]

---

[25] For instance, although the FCO was an often-cited source, some responses were critical of the limitations of the FCO website and justified the use of paid-for travel support agencies because of these limitations.

Finding 4: Advice is Mainly Legal and Cultural

Of those institutions which had policies, we found that policies typically identified legal and cultural challenges that travellers might face when travelling overseas. A small proportion of responses also specifically highlighted health and medical concerns which should be addressed for LGBTQ+ travellers ahead or during overseas trips.

LEGAL
22 Responses addressed legal issues. There was sufficient variation between these responses to allow us to categorise them as addressing legal issues to an extensive, moderate, or minor level.

As lawyers, one aspect of guidance which stood out was the varying extent to which it addressed legal issues that LGBTQ+ travellers might face. As noted earlier, McPhail and McNulty identify six legal issues which LGBTQ+ travellers might face, including criminalisation of same-sex sexual acts, lack of recognition for same-sex partners, and limited protection from hate crimes.[26] Among the policies we analysed, we found the following legal issues addressed:

- Criminalisation of Same-Sex Sexual Acts
- Lack of Anti-Discrimination Statutes
- Lack of Legal Status for Partners
- Lack of Legal Recognition for Transgender People
- Restrictions on free expression in relation to LGBTQ+ issues.

Of course, this list is not exhaustive of the issues that travellers might face globally, but several of these concord with the findings of McPhail and McNulty and others. However, even among these issues there was some variation between HEIs as to the extent to which these issues were identified.

Number of Legal Issues Identified	Percent of Institutions which addressed Legal Issues
4-5	27% (n=6)
2-3	27% (n=6)
1	46% (n=10)

As seen here, only just over a quarter of those institutions which had policies addressing legal challenges identified all or nearly all of the (non-comprehensive) list we have constructed here. Most institutions signalled that there would be specific legal issues that LGBTQ+ travellers would face but provided limited details as to what these challenges would be. The most developed policies identified not only the differences in legal treatment of LGBTQ+ people internationally but also reflected on the impact that this might have on individual travellers, by for instance, considering the impact visa restrictions for same-sex partners might have.

---

[26] McPhail and McNulty (n 4).

CULTURAL

21 Institutions address cultural issues that might impact LGBTQ+ travellers, but there was insufficient variation to develop categories for this advice.

As well as legal issues, several policies identified non-legal and cultural difficulties that travellers might face. There was less variation in the extent of this guidance, with many policies only making passing reference to the social and cultural difference in the treatment of LGBTQ+ people in different jurisdictions. However, some institutions, often drawing on the guidance developed by Stonewall and others, did go into some detail regarding issues of this nature.

Fig 3. PowerPoint Slide for Students. Pre-1992, Russell Group, English Institution 1.

Again, it should be noted the important work that Stonewall, and other organisations, are playing here in many of the examples of good practice we identify. But we would add, the more developed policies can often be seen building on, rather than simply relying on, these additional sources of information. We would suggest that institutions do best to use the resources which are available to them to develop policies which are both specific to the institutions needs and the countries where staff and students are travelling. The example we use here is a particularly good example as it is part of a range of different resources that were included in the response that the institution has developed, many of which are publicly available on their website.

More generally, we would add, many of the examples of good practice we collected are often publicly available and not restricted to either those in management positions, or, more generally to staff or students of a particular institution. Whilst the future role of overseas travel is perhaps uncertain, particularly in the context of Erasmus and Brexit, we would suggest that making these documents available publicly is not only helpful in ensuring that staff know they exist and can find them (rather than being more difficult to find on internal intranet pages); it also means that prospective students, and indeed prospective staff, can see what support institutions are offering.

HEALTH

4 Responses addressed health concerns specifically. Physical health concerns were addressed in all of these responses, whilst only half addressed mental health concerns directly.

Although likely to be influenced by both the legal and cultural conditions in different jurisdictions, we noted than only 4 institutions specifically raised points relating to the health of travellers in their responses. As noted above, the methodology used here means that policies may exist intended for all travellers which identify some of the concerns we outline here, but not as specifically relating to LGBTQ+ travellers. However, we would suggest that this also highlights the extent to which some of these concerns might be unexpected and unprepared for, further underpinning the importance of developing LGBTQ+ travel policies ahead of time.

Some HEIs did identify specific health concerns that might face LGBTQ+, or which travellers under the umbrella might be more likely to encounter. This includes access to hormones and other medication for Trans staff and students, access to sexual health services and other physical health needs that travellers might have. Furthermore, some addressed the particular mental health and wellbeing concerns that travellers might face, partially as a result of some of the legal and cultural differences we have highlighted above. The need to hide aspects of one's identity, limited contact with family members and partners, and lack of support networks were some of the factors which institutions identified in relation to mental health concerns.

> Employers need to be aware that asking an individual to hide their sexual orientation and gender identity/expression is not a small ask. When individuals cannot be themselves and be open about their identity it can make them feel isolated and negative about themselves, causing a negative impact on their mental health and wellbeing.
>
> Challenges could arise when an individual enters a country. For example, where a Trans* person's gender expression does not match the gender marker on their identification documents, officials may deny entry to the country. Some countries do allow citizens to have a gender-neutral gender marker on their passport. However when travelling internationally with such identification, problems could arise should the country not accept this.
>
> Individuals should be clear on the support the University can reasonably and realistically offer.
>
> **Excerpt from Guidance Document. Pre-1992, Russell Group, English Institution 2.**

As examples which address physical and mental health, and legal and cultural differences more broadly, there was a recognition that institutions may not be able to offset all of the challenges that LGBTQ+ travellers might face. But we would emphasise that developing policies in this area does facilitate greater communication about these concerns between travellers and those supporting them at an institutional level.

DISCUSSION: BEST PRACTICE

Although no one institution could claim to address all of the points we have identified here, and there may be additional undocumented practices across the sector which should be championed, there were a number of key points of good practice which we observed and which some of the responses we have analysed demonstrates a need for.

Pre-Travel

The majority of those HEIs that provided policies addressed safety concerns ahead of travel. This typically involved identifying challenges as part of a risk assessment process. Often a designated individual – either the traveller or their manager – as responsible for raising these issues by referencing one of the sources we identified above. We note that this obligation was often primarily or exclusively imposed onto the traveller, with only some institutions imposing a primary or parallel obligation onto others.[27] We would argue that some of the most productive policies in this regard shared responsibility for identifying and raising concerns of this nature. Placing this responsibility exclusively on travellers not only necessitates travellers being consciously aware of these concerns, something which is likely not to be the case in all instances given the diversity of global conditions for LGBTQ+ people, it also necessitates travellers feeling confident enough to raise these issues themselves.

Furthermore, we would suggest that developing guidance which all staff are exposed to is likely to be beneficial in ensuring that non-LGBTQ+ staff facilitate and support travel by their LGBTQ+ colleagues. One institution's guidance for managers,[28] highlighted that managers should discuss legal and cultural (and, we would add, health) frameworks in host countries with *all* staff and students who are involved in or considering overseas deployment. This is particularly important because, as the guidance highlights, it should not be assumed that LGBTQ+ staff 'fully understand the legal and cultural situation for hay people worldwide in different regions or countries.' Furthermore, discussing these issues with all staff acknowledges that not all staff members may be currently 'out' in the workplace or more broadly.

Furthermore, several policies flagged the necessity of managing control of information about a traveller's gender identify and sexual orientation, both in terms of maintaining privacy for travellers and also preventing accidental outings by other members of staff. Take, for instance, the following guidance:

- 'Advise travelers[sic] on possible dangers of sharing their personal information or that of their colleagues/peers to reduce risk of accidental "outing".
- Manage knowledge of traveler's[sic] sex orientation or gender identity/expression on a need to know basis.' [29]

---

[27] Although it should be noted further risk assessments, not specific to LGBTQ+ travellers, where highlighted in responses often did involve others.
[28] Pre-1992, Russell Group, English Institution 3.
[29] Post-1992, Non-affiliated English Institution 1.

Whilst we also note the difficulties surrounding mental health and wellbeing that may accompany a traveller being unable to express their identity, below, policies such as these appear well founded when part of a larger policy which disperses responsibility beyond the individual traveller. For instance, one policy – developed in consultation with Stonewall – highlighted the importance of non-LGBTQ+ staff being aware and responsive to the particular difficulties that LGBTQ+ colleagues might encounter when overseas. This includes being aware that whilst a staff member might usually be open about their sexual orientation or gender identity whilst in the UK, they may choose/need not to be whilst overseas.[30]

As well as the valuable information provided by Stonewall, the ILGA and the online resources of 76 Countries, there were some examples of specific resources for Trans Staff and those supporting them which highlighted the importance of linking to specialist resources as well as developing global support documents. One of the things that stood out in some of the resources was the extent to which they were develop by those "on the ground" reflecting the need for practical experience of these issues.

One stand out resource, in this respect was a collaborative project named Equaldex, which was referenced [31]in additional documents linked to by one policy.[32] This provided both a country by country overview and links to in country resources. Although as a collaborative project and therefore dependent upon the contributions of its users the site has tracked recent developments such as legal changes in Botswana last year, although relying on it in isolation is, of course, not advised.

Many policies focused on identifying risks that travellers might face using resources such as these, we would highlight that the more developed policies went beyond simply identifying such risks and attempted to highlight how responding to these risks should be incorporated into risk assessment processes and pre-planning.

Mid-Travel

Although we highlight the need to consider issues ahead of time and develop policies that pre-empt these issues arising, we also note the need to have rapid support available for travellers when facing unexpected challenges when deployed overseas. This includes being aware that travellers may re-evaluate their ability to cope with deployments as time progresses. Although proper preparation may assist in mitigating these factors, we would suggest that it is not possible to eliminate this risk and institutions should be aware and supportive of staff and students in the circumstances. For this reason, we would also advise structured support networks both in host countries and at home for staff and students, particularly on long term deployments. For students, this might be incorporated into supervision requirements, but for both students and staff consideration will need to be given to the most appropriate point of contact given, as we have highlighted, that travellers may not be "out" and there may be a need to limit that information.

---

[30] Post-1992, Million+ English Institution 1.
[31] Equaldex.com
[32] Pre-1992, Russell Group, Scottish Institution 1.

Post-Travel

As well as identifying these needs ahead of time, and providing support during trips, we would emphasise the need to support travellers upon their return and to learn from and reflect upon deployments to develop policies for future trips. Although, as we have highlighted, there is a need for general policies to facilitate travellers and managers raising these issues; we also note the number of good policies which institutions provided in relation to specific trips or placements and argue that there is a place for such policies alongside the broader variety. Country specific guidance, tailored to jurisdictions where institutions send staff should be prepared ahead of time, but also closely reviewed after deployments in order to refine and improve it. From the responses we received it was implicit in some of the documents that this was the case for some of the more developed policies we analysed.

Given the emphasis that we place on health in our analysis, we would also advocate for continued support to be provided to staff and students after trips have ended, this is a particularly pressing concern if travellers have encountered difficulties whilst overseas but should also be considered where things have gone according to plan. Given the extent to which several polices highlight that travellers may need to hide aspects of their identities whilst deployed, there may be further need for this support in specific instances.

CONCLUSIONS

The findings of this project show that there is a considerable gap in policy across UK Higher Education on the issue of international travel and deployment by staff and students somewhere on the LGBTQ+ spectrum. Several institutions, whilst not currently having policies in this area, acknowledges in their responses that there was a need for policies addressing this issue to be developed, with some signalling that projects were ongoing to bring about change in this area. We have highlighted that typically policies of this nature address the legal and cultural challenges that LGBTQ+ travellers face overseas, although often information on these issues is taken from a limited number of sources. We would add that developing effective policies, tailored to the needs of specific institutions, requires a certain level of expertise, either at an institutional level or through external sources such as in-country charities and networks. Highlighting instances of good practice from across the sector, we suggested that policies should both be developed ahead of time and refined based on initial implementation. Although the findings here only cover official, or otherwise documented, practices, we suggest the good practices seen here offer a reasonable basis for further work and research on the needs of LGBTQ+ staff travelling overseas.

REFERENCES

Bourke G, Worthy B and Hazell R, 'Making Freedom of Information Requests A Guide for Academic Researchers About This Guide' (2012)

Brown R, 'Looking Back, Looking Forward: The Changin Structure of UK Higher Education, 1980-2012' in John Brennan and Tarla Shah (eds), *Higher Education and Society in Changing Times: looking back and looking forward* (Centre for Higher Education Research Information 2011)

Equity Challenge Unit, 'The Experience of Lesbian, Gay, Bosexual and Trans Staff and Students in Higher Education' (2009)

Frary M, 'Hiding Your True Self: LGBT People Face Particular Discrimination at Some International Borders' (2019) 48 Index on Censorship 23

Gedro J and others, 'Going Global: Professional Mobility and Concerns for LGBT Workers' (2013) 16 Human Resource Development International 282

Gunn V, Morrison J and Hanesworth P, 'Equality and Diversity in Learning and Teaching at Scotland's Universities' (2015)

Lee RM, 'The UK Freedom of Information Act and Social Research' (2005) 8 International Journal of Social Research Methodology: Theory and Practice 1

Mayring P, 'Qualitative Content Analysis' (2000) 1 FQS

Mckendry S and Lawrence M, 'TransEdu Scotland: Researching the Experience of Trans and Gender Diverse Applicants, Students and Staff in Scotland's Colleges and Universities Key' (2017)

McPhail R and McNulty Y, '"Oh, the Places You Won't Go as an LGBT Expat!" A Study of HRM's Duty of Care to Lesbian, Gay, Bisexual and Transgender Expatriates in Dangerous Locations' (2015) 9 European J. International Management 737

Rider-Grant E, 'The Internationalisation of Higher Education Whitepaper' (jobs.ac.uk 2014)

Russell Group, 'New International Strategy' (16 March 2019) <https://russellgroup.ac.uk/news/new-international-strategy/> accessed 13 January 2020

Savage A and Hyde R, 'Local Authority Handling of Freedom of Information Requests: Lessons from a Research Project' (2013) 19 Web Journal of Current Legal Issues

——, 'Using Freedom of Information Requests to Facilitate Research' (2014) 17 International Journal of Social Research Methodology 303

Schreier M, 'Qualitative Content Analysis' in Uwe Flick (ed), *The SAGE Handbook of Qualitative Data Analysis* (SAGE Publications Ltd 2014)

Stonewall, 'Studying Abroad: A Guide to Supporting LGBT Students in Higher Education' (2017)

Tight M, 'How Many Universities Are There in the United Kingdom? How Many Should There Be?' (2011) 62 Higher Education 649

Wæraas A and Solbakk MN, 'Defining the Essence of a University: Lessons from Higher Education Branding' (2009) 57 Higher Education 449

Walby K and Larsen M, 'Access to Information and Freedom of Information Requests: Neglected Means of Data Production in the Social Sciences' (2012) 18 Qualitative Inquiry 31

Further and Higher Education Act 1992

Higher Education and Research Act 2017