
GMB TRANSGENDER EQUALITY TOOLKIT



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1. FOREWORD

GMB is committed to achieving equality for all, by the inclusion of all our members in our union.

We are also committed to fighting discrimination, bullying, harassment and victimisation.

Discrimination is wrong, in whatever form it takes, of anyone, and we all must take steps to tackle it.

As trade unionists, we see within our workplaces, places of education and sport, sometimes in the media and within society that there are many people who experience discrimination, inequality, hatred and violence because of their age disability, gender reassignment, marriage or civil partnership status, pregnancy and maternity, race (ethnic or national origin), religion or belief, sex and sexual orientation. These characteristics have equal status in law, yet those protected by the 'gender reassignment' characteristic are often the least well-supported in the workplace.

GMB has always fought for the rights, protections and safety of our members, families, loved ones, and communities. As important as ever, we have to ensure that we have the skills, knowledge, support and compassion to help those who experience inequality and discrimination in all their forms, wherever it appears.

Transphobia is rampant and often goes unchallenged because of our own ignorance, fear, uncertainty or prejudice.

The stigma, prejudice, discrimination and violence that transgender people often suffer remains exceptionally high in spite of some changes in public and workplace attitudes following recent legal rights being enacted in the UK.

Higher unemployment rates than most other minorities, overt discrimination at recruitment stages and in accessing goods, services and facilities, name calling and non-cooperation at work by colleagues and sometimes reps, verbal and physical abuse when walking down the street, attacks on their homes and property, violence and sometimes murder—these are all everyday experiences for many trans* people.

As a democratic union, we believe our under-represented members, and trans* members are no exception to this, must have a voice to take part fully in our workplaces and in the union. This union approach helps us all to identify and challenge discrimination and build equality for all our members, allowing more members to get involved in the union, and developing their own skills and expertise, which will bring confidence when dealing with workplace issues. We all have a role to make this a reality.

There is much more we need to do to make a difference at work and elsewhere—after all, prejudice slides effortlessly between work, home, school, the playing field, the street, the internet, and back again.

It gives us enormous pleasure and satisfaction therefore to present to GMB workplace representatives this pioneering, national GMB resource, devised by some of our trans* members and LGB activists. It provides essential guidance, sources of information and useful contacts that will help our reps understand the concerns of our trans* members and to support them appropriately and fully.

By challenging and uprooting transphobia the workplace, we can also defeat it in society.

A handwritten signature in black ink that reads "Paul Kenny". The signature is written in a cursive style with a long horizontal flourish underneath the name.

Paul Kenny
General Secretary
March 2014

2. INTRODUCTION

GMB is committed to achieving equality for all by inclusion of all in the union.

This toolkit is a shining example of the success of GMB's equality structure as this toolkit was created by way of implementing a motion submitted by a branch's equality officer, via their regional equality structure to the GMB London Region Equality Conference, GMB National Equality Conference 2012 and GMB Shout! (GMB's lesbian, gay, bisexual and trans group).

We hope that this will inspire members, shop stewards and equality self-organised groups to submit motions from the grassroots of GMB. It can make a difference.

This toolkit is part of a massive two year project called 'Putting The T Back In LGBT' (lesbian, gay, bisexual and transgender) which is aimed at raising member, employer, union, national and international awareness of the transgender community, their rights and in supporting them in and out of work.

This particular resource is for GMB postholders i.e. for all shop stewards, equality reps and staff, and can be used to produce specific resources for GMB trans* members and the wider membership too.

We welcome any invites to come and speak with branches, equality committees and others to help advance all our understanding of trans* equality and the issues trans* members face.

GMB's Putting The T Back In LGBT project group
(working group of GMB LGBT Shout!)
April 2014

Note:

Trans* followed by the asterisk is used by some groups to emphasise the inclusivity of many varieties of gender expression and experiences. See below FAQ section.

3. GMB STRATEGY AND POLICY

The Union's Strategy—Equality Through Inclusion

'GMB exists to recruit, organise and represent all workers; to improve wages and conditions at work, while challenging, through collective action, all forms of discrimination and poverty. Here is our strategy to deliver equality in the workplace, in society and in GMB.

'At the heart of this strategy is a focus on organising, bargaining and membership participation.

'It is based on the principle of "inclusivity"—everyone has a role in delivering equality.'

Paul Kenny, GMB General Secretary

This strategy builds on GMB's successes in the past of driving equality. The key to success will be in aligning equality to the core aims of GMB and moving equality from the margins to the centre of all GMB activities.

In order to deliver the GMB vision for equality, there are five strategic priorities that have been adopted:

1. Increase membership
2. Drive the equality and inclusion bargaining agenda
3. Campaign on equality and inclusion
4. Enhance profile
5. Drive organisational equality and inclusion.

A copy of the full strategy may be obtained from your GMB regional office or regional equality forum.

4. FREQUENTLY ASKED QUESTIONS (FAQS)

In summer 2013, GMB ran an online survey of our postholders to find out the levels of awareness and understanding of our reps of transgender issues and the experiences of trans* people.

The results showed us that our reps have a fairly good understanding of most of the everyday terms used when talking about transgender issues. However there was also a fair amount of uncertainty over what legal protections outside of the workplace trans* people have in the UK, whether or not trans* equality is a workplace/industrial issue, and where to access more information and training.

Below are some FAQs to help raise awareness for reps, members, customers and staff alike, and to check appropriate language is being used at all times.

Terminology—What is the appropriate language to use?

Appropriate language is vital in all areas of equality and diversity, at work, socialising, wherever we are. Getting it wrong can be hurtful, offensive, insulting, discriminatory and excludes others. Getting it right can make for inclusive, positive workplaces. Below are some everyday key terms used when referring to transgender people and matters. See the full Glossary section at the end of this guidance for more detailed and other related terms and definitions.

The following definitions have kindly been provided by GIRES.

Sex

The 'sex' of an individual refers to the female or male reproductive anatomy/sex characteristics including overall size, skeleton, musculature and brain. Some people have 'intersex conditions' in which male and female sex characteristics may be mixed.

Gender identity

Gender identity describes the inner sense of being, typically, a man or a woman, or any variation on a supposed spectrum between the two, or a mix of the two. Some people do not regard themselves as having any gender identity, and they may use pronouns such as 'per' and 'ze'. Some people self-describe in a variety of ways, e.g. pan-gender, poly-gender, gender queer.

Transgender, trans, trans*

The terms transgender and trans are inclusive terms, embracing a wide variety of people whose gender expression does not conform to cultural expectations. The addition of an asterisk after trans* emphasises the inclusion of all those whose gender identity and/or expression falls outside the 'man'-'woman' binary. This would include those who, for instance, are androgynous in their presentation or who temporarily cross-dress (sometimes referred to as transvestite). This is not the same as a person who changes gender role continuously and permanently.

Trans men and trans women

The term trans man applies to a person who identifies as a man, but who was assigned female at birth. A trans woman is a person who identifies as a woman but who was assigned male at birth. These terms have replaced older terminology such as 'female-to-male, FTM' or 'male-to-female, MtF' which are now regarded as out-dated, although medical literature still sometimes uses these terms. Similarly, the term 'transsexual' which is still used in the legislation, is regarded as out-dated. It refers uniquely to those who do change their gender role completely, almost always associated with medical treatments. It must only be used as an adjective—as in transsexual person or people.

Gender dysphoria

A description of the discomfort experienced when the gender identity is not congruent with the sex assigned at birth. It may be experienced to different degrees, so it may or may not lead to a full-time change or role, or medical treatment. This is sometimes used as a medical diagnosis, but it should not be regarded an illness.

Gender expression/presentation

Gender expression/presentation, for example through personality or clothing, can determine how a person's gender is perceived by others. Trans* people may seek to make their gender expression and presentation match their gender identity rather than their birth sex. However, some trans* people may seek to match gender identity and sex through reassignment surgery, and others will seek to do both. Others, especially in the workplace, may choose not to match their gender expression with their gender identity for fear of prejudice and discrimination.

Gender role

This describes how we behave in society, and interact with others—as men, women or somewhere else on the gender spectrum.

Gender reassignment

Gender reassignment may also be referred to as sex reassignment although this is not the preferred term. Terms such as ‘sex op’, ‘pre-op’ and ‘post-op’ are offensive, and should never be used as they assume all trans people undergo surgery which is not the case.

The term ‘gender reassignment’ is considered by some to be inaccurate, as people experiencing gender dysphoria do not change their gender identity, but rather they may change their sex characteristics and their gender role to match their gender identity.

Gender reassignment is the description of the characteristic, which is protected under the Equality Act 2010

Transition

Transition marks the moment when a person starts to live full-time in the role that agrees with their gender identity. This may, over time, be assisted by medical or surgical interventions such as hormone therapy; hair removal, voice therapy and possibly (although not always) chest and/or genital surgery. It also includes some or all of the following social and legal adjustments: telling one’s family, friends, and/or colleagues; changing one’s name and/or gender status on legal documents.

There are particular stages that most trans* people will choose to go through before changing their gender role and status to conform with their gender identity. The timings of the various stages vary a lot between individuals, but the transition will almost always have a great impact on their life and work.

When the individual begins to live in the new gender role, records and documentation, such as driving licence and passports, must be changed to reflect this. A person who plans to have corrective genital surgery will be required to live in the role that matches with the gender role for 12 months before accessing that surgery. Usually, trans people receive hormone therapy and may have regular reviews with a psychiatrist or psychologist.

The aim of the various surgeries is to align a person’s physical body with the gender identity thereby reducing gender dysphoria. Surgery differs between trans men and trans women and may involve a number of procedures. It must be understood that not all trans* people undergo surgery for a variety of social, medical and personal reasons.

Gender Recognition Certificate (GRC)

This is the legal document that signifies full legal gender status in the affirmed gender. Our legal section on the Gender Recognition Act 2004 has more information about this.

To come out/be out

This means to be open about your own gender identity or sexuality.

Transphobia

Transphobia is an irrational dislike or hatred of trans* people giving rise to discrimination and harassment against them. Sometimes people believed to be trans* as well as those associated with the, such as family members may be subjected to transphobic behaviour because of that association.

Pronouns**I don’t know whether to use ‘her’ or ‘him’, ‘she’ or ‘he’, ‘Miss’ or ‘Mister’?**

Usually you should address people in line with their gender presentation. If you are not sure then ask the trans* person privately, politely and appropriately which terms to use (e.g. title; personal pronoun—he or she; etc.). Many trans* people will not mind if the wrong word is used when they first transition or occasionally accidentally so long as you are trying to get things right permanently.

Using the wrong word on purpose, unreasonably, hurtfully, maliciously, etc. is never acceptable and would be considered ‘harassment’ and therefore a breach of the Equality Act 2010.

Such behaviour should be challenged and be subject to disciplinary and grievance procedures. There must be a zero tolerance policy in relation to deliberate use of belittling or humiliating language.

Is being transgender a mental illness?

No. Being transgender is not a mental illness. It is now understood to arise where the brain has developed differently before birth.

Do all trans* people who transition have surgery?

No, not all trans* people undergo surgery for a variety of personal, social and/or medical reasons.

What legal protections do transgender people have against discrimination?

Those trans* people who propose undergoing, are undergoing or have undergone a process or part of a process to change their gender role and have medical treatment are said to have the protected characteristic of gender reassignment under the Equality Act 2010. Employers must ensure that they are not discriminated against, harassed or victimised as they have the same legal protections as others with protected characteristics under the Equality Act 2010. They are protected from discrimination:

- in employment and training
- in recruitment and selection
- promotions
- pay, pensions and pay benefits such as bonuses
- in education
- in the provision of goods, services and facilities such as hotels, leisure centres, student services, etc.
- in health services.

See our legal section for more information including about lawful exemptions.

The broader trans* group who are not specifically protected under the Equality Act, would still be protected if, for instance, they were bullied because someone believed that they were transgender.

Is transgender equality a trade union issue?

Yes, absolutely. As a union we have campaigned and will continue to campaign for equality for all. We have championed and supported those who are vulnerable in our workplaces and in society.

We believe there should be zero tolerance of prejudice and discrimination in all its forms—sexism, racism, ageism, disablism, homophobia, biphobia and transphobia.

We must all aim to be equality-aware and inclusive in all of our GMB activities like in organising and recruitment, representation, tackling prejudice and discrimination, health and safety, union learning, communications and meetings with members, etc.

Has GMB campaigned for transgender rights?

Yes, as described above. We are campaigning more on trans* equality in the workplace as we become more trans*-aware. Some people might argue that this is a waste of GMB's time, money and other resources. However, it is a trade union issue as explained above and in the union's strategy and policies.

Also, our trans* members pay their union subscriptions just like other members so they should be, and are, protected and represented at work like all other members.

Being a trade unionist means doing all we can to tackle workplace and social injustices and discrimination. But there is more we must all do to raise awareness and improve the workplace lives of our trans* members and colleagues, and to combat transphobia wherever it appears.

Is transgender equality a workplace issue?

Yes, absolutely. Most employers will have an Equal Opportunities Policy or equalities policy in place. It is vital that union reps check that the policy, and other workplace policies, includes tackling discrimination and promoting equality for trans* people in relation to recruitment, employment, pay, pensions, training and development, service delivery, anti-bullying and harassment, domestic abuse and domestic violence, for example.

But there are no trans* members in my workplace or branch so what's the point in talking about trans* issues?

Wrong. You must never assume that because you perceive there are no trans* people in your workplace, that in fact there are none working there. Some trans* people do not wish to be visible to others because of the prejudice and hostility they are most likely going to experience. Some trans* people do not choose this form of disclosure as it is irrelevant to them because they choose to live in their affirmed gender i.e. as women or men.

In some ways the invisibility situation is similar for lesbian, gay and bisexual people or individuals with 'invisible' disabilities such as mental health problems.

Our goal should be to move towards full awareness that trans* issues are relevant and are a part of our workplace and wider union activities. It doesn't matter if there are trans people who are visible or not visible in a workplace, it is still an issue for all workplaces to consider, so that their work environment and practices are welcoming to potential trans employees and service users.

During recruitment, can an employer ask if someone is trans*?

No, in almost all cases there should never be questions asked during recruitment or volunteering, about someone's trans* status, and they should not answer them, nor be pressurised to answer them.

The only time an employer is allowed to ask is when there is an 'occupational requirement' for the job. Positive action may be taken to recruit a member of any group that is under-represented in the workforce. This means that if two people who are equally qualified and of equal merit, the one who represents the under-represented group may be selected. See our legal section for more details.

Where can I find more information, advice and guidance?

See our section Useful Links and Contacts, or search the web or contact your regional office, GMB Shout! (the union's lesbian, gay, bisexual and transgender network).

5. LEGISLATION – WHAT THE LAW SAYS

Please note the following information is legally correct at the time of publishing—February 2014.

When the UK's Equality and Human Rights Commission was created in 2007, one of its first steps was to produce a legal definition of 'transgender'. Ever since then, in legal terms, transgender people have been treated as a separate category in terms of equality and diversity.

a. Equality Act 2010 (the Act)

- Please note that this applies to England, Scotland and Wales. In Northern Ireland, the Sex Discrimination (Northern Ireland) Order 1976 prohibits discrimination and harassment on the grounds of gender reassignment (as well as sex, pregnancy and maternity, marital or civil partnership) status.

Section 7 of the Equality Act covers 9 protected characteristics: age, disability; gender reassignment; marriage and civil partnership, pregnancy and maternity; race; religion or belief; sex or sexual orientation. These characteristics are all protected against unlawful discrimination; they all have equal status, that is, none is more important than another. For instance, religion or belief, are characteristics that are sometimes assumed to permit discriminate against, for instance, characteristics such as sexual orientation or gender reassignment. However, such discrimination would be unlawful.

A person having the protected characteristic of gender reassignment is further described as a person who "is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."

Legal protection applies from the moment when the person decides to begin gender reassignment and inform someone of that intention, even if they change their mind later on.

This underlines the fact that gender reassignment is a personal process rather than a medical one, in moving from one's birth sex to the role and presentation that matches their gender identity. An individual does not need to be undergoing medical supervision to be protected. So, for example, a man who decides to live full-time (or 'present') as a woman without undergoing any medical procedures would be covered. See below for discrimination by 'perception' and by 'association'.

Gender Reassignment Discrimination

Under the Equality Act because gender reassignment is in its own right a protected characteristic, it is illegal and discriminatory to treat trans* people less favourably in employment, training, recruitment and selection, and also in the provision of goods, services and facilities.

For example, it would be discriminatory to treat a trans* person less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment process than they would be treated if they were absent because they were ill or injured, or if they were absent for some other reason.

The Equality Act 2010 protects employees from the following forms of discrimination:

- **Direct Discrimination:** this occurs when someone is treated less favourably than other employees because of gender reassignment, *whether actual or perceived*, or because they associate with someone who intends to undergo, is undergoing or has undergone gender reassignment.
- **Indirect Discrimination:** this can occur where there is a policy, practice or procedure that applies to all workers, but particularly disadvantages people who intend to undergo, are undergoing or have undergone gender reassignment.

Example: A policy, practice or procedure that forces individuals to disclose their gender reassignment might well be indirect discrimination, unless and only if, it can be justified as a proportionate means of achieving a legitimate aim.

- **Discrimination By Perception:** it is direct discrimination to treat a person less favourably because you think they possess a particular protected characteristic. It applies even if the person does not actually possess that protected characteristic—this is discrimination by perception.

Example: A member of staff applies for promotion within his department. He is not shortlisted as

his manager thinks he is a trans* person and therefore would not have the respect of his team if he is promoted. The man is not trans* and so can claim discrimination by perception under the Equality Act.

- **Discrimination By Association:** this happens when a person is treated less favourably in a situation because they associate with another person who possesses a protected characteristic.

Example: A staff member has an offer of promotion withdrawn when she tells her manager that her daughter is undergoing medical transitioning. The manager believes the employee may need time off and will not be able to focus on the new role sufficiently in these circumstances. The woman could claim discrimination by association under the Equality Act.

- **Harassment:** this is when unwanted conduct related to gender reassignment has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading or humiliating environment. This may be a single incident or more than one.
- **Victimisation:** this occurs when an employee who has made or who supported a complaint about gender reassignment discrimination is treated unfairly.

In addition, employers should provide equality of opportunity, and foster good relations between protected groups and others. In the public sector there is an emphasis on employers taking pre-emptive steps to ensure that the requirements of the Equality Act are fulfilled. (See below: Public Sector Equality Duty).

Occupational Requirement (OR)

In very limited circumstances it may be lawful to discriminate on the grounds of gender/gender reassignment. However an employer must assess each and every situation carefully and to act reasonably in all circumstances, for example by proposing alternative solutions. Such limited circumstances could be where:

- A person's gender is an occupational requirement
- The job involved the job holder carrying out intimate searches
- The job involves the job holder working in a private home and "reasonable objection" to them having the post can be shown.
- On a temporary basis, exceptions may be applied during the transition process where accommodation has to be shared or the provision of personal care services to vulnerable individuals is given.

If a trans* person has a Gender Recognition Certificate, then none of the above exceptions apply.

Employers wishing to claim an occupational requirement (OR) should bear in mind the following points, as advised by Acas (www.acas.org.uk):

1. ORs should be identified at the beginning of the recruitment, training or promotion process, before the vacancy is advertised. Advertisements and material sent to potential applicants should clearly show that the employer considers that an OR applies and the point should be reiterated during the selection process.
2. If an employer wishes to claim an OR s/he must consider what the duties are for which an exemption is to be claimed; an OR cannot be claimed unless some or all of those duties require a person of that gender to undertake those duties.
3. The application of the requirement has to be a proportionate means of achieving a legitimate aim. So, for instance, an OR exemption cannot be claimed in relation to particular duties if the employer already has sufficient employees who are capable of carrying out the required duties and whom it would be reasonable to employ on those duties without undue inconvenience.
4. Each job for which an OR may apply must be considered individually; it should not be assumed that because an OR exists for one job it also exists for jobs of a similar nature or in a similar location. The nature or extent of the relevant duties may be different or there may be other employees who could undertake those duties.

Important to note:

Applicants who do not agree that there is an OR for the post are at liberty to make a claim to an employment tribunal because they believe they have been prevented from applying for the post because of gender reassignment or sex. It would be for the employer to show that such an OR is justified.

Positive action

The Equality Act 2010 allows positive action in recruitment, although in very limited circumstances. Positive discrimination though is illegal.

Where an employer can show that there is an under-representation of people with a particular protected characteristic in their workforce, and where they have two equally well qualified candidates for a vacancy, they are permitted to select a candidate from the under-represented group.

Since there is very little monitoring of gender identity in UK workplaces, and no firm evidence of the size of the transgender population, it would be very difficult for an employer to demonstrate under-representation. The best available evidence indicates that 1% of the population experiences some degree of gender variance, however, many choose not to disclose their situation, or change their gender role.^{1,2}

Public Sector Equality Duty (PSED)

Please note there are some key differences in the protected characteristics which are explicitly covered by the PSED in the Equality Act 2010 and the Northern Ireland public sector duty (section 75 of the Northern Ireland Act 1998).

In England, Scotland and Wales, 'gender reassignment' (as well as pregnancy and maternity) is explicitly listed in the duty. Although it is not listed explicitly in Northern Ireland's legislation, in many respects, 'gender reassignment' as a protected characteristic is seen as being covered by the sex equality provisions.

The Equality Act's PSED states that organisations must have "due regard" to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct. This is not made explicit in Northern Ireland's public sector duty, although it is implied in practice.

With these differences in mind, the following guidance may be applied broadly to the four UK nations.

It is too soon to know whether the PSED has been employed with good effect for transgender people. However, the inclusion "gender reassignment" as a protected characteristic in the Equality Act creates a big potential for trade unions to promote equality for trans* workers and communities, and to extend this to employers who are working on public contracts.

The law requires public sector bodies to have "due regard" to the need to eliminate discrimination and harassment, to advance equality of opportunity, and to "foster good relations" between those sharing a particular characteristic and those who do not.

In order to carry out these duties in respect of 'gender reassignment', a public sector employer needs to have put in place policies that are sufficient to meet the requirements of the duty.

Where the employer only has a generic equal opportunities statement, for example, it should be possible to have them expand this to include specific commitments to each protected group. Then, in order to make the policy effective, it will be necessary to ensure that there is a training programme for those with management responsibilities.

GMB reps working in and with public sector bodies and employers working on public contracts should negotiate to ensure the PSED is being implemented effectively.

Full guidance is available on the Equality and Human Rights Commission's website: www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/

1 Glenn F, Hurrell, K (2012) Technical Note: Measuring gender identity
http://www.equalityhumanrights.com/uploaded_files/technical_note_final.pdf EHRC

2 Reed, B., Rhodes, S., Schofield, P and Wylie, K (2009) Gender Variance in the UK: Prevalence, Incidence, Growth and Geographic Distribution, Ashtead: Gender Identity Research in Education Society.

b. Gender Recognition Act 2004 (GRA)

Under the GRA, trans* people can get full legal recognition in their newly acquired gender status providing they apply to the Gender Recognition Panel and meet the specific criteria laid down within the GRA.

Anyone who gets a Gender Recognition Certificate (GRC) automatically qualifies for a new Birth Certificate upon application, as long as the birth was registered in the UK.

Crucially, the GRC gives trans people special protection of their privacy under the GRA. Anyone who acquires information about someone's trans status is liable to criminal proceedings if they pass that information to a third party without the permission of the individual. So, if an employer, line manager, colleague or union rep or official finds out about someone's trans status and tells anyone else on purpose or by accident and without the trans person's permission, the perpetrator risks being prosecuted and fined. This includes employers and union officials.

Who does it apply to?

Anyone over the age of 18 can apply for a GRC as long as the person:

1. is living in their acquired gender i.e. the person was assigned male at birth but is living as a woman, or was assigned female at birth but is now living as a man.
2. has changed their birth gender under the laws of another country.

Who is on the Gender Recognition Panel?

The panel consists of lawyers and doctors who make the decisions about whether or not to grant an application for a GRC. This is a paper exercise.

What criteria do the Gender Recognition Panel consider?

1. if the person has or has had gender dysphoria
2. if the person has:
 - a) lived in their acquired gender for at least two years ending on the date they applied,
 - b) have the accompanying evidence (e.g. household or council tax bills, etc.)
 - c) evidence of living under an acquired gender name—and may well have changed their name by deed poll.
3. if the person intends to live in the acquired gender until death as proven by a statutory declaration (i.e. an oath sworn in a magistrate's court)
4. if the person has the appropriate medical evidence as set out below.

Medical evidence:

1. A report from two registered medical doctors, one of whom must be practising in the field of gender dysphoria, or
2. A report from a chartered psychologist practising in this field along with a registered medical doctor (who does not have to be practising in this area).

What must the report include?

- Details of the diagnosis of gender dysphoria.
- Whether the individual has undergone or is going through treatment for modifying sex characteristics, with details of medical procedures in appropriate medical terminology.

What if a trans individual is married?

The individual must confirm their marital status on their application.

Currently, if they are married and their application is successful, they will only be given an Interim GRC.

Once their marriage is dissolved/annulled then they will be given a full Gender Recognition certificate. With same sex marriage becoming a reality in England, Wales and Scotland in 2014, heterosexual marriages may be converted to same-sex marriages. Civil partnerships must be converted to marriage.

What happens if the application for a GRC is successful?

1. The trans person will get their GRC.
2. If the birth was registered in the UK, the holder of a full GRC can obtain a new birth certificate which does not disclose the original detail of the sex assigned at birth. (The general registrar enters the person's details on the gender recognition register and their original birth register entry is marked to indicate that the birth has been re-registered. The gender recognition register is not open to the public. Any disclosure of information contained in the register is prohibited and a criminal offence. There are certain exemptions though, for example in situations where information is needed for the prevention or detection of crime.)
3. The original personal details will be kept confidential by the general registrar and any relevant government departments. For example, once a full GRC has been issued, a trans person is required to contact HM Revenue and Customs (HMRC) with their national insurance number in order to change their record. If requested by the applicant, the Gender Recognition Panel can notify HMRC. The record will then be restricted so that only specialist staff have access. If a person fails to notify HMRC, they may be liable for prosecution.
4. If the trans person requires a Disclosure and Barring Service check (formerly known as Criminal Records Bureau or CRB check) they should contact the sensitive information office: Telephone: 0151 676 1452; Email: sensitive@dbs.gsi.gov.uk
5. In England and Wales, from 29 March 2014, the Marriage (Same Sex Couples) Act ends the requirement for anyone currently married to end their marriage by annulment or divorce before obtaining a full GRC.

A full GRC now enables a trans person to enter a marriage with a person of the opposite sex, or to enter a same-sex marriage or civil partnership with someone of the same sex. Those same-sex couples already in Civil Partnerships will, however, be obliged to convert to marriage if one transitions and wishes to obtain a GRC.

In Scotland in late 2014 similar provisions are in place under the Marriage and Civil Partnership (Scotland) Act 2014.

What happens if the application for a GRC is rejected by the Panel?

The Panel sometimes takes the view that the evidence provided is insufficient, so they will then reject the application, until the applicant provides the missing information and re-applies 6 months later.

Otherwise, an appeal can be made to the High Court on a point of law. The hearing can be in private if the individual wants it to be, so no one is allowed in the court room except the trans person and the court officials.

What can the High Court do on appeal?

1. Allow the appeal and grant the full GRC
2. Allow the appeal but refer it to another Gender Recognition Panel to reconsider the application; or
3. Dismiss the appeal.

c. Human Rights Act 1998 (HRA)

The HRA (Article 8) provides protection to trans* people, mainly under the right to a private life. Courts have interpreted the concept of 'private life' broadly to cover, among other things, a person's right to express a sexual identity, to live a particular lifestyle and to choose the way they look and dress.

Personal information (such as official records, photographs and letters) should be kept securely and not shared without the permission of the individual concerned.

In addition, the right to privacy states that there should be no interference by a public authority with a person's exercise of their right to a private life, unless a public authority is acting in accordance with the law.

Article 3 prohibits degrading treatment and Article 10 protects freedom of expression; both of these Articles may be applicable to trans* people in certain circumstances.

d. Data Protection Act 1988 (DPA)

Under the DPA, for the purposes of the legislation trans* identity and gender reassignment constitute 'sensitive data'. Information relating to a person's trans* status cannot be recorded or passed to another person unless conditions under Schedule 3 of the Data Protection Act for processing sensitive personal data are met.

Remember disclosing someone's trans* status without their permission is a criminal offence, whether you are an employer, employee, union member or union rep. You may also be 'outing' them which is unacceptable and can be seen as a form of harassment.

6. TRANS PEOPLE AT WORK

Introduction

Although trans* people are a small minority in the overall population, there is no reliable estimate of numbers, and since the Gender Recognition Act 2004, many more people than originally expected have come out as trans*, while growing numbers are challenging the binary gender divide. However, in spite of being, arguably, one of the smallest minorities in the UK, the scale of discrimination, abuse and violence against trans* people, people perceived to be trans* or associated with trans* people, is still overwhelming and unacceptable.

Many workplace representatives will not yet have met or represented a trans* person at work, and so will probably be unfamiliar with trans* issues and trans* equality in the workplace.

A responsible employer should therefore ensure workplace policies, practices and environment are trans* equality-proofed i.e. inclusive and non-discriminatory and GMB union reps are essential to making that happen. It is particularly important to recognise that policies and practices that are neutral in their application to the majority of the workforce who fall into the binary man-woman divide, may have unintended negative consequences for trans* people. GMB reps should ensure that they are trans*-aware, supportive, inclusive and non-discriminatory in all union work, and are confident with rights and regulations in this area.

With recent legislation trans* people are now able to gain legal recognition for their reassigned gender. They can have their birth certificate changed, which means they no longer have to disclose their gender history when applying for jobs. Their rights to be protected against discrimination, and to privacy and confidentiality, are enhanced in line with all other protected characteristics, such as race and disability.

With insurance and pensions trans* people still face discrimination. Pensions are exempt from the privacy provisions of the Gender Recognition Act. Payments can often be based in part on their former gender status. Insurance is often withdrawn at the point of a claim if a trans* person did not reveal their gender history when the individual took out their policy.

Trans Workplace Issues

GMB postholders should ensure that employers have policies in place which are designed to prevent discrimination because of gender identity. These policies should be fully implemented and reviewed regularly to ensure they are current and relevant. Examples of such policies are:

- recruitment and selection
- pay and pensions
- training and development
- promotion
- discipline and grievances
- anti-bullying and anti-harassment
- flexible working arrangements and taking time off work
- reasonable adjustments.

Underlying principles

In any situation where a trans* member approaches the union for support, one principle needs to underlie the approach adopted by union representatives. At every point in the process, the steps to be taken must be agreed with the member, and the maximum confidentiality must be observed for as long as the member wishes that to be the approach.

Each individual situation will be different, but requires the same respect for the wishes of the member if their transition to a new gender is to be brought about successfully in a workplace.

Developing a plan with the individual covering some of the issues listed here will be a good approach, and must necessarily include taking these to management (while preserving confidentiality) to secure agreement with the proposed steps

Some of the issues likely to arise at the point of transition are:

Remaining in post or redeployment?

It is important that trans* people are not pressured into changing their jobs or location. In a few cases, people may choose to do this, but the impetus must come from them, not the employer. However, in larger workplaces, the member may wish to transfer to another position at the point at which they adopt their new gender status, and it is important to discuss how to manage this with management in order to achieve the best outcome. Early contact with an appropriate manager, or Human Resources departments, will be necessary, and this may involve identifying a specific individual with whom to plan the transition process, in order to limit the number of people who know (should the individual want this approach).

Support during the transition: information and training of others

Whether or not the individual remains in the same post, a plan for support during the transition and after will need to address such questions as what information and training will need to be provided for managers and colleagues. It will often happen that the person undergoing transition will wish to take leave before returning to work in their affirmed gender role. This will provide the opportunity to brief managers and colleagues and to ensure that management stress the need for proper treatment of the worker.

Time off for treatment

The plan will necessarily include how to deal with the time off needed for medical treatment. There is no standard length of time for such treatment, which varies with the individual, but might be some months. Trans people will need to take time to attend a Specialist Gender Identity Services (SGIS) at intervals up to and beyond surgery, and also sometimes for other aspects of transition such as hair removal and speech therapy. It is important that as a minimum the same policy is applied as for sickness absence, and if it is possible to obtain special leave for this period, that would make the stress of that time easier to manage. The Equality Act gives specific protection for time of work associated with reassignment. This may not be used, for instance, to discriminate against a person in terms of promotion.

The changeover: records

The plan will need to identify the point at which the individual's new gender status is formally established in terms of the employer's personnel records, and any consequent alterations (for example, security passes, the individual's choice of name for directories etc). The right of the individual to maintain the confidentiality of their previous identity needs to be secured as part of this stage.

Many employers keep individual records for long periods and it needs to be organised such that access to past records that reveal the individual's previous gender identity is strictly controlled and limited on a "need to know" basis.

Long-standing employment records and any other paper records that indicate a previous name and gender status should be kept in double sealed envelopes with the name of one or two particular individuals who may have access when strictly necessary. Even the named individual(s) should still seek permission if possible, and explain why they need access.

As a further precaution against unlawful disclosure, the file may be kept separately from other personnel files, under lock and key. IT records must be password protected. The member should be advised of these arrangements.

The changeover: other workplace issues

It would be good practice for an employer with a dress code to allow flexibility during transition, and to respect the individual's wishes as to when he or she was comfortable to change into the form of dress appropriate for their new gender role.

Toilet and changing facilities should be accessed according to the new gender role, immediately upon full-time transition of the gender role, unless the individual chooses otherwise. The trans* person must not be required to use the toilets for disabled workers, unless the individual is disabled.

Clearly, at this particular point, it will be necessary to explain the situation to work colleagues as well. Any other employees who do not wish to share toilet facilities with a trans person will, themselves, have to use alternative facilities,

Harassment

If the employer does not already include gender identity among the grounds covered by a policy against harassment, it will be important at an early stage to ensure that this is negotiated. Trans* people may be particularly vulnerable to abusive and harassing behaviour and it must be made clear to all that this will not be tolerated. If a trans* person makes a complaint against an employer for an abusive incident, the employer risks being found liable where no specific policy is in place or publicised.

Pensions

Union representatives may need to negotiate to obtain the best outcome for someone who has undergone gender reassignment and remains part of an employer's pension scheme. At a minimum, the individual should be treated as a member of their acquired gender from the date of transition.

It may be appropriate to seek the advice of the union's pension experts to ensure that the most beneficial outcome is negotiated.

Disclosure, references (etc)

As part of the overall approach of respecting the right of the individual trans* worker to decide what they wish to be disclosed about their present or previous identities, unions need to negotiate with managers to ensure that no such disclosure is made without the express permission of the individual. This applies in particular to the provision of references if the individual decides to leave for another employment.

Planning how disclosure is to be made, by whom and to whom, is a crucial factor in facilitating a successful transition in the workplace. This must be done in accordance with the wishes of the individual concerned. Every case is different. Some people prefer to tell people themselves, sometimes with Union or managerial support; some prefer others to speak for them.

Agreement will need to be reached regarding how many people need to be told. Possible plans for telling the wider workforce may involve email contact. Suggestions for managing this process can be found in Legal Protection and Good Practice for Gender Variant, Transsexual and Transgender People in the Workplace Transition in the Workplace: Guidance for employers.³

There will be further issues that arise subsequent to the transition and/or the obtaining of a GR certificate.

³ Transition in the Workplace: GIRES <http://www.gires.org.uk/assets/Workplace/transition-at-work.pdf>

REMEMBER:

IT IS POTENTIALLY A CRIMINAL OFFENCE TO DISCLOSE A TRANS PERSON'S PREVIOUS GENDER STATUS WITHOUT THEIR CONSENT IF THEY HAVE A GRC

Monitoring gender identity

Whether to monitor “gender identity”, in other words to ask whether any staff identify as transgender, is difficult.

The civil service trans* group, a:gender, has divided views on whether or not to do a headcount of trans* people in a workplace. Some argue that privacy may be breached; others are adamant that the time has come to stand up and be counted.

Opinions are beginning to shift on this matter, as more trans* people are willing to ‘put their head above the parapet. Press for Change (www.pfc.org.uk) recommending monitoring only when strict preconditions were complied with (of the kind identified at the start of this section), never to be used with recruitment, and never to be used if there is any risk of individuals being identified.

GIRES has specific advice about preconditions, but has changed its previous stance of advising against monitoring and, prompted by the EHRC findings mentioned earlier in this document, now feels that the time is right to be acknowledging the growing population. The Questions need to be accurate, they need to distinguish carefully between the questions regarding ‘sex’ (male, female, intersex) and gender identity (man, woman, or identify in some other way).⁴

It must be understood that a zero return is not a secure indicator that no trans people are present and must not be used by the employer an excuse to do nothing.

a:gender itself organises the “Trans equality Index” across the civil service, a questionnaire that serves the purpose of measuring progress towards trans* equality.

As with sexual orientation, one of the key issues for trans* workers is bullying and harassment, and there is no disagreement that this might be included in a list of grounds identifying (anonymously) the basis on which such behaviour has occurred.

Organisations of trans* people can be consulted as representatives or spokespeople for the rest of the community, and trans* members of union lesbian, gay, bisexual and transgender structures can be asked as well for their views on how best to proceed.

In the event of disagreement, the union should give due weight to the views of its own trans* members.

Note:

It is strongly recommended that union representatives negotiating on behalf of a trans* member and who feel they need more expert advice seek to consult one of the national trans* organisations listed in the final part of this Guidance or contact GMB Shout! for advice and support.

⁴ Quick Guide to Monitoring <http://www.gires.org.uk/assets/Workplace/Monitoring.pdf>

Two page guide, the second page of which suggests the questions to be asked.

7. DOMESTIC ABUSE AND VIOLENCE

The consequences for the individual at the receiving end of domestic abuse and/or domestic violence (DA-DV) can include many related to work. They may include periods of absence or sickness, with particular impact on mental health. In many cases, individuals will feel extremely isolated and in need of support.

However, they will be very reluctant to discuss DA-DV with colleagues or representatives, and such reluctance is likely to be greater if the workplace is not trans*-friendly.

Whilst DA-DV against trans* people can take the form that anyone might experience, there are unique forms that trans* people do experience:

- Undermining their identity—e.g. ridiculing or misusing pronouns, criticisms and abuse about not being a ‘real man’ or ‘real woman’ and about appearance, dress, voice quality, grooming, etc.
- Taking advantage of the lack of discrimination protection or services available e.g. trans* refugees or housing.
- Destroying or withholding clothing or medication that is part of the transitioning/transitioned process.
- Preventing a trans* person from transitioning—legally, physically, socially, etc.
- Coercing a trans* person to get medical or surgical treatment to change their body back to what the abuser wants it to be.
- Sexual or physical touch of a person’s body that does not respect their gender identity.
- Abuser exploits the internalised transphobia, fears, anxiety and vulnerability of a trans* person.
- Forced marriage—Because of actual or perceived gender identity, forced marriage is a way to coerce and pressurise a trans* person into a marriage and deny them their gender identity.

‘Honour based violence’ (HBV)

Honour based abuse and violence against trans* individuals are often also used to ‘cure’ the gender and/or sexuality ‘problems’.

The Crown Prosecution Service and the Association of Chief Police Officers have a common definition of honour based violence:

“ ‘Honour based violence’ is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community.”

Such crimes cut across all cultures, nationalities, faith groups and communities. They transcend national and international boundaries. HBV can be distinguished from other forms of violence, as it is often committed with some degree of approval and/or collusion from family and/or community members. Examples include (but are not exhaustive):

- actual or potential abuse or violence
- domestic abuse or violence
- false imprisonment
- corrective rape
- sexual abuse
- kidnapping
- forced marriage
- murder
- unexplained death or suicide
- child abuse
- children taken from the victim/survivor.

What reps can do

Union representatives must not attempt the skilled work of counselling those facing DA-DV.

However, GMB reps can assist by:

1. Providing information on support services and helplines (for example, on notice boards) such as those listed under Useful Links and Contacts.
2. Negotiating with employers to ensure that if a case of DA is brought to their attention, certain key principles are followed:
 - A right of absolute confidentiality, and
 - All necessary steps will be taken, if required, to protect the person facing DA from further danger if this might happen through the workplace itself. Such steps may be called for if the perpetrator works in the same place, or if they don't but try to locate the new contact details for the person suffering the DA through contacting the workplace. Any proposed action should be in consultation with the individual concerned.

8. CHECKLIST FOR WORKPLACE EQUALITY

1. Be clear on how you stand on transphobic behaviour and discrimination. Be prepared to challenge transphobic remarks, jokes, 'banter' or behaviour as part of your role. This applies whether or not a trans* person is present.
2. Educate yourself and regularly refresh your understanding about the issues so you are in a position to give at least some initial advice, for example on time-off and flexible working arrangements, reasonable adjustments, matters relating to dress codes and use of facilities, changing rooms and toilets.
3. If asked, point the member in the direction of relevant support groups and information sources. Equally, support and signpost partners, family members and children of trans* individuals to sources of advice and support.
4. Union records relating to the trans* member should be changed when requested..
5. Remember it is illegal to disclose a trans* person's previous gender status.
6. Educate members—organise speakers or a short training session for your meetings. Informal discussions can be a vital part of education and a short conversation with a member will be more effective than a long lecture!
7. Distribute information and posters which advertise union and equality messages and events. Make sure all protected characteristics are listed.
8. Challenge management—make sure there are equality policies that explicitly list all protected characteristics, and they have a firm commitment to putting them into practice, informing staff about them, and regularly monitoring and reviewing them.
9. Regularly review and improve all union workplace activities to ensure that they do not discriminate against trans* staff and customers.
10. Ensure that trans* people are specifically included in anti-harassment, bullying and discrimination policies, are in place and are widely publicised.
11. Put pressure on management to organise training and diversity courses.
12. Occasionally the case may go to an employment tribunal (ET), in which case GMB's legal team should be involved and union legal processes followed.
13. If you think the case may be an ET case, discuss this with your GMB officer and legal team immediately.
14. Make sure your members are aware of the GMB Shout! network for LGBT members and how to join.

(Adapted from the Chartered Society for Physiotherapists' *Equality and Diversity Toolkit*, section 6 Transgender Equality, checklist for stewards; with their kind permission)

Does your employer have policies which...

- Protect trans* workers against discrimination, harassment, bullying and victimisation?
- Make safe, inclusive, discrimination-free workplaces for workers who may be about to undergo transition, are undergoing transition or have undergone transition?
- Ensure confidentiality for trans* workers?
- Support trans* employees before, during and after transition? (e.g. allow time off for treatment and appointments)
- Advise and train managers and supervisors on transgender equality and the transition process?
- Deal with domestic abuse/violence that specifically refer to trans* employees, and which provide support, advice and guidance to them?

9. GLOSSARY OF TERMS: A–Z

A	Affirmed gender	The appropriate term used to describe the legal recognition of a person's change from their birth sex on obtaining a Gender Recognition Certificate.
	Androgyne	Someone who does not identify with being male or female, or identifies as a mixture of the two, or as genderless.
	Agender	Someone who doesn't have a gender.
	Assigned gender/sex	The gender/sex someone was assigned at birth.
B	Binary	Acknowledges only two possibilities e.g. gender binaries are man-woman; sex binaries are male-female. Whilst the majority of the population see gender, gender identity, etc. as binary, it can undermine the visibility of people who do not fit with binary 'norms'.
	Binding	A method of flattening part of your body to align with your gender identity or gender expression, for example a trans man may bind their breasts to create the appearance of a flat chest.
	Bi-gender	Someone who identifies as both man and woman.
	Butch	A female identified person with a more masculine appearance and presentation. Also a term used for masculine gender expression.
C	Cisgendered/Cis	Someone whose gender identity is consistent with the sex they were assigned at birth, often shortened to Cis.
	Closet	A term used when someone has not revealed their gender identity (or sexual orientation) status, for example people might say "being in the closet" – 'not out'.
	Coming out	The act of an individual revealing to family, friends or colleagues their gender identity or sexual orientation.
	Cross-dressing	When someone dresses in clothes that are opposite to the norm for their gender identity and day-to-day gender role or sexual identity, but it may be part of their gender expression.
D	Drag	A form of cross-dressing, it is often used in performance art.
	Disclosure	Revealing someone's or your own trans* status. It may also 'out' someone.
	Dysphoria	Means discomfort or unhappiness. It may include feelings of restlessness, anxiety, despair and depression.
F	Femme	A gender expression that leans on the feminine spectrum.

	FTM	Female to male transgender or transsexual individual. These terms are now regarded as not very polite, although they are a useful shorthand.
G	Gender binary	The concept that gender is a binary comprised of men and women.
	Gender dysphoria	Describes the discomfort or unhappiness cause by the incongruence between the gender identity and the sex assigned at birth, as well as the gender role that is typically associated with the sex assigned. The term is sometimes used as a diagnosis, because clinicians use it in that way.
	Gender fluid	Someone who feels their gender identity changes over fluctuating spans of time or even within certain environments.
	Genderf*ck	Someone who intentionally behaves, presents or dresses in a gender non-conforming manner.
	Gender identity	“Describes the psychological identification of oneself as a boy/man or as a girl/woman. There is a presumption that this sense of identity will evolve along binary lines and be consistent with the sex appearance. Where this is the case, people may be described as cisgender.”(GIRES)
	Genderless	Someone who does not identify with any gender.
	Gender neutral	Someone who does not feel they identify with any gender identity.
	Genderqueer	Someone who identifies outside the gender binary.
	Gender reassignment	The process of transitioning from the gender role associated with the sex assigned at birth to the gender role that matches the person’s gender identity. This may include medical and surgical procedures. See also ‘Transition.’
	Gender Recognition Certificate	Issued by the Gender Recognition Panel—signifies full legal rights in affirmed gender status and allows the issuing of a replacement birth certificate.
	Gender role	“The gender role is the social role—the interaction with others which both gives expression to the inner gender identity and reinforces it. Despite the greater gender equality in modern Western culture in terms of: the subjects studied in school and at university; the choice of friends; work and domestic arrangements; dress and leisure pursuits, there is still a presumption of conformity with society’s ‘rules’ about what is appropriate for a man or a woman, a boy or a girl, especially in terms of appearance. Too great a transgression often causes anxiety and discomfort in those who witness it.”(GIRES)
	Gender variance/variant	A general term to describe those who fall outside the stereotypical notions of social gendered behaviours.
H	HRT	Abbreviation of Hormone Replacement Therapy, a common choice for transgender individuals in transition.

I	Intersex	People born with some combination of both male and female development. In some cases this affects the genitalia which might therefore not be clearly one or the other. Corrective surgery/hormone treatment can be used during the person's life so they align with one sex.
L	Legal sex	The sex recorded on your birth certificate.
M	MTF	Male to female transgender individual. These terms are no longer regarded as polite although still used as abbreviations.
N	Neutrois	The exact definition is being disputed, but there is a general consensus it is an individual with a null, neutral or lack of gender.
	Non-binary	Someone who does not fit into the binary of either gender norms or sexuality norms.
	No labels	Some people choose not to label themselves.
P	Padding	The act of padding mass to part of your body to conform with your gender identity, for example stuffing a bra to create or enhance the appearance of breasts.
	Packing	A method of creating the appearance and sensation of a penis, often using a device meant for this purpose called a 'packer'.
	Passing	Being perceived as the gender identity you identify with in public, often followed by feeling of elation or comfort.
	Pre-everything	A term used by trans* individuals who have not begun legal medical or social transition.
	Pre-op	UNACCEPTABLE. Although a term used by some transgender individuals this term is often used offensively e.g. in some parts of the media.
	Post-op	A term used by some transgender individuals who have undergone surgery to describe themselves. Like 'pre-op' it may be used in ways that can cause offense.
	Pronoun	A pronoun is how someone is referred to, for example, he or she or Ze. A good way to find out how someone identifies is to not only ask for someone's name but their pronoun too. Some trans* people avoid pronouns entirely or use 'they'/them.
Q	Queer	An umbrella term for gender as well as sexual minorities. It is a term that mostly causes offense whilst to others, who have reclaimed it, it is inoffensive. Best to avoid using.
	Questioning	Someone who is questioning their gender (or sexuality).

S	Sex	“Sex refers to the male/female biological development—the phenotype. In an infant, the sex is judged entirely on the genital appearance at birth. Other phenotypic factors such as karyotype (chromosomal configuration) are seldom tested unless a genital anomaly is present. There is a presumption that an apparently male infant will identify as a boy, and vice versa.”(GIRES)
T	Third gender	Sometimes used to mean the same as ‘other’ gender, this refers to individuals who consider themselves neither female nor male, but the third gender. This is often relevant to non-Western societies that have three or more genders in society.
	Trans*	Trans* is the new way of writing trans as an umbrella term covering the wide trans* spectrum. It can also be short for transgender.
	Tranny	UNACCEPTABLE. A derogatory term directed at trans* people and so should be avoided at all times. Some trans* individuals may choose to identify themselves this way or reclaim it but it is offensive to use it in other ways.
	Transition	<p>“Transition is the term used to describe the point at which a permanent change of gender role is undertaken, in all spheres of life—in the family, at work, in leisure pursuits and in society generally. Some people make this change gradually, however, others emerge overnight.</p> <p>Those transitioning permanently usually have gender confirmation treatment that includes hormone therapy and often surgery to bring the sex characteristics of the body more in line with the gender identity. Such surgery is sometimes referred to as gender reassignment surgery.” (GIRES)</p>
	Transgender	<p>“It has had different meanings over time, and in different societies. Currently, it is used as an inclusive term describing all those whose gender expression falls outside the typical gender norms; for example, those who cross-dress intermittently for a variety of reasons including erotic factors (transvestism), as well as those who live continuously outside gender norms, sometimes with, and sometimes without, medical intervention.</p> <p>There is a growing acknowledgement that although there is a great deal of difference between say, a drag artist and a person who transitions full-time and lives continuously in the new role, there are nonetheless areas in the transgender field where the distinctions are more blurred; for example, a person who cross dresses intermittently for some years, may later transition fully to the opposite role.” (GIRES)</p>
	Transfeminine	Someone who is transitioning to the feminine spectrum, but may not identify with female. This is particularly true for genderqueer or non-binary transfolk.

	Transmasculine	Someone who is transitioning to the masculine spectrum, but may not identify with male. This is particularly true for genderqueer or non-binary transfolk.
	Trans man or trans* woman	<p>Trans* man is a term that is used to describe a person who was assigned female at birth but who identifies and lives as a man.</p> <p>A term that is used to describe a person who was assigned male at birth but who identifies as and lives as a woman.</p> <p>“Where trans* people have transitioned permanently, many prefer to be regarded as ordinary men and women, without any reference to their former gender role or previous trans* status.”(GIRES)</p>
	Transphobia	The irrational hatred of trans* individuals.
	Transsexual	This term is seldom used now, but when it is, it must be as a descriptive term: Not ‘a transsexual’ but rather a transsexual person’ An individual who whose gender identity is severely at odds with the sex assigned at birth. This person will almost certainly need to undergo full transition to the ‘opposite gender role and status to rectify this.
	Transvestite	An individual who likes to dress in clothing of the opposite sex or gender for enjoyment. Also known as cross-dresser.
	Trans woman	See above – ‘Trans man or trans* woman.’
	Tucking	A method most used with tight clothing to make an area appear smooth, for example tucking the penis back to create the impression of female genitalia.
	Two spirit	Mostly a term used by Native Americans, it has been adopted by some trans* individuals who believe it encompasses their identity. It describes someone who is both female and male, both spirits, existing in one body.
U	Unsure	Someone who feels unsure of their gender (and/or sexual) identity.
V	Variable identities	A person can find themselves assuming various roles to suit the social situation.

10. USEFUL LINKS AND CONTACTS

GMB

GMB national website—www.gmb.org.uk/

GMB regional offices—www.gmb.org.uk/contact

GMB Shout!—network for GMB LGBT members and allies

Tel: 020 7801 2780 (answerphone service—leave a message and your contact number)

Email: gmbshout@hotmail.co.uk

Facebook: GMB—LGBT Shout!

Transgender

Gender Identity Research and Education Society (GIRES)—www.gires.org.uk

Information, guidance, advice and training

Branches may wish to support GIRES through fundraising, donations, invitations to meetings and training events, and via social media/networks. See GIRES website for contact details.

Gendered Intelligence—www.genderedintelligence.co.uk/

Experienced in teaching in schools, colleges, etc. and with young people.

Gender Trust—www.gendertrust.org.uk/

National helpline: 0845 231 0505

Regional support details on their website

Gender Matters www.gender-matters.org.uk

Tel 01902 744424

Support in West Midlands and surrounding area

Mermaids—www.mermaids.freeuk.com

Helpline is open between 3 p.m.—7 p.m. Monday-Saturday: 07020 935066

Support group for parents of trans* children

Press for Change—www.pfc.org.uk

Domestic abuse and domestic violence

Broken Rainbow—www.brokenrainbow.org.uk/

National helpline 08452 60 44 60

Support for LGBT people experiencing DA/DV.

Branches may wish to support Broken Rainbow through fundraising, donations, shopping, volunteering, social media/networks. See the website for details.

Galop—www.galop.org.uk/domestic-abuse-2/

Hate crime organisation

LGBT Domestic Abuse Forum—www.lgbtdaf.org

LGBT Domestic Abuse Partnership—<http://lgbtdap.org.uk/>

Both list a number of partner and other external support services

National 24 Hour Domestic Violence Helpline

Freephone 0808 2000 247

www.nationaldomesticviolencehelpline.org.uk/

PACE—www.pacehealth.org.uk/

LGBT mental health and well-being

Reducing the Risk

Lists numerous cross-equality services and helplines

www.reducingtherisk.org.uk/cms/content/lesbian-gay-bisexual-and-transgender-community-0

UK Lesbian and Gay Immigration Group—www.uklgig.org.uk/

Information and advice for LGBT people with immigration issues: 020 7922 7811

General

Advisory, Conciliation and Arbitration Service (Acas)

www.acas.org.uk/index.aspx?articleid=1461

Helpline: 08457 47 47 47 for free and confidential advice
employment law advice, guidance, tools and resources

Equality and Human Rights Commission

Equality Act guidance

www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/

Equality Commission for Northern Ireland

www.equalityni.org/site/default.asp?secid=home

London Lesbian and Gay Switchboard

www.llgs.org.uk/

Free advice and service: 0300 330 0630 (daily 10 a.m.–11 p.m.)

CliniQ—www.cliniq.org.uk/

Access to confidential counselling, advocacy, advice and mentoring, and sexual health advice and healthy lifestyle support for trans** people (London)

Drop in: 5.30 p.m.–7 p.m. Wednesdays, at 56 Dean Street, London, W1 6AQ

11. GENERAL REFERENCES

Advisory, Conciliation and Arbitration Service (Acas)

Various guidance on their website www.acas.org.uk/index.aspx?articleid=1461

The Chartered Society of Physiotherapy

'*Equality and Diversity Toolkit*', section 6—Transgender equality, pages 79–88

Employers Network for Equality and Inclusion (enei)

'*Employing Transgender People: a guide for employers*' (2012) *Recommended full guidance for employers

Equality Challenge Unit

'*Anti-discrimination law in Northern Ireland: An overview for the higher education sector*',

www.ecu.ac.uk/publications/files/anti-discrimination-law-in-ni.doc

'Trans staff and students in HE', revised 2010.

Gender Identity Research and Education Society (GIREs)—www.gires.org.uk/index.php

Hampshire Voluntary Sector Consortium

'*Equality and Diversity: what it means and how to do it – toolkit for the voluntary and community sector in Hampshire*', Chapter 8 Gender Reassignment (June 2012, second edition)

TUC

'*LGBT Equality at Work*' (Third Edition, 2013)

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'*Out at Work*' (First Edition, 2007)—Second Edition, 2014 due to be published

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All mistakes are our own.

The terms used within this guidance are ones which are in regular use and which are deemed appropriate. GMB recognises though that some individuals and communities prefer to use other terms for example to describe themselves, their communities, experiences and issues.

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