



EMPLOYMENT COMMITTEE – 28 SEPTEMBER 2023

TRANS AND NON-BINARY POLICY FOR PEOPLE USING COUNCIL SERVICES

REPORT OF THE CHIEF EXECUTIVE

Purpose of the Report

1. The purpose of this report is to provide the Employment Committee with an overview of the Council's recently adopted policy and staff guidance on working with trans and non-binary people who use Council services. The policy is appended to this report for information.

Policy Framework and Previous Decisions

2. The Council's Equality Strategy 2020-24 sets out the commitment and strategic approach to embedding equality, diversity, and inclusion in all Council services. The strategy is supported by annual Action Plans. The Plan for 2022-23 identified the need to produce updated policy and guidance on working with people who are trans or non-binary. The Policy compliments the existing Trans Equality Policy on staffing and employment.
3. Leicestershire County Council is currently in the top 100 of the Stonewall Workforce Equalities Index and is rated, by them, as the top local authority in England for 2023. The Council has also been shortlisted for the Local Government Chronicle 'Employer of the Year' award in the category of Equality, Diversity and Inclusion. Within the Council, there is an enduring commitment and leadership on these issues. The Trans and Non-Binary Policy was adopted on 27 April 2023 and is an integral part of the work on these issues.

Background

4. There is growing national interest and awareness of issues relating to people who are trans (those that identify with a gender which is different from that assigned at birth) and non-binary (those that do not identify with one fixed gender). A staff "Big Conversation" event heard directly from people with lived experience. It highlighted the value of adopting clear policy and guidance on the issues relating to the provision of services to people who trans and non-binary. The topic was also raised by the LGBTQ+ Staff Network and discussed by the Corporate

Equalities Board. The decision was made to produce specific policy and guidance for Leicestershire County Council, based on national guidance and current practice.

5. The aims of the Policy are to protect and support people, comply with the legal framework, and to inform and advise staff on issues that might be encountered. It includes important sections on understanding that gender identity is different from sexual orientation, and that both Trans and Non-Binary people may encounter preconceived ideas and stereotyping from others. It also discusses the range of ways that trans and non-binary people may experience discrimination or harassment and sets out a code of conduct for staff, covering issues such as record keeping, use of pronouns and working with carers.

Consultation

6. The Policy was subject to a full Equalities Impact Assessment and public consultation. There were constructive comments on the Policy during the consultation with the view that it was concise, easy to follow, respected the rights of people, and was timely in view of the national political discourse. There were some comments on the accuracy of a glossary of terms, and this was subsequently omitted from the definitive version.
7. The Policy is being implemented through a series of staff workshops and dissemination through departments. It will be incorporated into the mandatory training programme for all staff on equality and diversity. It will be kept under review by the Corporate Equalities Board.

Resource Implications

8. There are no resource implications related directly to the Policy.

Recommendations

9. Members are asked to note the Council's recently adopted Policy and staff guidance on working with trans and non-binary people who use Council services.

Background Papers

Equality Strategy 2020- 2024:

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/4/11/equality-strategy-2020-2024.pdf>

Circulation under the Local Issues Alert Procedure

10. None.

Equality Implications

11. The Policy was subject to a full Equalities Impact Assessment Process. This showed that it should have a positive impact on supporting trans and non-binary people in the community. There may be challenges for people whose religion or belief does not support the acceptance of argument that gender is fluid. However, the overarching Equality Strategy and this Policy can be used as a framework to resolve particular cases and situations as they arise.

Human Rights Implications

12. The policy considered aspects of the Human Rights Act 1998. These are:
 - Article 3 Freedom from torture and degrading treatment
 - Article 8 Respect for private and family life
 - Article 9 Freedom of thought, belief and religion.

The policy is compatible with these rights and aims to protect the human rights of people who are trans and non-binary.

Health Impact Assessment

13. If trans and non-binary people are accepted and supported by Leicestershire County Council, this is likely to have a positive impact on their health and wellbeing.

Appendix

Policy and Guidance on Working with Trans and Non-Binary People who use Council Services.

Officer to Contact

Leon Charikar
Policy Manager, Chief Executive's Department
Tel: 0116 305 1336
Email: Leon.charikar@leics.gov.uk

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