

Report for: Staffing & Remuneration Committee, - 2 February 2021

Title: Implementing Trans Equality Policy

Report authorised by: Richard Grice – Director of Customers, Transformation and Resources

Lead Officer: Dan Paul – Chief People Officer

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:**

1 Describe the issue under consideration

- 1.1 The Council values the diversity of its staff which we believe enriches both the workforce and our work with the community. We are committed to welcoming trans individuals by removing barriers to recruitment, development and promotion.
- 1.2 As part of the Council’s ongoing commitment to equality and diversity, it is recommended that we adopt a specific Trans Equality policy. Members are asked to consider the Trans Equality Policy (attached as Appendix 1) and Practice Notes (attached as Appendix 2).

2 Cabinet Member Introduction

Not applicable.

3 Recommendations

- 3.1 That the Committee approve the new Trans Equality Policy ready for implementation with effect from 1st March 2021. Staff training on the policy will be incorporated into the council’s wider diversity and inclusion training programme.
- 3.2 That the Director for Customers, Transformation & Resources is also authorised, in consultation with the Chair of the Committee, to make such amendments to the Trans Equality Policy as considered minor.

4 Reason for Decision

- 4.1 As part of the council's ongoing work to improve our equality and diversity, we have made a commitment to creating a workplace free from bullying, harassment and discrimination for everyone. As part of this commitment our new Dignity at Work policy was approved in May 2019, stating that 'We believe that everyone who works for, or with, the Council has the right to be treated with dignity, courtesy and respect at all times'. This includes providing support and understanding to those individuals who wish to take, or have taken, steps to present themselves in a gender different to their birth gender.
- 4.2 The Public Sector Equality Duty requires public bodies and others carrying out public functions to have due regard to the need to eliminate discrimination, to advance equality of opportunities and foster good relations. The Trans Equality Policy sets out our commitment, intent and principles for trans equality within the council, meeting our Public Sector Equality Duty.
- 4.3 The council has committed to be an inclusive employer, in order to benchmark ourselves against other organisations we undertake the Stonewall Workplace Equality Index each year since 2016. In response to our submission, Stonewall provides an action plan to improve diversity and inclusion within the Council. The recurring recommendation from Stonewall has been to implement a Trans Equality Policy.
- 4.4 Best practice across local government has been to implement a Trans Equality Policy which sets out the support in place for trans staff, for example Homes for Haringey has had a Trans Equality Policy for the past five years.

5 Alternative options considered

n/a

6 Background information

- 6.1 This policy applies to trans staff and their managers, or other staff, who are helping to manage the support process at an individual level.
- 6.2 The key pieces of information from the policy:
- a. The policy and procedure are based on best practice from Stonewall, Unison and universities.
 - b. The policy articulates the rights of trans staff and the responsibility of the organisation in supporting them, covering:
 - Confidentiality
 - Changing employee personal data and information
 - Time off for medical appointments
 - Re-deployment
 - pensions

- c. The practice notes that sit alongside the policy cover the practical implementation of the policy, including:
 - An action plan template for transitioning at work. Managers and employees should create this together.
 - How to change personal data.
 - Communicating an employee's transition to their team.
 - Staff roles and responsibilities, from employee to senior managers.
- d. The policy and practice notes clarify the organisations commitment to trans equality, in a clear, structured and understandable policy and procedure. The documents ensure that trans staff are treated with dignity and respect at all times.
- e. The procedure includes a glossary of terms that are current and available through Stonewall as of October 2019 the appendix.

7 Contribution to strategic outcomes

- 7.1 Contributes to the aims of the workforce strategy and Equalities Action Plan
- 7.2 Supports the objectives that were approved in the March 2018 cabinet report 'Haringey's commitment to being an LGBT+ inclusive borough'
- 7.3 Supports the council's Dignity at Work Policy that was approved in May 2019.

8 Staff Networks comments

The following comments were provided by Laura Wileman, LGBTQ+ Co-Chair:

Haringey prides itself on its diversity. As a council, it is vital that we offer support for all staff, no ifs or buts. Bringing in a policy – as many of our peers have – that provides guidance, confidence and dignity for a colleague who is transitioning or considering coming out, can only be a good thing at what is often a difficult and daunting time. The LGBTQ+ network supports and champions all members of our network – we want everyone to feel safe and able to be themselves at work. This policy has been brought forward by staff, for staff, following consultation with Haringey's equalities networks, particularly the LGBTQ+ network. We welcome it – it is equality in action. It is absolutely the right thing to do.

9 Employee Side Trade Union comments

The following comments were provided by Seán Fox, Employee Side Secretary:

9.1 We are submitting these comments to confirm that the Trade Unions have been fully consulted on the draft policy, this was carried out over a period of time and all Trade Unions were given the opportunity to make comment.

9.2 UNISON has provided feedback on the policy and also sought the views of our National Office and our own National Self Organised LGBT+ Committee both of who are supportive of the inclusive nature of the proposed policy.

9.3 UNISON has a long-standing commitment to a model which is not limited to the current statutory position as it has been our view for many years that this is lacking in its content, our submissions on the Gender Recognition Act reflected this view. In particular the position that associates recognition with medical intervention is one we reject, it is also important to note that the law essentially ignores persons who may identify as non-binary and other positions on the spectrum of identity.

9.4 UNISON welcomes therefore the decision of officers to not limit the policy to the current inadequate legal framework and rather to adopt the Stonewall terminology and glossary which we believe is helpful in ensuring a fully inclusive policy.

9.5 We recognise that this is an evolving area both within society and the legal framework but do not believe that the Council would be serving its transgender staff fairly by reducing the policy to such a limit would be a retrograde signal to those staff who may identify with the wider inclusive definition.

9.6 We would therefore urge the Council to adopt the full policy without further delay and to move forward with the necessary engagement with staff and management. This would send a strong signal to our workforce and particularly our potential work-force that Haringey is an open and inclusive employer. We would also highlight the fact that there is an increasing level of data indicating that younger people have much less binary views on gender identity and recognition and that the adoption of this policy would send a signal to our workforce and wider community that we are serious on this issue.

10 **Statutory Officers' comments**

10.1 **Chief Finance Officer**

This report proposes the adoption of a new Trans Equality Policy and Practice Notes. The cost of staff training on the policy will be incorporated into the council's wider diversity and inclusion training programme and will therefore be contained within existing HR budgets. There are no other financial implications arising from this report.

10.2 **Corporate Governance**

Legal Services were consulted in the preparation of this report and involved in drafting the proposed Trans Equality Policy and Practice Notes. They have confirmed that it complies with all relevant legislation.

11 Use of Appendices

Appendix 1 - Trans Equality Policy
Appendix 2 - Trans Equality Practice Notes
Appendix 3 – Trans Equality Policy EQIA

12 Local government (Access to Information) Act 1985
Not applicable.