

TRUST WIDE DOCUMENT

	Policy
DOCUMENT TITLE	Trans Inclusion Policy
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LEAD EXECUTIVE DIRECTOR DGM	Executive Director Of People And Culture
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TARGET AUDIENCE	This policy applies to all Trust colleagues, students, contractors, bank staff, temporary workers, volunteers, lead employer and applicants for employment with the Trust, and provides a framework for managers to support colleagues who identify with a gender other than that assigned at birth.
DOCUMENT PURPOSE	The purpose of this policy is to provide direction and guidance for managers and colleagues supporting trans individuals, including those who are non-binary, non-gender and intersex, so that there is no risk of discrimination of trans colleagues in the workplace. Throughout this document, the description 'trans' is used to include all those whose gender identity (e.g. man, woman, non-binary, gender fluid or non-gendered) does not match the sex assumed at birth (male or female)

To be read in conjunction with	<ul style="list-style-type: none"> • HR81 v 1 Equality, Diversity & Inclusion policy • HR07 v6.0 Early Resolution policy • HR09 v 8.1 Disciplinary policy • HR06 v7.1 Attendance at work policy • HR14 v3 Special leave policy • HR23 v6 Flexible working policy • HR77 Uniform dress code policy • Behaviour Framework • HR56 v4 Breastfeeding Policy
SUPPORTING REFERENCES	<p><u>The Equality Act (2010)</u> <u>Gender Recognition Act (2004)</u> <u>Genuine Occupational Requirement</u> <u>Article 8 Human Rights Act</u></p>

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1. INTRODUCTION

East Lancashire Hospitals Trust (ELHT) is committed to ensuring that all trans colleagues working within the Trust (and applicants applying for employment with the Trust) feel welcome, receive equitable treatment and are protected from discrimination at work.

This policy has been developed to ensure that there is a clear process to support trans colleagues and to ensure that they are treated with complete dignity and respect, and in line with the law.

The aim of this policy is to assist managers and trans colleagues at ELHT with practical information on workplace support and guidance and ensure that the provision for trans colleagues is responsive to individual need, is prejudice free, and challenges any discrimination individuals may experience. It also highlights other considerations that may be necessary to improve the experiences and opportunities of trans colleagues.

It sets out the Trust's responsibilities as an employer of trans colleagues. Gender reassignment is a protected characteristic under the Equality Act 2010, and the Trust has a duty to protect all trans colleagues and ensure that they are not discriminated against or disadvantaged by service delivery or prejudice of Trust colleagues, or by any other third party who work in partnership with the Trust.

At ELHT, we recognise there is no right or wrong way to transition gender and are committed to supporting each individual in their decisions.

The Trust is committed to go beyond its legal duties to provide protection on the grounds of gender identity and gender expression. Trans colleagues should be protected from discrimination and harassment at all times, not solely when they are transitioning.

Although the phrase 'gender reassignment' is used in the Equality Act 2010, it is now generally considered out-dated language. Both the Equality Act 2010 and the Gender Recognition Act 2004 are clear that gender reassignment need not involve any medical intervention. However, the phrase is widely misinterpreted to assume that it is a medical process, and this can feed myths and misunderstandings.

1.1 Definitions

For a comprehensive list of definitions, see Appendix 2. Glossary of Terms.

1.2 Principles

As well as ensuring that trans colleagues are fully supported, ELHT will demonstrate its commitment to trans equality in the following ways:

- Work to ensure that all training courses that are delivered are fully inclusive of trans people this includes both face-to-face training and e-learning;
- Marking important dates for the trans community;
- Including trans people in publicity and marketing materials;
- Ensuring that all forms and surveys are inclusive of trans people, including non-binary people for both colleagues, patients and clients;

- Including trans equality as a core part of the organisation's equality agenda and objectives;
- Investigating fully all complaints of harassment or bullying, victimisation or discrimination on the grounds of gender identity, gender history, trans identity or gender expression; and
- Monitoring the implementation of this policy.

2. The legal framework

2.1 Equality Act 2010

The Equality Act 2010 (England, Scotland, and Wales) protects against discrimination in employment and service delivery for those who intend to undergo, are undergoing or have undergone a process or part of a process for reassigning their sex. It bans direct and indirect discrimination and victimisation. The Act makes clear that it is not necessary for people to have any medical diagnosis or treatment to gain this protection; it is a personal process of moving away from the gender assigned at birth- to the gender with which they identify. People discriminated against because they are wrongly perceived to be trans, or who are discriminated against because of their association with trans people or issues are also protected. An Employment Tribunal judgement in 2020 confirmed that non-binary and gender fluid people are protected from discrimination under the Equality Act 2010.

2.2 Gender Recognition Act 2004

The UK Gender Recognition Act (GRA) enables people aged over eighteen to gain full legal recognition for the gender in which they live. Applications are considered by the Gender Recognition Panel. Once a person receives a Gender Recognition Certificate (GRC), they are legally of that gender for every purpose and have all the rights and responsibilities associated with that gender. Not all trans people will obtain or seek to obtain a GRC.

Employment rights do not depend on whether a person has a Gender Recognition Certificate. As the principle behind the Gender Recognition Act is privacy, employers cannot ask a person if they have a GRC and a person is not obliged to answer that question. To make an application for a GRC, a person needs to show they have been living and working in that gender for at least two years.

The Gender Recognition Act gives anyone applying for or holding a Gender Recognition Certificate, particular privacy rights. It is a criminal offence to pass on information acquired 'in the course of official duties' about someone's gender recognition, without the consent of the individual affected. 'Official duties' include employment, trade union representation, or supply of business or professional services. It is also an offence to pass on information relating to an individual's trans history or identity as a trans person without their consent, regardless of whether the individual has a GRC or not.

Article 8 of the European Convention on Human Rights provides a right to respect for "your private life, your family life, your home and your correspondence", subject to certain restrictions that are "in accordance with law" and "necessary in a democratic society".

- a. Everyone has the right to respect for private and family life, home and correspondence.
- b. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

2.3 Genuine Occupational Requirements

In the vast majority of cases, the gender of an individual is of no relevance to their ability to do a particular job. However, the Equality Act 2010 does allow for an exception where being of a particular sex is an 'occupational requirement' of that post. If this is the case for an individual transitioning at work, they will be redeployed into a suitable position. Advice should be sought from Divisional HR teams if redeployment is being considered on the basis of an occupational requirement.

3. RESPONSIBILITIES, ACCOUNTABILITIES, AND DUTIES

3.1 The Trust

The role of the Trust as an employer is:

- To provide direction for Managers and colleagues who are responsible for operating this policy.
- To put in place a procedure through which concerns are addressed.
- To keep under review the effectiveness of this policy and procedure.
- To keep the contents of the policy and procedure up to date and available for staff to view.

3.2 All colleagues

- To adhere to and abide by this policy
- To challenge disrespectful or discriminatory behaviour or language
- To report any instances of harassment or bullying, victimisation or discrimination
- To engage with managers and other colleagues around the logistics of transitioning in the workplace;

3.3 Managers (A checklist / action plan for transition is provided at appendix 1 for support)

- To ensure that all colleagues are aware of this policy and attend any relevant training
- To ensure that new staff are appropriately briefed at induction on compliance with this policy
- To lead a culture of honesty, respect, fairness and trust by being inclusive in approach
- To support trans colleagues, as requested, in line with this policy.

3.4 ELHT Inclusion Group

- To oversee the development and monitoring of the trans Inclusion Policy.
- To consult with members of the LGBTQ+ Network and transgender community.
- To work towards attaining the NHS Rainbow Badges Gold Award.
- To support the development, roll out and completion of LGBTQ+ training for all colleagues.
- To report to the Board on any issues of discrimination or non-compliance of the trans Inclusion Policy.
- To mark important dates for the trans community as part of the wider Inclusion calendar of events.

3.5 LGBTQ+ Network

- To provide a support network for trans colleagues in the workplace.
- To take on a wider consultation and advice role to ensure the wellbeing of the trans community at ELHT is being met by the Trust by monitoring policy effectiveness and advising on implementation.

3.6 Further Support Available

Should any individual require further support they can confidentially contact the Trust's Trans Champion, Head of Equality, Diversity and Inclusion, Occupational Health Team, Staff Side representatives or the Staff Guardian team. Contact details can be found on the Trust intranet pages.

4. PROCEDURE

ELHT has a zero-tolerance approach towards any form of discrimination and harassment based on gender identity, gender expression or gender history. Inappropriate behaviour or language may constitute discrimination, harassment, bullying or victimisation, for example:

- deliberately referring to a trans individual by an incorrect name / pronoun
- disclosing or threatening to disclose an individual's trans identity without their consent
- derogatory remarks, 'jokes', innuendo, 'banter' or gossip
- intrusive questioning
- refusal to work alongside a trans, gender-fluid or non-binary colleague

Examples of discrimination may include:

- Refusal to offer a promotion because of a colleagues trans identity
- Refusal to provide support to a trans colleague that would be afforded to a non-trans colleague
- Exclusion from work related activity
- Failure to manage harassment
- Refusal to allow the use of facilities appropriate to their gender

Managers are responsible for taking timely action where misconduct occurs on the grounds of an individual's gender identity, in line with the relevant policies and procedures. This will be monitored and followed up.

5. SUPPORTING THE TRANSITION OF COLLEAGUES

5.1 Colleagues who are transitioning gender

If a colleague states that they are intending to transition, their line manager, in conjunction with other appropriate colleagues, should aim to make this process as smooth as possible. Managers should be aware that it could be an extremely difficult step for someone to approach their manager about transitioning. ELHT is committed to reassuring all colleagues that they will be supported and respected. The transition process will be led by the individual concerned. (see Appendix 3 for further guidance)

5.2 Process for a colleague to change their name and gender marker on workplace systems

Legal name and gender "marker" (i.e., "M" or "F" on legal identity documents) changes can sometimes take months or even years to be updated depending on the circumstances. Until then, every effort will be made to use the new name and gender marker on all documentation. (e.g., email, phone directory, Trust ID / access badge etc.) The only exception is where records must match the person's legal name, such as on payroll and insurance documents. Trans colleagues should agree with their manager when and who will update Trust internal systems and document this on the transitioning action plan / checklist. In everyday written and oral communication, the new name and pronouns should be used when the individual is ready.

5.3 Sharing / telling colleagues

The manager will discuss with the individual their preference in relation to informing others, including other managers, colleagues, service users and other relevant contacts. They will agree whether the individual will do this, whether they would prefer the manager or a work colleague to do this, or a mixture of these options. They will also confirm in writing, to get express written agreement from the individual about when and how this will happen, including the details of the message and whom it will be shared with. Levels of disclosure may vary in detail for different types of contacts and will be agreed in advance. The transitioning action plan / checklist can be used to record what is agreed.

5.4 Uniforms and dress codes

If a uniform is in place for the role, managers will ensure that the trans colleague has access to the uniform that best matches with their gender identity and/or gender expression. Some trans colleagues, including non-binary individuals, may need access to both the male and female uniforms. Managers will be flexible and will support the preferences of the trans colleague wherever possible. Trans colleagues must comply with Trust uniform policies and dress codes but have the right to comply in a way that reflects their gender identity and gender expression. The transitioning action plan / checklist can be used to record what is agreed.

5.5 Changing facilities, toilets, and other single sex facilities

The use of changing / toilet facilities should be part of the discussion process with the trans colleague. An appropriate stage for using the facilities of the new gender will be when they begin attending work as their affirmed gender. Trans colleagues are entitled to use single sex facilities in accordance with their gender. Should there be any objections to this; managers will deal with the objections in a sensitive and understanding way while not denying the individual access to facilities appropriate to their lived gender. For non-binary colleagues, this might mean using gender-neutral or accessible facilities or using a combination of different facilities. In particular, trans colleagues will never be required to use accessible toilets unless they wish to do so.

It is not acceptable to expect an individual undergoing gender reassignment to use facilities designated for use by those of their birth gender. The individual should be fully supported in using all facilities appropriate to his, her or their acquired gender.

5.6 Updating records

Electronic records will be updated in a timely manner, to coincide with the date agreed by the individual and their manager. Every attempt will be made to ensure that records do not link back to the former name. The manager will work with the trans colleague to ensure that nothing is missed. New ID badges with the correct name and a new photograph will be issued, without any replacement cost to the individual.

Paper records will be updated where possible. Those, which cannot be updated for instance, paper copies of references relating to the individual's recruitment or documents referencing the trans colleagues' previous details will be kept in a confidential envelope on the individuals file clearly marked as only to be looked at by named persons.

5.7 Pensions and National Insurance

Where pensions, national insurance contributions, or other benefits are dependent on legal sex, trans colleagues will be advised of the different implications of whether they do or do not have a Gender Recognition Certificate. Generally, workplace pension details can be changed but state pensions are based on legal sex. Trans individuals can tell HMRC about their change of name and have their records updated and do not need a GRC to do this.

5.8 Professional registration

If the trans colleagues job involves professional registration, the individual will check whether their registration body has a specific, confidential process for gender transition. Further support and advice can be sought from the Trust's Trans Champion, Head of Equality, Diversity and Inclusion, Staff Side representatives or the Staff Guardian team if required.

5.9 Patient / service user facing roles

There is no reason why a colleague who is transitioning should not continue in a patient / service user - facing role. However, some people might prefer a period of redeployment during transition, or as a permanent change. Managers, HR and their Staff Side representative will work with the individual to find a solution that meets the needs of both the individual and the service.

5.10 Attendance at appointments and time needed for treatment and surgery

Many people have to travel a long distance for appointments, and these may be given at short notice. Colleagues may need reduced hours or duties, or other changes to usual working arrangements, for a temporary period following some treatments. Managers will be as flexible as possible to accommodate this. All Trust colleagues will be given reasonable time off to attend appointments as outlined in the Trust's Special Leave. Trans colleagues are entitled to the same sickness absence and pay as other colleagues in accordance with the Trust policy.

Time off for medical appointments is addressed in the Trust's Special Leave Policy. Trans colleagues attending medical appointments related to gender reassignment will be covered by these general provisions. Trans colleagues should not suffer a detriment due to taking time off related to their gender reassignment; this time off should not be treated as elective and should be discounted from any absence triggers.

5.11 Support for colleagues with a family member who is transitioning gender

If a colleague is supporting a family member who is transitioning, they may need to take time off to attend appointments and treatment or give assistance following surgical procedures. Some of these may be at short notice and may involve travelling a long distance. Managers will be as flexible as possible in accommodating leave requests or changes to working arrangements to accommodate this.

5.12 Sharing personal information

Under Section 22 of the Gender Recognition Act 2004, it is illegal for an individual to share information regarding someone's Trans status unless:

- There is specific agreement to do so by the trans person;
- It is necessary for professionals to know someone's trans status, in which case it is recommended that the trans person is asked to provide permission in writing;

Anyone who, in their professional capacity, acquires knowledge of a trans persons history and passes on that information to a third party without the consent of the person concerned can be prosecuted and fined and/or jailed.

Trans people have no obligation to disclose whether or not they have a Gender

Recognition Certificate and do not require one to be able to change their personal details.

5.13 Recruitment and Selection

ELHT encourages applications from trans people for all posts across the Trust, including volunteers.

Any applicant who is intending to undergo, is undergoing, or has undergone gender reassignment will not be required to disclose their status as part of any recruitment and selection process unless they choose to do so. All applicants will still be required to produce documents, from an approved list of options, to satisfy identity and right to work checks.

If applicants do choose to disclose their status, this will have no bearing on the recruitment process or the decision to offer the individual employment with the Trust.

Where the role requires applicants to complete a Disclosure and Barring Service Check (DBS) there is a process, which provides trans people the opportunity not to reveal their previous name(s) and/or gender. More information is provided in Appendix 4.

It may sometimes be necessary for a trans colleague to disclose their previous identity in order for references from past employers to be obtained. In these cases, strict confidentiality should be applied.

Where the Trust has to keep evidence of professional status or qualifications, and this discloses an individual's status, it should be discussed with the individual how this information will be retained so as not to compromise or breach disclosure of protected information.

6. TRAINING IMPLICATIONS

The Trust is committed to high quality targeted training and effective communication to support this policy document. The objective is to implement this policy document and meet the training needs of all colleagues over time. As a minimum:

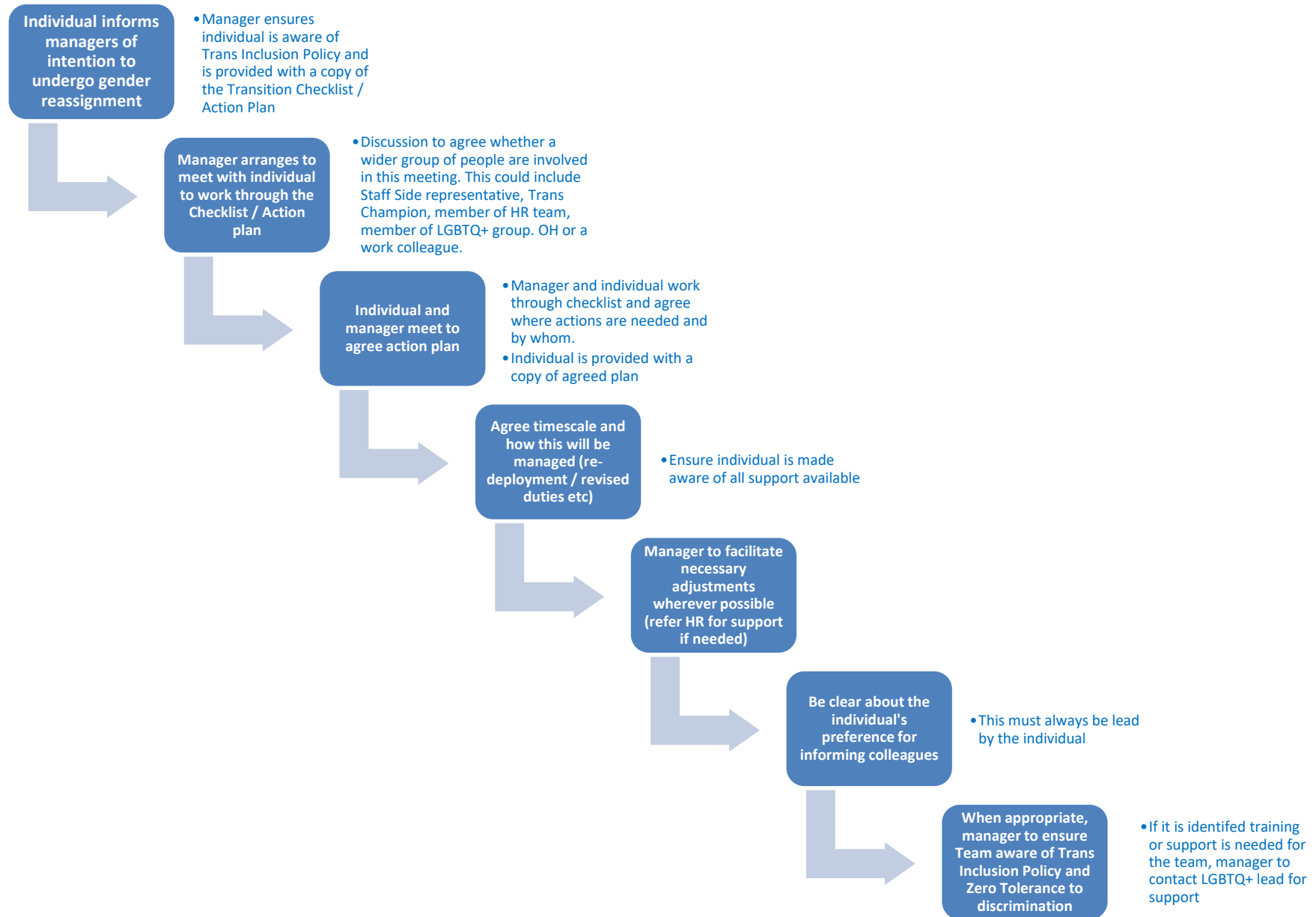
- all colleagues will be aware of this policy and the key points that are covered
- all existing mandatory Equality, Diversity and Inclusion training and will include trans and non-binary issues
- individuals or managers supporting colleagues to transition will be supported to identify appropriate training where it is felt this would be beneficial to support individuals or teams.

7. MONITORING ARRANGEMENTS

Measuring and monitoring compliance with the effective implementation of this procedural document is best practice and a key strand of its successful delivery. Hence, the authors of this procedural document have clearly set out how compliance with its appropriate implementation will be measured or monitored. This also includes the timescale, tools/methodology and frequency as well as the responsible committee/group for monitoring its compliance and gaining assurance.

Aspect of compliance being measured or monitored.	Individual responsible for the monitoring	Tool and method of monitoring	Frequency of monitoring	Responsible Group or Committee for monitoring
Compliance with policy by all Trust colleagues and volunteers	Head of ED& I	Review and monitoring of: - Requests for Resolution (allegations of bullying, harassment or victimisation) - Disciplinary cases relating to bullying, harassment or victimisation concerns raised via IR1's or Freedom to Speak Up team	Quarterly	ED&I Group

Appendix 1 – Supporting a Trans colleague - Flow Chart



Appendix 2 - Glossary of Terms

Term Used	Definition
Affirmed gender	The process of bringing the gender role and appearance into alignment with the gender identity, 'affirms' that identity. The term 'affirmed' gender, is now becoming more common in describing the post-transition gender status. 'Affirmed' should be used in preference to 'acquired'; the latter is the language of the Gender Recognition Act, and is more appropriately used to describe the acquisition of a Gender Recognition Certificate and new Birth Certificate.
Ally	A (typically) straight and/or cis person who supports members of the LGBT community.
Bi-gendered	A person who considers themselves to be both male and female at different times.
Cisgender or Cis	Someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people.
Direct Discrimination	Occurs when people are treated less well, because they have a protected characteristic, than a person who does not have that characteristic. This applies also when people are discriminated against because they are perceived to be trans – even if they are not. Those associated with trans people, such as partners, spouses, other family members or carers are also protected against discrimination.
Gender	Is the social meaning given to sex. A person's gender role reflects the duties, qualities, and expectations of society based on gender, which includes how we have learned to walk, look, act, dress, what job we choose, what first name we have and so on.
Gender Dysphoria	A recognised medical condition where a person experiences distress or discomfort because their gender identity does not match their birth sex.
Gender Expression	Refers to all external characteristics and behaviours that are socially defined as either masculine or feminine, such as dress, mannerisms, and speech patterns.
Gender Identity	This is an individual's internal self-perception of their own gender. A person may identify as a man, as a woman or as having a non-binary gender.
Gender reassignment	Is the term used to describe transitioning from one gender to another. The process may involve different stages, such as change of name and title, through to surgical intervention.
Gender Recognition Certificate (GRC)	By law, a person will be classed as their birth gender unless they apply for a GRC to change it legally. A name can be changed using a statutory declaration or deed poll.
Harassment	Means any unwanted behaviour that violates a person's dignity or creates a hostile environment
Indirect Discrimination	Occurs when a rule that is neutral in its application to most people, creates a disadvantage for a person with a protected characteristic. It is not enough for an employer to say "we're treating you in the same way as we would any other employee", if that treatment puts a trans person at a disadvantage. Where it proves impossible to overcome such a disadvantage, the employer must show that they have a 'legitimate aim' and that they have taken 'proportionate means' to limit the disadvantage as much as possible.

Intersex	A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female, or non-binary.
Misgender	Is when someone refers to an individual (especially a transgender person) using a word, especially a pronoun or form of address that does not correctly reflect the gender with which they identify. If this is done deliberately with malicious intent, then it is discrimination.
Non-binary	An umbrella term for a person who does not identify as only male or only female.
Non-gendered	A person who does not identify with any gender.
Pronoun	Words we use to refer to people's gender in conversation - for example, 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they / their and ze / zir.
Sexual Orientation	A person's emotional, romantic, and/or sexual attraction to another person 'Heterosexual', 'bisexual', and 'homosexual' (i.e. gay or lesbian) are all sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.
Trans	An umbrella term for people whose identity differs from what is typically associated with the sex they were assigned at birth. People under the trans umbrella may describe themselves using one or more of a wide variety of terms.
Transgender	Refers to a broad range of people who experience and/or express their gender differently from what most people expect – either in terms of expressing a gender that does not match the sex listed on their original birth certificate (i.e. designated sex at birth), or physically changing their sex. It includes people who are transsexual, cross-dressers or otherwise gender non-conforming. Not all people who consider themselves (or who may be considered by others as) transgender will undergo a gender transition.
Transitioning	The steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.
Transphobia	A collection of ideas and phenomena that encompass a range of negative attitudes, feelings, or actions towards transgender people. Transphobia can include fear, aversion, hatred, violence or anger towards people who do not conform to social gender expectations.
Transsexual	This was used in the past as a more medical term (similarly to homosexual) to refer to someone who transitioned to live in the 'opposite' gender to the one assigned at birth. This term may still be used by the older generation although many younger people prefer the term trans or transgender.
Victimisation	Occurs when someone is treated badly as a direct result of having complained, either themselves, or someone else has complained on their behalf, about discriminatory treatment under the Equality Act.

Appendix 3- Checklist / Action Plan for Transition

The individual and their manager might find it helpful to put in place an action plan, or to agree a checklist to clarify the actions that will be taken over the course of the individual's transition, dates by which these will be done, and the person who will take responsibility. It may be appropriate to invite other people to join this meeting as a 'Transition Team' to facilitate the changes and support needed. **This must be agreed in advance with the individual.** Please use the template below to document your journey, this can be modified to suit the individual's needs.

Name:	Supporting Managers Name:		
What date does the individual plan to start their transition?			
What will the individual's name and title be following transition? What pronouns will be used?			
Are there any temporary or permanent changes / reasonable adjustments to the role, which should be considered to support the individual? (Considerations should include security aspects such as lone working and night working)			
Are there any duties within the role that should not be undertaken at specific times within the process; change of job if requested or required; risk assessments carried out if necessary.			
Are there any upcoming events that may require additional support or consideration?			
If applicable, how will single sex working arrangements be managed?			
Will time off be required? If so, how will this be managed? (Flexible working options should be considered)			
Are any changes needed to the individual's uniform as part of their transition?			
Has agreement been reached about which toilets and changing facilities the individual will use?			
When and how should colleagues be informed of the transition?			
Have any training needs for colleagues been immediately identified? How will these be met?			
Would a referral to OH be appropriate to provide additional support?			
Do any existing risk assessments need updating in light of this transition disclosure?			
Who else needs to be informed of the transition?			
	Who will do this?	When?	Completed
Senior Manager			
HR			
Any other colleagues?			

Occupational Health			
Patients			
External contacts			
Others?			
Changes to records – name and pronouns will need to be in several areas			
	Who will do this?	When?	Completed
HR records (including ESR, personal files, Health roster, Occupational Health etc.)			
Name badge / ID badge			
Email			
Door signs / Organisation charts			
IT systems			
Sharepoint / Teams pages			
Telephone directory			
ELHT Library			
Voicemail			
Union membership			
Gym membership			
Professional reg.			
Voicemail			
Pension			
Lease car			
Work related social media accounts			
Is there any guidance material or other information, which the individual wishes to share with managers and colleagues?			
If the individual encounters any unacceptable behaviour towards them from colleagues, patients, visitors or others who should this be reported to?			
Are there any actions not covered above that the individual wishes to include?			
Is there an agreed date for when this checklist will be disposed of in line with the requirements of the Data Protection Act and GDPR?			
Date Actions Agreed:			
Date of Review Meeting:			
Manager (sign and date)			
Individual (sign and date)			
Details of review meetings			
Date	Notes	Action	



Appendix 4- DBS Transgender applications

The Disclosure and Barring Service (DBS) offers a confidential checking service for transgender applicants in accordance with the Gender Recognition Act 2004. This is known as the sensitive applications route, and is available for all levels of DBS check - basic, standard and enhanced.

The sensitive applications route gives transgender applicants the choice not to have any gender or name information disclosed on their DBS certificate, that could reveal their previous gender identity.

The sensitive applications team

If you are asked to complete a DBS check and have a previous identity that you do not wish to be disclosed to your employer and/or on your DBS certificate, you should call or email the dedicated sensitive applications team before submitting your application. The team is experienced in dealing with sensitive cases and will advise you of the process and what you need to do.

How to contact the sensitive applications team

To contact the sensitive applications team, please telephone 0300 106 1452 or email sensitive@dbs.gov.uk. Please note, that the telephone number also has an out-of-hours answering machine where you can leave your details, and a member of the team will call you back.

If you are happy to have your previous identity disclosed on your certificate, you do not need to contact the sensitive applications team and can simply submit this information under the 'any other names' section of your application.

Please note, an applicant using the confidential checking service, will still complete the same application form as any other applicant.

Appendix 5- Equality Impact Assessment Screening Form

Department/Function	Equality Diversity & Inclusion			
Lead Assessor	Lorraine Atherton			
What is being assessed?	Trans Inclusion Policy			
Date of assessment	September 2022			
What groups have you consulted with? Include details of involvement in the Equality Impact Assessment process.	Staff Inclusion Network/s	X		
	Staff Side Colleagues	X		
	Other (Inc. external orgs)	X		
	Please give details:			

1) What is the impact on the following equality groups?		
Positive:	Negative:	Neutral:
<ul style="list-style-type: none"> ➤ Advance Equality of opportunity ➤ Foster good relations between different groups ➤ Address explicit needs of Equality target groups 	<ul style="list-style-type: none"> ➤ Unlawful discrimination, harassment and victimisation ➤ Failure to address explicit needs of Equality target groups 	<ul style="list-style-type: none"> <input type="checkbox"/> It is quite acceptable for the assessment to come out as Neutral Impact. <input type="checkbox"/> Be sure you can justify this decision with clear reasons and evidence if you are challenged
Equality Groups	Impact (Positive / Negative / Neutral)	Comments
Race (All ethnic groups)	Positive	<ul style="list-style-type: none"> ➤ Provide brief description of the positive / negative impact identified benefits to the equality group. ➤ Is any impact identified intended or legal? <p>Trans people may face dual discrimination on the grounds of their race and their gender reassignment. The intersectional nature of discrimination can compound the impact on the individual and it is important to understand the whole person and not a single aspect of their identity. This policy aims to promote Trans inclusion and positively impact those who may be affected by intersectional discrimination.</p>
Disability (Including physical and mental impairments)	Positive	<p>The World Health Organization (WHO) states that transgender people often experience disproportionately high levels of mental health conditions. Trans people may therefore face dual discrimination on the grounds of their race and their gender reassignment. This policy aims to promote Trans inclusion and positively impact those who may be affected by intersectional discrimination.</p>
Sex	Positive	<p>Trans people have historically experienced discrimination in the workplace due mainly to poorly informed practice in relation to sex segregation. Transitioning employees have often experienced challenges when trying to assert their rights to use facilities that match their newly acquired gender. Lack of understanding can lead to ill-informed decision making that places the burden of adjustment on the transitioning individual rather than the organisation. This policy aims to promote Trans inclusion and positively impact those who may be affected by discrimination linked to their sex.</p>
Gender reassignment	Positive	<p>This policy explicitly supports employees seeking to reassign their gender while remaining in employment.</p>
Religion or Belief	Positive	<p>LGBT rights are often contrasted against religious rights despite LGBT people being represented in all faith groups. This policy aims to promote Trans inclusion and positively impact those who may be affected by intersectional discrimination.</p>
Sexual orientation	Positive	<p>Trans people can also be discriminated against on the grounds of their perceived sexual orientation due mainly to misunderstanding of the relationship between sexual orientation and gender reassignment. The terms can mistakenly be used interchangeably. Trans men and women can experience homophobic abuse that compounds the overall experience of discrimination. This policy aims to promote Trans inclusion and positively impact those who may be affected by intersectional discrimination.</p>
Age	Positive	<p>Some individuals may find themselves the victim of discrimination on multiple levels. Older people may experience prejudice relating to their age and this may compound their experience of transphobic discrimination. Older people may also</p>

		find it more difficult to transition due to a proportionately longer period of time not being open about their gender identity and experiencing less engaged debate about trans issues. This policy aims to promote Trans inclusion and positively impact those who may be affected by intersectional discrimination.
Marriage and Civil Partnership	Neutral	
Pregnancy and maternity	Neutral	
Other (e.g. caring, human rights)	Neutral	
2) In what ways does any impact identified contribute to or hinder promoting equality and diversity across the organisation?		

<p>3) If your assessment identifies a negative impact on Equality Groups you must develop an action plan to avoid discrimination and ensure opportunities for promoting equality diversity and inclusion are maximised.</p> <ul style="list-style-type: none"> ➤ This should include where it has been identified that further work will be undertaken to further explore ➤ the impact on equality groups ➤ This should be reviewed annually. 		
Action Plan Summary		
Action	Lead	Timescale
N/A		