



TRANSGENDER EQUALITY POLICY

Introduction

The Company believes diversity and inclusion bring benefits to the business and that people work better when they can be themselves and feel that they belong.

We are committed to providing a working environment that is free from discrimination, harassment or victimisation and will ensure that our recruitment, promotion and retention procedures do not treat people less favourably because of their gender identity.

This policy outlines our commitment to ensuring that transgender employees are treated with dignity and respect and are not disadvantaged in the workplace. It also outlines how we support transgender employees so that they feel that they belong and are able to thrive.

The policy covers all employees, contractors, temporary workers and job applicants and applies to all stages of the employment relationship.

This policy should be read in conjunction with the following:

- Anti-Harassment & Bullying Policy & Procedure
- Equality & Diversity Policy

Terminology

We recognise that terminology around gender identity is evolving as awareness increases and more people choose to self-define. Transgender is an umbrella term describing the diverse range of people whose gender identity differs from the sex that they were assigned at birth. An individual may identify as transgender but may not identify with the binary concept of woman or man.

We acknowledge that gender identity and sexual orientation are not interchangeable concepts. Gender identity is about a person's internal sense of their gender. This may or may not align with the sex they were assigned at birth. Sexual orientation, or sexuality, is about to whom someone is physically and/or emotionally attracted. This may be to someone of the same sex ("lesbian" or "gay"), a different sex ("heterosexual" or "straight") or more than one sex ("bisexual"). We will not assume that a transgender colleague has a particular sexual orientation.

Managers and colleagues should respect how an individual chooses to describe themselves and, if in doubt, should ask rather than assume. Using inappropriate language and terminology can cause offence and distress and undermines our efforts to create an inclusive workplace.

Equality Act 2010

Gender reassignment is one of the nine protected characteristics covered by the Equality Act 2010. The Act protects a person from discrimination, harassment and victimisation if they are "proposing to undergo, are undergoing, or have undergone a process (or part of a process) of gender reassignment". There is no requirement for the person to be under medical supervision to be protected. Under the Act, a person who takes time off work for gender reassignment must not be treated less favourably in respect of employment decisions, for example by being denied access to training or promotion opportunities.

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

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

Gender Recognition Act 2004

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

An application for a GRC will be made to the Gender Recognition Panel. Individuals are required to provide a medical diagnosis of gender dysphoria and evidence that they have lived in their acquired gender for two or more years and intend to do so permanently.

We will never ask an employee if they have a GRC or require anyone to apply for one for employment purposes.

How we support transgender equality

We recognise that job applicants and employees are not required to tell us their gender identity or gender history. The gender in which an individual chooses to present will always be acknowledged and respected. This extends to individuals who identify as non-binary, i.e. they do not regard their gender identity as exclusively male or female.

To promote a workplace that is inclusive of people, regardless of their gender identity, we adopt the following approach.

Recruitment and selection

We wish to attract applicants from as wide a talent pool as possible and the recruitment process is designed to be inclusive of applicants regardless of their gender identity. Except in exceptional defined circumstances, a job applicant's gender identity is irrelevant. In an exceptional circumstance where the nature of a specific role might lawfully prevent someone who is transitioning from applying, legal advice must always be sought in advance of advertising.

Job advertisements should make clear that opportunities are open to all suitably qualified applicants. If this statement makes explicit reference to not discriminating on particular grounds, this reference should extend to all of the protected characteristics, including gender reassignment. Where an application form is used, this should not include a question about previous names as this may deter an individual who has transitioned from applying.

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

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

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

Monitoring

We gather and analyse information relating to the diversity of the workforce and applicants for employment and promotion. Equality monitoring enables us to identify under-representation and disparities of experience between different groups. Monitoring data helps inform our priorities for action and provides a baseline for measuring progress. Gender identity is included among other personal characteristics in our equality monitoring criteria.

The disclosure of personal information by employees/job applicants is voluntary and employees may withdraw their consent to its processing at any time. Any

information disclosed will be treated in confidence, stored securely and used only to provide statistics for monitoring purposes in accordance with our data protection policy / policy on processing special categories of personal data. When communicating monitoring data, we will ensure that it is anonymised to avoid identifying individuals.

Employment

An employee who is transitioning may wish to be redeployed on a temporary or permanent basis e.g. their role involves particular tasks that will be difficult to undertake if undergoing a particular type of treatment (for example, hormone therapy that causes fatigue). Requests to be redeployed will be discussed with the employee and, where possible, we will seek to accommodate the employee's wishes. This will include agreement on whether the redeployment is to be temporary or permanent.

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

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

Where pension and insurance providers request disclosure of an individual's gender identity, we will ensure that this requirement has been checked with the underwriter and the requirement is made clear in any scheme information provided to employees. In such circumstances, the employee's written consent will be obtained before disclosing their gender history and status.

Names and pronouns

We will take all necessary steps to ensure that an individual's change of name is respected. Whether intentional or not, consistently addressing a transgender employee by their previous name (known as "dead naming") is distressing to the individual and impacts on their sense of belonging.

A GRC is not required to enable someone to change their name and we will never ask an individual if they have a GRC to verify a name change.

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

Updating employee records

An individual does not need a GRC to request that their details are updated on their employment records. The individual will be treated in the same way as other employees wishing to update their details. We will agree with the individual what

paper and electronic records need to be changed. These will include those records that may contain names, titles and other personal identifiers such as photographs on the Company's website and intranet.

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

Confidentiality

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

Where there is a need to retain documentation that shows someone's gender history, this information will be stored confidentially in line with the requirements of data protection legislation. The information will be held electronically in a secure environment (for example, password protected) that can be accessed only with the consent of the individual concerned. Only named individuals will be allowed to access this information and those individuals will be made aware that breaches of confidentiality could be unlawful and result in disciplinary action.

Care will be taken to ensure that any search of the organisation's records by others will not inadvertently reveal an employee's gender history.

It is an individual's decision as to whether they choose to reveal their gender status and we will respect their right to privacy. The right to privacy will apply regardless of whether or not the individual has a GRC.

Where an employee discloses information about their gender history or status (verbally or in writing), this will be treated as confidential. This includes any information provided to the line manager or the People Team. Such information will not be shared with others, unless there is a specific reason and then not without the written consent of the individual concerned. Disclosure of the gender history of someone with a GRC without their specific permission would normally be a criminal offence.

Information relating to an employee's gender status or history will not be disclosed to a third party without the individual's consent, for example when responding to a reference request.

Communication

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

The employee may wish to tell colleagues about their transition or may prefer for this to be done by someone else on their behalf. We will encourage the individual to do what is best for them and, if the employee is not ready to tell anyone at the early stages, we will respect the employee's wishes. The employee is entitled to privacy and we will seek to protect them from intrusive enquiries.

Where an employee has a public or client-facing role, we will discuss with the individual what third parties need to know and how this should be handled.

We will be mindful of possible media interest and establish a protocol for handling media interest to ensure that:

- a transgender employee is not left to deal with this alone; and
- their colleagues understand the importance of not compromising the individual's right to privacy.

Bullying and harassment

We adopt a zero-tolerance approach to harassment, bullying or victimisation and such behaviour may result in action being taken under the Disciplinary Policy & Procedure.

Examples of harassment against transgender people include:

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

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

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

Toilets and facilities

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

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

Dress codes

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

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

Training on transgender equality and gender reassignment

Information on transgender equality and gender identity is an integral part of our equality-awareness training for our employees. The aim is to help our workforce to understand what is and is not acceptable behaviour and to differentiate myth from reality, thereby minimising the potential for conflict arising from misunderstandings.

Discrimination because of gender identity is included in other training as appropriate, for example, induction, recruitment and selection, performance management and customer-care training.

Supporting an employee who is transitioning

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

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

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

The plan will consider what steps to take before, during and after the employee's transition. No action will be taken without the employee's consent.

It is important to develop a plan that is bespoke to the individual employee. Some of the key issues to address are likely to include:

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

Transitioning is a process that takes time, and, to help both parties, regular review meetings will be arranged to manage the process. This will ensure that the right support is in place and enable the plan to be amended as things change. Effective support for someone who is transitioning requires dialogue, agreed action and respect.

Amendments to this policy

This policy is non-contractual and may be amended from time-to-time in line with changes to legislation and best practice.