

Trans Inclusion Policy

Definitions

'Representatives': Employees, Directors/Trustees, Volunteers, Contractors

'Stakeholders': Members, Hirers, Visitors, Audience, Participants

Introduction

In conjunction with Trinity's Equality, Diversity and Inclusion Policy, this policy sets out guidelines to support trans and gender non-conforming representatives and stakeholders.

We seek to provide a supportive environment for trans representatives and stakeholders and to create a culture and environment where trans people are able to thrive.

Who is this policy for?

This policy applies to all representatives and stakeholders of Trinity and is applicable to any individual whose gender differs from that assigned at birth; those who identify as trans, gender non-conforming, those who don't identify with a binary gender (or any gender at all) and those whose gender changes over time.

Gender identity definitions

Definitions and terminology relating to gender identity are evolving. A Glossary is provided in Appendix 1 of this policy and comprehensive, up-to-date glossary of terms can be found at: Stonewall Glossary of Terms.

There are many different trans and gender non-conforming experiences and Trinity welcomes each individual to let us know what language they prefer to use. Choice of language will not affect the application of this policy.

A note on the law

The following laws apply to all sections of this policy:

- Equality Act 2010; 'Gender reassignment' is one of the nine protected characteristics covered by the Equality Act 2010. The Act protects a person from discrimination, harassment and victimisation if they are undergoing, proposing to undergo or have undergone any process of gender reassignment.
- Gender Recognition Act 2004; Trinity is aware that the planned review of the GRA 2004 in response to the 2018 GRA Consultation by the Government has been postponed however this policy will be subject to update should any results of this consultation be released.

Who is responsible for this policy?

Responsibilities for this policy are as outlined in the Equality, Diversity and Inclusion Policy.

Trans Inclusion Principles

Giving equal treatment

In line with our Equality, Diversity and Inclusion Policy, Trinity is committed to welcoming and supporting trans and gender non-conforming representatives and stakeholders including:

- respecting anybody's gender identity, regardless of the law
- providing an environment that is comfortable and free from discrimination or harassment because of gender identity
- removing barriers i.e. to recruitment/employment and/or participation

Trinity is committed to supporting trans and gender non-conforming people as with all other users, including considering any additional sensitivities they may face and following best practice. This includes:

- **Not making assumptions.** Don't assume someone's gender based on their voice or appearance. Consider whether you need to ask someone's gender and/or avoid using gendered language i.e. 'Sir/Madam.'
- **Being led by the individual.** i.e. asking someone how they would like to be addressed and/or how they would like to be supported and respecting those choices. For example:
 - if someone makes it clear how they would like to be addressed – particularly their name, pronoun (he/she/they) or title
 - enabling individuals to use facilities (i.e. toilets) appropriate to their gender identity
- **Sensitive to data.** Update documentation and records effectively and sensitively, without requesting unnecessary information (i.e. Gender Recognition Certificate) to amend personal details.
- **Awareness and best practice.** Publicising good practice and inclusivity and following external guidance and examples of best practice.

Language and pronouns

Trinity recognises everyone has the right to be addressed by the name and pronoun that correspond to their gender identity upon request. Trinity will take all necessary steps to ensure that an individual's change of name and/or pronoun is respected.

A GRC is not required to enable a trans gender person to change their name. Staff will respect an individual's chosen pronoun and this should be reflected in the language staff use.

Rather than assume, it is best to ask someone how they wish to be addressed. For example:

- instead of using 'Sir/Madam', ask someone's name and then use that to address them. If they prefer to use a formal name eg. Mr/Mrs they will tell you that
- when calling up to let someone know an appointment is here it is best to use either their name or gender-neutral titles, eg. 'they are here for the meeting', unless you already know the visitor's pronouns
- if you make a mistake with the language you used, acknowledge it, apologise, and move on using the correct language

See [Providing Services for Transgender Customers](#) for more information.

Recruitment

Trinity is committed to equality of opportunity for trans people throughout recruitment and employment; including supporting trans employees through any transitioning process.

Transgender job applicants/employees are not legally required to inform Trinity of their gender status/history.

Trinity does not have a uniform or official dress code and employee's clothing or appearance will not be restricted based on gender.

Employees have the right to discuss their gender identity openly or keep that information private at their discretion and this information should be treated as confidential, in line with our wider policies. See our Confidentiality Policy for further information.

Job advertisements will make clear that opportunities are open to all suitably qualified applicants. In an exceptional circumstance where the nature of a specific role might lawfully prevent someone who is transitioning from applying, the legal status must always be checked against the Equality Act 2010 and Gender Recognition Act 2004 in advance of advertising.

Except in exceptional circumstances as defined in law, a job applicant's gender identity is irrelevant and will not be considered as part of the selection process. Trinity's application form does not include a question about previous names and we are committed to updating all forms and processes in line with recommended best practice.

See our Recruitment Policy for further information.

Trinity recognises that the requirement to provide proof of identity and/or other work/education history documentation (i.e. qualifications/certificates) can be particularly sensitive for a transgender applicant.

Where an individual's documentation reveals their previous name and thereby their gender history, this information will be kept confidential and stored securely with the permission of the individual and in accordance with the organisation's Data Protection Policy. Where information may be required to be disclosed to third parties - i.e. for DBS and/or pension purposes - this will only be done with the explicit prior-consent of the employee.

Transitioning at work

Trinity seeks to provide a supportive environment for all trans staff and we are committed to providing a culture and environment in which trans employees are able supported during any process of transition.

We recognise that not all trans people will decide to undergo any form of transition, and for those that do the process will vary greatly.

It is vital that the employee is supported in the workplace so that they can continue to work to the best of their ability; feel comfortable; and be free of discrimination or harassment.

Once an employee has made the organisation aware that they will be starting, or have started, the process of transitioning, the employee's Line Manager will work with them to develop a confidential, bespoke, action plan to manage their transition at work, which will consider what steps to take before, during and after the employee's transition and may include aspects such as; timings, how the employee chooses to share information among colleagues/with third parties/public info, other practicalities (i.e. amending email).

Line Managers will be informed by consulting guidance and external HR professionals to ensure best practice and up to date processes are followed.

Time-scales, activity and communication will be driven and led by the person who is transitioning and no action will be taken without the employee's consent.

Gender-neutral facilities

Trinity does not yet have separate gender-neutral toilets. Trans and non-binary visitors and employees are entitled to access the facilities which correspond to their gender identity, or which they feel most comfortable using.

Trinity will take all reasonable and practical measures to provide facilities and spaces to cater for all our users and are committed to working with individuals to establish what is best for them. This includes varying signage of WCs for specific events and audiences, including adapting existing facilities, such as to provide either gender-neutral or gender-segregated facilities.

Gender-segregated activities

From time to time, gender segregation may be a part of third-party activities that take place within the Centre.

It is important that anyone using the Centre, including third-party hirers, are made aware of and understand that gender reassignment is a Protected Characteristic as defined in the Equality Act 2010.

A person does not need to have Gender Recognition Certificate to be protected under the characteristic of gender reassignment and, where an activity is gender segregated, individuals must be treated as the gender by which they self-define.

Assumptions should not be made about a person based on their appearance and hirers should not attempt to exclude someone from an event or activity based on their perceived gender.

It is the hirer makes their intentions known as part of the bookings process if their intention is to offer a gender-segregated service:

1. the bookings coordinator must make the hirer aware of this policy
2. the hirer must confirm that they have read this policy and sign to confirm they have understood the contents (via I Am Compliant), prior to commencement of the booking.

Sex-segregated activities

From time to time, sex segregation may be a part of third-party activities that take place within the Centre.

A hirer may provide a single-sex service as outlined under paragraph 27 of Schedule 3 of the EA2010, if "the limited provision is a proportionate means of achieving a legitimate aim" and the services meet one of six conditions outlined - for example, that only persons of that sex have need of the service, such as an FGM support service.

It is the hirer makes their intentions known as part of the bookings process their intention is to offer a single-sex service:

1. the bookings coordinator must consult with a senior management team member who will conduct a risk assessment based on the permissible exemptions outlined under paragraph 27 of Schedule 3 of the EA2010
2. the hirer must confirm that they have read this policy and any accompanying risk assessment and sign to confirm they have understood the contents (via I Am Compliant), prior to commencement of the booking.

Were there are any concerns, the bookings coordinator must take advice from the EHRC prior to confirming the booking.

Consulting with others

Trinity aims to consult as widely as possible with the communities we serve and we are open to updating this policy - if there is something in this document you think we should change please contact us.

Training

We aim to ensure all staff and managers are given sufficient training and guidance, in particular, to ensure that trans employees are given appropriate support within their workplace. Staff training will be provided on this policy and will be available on the staff Intranet for reference.

Enforcement

Trinity will not tolerate discrimination, victimisation or harassment on the basis of a person's gender identity, gender expression or trans status. See our Anti-Bullying and Anti-Harassment policies for more information.

Intentional, persistent use of the incorrect name or pronoun to refer to a transgender person will be regarded as harassment and will constitute a violation of this policy. Such behaviour may result in action being taken under the organisation's Disciplinary Procedure. See our Grievance and Disciplinary policies and procedures for further information.

Note

Trinity reserves the right to amend this policy at any time.

Document control

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3

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