



TRANS GUIDANCE FOR THE POLICING SECTOR

AN OVERVIEW



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We know that the process of transitioning can be extremely challenging for the individual and managers or colleagues alike. It's generally unfamiliar ground for people and the aim of this guidance is to try to give as much help and support as possible. This guidance has been created by pulling together current guidance across the country, looking at real case studies and working closely with Stonewall. We would like to see some consistency across forces, given that we know policing can be viewed very differently to other occupations and, at this point in time, this guidance contains the most up to date support available.

All forces need to understand the business sense for valuing all staff and being inclusive; individuals need to feel recognised and supported and will contribute greater things if they truly feel valued. This guidance will help forces to ensure they are providing the right support for trans colleagues and my plea is that all forces will use this as a resource.

ACC Julie Cooke

INTRODUCTION

For most people, their innate sense of being male or female, their gender identity, matches the sex they were assigned at birth and sits comfortably with them. However, for a small number of people their gender identity doesn't match the sex they were assigned at birth. Some will undergo the process of aligning their life and physical identity to match their gender identity. This is known as transitioning. However, some will not. Others may identify as neither male nor female, which may be known as being non-binary. No trans person's journey will be the same as another's, and it's important to recognise these differences.

As part of the process of aligning their life and physical identity to match their gender identity, some trans people may choose to take hormones and have surgery. However, medical intervention isn't part of every trans individual's journey. For example, individuals may change gender markers on identification documents without any medical intervention.

CONFIDENTIALITY

Disclosure of gender identity isn't a requirement of employment. Some individuals may wish to keep their gender identity private, some may choose to discuss it with select colleagues in confidence, others may be more open about it.

Where an employee reveals information about their gender identity, the recipient of such information must keep it confidential and must not disclose it to a third party without that individual's consent. This includes information provided to the line manager when the employee is transitioning. Unwarranted disclosure of this information would constitute harassment, could be a disciplinary offence and in some cases legal action could be taken.

Additionally, the employer must not disclose information relating to an employee's gender identity to another employer, for example when responding to a reference request.

Police forces should also ensure that employee records are changed where appropriate.

DEMONSTRATING YOUR FORCE'S COMMITMENT TO TRANS INCLUSION

POLICIES

These should contain an explicit commitment to gender identity and expression equality. They should set out what constitutes unacceptable behaviour and state that the organisation has a zero-tolerance approach towards discrimination and harassment based on gender identity. They should specify how any instances of this will be dealt with and refer to the employer's grievance and disciplinary procedures. Details of external sources of advice and support for employees should also be included.

STRATEGY

Support for trans staff should be embedded into your overall Equality, Diversity & Human Rights (EDHR) strategy.

TRAINING

Training all staff on trans identities and inequalities will raise awareness in your force. Your HR team, diversity directorate or staff LGBT+ network will be able to provide you with advice and guidance on this.

VISIBLE COMMITMENT INTERNALLY AND EXTERNALLY

This demonstrates to current trans staff and potential trans staff that you'll support them and value their contribution to your work. For example, include a clear statement of inclusivity and details of your trans policies on your website, communicate inclusive messages across social media channels and on your intranet.

LANGUAGE

Language relating to gender and identity is nuanced, contextual and complex. The language in this document may be reviewed in future to ensure it reflects best practice. For the purpose of clarity, within this document we use the term 'trans' in its most encompassing form to include any person whose gender identity and/or gender expression doesn't conform to conventional ideas of male or female gender, or the sex they were assigned at birth. This includes all binary and non-binary gender identities, as well as those who have an absence of gender identity (for example: agender people).

THE LAW

Current legislation allows trans individuals to amend the gender on their birth certificate (Gender Recognition Act, 2004) and protects those who are planning to undergo, are undergoing or have undergone gender reassignment from discrimination, harassment and victimisation (Equality Act 2010).

Currently there's a lack of clarity around non-binary identities within the current legal framework. Best practice is to ensure that all individuals, including non-binary staff, are treated with respect and aren't discriminated against or harassed.

Police force policies and codes of ethics state that forces extend all protections to everyone under the trans umbrella.

- **Individuals can transition without gaining a Gender Recognition Certificate (GRC) and the majority of trans people don't have or want a GRC.**
- **There's no requirement, legal or otherwise, for trans individuals to inform their employer of their trans history.**





THINGS TO CONSIDER

ADDRESSING INDIVIDUALS

Within the police service Sir and Ma'am are used to differing degrees and if you are unsure how to address someone on this basis, you can consider using someone's rank instead. It is generally good practice in any situation to ask individuals how they would like to be addressed. This might be particularly relevant for those that identify as non-binary, or in the case of police staff where it isn't as straight forward as referring to someone by their rank.

COMMUNICATING WITH THE MEDIA

Given the media interest in the police service, it's possible that forces will be asked about their trans employees by the press or even by the public via social media. Any response mentioning a particular employee should only be provided with the consent of the individual, should be led by the individual in partnership with the relevant Corporate Communications Department, and should reaffirm the force's commitment to equal opportunities and supporting its employees.

It is advisable that your force create a media/communications strategy, in-line with policy, potentially with input from the LGBT+ network, to facilitate any responses to media enquiries.

FACILITIES

Individuals will likely use the facilities that align with their gender identity. At different points in their journey, they may however choose to use gender neutral facilities or the accessible facilities if gender neutral ones are unavailable.

It's important to make sure that appropriate facilities are made available for all individuals, respecting a person's right to use the facilities most comfortable for them. This includes toilets, showers and locker rooms. Available facilities should ideally always include male, female and gender neutral options. Private rather than communal facilities should also be made available if needed.

These considerations should be made internally and for shared accommodation, as well as for external courses and showering after physical activity.

New builds should have these options included as part of their planning. In older buildings, cubicles and non-communal facilities should be built in, in line with best practice.

INFORMING COLLEAGUES

The individual transitioning and the employer should agree if and what information needs to be conveyed to work colleagues.

Each individual's circumstances will differ and the employer should respect their decision with regards to informing others. For example, some employees may wish to inform colleagues about their transition personally, some may wish for their employer to inform colleagues on their behalf and others may not want to inform anyone.

There are a number of different ways to inform colleagues. Examples include by email, in a team meeting or during a casual coffee with individuals. These communications will need to address practical issues, particularly regarding how the individual would like to be addressed (for example: name and pronoun).

IT SYSTEMS AND RECORDS

Personal records for individuals who transition shouldn't refer to a previous name and records made prior to their name change should be updated. One option is to mark the individual down as having left the force and create a fresh record with their new details.

Some records (such as pension and security vetting) will often need to reflect the sex stated on the individual's birth certificate. If the individual hasn't obtained a Gender Recognition Certificate to amend their birth certificate, it will usually state the sex they were assigned at birth due to current HMRC legislation.

Access to these records and any other details associated with the employee's trans status (such as records of absence for associated medical treatment) must be restricted to staff who need to know. These staff may include those directly involved with supporting the individual or involved with the administrative process, but shouldn't be available to a wider HR team.

REDEPLOYMENT

Transitioning individuals may wish to change post or location either temporarily or permanently. The line manager should consult with the individual and take care not to make assumptions about what they may want or pressure them into changing their role.

The individual's decision may be based on factors including:

- Duties that are difficult to undertake during medical treatment
- Questions from the public
- Physical limitations and potential workplace adjustments
- The impact of specific clothing changes, such as wigs or binders (see **Uniform** for further information)

SHOULDER NUMBERS

Some individuals may want to keep their shoulder number and some may wish to change it. The force's policy on this should be flexible where possible, particularly in forces where shoulder numbers are gender specific. Any decision to change shoulder number should be led by the individual, but keep in mind issues that can arise when a new number doesn't match the length of service or when a number is recycled.

SOCIAL MEDIA

Consider whether the individuals' details or photographs have been previously used in any police social media such as on Twitter, Facebook, SnapChat and Instagram. Or in other communications such as press releases or on the intranet. Discuss with the individual what they'd like to be done with these. It's recommended that the individual also consider their own social media and online footprint.

SPEAKING IN COURT

Consider how to manage court appearances and giving evidence. For example, an employee may have written a statement of evidence prior to their transition, then be required to give evidence after their transition. Situations such as this should be appropriately risk assessed and discussed with the individual and the Crown Prosecution Service.

SEARCHING

The law states that chief officers are responsible for providing corresponding operational guidance and instructions for the deployment of trans officers and staff under their direction and control in relation to duties which involve carrying out, or being present at, any of the searches and procedures described in Code A and Code C of [PACE](#). The guidance and instructions must comply with the Equality Act 2010 and should therefore complement the approaches in Annex F, Code A and Annex L, Code C of PACE.

Guidelines are currently being reviewed at a national level in relation to both strip and stop searches and this document will be updated in line with any decisions made.

TIME OFF FOR TREATMENT

The length of time people take to complete their transition will depend on individual circumstances, including possible medical treatment and what this may entail.

Government guidance states employers should record time off for transition separately from sickness absence. Additionally, the Equality Act 2010 states that time off for transition shouldn't be used for absence management purposes. Some employers create a separate transitioning absence process, where all leave for transitioning is treated as special leave.

UNIFORM

As long as what an individual wears complies with regulations, uniform policies should be flexible. Staff should be able to dress in the uniform in which they feel most comfortable, regardless of gender. For operational or comfort reasons, it's best practice to allow individuals to wear variations of the regulation uniform.

It's also important to consider the impact that other aspects of transitioning may have on an individual's role and may inadvertently affect an officer's ability to train or shower in certain environments. For example, consider providing alternative fitness sessions where necessary and possible.

At the early stages of transitioning, some regulations around hair length and shaving may need to be discussed and flexibility given to the individual concerned. Staff may request different uniform due to changes in body shape, or they may wish to cover up hair loss or growth and request long-sleeved tops.

'I had laser hair removal on my arms leaving bald patches, which I had to cover up with long-sleeved shirts prior to transitioning.'

– Sgt., Neighbourhoods

WARRANT CARD AND STAFF IDENTITY CARD

Individuals who transition are likely to want their warrant and staff identity cards updated.

Ensure the force's policy on updating these cards is flexible, as the individual transitioning may need to update these more than once to reflect physical changes. Some staff may request an initial instead of a full first name.

Individuals who identify as gender-fluid (see *Trans Guidance for the Policing Sector: Glossary of Terms*) may require two cards to reflect their gender on different days.

TEMPLATE EXAMPLES

Transitioning is a unique experience and every individual will want to do different things based on their own unique circumstances. A manager should avoid making assumptions about how an employee will transition. The following templates are examples of plans and what they could include. Note: these plans don't necessarily constitute an exhaustive list of all considerations that may need to be made.

TO DO	YES	NO	N/A
Read the force's policy on transitioning at work			
Make a list of all records to be changed and who's accountable for them			
Direct the employee to support systems available inside or outside the force			
Agree any workplace adjustments or redeployment options			
Discuss potential timelines such as name changes on the systems, when to inform colleagues			
Discuss preferred titles and pronouns			
Agree if, when and how the individual would like to inform colleagues			
Consider occupational health referral to discuss medication or surgery and adjustments required			
Consider discussion with conflict trainer on different search and conflict resolution techniques, given changes in strength and gender of those being searched			
Discuss with the individual if the force has used details about them or pictures of them in social media previously and if/how they want these removed e.g. press releases, publicity posters etc.			
Discuss with individuals the force searching policy and any potential issues and possible resolutions to deal with any challenging scenarios.			

TO UPDATE	WHO'S RESPONSIBLE?	WHEN?	DATE COMPLETED
Email address			
Name badge			
Business cards			
Warrant card(s)			
IT systems			
HR systems			
Federation/Union membership			
Pensions scheme			
Uniform store data			
Certificates/awards			
Permits			
NCALT			
Airwave			
Mobile Data Terminal			
Biometric data: DNA/Fingerprints			

MEDICAL APPOINTMENTS AND ABSENCES

(record these separately from sickness)

REASON	DATE

IN PARTNERSHIP WITH:



Office of the Police and Crime
Commissioner for Surrey



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