

Transitioning at Work Policy



Introduction & Aims

The Council values inclusion and diversity providing a workplace that is supportive and inclusive. The aim of this policy is to ensure that no member of staff under any circumstances receives discriminate treatment on the grounds of gender identity and that no person is victimised or subjected to any form of bullying or harassment. The council will not tolerate this behaviour and will actively investigate any complaint robustly.

We value people as individuals with diverse identities, opinions and cultures. All employees are covered by this policy, and it applies to all areas of employment including recruitment, selection, training, deployment, career development, and promotion.

This policy explains how we will support individuals through any transitioning process and assist People Leaders and staff with practical information on workplace support.

Additional support is also available via the [Employee Assistance Programme](#).

Definitions and explanations

'Trans' or 'transgender' people are those whose gender identity does not match that assigned to them at birth.

The term covers people who:

- Have a gender identity different from which they were assigned at birth regardless of considering/panning, undergoing/undergone medical interventions.
- Are non-binary – that is they are neither male or female and have another gender identity.

Overview of legislation

**The word 'reassignment' is legislation specific. The Council recognise best practice to use 'Gender Identity' and 'Gender Transition'*

The laws governing this area are the Gender Recognition Act 2004 and the Equality Act 2010.

Changing gender is covered by the Gender Recognition Act 2004. The prohibition of discrimination on the basis of *gender reassignment is governed by the Equality Act 2010.

The process

The process for undergoing gender identity/transitioning can be a challenging time for the person concerned.

There is no obligation on an individual to apply for a gender recognition certificate and there may be good personal reasons, such as an existing marriage, why someone has not applied for one. Gender Recognition Certificates (GRCs) are issued to a person (over the age of 18) who legally changes gender and who has lived in their gender for at least two years. GRC is NOT a requirement for an individual who is transitioning.

The Registrar General will enter their details into the Gender Recognition Register to show their affirmed gender. The original birth register will be amended confidentially to show that their gender has changed. A new birth certificate will be issued showing their acquired name and gender.

When this has been confirmed, the employee should use IBC to raise a service request change, this will then require documentation to allow the change to take place. The documentation and request will be treated confidentially.

People Leaders' responsibilities

People Leaders will fully support each individual in their personal decision of transition, providing a supportive environment, which is open minded, honest and sensitive, ensuring a smooth transition at work.

We recognise that each individual will have different needs so will adapt our support on a case-by-case basis as far as is reasonably practical.

Together with the individual you can develop and agree an action plan regarding the process and managing the transition at work, including:

- If the employee wishes to change their name and present differently at work.
- People Leaders are to work with HR in all cases using the guidelines provided.
- how best to communicate the changes, or forthcoming changes, to colleagues and other stakeholders
- Job- if there is an occupational requirement, as defined by the Equality Act
- Facilities – See guidance notes
- Adjustment of records and systems – All records will be kept confidential and secure as per WCC policy and in line with GDPR.
- How they would like to be referred (he, she, they and agree how this is communicated to others.
- Education and raise awareness for colleagues

Further People Leaders guidance can be found [here](#).

Employee responsibilities

We encourage anyone going through the transitioning process to inform your People Leader or HR so you can get the support you may need. The employee should arrange a meeting with their People Leader to discuss an action plan (see section 5 People Leaders' responsibilities).

All employees are required to be supportive and accepting of their colleagues who are considering/panning, undergoing/undergone transitioning. All staff are to be mindful to use pronouns of the individuals' choice and respectful of the

individuals' choice of facilities which they use. Any derogatory language, behaviour and/or actions will not be tolerated and dealt with in line with the bullying and harassment policy.

Time off for treatment and appointments

Individuals going through the transitioning process will be granted leave and, in some circumstances, may be able to use the council's [special leave guidance](#), with joint agreement between the employee, People Leader and HR.

Support is also available through [Occupational Health](#) and the [Employee Assistance Programme](#).

Signposting and resources

- [Rainbow Network](#)
- [Employee Assistance Programme](#)
- Training: Diversity & Inclusion online
- ACAS: <http://www.acas.org.uk/index.aspx?articleid=2064>
- [a:gender](#) This is the support network for employees in government departments and agencies who have changed or need to change permanently their perceived gender, or who identify as intersex.
- [The Beaumont Society](#) This is a national self-help body run by and for transgender people. Its website provides links to a range of information and advice resources.
- [Consortium of lesbian, gay, bisexual and transgendered voluntary and community organisations](#) This is a national specialist infrastructure and membership organisation focusing on the development and support of lesbian, gay, bisexual and transgender groups, organisations and projects.
- [Equality and Human Rights Commission](#) This provides guidance on the Equality Act 2010 and has a range of research reports relating to transgender issues.
- [Gender Identity Research and Education Society \(GIRES\)](#) This seeks to improve the circumstances in which trans people live by changing the way society treats them. It provides advice to policy makers, acts as a consultancy service and provides training, promotes research and develops good practice guidelines and literature on gender identity.
- [The Gender Trust](#) This provides advice, information and support on gender identity issues to individuals and employers.
- [Government Equalities Office](#) This has responsibility across the Government for equality strategy and legislation.

- [Press for Change](#) This is a political, lobbying and educational organisation, which campaigns to achieve equal rights for trans people. Its website is a useful source of information on the law and research into trans issues. Its TransEquality project provides professional legal support to trans people in key areas of the law, and advice to businesses and non-profit organisations.
- [TransUnite](#) has access to verified transgender support groups.

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