

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee

4th September 2017

Report of the Head of Human Resources – Sheenagh Rees

Matter for Decision

Wards Affected:

All Wards

Introduction of a Gender Reassignment Policy

Purpose of the Report

1. The purpose of this report is to seek Member approval for the introduction of a Gender Reassignment Policy.

Background

2. Gender reassignment is a personal, social, and sometimes medical process by which a person's gender appears to others to have changed. Anyone who proposes to, starts or has completed a process to change his or her gender is protected from discrimination under the Equality Act 2010. A person does not need to be undergoing medical supervision to be protected. So, for example, a woman who decides to live as a man without undergoing any medical procedures would be covered.
3. In order to ensure that the Council complies with legislation and to ensure that any employee who proposes to, starts or has completed a process to

change their gender is treated with dignity and respect, it is necessary to introduce this policy.

4. This Policy has been developed in line with guidance from ACAS and the Equality and Human Rights Commission and provides information on how Neath Port Talbot Council will support transgender individuals at work, as follows:-

- Good Communication

The policy seeks to ensure that there are clear statements about the acceptance and support for different forms of gender identity and expression. It also seeks to make it clear to staff that discrimination, harassment and victimisation linked to gender reassignment are unlawful and will not be tolerated by the Council.

- Support for individuals undergoing gender transitions.

The policy provides clear guidance on how to support an individual and in particular discussing with the person how they would like their colleagues to be told about their transition. Some trans people may feel comfortable talking about their transition with colleagues, but others may prefer not to.

- Confidentiality.

The policy sets out that at a time agreed with the person, all personal records should be changed to the new name and gender. Access to personal records which state a person's previous gender should be retained only if necessary, and otherwise deleted or destroyed.

5. In addition to this, the policy also provides transgender employees at any stage in the process, matters to consider in relation to their employment, as follows:-

- Telling people about the situation.

Whether to speak to colleagues personally or asking their line manager to communicate with them.

- Medical appointments and absences.

To ensure their manager knows about what time off work will be needed for appointments etc.

- Changing employment records, e mail, access cards etc.

6. Consultation

The Joint Trade Unions have been fully consulted on this Policy at the Local Government Services Forum. As a result of feedback received from the Joint Trade Union Side, the policy has been amended and was agreed on 20th June 2017.

Financial Impact

7. There are no financial implications associated with the introduction of this Policy.

Workforce Impacts

8. It is proposed that the introduction of a Gender Reassignment Policy will have a positive impact upon the performance of the Council as a whole and individual employees.

Legal Impacts

9. There are no associated legal implications

Risk Management

10. There are no associated risks

Consultation

11. There is no requirement under the Constitution for external consultation on this item.

Recommendations

12. It is RECOMMENDED that members APPROVE the introduction of a Gender Reassignment Policy.

FOR DECISION.

Reasons for Proposed Decision

13. To ensure that any transgender employees at any stage of the process are treated in line with legislation and with the dignity and respect they deserve.

Implementation of Decision

14. The decision is for immediate implementation.

Appendices

15. Appendix A - Gender Reassignment Policy

List of Background Papers

16. None

Officer Contact

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