



Trans and gender equality in the workplace
11 August 2022
10am



Introductions

Presenters



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Technical support



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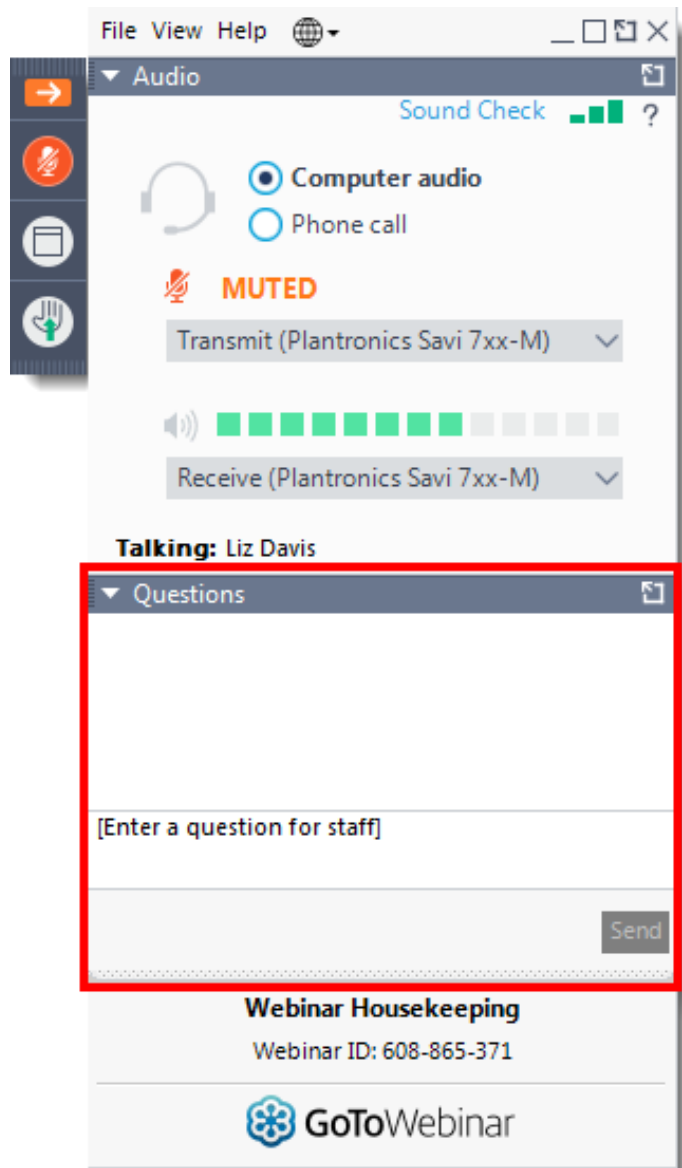




A group of diverse people are seated in a meeting or classroom setting. In the center, a man with a beard and glasses is raising his right hand. To his left, a woman with long dark hair is looking towards the front. To his right, a woman with long blonde hair is also looking forward. In the background, other people are visible, some holding notebooks. The scene is brightly lit with indoor plants and bookshelves in the background.

How to ask questions

GoToWebinar Housekeeping: Time for Questions



Your Participation

- Please continue to submit your text questions and comments using the Questions panel



Agenda

- Introduction
- The importance of trans equality in the workplace
- What does it mean to be transgender?
- How can employers support trans employees?
- Understanding gender transition
- Sources of guidance
- Q & A

Introduction

- Trans is an alternative word to transgender
- It is an umbrella term for someone who experiences gender incongruence, gender diversity or gender dysphoria meaning they are uneasy or not in harmony with their gender and/or sex
- Gender equality in the workplace means people of all genders have equal rights and opportunities
 - Recruitment Promotion
 - Career progression
 - Equal pay and benefits
 - Training and development

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The importance of trans equality in the workplace

- Morally important
 - Treating all employees with dignity and respect
 - Recognising that employees have many great things in common as well as having many great differences setting them apart
 - Treat people just as you wish to be treated
- A diverse workplace culture brings:
 - Different ideas, views, backgrounds and experiences
 - Enhances creativity
 - Promotes fairness and equality
 - Great place to work
- Legally responsible employer
 - Safeguard the organisation from potential claims
 - Equality Act 2010

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What does it mean to be transgender?

Trans encompasses a variety of ways in which someone can identify themselves. It is not restricted to someone who intends to undergo, are undergoing, or have undergone gender transition.

	Why?
Bi-gender	A person who considers themselves to be both male and female at different times.
Cis/cisgender	Where the person's sex assigned at birth and gender identity are matching.
Deadnaming	Calling someone by their birth name after they have changed their name
Gender dysphoria/incongruence	The person experiences distress due to the mismatch between the sex they were assigned at birth and the gender they identify with
Gender fluid	Someone who changes how they feel about their gender from time to time, and may identify as a woman on some days, as a man on others, or as a combination of both.
Gender neutral	Someone who does not identify with any gender but may embrace aspects of both man and woman and may possibly fall on a spectrum between the two.
Gender reassignment (or transitioning)	Process by which a person aligns their life and physical identity to match their gender identity

This is not an exhaustive list.

What does it mean to be transgender?

Trans encompasses a variety of ways in which someone can identify themselves. It is not restricted to someone who intends to undergo, are undergoing, or have undergone gender transition.

	Why?
Gender recognition certificate	A certificate enabling an individual to be legally recognized in their affirmed gender
Intersex	This is a physical medical condition that describes someone whose anatomy or physiology differs to what constitutes either male or female. For some, it can mean their anatomy is neither male or female.
Non-binary	A person who has a non-binary identity, means they neither identify as male nor a female. They may say they are neither gender or may have some other sense of gender.

Language evolves – it is important to know that not only is this list non exhaustive, but it is important for employers to keep up to date with how gender equality evolves so that the correct language and pronouns can be used.

Agenda

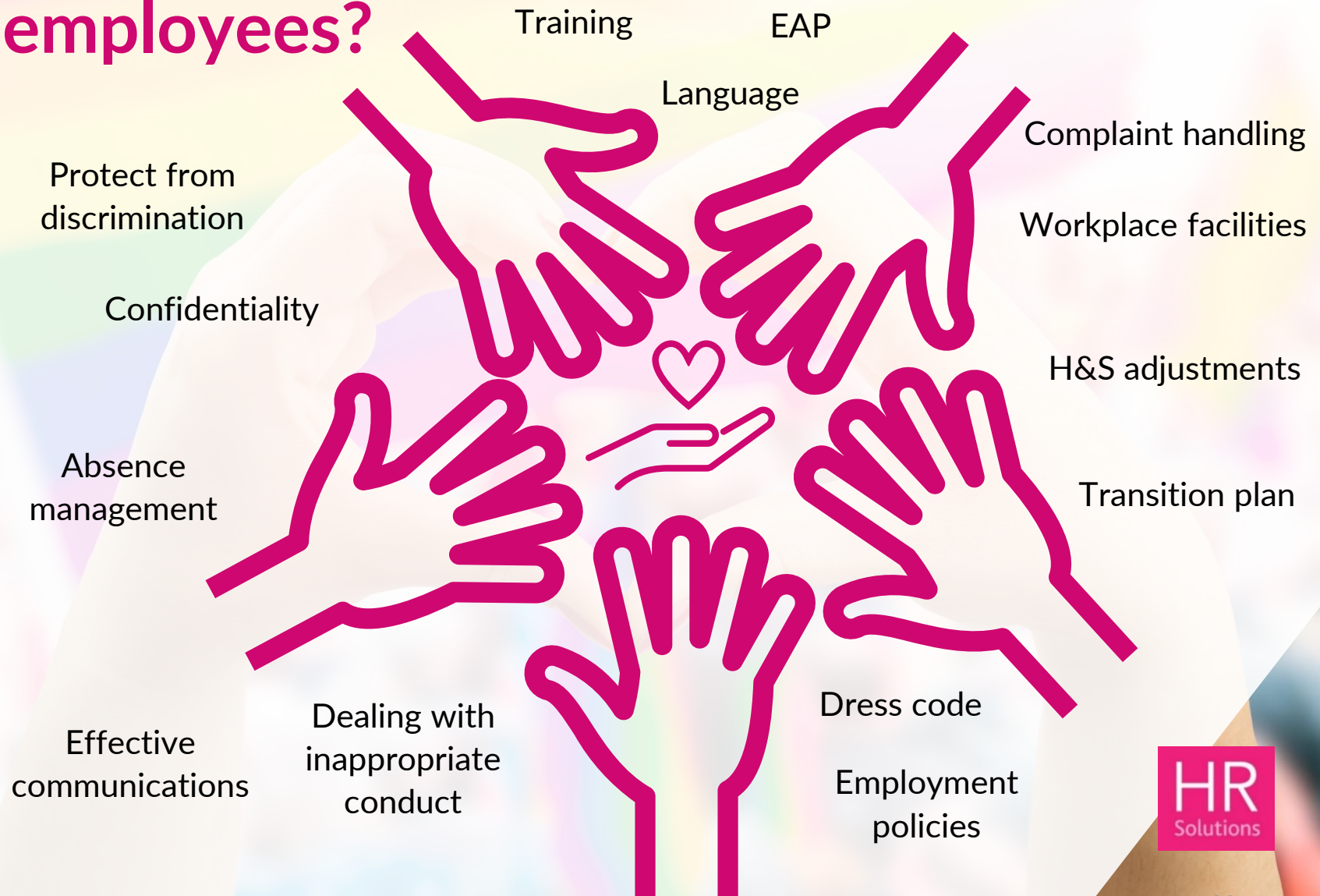
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The image features two hands in the foreground, positioned to form a heart shape. The hands are light-skinned and have red nail polish. The background is a blurred scene of a rainbow flag and a crowd of people, suggesting a Pride event or a supportive community. The text "Supporting your employees" is centered within the heart shape.

Supporting your employees



How can employers support trans employees?



How can employers support trans employees?

- Protection from discrimination
 - Gender recognition, sexual orientation, marriage and civil partnership are all protected characteristics (PC)
 - Protects against unfair treatment and less favourable treatment on the grounds of their PC
 - Effective policies in place and complaints dealt with promptly
- Confidentiality
 - Sexual orientation and health is special category data meaning it needs more protection than other types of data due to its sensitivity
 - Reasonable to conclude medical data relating to the gender reassignment process is special category data
 - Although not specifically stated in the UKGDPR
 - Ensuring compliance with GDPR is vital

How can employers support trans employees?

- Effective communications
 - General company wide
 - Handbooks, memo's, team briefings, awareness to build inclusive work culture
 - Specific gender reassignment
 - Take the lead from the employee
 - How much to communicate, to whom, how and when
- Training
 - Provide Equality, Diversity & Inclusion training
 - Helps to create a diverse and inclusive workplace culture
 - All employees, as well as Line Managers, and not a one off event

How can employers support trans employees?

- Language
 - Being respectful includes correct use of language and pronouns
 - Personal to each employee as to how they would like to be known
 - Managers rely on the employee to tell them of their pronoun
 - Intentionally or misgendering another employee persistently may be deemed as harassment or bullying.
- Dealing with inappropriate conduct
- Complaint handling
 - Necessary to maintaining an inclusive, diverse workplace culture
 - Address bullying, harassment and discrimination
 - Use the disciplinary and grievance procedures as appropriate, as well as any separate bullying policy you may have

How can employers support trans employees?

- EAP
 - Mental ill health disproportionately impacts those who are transgender by almost 4 x (WHO)
 - Can arise because of transphobia and discrimination
 - Also affects those who suffer from gender dysphoria – describes the unease because of a mismatch between a person's biological sex and gender identity (NHS)
 - EAP useful support tool for employees and line managers
- Employment policies
 - Consider how other policies play a part in supporting transgender employees
 - Review and update company policies to ensure they continue to be inclusive of transgender employees
 - Consider developing a dedicated Trans and Gender Equality Policy for your workplace

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Understanding gender transition

- Transgender = someone who has a gender identity which differs from the sex that they were assigned at birth.
- Not everyone undergoes medical procedures to align their physical identity to match their gender identity. Will be protected from discrimination.
- The medical process when transitioning is called gender reassignment
- The Gender Recognition Act 2004 does not require a person to have a Gender Recognition Certificate to be protected under the Equality Act
- Protected characteristic of the Equality Act 2010:
 - Are proposing to undergo a process, or part of a process
 - Are currently undergoing a process or part of a process
 - Have undergone a process or part of a process
 - Taylor v Jaguar Land Rover Ltd

Understanding gender transition

“Saying that I was ‘born a girl’ implies (or really directly states) that I was once a girl – which I was not. Although I haven’t always had the words, resources or courage to explain myself, I have always been me; a man. Even when I ‘looked like a girl’, I was still me, a boy. That is, transition is not about changing genders; its about shifting presentation to match the already existing identity. I did not change who I am. I did not change my gender, I just gained the vocabulary, freedom and confidence to express myself authentically.”

Schuyler Bailar

Understanding gender transition

By Schuyler Bailar

Schuyler Bailar is an international speaker, author and advocate for trans inclusion, radical body acceptance and mental health awareness

✗	✓
He was born a girl	He was assigned female at birth
When he was a girl	When he presented as female
He changed genders	He transitioned
Before he became a boy	Before he transitioned
He turned into a boy	He transitioned

Understanding gender transition

- It is an employee's personal choice if they inform their employer of their intention to transition
- A personalised transition plan is important to the line manager and employee who is transitioning. It will support the transition before, during and after and allow the business to manage appropriately
- Should be subjected to review and update as required
- Remain confidential and stored securely with access restricted only to the employee, the line manager, and any other relevant person as agreed by the employee.
- Consider developing a specific policy for managing gender recognition.

Understanding gender transition

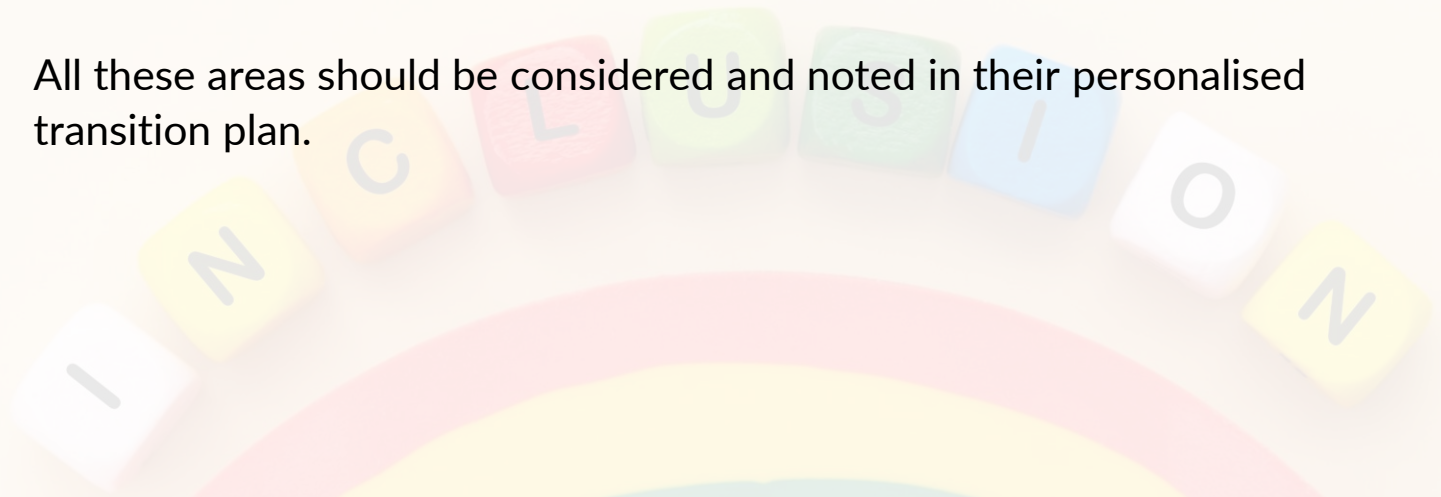
- Workplace facilities
 - Employees who have transitioned must be allowed to use facilities appropriate to their gender
 - You must not require transgender employees to use unisex disabled toilets unless they choose to do so.
 - Takes effect once they have started living in the acquired gender on a full-time basis
 - Applies to every transgender employee regardless of whether they have chosen to transition with the use of medical treatment
- H&S adjustments
 - Different workplace needs at various stages of their transition
 - E.g. certain duties should be avoided at specific stages of their transition such as heavy physical work
 - Both parties must agree and capture in the transition plan

Understanding gender transition

- Dress Code
 - Consider how you can flex the dress code rules to support the employee through transitioning to help them feel more comfortable
 - General support of someone wearing clothing appropriate to their gender
 - Uniforms must be provided in the employee's corresponding gender, discuss and agree effective date
- Absence management
 - Transitioning related absences treated in the same way as other sickness or medical related absences
 - Where business needs allow, be as flexible as possible in dealing with short notice requests
 - OHR and other medical advice crucial to support an employee.

Understanding gender transition

- Employee records and systems
 - Understand what records and systems need changing and from when
 - Discuss what records need changing, including those with external 3rd parties such as HMRC, Pensions
- All these areas should be considered and noted in their personalised transition plan.



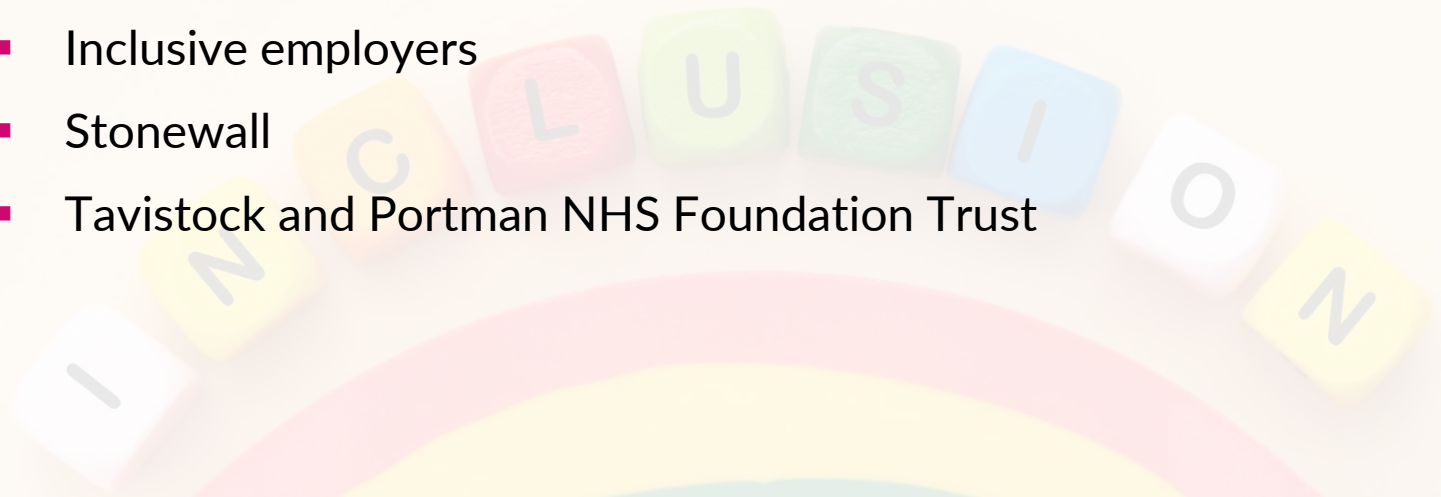


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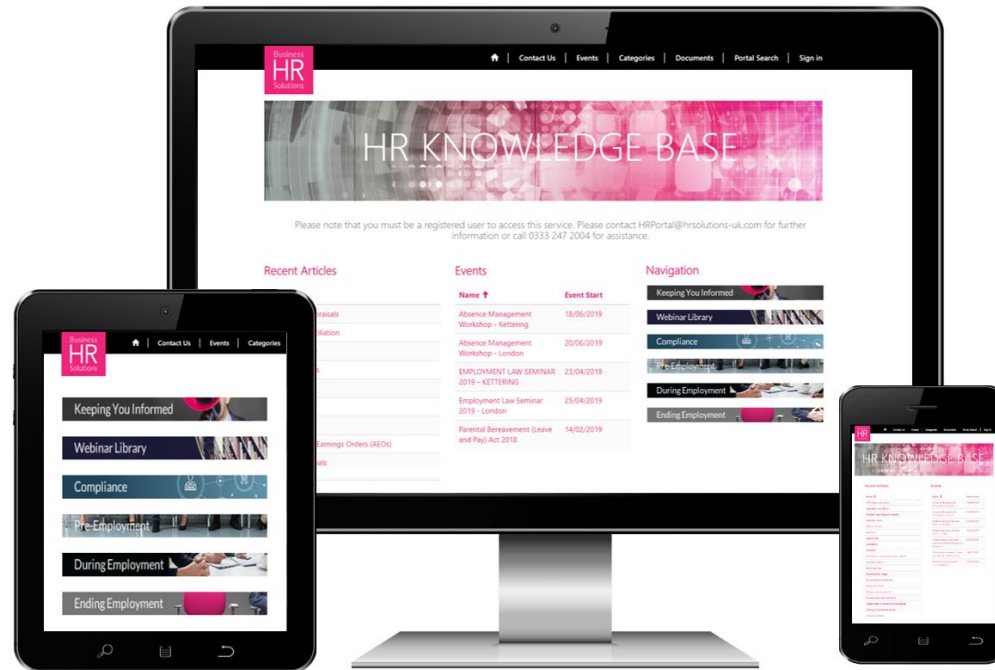
Sources of guidance

- The Equality and Human Rights Commission
- The Beaumont society
- Equality and Advisory Support Services
- Gender Identity Research and Education Society (GIRES)
- Gender Trust
- Inclusive employers
- Stonewall
- Tavistock and Portman NHS Foundation Trust



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HR, Management & Development (Online)

Equality & Inclusion

6 September, Tuesday | 9:30am

Holding Difficult Conversations

13 September, Tuesday | 2pm

Employment Law for Managers

6 October, Thursday | 9:30am

Managing the Disciplinary Procedure

18 October, Tuesday | 9:30am

Effective Appraisal Skills

8 November, Tuesday | 2pm

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Health & Safety Training Courses

Level 2 Fire Safety/Fire Marshall 30 August, Tuesday | 9.30am – 4.00pm

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Level 2 Emergency First Aid at Work 13 September, Tuesday | 9.30am – 4pm

Level 2 Food Safety 20 September, Tuesday | 9.30am – 4.00pm

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UPCOMING WEBINARS

H&S at Work: Directors Responsibilities in H&S

18 August | 10am – 11am

H&S at Work: Fires Safety & Law

25 August, Thursday | 12pm – 1pm

Safeguarding in the Workplace

29 September, Thursday | 12pm – 1pm

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Managing a successful return to in-person work social events

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Working with Trade Unions

2023 – Planning for the year ahead

10 things to consider when managing people

Hybrid working and contracts of employment

Ending employment – fair reasons for dismissal – what options do you have?

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FEATURED SEMINAR

Your People Strategy in a Day

27 September | Kettering Park Hotel

Do you know what the biggest challenges and risks are facing your business?

Do you know how you can get your people to reach their full potential to maximise their contribution to the business?

Did you know that a strategic people plan can transform your organisation?

Join us in this one-day, practical workshop as we take each of these critical questions and work with you to create your own strategically focussed people plan specific to your business.

You will be given your own workbook to complete throughout the day and participate in group discussions and you will leave the workshop having created your own strategic people plan.

Secure your place today!

<https://www.eventbrite.co.uk/e/your-people-strategy-in-a-day-how-to-transform-your-organisation-tickets-376394284437>

FEATURED SEMINAR

7 Key Successes Seminar

13 September | Kettering Park Hotel

Join us as we team up with internationally renowned Chartered Accountants, Nordens for this live seminar.

Following on from the SME Business Survey which we ran back in December 2021, this seminar will offer the opportunity for business owners to take an in-depth look at the findings, and what the next steps are for your business.

This is a practical session that will look at how to maximise profit and potential, alongside analysing the sales process, mindset, cashflow and much more.

As part of the session, you will have your own work book to make notes about your business, as well as create action plans for you to take away.

Secure your place today!

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Further questions?

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TO US

After the webinar, we shall be sending a short survey to capture your feedback, it would be appreciated if you could complete this survey so that we can constantly improve.



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