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PS 138 Transgender Policy

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SECTION 1 VERSION CONTROL

Version No.	Date	Post Holder/Author	Post	Reason for Issue
1.0	June 2012	Sharon Ault	Head of Human Resources and Organisational Development	New policy
2.0	Sept 2017	Lynda Kelly	EDI Advisor	Inclusion of gender identity and/or expression
3.0	August 2020	David Lawley	Policy & Wellbeing Partner	Update / review

SECTION 2 BACKGROUND

Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) are wholly committed to employing a diverse workforce that is fully representative of the community it serves. All individuals working for Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) have the right to be treated fairly, equitably and with dignity and respect irrespective of age, disability, gender identity and/or expression, marriage and civil partnership, maternity and pregnancy, race, religion or belief, sex and sexual orientation or any unjustifiable criterion.

SECTION 3 AIMS / OBJECTIVES

It is Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) aim to create an inclusive organisation where people are enabled to meet their full potential and are treated as individuals. The force is committed to ensuring that colleagues who identify under the trans umbrella are treated with respect and that the force does not discriminate unlawfully.

The aim of this policy is to demonstrate Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) commitment and support to any police officer, police staff member, special constable, cadet, other volunteer or any individual who identifies as trans and wishes to make a gender transition including individuals who identify as gender fluid and non-binary.

SECTION 4 DETAILS

4.1 Application

It is the responsibility of all individuals to familiarise themselves with the contents of this policy and procedure to ensure compliance.

This policy applies to:

- Police officers
- Police staff
- Special constables
- Cadets and other Volunteers

4.2 Key Principles

4.2.1 To create a fair, equitable and inclusive culture in which all people working for Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) are protected from discrimination on the grounds of their gender identity and/or expression. Nottinghamshire Police and the Office of the Police and Crime Commissioner (OPCC) will recognise an individual's gender identity.

4.2.2 There is no obligation, but it may be advisable that an individual who has expressed the desire to undergo some form of gender transition should notify their line manager or other appropriate manager within Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC). Individuals may also contact People Services in a confidential and supportive capacity.

4.2.3 Appropriate support will be provided to any police officer, police staff, special constable, cadet or other volunteer who has undergone, is undergoing or who is proposing to undergo some form of gender transition.

4.2.4 Confidentiality will be maintained and only those persons that need to know will be advised.

4.2.5 A formal statement will be agreed between Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) and the individual undergoing some form of gender transition so that clear advice, support and actions are agreed. See G2002 Transition Agreement for further details.

4.2.6 People Services systems will be updated when appropriate and as mutually agreed.

4.3 Definitions

4.3.1 Definitions and terminology regarding trans people are evolving. The appendix to this policy provides guidance on some of the most commonly used terms. Individuals will self-identify and how they choose to describe themselves should be respected by their managers and colleagues. Rather than assume, it is best to ask someone how they wish to be addressed.

4.3.2 Using inappropriate language, terminology and misgendering can cause offence and distress and undermines the force's efforts to create an inclusive workplace for trans people.

4.3.3 The force recognises that gender identity and sexual orientation are not interchangeable terms. Trans people can be bisexual, gay, heterosexual or lesbian and so employees should not assume that a colleague who identifies as trans has a particular sexual orientation.

SECTION 5 LEGISLATIVE COMPLIANCE

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Gender Recognition Act 2004; General Data Protection Regulations 2018; Freedom of Information Act; European Convention of Human Rights; Employment Act 2002; Health and Safety at Work Act 1974; Employment Relations Act 1999, and other legislation relevant to policing.

Appendix: Glossary

Acquired gender: Used in the Gender Recognition Act 2004 to describe a person's gender after transitioning. As this is a legal term, many people now prefer to use the term "affirmed" gender.

Assigned gender: The gender assigned to someone at birth, based on their physical characteristics.

Gender dysphoria: A recognised medical condition where the individual experiences severe discomfort and anxiety because their gender identity does not align with their biological sex.

Gender expression: How someone manifests their gender identity in society, for example through their appearance and behaviour.

Gender identity: A person's internal perception of their gender, their sense of self. For transgender people, their gender identity does not match the gender they were assigned at birth.

Gender reassignment (or transitioning): The process where an individual changes their expressed gender to live fully in the gender with which they identify. For example, a person who was born female decides to take steps to live the rest of their life as a man. Gender reassignment does not require medical treatment and is a protected characteristic under the Equality Act 2010.

Intersex: An intersex person is born with ambiguous genitalia and/or sex chromosomal variations, making it difficult to classify their biological sex. There are many different intersex conditions. An intersex person may self-identify as a man or a woman or neither.

Non-binary: An inclusive term to describe people whose gender identity is "fluid" and not exclusively male or female. A non-binary person may identify as neither male nor female or may feel that they embody elements of both genders, or that they are something different. The terms intersex and non-binary are not interchangeable.

Transgender (or trans): An umbrella term describing the diverse range of people whose gender identity or gender expression differs from the gender they were assigned at birth. The term can encompass individuals who are transsexual, cross dressers or non-binary.

Transsexual: A transsexual person has the protected characteristic of gender reassignment and is defined in the Equality Act 2010 as someone who is "proposing to undergo, is undergoing or has undergone gender reassignment". Gender reassignment is a protected characteristic under the Act. It is not necessary for a transsexual person to have to be under medical supervision to be protected in law from discrimination.