Gender Affirmation Policy and Guidelines Template

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Gender affirmation policy

Overview

The department is committed to supporting all employees who would like to affirm their gender in our workplace. This policy outlines the support available to assist our people through this process.

Gender affirmation

Gender affirmation refers to the process of a person who may take social steps (such as publicly changing their name, pronouns and appearance), medical steps (such as hormones, and/or surgery) and/or legal steps (changing their legal gender marker and name in official documents) to live as their defined gender(s), based on what is right for them.

It is recognised that each person's journey is unique to them, in order to provide personalised support we encourage our people to maintain open and honest communication to outline all expectations and ensure the experience of someone who is affirming their gender takes place in a respectful and collaborative way.

Support

Initially we encourage the person looking to affirm their gender or a representative to speak with their line manager, and/or HR Specialist to commence support. The department will provide comprehensive support including assisting our people in the development of a workplace plan in collaboration with our external partners, Pride in Diversity.

Our people are expected to provide a safe and inclusive workplace where everyone can feel comfortable to bring their whole selves to work. We expect all involved in the process of a person affirming their gender will always maintain integrity and show respect. Behaviours including bullying, victimisation, exclusion, deliberate misuse of pronouns or names, or innuendo are not acceptable, including when effected employees are not present, and will not be tolerated as part of our bullying and harassment policy.

Employees and their immediate families or household members may access our Employee Assistance Program (EAP) for confidential professional guidance and counselling support services.

Special leave

Our people can access special leave for the purpose of affirming their gender via our miscellaneous leave provisions. Access to this leave will need to be authorised by your line manager. The purpose of this leave may be taken for reasons that include, but are not limited to:

a) medical or legal practitioner appointments;
b) changing your dress and presentation;
c) attending counselling;
d) implementing other aspects of your workplace plan.

It is anticipated that the timing of any period of leave will be discussed and agreed when a workplace plan is being discussed.

Gender affirmation guidelines

Message from leadership

The release of this guide indicates our clear support for all employees seeking to affirm their gender at work. I encourage you to not only read the guidelines, but to think about your role in contributing to build and foster a diverse and inclusive workplace culture.

We are committed to providing an inclusive workplace culture where all our people are valued and recognised for their unique qualities, ideas and perspectives. Our greatest asset is our people and by having a diverse workplace we benefit from rich and challenging opportunities and experiences that reflect the communities and businesses we serve.

We are committed to providing a working environment that values diversity and inclusion which supports all employees to reach their full potential. Our people must remain focussed upon driving change within our department and beyond. Understanding our diversity and elevating our words into positive behaviours and action is an essential part of our department's working environment.

##name of leader##
##title##

Purpose of guidelines

These guidelines have been created in association with the Gender Affirmation Policy.

This document may be used as a guide to develop a workplace plan that details the responsibilities of a person affirming their gender as well as their line manager. The guide also outlines key terminology and points of contact.

The trans and gender diverse community

Trans and gender diverse people identify their gender(s) as different to the one that was presumed for them at birth. Trans and gender diverse people may position 'being trans' as a history or experience, rather than an identity and consider their gender identity as simply being female, male or a non-binary identity. Some strongly connect with their trans experience.

Gender affirmation refers to the process of a person who may take social steps (such as publicly changing their name, pronouns and appearance), medical steps (such as hormones, and/or surgery) and/or legal steps (changing their legal gender marker and name in official documents) to live as their defined gender(s), based on what is right for them.

The absence of questions that accurately capture the gender diversity in our population makes it difficult to conclusively estimate the size of the trans and gender diverse community, but even conservative estimates imply that many companies are employing trans people, whether they have affirmed their gender at work or not.

People in the trans and gender diverse community may describe themselves using one (or more) of a wide variety of terms. Always use the term preferred by the individual.

Guidelines for employee affirming gender

Roles & Responsibilities

We understand that every journey is different and therefore the expectations and responsibilities of our people will be unique and dependent on honest and open communications. We encourage everyone to bring their whole self to work by being open about who they are and affirming your gender in our workplace should not be attached to a fear of consequences.

A person seeking to affirm their gender has a responsibility to work with your line manager and/or support networks to outline all expectations to ensure a positive experience. Success can only be achieved if everyone has a clear understanding of their responsibilities and roles.

Gender affirmation outside of work

There are many ways to affirm your gender in and out of the workplace. For many trans and gender diverse people, changing your name and pronouns might be the first thing you try. This doesn't mean you have to legally change your name; you can experiment with new language in whatever way works for you.

Social affirmation might also include trying new or different clothing, tucking and binding parts of your body, using prosthetics, like packers or breast forms, growing, cutting or shaving your hair, and experimenting with how you use your voice.

Many trans and gender diverse people also find that affirming their gender medically (such as taking hormones, and/or having surgery) and/or legally (changing legal gender markers and name in official documents) important or wanted. You can find out more about each of these processes at www.transhub.org.au.

There's no right way to be trans or gender diverse, and it's okay to take the time to figure out what is best for you.

Initial discussions

We are committed to creating a workplace that is safe and supportive in which our people feel safe speaking with their line manager in relation to plans to affirm their gender. In circumstances where this is not possible, contact should be made with your HR Representative.

You are also able to contact our external workplace LGBTQ inclusion partner, Pride in Diversity to facilitate the initial discussions within your workplace.

Developing a workplace plan

An important step during this change is the development of a workplace plan outlining a timeframe with key milestones such as, but not limited to:

a) creation of a support team (if/as required)
b) expected timeframes for gender affirmation
c) proposed leave plans (if/as required)
d) how the change will be communicated to relevant employees
e) recommended training and who this will be delivered to
f) details of an event to meet team in affirmed gender
g) expectations and timeframes in relation to IT system changes (such as gender and name)
h) date employee will present in the workplace in their affirmed gender

This does not need to be developed by any one individual alone and can involve consultation from various areas, support services and with your counsellor or manager.

The first step will be to establish a support team, this team might include:

- your direct supervisor;
- HR representative;
- Equity, Diversity and Inclusion specialist, or an Equity Champion for your area; and a
- Trusted colleague who is willing to support you.

Key stakeholders

Think about how and when communications about a gender affirmation should be provided to key stakeholders. Who will be part of these conversations? Consider all stakeholders that have an ongoing relationship with the person affirming their gender and factors such as email contact information or access to third party premises.

Communication should start as social gender affirmation commences; planning can assist in reducing the likelihood of misunderstandings and rumours.

Education

It could be that colleagues and stakeholders may have little to no awareness or education in relation to trans and gender diverse matters. Everyone needs to be aware of the role they need to play to create an inclusive workplace. It is important that education is provided.

When developing a workplace plan consider what you would like to be in included in this education so you and your HR representative can work to have this implemented.

Appearance and dress

The same professional standards of dress and appearance apply to all people in our workplace. Trans and gender diverse employees should dress in a manner (or select uniforms) that best reflects who they are.

Updating details

If a person affirming their gender intends to change their name, gender or title there may be a requirement for IT systems, physical signage and a security pass to be updated. As required, the following table was created to assist in this process:

Personal Details	Process details	Evidence Required	Forms / Contact/s
Title	Changes can be made to an alternative title of either Mrs / Ms / Miss / Mr or the non-binary title Mx.	Yes/No	
Preferred name	You can use this prior to legally updating your name.	Yes/No	
Name	Your legal name; amendments can be made once evidence is supplied demonstrating that this has been amended through deep poll.	Yes/No	
Gender	Your gender marker can be amended, including if you are non-binary, on your personal record once you have provided the following information: a) Departmental requirements	Yes/No	
Email	An email address will automatically be updated once the above name amendments have been supplied and evidenced.	Yes/No	
Security Pass	If a new security pass is required images will also be updated. You can update your photo numerous times, as desired.	Yes/No	
Security clearance	Process required depending on security clearance levels at each department.	Yes/No	
Other accounts	List of other systems that will need to be updated depending on departmental requirements.	Yes/No	
Name badge, desk plates and business cards	New name badges, desk plates and business cards may be requested. A cost code needs to be supplied when the order is placed.	Yes/No	

Guidelines for line managers

When an individual approaches you with the intention to affirm their gender, your support is critical.

Below are some of the key areas your assistance is required in this process.

Confidentiality and privacy

In accordance with our existing policies, you should maintain an appropriate level of confidentiality and privacy in relation to all employee matters. Information should only be disclosed to those who need to know, are involved in the process, or have the consent of the person who is affirming their gender.

It should also be noted that individuals are not required to disclose medical information to the department.

Sensitivity and respect

Be prepared to treat any employee who is affirming their gender with respect and an open-minded attitude. Be ready to ask questions, listen and understand their needs and concerns. All employees deserve to be treated with respect and sensitivity when related to their personal lives. Support is essential and expected, and discriminatory attitudes will not be tolerated.

Involvement in the development of a workplace plan

When you become aware of an individual who has the intention to affirm their gender, it is imperative you are supportive, open-minded and honest. Be prepared to discuss their aims and expectations and ask what they want your role to be in the change. Make sure to consider stakeholders, colleagues, policies and procedures existing in the workplace.

For guidance please contact your HR Representative. Additionally, our external employer support partner, Pride in Diversity is available for support.

Communication

Clear, open and honest communication from managers, employees and the individual is essential. Communication will be different in all workplace plans and dialogue can help alleviate any potential difficulties or issues.

Hosting information and awareness sessions for team members and other stakeholders should be considered when developing the workplace plan.

Respectful communications that are created with involvement from all parties is essential. It is natural for colleagues to be curious and the individual's privacy will need to be balanced with the need for colleagues to understand the change and any expectations of their behaviour. For your assistance, an example communication via email can be found here.

Addressing concerns of colleagues

A lack of knowledge and awareness can lead to misunderstandings, concerns and tension in the workplace. Be aware of any tensions arising and check in to find out the experience of the person affirming their gender. Addressing expectations, goals and related matters are critical for everyone involved, in order to achieve a positive outcome. Be available to answer questions and be aware of differentiating between personal beliefs and appropriate behaviour.

Involving the employee who is affirming their gender in the education of colleagues is recommended and the level of involvement will differ in each instance. Our Employee Assistance Program (EAP) providers are also available to provide support and guidance in workplace related matters.

Addressing negativity

While we hope that the entire experience of someone affirming their gender would be incredibly supportive and respectful, there may be instances of people who struggle with the change. Negative behaviour, destructive gossip and deliberate attempts to isolate or make a person uncomfortable need to be handled quickly.

Leave entitlements

Providing reasonable flexibility and the ability for the person affirming their gender to access leave in accordance with existing leave policies is essential. Long service leave, annual leave and other leave entitlements may be available for use with existing processes. Special leave is also available at line manager discretion and highly encouraged via department miscellaneous leave allowances.

Facilities

As per our bullying and harassment policy, any person who works at the department has the right to use the bathroom/facility of their choice. Posters/signage can be obtained from your HR Representative.

To assist, here are some common FAQs when it comes to gender neutral facilities:

Q. What if I go in the bathroom, and someone unexpected is in there?

A. Use the bathroom as you always do. Also, do not stare, say anything, ask the person if they are in the wrong bathroom, or harass the person. They know where they are and are there for the same reason you are - to go to the bathroom.

Q. If we have gender neutral bathrooms, will women be less safe?

A. Of course not. A sign on the door that labels a bathroom “male” or “female” does not actually provide any type of physical barrier or protection for the people using the facilities. A sign cannot make a difference to safety.

Q. Will gender neutral bathrooms or facilities make some people uncomfortable?

A. It is true that for people who are used to using gender-segregated bathrooms, using gender neutral bathrooms may feel strange or uncomfortable. Often, social change that increases access for an excluded group to eliminate discrimination requires a reform of social practices that can make people who have not been negatively affected by the existing arrangements uncomfortable.

However, discomfort or modesty, when compared with the inability to engage in basic functions at work, such as using the bathroom, cannot be prioritised. As with most societal changes, we will likely look back in a few years and marvel at the discomfort we felt.

Education and awareness

A lack of knowledge and awareness can create discomfort, tension and nervousness amongst employees. While everyone is expected to behave in accordance with policies, there should also be an opportunity for education and questions to be asked related to the gender affirmation process. It may be useful to host information sessions and forums to address concerns and educate employees who work in the team.

Contact your HR Representative to organise LGBTQ awareness training or ally workshops where needed through our partnership with Pride in Diversity.

For more information and links to resources, visit www.transhub.org.au/allies/employers

Guidelines for colleagues

If an individual approaches you with the intention to affirm their gender, your support is critical.

Below are some of the key areas your assistance is required in this process.

Become a trans ally

An ally is associated with others for a shared cause or purpose. It is an ongoing process that requires your support and action, including:

- Ensure that bad behaviour is verbalised. No-one should feel disrespected and sometimes it can be your voice that changes attitudes
- Encourage others to use correct pronouns. It is ok to make a mistake, correct it and move on. Being mindful not to make a big deal out of it. Consider adding your pronouns to your email signature or any name tags or ID you wear at work.
- Someone who is beginning to affirm their gender may experiment with different ways to present as they find out what works for them. Be patient, kind and respectful
- Facilities are there to be used, but sometimes difficult to navigate. If you can be there as a buddy, feel free to accompany someone, with their permission.
- Remember to listen with an open mind. Everyone is the expert on their own lives and one of the most important roles of an ally is to hear that experience and offer support.

It is important to remember that being an ally is not something that you can just say once, it is a continual journey.

In accordance with our existing policies, you should maintain an appropriate level of confidentiality and privacy in relation to all employee matters. Information should only be disclosed to those who need to know, are involved in the process, or have the consent of the person who is affirming their gender.

It should also be noted that individuals are not required to disclose medical information to the department.

For more information and links to resources, visit www.transhub.org.au/allies/colleagues

Sensitivity and respect

Be prepared to treat any employee who is affirming their gender with respect and an open-minded attitude. Be ready to ask questions, listen and understand their needs and concerns. All employees deserve to be treated with respect and sensitivity about their personal lives. Support is essential and expected, and discriminatory attitudes will not be tolerated.

Addressing concerns of colleagues

A lack of knowledge and awareness can lead to misunderstandings, concerns and tension in the workplace. Be aware of any tensions arising and check in to find out the experience of the person affirming their gender. Addressing expectations, goals and related matters are critical for everyone involved, in order to achieve a positive outcome. Be available to answer questions and be aware of differentiating between personal beliefs and appropriate behaviour. Employee Assistance Program (EAP) providers are also available to provide support and guidance in workplace related matters.

Appendix 1: Example communication to broader department

Good morning/afternoon

I would like to provide you with some important information about your colleague who you have known as ##former name##.

From ####, in ##enter pronoun## affirmed gender, we will be welcoming ##name## back into our team.

Therefore, it is vital all our people use ##name## and the relevant pronouns of ##enter pronoun## moving forward. This may take a little practice but ##name## has the full support of the department and I trust that you will all show ##pronoun## the same level of respect as any other colleague. I also stress that the department provides a safe and inclusive work environment for everyone.

We have arranged an information session for ##name##'s immediate colleagues and the wider team on #### (which you can sign up for here).

We are a trans inclusive workplace. The EAP program is available for anyone who might need to discuss this further: ####