

Transgender Staff Support Policy

Version No: 3

Document Summary:

The purpose of this policy is to support employees who are considering undergoing, currently undergoing or have undergone gender reassignment.

The policy applies to all St Helens and Knowsley Teaching Hospitals NHS Trust employees, Lead Employer staff as well as volunteers and any applicants applying for employment with the Trust.

For the purpose of this document the term 'trans' will be used as it is a more encompassing term and generally accepted by the trans community. It is considered an umbrella term for all people who cross gender boundaries permanently or not (see Section 3 for further definitions).

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Approving body	Workforce Council
Date approved	July 2018
Date implemented	July 2018
Next review date	July 2021
Accountable Director	Deputy Director of HR
Policy Author	HR Business Partner
Applies to	All Staff including Volunteers and Lead Employer staff

The intranet version of this document is the only version that is maintained. Any printed copies should therefore be viewed as “uncontrolled”, as they may not contain the latest updates and amendments.

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Quick Reference Guide

This policy will support the Trust in the discharge of its Equality Duty by ensuring that members of staff involved in any aspect of the gender reassignment process have guidance to work with. It will support the staff member involved with the gender reassignment process in understanding the support that is available to them


The purpose of this policy is to provide guidance to Managers and staff about their role in supporting work colleagues who may be undergoing gender reassignment..

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Version Control

Version	Date Approved	Brief Summary of Changes	Author (Title)
1		New Policy	Head of Safeguarding & Public Protection and Head of Human Resources
2	TBC	Minor amendments made to sections regarding - Genuine Occupational Requirements - Uniforms and Dress Code - Attendance at Appointments and time needed for treatment and surgery - Support for employees with a family member who is transitioning	Head of Human Resources & Patient Inclusion and Experience Lead

Document Control

Document Number:	STHK0471	Title:	Transgender Staff Support Policy	
Equality analysis completed?	Yes	Sent for 2 week consultation on Trust intranet and to relevant staff:	Yes	
Approving Body:	Workforce Council		Date of Approval:	18 th July 2018
Author:	HR Business Partner/Patient Inclusion and Experience Lead		Status:	Policy
Brief Description of Amendments (if applicable):				
Minor amendments made to sections regarding				
- Genuine Occupational Requirements				
- Uniforms and Dress Code				
- Attendance at Appointments and time needed for treatment and surgery				
- Support for employees with a family member who is transitioning				
Does the document follow the Trust agreed format?				Yes
Are all mandatory headings completed?				Yes
Does the document outline clearly the monitoring compliance and performance management?				Yes
Approved?				
Approved after minor amendments?				
<i>Any amendments to be submitted to Approving Body Chair for final sign off</i>				
Not Approved?				
Policy Author Signature:		Yvonne Malkin/Cheryl Farmer		Date: 18th June 2018
Chair of Approving Body	Name / Title:	HR Business Partner/Patient Inclusion and Experience Lead		Date:
	Signature:			
			Review Date:	18 th July 2021

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1. Scope

This policy applies to all Trust employees, students, contractors, bank staff, temporary workers, volunteers, Lead Employer and applicants for employment with the Trust, and provides a framework for managers to support staff who identify with a gender other than that assigned at birth.

2. Introduction

St Helens and Knowsley Teaching Hospitals NHS Trust is committed to ensuring that all transgender (trans) employees, and individuals working within the Trust (and applicants applying for employment with the Trust) receive equitable treatment and protection from discrimination at work. This policy has been developed to ensure that there is a clear process to support Trans staff and to ensure that they are treated with complete dignity and respect, and in line with the law.

Research undertaken in the areas of employment, health provision, social exclusion and hate crime indicates that trans people experience disproportionate levels of discrimination, harassment and violence relative to the general population.

Gender reassignment is named as a protected characteristic under the Equality Act 2010. The Equality Act 2010 removed the requirement for medical supervision (including counselling), meaning that individuals who change the gender role in which they live, without any form of medical interventions are protected from discrimination by the Act.

An individual is protected under the Equality Act 2010 from the point at which they are considering transitioning, throughout their transition and afterwards.

The Equality Act also protects individuals associated with a trans person from discrimination (discrimination by association) e.g. siblings, friend etc.

3. Statement of Intent

St Helens and Knowsley Teaching Hospitals NHS Trust is committed to supporting any of its employees who have a protected characteristic.

The aim of this policy is to ensure that the provision for transgender employees is responsive to individual need, is prejudice free and challenges any discrimination individuals may experience.

The policy also aims to ensure that any individual who intends to undergo, is undergoing or has gone through the gender reassignment process receives the same fairness in treatment as any other member of staff in this Trust. In order to support this, the Trust will:

- Ensure that line managers understand their role and receive appropriate support and training
- Provide a supportive environment to assist individuals, line managers and colleagues before, during and after the gender reassignment process.

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4. Definitions

Gender: Often expressed in terms of masculinity and femininity, gender is largely culturally determined and assumed from the sex assigned at birth. The overwhelming majority of people have a gender that accords with their anatomical sex. Gender is less clearly defined than anatomical sex, and does not necessarily represent a simple 'one or the other' choice. Some people have a gender identity that is neither clearly male or female.

Gender Identity: A person's innate sense of their own gender, whether male, female or something else.

Gender dysphoria: This is the term used by clinicians to describe the condition that transsexual people present with – that is not feeling well or happy with their gender as assigned at birth, in terms of both their social role and their body. As a result they may experience anxiety, uncertainty or persistently uncomfortable feelings about their birth gender.

Gender Expression: How a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not confirm to societal expectations of gender may not, however, identify as Trans.

Gender Reassignment: is the personal, social and sometimes medical process by which a person's gender identity is changed. An individual may be at any stage of this process, but from the moment the decision is made to embark on the transition process, a person is given legal protection from discrimination under the Equality Act 2010.

Gender Role: the way a person lives in society and interacts with others based on their gender identity.

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.

Non-binary: an umbrella term for a person who does not identify as only male or only female, or who may identify as both.

Sex: Assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions.

Transgender or Trans: An umbrella term inclusive of a wide variety of trans identities. The use of 'trans' is preferred by many as it avoids ambiguity and recognises the original distinct meaning of 'transgender'.

Transition: The process of changing one's gender to live permanently in the social role of the opposite gender. Some people make this change gradually for others this may be overnight.

Transsexual: The medical definition used to describe someone who seeks to permanently change their outward physical appearance in order to live more comfortably in the opposite gender role.

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Transvestite: A person who often dresses in clothes normally associated with members of the opposite sex.

Trans Man: Individual who was born as a female but identifies as a male, may also be referred to as female to male (F2M).

Trans Woman: Individual who was born as a male but identifies as a female, may also be referred to as male to female (M2F).

Transphobia: A fear and dislike of trans people, which can lead to hatred resulting in verbal or physical attacks and abuse.

Gender Recognition Certificate (GRC): A certificate which is provided to those who have been successful in their application for gender recognition. Nobody is entitled to see or record the details of a Gender Recognition Certificate, if someone requires proof of an individual's legal gender they should show them their birth certificate.

5. Duties, Accountabilities and Responsibilities

5.1 Trust Board

The Trust Board will ensure that all managers are accountable for the promotion and implementation of this policy. The Trust Board will monitor progress on equality, diversity and human rights issues and initiatives on a regular basis. It will ensure that all individuals are treated with dignity and respect.

5.2 Chief Executive

The Chief Executive has overall responsibility for the strategic and operational management of the Trust including and ensuring that this policy complies with all legal, statutory and good practice guidance requirements and is implemented effectively and efficiently.

5.3 Director of Human Resources

The Director of Human Resources has Board level responsibility for ensuring that the HR aspects of the policy apply to all levels within the organisation and that the policy is followed fairly and consistently.

5.4 Patient Inclusion and Experience Lead

The Patient Inclusion and Experience Lead has a responsibility to ensure the Trust has systems, policies and practices that are compliant with legislative and other national requirements. The Lead also has a responsibility to provide support and advice to the organisation in relation to equality and diversity matters including this policy.

5.5 Human Resources Department

The HR Department has a specific responsibility to ensure the promotion of equality and inclusiveness through its employment practices, policies and procedures, and in supporting the application of this policy.

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The Department will ensure that any member of staff who identifies as trans within the recruitment process or as an employee will be treated fairly with complete dignity and respect. It will also ensure that this information is kept confidentially, only accessed by those who have a legitimate reason to do so, and not disclosed without the individuals consent.

5.6 Trust Managers

All managers are responsible for ensuring the practical application of this policy. Managers should be aware that they will be expected to positively promote high professional standards, where everybody is treated with dignity and respect in line with ACE behavioural standards.

5.7 Staff

All individuals working with the St Helens and Knowsley Teaching Hospitals NHS Trust have a personal responsibility for the application of this policy. All staff should positively promote high professional standards and refrain from any acts of discrimination. Staff also have responsibility to report any discrimination, or any potentially discriminatory practice, to their Line Manager, Patient Inclusion and Experience Lead, HR Advisor or Health, Work & Well Being.

6. Process

6.1 Recruitment and Selection

St Helens and Knowsley Teaching Hospitals NHS Trust encourages applications from trans individuals for all posts across the Trust, including volunteers.

Any applicant who is intending to undergo, is undergoing or has undergone gender reassignment will not be required to disclose their status as part of any recruitment and selection process unless they choose to do so.

If applicants do choose to disclose their status this must not be used as a reason for not offering the individual employment with the Trust.

Where the role requires applicants to complete a Disclosure and Barring Service Check (DBS) (formerly Criminal Records Bureau (CRB) there is a process which provides trans individuals the opportunity not to reveal their previous name(s) and/or gender.

The DBS offers a confidential checking process to protect the privacy of applicants who have undergone gender reassignment. This process provides applicants with the opportunity not to reveal their previous name(s) and / or gender to their employer, or other organisation, when applying for a DBS check.

The DBS are fully committed to promoting equality and eliminating discrimination on grounds of gender identity and this process ensures that a transgender person's application is dealt with sensitively and without the need to disclose previous names to the employer, whilst maintaining the integrity of their service.

The DBS provide a designated point of contact for transgender applicants, dedicating a small resource to deal with any queries that are raised, and provide help and support throughout the

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process. They are also solely responsible for contacting the applicant if further information is required.

If an applicant has a conviction under their previous details, it will show on a completed check. If a Certificate is going to show any personal details that the applicant may not wish to disclose, the applicant will be informed of this and they will have the opportunity to withdraw the application.

If an applicant does not have a Gender Recognition Certificate, the DBS advise to still contact the DBS's Sensitive Applications Team who will monitor the application.

For further information, please visit the applicant section of the DBS website www.homeoffice.gov.uk/dbs. Anyone wishing to use the process may contact the DBS Sensitive Applications Team directly on 0151 676 1452. Alternatively, the DBS have a dedicated email address for enquiries regarding transgender applications: sensitive@dbs.gsi.gov.uk. It should be understood that withdrawal of a DBS check is likely to result in the applicant no longer being able to be appointed as not all necessary checks will have been completed.

It may sometimes be necessary for a trans person to disclose their previous identity in order for references from past employers to be obtained. In these cases, strict confidentiality should be applied.

Where the Trust has to keep evidence of professional status or qualifications, and this discloses an individual's status, it should be discussed with the member of staff how this information will be retained so as not to compromise or breach disclosure of protected information.

Any applicants who enquire about the St Helens and Knowsley Teaching Hospitals NHS Trust's policy on recruiting transgender staff should be referred to this policy as well as to the Equality, Diversity and Human Rights Policy.

6.2 Supporting the Transition of Staff in Employment

The Trust understands that the process of gender reassignment is a complex and often extremely stressful time. Where the Trust is aware of an individual's intent to change their gender it will support them as much as possible, particularly in relation to their employment and keeping them in work.

Individuals intending to commence gender reassignment should notify an appropriate person within St Helens and Knowsley Teaching Hospitals NHS Trust, this could be their line manager, other manager in their department or other appropriate person. Individuals can also contact the Trusts Patient Inclusion and Experience Lead or Human Resources Advisor for support and guidance. This will allow the Trust to ensure the individual receives appropriate support and for agreements to be reached by both parties on how to manage the reassignment process.

Once an employee has decided they wish to undergo gender reassignment it is essential that a support network is set up as soon as possible. It is for the individual to decide whom to turn to for advice and support, be it their Line Manager, Patient Inclusion & Experience Lead or

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Human Resources. It is advised that once the individual has raised their intent to transition the Patient Inclusion & Experience Lead will be assigned to act as a contact for the individual, to answer any queries and act as an advisor. The Patient Inclusion and Experience Lead will discuss with the individual how they wish to handle the transition. The following issues should be considered and agreed by both parties:

- The expected point at which the individual wishes to change their name and personal details (including personal file, ESR, email address). There should also be clarification regarding what pronouns they would like to be addressed by;
- Whether the individual wishes to inform the line manager, colleagues and other staff, or would prefer the appointed advisor / a third party to inform them instead;
- Agreeing a point at which their individual gender specific dress will change; ensuring that new uniforms (if needed) and access control passes and telephone directory entries are amended ready for the date of transition.
- Whether the employee is to stay in their current post or would prefer to be redeployed; either temporarily or permanently. Redeployment would be dependent on suitable posts being vacant in the Trust at the time of transition and cannot be guaranteed.
- If any medical procedures are to be undertaken, the expected timescales and any time off required;
- Agreeing a point at which the individual will change use of single sex toilets / changing facilities to their new gender (this is usually the first day they come to work in their acquired gender);
- Whether any adjustments will need to be made within the workplace;
- How any training or briefing of colleagues will be identified and delivered and whether the member of staff transitioning would want to be part of these discussions;
- How any harassment or hostile reactions, by either colleagues or patients, will be dealt with under the appropriate Trust policies.

During this process confidentiality will be the prime consideration and only those who need to know will be informed. The Patient Inclusion & Experience Lead will consult with Human Resources or external agencies but only with prior agreement with the individual. The trans individual retains the right to call a halt to the transition process at any time if they wish.

All trans employees will be treated in their acquired gender from the point at which they make colleagues aware of their transition to live and work in their new gender role. Any colleagues who do not do so or who exhibit any form of discriminatory behaviour will be treated in accordance with the Trust's Disciplinary Policy and Procedure. All employees must observe the privacy of trans colleagues and maintain confidentiality at all times.

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It is against the law for any individual to disclose that someone is transgender unless individual themselves has given them permission for the disclosure (See Section 5.9 for further details).

Breaches of confidentiality will be treated in accordance with the Trust’s Disciplinary Policy and Procedure.

6.2.1 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.

6.2.2 Uniforms and Dress Code

If a uniform is in place for the role, managers will ensure that the trans employee has access to the uniform that is most appropriate to their acquired gender from the date of transition. Managers are required to 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.

6.3 Toilets and Changing Facilities

The use of toilets and other gendered facilities can sometime be a concern for trans individuals, particularly during the early stages of transition. The usual point for changing to use facilities for their acquired gender will be the day the employee starts coming to work in their acquired gender.

Trans individuals must be supported to use all facilities designated for their acquired gender. It is not appropriate to request that a trans person uses separate facilities or accessible (disabled) toilet facilities (unless they have a disability requiring this). It is also never acceptable to require someone undergoing gender reassignment to use toilets or other facilities designated for members of their birth gender.

6.4 Changing Personal Records

Once an individual has made the Trust aware of their intent to change their gender they can ask for their personnel records to be updated to reflect their new identity. Both their line manager and the HR Department should create a new personnel file to ensure confidentiality. The changing of an individual’s records is not dependent on them being in possession of a Gender Recognition Certificate.

The personnel records for a trans employee will not make any reference to a previous name; records made prior to the name change will be updated to reflect the individuals new details. These include personnel records, personal files, absence management and occupational health records, training records, computer systems, administration records re pension details, lease contracts (for cars and any other items etc.).

The line manager should also ensure that all references such as telephone directories, email address and employment details reflect the acquired gender of the individual. The personnel records for trans employees members of staff, referring to their previous gender which cannot

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be amended, and need to be retained (i.e. recruitment references), will be placed in a sealed envelope and marked clearly '**only to be opened by a Senior member of Human Resource staff**'. If a manager is required to provide a reference for a trans member of staff, the reference should be in the name which will be used by the individual following transition, and must not disclose a former name.

Staff who are required to hold professional registration are advised to contact their professional body to find out whether there are any specific requirements in terms of name changes.

Where the Trust has to keep evidence of professional status or qualifications, it should be discussed with the member of staff how this information will be retained so as not to compromise or breach disclosure of protected information.

6.5 Changing Job Roles

If an individual states that they would prefer to be redeployed following/during their transition the Trust will take all reasonable steps to support this where ever possible.

Working with the Patient Inclusion & Experience Lead, the relevant HR Advisor will identify any suitable alternative roles available; this will be depend on the vacancies existing at the time of the individual's transition.

A suitable alternative role describes a position of equal banding and for which the employee meets the essential criteria of the person specification. Redeployment may be either permanent or temporary depending on the request of the individual and the opportunities available.

Employees are reminded that there will not always be suitable alternative posts available. On request of the Trans individual, posts at a lower band can also be sought, however if an individual is redeployed into a lower banded position, they will not be entitled to any form of pay protection.

If there are no suitable options for redeployment at the time of transition the individual would be supported within their current role, with any necessary adjustments being made.

If the individual wishes, redeployment options can continue to be sought for a suitable agreed period. If a suitable alternative cannot be found then the employee should be supported to remain in their current role.

Posts which are a higher band to that of the employees current role would need to be applied for via the usual recruitment process.

It should not be assumed by the organisation that the individual will wish to be redeployed and only by full discussion and agreement with the individual should redeployment be considered.

6.5.1 Attendance at Appointments and time needed for treatment and surgery

Paid special leave can be given in order for employees to attend transition-related appointments and treatment. These absences will not be counted in relation to sickness

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absence monitoring, included in absences for references, or taken into consideration for performance monitoring.

6.5.2 Absence due to treatment

The Trust recognises that gender reassignment is not an illness but in order to record the leave it will be logged as sickness absence. Any absence from work following on from medical appointments or treatment relating to transition will be dealt with in accordance with the Trust's Attendance Management Policy and Procedure. However, it is understood that this may include several repeated absences and this should be discussed with the Line Manager/HR representative (if required with advice from the Patient Inclusion & Experience Lead). Each case will be treated on an individual basis.

Trans staff are entitled to the same sickness absence and pay as other staff. The line manager should also consider that people may have to travel a long distance for appointments, and these may be at short notice. People may need to work reduced hours or have some other changes to their usual working arrangements, for a temporary period. Managers should demonstrate flexibility to accommodate this wherever possible.

The employee and their line manager should put into 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 support the action plan.

6.5.3 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 treatments 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 requests for annual leave or **unpaid** special leave subject to the needs of the service.

6.6 Support Mechanisms

The Patient Inclusion & Experience Lead the Patient Inclusion & Experience Lead can provide support and put in place practical changes. This role will also support positive working relationships between the individual and wider support mechanisms if relevant.

Health, Work & Well Being- a referral to HWWB may be considered by the individual, their line manager or the Patient Inclusion & Experience Lead for additional support or advice regarding the medical process of the transition. Managers may also need advice regarding the needs of the individual and on how to support changes that may need to be made within the team or work environment.

St Helens & Knowsley Teaching Hospitals NHS Trust is committed to supporting trans employees in the workplace. Health, Work & Wellbeing services including counselling are available and also a virtual staff network for LGBT+ staff are in place. ***The Equality, Diversity & Inclusion Steering Group*** which reports into ***the Trust Workforce Council*** will escalate any issues highlighted to them via the staff networks or via the ***Equality, Diversity and Inclusion Steering Group***.

Human Resources- will work closely with the Patient Inclusion & Experience Lead and Line Managers in providing support and advice in the application of this policy.

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6.7 Discrimination

Discriminatory language and behaviour is unacceptable and will not be tolerated by St Helens and Knowsley Teaching Hospitals NHS Trust. All staff and volunteers have a duty and responsibility, not only to abide by non-discriminatory practice but to challenge discriminatory language, behaviour or actions.

Any experience or witness of discrimination should be reported immediately to the appropriate manager or the Patient Inclusion & Experience Lead/HR contact. The incident should also be reported on the Trust's DATIX system. Please also see the Trust's Grievance Policy and Respect & Dignity at Work Policy.

6.8 Sharing Personal Information

Under Section 22 of the Gender Recognition Act 2004 it is illegal for an individual to share information regarding someone's Trans status unless:

- There is specific agreement to do so by the Trans person.
- It is necessary for professionals to know someone's Trans status, in which case it is recommended that the Trans person is asked to provide permission in writing.
- The Secretary of State may by order make provision prescribing circumstances in which the disclosure of protected information is not to constitute an offence under this section.

Anyone who, in their professional capacity, acquires knowledge of a trans person's history and passes on that information to a third party without the consent of the person concerned can be prosecuted and fined up to £5000 and/or be jailed for up to six months. trans people have no obligation to disclose whether or not they have a Gender Recognition Certificate and do not require one to be able to change their personal details.

6.9 Personal Records & Confidentiality

Personnel records for transgender members of staff will not refer to a previous name, and records made prior to a change of name will be amended with the person's new name and gender. Access to records showing the change of name and any other details associated with the individuals transgender status, will be restricted to the fewest number of staff i.e. those directly involved with the administration of a process such as a HR officer or person who authorises payment into the pension scheme.

Records which may need to be amended include:

- Pension
- Insurances
- Email address
- Staff directories
- Work pass
- Smartcard

7. Training

The Transgender Staff Support policy will be covered as part of Corporate Induction. For any further information please contact Chery.farmer@sthk.nhs.uk, The Patient Inclusion & Experience Lead, contact details in Section 11.

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8. Monitoring Compliance

8.1 Key Performance Indicators (KPIs) of the Policy

No	Key Performance Indicators (KPIs) Expected Outcomes
1	Compliance with policy by stakeholders
2	Reviewing Datix Incidents involving discrimination against Trans employees

8.2 Performance Management of the Policy

Minimum Requirement to be Monitored	Lead(s)	Tool	Frequency	Reporting Arrangements	Lead(s) for acting on Recommendations
Compliance with policy by all Trust staff and volunteers (100% compliance)	Head of HR	Review of any Grievances or concerns raised	Annual	To Workforce Council	Head of HR

9. References/Bibliography

No.	Author	Year	Title	Edition	Place of Publication	Publisher
1		2010	Equality Act 2010			
2		1998	Human Rights Act 1998			
3		2004	Gender Recognition Act 2004			

10. Related Trust Documents

No.	Related Documents
1	The Equality and Human Rights Policy
2	Grievance Policy
3	Respect & Dignity at Work Policy
4	Attendance Management Policy & Procedure
5	Raising Concerns Policy & Procedure
6	Recruitment Selection Policy
7	Supporting Staff Involved in a serious Incident, Complaint, or Claim Policy

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11. Equality Analysis Form

The screening assessment must be carried out on all policies, procedures, organisational changes, service changes, cost improvement programmes and transformation projects at the earliest stage in the planning process to ascertain whether a full equality analysis is required. This assessment must be attached to all procedural documents prior to their submission to the appropriate approving body. A separate copy of the assessment must be forwarded to the Patient Inclusion and Experience Lead for monitoring purposes. Cheryl.farmer@sthk.nhs.uk. If this screening assessment indicates that discrimination could potentially be introduced then seek advice from the Patient Inclusion and Experience Lead. A full equality analysis must be considered on any cost improvement schemes, organisational changes or service changes which could have an impact on patients or staff.

Equality Analysis			
Title of Document/proposal /service/cost improvement plan etc:		Transgender Staff Support Policy	
Date of Assessment		Name of Person completing assessment /job title:	
18 th June 2018		Diana Lewis HR Business Partner	
Lead Executive Director		Anne-Marie Stretch	
Does the proposal, service or document affect one group more or less favourably than other group(s) on the basis of their:		Yes / No	Justification/evidence and data source
1	Age	No	
2	Disability (including learning disability, physical, sensory or mental impairment)	No	
3	Gender reassignment	Yes	<p>The aim of this policy is to ensure that the provision for transgender employees, volunteers and applicants for employment is prejudice free and challenges any discrimination individuals may experience on the grounds of gender reassignment. The policy also provides a framework for managers to support employees throughout the gender reassignment process.</p> <p>The policy does include areas where the protection of 'sensitive information' for transgender individuals is different and more rigorous than that for non transgender individuals, these differences reflect the protection given under the</p>

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			Equality Act 2010 to transgender individuals and as such does not constitute 'more favourable' treatment when compared to the protection/provisions in place to non transgender individuals.
4	Marriage or civil partnership	No	
5	Pregnancy or maternity	No	
6	Race	No	
7	Religion or belief	No	
8	Sex	No	
9	Sexual Orientation	Yes	
Human Rights – are there any issues which might affect a person's human rights?		Yes / No	Justification/evidence and data source
1	Right to life	No	
2	Right to freedom from degrading or humiliating treatment	No	
3	Right to privacy or family life	No	This policy wholly supports Article 8 of the Human Rights Act ie. The right to private and family life, transgender individuals have specific protection around their personal information/gender history under the Equality Act 2010, this policy supports the protection of both personal/sensitive information and previous gender history.
4	Any other of the human rights?	No	Article 14 – the right to protection from discrimination
Lead of Service Review & Approval			
Service Manager completing review & approval		Cheryl Farmer	
Job Title:		Patient Inclusion and Experience Lead	

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Appendix 1 – Checklist/Action Plan for transition

To be completed by the employee and the supporting manager.

Employee Name:	Supporting Managers Name:
What date does the employee plan to start their transition?	
What will the employees name and title be following transition? What pronouns will be used?	
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 and night working)	
Will time off be required? If so how will this be managed? (flexible working options should be considered)	
Are there any dress codes to be considered? New uniforms to be provided? (new uniforms will need to be ready for use on the day that the employee starts their transition in the workplace).	
If applicable, how will single sex working arrangements 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?	
If the employee encounters any unacceptable behaviour towards them from colleagues, patients, visitors or others who should this be reported to?	
Are there any actions not covered above that the employee wishes to include?	
Is there an agreed date for when this checklist will be disposed of in line with the requirements of the Data Protection Act and GDPR?	
Actions agreed	
Date of review meeting	
Manager (sign and date)	
Employee (sign and date)	
PLEASE COMPLETE CHECKLIST OVERLEAF	

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Who needs to be informed of your transition?

	Who will tell them?	When?	Date completed
Senior manager			
Line Manager			
HR Representative			
Team members			
Other colleagues			
Any others (please specify)			

Changes to records – name and pronouns will need to be changed in several areas:

	Who will do this?	When?	Date completed
HR records (including ESR, personal files, Health Roster, Occupational Health etc)			
Personal file and related data			
Name badge/ID badge			
Email			
IT systems			
Website (if applicable)			
Voicemail			
Union membership			
Pension scheme			
Any lease/hire schemes			
Certificates/awards			
Other:			

Details of meetings:

Date	Comments	Actions	Date of next meeting	Signatures: supporting manager/ employee

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Appendix 2 – Internal & External Support Organisations

INTERNAL SUPPORT CONTACTS		
Patient Inclusion and Experience Lead	Cheryl Farmer	Ext. 1042
Health, Work & Well Being	Nightingale House	Ext. 1985
Insight Well Being At Work Employee Assistance 24/7 hours Confidential Hotline		0800 027 78 44 0300 555 01 20
Human Resources		
Medical Care	HR Advisor	Ext. 2132
Surgical Care/Patient Access	HR Advisor	Ext. 1603
CSSG/ non Clinical support Service /Corporate.Medicines Management	HR Advisor	Ext. 1603
Royal College of Nursing (RCN) http://www.rcn.org.uk http://www.rcn.org.uk/support/diversity	Staff side Representatives	Ext. 1359
UNISON https://www.unison.org.uk https://www.unison.org.uk/get-involved/challenge-inequality-and-discrimination/	Staff side Representatives Regional Offices	Ext. 1852 0845 355 0845
UNITE www.unitetheunion.org http://www.unitetheunion.org/unit-at-work/equalities/	Staff side Representatives Regional Offices	Ext. 0151 203 1907 Equality@unitetheunion.org
Chartered Society of Physiotherapy	www.csp.org.uk	
Society of Radiographers	www.sor.org	

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British Association of Occupational Therapists	www.cot.co.uk	
Respect & Dignity at Work Hotline	StHK Internal Confidential Hotline	0151 430 1645
Raising Concerns	StHK Internal Confidential Hotline	0151 430 1777
Freedom to Speak Up Guardians		
Dr Francis Andrews	Consultant in Critical Care and Emergency Medicine	ext. 1175 email: raisingconcerns.medicaldirector@sthk.nhs.uk
	Non-Executive	ext. 1477 email: raisingconcerns.nonexecutivedirector@sthk.nhs.uk
Ann Marr	Chief Executive	ext. 1242 email: raisingconcerns.chiefexecutive@sthk.nhs.uk
Richard Fraser	Chairman	ext. 1242 email: raisingconcerns.chairman@sthk.nhs.uk
Rajesh Karimbath	Assistant Director of Safety & Governance.	ext. 1564 email: rajesh.karimbath2@sthk.nhs.uk
EXTERNAL SUPPORT ORGANISATIONS		
In-Trust Merseyside	anthony@merseysideintrust.org	https://merseysideintrust.org/
Merseyside Police Hate Crime Unit	24 hour helpline: 0800 138 1625	https://www.merseyside.police.uk/advice-and-protection/crimes-against-
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		people/hate-crime/
LGBT Foundation 5 Richmond St. Manchester	0345 3 30 30 30	www.lgbt.foundation
The Gender Trust A registered charity helping Trans people and all those affected by gender identity issues	01527 894838	www.gendertrust.org.uk
Press for Change A lobbying and legal support organisation for Trans people with useful information on their website	Advice Line: 0844 8708165	www.pfc.org.uk
Gender Identity Research & Education Society Provides a wide range of support for Trans people and those who care for them	01372 801554	www.gires.org.uk
The Equality Advisory Support Service (EASS) 09:00 to 20:00 Monday to Friday 10:00 to 14:00 Saturday	0808 800 0082 Textphone: 0808 800 0084	www.equalityadvisoryservice.com
Gender Recognition Panel Information about legal gender recognition, including a step by step guide to the process and application packs can be found on their website	0300 123 4503	www.grp.gov.uk
Equality and Human Rights Commission Challenges discrimination, enforces and promotes equality and protects &	0161 829 8100/0207 832 7800	www.equalityhumanrights.com

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promotes human rights.		
Health Professions Council (HPC)	www.hcpc-uk.org	Tel: 0845 3004 472
General Medical Council (GMC)	www.gmc-uk.org	Contact Centre: 0161 923 6602
Nursing & Midwifery Council (NMC)	www.nmc-uk.org	General Enquires 020 7333 9333 Professional Advice020 7333 6550

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Appendix 3 - Lead Employer Transgender Staff Support Responsibility & Policy Matrix for Guidance

NHS employee who has the concern or to whom a concern is being raised by a patient etc.	The organisation which is the subject of the concern raised	Concern raised under whose Transgender Policy?	If the concern needs to be escalated under whose policy is this processed?
Trust Member of Staff (including LE Trainee/SPA) working at StHK	StHK	StHK	StHK
Trust Member of Staff (including LE Trainee/SPA) working at StHK	Another NHS Organisation/their University	The relevant NHS Organisation/ their University unless they have no such policy in which case it should be raised under StHK	The NHS Organisation/their University
Trust Member of Staff (including LE Trainee/SPA) working in another NHS Organisation (e.g. Host/Sponsoring Organisation) or University	StHK	StHK	StHK
Trust Member of Staff (including LE Trainee/SPA) working in another NHS Organisation (e.g. Host/Sponsoring Organisation) or University	The NHS Organisation /University in which they are working	The NHS Organisation /University in which they are working unless they have no such policy in which case it should be raised under StHK	The NHS Organisation /University in which they are working
Trust Member of Staff (including LE Trainee/SPA) working in another NHS Organisation (e.g. Host/Sponsoring Organisation) or University	Another NHS Organisation/University (not StHK)	The relevant NHS Organisation /University unless they have no such policy in which case it should be raised under StHK	The relevant NHS Organisation /University
NHS Member of Staff from another NHS Organisation or University	StHK	StHK	StHK

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