

Transgender Equality Policy

1. Statement

This policy aims to ensure transgender employees feel psychologically safe, are treated with dignity and respect, and feel able to bring their authentic self to work.

The policy should be used alongside our Equality and Diversity Policy and Bullying and Harassment Policy.

Ignoring this policy may result in disciplinary action being taken against an employee.

2. Our commitment

People work better when they can be themselves and feel that they belong. We are committed to providing a working environment free from discrimination, harassment or victimisation. Our policies and procedures do not treat people less favourably because of their gender identity.

Job applicants and employees are not required to tell us their gender status or gender history. The gender which an individual chooses will be acknowledged and respected. This extends to individuals who identify as non-binary (i.e. do not identify as exclusively male or female).

3. Terminology

We recognise that terminology around gender identity is evolving as awareness increases and more people choose to self-define. Transgender is an umbrella term describing the diverse range of people whose gender identity differs from the sex that they were assigned at birth.

An individual may identify as transgender but may not identify with the binary concept of woman or man. We acknowledge gender identity and sexual orientation are not interchangeable concepts.

Gender identity is about a person's internal perception of their gender.

Sexual orientation and sexuality are about to whom someone is physically and/or emotionally attracted ie. Gay, lesbian, heterosexual / straight or bisexual.

A transgender colleague's sexual orientation will not be assumed.

Whenever in doubt, managers and colleagues should ask rather than assume how individuals describe themselves. Our efforts to create a workplace that is inclusive can be undermined by using ill-suited language and terminology.

4. The law

Equality Act 2010

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Gender reassignment is one of the nine protected characteristics covered by the Equality Act 2010. The Act protects a person from discrimination, harassment and victimisation if they are “proposing to undergo, are undergoing, or have undergone a process (or part of a process) of gender reassignment.”

There is no requirement for the person to be under medical supervision to be protected.

Under the Act, a person who takes time off work for gender reassignment must not be treated less favourably in respect of employment decisions, for example by being denied access to training or promotion opportunities.

The Act also protects anyone who is perceived to have the characteristic of gender reassignment or is associated with someone who has the protected characteristic of gender reassignment, such as an individual’s partner or a friend.

An employee who treats a colleague less favourably because of gender reassignment, for example by refusing to work with them, may be held personally liable for discrimination.

Gender Recognition Act 2004

The Gender Recognition Act 2004 allows an individual to apply for a gender recognition certificate (GRC) which will give them legal recognition in their acquired gender and enables them to obtain a new birth certificate. The Act safeguards the privacy of an individual with a GRC by defining information relating to the gender recognition process as “protected information” and except “in certain specific circumstances” (for example, for the purpose of preventing or investigating crime), it is a criminal offence to disclose such information without the individual’s consent.

An individual should never be asked if they have a GRC and to do so could be considered harassment. No one is required to apply for a GRC for employment purposes and an individual may choose not to for various reasons.

5. Recruitment

We wish to attract applicants from as wide a talent pool as possible and the recruitment process is designed to be inclusive of applicants regardless of their gender identity.

A job applicant’s gender identity is irrelevant. When the nature of a particular role might legally prevent someone in transition from applying, legal advice must be sought before advertising.

Advertisements should state that applications are open to all qualified candidates. Application forms should not ask for previous names, as this might deter individuals who have transitioned from applying.

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Managers should not ask questions about an applicant's gender identity or history. If an individual chooses to mention this during the interview then they should be informed that we support transgender employees. They should also be assured that the disclosure will have no bearing on the outcome of the interview and will not be revealed outside the interview room or noted on the interview record.

The requirement to provide **proof of identity** to confirm the right to work in the UK can be particularly sensitive for a transgender applicant whose identification documentation may be in their previous names. We will always ensure that an applicant is made aware of the full range of permissible identification documents and that the process of checking is handled sensitively and with respect for the privacy of the individual.

Where an individual's documentation reveals their previous name and thereby their gender history, this information will be kept confidential and stored securely with the permission of the individual and in accordance with our data protection policy. The same approach will apply where an applicant is required to present **qualification certificates** before a job offer is confirmed and the certificates are in the applicant's previous name.

[Recommended Optional Paragraph]

6. Monitoring

In line with the recommendations of the Equality and Human Rights Commission we will gather and analyse information relating to the diversity of the workforce and applicants for employment and promotion.

Equality monitoring enables us to identify underrepresentation and shows where there are barriers to inclusion. Monitoring helps us identify priorities for action and provides a baseline for measuring progress. Gender identity is included among *other personal characteristics*.

The disclosure of personal information by employees/job applicants is voluntary and employees may withdraw their consent to its processing at any time. Any information disclosed will be treated in confidence, stored securely, and used only to provide statistics for monitoring purposes in accordance with our data protection policy.

When communicating monitoring data, we will ensure that it is anonymised to avoid identifying individuals.

7. Employment

An employee who is transitioning may wish to be redeployed on a temporary or permanent basis. This may be because the individual is in a public-facing role and wishes to avoid having to answer questions from the public about their gender identity or the role involves particular tasks that will be difficult to undertake if undergoing a particular type of treatment (for example, hormone therapy that causes fatigue).

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Requests to be redeployed will be discussed with the employee and where possible we will seek to accommodate the employee's wishes. This will include agreement on whether the redeployment is temporary or permanent.

A manager should not put pressure on an individual to change jobs or make assumptions about their capability or wishes.

An employee's gender identity will not have a bearing on any employment decisions or access to benefits, except where permitted by law. For example, an individual who has transitioned but does not have a GRC may be required to disclose their gender history for insurance and pension purposes. In such circumstances, we will handle such information in line with our data protection policy.

Names and Pronouns

We will take all necessary steps to ensure that an individual's change of name is respected. A GRC is not required to enable someone to change their name and we will never ask an individual if they have a GRC to verify a name change.

We will always respect an individual's chosen pronouns. Consistently addressing a transgender employee by their previous name and/or an inappropriate pronoun may be regarded as harassment and will be dealt with accordingly.

Employee records

An individual does not need a GRC to request that their details are updated on their employment records. The individual will be treated in the same way as other employees wishing to update their details. We will agree with the individual what paper and electronic records need to be updated. These will include those records that may contain names, titles and other personal identifiers such as photographs on the organisation's website and intranet.

Where an employee is absent while completing their transition, any records that hold personal details should be updated by the time the individual presents at work with their new identity.

Confidentiality

All records that include details of an employee's gender history will be destroyed in a secure manner unless there is a specific reason for retaining them (in which case the employee will be made aware of this and told why). Where other people in the organisation need to be aware of the employee's transition to make a change to a particular record, we will obtain the employee's consent, and restrict the information to those who need to know.

Communication

Where an employee chooses to transition while working for us, we will work together with the employee to agree who will be told and by whom, and when and how this will happen. The most important consideration is that the employee feels safe in the workplace.

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Bullying & harassment

We adopt a zero-tolerance approach to harassment, bullying or victimisation and such behaviour may result in action being taken under our disciplinary procedure.

Examples of harassment against transgender people include:

- Verbal abuse such as name-calling, threats, derogatory remarks or belittling comments about transgender people
- jokes and banter about someone's gender identity or transgender people generally
- refusing to use the appropriate pronoun (for example, calling a trans woman "he") or calling the person by the name they had before they transitioned
- threatening behaviour or physical abuse
- intrusive questioning about someone's gender identity or transition
- excluding a transgender colleague from conversations or from social events
- refusing to work with someone because they have transitioned
- displaying or circulating transphobic images and literature

All employees are made aware of our policy on bullying and harassment and the procedures in place for handling complaints. We will also publicise our position on bullying and harassment to any third parties with which we engage.

Any complaints of bullying and harassment are taken seriously and dealt with promptly.

Single sex toilets and facilities

We will support a transgender employee's right to use the toilets and facilities appropriate to their gender from the point at which the individual declares that they are living their life fully in that gender. In some cases, the individual may wish to use a single-occupancy toilet during their transition, but they must not be pressurised to do so and this should not be seen as a long-term solution.

A transgender person should not be expected to use an accessible toilet unless they prefer to do so.

We will agree with the employee when they wish to start using the facilities appropriate to their affirmed gender and how this should be communicated to colleagues. Any concerns raised by others will be dealt with promptly and sensitively and harassment of the individual will not be tolerated.

Where possible, we will move from providing gender-specific toilets to gender-neutral toilets.

Dress Code

We will agree with the employee what flexibility in our dress code may be permitted to accommodate the process of transition or where a gender-specific mode of dress would be uncomfortable for the individual.

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If a transgender employee is required to wear a uniform, we will ensure that arrangements have been made to provide them with a uniform appropriate to their gender. The uniform will be available from the point at which the individual presents in their affirmed gender.

Training

Information on transgender equality and gender identity is an integral part of our equality awareness training for employees. The aim is to help employees understand what is and is not acceptable behaviour and minimise the potential for conflict arising from misunderstandings.

8. Supporting a transitioning employee

We will be supportive of an employee who has made the decision to transition.

We acknowledge that the transition process and the time it takes will be unique to each individual and that it is not always a single process. We will not make assumptions about the employee or what they need but will instead work with the individual to ensure that they have the support that is right for them.

Transitioning is a major decision and the individual may have taken years to come to this point. They may fear rejection or ridicule by their work colleagues. It is therefore vital that we support the individual so that they can continue to work without fear of discrimination and harassment.

Once we have been made aware by an employee that they will be starting, or have started, the process of transitioning, an appropriate point of contact will be agreed with the employee. That person will work with the employee to develop a confidential **action plan** to manage the individual's transition at work.

The plan will consider what steps to take before, during and after the employee's transition.

No action will be taken without the employee's consent. It is important to develop a plan that is bespoke to the individual employee.

Some of the key issues to address are likely to include:

- when and how an individual will present at work in their affirmed gender
- handling a request by the employee to change their job temporarily during the transition process or to move to a new role permanently
- the point at which colleagues, especially any direct reports, will be informed and how this will be done
- if and how third parties, such as clients, should be informed
- how absence from work for reasons associated with transitioning (for example, for medical appointments and/or medical treatment) will be handled
- arrangements for changing the individual's name on their personnel records, email, security badges, etc.,

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- confidentiality
- dress codes and/or uniforms

Transitioning is a process that takes time, and, to help both parties, regular review meetings will be arranged to manage the process. This will ensure that the right support is in place and enable the plan to be amended as things change.

Effective support for someone who is transitioning requires dialogue, agreed action and respect.

9. Policy Review

Policy Issue Date	Director Signature
17 th April 2025	