

TRANS EQUITY POLICY

Last reviewed and approved by trustees: September 2020

Next due for review: June 2022 (3 Years)

Our Vision

We envisage an inclusive society where LGBTQ+ young people are healthy, successful and celebrated.

Our Purpose

We support the wellbeing and creativity of LGBTQ+ young people in Cambridgeshire, Peterborough and surrounding areas through information, support and groups. We build inclusive communities to tackle inequalities through consultancy, training and education to all sectors.

Our Values

Relevant – Our learning and development is continuous.

Engaging – We are warm and welcoming.

Accessible – We create inclusive communities and safe spaces.

Community Led – We are motivated by the voices of LGBTQ+ young people.

High Quality – Our support and guidance are of the highest quality.

Commitment to Trans Equity

The Kite Trust is committed to equity of opportunity for trans people, including supporting trans employees through any transitioning process, and will not tolerate discrimination, victimisation or harassment on the basis of a person's gender identity, gender expression or trans status. The Kite Trust seeks to provide a supportive environment for trans staff, volunteers and service users and to create a culture and environment where trans people are able to thrive and are well supported during any process of transition.

The Kite Trust recognises that trans identities go beyond the protected characteristic of Gender Reassignment as identified in the 2010 Equality Act and will therefore recognise all gender identities as valid. The Kite Trust recognises there is no right or wrong way to transition and is committed to supporting each individual in their decisions.

Equitable opportunities for trans people and their inclusion should be inherent to all of The Kite Trust's activities. The promotion of trans rights should be seen as integral to our youth work, schools and training services. These services should provide activities and an ethos which will support children, young people and adults to appreciate and take an active role in the diverse society in which they live.

The Kite Trust is committed to being a workplace where staff and volunteers of all genders feel included and valued. This in turn allows The Kite Trust to be in a strong position to promote equity in society by providing role models for children, young people and adult training participants. The presence of role models who identify as trans, non-binary, agender, gender questioning and gender non-conforming is of positive value to everyone involved with the organisation and our wider communities.

Changing facilities, toilets and other single sex facilities

Trans people are entitled to use single sex facilities in accordance with their correct gender. For non-binary people, this might mean using gender-neutral or accessible facilities, or using a combination of different facilities. However, trans people will

never be required to use accessible toilets unless they wish to do so. The Kite Trust will select venues and seek to influence venue owners to ensure gender neutral toilet options are available during our activities.

Discrimination and Abuse

The Kite Trust has a zero-tolerance approach towards discrimination and harassment based on gender identity, gender expression or gender history. Inappropriate behaviour or language may constitute discrimination, harassment, bullying or victimisation. Discrimination including harassment, third party harassment and victimisation are covered by the Equality Act 2010. Managers are responsible for taking timely action where misconduct occurs on the grounds of gender identity, in line with the harassment policy. This will be monitored and followed up.

It is a criminal offence to pass on information acquired 'in the course of official duties' about someone's gender recognition, without the consent of the individual affected. 'Official duties' include employment, trade union representation or supply of business or professional services.

The Equality Act 2010 (England, Scotland and Wales) protects against discrimination because of gender reassignment in employment and service delivery. The Act makes 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 the gender assigned at birth to the correct gender. 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.

DBS Checks

If a DBS check is required for a staff member or volunteer, we will highlight to all applicants the confidential procedure available to trans people. The Sensitive Applications Team can be contacted on 0151 676 1452, sensitive@db.s.gov.uk.

Employees Transitioning at Work

If an employee states that they are intending to transition at work, their line manager, in conjunction with other appropriate colleagues, should aim to make this process as smooth as possible. Managers should be aware that it can be an extremely difficult step for someone to approach their manager about transitioning and should be reassuring all staff that they will be supported and respected. The transition process will be led by the individual concerned.

The manager and employee will discuss the individual's preferences in relation to informing others, including other managers, colleagues, service users and other relevant contacts. They will agree whether the employee will do this, whether they would prefer the manager or a work colleague to do this, or a mixture of these options. They will also get express written agreement from the employee about when and how this will happen, including the details of the message and who it will be shared with. Levels of disclosure may vary in detail for different types of contacts and will be agreed in advance.

Electronic records will be updated in a timely manner, to coincide with the date on which the workplace transition begins. Care will be taken to ensure that records do not link back to the former name – this may entail creating a whole new email address rather than simply changing the name on the existing one, for instance. The manager and employee will work together to ensure that nothing is missed. New ID badges with the correct name and a new photograph will be issued, without any replacement cost to the trans employee.

Paper records will be updated where possible. Those which cannot be updated – for instance, paper copies of references relating to the employee's recruitment – will be stored in a secure place, and clearly marked as only to be looked at by named persons.

There is no reason why an employee who is transitioning should not continue in a service user facing role. However, some people might prefer a period of redeployment during transition, or as a permanent change. Managers will work with the trans person to find a solution that meets the needs of both the employee and The Kite Trust.

Paid special leave will be given in order for employees to attend transition-related healthcare appointments and treatment and recovery as advised by a healthcare practitioner. All requests should be taken to your line manager for approval in advance, and all reasonable requests will be honoured. These absences will not be counted in relation to absence monitoring, included in absences for references, taken into consideration for performance monitoring or, for instance, during redundancy procedures. In addition, trans staff are entitled to the same sickness absence and pay as other staff.

Many people have to travel a long distance for appointments, and these may be given at short notice. People may need reduced hours or duties, or other changes to usual working arrangements, for a temporary period following some treatments. Managers will be as flexible as possible to accommodate this.

References for Employees and Volunteers

Where a reference request is received for an employee or volunteer who has transitioned, The Kite Trust will respect the employee's privacy and only respond using the employee's correct name and gender in the reference. Disclosure on sickness absence will not include time taken off for medical appointments related to transition. This information is strictly confidential and managers must be very careful of any record keeping of this.

When The Kite Trust requests a reference, we will make the request using the prospective employee's correct name and gender since transitioning. We will not mention previous names or gender identity, unless specifically asked to do so (in writing) by the trans person.

Qualifications and Professional Registration

The Kite Trust recognises that it can be difficult and expensive for a trans person to change their qualification certificates. If these are in a former name then where possible a record will be made that the certification has been seen, but a copy will not be taken. If it is absolutely necessary for The Kite Trust to store a copy, they

will be stored securely and only accessed by named persons.

If the employee's job involves professional registration, we will check whether the registration body has a specific, confidential process for gender transition.

Pensions and National Insurance

Where pensions, national insurance contributions or other benefits are dependent on legal sex, trans people will be advised of the different implications of whether they do or do not have a Gender Recognition Certificate.