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# **PART 4**

## **TRANS INCLUSION POLICIES**

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**Inclusive Policy Toolkit**  
**How to develop**  
**LGBT-inclusive**  
**employee policies**

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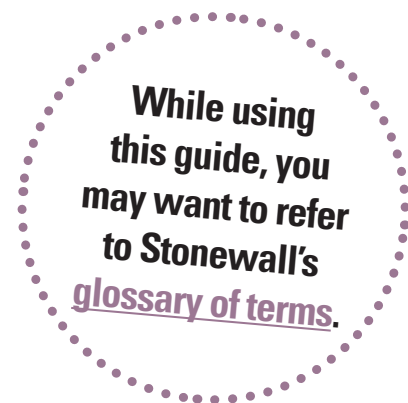
# STEP 4

## TRANS INCLUSION POLICIES

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### Inclusive Policy Toolkit

#### How to develop LGBT-inclusive employee policies



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# WHY IS IT IMPORTANT?

Trans people face deep inequalities in the workplace which differ significantly from those faced by lesbian, gay and bi people.

Stonewall's **LGBT in Britain – Trans Report (2018)** found that one in eight trans employees (12 per cent) have been physically attacked at work. It also found that half of trans people (51 per cent) have hidden or disguised the fact that they are LGBT at work because they were afraid of discrimination.

A policy on trans equality will enable and support your trans employees to be themselves in the workplace and protect them from discrimination. It will also promote knowledge and acceptance among employees who do not identify as trans, encouraging them to step up as trans allies.

It's also important to make specific information available for employees who wish to transition at work. This can sit separately to a broader trans equality policy, but should be clearly signposted.

## NON-BINARY AND TRANS IDENTITIES

Within this toolkit, we use trans as an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using a wide variety of terms. Non-binary is a term for a person who does not identify as only male or only female, or who may identify as both. It's important to note that some non-binary people identify as trans, while others don't. Therefore, it's crucial that your trans-inclusion policies are explicitly inclusive of non-binary identities. For more information on terminology, see Stonewall's **[glossary of terms](#)**.





# YOUR TRANS EQUALITY POLICY

## What to include:

- A **strong statement** setting out your organisation's commitment to trans equality. You should explicitly include non-binary identities, as these are often marginalised and less visible. These are particularly powerful when they include a statement of support from a senior leader, explaining why trans equality is important to them and the organisation.
- Information on **trans identities, appropriate language and terminology**. This should be an appendix to the policy, allowing you to easily change and add to it. For information, see Stonewall's ['First Steps to Trans Inclusion'](#) guide.
- An overview of **legal protections** for trans people in the workplace, including issues of confidentiality. The most inclusive employers acknowledge the limitations of the Equality Act (2010) in relation to the term 'gender reassignment', committing themselves to protect against all discrimination on the basis of gender identity. For more information, see Stonewall's ['First Steps to Trans Inclusion'](#) guide.
- An explicit **zero-tolerance approach to discrimination, bullying and harassment** on the basis of gender identity and gender expression. Signpost to full discrimination, bullying and harassment policies which should also be explicitly inclusive of trans identities. For more information about making these policies LGBT inclusive, [see part 2](#).
- Information about **dress codes**. Dress codes and uniforms should be gender neutral and flexible where possible. If employees must choose from certain types of clothes, you should not specify which genders they are for. Employees should be able to choose the uniform they feel most comfortable in.
- Information about **facilities**. All employees should be supported in accessing the facilities, spaces and groups which align with their gender identity. Where possible, gender neutral toilets and changing facilities should be implemented to reflect these commitments.
- Signposting to your **transitioning at work** policy and any related guidance.

### CONSISTENCY ACROSS ALL POLICIES

Commitments made to your employees in a trans equality policy should be reflected in all other relevant policies. For example, review whether your central policies on dress code and facilities need updating to reflect these commitments.

### BRINGING POLICIES TO LIFE

Policies alone can't make a workplace fully trans inclusive. Use compulsory training as an opportunity to raise awareness of trans identities and experiences, focusing particularly on appropriate language and behaviour. Explore scenarios of bullying and harassment, including how employees should challenge and report transphobic incidents.

# YOUR TRANSITIONING AT WORK POLICY

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## What to include:

- An **overview of transitioning** which emphasises that transitioning involves different steps and activities for different people. Make it clear that timescales, activity and communication will be driven by the person transitioning.
- A **clear message** that the organisation and the individual's line manager will be fully supportive, and will ensure they don't suffer detriment, bullying or harassment as a result of transitioning.
- An overview of **legislation and further resources**. This should include information about confidentiality, the Gender Recognition Act (2004) and the Equality Act (2010), while also acknowledging that the current law is insufficient in its terminology and framework.
- Information about **key entitlements and considerations**. These might include data protection, work permits, security passes, national insurance, re-deployment, pensions, professional registration, references, DBS checks, updating records and internal systems, facilities, time off for medical intervention and dress code.
- **Frequently asked questions** written from different perspectives, including that of the individual, line manager and HR practitioners. For example, questions from the perspective of the individual might include: "Where can I get confidential advice around transitioning?" and "Will all colleagues be informed of my transition?".
- A **breakdown of responsibilities** for different employees and links to specific guidance. These employees might include the line manager, HR team, IT team and colleagues of the employee who's transitioning.
- A separate **guide for line managers** about how to support an employee who's transitioning. This should include advice on developing a plan led by the individual.
- **Definitions of key terms** as an appendix to the policy, allowing you to easily change and add to it in line with best practice.
- A **breakdown of responsibilities** for different employees and links to specific guidance.

# POLICY EXTRACTS

## Inclusive passages from Diversity Champion policies

### TRANS EQUALITY

*"Trans staff are welcome within the UCL community and should be treated with dignity and respect. We value their contribution to the life of the university. This guidance aims to support managers and colleagues of trans staff. Trans staff should also use it as an outline of UCL's responsibilities to them."*

#### **UCL, Supporting Trans Staff in the Workplace**

*"Rights and responsibilities:*

- *All staff have the right to be treated with dignity and respect, regardless of their gender identity.*
- *All staff have a responsibility to treat their colleagues with dignity and respect, regardless of their gender identity.*
- *All staff have a responsibility to challenge or report acts of discrimination, bullying, harassment or victimisation relating to gender identity.*
- *All staff have a responsibility not to disclose or discuss a person's transgender status with any third party, without explicit permission from that individual. As such behaviour will be considered to be harassment and will be dealt with according to the University's Disciplinary Procedure."*

#### **The University of Sheffield, Commitment to Supporting All Trans People**

*"The University is committed to supporting the right for trans individuals to use the correct facilities for their gender identity, including changing rooms and toilet facilities. A trans employee should not be required to use disabled toilet facilities, nor facilities of their former assigned gender. Where female-only spaces exist within the University, they should be open to all whom self-define as women, including trans women."*

#### **University of Wolverhampton, Trans and Gender Reassignment Policy**

*"The Service also welcomes and is inclusive of non-binary members of staff (those whose gender identities do not fit into the gender binary of male or female). The Service provides a uniform for the majority of its staff and non-binary colleagues are encouraged to select whatever uniform they feel comfortable in, regardless of gender marker. The only requirement is that it is the correct uniform for their role."*

#### **Cheshire Fire and Rescue Service, Transgender Guidance**



## TRANSITIONING AT WORK

*"We are committed to supporting any of our staff who express an intention to transition and we will work with you to ensure as smooth a transition at work as possible."*

*"If it is necessary to involve additional people, they will only be notified once we have received your express permission and understand how you would like your transition to be communicated."*

### **Allen & Overy, Transitioning at Work Policy – UK**

*"We recognise transitioning is unique for each individual, involving different steps and activities for different people, and there is no "right" or "wrong" way to transition. Additionally, there are many different routes a transitioning employee might choose to take. It is for that reason that the transitioning employee is in control of the process."*

### **Enterprise Rent-A-Car, Transitioning at Work Policy – Employee Guidance**

*"We understand that prior to an employee transitioning, either the transitioning individual or their supervisor may wish to have a confidential discussion with someone who has sufficient knowledge and awareness of trans\* issues and who can answer any questions in relation to the firm's policy. Below are some key contacts within the firm that can provide confidential support and answers to these questions."*

### **Hogan Lovells International, Gender Transitioning Policy**

*"The first conversation you have with the transitioning individual will require a great deal of trust and courage on their part. The conversation will set the tone for the workplace transition and must be encouraging and positive. Think ahead of time around how you will manage that initial meeting and the steps you will take to convey your support and that of the firm."*

*"Confidentiality and privacy must be adhered to under all circumstances. As line manager, you will be acting in an official capacity. You may only share details of the individual's transition status with their permission. To do so without permission may be a criminal offence and a breach of data protection legislation."*

### **Baker McKenzie, Line Manager Guidance – Transitioning Employees**

	<b>Responsibility</b>
<b>Employee</b>	<i>Disclosure of transition is entirely at the discretion of the employee. It is for the employee to decide if they wish to create a transition plan and if so, to lead their own plan.</i>
<b>Line manager</b>	<i>Provide full support. Observe confidentiality, and only with the consent of the employee to act as a point of contact in all matters, including informing colleagues and co-workers.</i>
<b>HR</b>	<i>Provide assistance and support as may be requested by the employee.</i>
<b>Senior managers</b>	<i>Ensure all employees understand and adopt this policy.</i>
<b>All staff</b>	<i>Respect and support the transitioning employee's dignity and privacy.</i>

### **Environment Agency, Transitioning at Work Policy**

# MORE FROM STONEWALL

This is the first part of the Inclusive Policy Toolkit.

For the other parts, visit:

[www.stonewall.org.uk/inclusive-policy-toolkit](http://www.stonewall.org.uk/inclusive-policy-toolkit)

Further resources:



## **Creating a transitioning at work policy**

Detailed guidance on supporting employees through their transition.



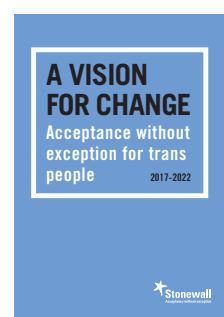
## **Trans-inclusive policies and benefits**

Detailed guidance on trans equality policies, dress codes and facilities.



## **LGBT in Britain – trans report**

Stonewall's research highlighting the profound levels of discrimination and hate crime faced by trans people in Britain today.



## **A vision for change: acceptance without exception for trans people**

A document committing Stonewall to specific actions to advance trans equality at work, at home, in school and in public.



## Trans Allies programme

This programme explores how individuals can step up as effective workplace allies to trans people. Your employees will learn to become active and positive allies working to create more inclusive workplaces for all trans people.

For more information, visit [www.stonewall.org.uk/trans-allies](http://www.stonewall.org.uk/trans-allies)

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