

Trans Equality Policy for Employees

| | | |
|--|---|------------------------|
| POLICY NUMBER & CATEGORY | HR19 | Human Resources |
| VERSION NO & DATE | 1 | February 2018 |
| RATIFYING COMMITTEE | Workforce Subcommittee | |
| DATE RATIFIED | January 2018 | |
| ANTICIPATED REVIEW DATE: | January 2021 | |
| EXECUTIVE DIRECTOR | , Executive Director Operations | |
| POLICY LEAD | Equality, Diversity and Inclusion Lead | |
| POLICY AUTHOR (if different from above) | | |
| FORMULATED VIA | Workforce Subcommittee, Trade Unions (JOSC) and LGBT+ Staff Network | |
| POLICY CONTEXT | | |
| <p>Why is a Trans equality policy needed?</p> <p>Many large organisations and a number of smaller ones have employees who are Trans. Trans people play an active role in communities and organisations across the UK, including as employees. All benefit from attracting a diverse range of job applicants. A Trans person who is supported at work is likely to be a happy and therefore more productive and loyal employee. Some will be Transitioning in the workplace, and it is important to support these employees appropriately. The protected characteristic of 'gender reassignment' is recognised under the Equality Act 2010, The Trust will go above and beyond to ensure best practice is embedded, providing full protection on the grounds of gender identity and gender expression. This is to be inclusive of all Trans people and non-binary people.</p> | | |
| POLICY REQUIREMENT (see Section 2) | | |
| <p>The policy covers a wide range of topics, not solely focusing on arrangements for when a person Transitions.</p> <p>This includes:</p> <ul style="list-style-type: none"> • a statement of commitment from the Trust, maintaining dignity and respect at all times; • definitions of terms used, with an acknowledgement that language can evolve quickly, especially around gender identity; • information on the legal protections that Trans people have, including the importance of respecting confidentiality; • information on Trans equality in recruitment; • where to go and what will happen if someone experiences or witnesses Transphobic discrimination; • advice on support for an employee Transitioning at work; • information about how Trans equality will be promoted and monitored in the organisation; □ support for those with a family member who is Transitioning. | | |

CONTENTS

| | | |
|-----------|--|--------------|
| 1 | INTRODUCTION..... | 3 |
| | 1.1 Definitions..... | 3 |
| | 1.2 Rationale (Why)..... | 4 |
| | 1.3 Scope (Where, When, Who..... | 4 |
| | 1.4 Principles (Beliefs)..... | 4 |
| 2 | POLICY (What)..... | 5 |
| 3 | PROCEDURE..... | 6-8 |
| 4 | RESPONSIBILITIES..... | 8-9 |
| 5 | DELEVOPMENT AND CONSULTATION PROCESS..... | 10 |
| 6 | REFERENCE DOCUMENTS..... | 10 |
| 7 | BIBLIOGRAPHY..... | 10 |
| 8 | GLOSSARY..... | 11-12 |
| 9 | AUDIT AND ASSURANCE..... | 13 |
| 10 | APPENDICIES..... | 13 |

Appendix 1 Equality Analysis Appendix 2 Action Plan

1.0 INTRODUCTION

Birmingham and Solihull Mental Health NHS Foundation Trust (BSMHFT) is committed to equality of opportunity for Trans people throughout recruitment and employment, including supporting Trans employees through Transition. The Trust will not tolerate discrimination, victimisation or harassment on the basis of Transition, a person's gender identity and gender expression. The Trust will provide a supportive environment for Trans staff and create a culture and environment where Trans staff are able to thrive and are well supported during Transition.

The purpose of this policy is to assist managers and Trans employees in BSMHFT with practical information on workplace support and guidance.

Why 'Trans equality policy' not 'Gender reassignment policy'?

The Trust is committed to go above and beyond it legal duties to provide protection on the grounds of gender identity and gender expression. Trans people should be protected from discrimination and harassment at all times, not solely when they are Transitioning. Any policy must reflect that. Although the phrase 'gender reassignment' is used in the Equality Act 2010, it is now generally considered to be 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

'Trans' or 'Transgender' describes people whose gender identity differs from their sex assigned at birth. They are umbrella terms covering people who:

- are intending to undergo, are undergoing, or have undergone gender reassignment at any stage;
- identify as having a gender different from that which they were assigned at birth and are planning or have had medical interventions such as hormones or surgery;
- identify as having a gender different from that which they were assigned at birth, but who are not planning any medical intervention; and/or,
- An umbrella term for a person who does not identify as only male or only female, or who may identify as both', Stonewall

These are not mutually exclusive alternatives.

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.

BSMHFT recognises there is no right or wrong way to Transition and is committed to supporting each individual in their decisions.

Please see the glossary (section 8) for further information.

1.2 Rationale (Why)

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

1.3 Scope (where, When, Who)

This policy applies to all staff including TSS staff, agency staff and volunteers; providing guidance on how a Trans person should be supported and treated in a dignified, nondiscriminatory way. Discrimination against a Trans person should be challenged in line with the Dignity at Work Policy, whether the discrimination stems from staff, patients or the public and will not be tolerated.

1.4 Principles (Beliefs)

As well as ensuring that Trans staff are fully supported, BSMHFT will demonstrate our commitment to Trans equality in the following ways:

- Ensuring 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, such as Trans Day of Visibility (31st March) and Transgender Day of Remembrance (20th November)
- 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 staff 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
- Monitoring the implementation of this policy.

2.0 POLICY (What)

This policy provides guidance for the Trust's employees, line managers and Trans people on the expectations and other considerations that may be necessary. This policy needs to be considered alongside other Trust policies such as, Equal Opportunities Policy, Dignity at Work Policy and Management of Sickness Absence Policy.

Trans people are protected by the following legislative acts and where possible the Trust is committed to go above and beyond to protect employees on the grounds of gender identity and gender expression, to afford full protection to Trans employees:

2.1 Equality Act 2010

The Equality Act 2010 (England, Scotland and Wales) protects against discrimination because of gender reassignment in employment and service delivery. It bans direct and indirect discrimination

and victimisation. There is similar protection in Northern Ireland under the Sex Discrimination (Gender Reassignment) Regulations (NI) 1999.

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 correct gender.

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.

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. Employers should not ask for a person's GRC and it should never be a pre-condition for Transitioning at work. 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.

2.3 Genuine Occupational Requirements

In the vast majority of cases, the gender of a worker 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 employee transitioning at work, they will be redeployed into a suitable position.

3.0 PROCEDURE

BSMHFT has a zero-tolerance approach towards 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, deliberately using incorrect pronouns, disclosing or threatening to disclose an individual's Trans identity without their consent. Discrimination including harassment, third party harassment and victimisation are covered by the Equality Act 2010. Managers are responsible for taking timely action where misconduct occurs on the grounds of an employee's gender identity, in line with the Dignity at Work policy. This will be monitored and followed up.

3.1. Employees who are Transitioning at work

If an employee states that they are intending to Transition at work, 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 can be an extremely difficult step for someone to approach their manager about Transitioning.. BSMHFT is committed to reassuring all staff that they will be supported and respected. The Transition process will be led by the individual concerned.

3.2 Telling colleagues

The manager and employee will discuss the individual's preferences in relation to informing others, including other managers, colleagues, service users and other relevant contacts. They will agree whether the employee 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 get express written agreement from the employee about when and how this will happen, including the details of the message and who it will be shared with. Levels of disclosure may vary in detail for different types of contacts and will be agreed in advance.

3.3 Uniforms and dress codes

If a uniform is in place for the role, managers will ensure that the Trans employee has access to the uniform that best matches with their gender identity and/or gender expression. Some Trans employees, including non-binary employees, may need access to both the male and female uniforms. Managers will be flexible, and will support the preferences of the Trans person wherever possible. Trans staff have the right to comply with any dress codes in a way that reflects their gender identity and gender expression.

3.4 Changing facilities, toilets and other single sex facilities

Trans people are entitled to use single sex facilities in accordance with their gender. For non-binary people, this might mean using gender-neutral or accessible facilities, or using a combination of different facilities. However, Trans people will never be required to use accessible toilets unless they wish to do so.

3.5 Updating records

Electronic records will be updated in a timely manner, to coincide with the date on which the workplace Transition begins. Care will be taken to ensure that records do not link back to the former name; this may entail creating a whole new email address rather than simply changing the name on the existing one, for instance. The manager and employee will work together to ensure that nothing is missed. New security passes with the correct name and a new photograph will be issued, without any replacement cost to the Trans employee. Paper records will be updated where possible. Those which cannot be updated for instance, paper copies of references relating to the employee's recruitment or documents referencing the Trans employees previous details will be kept in a confidential envelope on the individuals file clearly marked as only to be looked at by named persons.

3.6 Pensions and national insurance

Where pensions, national insurance contributions or other benefits are dependent on legal sex, Trans people will be advised of the different implications of whether they do or do not have a Gender Recognition Certificate.

3.7 Professional registration

If the employee's job involves professional registration, the individual will check whether the registration body has a specific, confidential process for gender Transition. Further support and advice can be sought from HR if required.

3.8 Customer facing roles

There is no reason why an employee who is Transitioning should not continue in a customer facing role. However, some people might prefer a period of redeployment during Transition, or as a permanent change. Managers and HR will work with the Trans person to find a solution that meets the needs of both the employee and the service.

3.9 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. People 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 employees will be given reasonable time off to attend appointments and this should be facilitated where possible. In addition, Trans staff are entitled to the same sickness absence and pay as other staff in accordance with the Management of Sickness Absence Policy. For further information please refer to the guidance notes available on Connect.

3.10 Support for employees with a family member who is Transitioning

If an employee 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 to accommodate this.

3.11 Recruitment

3.11.1 Appointees

People who have already Transitioned have no obligation to disclose their gender history. Job applicants and interviewees will not be asked their gender identity during the recruitment process; this is not a relevant criterion in selection. Neither is there any obligation for a Transgender person to disclose this as a condition of employment. If they choose to disclose, this is not in itself a reason for not offering employment, and non-disclosure or subsequent disclosure is not grounds for dismissal. Appointing officers who become aware that an applicant is Trans will maintain full confidentiality in relation to this. The Trust may monitor gender identify applications via equality surveys as best practice, these will always be conducted in a confidential manner.

3.11.2 References

Where a reference request is received for an existing employee who has Transitioned, BSMHFT will respect the employee's privacy and only respond using the employee's affirmed name and gender in the reference.

Disclosure on sickness absence will not include time taken off for medical appointments related to Transition. This information is strictly confidential and managers must be very careful of any record keeping in this.

When BSMHFT requests a reference, we will make the request using the prospective employee's affirmed name and gender since Transitioning. We will not mention previous names or gender identity, unless specifically asked to do so (in writing) by the Trans person.

3.11.3 Criminal record checks/disclosure and barring

If the appointment requires criminal record checks, we will highlight to all applicants the confidential procedure available to Trans people.

3.11.4 Qualification certificates

BSMHFT recognises that it can be difficult and expensive for a Trans person to change their qualification certificates. If these are in a former name then where possible a record will be made that the certification has been seen, but a copy will not be taken. If it is absolutely necessary for the trust to store a copy, they will be stored securely and only accessed by named persons.

4.0 RESPONSIBILITIES

4.1 Employee

- Engaging with managers and HR around the logistics of Transitioning in the workplace
- Reporting any instances of harassment or bullying, victimisation or discrimination

4.2 Manager

- Ensuring that colleagues are informed about the employee's Transition, this should be led by the employee
- Maintaining confidentiality at all times, including securing paper documents and files
- Thoroughly investigating any instances of harassment or bullying, victimisation or discrimination
- Supporting the employee in any way that is necessary and appropriate

4.3 HR

- Ensuring that this policy is followed at all times
- Maintaining confidentiality, including securing paper documents and files

4.4 IT Department / Support Services

- Changing names, titles and pronouns on email and other systems
- Issuing updated security passes and ID badges

4.5 Learning and development

- Providing Trans equality training as a general part of the equality and diversity training programme

4.6 Trade unions

- Supporting the employee if they experience harassment or bullying, victimisation or discrimination
- Discussing and agreeing any changes to this policy

4.7 Further support available

- Should the individual require further support they can confidentially contact the Trusts Equality, Diversity and Inclusion Lead or the Dignity at Work Advisors. Contact details can be found on the Trust connect pages.

5.0 DEVELOPMENT AND CONSULTATION PROCESS

| Consultation summary | | |
|---|--|---|
| Date policy issued for consultation | January 2018 | |
| Number of versions produced for consultation | 1 | |
| Committees or meetings where this policy was formally discussed | | |
| Workforce Subcommittee/JOSC | May 2017 August 2017 December 2017 January 2018 | |
| Where else presented | Summary of feedback | Actions / Response |
| Trans-inclusion Drop in session Stonewall | Policy welcomed | More marketing required Trans Service User policy to be reviewed |
| Trade Unions | | |
| Staff Networks: <ul style="list-style-type: none"> • LGBT+ • BAME • Disability • Dyslexia Working Group | | |
| | | |

6.0 REFERENCE DOCUMENTS

unison.org.uk/out. Email out@unison.co.uk with any queries.

LGBT+ Staff Network Group

Stonewall - is a lesbian, gay and bisexual rights charity and includes information around Transgender <http://www.stonewall.org.uk/>

Gender Identity Research & Education Society – <http://www.gires.org.uk/>

Equality & Human Rights Commission – <http://www.equalityhumanrights.com/>

7.0 BIBLIOGRAPHY

HR Policies:
 Equal Opportunities Policy
 Dignity at Work
 Management of Sickness Absence

8.0 GLOSSARY

| | |
|---|---|
| Ally | A (typically) straight and/or cis person who supports members of the LGBT community. |
| 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. |
| 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. – use unison definition |
| 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 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. |
| Bi-gendered | A person who considers themselves to be both male and female at different times |
| Non-gendered | A person who does not identify with any gender |
| Gender Dysphoria or Gender Identity Disorder (clinical terms) | A person with gender dysphoria can experience anxiety, uncertainty or uncomfortable feelings about the gender they were born with. They may feel that they have a gender identity that is different from their biological sex. |

| | |
|--------------------------------------|--|
| Gender Reassignment | Is the term used to describe Transitioning from one gender to the other. The process may involve different stages, such as change of name and title, through to surgical intervention. |
| 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. |
| 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. |
| 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 is still used by some although many people prefer the term Trans or Transgender. |
| 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. |
| 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. |
| Non-binary | An umbrella term for a person who does not identify as only male or only female, or who may identify as both |
| 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. |

9.0 AUDIT AND ASSURANCE

| Element to be monitored | Lead | Tool | Frequency | Reporting Arrangements | Acting on Recommendations and Lead(S) | Change in Practice and Lessons to be shared |
|--|---|---|-----------|------------------------|---------------------------------------|---|
| Record Keeping, to ensure managers are confidentially storing sensitive information | Employee Relations Team /Equality, Diversity & Inclusion Lead / LGBT+ network | Audits of personal files | Ad hoc | Workforce Subcommittee | | |
| Monitor gender identify applications through the recruitment process to improve working environments for trans employees | Equality, Diversity & Inclusion Lead/ Workforce Team | Audit how the policy has been embedded across the trust | Ad-hoc | Workforce Subcommittee | | |

10.0 APPENDICIES

Appendix 1 - EQUALITY ANALYSIS

Equality Analysis Screening Form

| | | | |
|--|--|---|---|
| Title of Proposal | Trans Equality Policy for Employees | | |
| Person Completing this proposal | | Role or title | Branch Secretary – UNISON Equality, Diversity and Inclusion Lead LGBT+ Staff Network Co-chairs |
| Division | Human Resources | Service Area | Workforce and Inclusion |
| Date Started | January 2018 | Date completed | 12 February 2018 |
| Main purpose and aims of the proposal and how it fits in with the wider strategic aims and objectives of the organisation. | | | |
| The Trust will go above and beyond to ensure best practice is embedded to support Trans staff employed by the Trust, providing full protection on the grounds of gender identity and gender expression. This is to be inclusive of all Trans people and non-binary people. The policy widens the Trust's Equal Opportunities Policies and is in line with the Equality Act 2010. | | | |
| Who will benefit from the proposal? | | | |
| The policy will benefit Trans staff, non-binary staff and support managers in dealing with Trans issues in the working environment Trust wide. The policy will also advocate the Trust is providing an inclusive culture for all and will not tolerate any form of discrimination. | | | |
| Impacts on different Personal Protected Characteristics – Helpful Questions: | | | |
| <i>Does this proposal promote equality of opportunity? Yes</i> <i>Eliminate discrimination? Yes</i> <i>Eliminate harassment? Yes</i> <i>Eliminate victimisation? Yes</i> | | <i>Promote good community relations? No</i> <i>Promote positive attitudes towards disabled people? No</i> <i>Consider more favourable treatment of disabled people? No</i> <i>Promote involvement and consultation? No</i> <i>Protect and promote human rights? Yes</i> | |
| Please click in the relevant impact box or leave blank if you feel there is no particular impact. | | | |

| Personal Protected Characteristic | No/Minimum Impact | Negative Impact | Positive Impact | Please list details or evidence of why there might be a positive, negative or no impact on protected characteristics. |
|--|--------------------------|------------------------|------------------------|--|
| Age | Yes | | | The age of a person is irrelevant to Transition. |
| Including children and people over 65 Is it easy for someone of any age to find out about your service or access your proposal? Are you able to justify the legal or lawful reasons when your service excludes certain age groups | | | | |
| Disability | | | Yes | Where a Trans person identifies they have a disability reasonable adjustments will be put into place where necessary. This will be supported by the current line manager where possible. |
| Including those with physical or sensory impairments, those with learning disabilities and those with mental health issues Do you currently monitor who has a disability so that you know how well your service is being used by people with a disability? Are you making reasonable adjustment to meet the needs of the staff, service users, carers and families? | | | | |
| Gender | | | Yes | The policy promotes individual rights in particular around gender identify and gender expression, and provides support to managers as to how this can be achieved in the working environment. |
| This can include male and female or someone who has completed the gender reassignment process from one sex to another Do you have flexible working arrangements for either sex? Is it easier for either men or women to access your proposal? | | | | |
| Marriage or Civil Partnerships | Yes | | | No impact |
| People who are in a Civil Partnerships must be treated equally to married couples on a wide range of legal matters Are the documents and information provided for your service reflecting the appropriate terminology for marriage and civil partnerships? | | | | |
| Pregnancy or Maternity | | | Yes | Trans people will have equal rights for pregnancy or maternity based on their gender identity in line with the Pregnancy, Maternity and Adoption policy. |
| This includes women having a baby and women just after they have had a baby Does your service accommodate the needs of expectant and post natal mothers both as staff and service users? Can your service treat staff and patients with dignity and respect relation in to pregnancy and maternity? | | | | |

| | | | | |
|---|------------|--|------------|--|
| Race or Ethnicity | | | Yes | All Trans people will be treated with dignity and respect regardless of their race or ethnicity |
| Including Gypsy or Roma people, Irish people, those of mixed heritage, asylum seekers and refugees What training does staff have to respond to the cultural needs of different ethnic groups? What arrangements are in place to communicate with people who do not have English as a first language? | | | | |
| Religion or Belief | | | Yes | All Trans people will be treated with dignity and respect regardless of their religion or belief. The Trusts Spirituality Team can support where necessary. |
| Including humanists and non-believers Is there easy access to a prayer or quiet room to your service delivery area? When organising events – Do you take necessary steps to make sure that spiritual requirements are met? | | | | |
| Sexual Orientation | Yes | | | |
| Including gay men, lesbians and bisexual people Does your service use visual images that could be people from any background or are the images mainly heterosexual couples? Does staff in your workplace feel comfortable about being 'out' or would office culture make them feel this might not be a good idea? | | | | |
| Transgender or Gender Reassignment | | | Yes | The policy promotes individual rights in particular around gender identify and gender expression, and provides support to managers as to how this can be achieved in the working environment. |
| This will include people who are in the process of or in a care pathway changing from one gender to another Have you considered the possible needs of Transgender staff and service users in the development of your proposal or service? | | | | |
| Human Rights | | | Yes | This policy will provide further awareness in regards to Trans peoples in line with The Human Rights Act. |
| Affecting someone's right to Life, Dignity and Respect? Caring for other people or protecting them from danger? The detention of an individual inadvertently or placing someone in a humiliating situation or position? | | | | |
| If a negative or disproportionate impact has been identified in any of the key areas would this difference be illegal / unlawful? I.e. Would it be discriminatory under anti-discrimination legislation. (The Equality Act 2010, Human Rights Act 1998) | | | | |
| | | | No | |

| What do you consider the level of negative impact to be? | High Impact | Medium Impact | Low Impact | No Impact |
|--|-------------|---------------|------------|-----------|
| | | | Yes | |
| <p>If the impact could be discriminatory in law, please contact the Equality Diversity and Inclusion Lead immediately to determine the next course of action. If the negative impact is high a Full Equality Analysis will be required.</p> | | | | |
| <p>If you are unsure how to answer the above questions, or if you have assessed the impact as medium, please seek further guidance from the Equality, Diversity and Inclusion Lead before proceeding.</p> | | | | |
| <p>If the proposal does not have a negative impact or the impact is considered low, reasonable or justifiable, then please complete the rest of the form below with any required redial actions, and forward to the Equality, Diversity and Inclusion Lead.</p> | | | | |
| <p>Action Planning:</p> | | | | |
| <p>How could you minimise or remove any negative impact identified even if this is of low significance?</p> | | | | |
| <p>The Policy will support staff and help them feel empowered; this will mitigate any potential negative impact.</p> | | | | |
| <p>How will any impact or planned actions be monitored and reviewed?</p> | | | | |
| <p>Any issues will be looked at by the Trusts Equality, Diversity and Inclusion Lead and also by the LGBT+ Staff Network. The Policy will be reviewed every 3 years or before if required.</p> | | | | |
| <p>How will you promote equal opportunity and advance equality by sharing good practice to have a positive impact other people as a result of their personal protected characteristic.</p> | | | | |
| <p>The policy will support managers to embed good practice into their everyday role. Training on Equality, Diversity and inclusion will be provided to staff in order to make them more aware of the inequalities that can staff more aware, creating an inclusive culture for all.</p> | | | | |
| <p>Please save and keep one copy and then send a copy with a copy of the proposal to the Equality and Diversity Lead Bina Saini The results will then be published on the Trust's website. Please ensure that any resulting actions are incorporated into Divisional or Service planning and monitored on a regular basis.</p> | | | | |

Full Equality Analysis Form

| | | | |
|---|--|-----------------------|--|
| Title of Proposal | | | |
| Person Completing this proposal | | Role or title | |
| Division/Department | | Service Area | |
| Date Started | | Date completed | |
| Looking back at the screening tool, in what areas are there concerns that the proposal treats groups differently, unfairly or disproportionately as a result of their personal protected characteristics? | | | |

| | | |
|---|---|--|
| | | |
| Summarise the likely negative impacts | Summarise the likely positive impact | |
| | | |
| What previous or planned consultation or research on this proposal has taken place with groups from different sections of the community? | | |
| | Please provide list of groups consulted. | Summary of consultation / research carried out or planned. If already carried out, what does it tell you about the negative impact? |
| Group(s) (Community, service user, stakeholders or carers) | | |
| Staff Group(s) | | |

| | | | |
|---|--|---------------------|--|
| What up-to-date information or data is available about the different groups the proposal may have a negative impact on? | | | |
| | | | |
| Are there any gaps in your previous or planned consultations, research or information? If so are there any other experts, groups that could be contacted to get further views or evidence? | | | |
| Yes | | No | |
| If yes please list below | | | |
| | | | |
| As a result of this Full Equality Analysis and consultation, what changes need to be made to the proposal? (You may wish to put this information into an action plan and attach to the proposal) | | | |
| | | | |
| Will any negative impact now be: | | | |
| Low: | | Legal: | |
| | | Justifiable: | |
| Will the changes made ensure that any negative impact is lawful or justifiable? | | | |
| | | | |
| Have you established a monitoring system and review process to assess the successful implementation of the proposal? Please explain how this will be done below. | | | |
| | | | |
| Action Planning: How could you minimise or remove any negative impact identified even if this is of low significance? | | | |

| |
|--|
| |
| How will any impact or planned actions be monitored and reviewed? |
| |
| How will you promote equal opportunity and advance equality by sharing good practice to have a positive impact other people as a result of their personal protected characteristic? |
| |

Please save and keep one copy and then send a copy with a copy of the proposal to Bina Saini, Equality, Diversity and Inclusion Lead

The results will then be published on the Trust's website. Please ensure that any resulting actions are incorporated into Divisional or Service planning and monitored on a regular basis.

Appendix 2 - ACTION PLAN

The Trans employee and their manager might find it helpful to put in place an action plan, or to agree a check list to clarify the actions that will be taken over the course of the employee's Transition, dates by which these will be done, and the person who will take responsibility.

Please see use the table below to document your journey, the table can be modified to suit the individual's needs.

| |
|---|
| Are there any temporary or permanent changes / reasonable adjustments to the role which should be considered to support the employee? Considerations should include security aspects such as lone working, night working. |
| Is any time off required? If so how will this be managed? Consider flexible working methods, if appropriate) |
| What will the employee's title and name be? What pronouns will be used? When will they start using these? Will there be any phasing? |
| Are there any dress codes to be considered? Are new uniforms needed? |
| If applicable, how will single sex working requirements be managed? |
| When and how should colleagues be informed of the Transition? |
| Is there any guidance material which the employee wishes to share with managers and colleagues? |
| Should the employee encounter unacceptable behaviour towards them (colleagues or service users) who should this be reported to? |
| Are there any other actions not covered by above? |
| Is there an agreed date for when this action plan will be disposed of in accordance with the requirements of the Data Protection Act 1998? |
| Actions agreed |
| Date of next meeting |

Who needs to know?

| | Who will tell them? | When? | Date completed |
|-------------------|---------------------|-------|----------------|
| Senior Manager | | | |
| HR Representative | | | |
| Line manager | | | |
| Team members | | | |
| Other colleagues | | | |
| Others (specify) | | | |

| | Who will do this? | When? | Date completed |
|---------------------------------|-------------------|-------|----------------|
| HR Records | | | |
| Name badge | | | |
| IT systems including email | | | |
| Website | | | |
| Voicemail | | | |
| Internet/intranet address entry | | | |
| Union membership | | | |
| Pension scheme | | | |

| | | | |
|--------------------------------|--|--|--|
| Certificates/awards | | | |
| Personal file and related data | | | |
| Other: | | | |

Details of meetings

| Date | Comments | Actions | Date of next meeting |
|------|----------|---------|----------------------|
| | | | |
| | | | |