



Freedom of Information request 01/FOI/24/2737
We received your request on the 16/07/2024.

Request

You asked us:

Please can you supply a copy of any policy and / or procedures you hold relating to staff transitioning in the workplace.

We have handled your request under the Freedom of Information Act (FOIA)

Our response:

Please see attachment.

Supporting Trans and Non-binary Colleagues at Work – Interim Policy

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Purpose of the Policy

We are committed to creating a modern and inclusive place to work which represents the communities we serve.

We will ensure all employees, regardless of the gender identity, are treated with fairness, dignity and respect. We will always seek to create a culture, workplace and learning environment that is free from discrimination, harassment or victimisation.

This Policy supports our employees, and those who identify as non-binary or transgender and either already have or are intending to transition from one gender to another, their managers and colleagues.

Who does this policy apply to

This Policy applies to all Police Officers, Police Community Support Officers, Police Staff and Special Constables; collectively termed 'employees'. This includes those who are on part time, fixed term, or permanent contracts, as well as those on secondment.

Wellbeing & Support

BTP recognise the significant impact that gender dysphoria and transitioning can have on employees and their lives including taking the step of disclosing their acquired gender at work.

Please refer to the [wellbeing hub](#) for further information on the various support available or contact the Wellbeing team at [REDACTED]

Should the employee not feel comfortable discussing their transition with their line manager it may be appropriate to allocate another colleague as single point of contact for their welfare.

A workplace adjustments passport should be completed between the employee, their line management or welfare contact and the people advisor. The document will be unique to each individual and should be reviewed regularly by the line manager with the employee as the employee journey progresses. It will detail the contact the employee has had with Occupational Health, Wellbeing and People Delivery. It will also outline any adjustments required for the employee and agreement on sharing their trans status where applicable. Please contact [REDACTED] for the latest format and guidance.

The employee may benefit from a [Stress Risk Assessment](#).

It may be helpful for the employee undergoing the process of gender reassignment to have contact with BTP's Employee Support Association for LGBTQIA+ Colleagues, and/or the National LGBT+ Police Network who will be able to provide additional wellbeing and emotional support as can the Federation and or TSSA where the employee is a member of these organisations.

Terminology

The term 'trans' is an umbrella term to refer to anyone whose gender identity doesn't completely match the gender they were given at birth. Identities that come under the trans umbrella include trans women, trans men and non-binary people.

Non-binary is an umbrella term used to describe people who feel their gender cannot be defined within the margins of the gender binary: man or woman. Some non-binary people identify as part of the trans community, some do not. Non-binary identities include Gender variant, gender neutral, gender queer, gender fluid.

Transitioning is a term used to describe the process and steps a person may take to live in the gender they identify as. Transitioning is a unique process for each person and may include any number of changes to their life. It may be social and/or medical and is not time limited.

Procedure

Supporting the Employee

Managers should be aware that it can be an extremely difficult step for the individual to tell their employer that they are planning to transition, are transitioning, or have transitioned. There is no fixed approach to take to support the individual as each person's journey is different.

Managers and colleagues should use the following resources on Mylearn to aid their understanding:

[MyLearn - Gender Identity \(sharepoint.com\)](#)

[PC Skye Morden's story of life as a transgender officer with West Midlands Police - YouTube](#)

[TRANSGENDER AWARENESS SESSION-20230321 120911-Meeting Recording.mp4 \(sharepoint.com\)](#)

[Inclusion and Diversity \(sharepoint.com\)](#) (Trans Inclusion modules)

An Inclusive Terminology Toolkit is available for all employees and can be accessed here: [Inclusive-Terminology-Toolkit-All-Characteristics.docx \(sharepoint.com\)](#)

Managers can also seek further advice and support from the Inclusion & Diversity Team, Employee Support Association or the agencies listed in the Further Information section at the end of this policy.

Should the employee not feel comfortable discussing their transition with their line manager it may be appropriate to allocate another colleague as single point of contact for their welfare.

Disclosure / Confidentiality

BTP must not disclose information relating to an employee's gender identity without consent and must treat information relating to the employee's circumstances confidentially.

If there is a need to share information relating to the employee's particular circumstances with another party, consent must be obtained from them before disclosing any information except where Health and Safety requirements take precedence. If the individual does not consent and there is a conflict between confidentiality and Health and Safety (including risk to the employee), the latter will

take precedence. In these circumstances the employee should be advised of the reasons and provided with support.

Conversations

Line manager

Line managers are responsible for holding a confidential face to face meeting to discuss and agree a support plan via a workplace adjustment passport which considers how they may want to manage their transition, what they want to change and what support they might need in the workplace. The meeting is also an opportunity to talk about any concerns or worries that they may have about disclosing their gender identity and to discuss any time off work they may require (e.g. for treatment, medical appointments and/or counselling), and also any operational concerns they may have, for example undertaking person searches. The passport should remain in place for as long as it is needed and is helpful.

Line managers may also need to have a discussion with the individual about how to liaise with external customer/ client groups as the BTP is part of the wider criminal justice system and works in partnership with several different agencies.

If an employee discloses that they are transgender and wish to begin the transitioning process, the first step is to be supportive and listen. The below should also be covered:

- What is their preferred name?
- What is their acquired or true gender identity, and which pronouns would they like to use? The pronouns tool is a useful way for them to display this but also for managers and peers to show allyship and support. The tool can be found here: <http://mypronouns/>
- Are they happy for their non-binary identity or trans status to be disclosed / shared? (NB they are not obliged to do this and we are not permitted to share this information without their explicit consent, it is unlawful under the provisions of the Gender Recognition Act 2004). Establish a mutually agreed list of who needs to know.
- Would they like the line manager to communicate their transition with the wider team or would they prefer to do this themselves?
- Discussing planned and potential future treatment dates;
- Providing assurance that all information will be treated in the strictest confidence; stored securely with restricted access given only to those determined by the individual
- Establishing the preference and use of any gendered facilities throughout WYP estates
- Offer regular One-to-One meetings throughout a person's transition to ensure they are fully supported, and support plans are maintained and/or updated as appropriate.
- Agreeing that they have a support structure to assist in managing any reactions of colleagues who may have fixed notions or a lack of awareness of non-binary or trans identities and transition or not know how to respond to changes. It is vital that the working environment is welcoming and supportive and that swift action is taken to deal with any negative situations
- The agreed course of action should be recorded in the workplace adjustment passport.

Team

Line managers should discuss with the individual to decide the appropriate time and means to communicate to relevant colleagues and other parties who may need to be informed and whether the individual wishes to do it or if they would prefer it came from the line manager.

This communication will need to be practical and address important issues such as how to address the non-binary or trans colleague (new name, correct pronoun), how to support colleagues and how to deal with questions that may come from outside the team, without breaching confidentiality.

The communication will also need to provide some general awareness and colleagues need to be able to ask questions. It is important to set a tone of inclusion and respect in line with the Equality Act 2010 and our BTP Values.

Name Change Process

The employee must only make one submission via the Hub [here](#): This will initiate a name change ticket to all People & Culture, Technology and Digital Policing systems. If the employee has access to any specialist systems, these may require a separate manual change and the employee must note them on the Hub ticket to ensure they are captured. This will not update any manual records held by the organisation for example spreadsheets.

As part of this process, the employee will be given a brand-new account and Origin record. This will mean a new-collar number and single sign on. The employee will be responsible for ordering any new uniform eg epaulettes and information such as calendar appointments will be lost. This is to prevent any system errors reverting any single sign on applications to the employee's dead name. The employee's length of service will be manually added and will not be lost.

The Hub submission will ensure the name is updated on the Payroll System; however, the employee is responsible for updating HMRC with their name change. If this is not done, and the records do not match, this may cause issues with tax records, but this is not something BTP can control. Some historical HMRC records will still show the dead name and locked records cannot be changed, but any changes will reflect on future records. Name changes with external organisations such as HRMC and pension providers will be subject to their procedures and responsibility of the employee as BTP cannot enact or influence these.

Due to the number and complexity of the policing systems we use, some systems will take longer than others to change. BTP understands the impact that dead-naming can have on employees and takes all available steps to mitigate the risk of it happening. Whilst extensive testing has been completed, errors can occur. Should this happen, the employee or their line manager can raise an urgent Hub ticket so it can be investigated and resolved.

No departments will be advised of the reason for the name change and the individual is not required to provide any proof of the name change such as a Gender Recognition Certificate (GRC) or deed poll document other than for vetting as outlined below.

To order a new Warrant/ID Card: An employee must use CaptureMe to upload their new details and photo which can be found on the force intranet pages.

Vetting

Everyone in the police service must maintain high ethical and professional standards and act with the utmost integrity. Vetting helps us to reassure the public that appropriate checks are conducted on individuals in positions of trust. It also identifies areas of vulnerability which could damage public confidence. To satisfy ourselves of an individual's suitability to hold vetting clearance, we must be able to access their full criminal, financial and social media footprint. This does mean that all previous names used, whether formally or informally, must be supplied on every vetting application form and renewal. We appreciate that the requirement to declare a dead name may cause the employee distress and we are committed to supporting our trans colleagues, so we will never ask for more information than is completely necessary.

For example, when any formal name change is first declared vetting may ask for a copy of a deed poll certification, this is separate to the name change process and will be stored securely on the employees vetting record and the employee will not be asked to supply this document again and we will never ask for a Gender Recognition Certificate (GRC). All personal information is stored securely and treated with the utmost confidentiality.

Uniform

Any employee required to wear uniform can order uniform in whichever gender they choose; they should also be made aware that they are able to request new uniform if required as they move through the stages of transitioning. Uniform will be issued to collar number, not name. Names and email addresses will be automatically updated on NUMS via the name change process which can take up to a week to filter through from Origin.

The only gendered items are wicking tops, trousers and shirts. All PC, PCSO and SPC roles are entitled to 2x trousers and 6x wicking tops. Only specific ranks can have the white shirts, CI and above. Uniform allowances are listed on the NUMS profile.

If an employee requires new uniform due to their non-binary identity or to transitioning, but they have reached their allowance under their previous gender identity, the Intelligent Client will ask for a reason before the order is processed. When this happens, the line manager will email approval, stating that it is a requirement of their workplace passport, and will not need to disclose the employee's gender identity.

Facilities

BTP recognise the disclosed status of Transgender and Non-binary colleagues. This means that from the point at which the employee begins to present permanently in their acquired gender identity at work, they will be afforded the same rights as the gender identified including the use of single sex defined facilities (such as changing/locker rooms, showers and toilets). The line manager should discuss this with the employee to agree as part of their regular supportive discussions.

Many premises do not have single cubicle or gender-neutral toilet facilities. If the toilets where the employee works are gender specific, they should use the ones they feel safest in. It is not appropriate

for Transgender and non-binary Colleagues to be told to use separate facilities, such as an accessible toilet, however if they feel most comfortable using these, that is fine.

Line managers must be aware that there could be concerns raised by other employees and be prepared to respond to them in line with this policy.

Absence

Gender Dysphoria is a recognised medical condition. Many (but not all) individuals experiencing gender dysphoria experience such intense and prolonged discomfort that they undergo a process of gender transition in which they may obtain medical treatment to modify their bodies accordingly.

Employees who transition will not be put at a disadvantage because they are undergoing gender reassignment. Absences resulting from the process of gender reassignment will be recorded as sickness, but will not count towards the thresholds for managing short term sickness absence or sick pay within the Sickness Absence Policy [Sickness Policy v3.1.4.pdf](#) providing that:

- The employee advises their manager of their intention to undergo, are undergoing or have undergone gender reassignment
- The period of absence is directly attributable to the process of gender reassignment

If the absence is for half a day or less (for example, GP appointments, hospital consultations or counselling relating to gender reassignment), it will be recorded as special leave in accordance with the attendance policy [Attendance Policy v1.9.pdf](#)

The employee should advise their line manager of any absence relating to gender reassignment as soon as possible and submit a fit note as per the Sickness Policy. The Manager, People Delivery and Occupational Health should keep in touch with the employee, during this process and keep records of the contact maintained. The manager should agree the level of contact required with the employee in advance of the absence to ensure the employee gets the required support.

Any absence not resulting directly from the process of gender reassignment should be counted as normal when applying the sickness absence thresholds.

Operational Matters

Court

For all intents and purposes, the individuals acquired gender and new name will be recognised by BTP and by Court/ Criminal Justice Agencies. Should an employee who has transitioned be called to Court in relation to a case that predates their transition, all documentation and notifications will be in the individual's previous (dead) name and gender. The CPS and other Court agencies are well versed in reacting appropriately to encounters with officers who have transitioned and should take all steps to minimise discomfort or embarrassment for the employee. However, BTP cannot prevent the Court from

using the individual's dead name in initial contact as this will be the only information that they have to hand. Line managers and colleagues must be aware that this can be upsetting for the employee and they may require support and understanding. The employee may wish to alert the Crown Prosecution Service or Procurator Fiscal to their transition status and discuss how to proceed.

Searches – Custody and Stop & Search

BTP Search policy and guidance for Trans and non-binary colleagues is currently undergoing legal advice.

In the interim, NPCC advise that all searches are carried out in line with the officer or staff members training and legal authority, taking into account our responsibilities under Police and Criminal Evidence Act 1984, and as authorised by the Custody Sergeant. This authorisation must take into consideration the response of the detainee and officers concerned to ensure that any conflict is reduced or avoided, and that searches are conducted safely and with dignity.

Associated Legislation and Guidance

This policy has been created in line with the following:

The Gender Recognition Act 2004 (GRA)

The Equality Act 2010

The Human Rights Act 1998

The Data Protection Act 2018

APP Detention and Custody

APP Vetting

Police and Criminal Evidence Act 1948 (PACE), Code C, Annex L

Police and Criminal Evidence Act 1948 (PACE), Code A

Code of Practice on the Exercise by Constables of Powers of Stop and Search of the Person in Scotland

Health & Safety at Work Act (1974)

Police Reform Act 2002

Further Information

For more information if you have any specific questions not answered here, please contact the Inclusion & Diversity Team at: [REDACTED]

You can also contact BTP's Lesbian, Gay, Bisexual and Transgender support network by emailing [REDACTED]

There are also several external agencies, networks and support groups across the UK to better understand and support Transgender communities travelling and working on the railway network. You will find their details below:

[The National LGBT+ Police Network – Representative body for LGBT+ Police groups](#) exists to provide support to serving and retired Police Officers, PCSOs, Police Staff and Special Constables with any sexual orientation or gender identity issues. The national network further aims to provide support, guidance and act as subject matter experts to the National Police Chiefs Council (NPCC) and to all emergency services and agencies working in the criminal justice sector

European LGBT Police Association | EGPA

The purpose of the association is the enlightenment and information of the topic 'LGBT' inside and outside of police organisations by informing the public and police forces about sexual orientation and gender identity and reduce widespread bias against lesbian, gay, bisexual and transgender.

External Organisations

SCOTLAND

Scottish Trans Alliance

www.scottishtrans.org

The Scottish Trans Alliance provides advice and information including downloadable information packs and signposts further support groups.

LGBT Youth Scotland

www.lgbtyouth.org.uk

Provides advice, information and support for Transgender young people

ENGLAND AND WALES

Gender Space

Stonewall

www.stonewall.org.uk

Stonewall provides advice and information including downloadable information packs and signposts further support groups. Stonewall has also produced a report of LGBT in Britain (Trans in Britain) in partnership with YOU GOV, it can be downloaded through this link: [Stonewall | LGBT in Britain - Trans](#)

[Report \(2017\)](#). Stonewall have also produced guidance for the policing sector which can be found here:
[Trans Guidance for the Policing Sector FINAL.cdr \(lgbt.police.uk\)](#)

TransUnite

www.transunite.co.uk

A directory search engine for support groups for LGBT and Trans in your area.

The Beaumont Society

www.beaumontsociety.org.uk

The Beaumont Trust is a charitable educational resource with a wealth of information regarding Trans, LGBT and other topics.

Sparkle

www.sparkle.org.uk

The National Transgender Charity offers guidance and training to businesses, public sector organisations, and educational institutions on how to support gender variant colleagues, customers, service users, students, and other stakeholders.

End of Policy

Monitoring and Review *[mandatory]*

This policy is owned by the Strategic Inclusion & Diversity Team and will be reviewed every three years, unless circumstances dictate it should be reviewed more frequently, to ensure that the most up to date and relevant process for supporting trans, non-binary and gender non-conforming employees is in place.

Policy Sponsor	Director of People & Culture /ACC Network Policing
Policy Owner	Head of Strategic Inclusion & Diversity
Policy Author	Inclusion & Diversity Business Partner

Version	Date	Reason for amendments	Amended by (job title)
1.0	August 2023	Policy Rewrite	Inclusion & Diversity Business Partner
1.1	February 2024	Interim Policy pending legal advice on search position	Inclusion & Diversity Business Partner