Gender Identity Policy

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Introduction

1. The issue of gender identity has relevance and importance for services across the City Corporation and for our members and staff. This policy is intended to support a consistent and coherent approach both in service delivery and in the workplace.
2. This policy contributes to the delivery of the City Corporation's Corporate Plan 2018-23. It contributes to the following key outcomes:

    - People are safe and feel safe
    - People enjoy good health and wellbeing
    - People have equal opportunities to enrich their lives and reach their full potential
    - Communities are cohesive and have the facilities they need
    - Businesses are trusted and socially and environmentally responsible

Equality and Inclusion Policy

3. The City Corporation is committed to delivering excellent customer service. We recognise the different needs of our customers and actively work to minimise potential issues of exclusion and to challenge discrimination. We aspire to be a leader in equality and inclusion, serving a wide range of communities including our members, staff, residents, businesses and workforce.

4. The City Corporation also aims to provide an inclusive, respectful and discrimination-free work environment for staff. We will use best practice in employment in accordance with legislation to ensure that employees feel respected and able to give their best. As far as possible, we want our workforce to be broadly representative of all sections of society.

5. The City Corporation's Equality Objectives for 2016-20 are to:

   - Increase community engagement and improve cohesion within our communities so that people feel safe;
   - Support the City's most disadvantaged groups and develop our understanding of communities;
   - Improve the way we listen to our communities and respond to their feedback to improve services; and
   - Promote staff development and career progression to ensure equality of opportunity for the promotion and development of a workforce that reflects the make-up of our communities.

6. The City Corporation is required to have due regard to the Public Sector Equality Duty (s.149 Equality Act 2010) and in particular:

   - To eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
   - To advance equality of opportunities between persons who share a relevant protected characteristic and persons who do not share it; and
   - To foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Gender Identity: Our Services

7. The protected characteristics under the Equality Act 2010 are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

8. The term 'gender reassignment' applies to a person who is proposing to undergo, is undergoing or has undergone a process (or part of a process) to reassign their sex by changing their physiological or other attributes. This is a personal process, and not a medical one, and may or may not involve medical interventions (e.g. surgery or hormone treatment).

9. The Equality and Human Rights Commission advises that the term 'gender reassignment' is outdated or misleading, and the preferred umbrella term is 'trans'. The City Corporation recognises that gender identity is complex and varied (e.g. some people identify as genderfluid), and this will be reflected in our approach.

10. The Equality Act requires that people with the protected characteristic of gender reassignment are not discriminated against in the provision of single-sex services and are able to access services aligning with their gender identity. In a few circumstances, services may lawfully discriminate if excluding trans people is a proportionate means to achieving a legitimate aim. The explanatory notes in the Equality Act provide single-sex counselling services for survivors of sexual violence as an example of where lawful discrimination could take place.

11. The City of London Corporation is committed to trans inclusivity and to open dialogue with the people who use our services. We will consider any 'legitimate aim' on a case by case basis, only deviating from a presumption of inclusivity where this can be evidenced to fully comply with the Equality Act. Any action taken by the City Corporation to legally discriminate by excluding trans people would need to be rigorously justified under the Equality Act, taking account of all the circumstances of the case and informed by an Equality Impact Assessment.

Gender Identity: Our workforce

12. The City Corporation is committed to promoting equality and fairness in our employment practices. It is opposed to all unlawful discrimination, harassment and victimisation.

13. This policy should be read in conjunction with the City Corporation's Managers' Guide to Transgender Equality which provides a broad introduction for managers and guidance on supporting an individual who is transitioning, time off and use of facilities. A Trans Awareness course is available for staff online.

14. The Equality Act gives protection against less favorable treatment of employees in relation to an absence that is because of their gender reassignment. Time off for medical or other treatment should be treated no less favorably that time off for illness or medical appointments. In addition, trans employees and other workers must be able to use the toilet or changing rooms of their expressed gender identity without fear of harassment

Responsibilities

15. Chief Officers will be responsible for the provision, design and development of their services / departments to ensure compliance with the Equality Act. All Departments within the City Corporation will report on their progress on Gender Identity through the Equality and Inclusion Annual Report, which is publicly available on the City Corporation's website.

16. Departmental Leadership Teams are required to refer to the Managers Guide on Transgender Equality and ensure that all managers access and implement appropriate training.

17. The City Corporation's Human Resources Department will ensure that the Manager's Guide to Transgender Equality and this policy are included in mandatory equality training for managers and will facilitate appropriate training packages for staff.

Conclusion

18. The City Corporation takes its responsibilities under the Public Sector Equality Duty very seriously, and aspires to be a leader on equality and inclusion issues, including the implementation of our Equality Act responsibility for trans inclusion.

Links / Other resources

- Managers' Guide to Transgender Equality
- Equal Opportunity Policy