



Trans Inclusion Policy

Policy Statement and Commitment to Trans equality

Twin Group values the diversity of the United Kingdom (UK) and the other countries it works in. Due to the numerous services and training courses, the work of the Twin Group involves developing relationships with people from a wide range of backgrounds. Engaging positively with the richness of this diversity is central to Twin Group. We aim to create a supportive environment in which all our staff, participants, contractors and everyone with whom we do business with feel equally welcome and valued, and in which Transphobic behaviour is not tolerated.

Twin Group recognises that there can be differences between a person's assigned gender and their gender identity/expression. Twin Group will adopt an inclusive approach and will not discriminate against people on the grounds of crossdressing, gender expression, Transsexualism, intersex conditions or any process of gender reassignment, begun or complete.

Twin Group will ensure that:

- Where an individual has disclosed their Trans status to Twin Group on a confidential basis, their confidentiality will be respected and information about their Trans status will not be revealed without their prior agreement.
- Staff will have equal access to employment, promotion, rewards and training opportunities regardless of their gender identity or expression.
- Participants will have equal access to programmes and courses, progression to other courses, and all educational activities regardless of their gender identity or expression.



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- Transphobic abuse, harassment or bullying (e.g. name calling/derogatory jokes, unacceptable or unwarranted behaviour, intrusive questions. See Appendix 1, Glossary of terms for full definitions) will be treated as a serious disciplinary offence and will be dealt with under the appropriate staff or participant disciplinary procedures.

Scope

This policy covers all employees, participants, contractors and everyone we do business with.

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,
- are non-binary – that is, they are not solely male or female. They may define themselves as both, neither or something entirely different. They may or not have medical interventions to align their body with their non-binary gender identity.

These are not mutually exclusive alternatives.

'Transitioning' is the process undertaken by a Trans person in order to bring their gender presentation into alignment with their gender identity. This often involves dressing differently, using a different name and pronoun (e.g. she, he or they) and changing official documentation. It may involve various types of medical or surgical treatment, although this is not the case for all Trans people.

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



Legal context

Equality Act 2010

Twin Group recognise the importance of the Equality Act 2010 and reject unlawful and unfair discrimination on the basis of the nine protected characteristics : age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation..

We are committed to:

- Eliminating unlawful discrimination, harassment, victimisation, and other conduct prohibited by the act.
- Advancing equality of opportunity between people who share a protected characteristic and those who do not.
- Fostering good relations between people who share a protected characteristic and those who do not.

We are committed to implementing policies, strategies and procedures that promote equality of opportunity by:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.



The Act offers far-reaching protection from discrimination on grounds of gender reassignment and protects:

- a person who has proposed, started or completed a process to change their gender;
- Trans people who are not under medical supervision;
- people who experience discrimination because they are perceived to be Trans;
- people from discrimination by association because of gender reassignment, e.g. the parents of a Trans child from being discriminated against because their child is Transitioning .

The Act also makes it unlawful on the grounds of gender reassignment to:

- subject someone to harassment, unwanted conduct that violates a person's dignity and creates an intimidating, hostile, degrading, humiliating or offensive environment
- victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint of discrimination
- discriminate against someone in some circumstances after the working relationship has ended.

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.

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. So being asked to show a GRC as a condition of changing employment details is like being asked to show a full driving licence before you can apply for a provisional one.



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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.

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. They are likely to worry about the response. Twin Group is committed to reassuring all staff that they will be supported and respected. The transition process will be led by the individual concerned.

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.

Dress code

Trans staff have the right to comply with any dress codes in a way that reflects their gender identity and gender expression.

Changing facilities, toilets and other single sex facilities

Trans people are entitled to use single sex facilities in accordance with their correct gender. For non-binary people, this might mean using gender-neutral or accessible



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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.

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 – will be stored in a secure place, and clearly marked as only to be looked at by named persons.

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.

Attendance at appointments and time needed for treatment and surgery

Special leave will be given in order for employees to attend transition-related appointments and treatment. These absences will not be counted in relation to absence monitoring, included in absences for references, taken into consideration for performance monitoring or, for instance, during redundancy procedures. In addition, trans staff are entitled to the same sickness absence and pay as other staff. 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.



Action plan or check list

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.

Recruitment

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 – it 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.

References

Where a reference request is received for an existing employee who has transitioned, Twin Group will respect the employee's privacy and only respond using the employee's correct 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 Twin Group requests a reference, we will make the request using the perspective employee's correct 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.



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. Applicants can contact the sensitive applications team on 0151 676 1452 or email sensitive@dbs.gov.uk. Please note, that the telephone number also has an out-of-hours answering machine where applicants can leave their details, and a member of the team will call them back.

Qualification Certificates

Twin Group 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 Twin Group to store a copy, they will be stored securely and only accessed by named persons.

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.

Training and awareness raising

Awareness of Twin Group's commitment to Trans equality will be promoted by inclusion of the issue in the equality & diversity training that is a mandatory element in the induction programme for all staff. Participants will be made aware of this policy during Induction to their proposed programme of study/training. This policy will be available on Twin Group's intranet site staff pages. Specific Trans equality awareness training will be offered to all Twin Group employees, including managers and HR staff.

Promotion of Trans Equality

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



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- Ensuring that all programmes 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, victimisation or discrimination on the grounds of gender identity, gender history, Trans status or gender expression.
- Monitoring the implementation of this policy.



Appendix 1

Glossary of terms

Gender

The state of being male or female, typically used with reference to social and cultural differences rather than biological ones.

Gender binary

The classification of sex and gender into two distinct and disconnected forms of masculine and feminine

Gender expression

A person's external gender-related behaviour and appearance, including clothing.

Gender fluid

Having a gender identity which varies over time

Gender Identity

The sense of being male or being female regardless of physical anatomy or biological sex

Gender Reassignment

Also, gender confirmation, which involves hormone therapy and surgery, to help Trans people appear more masculine or feminine

Gender recognition panel

The gender recognition panel was set up by the Gender Recognition Act 2004 and consists of lawyers and doctors who assess whether an individual is able to satisfy the Act's evidence requirements for the issuing of a GRC.

Gender Recognition Act (2004)

An act of Parliament that allows Trans people to change their gender and apply for a Gender Recognition Certificate (GRC).

Gender Recognition Certificate (GRC)

A Birth certificate which indicates the new legal sex and name of the Trans individual. Granted by the Gender Recognition Panel once criteria is met.

Intersex

A general term for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not fit the typical definitions of female or male.



Legal sex

The sex recorded on your birth certificate. Rarely relevant at work. Currently binary in the UK. Changed by applying to Gender Recognition Panel.

Non-binary person

A person who does not identify as solely male or female. They may identify as both, neither or something entirely different

Real life experience

Real life experience is a phase during gender reassignment in which the individual must live, work and study in the gender with which they identify before they can start hormone therapy and/or undergo surgery.

Trans

Used as shorthand to mean Transgender or Transsexual. Also an inclusive term for the wider variety of gender identities including cross-dressing and Trans expressive.

Transgender or Trans person

A person whose gender identity does not conform to the sex they were assigned at birth. These are inclusive, umbrella terms, including people who describe themselves as transsexual, cross dressing people, and people who have a more complex sense of their own gender than either 100% female or 100% male

Transitioning

Describes the process of the different elements and stages involved in changing from one gender to another.

Transphobia/Transphobic

Comprises various forms of negativity towards Transgender individuals or as a social group and is the irrational hatred, intolerance, dislike and fear of Transgender people.

Transsexual

An older term to describe a person who emotionally and psychologically feels that they belong to the opposite sex or who has Transitioned from one gender to another.

Transvestite

An older term to describe a cross-dresser

Trans man

A person may describe themselves as a Trans man when they are transitioning or have Transitioned from female to male.

Trans woman

A person may describe themselves as a Trans woman when they are transitioning or have Transitioned from male to female.