



# Transgender Workplace Support Guide





This guide is a product of the Transgender Workplace Support Project that was delivered in partnership by NHS Lothian Health Promotion Service and LGBT Health and Wellbeing.

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# Introduction

The guide is for transgender employees, employers/managers, and human resources staff. The need for this guide comes from a recognition that transgender employees are valuable members of staff, yet the workplace can be a daunting environment for some. A hugely beneficial factor for transgender employees is a working environment that feels safe and supportive. A point that was continuously raised by transgender employees and employers throughout this project was the importance of a good working relationship between the employee and their employer/manager and HR staff.

**This guide was produced from one-to-one interviews with 5 transgender employees and 5 employers/managers**, as well as consultation with professionals and members of the transgender community in Lothian, and by gathering some of the resources that are available today. You can find quotes from the interviews throughout the guide. We hope that the quotes give you a sense of just how meaningful it can be for a person to be able to be open about who they are in the workplace, and how various pieces of legislation and policy can support this process.

Throughout this guide we use the terms *transgender* or trans people to refer to a range of individuals with different needs, wishes and experiences but who also have some important things in common. Some of these people may identify as transgender, some as transsexual, and others as non-binary. As transgender is often recognised as an umbrella term for a multitude of gender identities we felt that it allows us to be more inclusive in terms of who this guide is for.

The first section of this guide includes three “Top Tips Checklists” for employees, employers and HR staff. These are meant to give you a quick overview of some of the most important things to think of when supporting a transgender employee within the workplace. It is important to highlight that some transgender employees may be at varying stages of transitioning and others will be men or women who have a transgender history. Other employees may also identify as non-binary. All of these gender identities will be covered in greater detail throughout the main part of the guide.

The guide is divided into four sections:

- **Thinking About Gender** aims to open up for discussion about how we think about gender today, what assumptions we might rely on and how we might become more inclusive in how we talk, act and think about gender.
- **Legislation** aims to give you a general overview of some of the most important legislation with regards to transgender issues in the workplace.
- **Policies** looks at how some of this legislation influences policies relevant to transgender employees.
- **Practicalities** addresses some of the issues that employers/managers and transgender employees may wish to go over together when thinking about how transitioning or coming out in the workplace may affect them and their organisation.

There is a wealth of existing and new resources, as well as lots of materials out there to support both employers and employees. So we have included a directory at the end of this document which will be updated online. We have also included a Definitions section as some terms used within the guide may be new to some readers.

# 10 Top Tips for Transgender Employees

- 1. Sharing with someone:** Consider who, and if, you would like to share your gender identity or gender history with and what you would like them to support you with.
- 2. Your personal timeline:** If you want to 'come out' at work or transition, what will your transition/coming out process look like? Will you need time off for anything?
- 3. Talk to your employer:** Your employer has a responsibility for being mindful of your health and wellbeing. Would it benefit you to share with your employer? What do you want support with? Would you like to bring someone along to this meeting?
- 4. Construct a timeline with your employer:** What do you want to happen and when? e.g. if you want to change your name and/or pronouns at work, taking time off, etc.
- 5. Would you like to apply for a Gender Recognition Certificate?** Whether or not you have one can affect things like your pensions and benefits.
- 6. Look up your organisation's policies:** For example, protection against harassment and discrimination, data protection, and taking time off.
- 7. Find out about relevant and supportive legislation:** Equality Act 2010, Public Sector Equality Duty and Gender Recognition Act 2004
- 8. Sharing with the staff team:** Do you want everyone/just some/no one to know? Who is going to do this and how?
- 9. Get support:** Do you have all the support you need? Consider other places where you can get support from (e.g. trades unions, LGBT organisations, occupational health).
- 10. Open dialogue:** Would you like to maintain an open dialogue with your employer about your gender identity? What is the best way of doing this?

# 10 Top Tips for Employers

- 1. Support your employee:** Think about how you can best support your employee. What are their plans? What support do they want from you?
- 2. Construct a timeline with the employee:** What does the employee want to happen and when? e.g. if they want to change their name and/or pronouns at work, taking time off, etc.
- 3. Consider if you need to inform senior managers:** Remember confidentiality; **it is an offence to disclose that someone is transgender without their permission.**
- 4. Look up relevant policies:** For example, protection against harassment and discrimination, data protection, taking time off, etc. Do new guidelines and/or policies for supporting transgender people need to be developed?
- 5. Brush up on legislation:** Equality Act 2010, Public Sector Equality Duty and Gender Recognition Act 2004.
- 6. Sharing with the staff team:** Ensure that the employee takes the lead with this. Does the staff team need to be notified? Who is going to do this?
- 7. Find out more:** There are plenty of [resources](#) out there to help you to support your employee.
- 8. Reflect:** What preconceptions might you or your staff team have about transgender people, their experiences and their wishes? If any, how could you address these?
- 9. Dealing with harassment, bullying and discrimination:** How can you become aware of and deal with potential issues in the workplace? These can be directed from other staff and/or customers.
- 10. Following up:** What is the best way for you to maintain an open dialogue with your employee about their progress and any additional support that they might need?

# 10 Top Tips for Human Resources

- 1. Workplace monitoring:** Is gender identity being monitored within regular workforce monitoring? Remember to consider the specific issues relating to asking staff about their gender identity (as detailed in the Transgender Workplace Support Guide)
- 2. Equality Policy:** What does your organisation's equality policy look like at present? Does it include gender identity as a protected characteristic? Is gender reassignment mentioned?
- 3. Harassment, bullying and discrimination:** What does the policy on harassment, bullying and discrimination look like at present? Does it include transphobic behaviour and language? How visible is it for staff and communicated with customers?
- 4. Data Protection:** What policies do you have on data protection? How do these apply to updating name and/or gender? **Remember that it is an offence to disclose that someone is transgender without their permission.**
- 5. Storing sensitive documents:** Are there documents in which names cannot be changed and/or pronouns? How will you keep these safely?
- 6. Absence management policy:** Does your absence policy clearly state that time off due to medical or surgical procedures relating to gender reassignment is to be treated equally to time taken off for illness or injury?
- 7. Recruitment and interviews:** How can recruitment policies be developed in order to be trans-inclusive? Is information about gender identity requested in diversity monitoring forms? How is this information handled?
- 8. Pensions, retirement and social security benefit policies:** Consider how employees under the Gender Recognition Act 2004 will be affected by potential gender differences that still exist in some of these policies.
- 9. Training for staff team:** Would the staff team benefit from discussing gender diversity or getting training in transgender people's rights?
- 10. Occupational requirement exception:** Organisations that have single-sex requirements should consult specialist legal advice in terms of supporting a person who is transitioning in the workplace and in recruitment policies.



# Thinking about Gender

In this section we have aimed to give a general picture of the ideas that may be useful to you when thinking about gender. If you would like more information, please have a look at the list of resources that we have included at the end of this guide where you can find out more about what gender can mean to different people and what different transgender people's experiences and concerns may look like.

When reading this section it may also be useful to refer to the definitions section at the end of the [guide](#). Here you will find more specific definitions of some of the identities included under the transgender umbrella term.

## What is gender?

A small number of people find that the gender that they are assigned at birth does not match their gender identity. People are labelled as either 'boy' or 'girl' yet, if we look at people living today, we can find so many examples of people who do not fit into these two small boxes. These people are living proof that gender embraces a whole range of different identities and experiences.

When thinking about gender, it can be useful to consider that how a person feels about themselves, and how they would describe their identity, may or may not match other people's perceptions and expectations of them. For some people their internal sense of self in terms of their gender, their *gender identity*, is aligned with how other people "read" their gender. For many of these people, gender may feel like a very uncomplicated issue because no one has ever made a mistake or questioned their gender. But for other people, many of whom may identify with the transgender umbrella, this internal sense of self is constantly being questioned by their family, friends and communities. It can feel as though other people are telling them that how they feel and think about themselves is wrong, that others know them better than they do themselves.

You may realise when you start to read this that you already have some experience or knowledge of transgender people. In more recent times transgender people and the issues that they face have become more visible in mainstream media. As a little thought experiment, you can try to think about where your understandings of transgender people have come from. Do they play on stereotypes or do they give a fair representation of the lives of real people?

And remember, nothing beats being respectful and a good listener when you meet new people. How does the person in front of you view themselves? What kind of pronouns would they like you to use, e.g. he, she, they? Do they want to share a lot with you or not? And if you get it wrong, apologise and commit to remembering this lesson for the future.

## Transitioning

Transitioning generally refers to the process of changing from the gender that a person is assigned at birth to the one with which they identify. This period of change is also sometimes called *gender reassignment*. For some people, this will involve physical or other changes, for example hormone treatment, voice coaching, counselling and surgical procedures. It is, however, important to remember that gender reassignment is very much a personal process and will look different to each individual.

*“ Transitioning for me was a hard process – but it was a necessary one. For me personally I feel that people were only prepared to accept what they can see. If they were prepared to look a little deeper they may find how difficult life can be for people suffering like me. ”*

**-Transgender Employee-**

For some, transitioning is a process with a clear end after which that person may identify as simply male or female, putting their former gender identity behind them. In these cases it is disrespectful to continue to refer to them as transgender. For others, being transgender is important to how they see themselves and something that they may wish to share with people around them.

*“ When the employee first approached me and told me that they were going to transition to female I felt surprised and I admitted to them that I didn't know that much about the issues that a person may face when transitioning in the workplace. I also told them that I thought that they were very brave for coming out and that I wanted to support them. ”*

**-Employer-**

**For people who are thinking about or are currently transitioning and would like more information or support, there are useful links on LGBT Health and Wellbeing's website under the section "Transgender Information and Support":**

**[www.lgbthealth.org.uk](http://www.lgbthealth.org.uk)**

## Transsexual People

Transsexual people are transgender people who wish to live fully and completely as either male or female. A person who was labelled male at birth but has transitioned to female can identify as a male-to-female (MTF) transsexual woman, or a transgender woman, or a trans woman. Conversely, a person who was labelled as female at birth but has transitioned to male can identify as a female-to-male (FTM) transsexual man, or a transgender man, or a trans man.

When reading this passage it may be useful to reflect on your understandings of what it means for a person to live fully as either a man or woman. For example, what assumptions do you make about this person's body, the way they dress and act, and how they view themselves? For many people who identify or have identified as transsexual, medical treatments, such as surgery and hormone therapy, hair removal and voice counselling are an integral part of their transition. But when planning a transition, each individual will need to make personal decisions based on their circumstances, needs and wishes and what their end goal looks like.

## Non-binary People

For other people who identify with the transgender umbrella term, transitioning to male or female does not feel right either. This can be because they feel partly aligned to both genders or that their gender identity changes over time and is more fluid. It can also mean that their gender identity lies outside of the categories male and female, also called the *male-female binary*. These people often identify as non-binary. Other labels that they may wish to use are *androgynous*, *polygender* or *genderqueer*.

Non-binary people will often not use male or female to describe themselves. In other words, rather than being referred to as she/her or he/him/his they may wish for you to use they/them. Also, a person may want you to use different pronouns for themselves at different times in their life. If you feel unsure what pronouns a transgender person would like you to use, it is best to ask them or someone who knows them directly.

*“ I think maybe it's easier for people to get their heads around when someone goes from living as a man to living as a woman, or vice versa. I think many people may struggle when a person's gender identity is more fluid and doesn't fit into the very narrow boxes of either male or female. But I think that it is getting better, I hope that it is getting better. I hope that we can get to a place when we can respect each individual as they are, because everyone is different. And that's great. I think the more we keep thinking and working on these issues, the more we realise that we don't all have to be the same. ”*

**-Employer-**

# Legislation

In this section we will look at some of the main pieces of legislation, the Equality Act (2010) and the Gender Recognition Act (2004) which are relevant for transgender employees and managers/employers supporting transgender employees. This section also looks at how this legislation can be used to inform good practice with regards to supporting a transgender employee and fostering a trans-inclusive and healthy working environment.

## Equality Act 2010

The Equality Act 2010, implemented fully in Scotland, England and Wales in 2012, serves to protect individuals from unfair treatment and promote equality in society. Nine protected characteristics are outlined in the Act, one of them being “gender reassignment”. There has been some misunderstanding as to which people are protected under this characteristic, for example that a person must have undergone certain medical procedures (such as hormone treatment or surgery) or have a specific diagnosis in order to be included. Instead, “gender reassignment” in the Act is used as a broad term to include any person who is “proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex”<sup>1</sup>. In this definition the focus is on a personal process of moving toward one's own gender rather than a medical one. Also, people connected to a transgender person (family, friends and colleagues) and people perceived as transgender are protected under this act. In the Act, a person with this characteristic is referred to as a “transsexual person”.

*“ In terms of supporting transgender employees I think that it can be helpful to seek outside advice and support. I felt that ACAS [Advisory, Conciliation and Arbitration Service] were very useful. They have a lot of stuff online, like how to devise policies, employer's basic law requirements and support on how to think around equality issues. I also think that the material for supporting transgender employees was helpful and I liked the language that they used when talking about transgender people, that a transition doesn't have to be a medical process, it can also be a personal and social process. And that this process looks different for everyone. ”*

-Employer-

**ACAS' website:**  
[www.acas.org.uk](http://www.acas.org.uk)

<sup>1</sup> Equality Act 2010. Section 7(1). For more information see Equality Act 2010 Code of Practise: Employment. Equality and Human Rights Commission (2011).

**Protection under the Equality Act does not depend on whether an employee has a Gender Recognition Certificate or proof of surgical or other medical treatment.**

The Equalities Act helps to protect transgender people in many areas of life: housing, education, goods, facilities, services and employment. The areas of goods, facilities and employment are particularly relevant to employers and managers. In regards to employment, all areas are covered: from the recruitment and selection process to training, career development, and references.

Unfair treatment in the act is defined as direct or indirect discrimination, harassment and victimisation<sup>2</sup>. Important things for an employer/manager to consider are:

- Whether a person is treated less favourably by their employer and/or colleagues because they are transgender
- Whether the workplace creates an environment that allows for humiliation, intimidation, degradation or hostility toward transgender people
- How workplace rules, policies and practices affect transgender people
- How employer/manager and staff team responds to a person filing a complaint or asserting their rights

*“ I think that it’s good that the Equality Act includes protected characteristics as it flags up things that people need to keep in mind. But I think these protected characteristics can also be problematic, because people in these groups are not all the same and may have different needs and I think that it is important that we remember that. I also think it’s a bit tricky that the characteristic regarding transgender people is defined as “gender reassignment”. I feel that this is a very medical term. This is especially important as not all people will go through medical procedures, for many people it may be much more about a personal journey. ”*

**-Employer-**

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<sup>2</sup> For further reading on direct and indirect discrimination, harassment, and victimisation see the Equality Act 2010 or Equality and Human Rights Commission’s Equality Act 2010 Code of Practise: Employment.

## Public Sector Equality Duty

The Equality Act 2010, and subsequent Regulations 2012, 2015 and 2016, includes the Public Sector of Duty which states that public bodies in Scotland, England and Wales have a statutory duty to eliminate discrimination, unlawful harassment and victimisation, advance equality of opportunity and foster good relations between people with protected characteristics and those without. This includes all health boards across NHS Scotland as well as the newly created Integration Joint Boards.

Specific actions required of public bodies include developing equality outcomes for each protected characteristic, assessing the equality impact of all new and revised policies and practices, and conducting equality monitoring of the workforce. Tips for what to consider when developing trans-specific workforce monitoring are included in the “Workplace Monitoring” section.

For further information, see the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

## Gender Recognition Act 2004

The Gender Recognition Act 2004 was developed for people who want to legally change their gender from the one stated on their birth certificate. This process involves applying to the Gender Recognition Panel (GRP) for a Gender Recognition Certificate (GRC). To qualify, a person has to have been living in their chosen gender for two years, have been diagnosed with gender dysphoria, and be able to satisfy the panel that they intend to live in that gender permanently. If the application is successful, they are then entitled to use the gender stated in this certificate “for all purposes”.

**Under the Gender Recognition Act 2004, any information relating to a person’s gender recognition application is “protected information”. It is a criminal offence for anyone acquiring this information in a “public capacity” to disclose it to a third party without consent. Exceptions are made in a few instances, for example if the information is required for the investigation or prevention of crime.**

**However, while this is a suitable option for some transgender people, it is not for everyone. A transgender person who does not have a Gender Recognition Certificate, is still within their legal rights to choose to have their name, title and/or their gender updated in the workplace, even if this means that their name/title/gender does not match that on their birth certificate. Employees are not required to show a Gender Recognition Certificate or proof of surgical or other medical treatment in order to have their name, title and/or gender changed in their workplace. Nor are these required for the employee to be recognised and respected in their chosen gender.**

# Policies

This section will look at what kind of policies can support transgender employees in the workplace and which pieces of legislation they build on. For example, confidentiality and data protection policies will need to take into consideration the Gender Recognition Act 2004 and policies on discrimination and harassment of transgender employees will need to consider the Equality Act 2010.

## Records and Confidentiality

Ensuring confidentiality is key. Many transgender employees will already have faced discrimination, victimisation and harassment and in order for them to feel safe and respected at work they need to know that information about their gender history is treated carefully.

*“ Our workplace policies did mention something about transgender people (respecting colleagues/service users’ gender identity, race, orientation and creed) and bullying (whistleblowing policy) but I think there should also be something in there about data protection. When I finally was allowed to transfer to another part of the organisation I decided not to tell anyone that I am transgender, due to the terrible response that I got in my old work. At my old workplace, because I was at the beginning of my transition, I had to inform them of my transition and name change. But it also became difficult in my current workplace, as the manager has access to documents with both my old and new name. The managers refused to get rid of or archive the old ones, even though copies with my new name have been made. This means that I can’t be sure what people in my new workplace know or don’t know about my gender history. This makes things really difficult for me, because I’m always on guard in case I get outed again. ”*

**-Transgender Employee-**

*“ I think she [the employee] has been very good at responding to people and making people feel comfortable. But equally I wouldn't want people to feel like that's something that they have to do, that it was something that they felt that they had to do in order for other people to feel comfortable. I would hope that they feel safe enough to be able to do to be open about things about themselves and wouldn't worry about getting a negative response but at the same time some people may want to keep their personal and private lives separate and I completely respect that. ”*

**-Employer-**



All employees are entitled to have all their workplace records changed to reflect the name, title and gender that they have adopted. There are, however, some documents, such as pensions, National Insurance and tax-records, that require a Gender Recognition Certificate in order to be amended. In cases where an employee has changed their personal information on some documents but not others it is important for employers/managers and HR staff to consider how these different documents are stored and who has access to them so that the employee is not inadvertently “outed” if a member of staff is able to link up old and new documents. The employer/manager or HR staff should also inform the transgender employee which documents contain old information.

*“ When first being told by the employee that they were going to transition, my first reaction was feeling pleased that they were able to trust me and also that it was very a brave decision and that I would want to be a part of supporting them through this process. I really wanted that to come across. I also wanted to manage my own feelings so that they wouldn’t feel uncomfortable about it or that I was making too much of a big thing about it. So I focused on being professional and supportive. In terms of decisions, that first meeting was mainly about disclosing. But what we did decide was how we would move forward from there and how we would stay in contact throughout the process. We also spoke about who I could tell. As I represent the organisation, I felt that I have a duty to inform others higher up in case there would be an issue or if I left. So we agreed on who I could talk to and I made it clear that that would of course be in confidence. ”*

**-HR Staff-**

*“ I think it is very important to have a good working relationship with the employee, to have a conversation with them and to think through all the individual stages of the process in a very logistical way. Rather than just saying “yes, of course, we’ll support you with that”, it was important for us to think about what that actually means, every simple thing that needs to happen and making sure that everyone involved knows what they need to do. For example, talking to the IT department about changing information in documents. Also, if something isn’t working or there is any issue it’s much easier to get back to the employee and explain this and have a conversation about how to move forward if you have a good working relationship with them. It turned out for example that it wouldn’t be possible for information in all documents to be changed so we needed to get back to her and explain this and it was really useful that we could have that conversation with her. ”*

**-HR Staff-**



Transgender employees with a Gender Recognition Certificate (GRC) have particular privacy rights which are protected by law. It is, for example, an offence for a person acting in an official capacity to disclose information regarding a person's gender recognition without that person's consent.

As all transgender people are included in the protected characteristic "gender reassignment" it is considered good practice for all transgender employees to be given these privacy rights, whether they have a GRC or not. Some positions require screening of a candidate's criminal record.

As part of this process, the candidate does not need to disclose their gender history to the employer, only to the screening authority, Disclosure Scotland. For more information see guidelines on Disclosure Scotland website or call their helpline: 0870 609 6006.

## Changing Names

In the UK, anyone can start using a new name whenever they want. You can change your forename and/or surname, add or rearrange your names. Many transgender people will choose to change their name in order to reflect their gender identity. This may mark the end of a transition process or simply how they feel at the moment. In many cases there is no legal process required for using a new name and a transgender person does not need to hold a Gender Recognition Certificate in order to do so. Also, it is perfectly legal to use two different sets of names at the same time, including on documents. The exception is when the intention is to defraud someone.

There are some circumstances (bank accounts and passport) which require you to legally change your name before you can use it. This can be done by making a statutory declaration.

*“ There may be times when it is not possible to change names on everything. It is important to bring this up with the employee so they have an understanding of what exists and how it is stored. Equally, managers need to ensure that there is a system in place to safeguard against old and new documents being linked together. ”*

**-Transgender Employee-**

A helpful tool for transgender people looking to change their name is UK Trans Info's Factsheet:

[www.uktrans.info/namechange.pdf](http://www.uktrans.info/namechange.pdf)

## Discrimination and Harassment and Bullying

All employees have the right to work in an environment free from discrimination and harassment. In the Equality Act 2010, transgender identities, along with eight other characteristics, are protected characteristics and all employers/managers must consider how they can work preventively and reactively against discrimination and harassment of these groups.

*“ I talked to the area manager and team leader about this [bullying from colleagues] but didn't feel that anything was done about it. My team leader was friends with many of my colleagues and therefore tended to side with them. I stayed there for 9 months after coming out [as transgender]. Toward the end I felt that I was often being bullied. This has really affected my confidence and my ability to do my job. ”*

**-Transgender Employee-**

**Under the Public Sector Equality Duty, all public bodies in Scotland are required to develop policies that protect transgender employees against harassment, discrimination and victimisation.**

A good starting point for tackling discrimination, harassment and victimisation in the workplace is to have clear policies that state the diversity and equality values of the organisation, who is protected by the policies and an action plan for how the goals in the policies will be obtained. Many organisations find it useful to have separate policies for discrimination, and harassment and bullying.

*“ I believe that, while it is important to demonstrate that harassment and discrimination will never be tolerated, it is also important to give people examples for what is good practice. To focus on the do's and not just the don'ts. In our equality policy and dignity at work policy we try to give people an idea of what a positive, respectful and inclusive workplace environment looks like. But we also need to be mindful of how we back this up. It's great to have policies but at the end of the day these are just papers stored away somewhere, we also need to think about how we make these mean something. Here, I think that training can be a great tool. It gives people an opportunity to explore how things like inclusiveness and respect can be lived out in the workplace. ”*

**-Employer-**

More information on how to develop policies for discrimination, harassment and bullying can be found on the ACAS website:

[www.acas.org.uk](http://www.acas.org.uk)

Under the Public Sector Equality Duty, all public bodies in Scotland are required to develop policies that protect transgender employees against harassment, discrimination and victimisation.

Creating a workplace environment that does not allow for harassment, discrimination and bullying is not only about focusing on the negative, what people cannot do, but also the positives, what people can do. How do you as a manager/employer, together with your staff, create a workplace that is inclusive and respectful? This can for example involve going to training, raising issues individually and in team meetings.

## Absence Management

An employee whose transition involves medical assessments and treatment may require time off for, for example, surgical procedures, hair removal and speech therapy. **These types of procedures should not be viewed as elective or cosmetic.** An employee may also become unwell as a result of hormone treatment and therefore take time off from work. Under the Equality Act 2010 (section 16) it is unlawful to treat these types of absences differently, and therefore less favourably, than absences due to illness or injury.

*“ As I work in a very small organisation it would certainly be difficult if an employee would need to take time off [as part of their transition]. However, I feel confident that we would find a way to work this out. Because this is the sort of thing that happens when you are working with people, sometimes they will need to take time off, and for a whole variety of reasons. I don't think that absence relating to transitioning should be treated any differently from absence due to IVF treatment or an operation. You need to work together with the employee and find a way that works for everyone. ”*

**-Employer-**

It is good practice to specifically consider gender reassignment in Absence Management policies in the same way that other types of absences are. Moreover, the employer/manager should allow for a reasonable amount of time off. This should not be included with other sick leave and should not be used for absence management and monitoring purposes.

*“ Though it is important for the employee to be involved in decisions made around transitioning in the workplace, perhaps there are some things that the employee doesn’t need to be involved in. For example, regarding absences the employee simply needs the reassurance that it is okay for them to take time off for certain things and that they will be able to come back at a pace that works for them. The actual logistics of how this will work is something that the manager will be able to figure out with their colleagues. ”*

**-Transgender Employee-**

If a transgender employee has a surprisingly high absence rate it is important to consider whether discrimination, harassment or victimisation are effecting the employee’s wider health and wellbeing.

*“ She [the employee] has told me that hormonally, some of the medication that she takes can affect her mood. And because she was out as transgender, she was able to tell me about these impacts and let me know when she wasn't feeling great. That meant that I was able to be additionally supportive and let her know that it was fine for her to do what she needed to do. She could have not told me, she could have just phoned in sick and that would have been fine too and I would have given her the same response, but because she was able to give me that context I was able to keep that background information in mind when supporting her. ”*

**-Employer-**

## **Occupational Requirements**

In the NHS and other organisations, certain roles may be gender specific, for example in rape and abuse centres for women. According to the Gender Recognition Act, a person holding a Gender Recognition Certificate should be treated in every respect according to the gender specified on the certificate. However this may not always be the case with a person without a certificate. In these cases there are no clear rules, instead you may instead want to seek expert legal advice on how to proceed on a specific issue and when developing recruitment policies for these roles. In some cases it may also be useful to consider why there is a gender specification on a particular role and if there is another way to support and protect vulnerable people.

*“ It took us a long time to develop a policy for transgender people as, because of the nature of the work we do, we only employ women. It was quite a complex process, for example we needed to consider people who are non-binary. Because we are a service provider and we advertise that we are a women-only organisation this can be difficult. For example, we have a phone service so if someone calls in, and they can't see the person they are talking to, they'll obviously go on the voice, and make a judgement about the person they are talking to be based on that. So we had a lot of discussions around that and we also did work in partnership with STA and LGBT Youth, for example we had discussions and training with them and worked on drafts for policies together. In the end, in terms of supporting an employee or volunteer we say that we would support them as much as possible and really look at their role and look at whether it is absolutely essential that this is a women-only role and try as much as possible to accommodate their needs and consider what parts of the job they could do. Really it works on a case-by-case basis.*

**-Employer-**

## **Recruitment and Interviews**

At a fundamental level, it is good practice that all staff involved in recruitment have received Diversity Awareness Training to enable them to conduct recruitment that is inclusive. It is considered good practice for employers/managers to make sure that their recruitment policies are trans-inclusive, for example by specifically stating in job applications that applications from transgender people are welcome and to advertise in LGBT media. It is equally important to highlight within the recruitment process that transphobia is not tolerated.

A candidate is under no obligation to disclose their gender history at any point during the recruitment process or at any point after being employed. Like one's medical history, one's gender history is a purely personal matter for many people and not something they may wish to share at work. However, if a person wishes to disclose this information about themselves, it is unlawful to penalise them for this; for example by not offering them the job or dismissing them after they have been employed.

## **Pensions, National Insurance and Benefits**

A transgender person with a Gender Recognition Certificate (GRC) will be able to change their name and gender for their state and workplace pensions. These can also be amended on National Insurance, tax records and any benefits the person is entitled to. Please remember that legally changing your gender may affect your age of retirement and what benefits and pensions you are entitled to. There are currently gender differences in regard to pensions and benefits for people in the UK, though these are currently being phased out.

**Transgender people with a GRC are strongly advised to seek expert advice on any changes to their age of retirement and what benefits and pensions they are entitled to.**

**For more information, check out this Governmental link:  
[www.gov.uk/state-pension/eligibility](http://www.gov.uk/state-pension/eligibility)**

**This PDF from the Government is also useful:  
[www.bit.ly/GenderRecognition\\_PensionBenefits](http://www.bit.ly/GenderRecognition_PensionBenefits)**

For transgender people who do not have a GRC, the name and gender stated on their pensions, National Insurance and benefits will not be able to be changed. Therefore, employers and HR staff handling these documents are recommended to think about how these documents are stored and who has access to them.

## **Workplace Monitoring**

In order for an organisation to meet the requirements of the Public Sector Equality Duties (see section above) and the specific policies of the organisation, it may be necessary to collect information regarding the gender identity of its employees. When carrying out workforce monitoring it is important to consider why questions about gender identity are asked, how they are asked, where their answers are stored and what is to be done with the results. Firstly, have clear equality policies and action plans relating to transgender employees. This way, monitoring staff can give clear reasons as to why they would chose to ask employees about their gender identity and how this information will be used to further equality goals. Secondly, avoid making assumptions about employees' gender identities and histories when asking questions. For example, do not assume that a transgender person identifies with a "third gender". Finally, it is important to have secure data protection and to ensure that all employees are aware of and confident in these procedures.

Besides monitoring transgender employees, it may be equally important to monitor general attitudes within the organisation, such as willingness to work alongside transgender colleagues, for example through an attitude survey. This information may be very valuable when assessing how far an organisation has come in its equality work.

**It can be difficult to word questions regarding gender identity in a way that gives useful information and is considerate of respondents. There is, however, training available from both LGBT and trans-specific organisations (see section "Further Guidance and Support"). There are also online resources at hand, such as Transgender Equality Monitoring by the Scottish Transgender Alliance:  
[www.bit.ly/Transgender\\_Equality\\_Monitoring](http://www.bit.ly/Transgender_Equality_Monitoring)**

# Practicalities

In this section we will look at some of the practical considerations that an employer/manager and their organisation may need to take into account as they support an employee in transitioning or coming out in the workplace. Here we would like to emphasise the first segment which discusses the importance of the employer-employee relationship and how it can be used as a cornerstone in supporting transgender employees. This section also includes some considerations that may arise specifically in regards to non-binary employees.

## Employer-Employee Relationship

A point that was continuously raised by employers and transgender employees throughout this project was the importance of a good working relationship between the employee and their employer/manager or HR staff. This relationship opens up possibilities to discuss practicalities and create a timeline so that it is clear for both the employer and employee when changes are going to occur and who is going to take responsibility for them. Sometimes an employee may feel that they want to do a lot of the work themselves; other times the employer may need to take a more active role. In either case, it is key that the employee has as much control as possible over the decision-making process.

*“ It may be useful for managers and employees to have a time frame, in order to get an idea of when certain changes are going to happen. The employer must of course remember that this can change and that it is up to the employee to decide. It is also important to remember that each employee will have their own ‘pace’ at which they do things. Whereas one person may want to make lots of changes almost at the same time, others may take several years and will need a great deal of time in-between. ”*

**-Transgender Employee-**

*“ Whatever an employee choses to do and how they feel about it, the most important thing is that the employee feels that they are in control rather than the employer. They need to be able to decide who is going to find out, who’s going to do the conveying and when. ”*

**-Transgender Employee-**

**Templates for gender transition timelines can be found in  
Agender’s guide: The Workplace and Gender Reassignment:  
A Guide for Staff and Managers**

[www.bit.ly/WorkplaceGuide](http://www.bit.ly/WorkplaceGuide)



*“ If I needed more information about transgender folk or how to support a transgender employee I feel that I would know where to go, for example your organisation [LGBT Health and Wellbeing]. But if I didn't know, I think I would start by talking to the employee in question and finding out what they were reading and what they found helpful. ”*

**-Employer-**

*“ There are also several ‘soft skills’ that go into supporting a transgender employee in the workplace. Managers should try to be aware not only of practical issues that need to be addressed but also how to do this; there are many different ways to supporting a transgender employee, there isn't a ‘one size fits’ approach. What is key to this process being successful for the employee –and the rest of the staff team- is that the manager in general is an approachable person that staff feel comfortable speaking with about sensitive issues. ”*

**-Transgender Employee-**

While many of the people that we spoke to have had positive experiences in coming out as transgender or transitioning in the workplace, this is certainly not always the case (see e.g. The Engender Penalties report). It is not uncommon that transgender employees feel that they need to quit a job because of how their work environment changes post transitioning or coming out as transgender. It is therefore important that the employee has regular opportunities to discuss how they are feeling and get support so they feel safe and welcome in their workplace and are able to carry out their work.

*“ I feel that this experience has in general had a positive impact on my workplace and served to bring the team closer together. It has also made me, as a manager, more aware of how much people's personal lives can affect their performance at work and how important it is to take this into account when supporting all of your staff. ”*

**-Employer-**

*“ I think because of the nature of our work it is very important that we provide robust support and supervision to our employees and that people have space, not just to talk about their work, but also things in their personal life. In terms of me supporting her [the employee], I think that her being transgender perhaps wasn't necessarily the main thing that would come up in supervision but it certainly added another layer to her experiences in terms of her needing to deal with transphobia. During support and supervision we did allow a space to talk about what that was like for her. ”*

**-Employer-**



## Colleagues

### Telling Colleagues

For some transgender employees it may be important that all of their colleagues know about their gender identity and the changes that they are going through. This is perhaps more common with people who are transitioning from one gender to another while in the same workplace. For other people, they may only want some people to know, or perhaps no one. This is perhaps more common for people who feel that they have completed their transition and do not feel that others need to know about these areas of their past. For an employer, it is important to speak with the employee to find out who they would like to tell and what they want them to know. Remember, you do not have the right to disclose information about someone else's gender identity or gender history without their consent.

#### Tips:

**Writing an email.** The employer or transgender employee can send round an email where they explain what is going to happen and what changes colleagues can expect from the person. You can also include things like what name and pronouns you would like colleagues to use, if you want customers/clients/service users to know and if it's okay to approach you with questions. The transgender employee can consider when this should be sent, e.g. at the beginning or end of the week or if the employee would like to take some time off.

*“ I decided that I would rather that everyone at my workplace know about my plan to transition at the same time so that there would be no confusion or ‘gossip’ at my workplace. I wrote an email where I explained that I was going to transition and why. I also said that people were free to get back to me if they had any questions about this. I popped into work to send round this email while on annual leave, so that by the time I got back everyone would already have read it. I wasn't too worried about how people would react but I was pleased to find that I received a lot of positive and supportive emails from my colleagues. ”*

**-Transgender Employee-**

**Tips:**

**A template letter can be found in Agender's guide: The Workplace and Gender Reassignment: A Guide for Staff and Managers**

**[www.bit.ly/TemplateLetter](http://www.bit.ly/TemplateLetter)**

*“ Something that I did consider was whether some of my staff, while valuing openness and respect in their professional role, may still have issues about the [transgender] employee's decision privately. And this can be harder to do something about. However, I feel that we have an open and inclusive work environment and that people usually feel okay with bringing up tricky issues. I also feel confident that the [transgender] employee in question would bring up any negative experiences with me. ”*

**-Employer-**

**Tips:**

**A meeting: the employer and transgender employee can together hold a meeting or bring it up in a team meeting. The employee can discuss with their employer who should say what, potentially the employee may choose not to attend the meeting.**

*“ What I have noticed with the staff team, though they have expressed support for the [transgender] employee, is that they sometimes seem anxious about how to act around them. I think that this is because they are worried that they will do or say something wrong. At present we haven't taken any collective decisions on how to address this. We'll have to see if it is something that continues or if it will resolve itself ”*

**-Employer-**

### Tips:

**Face-to-face: the transgender employee can choose to tell people one at a time when they feel comfortable doing so. In some cases the employee may feel more comfortable with the employer doing it for them.**

*“ My advice for other employers would be to be proactive about things rather than getting stuck in that reactive state where you are responding to things after they’ve happened. For example, if a new person is hired and all of a sudden everyone in the staff team are sent off on trans-awareness training then that can be quite exposing for the new member of staff. I think it can be valuable to continuously be thinking about the diversity of your staff team and reflecting on the assumptions that you may be making about them. And training is also a great tool. Rather than just writing policies for things, training can be a great space for staff to explore some of their concerns or issues or uncertainties in a safe environment. That’s really important. ”*

**-Employer-**

### Harassment, Discrimination and Bullying from Colleagues

A transgender employee may experience direct harassment, discrimination or bullying from colleagues because they have chosen to tell people about their gender identity. This may include things like violating the dignity of the person or behaving in a hostile or intimidating manner. As an employer/manager it is important to take these reports seriously. Other times inappropriate or harmful behaviour may not be as obvious. For example, a colleague may continuously use an old name when referring to a transgender employee or a colleague may ask very personal questions about a transgender employee’s body. If you as an employer have little first-hand experience of what it may be like to identify as transgender, it may happen that you miss some of the more subtle ways that a transgender employee can feel hurt or violated in the workplace. It can therefore be good to check that the employee feels comfortable talking with you about things that happen in the workplace.

*“ In my old workplace, colleagues would repeatedly out me, both in front of people I didn’t know and in front of service users. When I tried to talk with them about this they either brushed me off or ignored me. This made me feel undervalued and invisible. It also taught service users that I had less authority or ability to carry out my work with them. It disrupted my work practices, because of the constant dysphoria trigger (being outed) I had to use a lot of energy to protect myself emotionally. This made challenging others who would constantly out me even more difficult and stressful. It affected my ability to work with service users because my guard was up so much it was difficult to connect with them (or anyone else). ”*

**-Transgender Employee-**

As an employer it is important to be mindful of how staff react to learning that a co-worker is transitioning or coming out as transgender. If tensions are building up it may be beneficial to provide a safe space where staff can explore any feelings and concerns as well as how to collectively move forward. Providing training by a trans-specific or LGBT organisation may also be useful (see links in section “Further Guidance and Support”). However, an employer/manager should always demonstrate clearly that discrimination, harassment or other malicious behaviour toward a transgender employee is a criminal offence and will not be tolerated.

*“ My workplace is a very open one where people in general are supportive and there is little harassment or bullying or anything like that. It’s also the sort of place where people feel able to go and talk to their managers if anything is bothering them. Therefore I felt fairly confident from the start that it was a good idea for me to be open about my gender identity. At a place I used to work at I certainly wouldn’t have felt as confident about talking to my manager and colleagues. ”*

**-Transgender Employee-**

*“ During training there was a real sense that people didn’t need to worry about that they’re being stupid or that they’ve said something wrong. There was a real sense that there were no stupid questions and that it’s okay to ask and therefore people came away from the training feeling comfortable. ”*

**-Transgender Employee-**

## **Working with Customers, Clients and Service Users**

Besides talking with colleagues it may be relevant for some transgender employees and their employers to share gender identity or transition with other people that they meet at work, for example customers, clients or service users. As with telling colleagues, it is important for the employee to be in control of this process; who they want to know, when this should happen and who should tell them. Also, while there is no reason why a person cannot continue to work directly with customers/clients/service users, some employees may feel that they would like to change their role in the organisation for a while or permanently. In these cases it is good practice for the employer to accommodate these changes if possible.

*“ There was a situation that came up with another organisation where a worker was asking questions that I think were inappropriate. She [the employee] is very much out there and open about being transgender, and why should she not? But as it is something that is known about there was a situation where a worker was asking questions about her that were just inappropriate and not for us to answer. Questions like “what stage in surgery is she at?” And my colleague actually responded “well that's none of my business and actually it's none of yours either”. But we then needed to have a discussion about what we are doing with that individual and the organisation that they work for and how to address that issue in a way that was supportive of her [the employee] and not minimising the situation but also not escalating it.*

**-Employer-**

It is important for employers to demonstrate that discrimination and other forms of abuse toward a transgender employee are not tolerated. However, it may also be useful to consider not just the negatives but also the positives; how a workplace can show both staff and customers/clients/service users that it is welcoming to transgender and other LGB people. For example, by having a rainbow sticker in the window or including trans-specific information in stalls and on bulletin boards.

*“ What I think is really great about our organisation is that it is very open and inclusive, and in a highly visible way. I think that other members of staff [who work with the community] work very hard to convey this message to our community. It is also something that you notice if you come and visit us. In our reception there are rainbow colours and an LGBT logo. We showcase work that we have done with and for the LGBT community and in various rooms you can find LGBT brochures. I think this gives people a sense that you are welcome to be open about who you are here. It may also have an impact on the kind of people who are interested in working for us. Straight off the employees know that this is a place where discrimination and harassment aren't tolerated.*

**-Employer-**

## Trades Unions

Nearly all larger trades unions in the UK will now have a LGBT support group or network. Many will also have policies or guidelines concerning general equality issues such as discrimination harassment or to trans-specific workplace issues. These resources may be useful to both employers and transgender employees in order to find out about rights and to get support when needed. For example, a transgender employee may wish to have a representative present at meetings with their employers or HR staff. These services are almost always confidential, meaning that a transgender person will not need to “out” themselves in order to access them.

## Non-binary People

### Pronouns

The most important thing when it comes to pronouns is to check with the person about which pronouns they want you to use and when they want you to use them. A person who doesn't identify as male or female (non-binary gender identity) may ask you to use pronouns that you are used to using, for example they/them or zie/zir. A lot of people may feel anxious about making mistakes but rather than getting everything right from the start, it is perhaps more important to be respectful of what is important to others. **If you use the wrong pronouns, simply apologise, move on and try to get it right for next time.**

### Single-sex facilities

If a person is transitioning in a workplace then they may want to talk with their employer about if and when they want to change from using one set of toilets and other single-sex facilities to another. For a person who is transitioning from male to female or from female to male this can be as straightforward as the employee telling their employer roughly when they think they want to switch and which toilets they will be using. For a person who does not identify as female or male, for example a non-binary person, it is more a question of discussing which facilities this person feels more comfortable using. As a manager/employer you may also want to consider if you could have gender neutral toilets in the workplace (see Resources for Gender Neutral Toilets in section “Further Guidance and Support”).

“ *There weren't any real challenges in terms of supporting this employee but something that we did need to have a conversation about was the use of bathrooms. I had a conversation about this with a senior and we just decided that the person would use the bathroom that was appropriate to their sex and that was it. We notified staff about this and let them know that they could come and speak to us if they had any issues with it and no one ever did.* ”

-HR Staff-

For further reading on gender neutral toilets, go to:  
[www.bit.ly/Gender\\_Neutral\\_Toilets](http://www.bit.ly/Gender_Neutral_Toilets)

### Dress codes

Today many organisations will have general dress codes promoting clothing and appearance which meet high standards of cleanliness and functionality and give a good image of the organisation. However some organisations may have chosen to divide their dress code in terms of what they find suitable for men and women separately. This may make things difficult for a person who is transitioning in the workplace or has a non-binary gender identity. As an employer you can strive to have an open dialogue with the employee that you are supporting and with the HR department about how this can be resolved. This could potentially be an opportunity for management and policy makers to review why it is important to have a gender specific dress code.



# Definitions

*Here we wanted to include some of the words that you may have come across in this guide or that others around you have used. There are of course no exact definitions for these words or directions for how and when they should be used. Instead, as in so many other situations, it is important to be respectful of the person that you are talking to, or about and check with them what words they would like you to use.*

Words marked as adjectives (adj) should not be used as nouns, e.g. 'a transgender person' NOT 'a transgender'.

**Being outed:** having someone else reveal your gender identity, for example transgender, usually without your consent.

**Cisgender (adj) (abbreviation: cis):** refers to a whole range of people who find their gender identity or gender expression matches the gender assumptions made by others about them when they were born. The term was created to challenge the assumption that cisgender people (as opposed to transgender people) are always the standard in discussions about gender and sex. It is not a derogatory term.

**Coming out:** is the lifelong process of telling other people that you are, for example, transgender.

**Crossdressing (adj) / Transvestite:** people who dress, either occasionally or more regularly, in clothes associated with the opposite gender, as defined by socially accepted norms. Crossdressing people are generally happy with the gender that they were labelled with at birth and usually do not want to permanently alter the physical characteristics of their bodies or change their legal gender.

**Gender identity:** a person's inner sense of self as male, female or something else. Many people develop a gender identity that corresponds socially to their biological sex, but many do not.

**Gender reassignment:** as used in the Equality Act 2010, this is a broad term to include any person who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

**Gender Recognition Certificate (GRC):** certificate demonstrating that a person has legally changed their gender. This is obtained through application to the Gender Recognition Panel (GRP) where the applicant must meet certain criteria. While this is the right choice for some transgender people it is not for everyone.

**FTM (female to male):** refers to someone labeled female at birth but who is transitioning, or has transitioned to become a man.



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**Legal sex/gender:** all people are assigned a gender at birth, this is their legal gender. A person can change their legal gender by making an application for a Gender Recognition Certificate from the Gender Recognition Panel. At present in the UK the only options for legal sex/gender are male or female, though there is a great diversity in people's gender identity.

**Male-female binary:** the idea that all people must either be male or female.

**MTF (male to female):** refers to someone labelled male at birth but who is transitioning, or has transitioned to become a woman.

**Non-Binary gender:** refers to people who identify their gender as not conforming to the traditional western model of gender as binary. They may identify their non-binary gender as a combination of aspects of men and women or alternatively as being neither men nor women. Examples of labels people may use to describe their non-binary gender include **Androgyne / Polygender / Genderqueer**; some people may use no label at all.

**Questioning (adj):** a person who is questioning their sexual orientation and/or gender identity. This does not necessarily make them confused.

**Protected characteristic:** term used in the Equality Act 2010 referring to the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**Transgender/trans (adj):** an umbrella term for a range of people whose gender identity or gender expression differs in some way from the gender assumptions made by others about them when they were born, including: transsexual people, people with a non-binary gender, crossdressing/transvestite people, and others.

**Transitioning:** the process of moving from one gender to another. This sometimes includes hormone or surgical treatments, but not always.

**Transphobia:** refers to the hatred or fear of transgender people. Discrimination based on a person's transgender identity.

**Transsexual (adj):** a term used to describe people who consistently self-identify as the opposite gender from the gender they were labelled at birth. Depending on the range of options and information available to them during their life, most transsexual people try to find a way to transition to live fully in the gender that they self-identify as. Transitioning is also known as gender reassignment. Many, but not all, transsexual people take hormones and some also have surgery to make their physical bodies match their gender identity better.

# Further Guidance and Support

## Legal information

**ACAS (Advisory, Conciliation and Arbitration Service).** ACAS provide free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. They support good relationships between employers and employees which underpin business success as well as conciliation to resolve workplace problems. They also provide training and tailored advice.

Website: [www.acas.org.uk/](http://www.acas.org.uk/)

**Equality Act 2010.** Available at: [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)

**Equality Act 2010: Public Sector Equality Duty.** Available at: [www.legislation.gov.uk/ukpga/2010/15/section/149](http://www.legislation.gov.uk/ukpga/2010/15/section/149)

**Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.** Available at: [www.legislation.gov.uk/sdsi/2012/9780111016718/contents](http://www.legislation.gov.uk/sdsi/2012/9780111016718/contents)

**Equality and Human Rights Commission's Equality Act 2010 Code of Practice: Employment.** Available at: [www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010/equality-act-guidance-codes-practice-and-technical-guidance](http://www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010/equality-act-guidance-codes-practice-and-technical-guidance)

**Gender Recognition Act 2004.** Available at: [www.legislation.gov.uk/ukpga/2004/7/contents](http://www.legislation.gov.uk/ukpga/2004/7/contents)

**Gender Recognition: Benefits and Pensions.** Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/372462/gender-recognition-pensions-and-benefits.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/372462/gender-recognition-pensions-and-benefits.pdf)

## Workplace Guides for Employers and Transgender Employees

**Changing for the Better. How to Include Trans People in Your Workplace: A Guide for Employers.** Available at: [www.scottishtrans.org/wp-content/uploads/2013/03/changing\\_for\\_the\\_better.pdf](http://www.scottishtrans.org/wp-content/uploads/2013/03/changing_for_the_better.pdf)

*Authors: Scottish Transgender Alliance. The Scottish Transgender Alliance works to improve gender identity and gender reassignment equality, rights and inclusion in Scotland.*

**Equality and Diversity Transgender Policy Guide for Employers 2015.** Available at: [www.gires.org.uk/assets/Workplace/Transition-in-workplace-policy-Nov-2015.pdf](http://www.gires.org.uk/assets/Workplace/Transition-in-workplace-policy-Nov-2015.pdf)

*Authors: Gender Identity Research and Education Society (Gires) is a UK charity which works to improve substantially the environment in which gender non-conforming people live.*

**Factsheet: Transgender Workers Rights.** Available at: [www.unison.org.uk/content/uploads/2015/05/TowebTransgender-workers-rights.pdf](http://www.unison.org.uk/content/uploads/2015/05/TowebTransgender-workers-rights.pdf)

*Authors: Unison. Unison is a UK trades union that represents staff who provide public services, in both the public and private sectors.*

**LGBT Equality at Work** (3<sup>rd</sup> Edition). Available at: [www.tuc.org.uk/sites/default/files/tucfiles/lgbt\\_equality\\_at\\_work\\_2013\\_online.pdf](http://www.tuc.org.uk/sites/default/files/tucfiles/lgbt_equality_at_work_2013_online.pdf)

*Authors: Trades Union Congress.*

**Top Tips for Working with Trans People.** Available at: [transbareall.files.wordpress.com/2013/11/toptipsforworkingwithtranspeople.pdf](http://transbareall.files.wordpress.com/2013/11/toptipsforworkingwithtranspeople.pdf)

*Authors: TransBareAll. TransBareAll works with the trans community, helping people accept their bodies and live more fulfilling lives.*

**The Workplace and Gender Reassignment: A Guide for Staff and Managers.**

Available at:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/308050/The\\_Workplace\\_Guide\\_Nov\\_2013.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/308050/The_Workplace_Guide_Nov_2013.pdf)

*Authors: A:GENDER. A:GENDER is the support network for staff in government departments/agencies who have changed or need to permanently change their perceived gender, or who identify as intersex. This workplace guide also includes templates for a letter/email to colleagues and a timeline for an employee's transition process.*

**Additional Guidance for Transgender People completing a Disclosure Application Form**

Available at: <http://www.disclosurescotland.co.uk/publications/documents/ARTICLE-TRANSGENDER.pdf>

## Guides for monitoring employment of transgender employees

**Monitoring Gender Non-Conformity: A Quick Guide.** Available at:

[www.gires.org.uk/assets/Workplace/Monitoring.pdf](http://www.gires.org.uk/assets/Workplace/Monitoring.pdf)

*Authors: Gender Identity Research and Education Society (Gires).*

**Transgender Equality Monitoring.** Available at: [www.scottishtrans.org/wp-content/uploads/2013/03/stamonitoringguidefeb09.pdf](http://www.scottishtrans.org/wp-content/uploads/2013/03/stamonitoringguidefeb09.pdf)

*Authors: Scottish Transgender Alliance.*

## Training organisations specialising in delivering LGBT and Transgender Awareness

**LGBT Health and Wellbeing.** We aim to improve the health and wellbeing of all LGBT people living in Scotland. We engage directly with LGBT people in our work of offering one-to-one support and building community connections in Edinburgh, Glasgow and Fife, and provide a national LGBT Helpline. The awareness training that we offer is informed by our direct contact with LGBT people. We are happy to tailor awareness training to your needs.

**LGBT Youth.** LGBT Youth Scotland is a voluntary organisation dedicated to the inclusion of lesbian, gay, bisexual and transgender young people in the life of Scotland. LGBT Youth also support organisations to obtain an LGBT Charter of Rights, a tool that can enable organisations to integrate LGBT issues into their services and become more LGBT inclusive.

Website: [www.lgbtyouth.org.uk](http://www.lgbtyouth.org.uk)

**Scottish Transgender Alliance.** The Scottish Transgender Alliance works to improve gender identity and gender reassignment equality, rights and inclusion in Scotland. They provide training for public service providers in Scotland in order to help mainstream transgender equality, rights and inclusion. Website: [www.scottishtrans.org](http://www.scottishtrans.org)

## Resources for gender neutral facilities

Examples of gender neutral bathroom signs (download-able): [http://www.uua.org/sites/live-new.uua.org/files/documents/lgbtq/gender\\_neutral\\_bathroom\\_11x17.pdf](http://www.uua.org/sites/live-new.uua.org/files/documents/lgbtq/gender_neutral_bathroom_11x17.pdf)

and <http://www.refugerestrooms.org/signs>

**Gender Neutral Toilets Briefing.** Available at: [http://s3-eu-west-1.amazonaws.com/nusdigital/document/documents/24432/27ff7a8f71fc43a73b0afb01ef30ec76/gender\\_neutral\\_toilets\\_briefing\\_NUS\\_2009.pdf](http://s3-eu-west-1.amazonaws.com/nusdigital/document/documents/24432/27ff7a8f71fc43a73b0afb01ef30ec76/gender_neutral_toilets_briefing_NUS_2009.pdf)

*Authors: NUS LGBT. NUS LGBT is a part of the UK National Union of Students and campaign for LGBT rights in areas such as civil partnership and gender recognition.*

## Organisations that support transgender people and their friends, families and workplaces (Scotland)

**LGBT Health and Wellbeing.** Provide options for one to one support (including specialist counselling), confidence building courses and peer support and social opportunities. We have Transgender Support Programmes delivered in Edinburgh and Glasgow. Support is also available via our Helpline, Tues and Wed from 12-9pm on 0300 123 2523.

Website: [www.lgbthealth.org.uk](http://www.lgbthealth.org.uk)

**Scottish Transgender Alliance.** The Scottish Transgender Alliance works to improve gender identity and gender reassignment equality, rights and inclusion in Scotland. They assist transgender people, service providers, employers and equality organisations and have a great deal of resources on their website.

Website: [www.scottishtrans.org](http://www.scottishtrans.org)

**Equality Network.** Equality Network is Scotland's national lesbian, gay, bisexual, transgender and intersex (LGBTI) equality and human rights charity.

Website: [www.equality-network.org](http://www.equality-network.org)

**LGBT Youth Scotland.** LGBT Youth Scotland is a voluntary organisation dedicated to the inclusion of lesbian, gay, bisexual and transgender young people in the life of Scotland. Ages: 13-25. LGBT Youth also support organisations to obtain an LGBT Charter, a tool that can enable organisations to integrate LGBT issues into their services and become more LGBT inclusive. Website: [www.lgbtyouth.org.uk](http://www.lgbtyouth.org.uk)

**Depend.** Depend are a voluntary organisation whose aim is to provide support, advice and information for anyone who knows, or is related to, a transsexual person in the UK.

Website: [www.depend.org.uk/](http://www.depend.org.uk/)

**Equality and Human Rights Commission (EHRC).** On their website you can find detailed guidance and advice on the Equality Act and other equality issues.

Website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

**Scottish Trades Union Congress (STUC).** On their website you can find information and contact details for most trades unions in Scotland. The STUC also has its own LGBT committee which holds an annual conference and campaigns for LGBT rights.

Website: [www.stuc.org.uk/](http://www.stuc.org.uk/)

**Stonewall.** Stonewall Scotland campaigns for the equality of lesbian, gay, bisexual and transgender people across Britain. Stonewall Scotland runs the Diversity Champions Programme, Britain's best practice employers forum for sexual orientation and gender

identity equality, diversity and inclusion. They are currently working with 750 members across public, private and third sectors employing almost a quarter of the UK workforce. Website: [www.stonewallscotland.org.uk](http://www.stonewallscotland.org.uk)

## Community Groups for Transgender People (Scotland)

There are many community groups for transgender people in Lothian as well as the rest of Scotland. For up to date information on these, including contact details, please see section Services and Support on LGBT Health and Wellbeing's website: [www.lgbthealth.org.uk](http://www.lgbthealth.org.uk). An option is to also sign up for T Monthly our monthly newsletter about trans specific support: [www.lgbthealth.org.uk/subscribe](http://www.lgbthealth.org.uk/subscribe)

## References

**Equality Act 2010.** Available at: [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)

**Equality Act 2010: Public Sector Equality Duty.** Available at: [www.legislation.gov.uk/ukpga/2010/15/section/149](http://www.legislation.gov.uk/ukpga/2010/15/section/149)

**Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.** Available at: [www.legislation.gov.uk/sdsi/2012/9780111016718/contents](http://www.legislation.gov.uk/sdsi/2012/9780111016718/contents)

**Equality and Human Rights Commission's Equality Act 2010 Code of Practise: Employment.** Available at: [www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010/equality-act-guidance-codes-practice-and-technical-guidance](http://www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010/equality-act-guidance-codes-practice-and-technical-guidance)

**Gender Recognition Act 2004.** Available at: [www.legislation.gov.uk/ukpga/2004/7/contents](http://www.legislation.gov.uk/ukpga/2004/7/contents)

**Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination.** (2007) Available at: <http://www.pfc.org.uk/pdf/EngenderedPenalties.pdf>

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## Additional Information

This document is available in PDF format from the NHS Lothian Health and Promotion Resource Centre at <http://www.nhslothianhpac.scot.nhs.uk/HPAC/Index.jsp>.

This document is also available on LGBT Health and Wellbeing's website at <http://www.lgbthealth.org.uk/online-resources/>

You can also request hard copies of the Guide from LGBT Health and Wellbeing by phoning 0131 523 1100 or emailing [admin@lgbthealth.org.uk](mailto:admin@lgbthealth.org.uk)

To discuss any aspect of this information guide please contact Helen Smart (Senior Health Promotion Specialist, NHS Lothian Senior Health Promotion Service) at [Helen.Smart@nhslothian.scot.nhs.uk](mailto:Helen.Smart@nhslothian.scot.nhs.uk).

You can also contact Annette Rae (Service Manager, LGBT Health & Wellbeing) at [annette@lgbthealth.org.uk](mailto:annette@lgbthealth.org.uk).

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9 Howe Street  
Edinburgh, EH3 6TE  
Telephone: 0131 523 1100  
Website: [www.lgbthealth.org.uk](http://www.lgbthealth.org.uk)

NHS Lothian Health Promotion Service  
Canaan Park: Ground Floor  
Astley Ainslie Hospital  
133 Grange Loan  
Edinburgh, EH9 2HL  
Telephone: 0131 537 9399  
Website: [www.bit.ly/NHSLothianHealthPromotion](http://www.bit.ly/NHSLothianHealthPromotion)

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