



CHANGING FOR THE BETTER



**HOW TO INCLUDE TRANS PEOPLE IN YOUR WORKPLACE
A GUIDE FOR EMPLOYERS**

2ND EDITION 2012
SCOTTISH TRANSGENDER ALLIANCE
AND STONEWALL SCOTLAND



Stonewall
SCOTLAND





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FOREWORD

We are delighted to work in partnership to produce this guide as a revised second edition following the Equality Act 2010. While sexual orientation and gender reassignment are two different protected characteristics, we find that by working jointly as part of a mutually supportive and inclusive LGBT equality sector we are able to more effectively progress trans equality in the workplace.

Both the Scottish Transgender Alliance and Stonewall Scotland are very grateful to the organisations featured in this guide as they give us an insight into the various ways organisations can make their workplaces more trans-friendly and make a difference to the working lives of trans people in Scotland.

by James Morton, Scottish Transgender Alliance Co-ordinator
and Colin Macfarlane, Director, Stonewall Scotland

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INTRODUCTION



This guide is a practical resource for organisations specifically wanting to ensure that their workplaces are supportive and inclusive of their trans staff. It outlines employers' legal obligations and examines the nature of anti-trans discrimination and harassment, and the impact that this type of discrimination can have on individual staff members, the working environment, productivity and an organisation's external reputation.

The guide is based on existing in-depth UK and Scottish research into the workplace experiences of trans people and also the ongoing joint policy and good practice work of the Scottish Transgender Alliance and Stonewall Scotland's Diversity Champions members. It includes 10 simple steps organisations can take to ensure their existing workplace policies and procedures work better for their current and future trans staff.



1. THE BUSINESS CASE




Who are trans employees?

A transgender or trans employee is an employee whose gender identity or gender expression differs from the gender assumptions made about them when they were born. Some trans employees will have just started to undergo gender reassignment (transition) to change the gender role in which they live to better reflect their gender identity, others will already have completed their gender reassignment (transition) and are simply men and women who have trans histories. Some trans employees may not self-identify clearly as male or female or may still be deciding whether or not to change the gender role in which they work and may express their gender differently on a part-time basis in non-work situations.

A glossary of trans terminology is included as an appendix at the back of this guide.

Most trans employees are not 'out' as trans to their workplace colleagues or managers. Often it is only when an employee is actively changing their workplace gender role as part of a process of gender reassignment / transition that they will be 'out' about being trans. Many trans employees do not feel they can afford to take the risk of being 'out' as trans in the workplace – 42% of trans people not living permanently in their preferred gender role stated they are prevented from doing so because they fear it might threaten their employment status [Engendered Penalties, 2007].



Depending upon their experience of workplace support or harassment, an employee who comes 'out' as trans may become:

- *A more productive and happier employee who feels great loyalty to their supportive employer;*
- *A stressed and frustrated employee trying to cope with an unsupportive workplace environment and considering leaving;*
- *An ex-employee seeking redress through an employment tribunal after experiencing workplace discrimination and/or harassment.*

Trans employees are valuable assets for organisations. Several different research surveys have found evidence that trans people have higher average educational levels than the wider UK population and also that trans people are more likely to work in professional and managerial occupations compared to the wider UK population. Most recently, the Scottish Transgender Alliance found 55% of its survey respondents had achieved a HND/Degree or Postgraduate Degree qualification.

The latest research evidence on the experiences of trans employees can be downloaded from the Scottish Transgender Alliance website:

www.scottishtrans.org



The process of changing gender role is not a simple task for any person to undertake – it requires a trans person to utilise a range of transferable skills. After successfully changing gender in all spheres of life, a trans employee is likely to have an abundance of skills, including excellent communication and negotiation skills, confidence to make difficult but necessary decisions, self-organisation skills, and an innovative constructive approach to problem-solving.

“Transitioning set me free from the worries and confines of being unhappy with my own self-perception, and my own self worth. I have now found that I can bring so much more to my workplace and my life in my new gender than I did in my old. I take more pride in my work and I can now concentrate on what I am doing, rather than wishing away the hours to go home. My workplace colleagues have also found me more productive, helpful, more approachable and gregarious, and the general comment that I often get is that I am a much better person.”

A Scottish member of the National Trans Police Association

“My experience of my gender has been unusual and multifaceted. I find this helps me to feel comfortable looking at situations from different perspectives and exploring possibilities which others may overlook. I'm not scared to be an innovative thinker or to speak up about my ideas.”

A member of the Scottish Transgender Alliance



“When I decided to 'transition', I steeled myself for the worst. I was prepared to be an outcast and never be with anyone, but I've surpassed my wildest dreams. Not only do I have a lovely boyfriend, but I've realised my full potential at work, and my business has taken off. I don't need to tell everyone I meet about my past, and because of how I look, people don't guess. There are so few women in IT and a huge gender pay gap — there's this perception that women don't do technology, and it's a mindset I want to change. I'm much more effective as a woman because I communicate more. Fundamentally I'm still the same person, but it's as if the brakes are off. I allow myself to be much more sensitive to others' needs.”

Kate Craig-Wood, BlackBerry Women in Technology Awards 2008 Finalist and Managing Director of her own IT company, as interviewed in the Sunday Times, 30 March 2008.

“Transitioning from female to male is a scary and difficult process but I'm proud of how it has strengthened my character. If I hadn't gone through these challenges of researching my trans options, standing up for my decision to change my life for the better and gradually winning over those who initially doubted my gender identity then I'd not be as skilled and mature as I am. I'm glad I'm a trans man. It feels strange to think how nervous about talking to people I used to be. Now, after having had to explain positively my transition to all my friends, family and colleagues, talking to anyone and doing corporate presentations on ordinary subjects feel easy. Transitioning gave me a rapid learning curve on reading an audience's reactions and communicating a clear message effectively. It also taught me how to cope with the pressure of having a lot riding on my decisions and actions.”

A member of the Scottish Transgender Alliance

What is the impact of anti-trans workplaces?

Reduced productivity and motivation in the workplace and a loss of skills to organisations

- *Transgender people are an asset to their employers, yet many feel that they cannot stay with their existing employer during transition due to discrimination, leading to a loss of important skills and experience to the organisation*
- *Unless an organisation is explicitly transgender inclusive many trans people considering transitioning may fear the reaction of their colleagues and managers and may leave the organisation.*

At work over 10% of trans people experienced being verbally abused and 6% were physically assaulted. As a consequence of harassment and bullying a quarter of trans people will feel obliged to change their jobs.

Engendered Penalties, 2007

"I did not intend to change my employment but because of bullying and discrimination directly related to my transition I eventually felt compelled to resign."

Respondent of Engendered Penalties UK Survey, 2007

"I didn't feel safe enough to use the bathroom at my last job as a result of being trans and people getting angry when I tried to use the bathroom."

Respondent of Scottish Transgender Alliance Survey, 2012

“Lack of data security led to me being 'outed' at work as transsexual and it was extremely hard to remain attending work after this happened as it felt like the equivalent of everyone at work seeing me naked – I felt that exposed and vulnerable. Personnel and management were clueless so I had to educate and manage my colleagues' reactions myself.”

Respondent of Scottish Transgender Alliance Survey, 2008

Risk of legal action and damage to external reputation

- *Employers have a responsibility to combat discrimination and harassment of their trans employees. Employment Tribunals don't just do reputational damage; they can cost their employers significant amounts of money and organisational energy.*

A typical employment tribunal case example:

A ferry crew member was awarded £65,000 in compensation after an employment tribunal ruled that she had been driven out of her job by taunts from co-workers. She was referred to by her former colleagues as “he, she, it, whatever” and told to use a male changing room. The employment tribunal found that her employer had failed to protect her from “an atmosphere of intimidation and hostility caused by the fact that she was undergoing gender reassignment”. It also found that the senior management team had failed to provide employees with adequate guidelines on dealing with trans workers.

Personnel Today – see www.tinyurl.com/tribunalexample

Loss of skills within labour force

- *Not only do employers lose valued staff members in an anti-trans workplace, but skills can be lost across the wider labour force.*

Trans people who face discrimination at work may change career or even leave the workforce entirely. Workplace bullying and harassment can have a long-lasting impact on self-confidence and career development. Organisations must understand that being trans does not negatively affect employee productivity but discrimination does. Unchecked discrimination in the workplace leads to a waste of talent that affects not just the individual organisation but society as a whole.

"I left my job prior to transition because I didn't think I could transition and stay on in the same job. I decided to return to university and train for a different career altogether."

Respondent of Scottish Transgender Alliance Survey, 2008

"Found out from a friend who already worked somewhere I had been turned down for that the manager felt "He/She'd be a huge disruption to the rest of the staff. We'd have to make all sorts of changes. I mean, which toilets would he/she use?!" (a direct quote, I'm assured. Also of note is that there are unisex toilets on site). Manager sounded really keen on me on the phone, loved my experience, and answers to her questions. When I got there she took one look at me and her face fell, she barely asked me any questions and what she did ask was largely "How would you deal with a customer who had a problem with you being... er... you know." ...Due to this kind of reaction at several interviews I've stopped applying for customer facing jobs to avoid this kind of treatment in future."

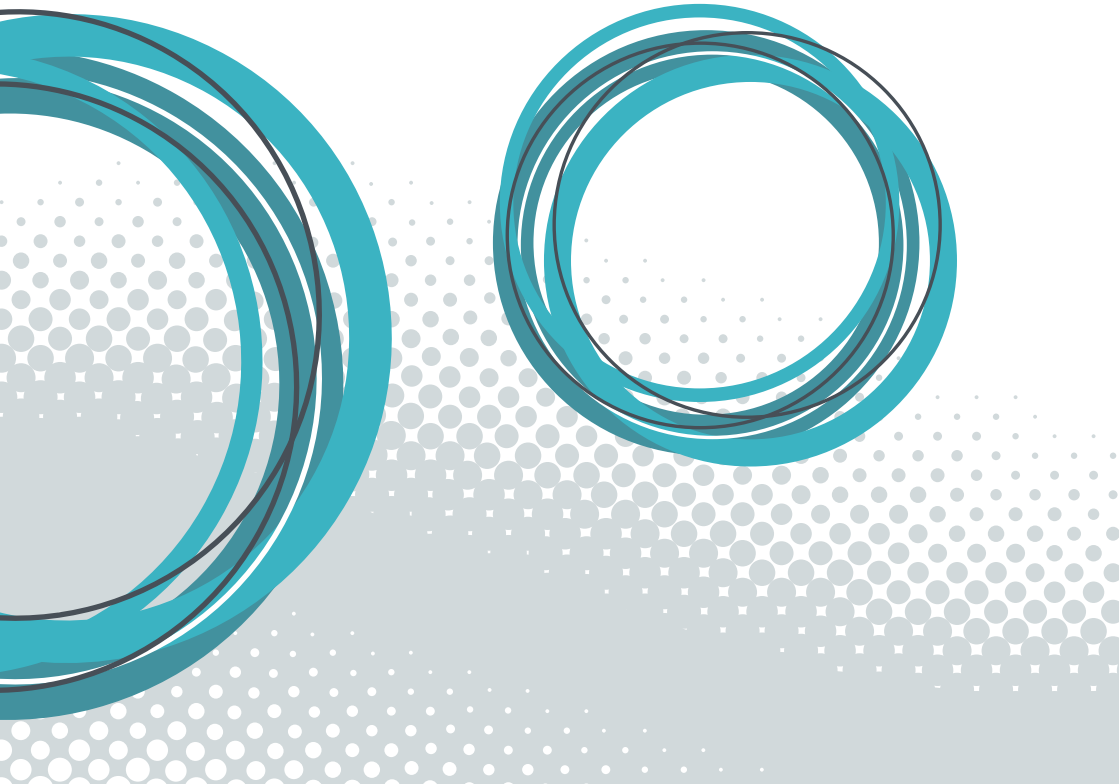
Respondent of Scottish Transgender Alliance Survey, 2012

“I was a senior manager at a software company, and the directors could not deal with the thought that I might transition – so we agreed redundancy as opposed to me taking them to tribunal. I got many interviews but only vague explanations as to why I didn't get any subsequent jobs.”

Respondent of Scottish Transgender Alliance Survey, 2012

“Due to staff members and management being unable to accept my transition, I was laid off after 17 years by a compromise agreement. I feel I cannot apply for other jobs in same sector as it is not pleasant for trans people.”

Respondent of Scottish Transgender Alliance Survey, 2012



2. THE LEGAL FRAMEWORK

The **Equality Act 2010** protects people who are proposing to undergo, currently undergoing or have undergone a process (or part of a process) of **gender reassignment**. This covers all aspects of employment, including recruitment and selection processes, employment-related benefits, training, career development and references. It also covers the delivery of goods, facilities and services. It protects against direct and indirect discrimination, harassment and victimisation.

The act makes it clear that it is not necessary for people to have any medical diagnosis or treatment to gain this protection; it is a personal process of moving away from one's birth gender to one's self-identified gender. A person remains protected, even if they decide not to proceed further with transitioning.

People discriminated against because they are wrongly perceived to be trans, or who are discriminated against because of their association with trans people or issues, are also protected.

The employer is automatically liable for discriminatory actions by anyone acting on their behalf, whether or not it was done with their knowledge, unless the employer can show that they had taken all reasonable steps to prevent such actions.

As an employer, you have a legal obligation to ensure that all your staff, regardless as to whether they propose to undergo, are undergoing or have undergone gender reassignment, do not suffer discriminatory treatment at work, and it is best practice to ensure that they are able to reach their full potential.

Some examples of discrimination on the grounds of gender reassignment include the following:

- *Refusing to associate with or ignoring someone because they are trans.*
- *Refusing to address the person using their new name and gender pronoun.*
- *Probing into the person's private life and relationships.*
- *Spreading malicious gossip about the person.*
- *Failing to keep confidential information about the person's trans status.*
- *Refusal to allow use of sanitary facilities appropriate to the gender in which the person is living.*
- *Treating the person less favourably than others in regard to sickness or other absences.*
- *Forcing the person to change to a role which is not customer facing.*
- *Failing to challenge a contractor who repeatedly makes anti-trans comments.*

Unlawful harassment occurs where behaviour relating to gender reassignment creates an intimidating, hostile, degrading, humiliating or offensive environment for an employee, for example where a colleague makes jokes about being trans. This conduct does not have to be directed towards a particular employee who is known to be trans as it relates to the atmosphere which is created by the conduct.



A:GENDER, the UK Civil Service Trans and Intersex Staff Network, has published online a very detailed guide on gender reassignment in the workplace. It can be downloaded from: www.tinyurl.com/agenderguide

The **Equality Act 2010** also includes the **Public Sector Equality Duty**. This places an obligation on public authorities to take positive steps to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people with protected characteristics and those without. The **Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012** detail the specific actions required of public authorities in Scotland, such as reviewing the equality impact of their policies and practices, carrying out workforce equality monitoring and developing equality outcomes across the different protected characteristics including gender reassignment.

Further good practice guidance about progressing trans equality as part of the Public Sector Equality Duty, including trans workforce equality monitoring guidance, can be found on the Scottish Transgender Alliance website www.scottishtrans.org and also the Equality and Human Rights Commission Scotland website www.equalityhumanrights.com

The **Gender Recognition Act 2004** was enacted to provide trans people who have completed transition and are therefore living permanently in their acquired gender with additional privacy and marriage rights. However, the Gender Recognition Act 2004 now seems to be a source of common confusion for employers.

Some employers are incorrectly requesting their employees to show a Gender Recognition Certificate or proof of surgical status before updating the name and gender used in the workplace.

Refusing to change the name, title and gender on an employee's work records, IT system and employment identification cards at the start of the employee's transition when they first change their name is discriminatory.

A trans employee does not need to have a Gender Recognition Certificate or need to have completed any hormone or surgical treatment. They have a right to have respect shown for their new name and gender role from the start.

Occupational Requirement Exception

In the vast majority of cases, the gender of a worker is of no relevance to their ability to do a particular job. However, very rarely there may be circumstances in which an employer is able to stipulate that the post is only open to people of a particular gender due to an occupational requirement, for example where the role involves working with clients in a women only rape and sexual abuse counselling service. Where a post is subject to an occupational requirement exception, this can impact in complex ways upon the eligibility of applicants who are trans. It is therefore important for organisations who expect to use occupational requirement exceptions to seek specialist legal advice first.




3. EFFECTIVE POLICY AND PROCEDURE



This section briefly sets out some key issues for trans staff and practical ways in which you can improve your workplaces for trans staff and prospective staff.

Key issues for trans staff still working in their original gender role

- *Fear of 'coming out' at work means that many trans staff working in their original gender role feel they have to hide their identity. Harmful jokes and 'workplace banter' can be anti-trans and deter many trans people from coming out. Many may feel unable to challenge offensive comments from work colleagues without 'outing' themselves.*
 - *Anxiety about whether or not to transition can affect efficiency and productivity at work, as well as having a negative impact on developing solid working relationships with colleagues.*
 - *Trans staff still working in their original gender will be looking discreetly for signs that their employer is supportive of trans equality.*
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“What is it like being transgendered but no one at work knows you are? ...I'm in knots. Completely. My mind races with fears and worries. I often feel sick... I worry about how I'll be received... I worry about not knowing who will be nice, who will reject me... I worry about being laughed at. And I worry this worrying is affecting my work. I want to prove I'm a good worker, a worthy manager, that this part of me won't change. I want to show I'm still a nice person, someone you can trust. That this part of me won't change... I just want to be seen as just another person getting on with their life. At the minute people see me as a friendly, sociable, confident, fairly successful man. It's just the last bit I want to change.”

A trans civil service manager writing in A:GENDER News

What can you do as an employer?

- *Send a positive message to all staff that your organisation is transgender inclusive. Consider whether it is clear to employees that your organisation is supportive towards trans staff, without them having to 'out' themselves. If individuals are unsure of the likely response of their employer, they may decide not to take the risk of coming out and may seek a more obviously supportive employer.*
- *Set up and widely publicise a way for staff to access confidential transgender support. If your organisation has several thousand staff, then set up a specific trans staff support network. If your organisation is not large enough to set up a trans support network then set up an LGBT staff network and help it make links with external trans support organisations. Make sure that support and information about transgender issues are available to staff via employee counselling services, your organisation's website and your human resources and occupational health teams.*

Two excellent examples of trans staff support networks are the National Trans Police Association and the civil service trans and intersex network A:GENDER. Their contact details are at the back of this guide.

- *Ensure there is a publicly available trans employment equality policy for the organisation and/or that your policies on relevant issues such as harassment, absence management and data protection make clear specific reference to the needs of trans employees. Promote trans equality across the organisation and ensure it is linked to the wider framework of equality and diversity initiatives.*
- *Recognise the importance of leadership in this area by identifying a senior member of staff to champion transgender equality and speak out publicly against transphobia at work.*

Key issues for trans staff undergoing gender reassignment

- *There is strong evidence that transition in a place of work is a major trigger point for experiencing inequality and discrimination.*
- *For trans people, discrimination and inequalities seem to occur from the point of transition and not before in their career. In other words, many trans people have successful careers up to the point of beginning to live in their acquired gender – the transition is the point where problems occur.*



- *Harassment from colleagues or managers often starts as refusals to use the new name and pronoun of the person undergoing gender reassignment, objections about sharing toilet facilities with the trans person, and violations of the trans person's privacy rights via inappropriate questions and malicious gossip. If left unchallenged by the employer, verbal harassment by colleagues can escalate into threats of violence, criminal damage / graffiti, and actual physical or sexual assault.*

What can you do as an employer?

- *Show leadership in quickly adapting to the transition by smoothly and consistently using the person's new name, title and pronoun for all verbal and written purposes as soon as they request this. Take immediate action to correct any use of the previous name, title or pronoun by colleagues.*
- *Ensure transgender issues are included in your diversity training to raise awareness across the workforce of issues affecting trans staff. Provide additional awareness training as needed to the close colleagues and line managers of an employee undergoing gender reassignment. Be careful not to reveal any information about the individual personal situations of trans employees without first obtaining their explicit permission. To ensure that training is provided by someone sufficiently knowledgeable and comfortable explaining trans equality issues, it is often best to seek assistance from a trans equality organisation such as the Scottish Transgender Alliance.*
- *Provide a transitioning employee with plenty of opportunities to informally discuss any concerns about workplace reactions with a supportive manager. Consider ways to show public support for a transitioning employee: for example, organising a congratulations card welcoming their change of name, taking time to speak to them during lunch or coffee breaks.*

- *Show unequivocal support for a trans employee's right to use the toilet facilities of the gender in which they are working. If the transitioning employee is particularly nervous about the potential reactions of colleagues then it may be helpful to encourage them to ask a supportive colleague to accompany them at first. If you have some individual toilets you could make those gender neutral so that a range of choices are available.*
- *Involve trans equality organisations and trans employees in developing trans inclusive policies and equality schemes. Don't just seek input from one LGBT group – seek specific trans input too. To enable trans employees to input to your policy development without having to 'out' themselves at work, you could arrange for an external trans equality organisation to hold a focus group for you at an external venue. Also remember that larger trade unions often organise confidential transgender network groups that trans people in your workforce may be in contact with.*
- *Ensure that your absence management policy includes reasonable time off for gender reassignment medical assessments and treatment such as hair removal, speech therapy and surgical procedures.*
- *Ensure that your bullying and harassment policy makes it explicitly clear that transphobic bullying and harassment will not be tolerated and that this is communicated clearly across the whole organisation.*
- *Transgender legal rights and good practice standards are currently increasing rapidly each year so regular policy reviews are of vital importance to ensure you stay up to date with new developments.*



“It is all very well having a policy of understanding and equality, but in the end, this is only going to help if your managers provide you with the help and support you need. When I told my line manager, I was close to tears. I was so nervous I could hardly speak. He was surprised but supportive and understanding, and make it clear this would make no difference to our working relationship. At my request, he advised my senior managers who also expressed their absolute support. It was good to be told by them that I was, and would remain, a valued and respected member of their team. We were able to produce an action plan and schedule for my transition and arranged regular progress meetings along the way.

Over a period of a month, I explained myself to some 23 colleagues in my office and was given the time to do so. I provided them with the HR website information which proved invaluable. Every colleague expressed support at the time and since my transition they have given me exactly that. I have had nothing but encouragement – and crucially, respect.”

A Department of Work and Pensions employee

Key issues for staff with trans backgrounds who have already undergone gender reassignment

- *When people complete their transition, they may no longer regard themselves as being trans. They might consider having undergone gender reassignment to just be an aspect of their personal history and no longer an issue in their life. In such cases, they simply describe themselves as men or as women and it is most disrespectful to insist on calling them trans, transgender or transsexual against their wishes.*

- *Privacy about their trans background is a key human right for staff who have already undergone gender reassignment. The Gender Recognition Act 2004 actually makes it a criminal offence for anyone acquiring information about a person's Gender Recognition history in an 'official capacity' to disclose it to a third party without the consent of the person to whom the information relates. There are only a few exceptions, for example if the information is required by the police for the prevention or investigation of a crime or the information needs to be disclosed to a lawyer in order to seek legal advice.*
- *The decisions which staff with trans backgrounds make about whether or not to share that information are very similar in complexity and sensitivity to decisions other staff make about sharing information about other types of medical history.*

What can you do as an employer?

- *Make sure that all employment records are updated to completely remove the previous name and gender details. If it is impossible to remove the old details, then inform the individual which documents still contain the old details and agree a method to limit access to the old details.*
- *Ensure staff training on data protection and privacy stresses the importance of treating information about a person's trans background as highly confidential medical information in order to avoid staff risking criminal conviction through ignorance.*
- *Always use the name and gender requested by a former employee when writing references. If they inform you they have transitioned since they worked for you, you are legally obliged to protect their privacy by only using their new name and gender. (Their National Insurance number remains unchanged.)*

The benefits for organisations

- **Promotes diversity** within the workplace. Actively supporting trans employees in the workplace clearly demonstrates an employer's commitment to equality and diversity, signalling that it values all staff members. This, in turn, can help to attract and retain skilled and talented people.
- **Enhances the reputation** with trans employees, customers, clients and service users. Employers who gain a reputation for supporting and valuing trans individuals will be viewed more positively by potential employees can become an employer of choice for many people, whether they are trans or not.
- **Improves recruitment and retention.** Trans employees who feel protected from discrimination, either before, during or after transitioning are much less likely to leave their employers, thus, reducing staff turnover.
- **Improves performance and productivity.** Trans employees are valuable assets for organisations and while anti-trans workplaces can reduce productivity and lead to loss of skills, a trans-inclusive workplace improves workplace performance and productivity.
- **Avoids risk.** Employers are legally obliged to protect their staff from transphobic bullying and harassment and must be able to demonstrate they have taken steps to prevent bullying and harassment of trans staff in order to avoid costly and damaging employment tribunals.


The benefits for employees

“The support I have received from my employer and work colleagues has been second to none, which has given me the confidence I needed in myself to make this wonderful change in my life.”

A member of the National Trans Police Association


- **Reduces fear of transphobia and promotes positive workplaces.** *Promote positive workplace cultures for all staff by making your organisation free from anti-trans discrimination.*
- **Demonstrates duty of care.** *Employers have a responsibility to protect all their employees. Transgender employees who have been assured that a complaint about transphobic bullying and harassment will be taken seriously and treated confidentially are more likely to seek assistance at an earlier and more easily manageable stage, rather than letting the situation escalate and then feeling they have to resign.*
- **Increases motivation.** *If trans employees feel protected from discrimination in the workplace they will also feel valued and respected. This will impact positively on their well-being and drive at work.*
- **Career development.** *If a trans employee feels supported by their employer they are much more likely to stay with that employer during transition and further develop their careers, rather than feeling that they must move on.*

The benefits for customers and clients

- **Improves customer service.** *Organisations which deliver services to the public will be able to develop a better understanding of the needs and expectations of trans customers and clients. They can also help identify barriers for trans people in accessing goods and services.*
 - **Increases customer confidence.** *Customers and clients are more likely to have confidence in an organisation's brand and services if they have a reputation for treating all staff, including their trans staff, well. Conversely, workplace discrimination is bad for business.*
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4. TEN STEPS TO BEGIN WORKPLACE TRANS INCLUSION



- 1** Include gender identity and gender expression in general **equality policy** statements. Make sure to list all the protected characteristics when referring to the Equality Act 2010 rather than causing confusion by just mentioning a few.
 - 2** Take steps to ensure transgender employees can report **bullying and harassment**. Ensure your bullying and harassment policy or statement refers to transphobic bullying and harassment and that this is promoted widely to all staff.
 - 3** Set up a staff **LGBT support network** and arrange a speaker on transgender inclusion. If your organisation has several thousand staff, then set up a trans support network. If your organisation is not large enough to set up a trans support network then ensure that the contact details of external trans support organisations are available to staff via employee counselling services, your organisation's website and your human resources and occupational health teams.
 - 4** Create a **procedural guidance note** for your organisation listing all computer and paper records which record the gender of employees and how to update them fully upon notification that an employee has started a gender reassignment process.
 - 5** Update the workplace **absence management policy** of your organisation to make explicit that absences required for gender reassignment medical assessments and treatments including counselling, speech therapy, hair removal, and surgeries need to be treated fairly in a similar manner to other medically necessary special leave provided for in your policy.
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- 6 Put up **positive pro-active notices** in all your toilets confirming that your organisation supports the right of all trans people to use public toilets in safety (there is a Scottish Transgender Alliance 'Flush Away Transphobia' poster available for this purpose).
- 7 Identify a senior member of staff to **champion transgender equality** and encourage them to speak out publicly against transphobia in the workplace.
- 8 Review your current **diversity training** programme to ensure that it includes a consideration of transgender issues in the workplace. This will raise awareness among all staff of trans issues.
- 9 Carry out a **staff attitude survey** which includes questions on attitudes towards transgender people. This will ascertain where further training and awareness raising is required within the organisation. Seek advice from a trans equality organisation on how to appropriately progress trans equality monitoring.
- 10 Improve your reputation among transgender employees and prospective employees by stating a commitment to transgender equality in **recruitment advertising** and by advertising in LGBT media.



FURTHER GUIDANCE & SUPPORT



SCOTTISH TRANSGENDER ALLIANCE (STA)

www.scottishtrans.org

Equality Network

30 Bernard Street

Edinburgh, EH6 6PR

Tel: 0131 467 6039

www.facebook.com/scottishtrans.org

Email: info@scottishtrans.org

Funded by the Scottish Government and based within the Equality Network, the Scottish Transgender Alliance provides employers and service providers in Scotland with training and good practice guidance on trans equality issues. Also works to increase the representation of trans equality issues within the work of LGBT, gender and cross-strand equality organisations and to build the equality engagement capacity of trans groups and individuals.

STONEWALL SCOTLAND

www.stonewallscotland.org.uk

15 Mansfield Place

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www.facebook.com/stonewallscotland

Email: workplace@stonewallscotland.org.uk

Campaigns for equality and justice for lesbian, gay, bisexual and transgender people. By working in partnership with the Scottish Transgender Alliance and building on the good practice demonstrated through the Diversity Champions programme Stonewall Scotland will support employers in improving their workplaces for transgender people.

PRESS FOR CHANGE (PFC)

www.pfc.org.uk

Campaigns for equal civil rights for trans people and provides legal help and advice.

GENDER IDENTITY RESEARCH & EDUCATION SOCIETY (GIRES)

www.gires.org.uk

Works to improve the circumstances in which trans people live, by changing the way that society treats them.

A:GENDER

www.agender.org.uk

A:GENDER is the employee support network for transsexual, transgender and intersex staff in all parts of the civil service and associated government agencies across the UK.

NATIONAL TRANS POLICE ASSOCIATION

www.ntpa.org.uk

The National Trans Police Association is the trans support network for employees in all police services across the UK.

UNISON NATIONAL TRANS CAUCUS

www.unison.org.uk/out

In addition to branch and regional LGBT groups, the trade union UNISON has a confidential national transgender caucus. UNISON also provides a variety of trans equality guidance resources for trans employees and trade union reps.



EQUALITY AND HUMAN RIGHTS COMMISSION

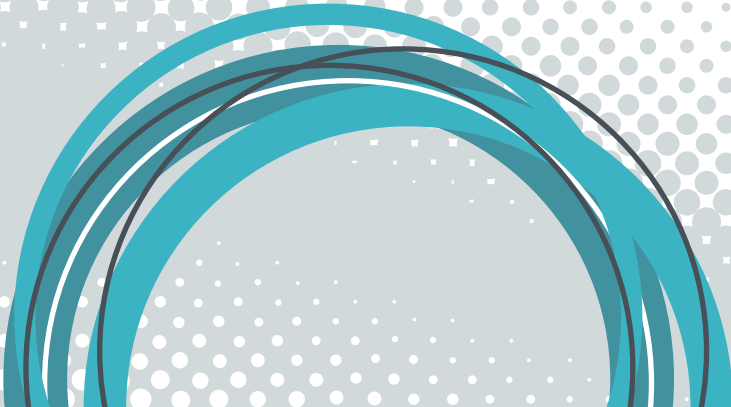
www.equalityhumanrights.com

The Equality and Human Rights Commission aims to reduce inequality, eliminate discrimination, strengthen good relations between people, and promote and protect human rights.

GENDER RECOGNITION PANEL

www.grp.gov.uk

The Gender Recognition Panel administers the gender recognition application process and provides information about the legal effects of gender recognition under the Gender Recognition Act 2004.



APPENDIX – KEY TRANS TERMINOLOGY IN USE IN SCOTLAND

Transgender People, Trans People or Gender Variant People

These are umbrella terms used to describe a whole range of people whose gender identity or gender expression differ in some way from the gender assumptions made about them when they were born.

Gender Identity

This is an individual's internal self-perception of their own gender. A person may identify as a man, as a woman or as having a non-binary gender.

Gender Expression

This is an individual's external gender-related appearance (including clothing) and behaviour (including interests and mannerisms). A person may have masculine, feminine or androgynous aspects of their appearance or behaviour.

Biological Sex

A person's biological sex includes all aspects of their gender-related biological structure: not only their genitals but also their internal reproductive system, their chromosomes and their secondary sexual characteristics such as breasts, facial and body hair, voice, and body shape. Most people's biological sex will be clearly and consistently female or male. However, a small but significant number of people have bodies which are not completely male or female. People born with these kinds of physical variations are referred to as intersex people. A person may also have a biological sex which is not completely clearly male or female if they have undergone some hormonal or surgical intervention as part of a process of gender reassignment.

Gender Dysphoria


This is a recognised medical issue for which gender reassignment treatment is available on the National Health Service in Scotland. Gender Dysphoria is distress, unhappiness and discomfort experienced by someone about their biological sex not fully matching their gender identity. Transsexual people usually experience intense gender dysphoria which is significantly reduced by transitioning to live as their self-identified gender, perhaps taking hormones and/or getting surgery to make their physical bodies match their gender identity better. Other types of transgender people may also experience various degrees of gender dysphoria, especially when unable to fully express their gender identity.

Transsexual People

This is a term used to describe people who consistently self-identify as the opposite gender from the gender they were labelled at birth based on their physical body. 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.

A **female-to-male (FTM) transsexual man (trans man)** is someone who was labelled female at birth but has a male gender identity and therefore is currently seeking to transition, or has already transitioned, to live permanently as a man.

A **male-to-female (MTF) transsexual woman (trans woman)** is someone who was labelled male at birth but has a female gender identity and therefore is currently seeking to transition, or has already transitioned, to live permanently as a woman.



Intersex People

This is a term used to describe people born with external genitals, internal reproductive systems or chromosomes that are in-between what is considered clearly male or female. There are many different intersex conditions. When an intersex baby has ambiguous genitals, medical staff often make an educated guess about which gender to assign to the baby. Sometimes the person's gender identity matches their assigned gender, but sometimes the guess made by the medical staff turns out not to match the intersex person's own gender identity. In many cases, an intersex person will simply self-identify as a man or as a woman. However, in some cases, an intersex person may self-identify as being neither a man nor a woman.

Cross-dressing People

This is a term used to describe people who dress, either occasionally or more regularly, in clothes associated with the opposite gender, as defined by socially accepted norms. Cross-dressing people are generally happy with the gender they were labelled at birth and do not want to permanently alter the physical characteristics of their bodies or change their legal gender. They may dress as the opposite gender for emotional satisfaction, erotic pleasure, or just because they feel more comfortable doing so. Cross-dressing men are sometimes referred to as transvestite men, however this is becoming an increasingly out-dated term and may cause offence.



Non-Binary Gender: Androgyne People & Genderqueer People

These are terms used to describe people who find they do not feel comfortable thinking of themselves as simply either men or women. Instead they feel that their gender identity is more complicated to describe and non-binary. Some may identify their gender as being a form of combination between a man and a woman, or alternatively as being neither. Like transsexual people, some androgyne people and genderqueer people can experience gender dysphoria and may sometimes at least partially transition socially and may take hormones or occasionally have some surgery done.

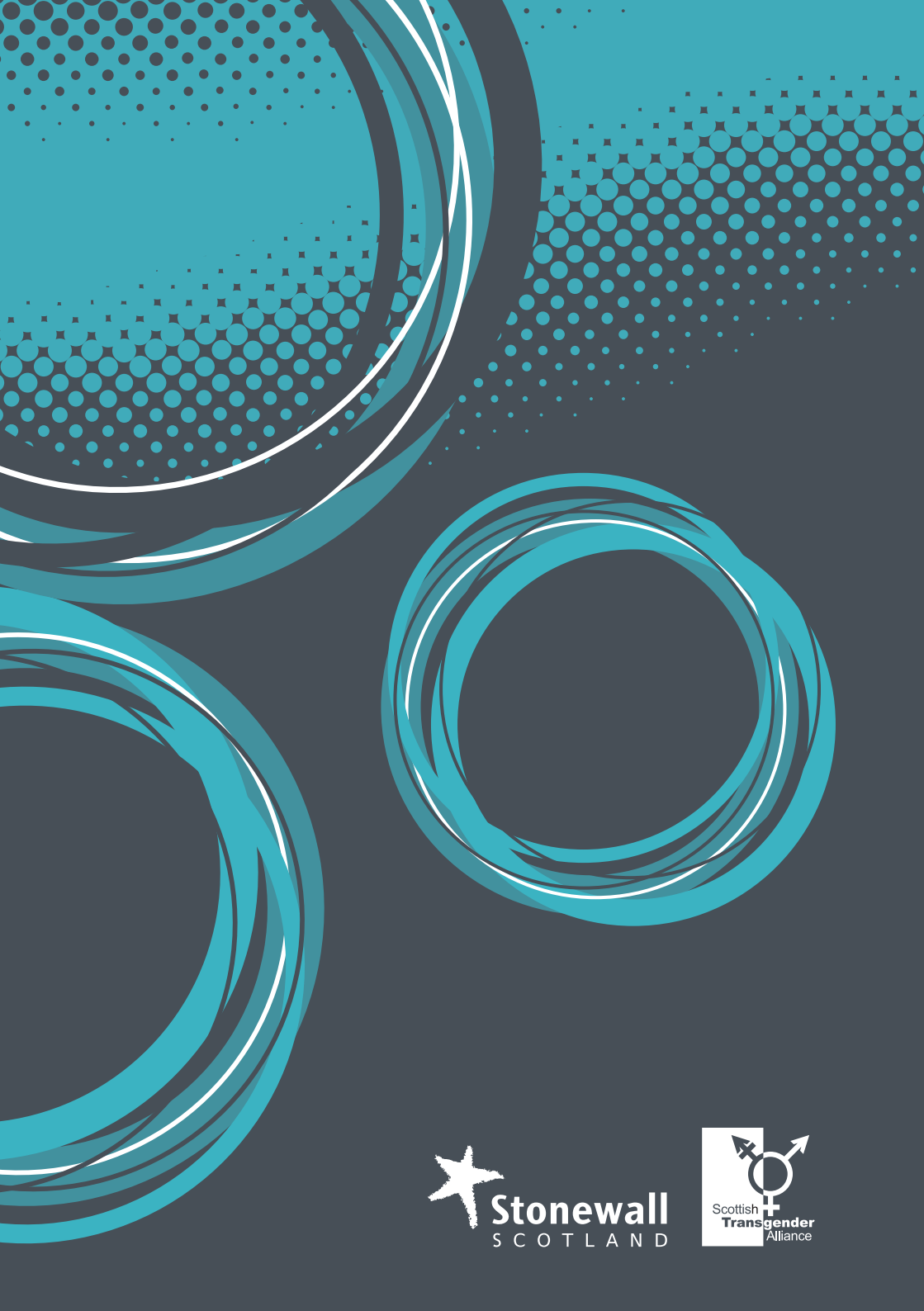
Acquired Gender

This is a term used in the Gender Recognition Act 2004 to mean the gender role that a person has transitioned to live their life in and which matches their self-perceived gender identity. The acquired gender of a male-to-female trans woman is therefore female and the acquired gender of a female-to-male trans man is therefore male.

LGBT

This is the acronym most commonly used in Scotland to talk about lesbian, gay, bisexual and transgender people. LGBT equality work addresses the two equality strands of sexual orientation and gender identity together due to shared experiences of discrimination and harassment, shared social 'scene' venues and community groups, and also similar issues around decisions on whether or not to 'come out' about their identity to colleagues, family and friends. However, transgender people can be lesbian, gay, bisexual or straight – just like anyone else.





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SCOTLAND

