



Reps' guide

# **Supporting trans and non-binary members at work**



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# Introduction

Prospect's commitment to trans and non-binary members is stamped into the Objects of the union: "to promote equal opportunities for all members within the Union and within their employment irrespective of race, ethnic origin, sex, disability, sexual orientation, gender identity, age or religion."

We have produced this guide to act as a resource for representatives who are seeking guidance on how they can support trans and non-binary members in their workplace."

We expect for our trans members, in their workplaces, the same high standards that we expect for all our members. As members, reps, or staff of the union, we agree to promote equal opportunities for all, and to contribute to safe and respectful trade union cultures.

If you want to make your workplace and your union activities more supportive and more inclusive of trans and non-binary colleagues, this guide is for you.

Trans and non-binary people have been so marginalised and so little heard that society as a whole – our cultures, laws and institutions – has a lot of catching up to do to provide the respectful and equitable environments in which everyone can thrive.

Our union is learning too: together and as individuals.

We don't expect all reps to be experts in trans and non-binary inclusion (although we know that some are!). We do expect you to provide the same high-quality support as you do for any members. This guide will help orient you to some of the challenges faced by trans and non-binary people at work, the opportunities to create more inclusive workplaces, and the tools and tactics you can put to work. Some may be new to you, but the principles and approaches will be familiar: fairness and mutual support is our core business.

As always, trade union support is a team effort: you do not have to have all the answers, and you are not on your own. Work with your trans and non-binary members who are the real experts on what that means in their working contexts. And your full-time officer is there to help you.

While this guide cannot cover every scenario which could arise, we hope that it acts as a useful starting point for representatives and clearly sets out how to seek further support from Prospect.

# 1. The law

**1.1** The Equality Act provides some key protections for trans workers. Therefore, while it is important to understand what statutory protections are currently in place, these should act as a starting point which we seek to build on in the workplace. Please note that this guide is not intended to be a definitive guide to the law. Cases are assessed on a case-by-case basis and so if you are supporting a member who you think may have been discriminated against, raise this with your Prospect negotiator in the normal way.

**1.2** The Equality Act 2010 provides protection for individuals who have a 'protected characteristic'. The protected characteristic of 'gender reassignment' applies where a person is proposing to undergo, is undergoing, or has undergone a process (or part process) to reassign their sex. It does not require medical transition. The Act specifies that this is a personal process, rather than a medical process. From the moment an individual starts their social transition (for example asking to be called by a different name or different pronouns) they are protected under this characteristic. Whether a person meets the definition under the Act will depend on the facts in that particular case.

**1.3** The four types of prohibited conduct are:

- direct discrimination
- indirect discrimination
- harassment
- victimisation

## Direct discrimination

**1.4** Direct discrimination is where there is less favourable treatment because of a protected characteristic. The Act defines direct discrimination as: "A person (A) discriminates against another (B) if because of a protected characteristic A treats B less favourably than A treats, or would treat, others."

**1.5** The test for direct discrimination is to compare the less favourable treatment with how the employer treats or would treat someone who does not share the same characteristic. A key question in determining direct discrimination is: would the complainant have received the same treatment but for their protected status?

**1.6** This is a broad enough definition to include associative discrimination. It is clear it does not apply only in respect of the employee's own personal characteristics. For example, it will be unlawful to treat someone less favourably because of their

association with a person with the protected characteristic.

**1.7** The definition also covers discrimination due to the perception that someone has the protected characteristic.

## **Indirect discrimination**

**1.8** Indirect discrimination will occur where an employer applies a provision, criterion, or practice (PCP) to everyone, but the PCP puts, or would put, persons sharing a protected characteristic at a particular disadvantage compared to others.

**1.9** An employer can defend a claim of indirect discrimination if they can show that the PCP is a proportionate means of achieving a legitimate aim.

## **Harassment**

**1.10** Harassment is where a person engages in unwanted conduct related to a relevant protected characteristic which has the purpose or effect of:

- violating that other person's dignity, or
- creating an intimidating, hostile, degrading, humiliating, or offensive environment for them.

**1.11** In deciding whether harassment has occurred, a tribunal must consider the perception of the person making the complaint but also whether it is reasonable for the conduct to be said to be offensive.

**1.12** The Equality Act specifically outlaws sexual harassment where the unwanted conduct is of a sexual nature and where the unfavourable treatment is because someone has submitted to or rejected sexual harassment, or where the harassment is related to sex or gender reassignment.

**1.13** Harassment is specified as an unlawful act for which both the perpetrator and the employer may be liable.

## **Victimisation**

**1.14** Victimisation is where a person is subjected to a detriment because they have:

- brought proceedings under the Act.
- given evidence or information in such proceedings.
- done anything for the purpose of or in connection with the Act, or
- alleged that someone has contravened the Act.

**1.15** People are protected against being penalised for making or supporting an allegation of discrimination, so long as the allegation is made in good faith.

## **Employer Liability**

**1.16** Under the Equality Act an employer is liable for acts of discrimination carried out by employees acting in the course of employment. This will apply whether or not the acts of discrimination were done with the employer's knowledge or approval. But it will be a defence for the employer to show they took all reasonable steps to prevent the discrimination from happening.

## **Time Limits**

**1.17** Remember that claims to the employment tribunal must be brought within 3 months of the discriminatory act complained of. It is important therefore, that if you are supporting a member who you think may have been discriminated against, that you raise this with your Prospect negotiator in good time.

# 2. Discussing members’ concerns about trans inclusion

**2.1** Union reps are on the receiving end of many complaints about workplace policies and practices. It can help to structure challenging conversions around four stages:

<b>Listen</b>	<p>We listen to understand, and learn from diverse perspectives, not to score points or shut them down.</p> <p>What is really at the core of the concern?</p> <p>It may take some careful, active questioning to get past the initial problem statement to the heart of the matter.</p>
<b>Acknowledge</b>	<p>We can reflect the issue back to the member, ensuring that we have understood it and that they feel heard. It can be helpful, both in building a connection and moving the conversation on, to reinforce any useful assertions that are objectively supportable:</p> <p>“Yes, you should feel safe and respected at work.”</p> <p>Note that we can empathise, and sometimes we will agree with a complaint, but be wary of ‘joining in’ or amping it up.</p>
<b>Remind</b>	<p>Draw the focus to relevant context and constraints that might have been lost in the heat of reaction, such as the employer’s legal obligations, practical considerations, company values and business objectives, or staff codes-of-conduct.</p> <p>“The dress code is there for a reason, and at least it applies equally to all of us.”</p>
<b>Redirect</b>	<p>This stage should not be about quelling or deflecting complaints but redirecting energy into actions that get us closer to resolution. For example:</p> <p>“I’ll call HR to ask them about providing additional facilities.”</p> <p>This gives you, the rep, breathing space to explore the situation, gather information and seek advice from your-full time officer if you need it, paving the way to a permanent fix.</p>

# 3. Engaging as allies

**3.1** We join unions to stand together. Many of us are keen to help cultivate trans inclusive workplaces... if only we knew what help is needed!

**3.2** Allyship is not a one-size-fits-all business. Trans and non-binary experiences are diverse, and very dependent on context. The issues felt, and the approaches suited to one person, or in one workplace, may not be relevant or suitable in others. The common factor is that we want our colleagues to be supported and to feel supported at work... after that, it is about open-minded listening, learning, and exploring the forms that support might take.

**3.3** We encourage you to use this guide as a launchpad for conversations with trans and non-binary colleagues.

**3.4** Explore the challenges they face, the measures that might help, and clarify those that are not right for the individual or the workplace circumstances.

**3.5** Consider how tasks might be shared: it can't all fall to the marginalised demographic, so which advocacy jobs might you offer to take on, and how can you help empower the member in those they prefer to tackle themselves?

**3.6** Let us know how it goes! Your experience might be the spark that ignites progress in other workplaces too.



## 4. Staff networks

**4.1** It can be hard for trans and non-binary workers, especially if they are new to a workplace, to know who to trust. Many workplaces are establishing LGBT+ networks, staff reference groups and advisory committees. These can give a head start on finding a community and a safe space to raise issues.

**4.2** These staff bodies are important partners, but not an alternative to trade union representation. They can't promise support and empowerment that is independent of the employer. They should never be seen by our union branches as a way to 'outsource' or silo trans equality away from the union agenda.

**4.3** As Prospect strives to better support our diverse and growing membership, we must acknowledge that the union movement has not always been a safe space for LGBT+ workers. We have a responsibility to work with, and to learn from the communities and advocacy networks with deeper roots and expertise in trans inclusion.

**4.4** We encourage branches to keep in touch with staff equality networks, which may have earlier and wider intelligence of trans and non-binary issues than the union branch itself. It is helpful to have union reps within these networks: making sure all network members understand what the union can do for them that the network cannot, and then making sure that the union does it. The point is to bring equality work into the heart of the branch agenda, not to take it out!

**4.5** Your branch should be providing coordinated, practical, and 'muscular' support on matters such as policy review, development of inclusive cultures and facilities, and case handling. Where trans inclusion is known to be a priority for the union branch, it is harder for the employer to downgrade their own investment.

# 5. Visibility

**5.1** Some of our branches are active supporters of trans visibility initiatives in their workplaces, including awareness days, display of trans pride flags, invited speakers, trans inclusive signage and staff communications, and the practice of volunteering pronouns in meetings and email signatures.

**5.2** Good visibility- or awareness-raising initiatives set an expectation of understanding and acceptance among the workforce. They should empower trans people's choices about their own visibility, but they should never put an obligation of visibility on trans people.

**5.3** It is important that we all acknowledge that 'visibility' means different things to different people, in different contexts, or even from one day to the next. One person's visibility is prominently affirmative, while another just wants to be accepted as themselves so they can quietly get on with their lives – both aims are valid and important.

**5.4** Branches should nurture an ongoing conversation about what visibility means to trans workers, and other minorities, with a view to accommodation of diverse needs rather than homogenisation.

# 6. Intersectionality

**6.1** Trans and non-binary experiences are diverse and intersectional. Trans men meet different challenges and opportunities from trans women. Older generations, or those from some religious backgrounds may have additional, internalised biases about their gender identities. Transphobia can take on different forms, and greater intensity, towards minority ethnic or disabled trans people.

**6.2** To borrow a phrase from the autistic community: if you have met one trans person, you have met one trans person.

**6.3** Other prospect guides and campaigns may help bring context and inspiration to your conversations about trans inclusion at work. Find out more from our online equality and diversity resources:

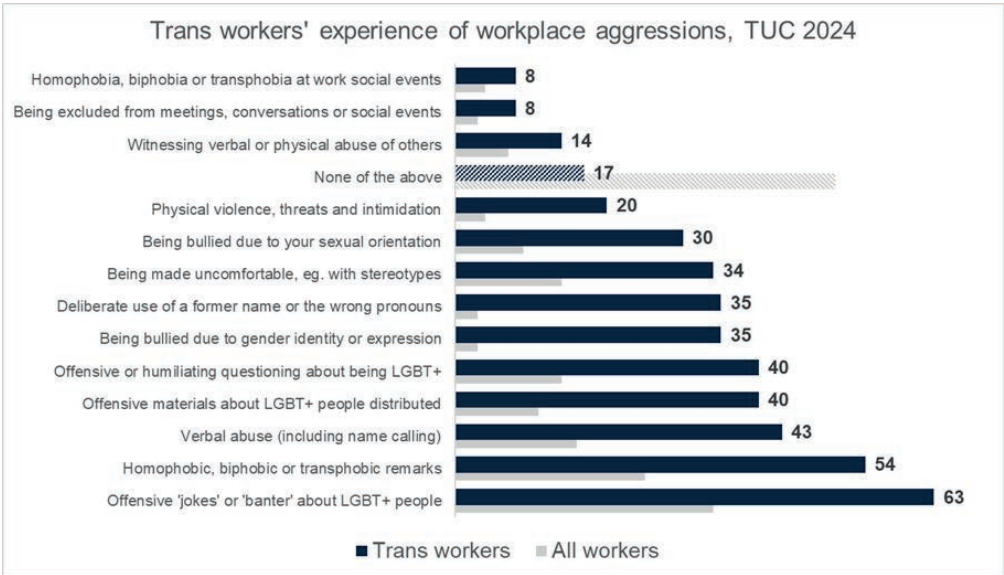
**<https://www.prospect.org.uk/topic/equality-and-diversity/>**

# 7. Bullying and harassment

**7.1** Among the most glaring challenges for trans people at work are bullying, harassment including sexual harassment, and physical violence or threats.

**7.2** Prospect is committed to eradicating bullying and harassment of every kind, in our members' workplaces and in our union activities. We recognise that trans workers are much more likely to be targeted, are in some ways more vulnerable to the impacts of workplace aggressions and meet many challenges in getting the support they deserve.

**7.3** A 2024 TUC report highlights the appalling scale of the problem, with eight out of ten trans workers experiencing bullying, harassment, or discrimination in the last five years, and one in five being subjected to physical violence, threats or intimidation. The chart below shows the percentages of trans workers who have experienced various forms of workplace aggressions. The hostile environment has intensified in recent years and, in the face of political changes internationally, may well become even worse.



**7.4** As a union we will not tolerate this treatment of our trans members, or this behaviour in any of your working environments.

**7.5** Reps should be especially sensitive to the sheer volume of hostility – from ‘casual’ disrespect to physical violence – experienced by trans and non-binary workers. If one of your members discloses that they have experienced transphobic harassment or discrimination it has taken huge courage, and trust in the union, just to raise it with you.

**7.6** Many of our reps approach personal cases, especially bullying and harassment cases, with a solutions-focussed drive for justice. It is particularly important in cases of transphobic bullying, harassment, and sexual harassment that we acknowledge the personal risk of social reprisals and victimisation that the member may incur by reporting it. We can support them, advise them on the pros and cons of informal and formal approaches, and help to contain some of the risks, but it must be their choice. The right approach for you might not be the right approach for them.

**7.7** However they decide to proceed, two actions will put them on a strong footing, without committing to any course of action:

- **Keeping a record:** e.g. a diary of incidents and action taken, copies of emails etc.
- **Getting expert advice:** you, as the rep, may be the first port of call, but you can also call on support from your full-time officer, who is backed by Prospect’s specialist teams.

**7.8** These foundations can help the member see the problem clearly, guide their next steps, and provide important evidence if they decide to take further, or formal action.

**7.9** Download our guide on bullying and harassment in the workplace:

**<https://library.prospect.org.uk/download/2007/00549>**

**7.10** Download our guide to dealing with sexual harassment:

**<https://library.prospect.org.uk/download/2024/00087>**

## Respectful workplace culture

**7.11** Prospect encourages branches and employers to be proactive in developing the respectful cultures that prevent bullying and harassment.

**7.12** This begins with workplaces calling time on supposedly low-level ‘banter,’ name-calling and misgendering. These behaviours cause harm in their own right, and they also create a perception of tolerance which paves the way to even more severe expressions of transphobia. Conversely, consistently tackling the first flickers of transphobic language and behaviour sends a clear message of solidarity to our trans colleagues, and of zero-tolerance to harassers.

**7.13** Download our workplace guide to dealing with sexual harassment:

**[https://library.prospect.org.uk/  
download/2018/01069](https://library.prospect.org.uk/download/2018/01069)**

# 8. How to challenge in a 'business-appropriate way'

**8.1** A common concern for trans workers and their allies is how to call-out transphobic language and behaviour in a proportionate, professional, and non-combative way.

**8.2** The following interventions are powerful, business-appropriate, and give you a range of options to suit the context:

<b>Read the room</b>	Try to catch a colleague's eye. A silent exchange can confirm "Did I just hear that?" or "this is not okay." Knowing that others share the same assessment of the situation can give you the confidence to speak up, or a reference point to talk through later. It is important to remember that we do not fix workplace cultures in a single meeting, but even an unspoken moment of solidarity like this is a step in the right direction.
<b>Make space for repair</b>	Some interventions simply give the offender an opportunity to rethink their own behaviour. In a two-person interaction a pause and a raised eyebrow will nudge them to rewind what they said or did. In a group setting you may need to engineer a pause: "Huh...?" or "Hold on. Did you just say..." It is by no means aggressive, but it might well feel awkward for everyone in the room; hold your nerve! Hopefully they will recognise and quickly repair their mistake. If not, then the exchange flags the problem behaviour to everyone present.
<b>Softened challenge</b>	Workplace interactions involve important, ongoing relationships that have to be maintained. If the offender is a friend, or colleague – maybe even your boss – you can soften the challenge and make it easier for them to correct themselves with a pre-emptive "I'm sure you didn't mean to but..." or "I hope I'm not misinterpreting you..." and then give your clear account of the problematic behaviour.
<b>Direct challenge</b>	Sometimes it is necessary and appropriate to directly challenge the behaviour. Direct challenges include: asking for an explanation ("What do you mean by saying..."); negative evaluation ("That's really transphobic"); or comparison to accepted standards ("We don't tolerate that language here.") Be aware that any of these are likely to create friction, which can escalate quickly. Take a deep breath; be as clear and specific as you can in stating the problem; and take care to emotionally 'step out' of any heated exchange that may follow.

These tips are based on “How to say when it’s not okay,” published by Loughborough University Discourse and Rhetoric Group (DARG).

**8.3** It is easy to think of the right response after the moment has passed, and much harder to intervene in live interaction. Do not beat yourself up for what you did not say. Instead:

- Reflect constructively on what happened. Chat to someone who was present at the time – and get their perspective. Plan your next steps.
- If a trans or non-binary colleague was in the same conversation, you can check in with them in a non-intrusive way: “Some of the language in that meeting made me feel a bit uncomfortable... did you notice? How do you feel about that?”
- You may decide to follow-up on the incident later. The ‘softened challenge’ and the ‘direct challenge’ work well after the fact, and you have an opportunity to prepare for a more controlled but still informal intervention.
- You can certainly use the experience to plan, ‘rehearse,’ and enlist the support of allies for interventions in similar situations if they come up in future.



## 9. Working with third parties

**9.1** Many Prospect members work in public facing roles, or in mixed-employer settings such as field stations, live events, and construction sites. We work with industry bodies and networks as well as with individual employers, to improve cultures across sectors.

**9.2** We acknowledge that standards of behaviour in these environments are hard to predict and to control. Employers are not powerless, however. They can start by demonstrating, every day, the care and respect for trans workers that makes it easier for staff to raise concerns about their workplace experiences.

**9.3** Employers can clearly ‘advertise’, both to employees and to clients or partner organisations:

- How staff should be treated – fairly, safely, and respectfully – during the course of their work.
- The types of behaviour they will not tolerate.
- The action staff should take, appropriate to the situation, from ending a client call or reporting to a site manager, to logging the incident with their own line manager.
- The action the employer will take, such as suspending a contractor’s access to a site, or following up with a partner organisation on their employees’ behaviour.

**9.4** Many of the approaches in health and safety management can be used to reinforce respectful working cultures: prominent policies, signage everywhere – including digital access-points, site inductions and incident-logging.

**9.5** Critically, once the expectations of behaviour, and the actions against transphobia are made clear to everyone, then those actions must follow. Branches have a clear role in negotiating for better cultures and the policies and procedures to back them, and a clear role in holding employers accountable for delivery.

# 10. Trans inclusive policy review

**10.1** Policy reviews are a routine part of the union agenda. All policies have to evolve to keep up with organisational, cultural, and legal changes. Our understanding of trans rights and workplace issues is developing fast, so there's work to do bringing relevant policies up to date.

**10.2** It is worth noting that many of the changes that help make policies more inclusive of trans and non-binary workers are about retiring gender stereotypes and other reductive norms: good for everyone.

**10.3** Wherever possible we encourage branches to seek views from trans and non-binary members, among a diverse cross-section of membership, to feed into the policy review cycle, bringing their relevant lived experience to task.

- All workplace policies would benefit from a regular scan for needlessly gendered terminology or stereotypes.
- Several policies should have overt acknowledgement of trans rights and needs, including: Equalities; Bullying and Harassment or Dignity at Work; Health and Safety; Sickness Absence and Medical Leave; Parental and Family Leave.
- More employers are starting to publish Transitioning at Work policies. It is early days for these policies, and both content and quality are variable and evolving. They will improve with review, especially in the light of diverse trans experience.

# 11. Transitioning at work

**11.1** 'Transitioning' is a process of aligning gender expression – the outward signifiers of gender, such as names, behaviours, or appearance – to gender identity – the innermost concept of who one really is. It can include medical changes to primary and secondary sex characteristics.

**11.2** Transitioning may be subtle and is often incremental. It is not always one-way or universal: for example, a person may have transitioned in social settings but not in work, or they may have transitioned at work but not in their family life. It may involve medical interventions such as hormone therapy or surgery, but by no means always.

**11.3** There is no obligation, and it is not always helpful, for a trans or non-binary person to make any 'declaration' of transitioning at work. Some changes, however, such as names, clearly call for colleagues to be notified, and in many cases the experience can be smoothed with a well-considered, staged plan for the transitioning process.

## Transitioning policies

**11.4** Transitioning at work policies are helpful in a number of ways:

- Clarifying the rights of trans and non-binary people, and the accommodations and limitations that apply in the context of the specific workplace.
- Providing trans and non-binary workers, and their managers, with tools and approaches to support a positive experience of transition at work
- Essential reference for existing staff and potential recruits, about what they can expect and what is expected of them, in terms of trans- and non-binary inclusion.

**11.5** There are templates and guides to support policy development, but it is important that each employer's policy brings best practice into an understanding of their workplace.

**11.6** The following elements appear in many Transitioning at Work policies.

- Principles
- Definition of terms
- Guidance for managers
- Getting support
- Privacy

- Planning transition at work
- Practicalities
  - a. Toilets, showers, and locker rooms
  - b. Dress-codes and PPE
- Name change protocols
- Support for medical treatments

## Principles

**11.7** This section can be used to set out both the aims and the legal, moral, and business drivers for trans- and non-binary inclusion at work, including references to other relevant policies and guides.

## Definition of terms

**11.8** Many policies include a glossary, and this is particularly important with respect to gender diversity, where common language is evolving fast, and the legal terminology is rather archaic and unhelpful. It should be clear to any reader what gender identities are covered by the terms of the policy and how they relate to legal terminology.

**11.9** Our resource section contains links to organisations that have produced their own helpful glossaries.

## Guidance for managers

**11.10** This section may include explicit reminders of managers' responsibility for promoting equality and inclusion. It should help orientate them to the challenges trans and non-binary workers face, and signpost the practices and protocols that can help, as well as extra resources and support to develop their knowledge and confidence in the issues.

## Getting support

**11.11** This is a common feature of workplace policies, directing workers to resources and services inside the workplace (managers, HR, LGBT+ networks... and of course, trade unions!) and outside (relevant support groups and advice lines).

## Privacy

**11.12** Disclosure of trans or non-binary gender is a leap of faith for any person, in any situation. The manner and speed at which a person chooses to disclose their gender identity is up to them. However, workplaces can help by making very clear to workers:

- What options they have for confidential disclosure, including alternative sources of support if their manager is not the person they would first wish to disclose to.

- What they can expect in terms of discretion, including the limitations of confidentiality.

**11.13** Under the Gender Recognition Act, it is a criminal offence to disclose information, acquired in an official capacity, about a person's sex as recorded on their birth certificate before they made an application for a Gender Recognition Certificate, or to disclose information about their application for a Gender Recognition Certificate, unless this is disclosed with the individual's agreement.

**11.14** There is a clear advantage to the employer, as well as to the trans or non-binary employee, in facilitating discreet and constructive discussions about transitioning and inclusion. It is in everybody's interests that workers' rights to gender expression and identity are met positively and without friction. That is much more likely with good communication, a plan, and preparation.

## Planning transition at work

**11.15** Many transitioning policies recommend making a plan for transitioning at work. These can be a valuable tool for trans and non-binary workers, for private reflection wherever they are in their journey. There is no need to

wait until you are ready to come out to start thinking about how you might like that to go.

**11.16** Some include checklists or proformas to guide planning conversations between the trans or non-binary worker and their manager or other supporters. It is important that any such checklist should be considered as a menu rather than a prescription: some items will be useful prompts, and others irrelevant to the individual's needs.

**11.17** Typical considerations for transitioning plans might include:

- Timelines, if known, with any fixed milestones, such as legal name changes or gender recognition processes, surgeries or other gender affirming treatments, and lining up processes such as updates to payroll system.
- 'Stakeholders' such as managers or other key supporters, immediate teams, and clients – anticipating challenges, and how to prime the best possible reception.
- Accommodations needed/agreed, such as time off for medical appointments, temporary home-working arrangements, and ordering new uniforms.

## Practicalities

**11.18** This section brings to light the everyday necessities and operations that are taken for granted by most of us but can make the workplace inaccessible to trans and non-binary workers. It should be very specific to the workplace: its facilities, the nature of the work, and organisational cultures and administration.

## Toilets, showers, and locker rooms

**11.19** The provision of toilet and changing room facilities requires sensitive and proportionate policies that respect the dignity and privacy of all staff.

**11.20** Workplaces have been designed to be compliant with The Workplace (Health, Safety and Welfare) Regulations 1992, which require employers to provide separate facilities for men and women, except for facilities in a separate room that is lockable from the inside.

**11.21** However, the provision of facilities is a complex and changing area of law.

**11.22** The union's role is to seek to ensure that workplaces are inclusive for all staff. The practical policies that should be adopted will vary by workplace, depending on the facilities

that are already in place, and the practicality of making modifications. Employers should make additional provision for 'gender-neutral' toilets, changing and shower facilities. These must be self-contained (with wash-hand basin and waste bins) single-occupancy toilets, shower or changing rooms.

**11.23** Many workers – not just trans and non-binary colleagues – appreciate a bit of extra privacy in workplace toilets. Simple measures such as floor-to-ceiling cubicle doors, and provision of hygienic waste bins in every cubicle – not just the women's – enhance gender, age and disability inclusion, and dignity in general.

## Dress-codes and PPE (Personal Protective Equipment)

**11.24** Dress-codes can be a dignity and inclusion minefield for many marginalised and underrepresented groups, including disabled workers, women in traditionally male industries, and those with religious norms of dress. Inclusive dress-codes are:

- Purpose-driven and proportionate
- Clearly, completely, and unambiguously stated
- Consistently enforced
- Preferably gender-neutral and should certainly never reinforce gender stereotypes

**11.25** Prospect has long-running campaigns and research promoting equitable access to suitable, well-fitting PPE for all workers: notably women, but also disabled workers, religious minorities and more. Trans workers, especially if they are going through medically supported transition, may need new PPE to suit their changing physiology. The styling of PPE should be gender neutral.

## **Name change protocols**

**11.26** This section can clarify the rules and limitations of name change administration, including processes and regulations that may require employers to align to legal names (payroll operations), or maintain records of former names (professional certifications or insurance). There should also be a statement of how such data, held out of administrative necessity, will be managed securely and access-controlled, to protect the privacy and dignity of trans and non-binary colleagues.

**11.27** Referring to anyone by the name and pronouns they identify with is a basic and universal courtesy. It can be especially sensitive for religious or ethnic minorities, international workers, after a relationship breakdown, and of course for trans and non-binary workers. The transitioning policy should set a clear expectation that staff will respect colleagues' chosen names.

**11.28** There should be a well-practised drill for cascading name-changes across systems and processes, with IT and HR support as appropriate.

## **Support for medical treatments**

**11.29** Not all gender transitions involve medical treatments such as surgery or hormone therapy. Where workers are planning medically supported transition, it is important that they understand, upfront, the support and accommodations that they can expect. This may include time off for medical appointments (absence should be treated in the same way as any other absence for health appointments bearing in mind long waiting lists), interactions with leave and sickness absence policies, and flexible working options to support treatment and recovery.

**11.30** Many employers provide rooms that can be used for breastfeeding, management of chronic illnesses, or prayer. We know of one union branch that has negotiated to have post-operative care associated with gender affirming surgery added to the list of appropriate uses of these spaces: a small change makes a meaningful statement about trans-inclusivity in the workplace.

## 12. Further information and support

Contact your Prospect Full Time Officer or our Member Contact Centre on 0300 600 1878 for further information and support, or see the links below.

- Prospect LGBT+ Equality Hub  
<https://www.prospect.org.uk/lgbt-equality-hub/>
- Bectu sector LGBT+ hub  
<https://www.bectu.org.uk/get-involved-in-the-union/bectus-lgbt-committee/>
- TUC report: Bullying, harassment and discrimination of LGBT people in the workplace  
<https://www.tuc.org.uk/research-analysis/reports/bullying-harassment-and-discrimination-lgbt-people-workplace>
- Acas report: Supporting trans employees in the workplace  
<https://www.acas.org.uk/research-and-commentary/supporting-trans-employees-in-the-workplace/report>
- Law society guides and templates  
<https://www.lawsociety.org.uk/topics/lgbt-lawyers/transition-and-change-to-gender-expression-template>
- EHRC guidance on gender reassignment discrimination  
<https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/gender-reassignment-discrimination>





100 Rochester Row

London SW1P 1JP

0300 600 1878

[enquiries@prospect.org.uk](mailto:enquiries@prospect.org.uk)

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