

## Frequently asked questions

These are provided for guidance or quick reference guide only, so always refer to the policy

### 1. General Definitions

#### 1.1 What does Transgender mean?

Transgender is an inclusive term for people whose gender identity differs from that which they were assigned at birth, or those whose gender expression or presentation differs from the typical (including those who identify as non-binary), and who self-define as trans. Trans is correctly used as an adjective, rather than a noun e.g. 'a trans person', not 'a trans'.

A transgender person might, for example, be registered as female at birth based on their genitalia but identify as a man.

#### 1.2 What is the Gender Recognition Act?

The Gender Recognition Act 2004 allows binary-gendered trans people (who are able to satisfy the necessary evidential requirements) to apply for full legal recognition of their gender. Following a successful application, by issuing them with a Gender Recognition Certificate (GRC), the law regards the trans person, for all purposes, as being of their gender.

Trans People are protected against discrimination under the Equality Act, regardless of them having a GRC.

#### 1.3 What is 'Discrimination on the Grounds of Gender Reassignment'?

It is unlawful to discriminate against someone if they:

- Intend to undergo gender reassignment, or
- Are undergoing gender reassignment, or
- Have at some time in the past undergone gender reassignment.

We commit to extending this protection to all trans people. Discrimination in this context means treating a trans person less favourably than you treat (or would treat) another who is not trans, which includes harassment and victimisation.

Complaints from employees relating to Harassment and Bullying on grounds of their trans identity will be dealt with under the Dignity at Work Policy.

#### 1.4 What does 'misgendering' mean?

This is referring to someone, especially a transgender person, using a word, especially a pronoun or form of address, that does not correctly reflect the gender with which they identify.

#### 1.5 What should I do if I 'Misgender' someone?

Non-Binary and Transgender colleagues will not want you to make a big thing of it. If you do make a mistake, they advise that you just apologise and move on. If you need to correct

yourself, do it and move on. Do not apologise profusely unless that is what the other person wants.

## 2. My Data

### 2.1 Why is my preferred title not available on ESR?

NHSBT use a system called Electronic Staff Record (ESR) to record all data about our employees. This system is an NHS wide system, which means we are not always able to make the changes that we wish to make, due to the number of NHS organisations who use the system. Therefore, when it comes to your title, the options currently available are limited. NHSBT is working with our NHS partners to agree appropriate changes to ensure the options available in the future are more appropriate and aligned to our own aspirations.

## 3. Support information

### 3.1 As a manager, what resources are available to me to support members of my team where one of our colleagues is transitioning?

You are encouraged to seek information to be able to fully support the colleague wherever possible. If you have a colleague who is transitioning at work, you will be in dialogue with them anyway, for example completing and supporting their Action Plan.

Information can be obtained from the following:

- LGBT+ network
- Links to organisations on People First
- Training
- NHSBT Information sheets

### 3.3 Will individual mentoring or support be available to me?

The LGBT+ network and Allies are happy to be approached by anyone seeking support. Therefore, this is the best place to start. Details of the network and our Ally programme are available on PF.

## 4. Policy Approval and Review

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## 5. FAQ's Section Details

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