

Everyone Managing... Transgender Colleagues

Version 1



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A Brief Guide for Managers

1. Introduction

Being an inclusive leader and manager is a positive way of interacting with colleagues and staff. It means that we can look out for each other and support everyone's health and well-being. By understanding transgender issues we can provide the right support to all our staff. In turn staff and colleagues will be more engaged, perform better and we will all be safer.

This guide provides information about gender identity and reassignment and the impact that gender transition can have at work. The guide provides advice to managers so that we can make sure that trans-employees are treated fairly and are able to continue to enjoy work at Network Rail without fear of harassment, bullying or discrimination.

2. Definitions and Background

Gender reassignment is one of 9 attributes called "protected characteristics" in the Equality Act 2010. Gender reassignment is defined in law as relating to everyone who is proposing to undergo, is undergoing or has undergone a process, or part of a process to reassign their sex.

'Gender Dysphoria' is a condition where people feel that their current gender identity is different to their birth gender. A list of further definitions is provided at the end of this guide.

Moving from birth gender to a preferred gender is much more of a personal journey than a medical procedure. An individual might consider a reassignment but never complete it, or they may be going through a transition or have already completed the process. The transition may or may not include undergoing medical treatment. Whatever the circumstances, trans-employees are protected by legislation.

3. Being Trans at Work

The term 'Coming Out' is often used to describe when an individual discloses that they intend to undergo gender reassignment and start living and working in their preferred gender. This can mean changing names or coming to work dressed in clothes of their preferred gender. Undergoing the transition is a huge step which many trans-people may agonise over for months if not years.

Some people never 'come out' because of they fear they may face rejection, harassment, and discrimination. This is why it is very difficult to obtain accurate estimates of the numbers of people who regard themselves as trans. Similarly, as managers we need to create an environment so that staff can speak up if there is bullying, harassment or any other behaviours that make people feel uncomfortable.

As gender reassignment often involves living as the opposite gender once the process has started, it is very difficult for an individual to change their mind or to prevent family, friends and colleagues from finding out.

For existing Network Rail employees, this means that colleagues will have to adjust to the person's change of gender identity, so the 'coming out' process, can take quite some time and needs sensitive support and very careful planning. Thoughtful and inclusive line management is vital to helping individuals and teams work through these changes.

4. What can Line Managers Do?

As line managers we need to treat trans-employees as being their chosen gender identity as soon as they come out. We need to support the employee as they undergo the process of reassignment, whether or not it includes surgery or other medical treatment.

Line managers need to be aware of the requirement to make reasonable adjustments for employees and job applicants undergoing gender reassignment or coming out at work as trans. We need to work with the individual and HR to identify what their needs might be. For example, in the case of medical treatment this will include time off for treatment and recovery which should be recorded in the same manner as absence due to illness.

Line managers must lead by example and demonstrate respect for the trans-employees by addressing them by their new name, the correct pronoun - he, she, her, him; and prefix Miss/Ms/Mrs/Mr. Changes can be made to an employees name and prefix on the Oracle system by emailing HR.DataChanges@networkrail.co.uk.¹ In changing a name or pre-fix at work, there is no requirement for a trans-employee to provide a Gender Recognition Certificate. This is only needed when a trans-person wants to have their original birth records altered to record their new gender identity.

¹ Unfortunately we can not change the 'gender' field on Oracle as this is set by HMRC

Supporting an individual and a team through this process provides an opportunity for us as line managers to role model inclusive behaviours which are good for everyone. For example:

- Discuss what role the trans-employee would like to take in contributing to or reviewing briefing notes to team members
- Explore what other support (including physical adaptations) the trans-employee would like
- Carefully thinking about the individuality and diversity of the people in your team, their backgrounds and families, and remember that families come in all shapes and sizes
- Recognize other people's differences
- Offer fair and equal access to you, your time, knowledge, experience, expertise and feedback
- Being careful with your choice of words and how you interpret what other people say
- Remember that the colleagues or employees who do not speak in meetings or large groups still have something to say
- Focus on how people achieve their outputs
- Running meetings, social gatherings, mentoring schemes, promotions, project evaluations and individual communications more thoughtfully

Sometimes you might also need to challenge the banter, jokes, behaviour, assumptions, bullying and harassment of trans colleagues, which can be considered as being 'transphobic'. In doing so you will establish an inclusive environment where people will feel confident that they can come to you for support.

5. Communicating with Teams

Managers will need to ensure that the impact on the team is handled sensitively and effectively. Colleagues should receive consistent messages, agreed beforehand with the individual, about the changes. Colleagues should also feel able to ask questions to help them understand the situation and continue to treat their colleagues with respect and dignity.

If the trans-employee welcomes the idea, a team briefing or training session could be held, to explain what will happen, provide information about gender reassignment and respond to any questions. In some cases, the trans-employee might want to play a role in this meeting. Others may wish to manage things in a lower profile way. However, they should not be pressured into taking responsibility for notifying colleagues, you can agree the best way of doing this.

Throughout communications with colleagues it is important to get the trans-employee's views and wherever possible respect these. The employee is entitled to have their privacy respected and managers we may need to intervene where colleagues make enquiries which could be seen as intrusive.

6. Communicating with Customers

In most cases the change of gender identity will not affect an individual's interaction with customers and suppliers. In those cases where it might, it is wise to develop strategies for 'coming out' with the trans-employee. This might involve the line manager briefing customers in advance, or supporting the individual to give their new name and a brief explanation on phone calls or during face-to-face meetings. Line managers will of course need to make sure that trans-employees continue to be treated with respect by customers and suppliers.

7. Workplace Adjustments

One of the first issues to consider is which toilet or changing facilities the trans-employee would like to use once they start attending work in their preferred gender. Managers will need to ask the trans-employee about their preferences and wherever possible facilitate this choice. This could involve advising other employees in advance about this change. A phased approach, switching from using one facility to another over time, might work well as it gives everyone time to adjust. The solution will also depend on what facilities are available. If the trans-employee's role involves working from different workplaces the advice above may need to be replicated with colleagues in other departments.

8. Further support

We have a number of colleagues within Network Rail who have been through the coming out process, who can be contacted through the diversity and inclusion team or Archway, the staff network for Lesbian, Bisexual, Gay and Trans staff.

There are organisations that provide more detailed support and guidance that can be contacted through the diversity and inclusion team. Further guidance can also be found [here](#). HR Direct have been briefed and Care First are also equipped to provide support to trans-employees

For more information about Diversity and Inclusion visit [Connect](#) or email the team on diversityandinclusion@networkrail.co.uk

Jargon Buster

Transgender People, Trans People or Gender Variant People: These are umbrella terms used to describe a whole range of people whose gender identity or gender expression differ in some way from the gender assumptions made about them when they were born.

Gender Identity: This is an individual's internal self-perception of their own gender. A person may identify as a man, as a woman or as androgyne / polygender.

Gender Expression: This is an individual's external gender-related appearance (including clothing) and behaviour (including interests and mannerisms). A person may have masculine, feminine or androgynous aspects of their appearance or behaviour.

Biological Sex: A person's biological sex includes all aspects of their gender-related biological structure: not only their genitals but also their internal reproductive system, their chromosomes and their secondary sexual characteristics such as breasts, facial and body hair, voice, and body shape. Most people's biological sex will be clearly and consistently female or male. However, a small but significant number of people have bodies which are not completely male or female. People born with these kinds of physical variations are referred to as intersex people. A person may also have a biological sex which is not completely clearly male or female if they have undergone some hormonal or surgical intervention as part of a process of gender reassignment.

Gender Dysphoria: This is a recognised medical condition for which gender reassignment treatment is available on the National Health Service. Gender Dysphoria is distress, unhappiness and discomfort experienced by someone about their biological sex not fully matching their gender identity. Transsexual people usually experience intense gender dysphoria which is significantly reduced by transitioning to live as their self-identified gender, perhaps taking hormones and/or getting surgery to make their physical bodies match their gender identity better. Other types of transgender people may also experience various degrees of gender dysphoria, especially when unable to fully express their gender identity.

Transsexual People: This is a term used to describe people who consistently self-identify as the opposite gender from the gender they were labelled at birth based on their physical body. Depending on the range of options and information available to them during their life, most transsexual people try to find a way to transition to live fully in the gender that they self identify as. Transitioning is also known as gender

reassignment. Many, but not all, transsexual people take hormones and some also have surgery to make their physical bodies match their gender identity better.

Female-to-male (FTM) transsexual man (trans man): This is someone who was labelled female at birth but has a male gender identity and therefore is currently seeking to transition, or has already transitioned, to live permanently as a man.

Male-to-female (MTF) transsexual woman (trans woman): This is someone who was labelled male at birth but has a female gender identity and therefore is currently seeking to transition, or has already transitioned, to live permanently as a woman.

Intersex People: This is a term used to describe people born with external genitals, internal reproductive systems or chromosomes that are in-between what is considered clearly male or female. There are many different intersex conditions. When an intersex baby has ambiguous genitals, medical staff often make an educated guess about which gender to assign to the baby. Sometimes the person's gender identity matches their assigned gender, but sometimes the guess made by the medical staff turns out not to match the intersex person's own gender identity. In many cases, an intersex person will simply self-identify as a man or as a woman. However, in some cases, an intersex person may self-identify as being neither a man nor a woman.

Cross-dressing People: This is a term used to describe people who dress, either occasionally or more regularly, in clothes associated with the opposite gender, as defined by socially accepted norms. Cross-dressing people are generally happy with the gender they were labelled at birth and do not want to permanently alter the physical characteristics of their bodies or change their legal gender. They may dress as the opposite gender for emotional satisfaction, erotic pleasure, or just because they feel more comfortable doing so. Cross-dressing men are sometimes referred to as transvestite men, however this is becoming an increasingly out-dated term and may cause offence.

Androgyne People or Polygender People: These are terms used to describe people who find they do not feel comfortable thinking of themselves as simply either men or women. Instead they feel that their gender identity is more complicated to describe and non-binary. Some may identify their gender as being a form of combination between a man and a woman, or alternatively as being neither. Like transsexual people, some androgyne people and polygender people can experience gender dysphoria and may sometimes at least partially transition socially and may take hormones or occasionally have some surgery done.

Acquired Gender: This is a term used in the Gender Recognition Act 2004 to mean the gender role that a person has transitioned to live their life in and which matches their self-perceived gender identity. The acquired gender of a male-to-female trans woman is therefore female and the acquired gender of a female-to-male trans man is therefore male.

LGBT: This is the acronym most commonly used to talk about lesbian, gay, bisexual and transgender people. LGBT equality work addresses the two equality strands of sexual orientation and gender identity together due to shared experiences of discrimination and harassment, shared social 'scene' venues and community groups, and also similar issues around decisions on whether or not to 'come out' about their identity to colleagues, family and friends. However, transgender people can be lesbian, gay, bisexual or straight – just like anyone else.