

# Trans Community Statement of Need

Version 26 April 2011

(differs from 8 April version in health section only)

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## Aim

The aim of this document is to specify the many issues that are of concern to transgender persons and their families, to inform the (cross government) Transgender Equality Action Plan. Specification of the need is within the responsibility of the transgender community. Any actions to be taken in response to the need are a government responsibility.

## Scope

This document contains tables that address 11 broad areas where there transgender folk have expressed concerns and for which some form of remedial action is required. Each table identifies the specific issue, the aims to be met by addressing the topic with suggested actions and outcomes (to determine that the action has been completed).

## Background

In March 2010, GEO held an excellent one day workshop to identify areas of concern that had negative impact on the lives of trans people and their families. A further brief workshop session took place on 6 December. Later that month (16 December), the Minister of State for Equality made a holding statement to the House:

*'In June 2010 we announced our commitment to publish the first ever Government action plan on transgender equality by the end of 2011. Work to develop the action plan is progressing. Our firm commitment is to work with transgender groups to develop the action plan. As part of this, to date the Government Equalities Office has held two informal workshops involving invited members of the transgender community to seek their views on what action is needed to tackle the inequalities they experience. I attended the workshop which took place on 6 December 2010. Our engagement with the transgender community will continue throughout 2011 as we continue to develop the action plan.'*

The Minister of State's intent was that Government engages actively with the sector to ensure the trans community has the opportunity to shape government work on transgender issues, including in the development of the Transgender Equality Action Plan.

GEO encouraged a further workshop to the above, which was hosted by the LGB&T Consortium in Leeds, on 22 January 2011, where representatives of the community developed a detailed response to a draft document (developed from GEO's reporting of the previous workshops' outputs). The information captured at Leeds was assimilated into a revised document as a basis for a wide-ranging consultation process. This resulted in a large number of valuable suggestions for refining the document. Those received by 4 March 2011 were incorporated into a new draft dated 17 March 2011 and this document was the subject of a further workshop review held in London on 24 March 2011 (sponsored and excellently organised by the LGBT Consortium), attended by representatives of the trans community and the GEO and other government departments. This document captures the work undertaken at the 24 March workshop.

## Way forward

This document is to be presented to GEO as an expression from the trans community of the issues and suggested actions required to improve the lives and prospects of trans people and their families. GEO has stated that it will advise those actions on which some action is being considered. Many of the issues herein require effort from the trans community to address and the community itself must decide how such issues may be progressed. It all makes very depressing reading.

From review of this document, it is apparent that there is a wealth of information and the next stage is to generate a summary document, which will bring together issues and aims (our needs) defined herein against the actual actions (rather than our suggested actions) to be taken by government, as a definition emerges.

**Process to lead to progress:** The GEO March 2010 workshop captured a vision of the world that trans folk would like to see within 5 years. This reminds us that the government action plan is a *process* and has no value unless it delivers the desired *effect*. The listing of general aspirations (effects) is copied below. Let us not lose sight of these simply-expressed but vital outcomes.

The characteristic of the world that transgender folk desire is where:

- trans people are more part of normal life;
- where everybody is happy;
- there is more tolerance, awareness and equality;
- gender transition packages are universally available to people of any age;
- with all rights for trans people (including prisoners);
- NHS coverage for all aspects of transition;
- fairness & equality is at the forefront irrespective of irrelevant difference;
- there is no fear or hatred of people who express their gender in unconventional ways;
- trans people are not attacked, murdered or denied a livelihood;
- young trans people are not bullied;
- trans people have equal opportunities;
- the public understands that gender is not limited to stereotypes of male and female;
- there is more research leading to funding for trans specific services;
- we don't have to argue for trans inclusion in the church or trans equality in the work place – it will have happened;

- my sex is respected and does not adversely affect my life and I gain acceptance;
- everyone is treated equally be it race, gender etc;
- the trans community has capacity to make change happen;
- people celebrate gender diversity;
- there is equal treatment in life for all;
- trans people feel more able to be out;
- trans people do not have to struggle for equality;
- difference is valued rather than feared;
- gender variance is unsurprising, understood and respected;
- I can be invisible for the right reasons;
- trans opportunities not constrained by discrimination or perceptions;
- where kids leave school with a better understanding than I did;
- people feel able to be themselves without gender stereotype pressurising them;
- we have a society that accepts everyone individually without fear or discrimination;
- complete equality for all;
- we have a GRA that is based on the application alone and the absurdity of assessing gender in any relationship context is binned;
- separation of religion and state – religious lifestyles should not dictate against those with physical conditions.

### Contents of tables that follow

| <b>Serial</b> | <b>Title</b>               | <b>Number of issues identified</b> | <b>Starts at page number</b> |
|---------------|----------------------------|------------------------------------|------------------------------|
| 1             | Employment                 | 5                                  | 5                            |
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| 3             | Discrimination             | 14                                 | 13                           |
| 4             | Identity & Privacy         | 13                                 | 20                           |
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| 11            | Procurement & Services     | 5                                  | 55                           |

| Serial                                  | Issue/need  | GEO classification | Aims   | Suggested action required   | Responsible   | Legislation? | Monitoring of outcomes  | Deadline |
|---|---|--------------------|--|---|---------------|--------------|---|----------|
| <b>SECTION 1: EMPLOYMENT – 5 ISSUES</b> |   |                    |  |   |               |              |   |          |
| <b>Employment 1</b>                     | Civic participation: under-representation of trans people in government and public office |                    | <p>To ensure public appointments in general are clearly open to trans people, and by asking trans people to report their public appointments on a confidential basis and to think about whether they (and their families) are personally prepared for their trans status to be made public for role model purposes.</p> <p>To get trans folk represented in government. This should improve attitudes in government towards trans people by 'exposure' and working together.</p> <p>To remove or minimise the disadvantages suffered by trans folk when seeking to enter public office.</p> <p>Note<br/>Lawmakers are likely to be more appreciative of the issues that trans people face when considering legislation and service provision, if lawmakers have actually met/worked with trans people.</p> | <p>Government set an example by positive action to recruit trans people. Make the case for general positive action to Teresa May.</p> <p>Define a process where:</p> <p>a. visibly trans people (i.e. those who have no choice) are able to occupy positions of public responsibility without fear of harassment or discrimination;</p> <p>b. invisible trans people in, or seeking, such positions, when exposed as trans, are not the subject of harassment or discrimination;</p> <p>c. those who perpetrate the harassment and discrimination are appropriately sanctioned by their organisation or by society;</p> <p>d. those who are visible are able to represent the diverse aspirations of all trans people.</p> <p>Comply with Equality Duty on better informed policy making by representing all groups in society.</p> | GEO           | No           | Produce the definition of the processes listed in the action and distribute this to all branches of government. This should also specifically include how trans and the Equality Duty relate. |          |
| <b>Employment 2</b>                     | Under employment/unemployment/recruitment process   |                    | <p>To allow trans people to be treated as others in recruitment processes and in the work situation.</p> <p>Note<br/>Less unemployment would reduce the need for State social security funding.</p> <p>To enable and empower trans people</p>  | <p>Short term: enforcement of existing legislation that alas, can easily be circumvented.</p> <p>Encourage employers to reach more widely by circulating trans groups (as publicised on sites such as TranzWiki) and to make their</p>  | EHRC          | No           | EHRC take on 2 cases of discrimination inc one on the recruitment process.  |          |
|   |   |                    |  |   | All Gov Depts | No           | One major Department having embarked on this as an example to the rest.   |          |

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|                     |                |                    | <p>and their representatives to better understand, assert and pursue their various rights (and not just in employment) under the Equality Act.</p> <p>Note</p> <p>More trans people in the workplace would improve attitudes of others, again by 'exposure' and working together.</p>  | <p>recruitment literature trans inclusive, e.g. by welcoming transsexual/transgender recruits and mentioning any trans-inclusive activities e.g. where they sponsor trans groups or policies e.g. where they have comprehensive policies supporting gender reassignment. (Some Civil Service departments already do this.)</p> <p>The longer term solution is in the education of employers on the merits of including all forms of diversity staffing profiles and the benefits to the talent pool &amp; social inclusion of employing a diversity of people and this requires some form of funded publicity and educational campaign be arranged.</p> | EHRC        | No           | <p>By the generation of training material for employers.</p> <p>By EHRC commissioning and publicising trans-specific training and training providers.</p>   |          |
| <b>Employment 3</b> | Qualifications |                    | <p>To enforce the current rights of trans folk to change the name on qualification documentation on permanent change of gender.</p> <p>Note</p> <p>To date, it has almost been impossible to get the name changed on qualification documentation. This would make getting jobs easier as there would be no deliberate self-outing. More trans folk would find work. Less risk of subsequent discrimination and abuse in the workplace.</p> | <p>Enforcement of the guidance already on the EHRC website.</p> <p>Note</p> <p>Steps must be taken to publicise above guidance among the trans community so that they can better understand, assert and pursue their various rights (and not just in employment) under the Equality Act. (Ideally, an appropriate example should appear in the relevant Code Of Practice.)</p> <p>DfE and BIS should advise exam bodies of the need to re-issue certificates in new name and the reasons why. They should also be advised that a GRC is not</p>   | EHRC        | No           | <p>By EHRC agreeing to pursue appropriate discrimination cases involving gender reassignment where clear intransigence arises.</p> <p>By DfE and BIS advising educational establishments of the importance and rationale for changing</p> |          |

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|                     |   |                    |   | necessary.   |             |              | names on certificates on permanent change of gender.   |          |
| <b>Employment 4</b> | <p>Trans discrimination - workplace practices</p> <p><i>Employers unaware of duty towards trans people</i></p> <p><i>Ignorance of trans in the workplace</i></p> <p><i>Bullying at work</i></p> |                    | <p>To achieve less risk of discrimination and abuse in the workplace – address the fear factor faced by many trans recruits / employees.</p> <p>To address the failure of employers to be aware of existing guidance. To encourage best practice.</p> <p>Notes<br/>Lack of awareness of 2010 Equality Act &amp; 2004 GRA must be addressed and must include stricter guidance on using exemptions and discrimination that is proportional to legitimate aim. The provision of equality training to counter ignorance in the workplace (more trans-friendly guidance on interpretation (codes)). HR staff and managers (especially) to set up best practice re transitioning at work and disclosure.</p> | <p>Commission trans specific guidance for employers, because the volume of existing guidance is extremely copious and often generic, and its application to gender reassignment and transsexual people is not always obvious for those seeking trans specific guidance.</p> <p>Identify platforms for raising awareness and sharing best practice in an effective way - make template workplace policies available and encourage positive action e.g. charter marks, trans equality index.</p> | EHRC        | No           | <p>By the specific guidance being issued to employers to prevent the illegal disclosure of information.</p> <p>By identifying and initiating mechanisms for raising awareness.</p> |          |
| <b>Employment 5</b> | Trade union support of trans people   |                    | <p>To ensure that all the major unions support trans people within their membership</p> <p>Note<br/>Union activity on trans issues has been generally very low profile with some exceptions.</p>  | Work with the TUC to find opportunities to increase transgender awareness and support among its members and identify examples of good practice to use in improving the general willingness and capability of unions to act effectively on behalf of transgender employees.   | TUC         | No           | By starting transgender equality training for union officials and by publication of examples of good practice.   |          |

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| <b>SECTION 2: EDUCATION – 10 ISSUES</b> |  |                    |   |   |             |              |   |          |
| <b>Education 1</b>                      | Trans awareness in teaching staff  |                    | <p>To address the current ignorance of most teachers on trans matters.</p> <p>Note<br/>This will make it so much easier for trans children to identify themselves and improve their safety and reduce the risk of abuse of children and teachers. Include primary and faith schools (trans may well be an unknown).</p> <p><i>Comment: Withholding approval can be subtle in the early years.</i></p> <p><i>There is a concern that turnover/change of staff could cause schools to go backward in treatment of trans children.</i></p> | Mandate teacher training on ‘trans’ and in-service awareness courses. This issue should be included in DfE’s current Education Bill. Ensure training is appropriate and accredited with agreed standard <u>and</u> content and specifically include harassment. | DfE & BIS   | Yes          | By ensuring that the Statutory Codes of Practice for HE, FE and primary and secondary schools address awareness and that establishments are made aware of their responsibilities and how to comply with them. |          |
|   |  |                    |   | Establish working relationships with e.g. Schools Out.  | DfE         | No           | By improved engagement with Schools Out.  |          |
|   |  |                    |   | Community to be consulted on the scope of teacher trans training.   | DfE         | No           | By DfE forming a working group with appropriate trans organisations to develop trans awareness training for teachers.   |          |
| <b>Education 2</b>                      | The privacy needs of trans pupils in schools   |                    | To ensure that the Chief Inspector’s report requires the educational needs of trans children to be <i>covered</i> , rather than just <i>considered</i> .  | Amend Education Bill to specifically address the needs of trans children.<br><br>Solution to be best practice-based, not just legal/Data Protection.  | DfE         | Yes          | By the appropriate amendment appearing in the Bill.   |          |
| <b>Education 3</b>                      | The failure of the current OFSTED framework to support the needs of trans students (and staff in education facilities) |                    | <p>To ensure that existing provisions as extended by the Equality Act 2010 are delivered.</p> <p>Note<br/>The problem, especially with trans, is that one feels totally isolated and often underperforms due to stress about being ‘different’. The provision</p>   | The ability of a school to deal with all protected characteristics (not just trans support) should be assessed.   | OFSTED      | No           | By issuing Best Practice to schools. Note that much best practice is already available but not widely disseminated.   |          |
|   |  |                    |   | Best practice should be actively  | Com         | No           | By identifying sources  |          |



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|                    |   |                    | <p>of support would enable the person to 'come out', feeling protected and supported. This will improve educational achievement (children often take many years having suspected they are trans/different before they reveal this to anyone – Natacha Kennedy's research).</p>   | <p>offered.</p> <p>Community should be approached to feed into the OFSTED inspection criteria.</p> <p>Note<br/>Some schools may have already identified staff members who know where to find what's needed and ensure that pupils know how to access such support ('T' champion concept). Schools might work together to identify sources of support such national groups like Mermaids or GIRES, or local groups (including those involving ex-pupils), for the benefit of pupils and for their parents, or collectively create their own support network (e.g. through a supervised internet resource) or 'Chatham House' environment.</p> | OFSTED      | No           | <p>of best practice.</p> <p>By OFSTED consulting with the community to capture best practice.</p>   |          |
| <b>Education 4</b> | Promoting non-discriminatory behaviour, especially to counter transphobic bullying in schools |                    | <p>To provide specific guidance to schools on bullying (and publicise code of non-discriminatory behaviours towards/between protected characteristics).</p> <p>To produce a reduction then elimination of cruel and often unlawful treatment received by trans children at school. DfE has a Duty of Care that it should be forced to meet.</p> <p>Notes<br/>At present-half of the natal males and two-thirds of the natal females experienced bullying, physical abuse</p> | <p>Seek consultation with key stakeholders to ensure their involvement in the development and implementation of the final product, which may represent 'Big Society opportunities' for representative groups at national and local level, as part of a wider awareness-raising campaign, the aim of which is to educate children (and therefore also parents) in the facts of gender diversity in the UK today, and to normalise gender diversity (part of education for all).</p>   | DfE         | No           | <p>By the appropriate groups being included in the consultation and the guidance being reissued and distributed. By the publication and distribution of such guidance</p> |          |

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|                    |   |                    | <p>and even unwanted sexual behaviours occurred in a majority of these cases and-about a quarter of the people who participated in the survey had.</p> <p>Many trans people get fed up with explaining and justifying their existence, it is accepted that meeting and talking to trans people is often the best way to dispel stereotypes and change attitudes. Alas, a strong resistance to such an approach from some quarters is anticipated, and it would be important to stress and be careful that such a campaign was not aimed at subverting recipients' gender identity.</p> | <p>Amend the General Teaching Council "Code of Conduct and Practice for Registered Teachers" to include gender identity in the first paragraph of the fourth principle.</p> <p>Publicise existing resources, including the GIRES transphobic bullying toolkit and the Home Office report: "Combating Transphobic Bullying – Guidance for Schools.</p> <p>Note<br/>Specific bullying guidance already exists, though it is not currently publicised on the DfE website, while the EHRC's draft Code of Practice and guidance also provides material. The current guidance is however under review.</p> | DfE<br><br>DfE | No<br><br>No  | <p>Publication of a revised Code by whichever body is assigned responsibility for regulating the teaching profession</p> <p>By linking to GIRES Transphobic Bullying Toolkit in DfE Advice on Preventing and Tackling Bullying.</p> |          |
| <b>Education 5</b> | Trans awareness training for pupils (1) |                    | <p>To address transphobia in the long term – solving the cause rather than the symptom of the trans problem – ignorance of transgender.</p> <p>Note<br/>Experience shows that if you can 'sell' the idea of diversity to children pre-teens then they are less likely to adopt transphobic behaviour. Solving the attitude towards trans is a long term task and it has to start with giving younger children the appropriate messages concerning diversity.</p>   | <p>Persuade OFSTED/ISI/TDA etc to expand PSHE to include transgender in the curriculum.</p> <p>Note<br/>The DfE is currently conducting a consultation on the curriculum and plans to consult on PSHE.</p> <p>Provide support to trans charities to deliver awareness training. Schools to invite transgender people to talk to children.</p>   | DfE<br><br>DfE | Yes<br><br>No | <p>By ensuring that trans awareness training is included in the Education Bill and by inclusion of transgenderism in the curriculum.</p> <p>By funding being awarded to at least one charity.</p>                                   |          |
| <b>Education 6</b> | Trans awareness training for pupils (2) |                    | To promote positive environment for trans students.  | Generate/use resources (literature, TIE, film, art etc for your people and for teaching that  | DfE            | No            | Commence action by promoting Schools Out diversity-based lesson   |          |

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|                    |  |                    |  | show a diversity of gender expressions.   |              |              | plans.   |          |
| <b>Education 7</b> | Trans-friendly standard for educational establishments |                    | To introduce the concept of equality 'Kite Mark' in educational establishments.  | Review a gender trans equality index and use this as a basis for developing a scheme for educational establishments.<br><br>Note<br>This could be part of an OFSTED report, through a rep group collective and/or cross education support network. The requirement must not be too burdensome, either for the establishments or for those assessing and reporting results, and would therefore need to identify key indicators. | DfE          | No           | By the creation and implementation of a 'Kite Mark' system.            |          |
| <b>Education 8</b> | More trans role models in public life                  |                    | To achieve far more trans role models in public life. The encouragement and support of 'out and proud' trans people as champions for the community.<br><br>Note<br>There can be no compulsion on trans people to take on roles as 'public' trans people, nor that they sign up to be 'out and proud'. Those that wish to be 'out and proud' may do so, but they also need to represent those for whom this is not an aspiration. | Government Departments to seek opportunities to feature prominent trans people in their publications.   | All Departs. | No           | Government publications featuring trans role models starting with GEO. |          |
| <b>Education 9</b> | Transphobic hate crime in schools)                     |                    | To 'beef up' current equality strategy. The change proposed would turn an aspiration into a <u>requirement</u> . Aspirations are of no value to trans people.<br><br>Note  | Change the December 2010 equality strategy from 'promote' better recording of, and response to, hate crimes to 'mandate a comprehensive scheme to the recording of and the response to hate crimes'.  | GEO          | No           | By the required change appearing in the strategy document.             |          |

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|                     |   |                    | All bullying is bad but the implicit agreement of many and some parts of society make this usually difficult to deal with in schools. |                           |             |              |  |          |
| <b>Education 10</b> | Understanding the issues associated with trans children in Religion, Faith and Free schools |                    | To identify issues and opportunities to be included in updates to this plan.  | Conduct research          | DfE         | No           | By undertaking such research and identifying follow-up issues to be addressed. |          |

| Serial                                       | Issue/need   | GEO classification | Aims   | Suggested action required   | Responsible                        | Legislation?           | Monitoring of outcomes  | Deadline |
|--|--|--------------------|--|---|------------------------------------|------------------------|---|----------|
| <b>SECTION 3: DISCRIMINATION – 14 ISSUES</b> |  |                    |  |   |                                    |                        |   |          |
| <b>Discrimination 1</b>                      | Toilet facilities  |                    | <p>To address the issue of toilets and transgender people.</p> <p>To ensure that all categories of trans people are aware and encouraged to apply their rights in this area.</p> <p>To accommodate, specifically, the needs of non-gendered folk.</p> <p>All human beings have a need to use toilet facilities. Exclusion can have a devastating impact on the ability to participate in life away from ones home. All should be empowered to use the facility provided for their acquired gender or with which they feel most comfortable, providing they do not break any criminal laws.</p> | <p>Make employers and those administering toilets available for public use aware that facilities must be available for all types of trans people.</p> <p>Publicise the rights of trans people when wishing to access public toilet facilities.</p> <p>GEO are committed to re-writing employment guidance</p> <p>Note<br/>The needs of some trans folk might be met by re-labelling ‘the disabled toilet’, provision of which is compulsory, that could be equipped for non gender specific use as well as for disabled use, but it should be made clear in guidance that there is no compulsion upon trans people to use a non-gender specific toilet, just as current guidance makes clear that there is to be no compulsion placed upon trans people to use the disabled toilet.</p> | GEO<br><br>Stakeholders<br><br>GEO | No<br><br>No<br><br>No | <p>By trans folk and those responsible for provision of toilet services know what the ‘rules’ are and where to find them.</p> <p>This should be covered in Goods and Services and Employers’ Guidance.</p> <p>By the regulations for disabled toilets in new public buildings being scoped for trans use if required and consideration generally of non gender specific facilities.</p> |          |
| <b>Discrimination 2</b>                      | <p>Non and bi-gender etc legal discrimination</p> <p><i>Such folk have the <b>same fundamental right to fair and</b></i></p> |                    | <p>To extend protections of the 2010 Equality Act to those specifically who do not fit into the gender binary model and are not covered as a protected characteristic.</p> <p>To establish the above group as ‘human beings’ rather than ‘non-</p>   | <p>Consultation with the non and bi-gendered community to establish exactly what detailed action is required to give protection from discrimination.</p> <p>Note<br/>Equality Act is to be reviewed in</p>  | GEO/Com                            | No                     | By GEO making a commitment to specifically schedule time with this part of the community in time to inform the cross government action plan.  |          |

| Serial                  | Issue/need   | GEO classification | Aims  | Suggested action required  | Responsible                         | Legislation?                  | Monitoring of outcomes   | Deadline |
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|                         | <i>equal treatment as accorded the rest of society.</i>            |                    | <p>persons' that is the present situation.</p> <p>Address areas where no beneficial effect, legal rights or enforceable protection from discrimination exist for those who do not fit the gender binary and hence have no desire to transition.</p>   | <p>2015</p> <p>Stakeholders / individuals to keep each other and GEO notified of issues / experiences via e-mail facility.</p> <p>Advise the situations when non or bi-gendered folk are protected under the 2010 Equality Act and whether exceptions should be pursued under Human Rights.</p>                | <p>Stakeholders/GEO</p> <p>EHRC</p> | <p>No</p> <p>No</p>           | <p>By the issue of specific advice and what further action is required to protect non and bi-gendered folk.</p>  |          |
| <b>Discrimination 3</b> | Use, and further amendment, of exceptions within 2010 Equality Act |                    | <p>To establish if any unfair/inadequate treatment of trans folk is occurring to inform amendments in law.</p> <p>Any amendment to the 2010 Equality Act should be based on evidence and this action when implemented will assist.</p> <p><i>Comment: There is no case law here and will be slow in materialising as it usually comes through European Court of Human Rights.</i></p> | <p>Set up monitoring of use of exceptions to show where inappropriate use of discrimination has taken place.</p> <p>Implement formal feedback on the on-going effects of Equality Act 2010 and publicise its availability throughout the trans community.</p> <p>Trans people to be encouraged to complain</p> | <p>EHRC</p> <p>EHRC</p> <p>EHRC</p> | <p>No</p> <p>No</p> <p>No</p> | <p>By collecting data on the incidents reported and the outcomes of enforcement action (informal and formal) could be collated to fulfil these actions.</p> <p>By publishing exceptions data.</p> <p>By EHRC publicising its interest in receiving information on the use of exceptions.</p> |          |
| <b>Discrimination 4</b> | Single sex services  |                    | <p>To ensure that trans people are aware of their rights and empowered to stand their ground when potentially subjected to inappropriate treatment in single sex facilities. There are particular issues for young people in school / college environment.</p> <p>To establish needs of non-gendered</p>  | <p>Provide targeted compulsory training when trans service user is encountered. Provide and keep current guidance documents for the providers of single sex services e.g. the DH Guidance prepared by GRES.</p> <p>A new guide for employers, schools and others including</p>                                 | <p>EHRC</p> <p>EHRC</p>             | <p>No</p> <p>No</p>           | <p>By collecting data on the incidents reported and the outcomes of enforcement action (informal and formal) could be collated to monitor this action.</p> <p>By the guide being</p>   |          |

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|                         |   |                    | <p>folk.</p> <p>To ensure that the providers of single sex services are fully aware of the appropriate Code of Practice (see below).</p> <p>Note</p> <p>Recent revisions to EHRC Code of Practice for service providers, at 13.57 et seq, already provides guidance in this area that states that exceptions should be applied “as restrictively as possible” and “only in exceptional circumstances” It makes clear that if you have a GRC or pass, the provider will only be able to justify an exception in extremis and, for anyone else, their justification must be very sound indeed.</p> | <p>Prisons must be generated (thought to be under preparation).</p> <p>Note</p> <p>With reference to the guidance noted to the column to the left, the introduction of treatment based on appearance (passing or not) is considered legalised ‘apartheid’ by some.</p>  |                                      |              | issued.   |          |
| <b>Discrimination 5</b> | Maximising the use of protection against direct discrimination by association |                    | <p>To ensure that ‘associated’ people have a better perspective of the protection that the law has provided.</p> <p>Note</p> <p>Some appropriate education would help reduce the negative impacts on their lives due to such association.</p>  | <p>Generate training/ awareness on the legal rights “in association” of partners/spouses of trans people. Generate a list of examples of how the law could be applied.</p> <p>Use Codes of Practice and guidance to signpost or generate trans specific guidance</p>  | EHRC and GEO to work with Direct Gov |              | By the ‘publishing’ of a pamphlet that outlines how associated people are protected with examples.  |          |
| <b>Discrimination 6</b> | Insurance-based discrimination  |                    | <p>To address the uncertainty that transitioned folk have when applying for insurance – should legal sex be declared?</p> <p>Notes</p> <p>As with all other forms of discrimination, trans people need to be educated as to their rights, to take advantage of these, and to report contraventions for potential enforcement and research purposes.</p>  | <p>EHRC’s non-statutory guidance under which the insurance industry has agreed to accept acquired gender irrespective of gender recognition as a matter of good faith should be publicised.</p> <p>Note</p> <p>All trans people who have changed gender permanently may <u>reportedly</u> rely on this guidance and feel no obligation to declare</p> | EHRC                                 | No           | By EHRC publicising insurance guidance and explaining what good faith actually means and if there are any situations where non declaration of legal gender could negate an insurance claim for a person who has permanently transitioned but does |          |

| Serial                  | Issue/need                     | GEO classification | Aims  | Suggested action required   | Responsible  | Legislation? | Monitoring of outcomes  | Deadline |
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|                         |                                |                    | <p>Note</p> <p>Possibly being overtaken by events as gender discrimination to be unlawful following recent Belgian case.</p> <p>However, the pensions issue re GRCs is understood to remain contentious (annuity rates).</p>  | <p>their gender history. (NB there will still be a need to declare medical history including gender reassignment where required for life insurance purposes.)</p>   |              |              | not have a GRC.   |          |
| <b>Discrimination 7</b> | Religious-based discrimination |                    | <p>To ensure that trans is not 'trumped' by other strands, in particular religion or belief (both lifestyle choices).</p> <p>Note</p> <p>The removal of a barrier to cultural change by ending bias in the law making process. There should be no control of groups not approved of by the religious establishment. In such a situation, bad law such as the marriage bar (2004 GRA) would be less likely to occur.</p> <p>NB Case law is moving in this direction and, although usually instigated by religious interests against LGB people, is serving to clarify how the Equality Act should be applied in respect of gender reassignment. Trans people should use such cases</p> | <p>Religious opinion is not given any 'trump card' in matters between the State and its population where this has a detrimental impact on the lives of minorities. Establish how this concept should be included in legislative programme.</p> <p>Note</p> <p>It is impossible and nor should religious voices be excluded from consultation on matters of public interest, including trans affairs, but those developing policy, laws etc, have a duty to make sure the correct balance is maintained.</p> <p>Support stakeholders and trans people of religious persuasion against any less favourable treatment by their church. Encourage sympathetic "moderate" voices within religions to raise awareness and speak out against bigotry</p> | Stakeholders | No           | By determining how this principle could be moved forward and implemented.                                 |          |
| <b>Discrimination 8</b> | Domestic abuse refuges         |                    | <p>To ensure that trans folk know their rights on this issue.</p> <p>To provide equitable services for trans people in domestic abuse refuges.</p>  | <p>Publicise the 'rules' for all types of trans people. Monitor the occurrence of any blanket exception of trans people (illegal for those that have GRC and/or pass).</p>  | EHRC         | No           | By publishing 'rules' and collect formal and informal data on issues arising from accessing this service. |          |



| Serial                   | Issue/need  | GEO classification | Aims   | Suggested action required   | Responsible     | Legislation? | Monitoring of outcomes   | Deadline |
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|                          |   |                    |  | Provide guidance for refuge operators following consultation with trans people and their support groups and other relevant parties for folk that are 'justifiably' excluded under the current law. Review policies and procedures in existing services at local level and issue guidance to service providers.  | CLG             | No           | By the provision of 'consulted upon' guidance to service providers.  |          |
| <b>Discrimination 9</b>  | Access to legal support                                 |                    | To provide trans people with ready access to suitably qualified lawyers.   | Publish list of lawyers and maintain Pfc legal helpline<br><br>EHRC to take / support trans related strategic cases   | Pfc to advise   | No           | By publication of list.  |          |
| <b>Discrimination 10</b> | Inappropriate requests for GRCs                         |                    | To make trans folk aware of the situations in which the request of a GRC to access a service (or other) is legal (this will allow the suggestion of a 'paper-less GRC proposed by one group to be further considered).<br><br>To make trans folk aware of the occasions when proof of legal sex is relevant* e.g. PACE (searching).<br><br>To allow trans people to better understand how section 22 of the 2004 GRA applies to them, if they are persons covered under the Act.<br><br>Note<br>For most purposes, a driving licence or passport will suffice. | Generate list of situations where a request is lawful and those which require the GRC to be carried.<br><br>Generate list of situations where a request to show a BC is relevant.<br><br>Note<br>In all other circumstances, trans people should be able to rely on being treated as members of their acquired gender, and it should be regarded as discrimination because of gender reassignment when this does not happen | EHRC<br><br>MoJ | No<br><br>No | By publishing a list of the occasions where a request to show a GRC is lawful.<br><br>By publishing a list of the situations where a request to show a BC is relevant. |          |
| <b>Discrimination 11</b> | Invisibility of EHRC enforcement action on trans issues |                    | To provide visibility to the trans community on the legal action being taken by EHRC to enforce trans rights.<br><br>Note  | EHRC call a meeting to present this information for the last calendar year. EHRC advise community on the best way of interacting with it on possible breaches of the 2010   | EHRC            | No           | By holding the meeting.  |          |

| Serial                   | Issue/need   | GEO classification | Aims  | Suggested action required  | Responsible                              | Legislation?           | Monitoring of outcomes  | Deadline |
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|                          |  |                    | Good outcomes should be publicised although it is acknowledged not all activity by the EHRC can or should be publicised   | Equality Act and the 2004 GRA.<br><br>EHRC Annual report to cover actions in support of trans equality.  | EHRC                                     | No                     | By annual report covering legal actions taken in support of trans rights.   |          |
| <b>Discrimination 12</b> | General issue with enforcing 2010 Equality Act             |                    | To establish that, despite the 2010 Equality Act, discrimination can continue as it is too difficult/stressful/costly/time consuming to take action through County Court system (and, is it worth it when one has been denied access to a pub, for example?).   | Raise awareness of Codes of Practice / guidance empowering trans people to best use the Equality Act<br><br>Notify GEO of any discrimination via email<br><br>Support strategic legal cases                          | GEO Stakeholders<br><br>EHRC<br><br>EHRC | No<br><br>No<br><br>No | This line has been added out of despair. We have an Act that is supposed to protect some of us in the transgendered community but much of the protection is illusory, unless covered by a Tribunal. |          |
| <b>Discrimination 13</b> | DWP failure to pay pensions to transsexual women (group 1) |                    | To expedite payment of all arrears of pension to those in this group.<br><br>Group 1: those whose gender reassignment predates the Gender Recognition Act 2004 and whose pension rights were finally established at law in the case of Timbrell in 2010. These people have been campaigning for their pension rights since 2002 and despite their rights having finally been established in a case that took place in the Court of Appeal over a year ago, they are still waiting for the DWP to do its duty. | The DWP should write without delay to those individuals, whose rights to the state pension at 60 have now been established, informing them of their entitlement to claim, and enclosing the appropriate claim form.  | DWP                                      | No                     | By writing to such folk AND dealing with their claims without any further delay.  |          |
| <b>Discrimination 14</b> | DWP failure to pay pensions to transsexual women (group 2) |                    | To pay pensions to those who qualify under EU law.<br><br>Group 2: those whose gender reassignment postdates the Gender Recognition Act 2004. These people are currently being required, to obtain a Gender Recognition Certificate first, before they can acquire state pension  | Take whatever action is necessary to set aside any section of the Gender Recognition Act that requires a Gender Recognition Certificate to be obtained before a gender reassignee can qualify for the state pension. | EHRC                                     | No                     | By establishing why the GRA is being interpreted as a means of depriving group 2 folk of their pension rights established under EU law.   |          |

| Serial | Issue/need | GEO classification | Aims  | Suggested action required | Responsible | Legislation? | Monitoring of outcomes | Deadline |
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|        |            |                    | rights as from the age of 60. This requirement contravenes both the rulings in the case of Goodwin, and Directive 79/7/EEC. |                           |             |              |                        |          |

| Serial   | Issue/need                          | GEO classification | Aims  | Suggested action required   | Responsible                      | Legislation? | Monitoring of outcomes   | Deadline |
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| <b>SECTION 4: IDENTITY &amp; PRIVACY – 13 ISSUES</b> |                                     |                    |   |   |                                  |              |  |          |
| <b>Identity &amp; privacy 1</b>                      | Better privacy for all trans people |                    | <p>To formulate privacy requirements for trans people.</p> <p>Notes<br/>Only approximately 25% of those who have changed gender on a permanent basis have a GRC.<br/>The remainder, and all those people outside the GRC framework, have to rely on the Data Protection Act, Human Rights and the potential for disclosure to constitute discrimination or harassment. The focus is on those who change their identity, however, because it is the change of identity that requires protection.</p> | <p>Avoid gender markers where unnecessary. Allow any gender marker to be changed to reflect the acquired gender following transition rather than gender recognition, unless it can be justified to retain a record of the birth sex.</p> <p>Consider scope for a non-gendered identifier where a gender marker is required.</p> <p>Eliminate other evidence of gender history where possible, such as change of name, and take measures to secure/lessen impact of any such evidence for which retention is justified.</p> <p>Note<br/>Such an approach would allow functions that rely on legal sex or birth sex to continue to operate, until eliminated by time or change, but also, by releasing trans people into most circumstances to have records in their acquired gender, act as a disincentive to imposing any further discrimination on trans people in this way.</p> | GEO and all relevant Departments | No?          | <p>Government policies and processes (e.g. DVLA, HMRC) should contain no unnecessary references to previous gender history.</p> <p>Necessary references should be sensitively handled in accordance with the wishes of the individual.</p> |          |
| <b>Identity &amp; privacy 2</b>                      | Media 'outings' of trans people     |                    | <p>To prevent 'outing' by the press.</p> <p><i>Outing in such a manner can destroy lives. The process of sensational outings by the press has a negative</i></p>  | As trans people are exposed in situations that would not otherwise be newsworthy, there may be a human rights angle in  | EHRC                             | No           | By EHRC getting the opinion of its lawyers on the human rights angle here.   |          |

| Serial                          | Issue/need  | GEO classification | Aims   | Suggested action required  | Responsible    | Legislation? | Monitoring of outcomes  | Deadline |
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|                                 |   |                    | <p><i>impact on public opinion.</i></p> <p>To see if it is possible to introduce financial penalties when the press seeks salaciousness by exposing trans persons. (as with the Max Mosely case, individuals are able to seek compensation).</p>   | <p>here which could be explored.</p> <p>A Section 22 GRA type approach could be adopted, provided such legislation has real teeth in practice, since media organisations might be less likely to seek to sell newspapers with salacious trans stories if it entailed a risk of prosecution. The GRA clearly does not protect the majority of those changing gender and would therefore need to be changed to do so, though this would still leave most people unprotected from media harassment. At the very least, improved guidance is required.</p> | MoJ            | Yes          | MoJ consult with trans community on its needs and see how these can be accommodated in law.   |          |
| <b>Identity &amp; privacy 3</b> | Media stereotyping of trans people                        |                    | <p>To get fair representation of trans people in the media.</p> <p>Notes<br/>Key aspect to be addressed if trans is to be treated as part of the ordinary and normal spectrum in the longer term. Trans acceptance will come from winning 'hearts and minds' and is the way forward. Good media coverage is therefore important.</p> <p>Trans folk need not to be reported differently than others, without added sensation due to the trans aspect.</p> | <p>Build on launch of Trans Media Watch Memorandum of Understanding with an aim to promoting education and establishing with media the cruel impact of deliberately sensational reporting of trans matters. Use media as a source of trans education (especially before the watershed).</p> <p>Tighten up PCC code of practice and OFCOM policy.</p>   | GEO<br><br>PCC | No<br><br>No | <p>By GEO setting up a working group with Trans Media Watch.</p> <p>Set up attitude monitoring scheme to provide feedback on effectiveness of guidance.</p> |          |
| <b>Identity &amp; privacy 4</b> | Unnecessary disclosure of trans identity by public bodies |                    | To prevent inadvertent 'outing' to ensure no loss of dignity and reduce risk of losing job e.g. banks etc should ensure that all letters are carefully and appropriately addressed.  | Organisations should be guided to eliminate this risk where it is appropriate to do so, particularly in those organisations subject to the public sector equality duty.  | EHRC           | No           | By producing and issuing specific guidance on former identity protection.   |          |

| Serial                          | Issue/need   | GEO classification | Aims   | Suggested action required   | Responsible                        | Legislation? | Monitoring of outcomes  | Deadline |
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|                                 |  |                    |  | <p>Considerable guidance already exists, but this could be incorporated into the trans specific guidance requested under many other headings.</p> <p>Action may be possible as discrimination via the EHRC or via the Information Commissioner, and both should be liaised with in exploring what approach to take, be it under the GRA or the DPA.</p>                                   | EHRC                               | No           | <p>By better training for those dealing with trans people.</p> <p>EHRC to advise if a discrimination-based approach to this issue is possible.</p>          |          |
| <b>Identity &amp; privacy 5</b> | Addressing the specific needs of the non-gendered folk |                    | <p>To address the requirements of those outside of the gender binary.</p> <p>Notes<br/>The GRA has failed to address non or bi-gendered folk. The needs of this growingly visible community must be addressed.</p> <p>But denying titles and gender from the majority in society is not an overnight change to seek, because of the antagonism it is likely to generate. While some wish for the abolition of the gender binary, it was recognised that the needs of the gendered and non-gendered need to be met without mutually undermining each other.</p> | <p>Seek the removal of gender where its use is unnecessary and to seek optional gender neutral outcomes for those who wish to pursue them.</p> <p>Allow any gender marker to be changed to reflect lack of gender, unless it can be justified to retain a record of the sex recorded at birth.</p> <p>Consider scope for a non-gendered identifier where a gender marker is required.</p> | GEO and other relevant Departments | No           | ?   |          |
| <b>Identity &amp; privacy 6</b> | Safer passports for non-GRC holders                    |                    | <p>To ensure that transitioned folk travelling have more solid ID.</p> <p>To allow non-gendered individuals to hold passports showing gender as X.</p> <p>Notes<br/>ID for travel needs to be 'solid'. Where</p>   | <p>Issue each person who has 'acquired' gender in passport who does not have a GRC with an official letter stating that the passport shows 'acquired' sex but is legally the opposite sex. Such a letter would only be useful if it provided access to a UK source</p>  | IPS & FCO                          | No           | <p>Passport Offices offer such a letter with each appropriate passport issued.</p> <p>Passport Offices allow passports to be issued showing gender as X</p> |          |

| Serial                          | Issue/need   | GEO classification | Aims  | Suggested action required   | Responsible | Legislation? | Monitoring of outcomes   | Deadline |
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|                                 |  |                    | <p>ID is assessed using fingerprinting, this can cause problems for person who has previously travelled on a passport with different name/gender. The person travelling will be safer if the passport is not deemed false and some form of official note would help in difficult situations.</p> <p>Trans people can get the appropriate 'sex' marker but this is not necessarily their legal 'sex'.</p> <p>Individuals whose passport in their acquired gender may be contradicted by, for example, their appearance, may fear accusations of false passports.</p> | <p>(telephone/fax/email/embassy?) to verify the passport and is likely to require involvement of the Identity &amp; Passport Agency and perhaps the Foreign &amp; Commonwealth Office.</p> <p>Commission study for trans people to contribute their attitudes, experiences and issues on travelling abroad</p>  | IPS         | No           | <p>and this option should at least be offered to non-gendered folk.</p> <p>Commission research on trans folks' experience in using passport abroad (and on returning to UK).</p> |          |
| <b>Identity &amp; privacy 7</b> | <p>End of GRA marriage bar and recognition that legal sex of one spouse cannot determine legal sexual orientation status of the other spouse on entering a CP</p> <p><i>Gender and sex are not properly addressed in relationship law.</i></p> |                    | <p>To at last complete the GRA in that the assessing the intensely personal issue of gender independent of any relationship context.</p> <p>Notes<br/>The risk of legal challenges by spouses under indirect discrimination provisions would be removed. Coalition would not be dragged through the Courts.</p> <p>The Marriage Act does not require amendment to allow legally contracted marriages to stand when one party qualifies for a GRC.</p>   | <p>GRA to be amended to remove marriage bar. This could be the first stage in the general overhaul of relations law generally.</p> <p>Gender, gender identity and sexual orientation must eventually be reflected in legal partnership law. Currently, the law assumes that all trans folk and their partners are gay or lesbian as appropriate.</p> <p>Add amendment of GRA onto an existing Bill e.g. Freedom Bill (freedom not to have family disrupted by the State).</p> | MOJ         | Yes          | Removal of the marriage bar  |          |
| <b>Identity &amp; privacy 8</b> | The consequences of ending a marriage and forming a cp   |                    | To ensure that those who take this route understand the consequences and these are not limited to possible reduced pension rights with some occupational schemes.   | <p>Provide comprehensive guidance on the consequences of taking this route on gender recognition.</p> <p>Change the law to ensure no</p>  | MOJ         | No           | By the issue of guidance.  |          |





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|                                  |   |                    | gender.<br><br>Note<br>This would improve the psychological health of young transitioners and likely improve their performance in education.<br>(To also consider linking the acquisition of a GRA with the marriage age of 16.)   | majority (having been diagnosed and under treatment for two years) or other suitable alternative recognition system.   |             |              | majority (or at the age of consent).  |          |
| <b>Identity &amp; privacy 12</b> | Review low take-up (~25% based on HMRC data) of gender recognition by those changing gender |                    | To determine why the GRA has been a comparative failure in persuading people to seek legal recognition.<br><br>Notes<br>The 2004 GRA has not met the needs of the majority of transitioners who do not, for whatever reason, seek gender recognition. If the reasons for the relative lack of success of such legislation could be understood, this would inform changes to the Act. | A review of why the take-up rate for GRC (estimated at 25%) is low compared with the demonstrable trans population (HMRC database can evidence). GRA needs to be more inclusive/effective.<br><br>Note<br>The trans community is well aware of why the GRA has been a comparative failure but government appears not to be as no action has been taken to improve the Act. | MoJ         | Yes          | By the undertaking a review (to determine why the GRA has a low rate of take up and what could be done to make this legislation more inclusive/effective. |          |
| <b>Identity &amp; privacy 13</b> | Non gendered folk do not have an appropriate birth certificate                              |                    | To end the discrimination against non gendered folk who, unlike TS folk who, cannot get a Birth Certificate that reflects who they are.  | Set up a mechanism where a registered gendered classification on the birth certificate is formally renounced by some form of documentation.<br><br>In the longer term, to allow a legal recognition of a non-gendered status and the rights and responsibilities attached to such a status, to allow the issue of a birth certificate showing no gender.                   | MoJ         | Yes          | Consult with non gendered part of community to better understand the needs here.  |          |

| Serial                               | Issue/need  | GEO classification | Aims  | Suggested action required   | Responsible                        | Legislation?            | Monitoring of outcomes   | Deadline         |
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| <b>SECTION 5: HEALTH – 16 ISSUES</b> |   |                    |   |   |                                    |                         |  |                  |
| <b>Health 1</b>                      | Commissioning of Transgender Healthcare<br><br>-lack of access;<br>-lack of choice of provider;<br>lack of provision for family support |                    | To provide guaranteed funding nationwide, better access to treatment, choice of provider – alternatives to GICs, holistic model - including local psychological support and support for partners/families.<br><br><b>Current situation:</b> restrictions on some or all treatments have always occurred and are getting worse in view of public service cuts.<br><br>Choice of provider is not available to trans people. Commissioners determine who the providers shall be with little regard for geographical distance, time, stress and cost of travel.<br>No provision of local services, especially psychological support, which should be extended to families where appropriate. <i>NB. provision of family-inclusive services families does not mean that family members have the right to veto treatment.</i> | Map current commissioning and practice.<br><br>A new statutory duty for the commissioners of GD services to be part of forthcoming health legislation. This duty stating that<br><br>A persons right to choose any willing provider for their care be extended to persons accessing or receiving care within the gender identity treatment pathway.<br><br>Directions 2009 to be revoked during 2011.<br><br>Ensure adequate funding for gender reassignment services | EHRC/<br>NHS<br><br>NHS<br><br>NHS | No<br><br>Yes<br><br>No | Undertake the mapping.<br><br>Inclusion of this duty within legislation secondary to the Health Bill<br><br>The removal of this directive by the Secretary of State for Health<br><br>By funding cost effective services that need not be GIC based. | 2011<br><br>2011 |
| <b>Health 2</b>                      | Blanket bans  |                    | To end blanket bans, whether temporary or permanent, arising from decisions of PCTs/SCGs, on any elements of gender reassignment, must be stopped.<br><br>Note<br>Arbitrary withdrawal of funding is likely to be illegal, especially if this persists into the new financial year. <b>The EHRC should pre-empt further cuts by writing to commissioners to notify</b>  | Responding now, to those PCTs/SCGs who are cutting funding for gender reassignment; and continue to monitor during the transitional period of changes in commissioning, and thereafter.<br><br>Where these have occurred they should be challenged immediately, and <i>equality analysis</i> should be enforced in relation to decision-making process that preceded  | <b>EHRC/<br/>DH</b>                | No                      | The DH issue clear guidance, now, regarding all these actions to existing commissioners and the new NHS Commissioning Board.   |                  |

| Serial   | Issue/need  | GEO classification | Aims   | Suggested action required  | Responsible                                   | Legislation? | Monitoring of outcomes  | Deadline |
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|          |   |                    | them that they are likely to be in breach of the law   | such cuts.<br><br>Write to commissioners to notify that any arbitrary withdrawal of funding is likely to be illegal. Clarification and enforcement of existing legislation should be carried out   | EHRC  | No           | By writing to commissioners.  |          |
| Health 3 | Cost-effective treatment paths  |                    | Ensure that commissioners follow <i>Liberating the NHS: Choice &amp; Control</i> in make choices available: local treatments where possible, focused on the patient's GP practice and using private services where these meet NHS standards and are cost effective.<br><br>Note<br>Any willing provider should be considered, and <i>undue delay</i> should be overcome by flexibility in commissioning.   | NHS should work with voluntary sector organisations to train GPs and to put pressure on the NHS Commissioning Board to allow a wide variety of providers to be 'designated' – not just gender identity clinics. Ensure that if a patient chooses a non-designated provider, the commissioner complies, in line with the NHS policy on patient choice, and only rejects this provider if there are good clinical reasons to do so.<br><br>Local healthcare should be available, with GP at the hub. | DH  | No           | By the issue of a report on whether the GICs are the most cost effective means of providing treatment. Identify more cost effective processes. Include cost comparisons between GICs and private and local treatments<br><br>Conduct and publish independent survey of patient satisfaction |          |
| Health 4 | Making treatment compliant with equality legislation, and Human Rights, and best practice elsewhere |                    | To achieve compliance with equality legislation and Human Rights practice elsewhere on autonomy and training of clinicians.<br><br>To overcome breaches of trans patients' rights under the Equality Act 2010 and the Human Rights Act 1998. This applies particularly to some gender specialists whose approach needs to be modified.<br><br>To ensure future treatment guidelines do not breach Equality Act and Human Rights. They should offer patient | Explicit guidance to be sent from government/GEO/EHRC to health providers, explaining that clinical decisions must take account of the impact of Human Rights and equality law, as well as the need to comply with international best practice, and the NHS guidance on patient choice and autonomy.<br><br>Note<br>Guidelines should take account of international guidelines and peer-reviewed literature  | GEO/DH/EHRC<br>Equality Delivery System, AIAU | No           | By publication of explicit guidance.  |          |

| Serial   | Issue/need  | GEO classification | Aims   | Suggested action required   | Responsible       | Legislation? | Monitoring of outcomes  | Deadline |
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|          |   |                    | autonomy and choice, having regard to variable needs and personal circumstances.   |   |                   |              |   |          |
| Health 5 | Misuse of real-life experience – breach of Human Rights |                    | <p>To give service users control of the real life experience so that it becomes an aid to treatment rather than a way of holding the user to ransom.</p> <p>To ensure treatment is patient’s needs based (including psychological support) and involvement of families with consent of the trans person.</p> <p><b>Current situation:</b> the <i>real-life experience</i> is often used as a measure of commitment to an entire process, ending in complete change of gender role, and probably genital surgery. This takes no account of the wide range of different gender identities, and non-gendered people, requiring variable patient-centred clinical responses from NHS providers; and it does not allow sufficient flexibility for personal circumstances, especially those involving family life and workplace scenarios. <i>N.B. non-gendered people are now included in the UK guidance being prepared under the auspices of the Royal College of Psychiatrists</i></p> | <p>Prohibition of the clinicians demanding documentary proof and/or third party evidence as a condition of treatment. This practice is a gross invasion of the patients privacy has defined by the Human Rights Act 2005. Clinicians are reminded that the law does not permit them to exempt themselves from the law or disregard elements of it that they find disagreeable.</p> <p>Local healthcare should be available, with GP at the hub.</p> <p>Note<br/>Harry Benjamin International guidelines (2001) stipulate that the real-life experience should not be recommended prior to a diagnosis, and should not be used to provide such a diagnosis (p26) and it is the patient’s responsibility to decide ‘when and how to begin’ (p25). Some people have sufficient relief of their discomfort from taking hormones alone, without the need to change gender role or have surgery (p21). Hormone therapy is often ‘medically necessary’ for living successfully in the new gender role, and it limits co-morbidity (p20).</p> | DH/NICE<br><br>DH | No<br><br>No | <p>Enact policy that eradicates this practice within the NHS. The measured outcome will be removal of such clauses from the operating policies of clinics.</p> <p>DOH web sites to remind patients that they can decline to provide proof and it is unlawful for clinicians to offer a different treatment to a person who provides evidence from one who refuses to.</p> <p>Undertake a literature review of evidence-base for diagnostic value of real-life experience and report findings.</p> | 2011     |
| Health 6 | Breach of Equality                                      |                    | To address the current situation that  | Ensure UK guidelines permit chest   | RCPsychs          | No           | Revise UK guidelines  |          |

| Serial          | Issue/need   | GEO classification | Aims  | Suggested action required   | Responsible                                      | Legislation? | Monitoring of outcomes  | Deadline |
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|                 | legislation in access to breast/chest surgery  |                    | requires surgical breast enhancement for trans women, and chest reconstruction for trans men to require two mental health opinions, and Trans men's chest surgery delayed until substantial real-life experience has been undertaken.   | <p>surgeries on the basis of one mental health opinion, in line with international guidelines (p14) and with equality legislation;</p> <p>Start allowing chest surgery for trans men to be an option without having started the real-life experience, also in line with international guidelines.</p> <p>Clarification and enforcement of existing equality and human rights legislation should be carried out</p>  | / DH/ EHRC/ Equality Delivery System<br><br>EHRC | No           | <p>for access to breast/chest surgeries.</p> <p>Monitor UK guidelines to ensure compliance with equality and human rights legislation</p>   |          |
| <b>Health 7</b> | The psychiatric model:<br>-breach of Human Rights and Equality legislation due to psychiatry's control of NHS reassignment treatment - |                    | <p>To eliminate the automatic psychiatric referral before being referred to gender specialist or GIC.</p> <p>To halt inappropriate referrals back to a psychiatrist, many years after transition, when the need for other completely unrelated treatments – even for cancer – arise.</p> <p>Note<br/>To remove the need for unproven psychiatry would be a positive step in the right direction as well as an end to the abuse inflicted by 'gate-keepers'.</p> <p>Current situation: <i>all</i> potentially trans people are obliged to undergo a psychiatric assessment before being referred to a gender specialist. Not practised on other patient groups, therefore it is inequitable, and a breach of human rights. There are also cost and undue delay implications.</p> | <p>EHRC to investigate whether it is legal to insist on psychiatry in every case or whether this amounts to stereotyping and a Human Rights violation.</p> <p>Develop different models, and offer choice: local networks rather than GICs.<br/>Offer psychological support rather than psychiatric assessment</p> <p>Notes<br/>Equality Act definition of 'gender reassignment' no longer requires medical supervision. Therefore, remove the need for psychiatric diagnosis from the GRA and replace this solely by the need to demonstrate permanent change</p> | EHRC<br><br>NNHS/ Deaneries                      | No           | <p>By EHRC reporting its findings of the legality of the current treatment model and advising the Royal College of Psychiatrists of its requirement to comply with Equality legislation.</p> <p>By DH agreeing to this requirement and by updating existing guidelines and make these available online.</p> |          |



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|                  |  |                    | <p>to address trans people according to their altered gender role. In GPs' surgeries, patient entry requires an 'M' or 'F' to be entered on a screen. Incorrect names and titles are called out in the waiting room. Records are not changed. Great embarrassment is caused.</p> <p>As recent as March 2011, Charing X GIC was demanding name change documentation signed by a solicitor before it would alter patient's records.</p>   | <p>without impeding access to cross-sex health interventions, such as, vaginal smears for trans men, prostate checks for trans women. N.B. doctors do not seem to be aware that name change does not require a Deed Poll or Stat Dec. nor does it does require a GRC. Most trans people do not have one.</p> <p>More legislation may be needed: the GRC has created barriers for those who do not, or cannot, obtain a GRC</p>  | MoJ   | Poss                             | <p>Obtain feedback of effectiveness of procedures by way of patient satisfaction AIAU.</p> <p>Issue must be considered in GRA review.</p>                     |          |
| <b>Health 10</b> | Young people's treatment - UK practice below international standards |                    | <p>To bring pressure to bear on the only existing treatment centre to bring its practice up to the level adopted in The Netherlands, Belgium, Germany, Norway, Australia, Canada, USA, and as published in international guidance.</p> <p>To reduce suicidality and self-harm among young gender variant population.</p> <p>To implement puberty blocking (treatment protocol is hopefully to be approved soon).</p> <p>To end the inhumane treatment of young trans people who are forced to go through a wholly inappropriate puberty.</p> <p>To set up a second treatment centre in the north of England</p> <p>Current situation: Young people in the</p> | <p>UK centre to implement improved practice and adopt best practice from abroad without delay.</p> <p>Halt the delay in treatment causes unnecessary pain and expense for those not appropriately treated in early puberty and this would be avoided. The person would be more settled and much more likely to attain the maximum benefit from education</p> <p>Extend training to paediatricians, CAHMS, teachers, social workers.</p> <p>NB United Nations Convention on the Rights of the Child (1989) already states that children have rights to: 'self-determination, dignity, respect, non-interference and to make informed personal decisions'. The UK is a signatory to</p> | DH<br><br><br><br><br><br><br>DH<br>DH/GMC<br>/EHRC | No<br><br><br><br><br><br><br>No | <p>By the implementation of improved practice soonest.</p> <p>By ensuring that those concerned are trained in the needs and rights of young trans people.</p> |          |

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|                  |   |                    | UK are still having to travel to the USA to access hormone blocking treatment. This treatment is not provided, despite the only team in the country – the Tavistock – agreeing to carry out this treatment. Two ethics committees have considered the research proposal. In neither case was any equality analysis carried out, either by the Tavistock team, or by the Ethics committee on their decision-making process. No stakeholders were included in the presentation to the ethics committee, nor were they invited to make submissions. The Tavistock clinicians were warned prior to the second ethics committee presentation, that they could be in breach of the law. They ignored the warning. | the Convention.  |                   |              |  |          |
| <b>Health 11</b> | Suicidality and self-harm in the trans population |                    | <p>To reduce the high level of suicidality and self-harm in the trans population</p> <p>Current situation: A DH Suicide Prevention Strategy is already being developed, that promises to take account of the particular vulnerability of trans people.</p> <p>Mental health service providers to achieve understanding that health and social care provision to trans people can be a cause of suicidality, by preventing patient choice and autonomy, withholding hormone treatment or making it contingent upon particular social changes, with the risk of: self-administering hormones; alienating families; and jeopardizing employment. 34% of trans</p>  | <p>NHS to encourage/fund training to work with voluntary sector to provide local support for individuals and families</p> <p>DH/NHS/Local Authorities to work with voluntary sector</p> <p>Note<br/>Potential unintended consequences of insisting on real-life experience against the patient's wishes:<br/>-family life breaks down irreparably, with devastating effect on children and partners<br/>-mental health issues/depression and suicidality</p> | DH<br><br>DH, NHS | No<br><br>No | <p>By initiating training and national support programmes.</p> <p>By working with the voluntary sector commencing.</p> |          |



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|                  |   |                    | <p>people report having attempted suicide at least once, often more. Training and raising awareness among GPs, ensuring a prompt and appropriate response on first presentation, may be carried out by NHS in conjunction with the voluntary sector (see Health 3).</p> <p>Rigid clinical demands, particularly in respect of RLE, and withholding hormones, greatly enhance suicidality,</p>   | <p>-self-medication is initiated which contradicts the 'harm-reduction' approach to health care</p> <p>-employment may be lost, with a knock on financial effect on the entire family; homes and children's education are put at risk</p> <p>-increased danger on the street leading to social isolation</p> <p>-greater likelihood of inappropriate progression to genital surgery in order to conform to clinical expectations.</p>  |                                       |                               |   |          |
| <b>Health 12</b> | Education and awareness in the medical profession |                    | <p>To address the lack of awareness/support in medical profession, especially GPs as they are the entry point for treatment and have the potential to be the hub of all treatment.</p> <p>To train doctors, GPs particularly, so that initial responses are respectful and knowledgeable. GPs to be encouraged to gain specialist knowledge, so that local initiatives may be taken in line with government's 'localism' plans, and the need to accommodate the rising demand for treatment, as the prevalence increases.</p> <p>To ensure that all GPs are aware of having a clear responsibility to treat trans patients and are not allowed to regard it as a matter of conscience.</p> <p>To address trans patients' problems holistically. Train to recognise cost of transition is instead of (and potentially much less than) the cost of treating</p> | <p>Trans awareness must be included in medical training.</p> <p>Disseminate information to existing GPs; there is a wealth of literature available on best practice worldwide and there are UK documents already published by the DH that are sensitive to trans people's needs. A full guide and a 'crib' guide are available. GEO and NHS should make updates and hard copy of these available, disseminate them and encourage e-learning in collaboration with the voluntary sector. The Lancet is preparing material that promises to be trans-supportive.</p> <p>The GPs' guidance already includes all the material relevant to Health. The warning that trans</p> | <p>DH NHS GMC</p> <p>DH</p> <p>DH</p> | <p>No</p> <p>No</p> <p>No</p> | <p>By DH having got agreement with GMC that medical training shall include a trans module and such training is commenced.</p> <p>For existing GPs, start dissemination of the existing GIRES crib sheet to GP surgeries.</p> <p>Disseminate updated GPs guidance.</p> |          |

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|                  |   |                    | <p>alcoholism, drug abuse, obesity and depression and results in more productive and happy lives.</p> <p>Current situation:<br/>At present the treatment of trans patients is highly variable. Often negative and sometimes bigoted and hostile attitudes shown by GPs, nursing and other staff.</p> | people may need cross-sex health screening/treatments such as prostate examinations for trans women, and vaginal smears for trans men. GPs need to understand the wide range of gender variant patients, and also non-gendered people.   |             |              |   |          |
| <b>Health 13</b> | Monitoring of service provision             |                    | To ensure the standard of treatment delivered is regularly assessed.   | Monitor the DH commissioning system and take enforcement action as necessary to ensure that it provides high quality, consistent treatment which accords with best practice, meets human rights standards and complies with equality law | EHRC        | No           | Publication of first monitoring report.   |          |
| <b>Health 14</b> | NHS links with trans community              |                    | To achieve better links between NHS and trans community.   | Ensure that any trans related service provision takes notice of advice from the trans community and involve the trans community in such decision making.   | NHS         | No           | By adopting a very clear consultation policy.   |          |
| <b>Health 15</b> | Trans folk engaging in unsafe sex practices |                    | To reduce the occurrence of trans people engaging in unsafe sex practices  | Provide education and deliver trans-specific support (i.e. differentiated from LGT sexual health services) separately.   | DH/Com      | No           | By the generation and circulation of educational documentation covering trans needs in sexual health strategies and monitoring of uptake of services by trans people. |          |
| <b>Health 16</b> | Trans specific health issues                |                    | To promote trans specific health issues that are often forgotten by GPs  | Ensure that GPs provide on-going awareness of prostate screening for trans women, cervical screening for trans men and breast screening for all.   | DH          | No           | By the issue of guidance documentation to the GP system.  |          |

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| <b>SECTION 6: SAFETY &amp; SUPPORT – 10 ISSUES</b> |   |                    |  |  |             |              |  |          |
| <b>Safety &amp; support 1</b>                      | Take transphobic crime consistently seriously                                       |                    | <p>To get trans hate crime treated seriously.</p> <p>To reduce onus on victims to come forward.</p> <p>Trans people have a right not to be abused, threatened and/or assaulted. Trans people want equal treatment from the police service and some effort from MoJ and the CPS would help with this-</p> | <p>Agencies to take transphobic crime seriously and recognise transphobia By EHRC advising the Royal College of Psychiatrists of its requirement to comply with Equality legislation his occurs. The onus should not be on victims to come forward.</p> <p>Specific actions:<br/>           -take proactive steps to recognise transphobia when it occurs”<br/>           - identify which agencies don’t take transphobia seriously<br/>           - implement training + education programmes within all CJS agencies<br/>           - Make CJS orgs fully trans inclusive/trans positive.</p> <p>Comment: This is not accepted by all agencies as a problem. Incidence is a function of location.</p> | Home Office | No           | Undertake specific actions and ensure all police forces record and act upon all transphobic crime. |          |
| <b>Safety &amp; support 2</b>                      | Transphobic hate crime should carry the same higher tariff as homophobic hate crime |                    | To reinforce the message that transphobic hate crime is just as abhorrent as homophobic hate crime   | Amend S.146 of CJ Act to include “on grounds of gender identity”.  | MoJ         | Yes          | Enactment of revised law   |          |
| <b>Safety &amp; support 3</b>                      | Improved government understanding of transphobia                                    |                    | <p>To ensure that organisations &amp; government departments to understand transphobia as “intolerable of gender variance”.</p> <p>Note</p>  | GEO to act as Advocate to challenge actions, policies + procedures which reinforce gender binaries   | GEO         | No           |  |          |

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|                               |                                      |                    | Advocacy, counselling + casework services can address immediate practical needs of people who experience abuse + violence. However, transphobia attacks a person's core sense of self + negatively impacts on self-esteem. Affects people's ability to contribute to society. Compounded by lack of trans awareness amongst service providers + chaotic lives of vulnerable people create barriers to accessing mainstream services. |   |             |              |  |          |
| <b>Safety &amp; support 4</b> | Identity based violence              |                    | To enable people to rebuild their lives in the face of identity-based violence   | Government incentivise organisations to provide voluntary employment for trans people (and support for improving capacity) amongst community groups. Support creative interventions that complement existing services   | GEO         | No           | Undertake a review of how aim may be best achieved.  |          |
| <b>Safety &amp; support 5</b> | Under reporting of transphobic crime |                    | To give trans people the incentive, confidence and easy to use systems that will enable them to record the extent and nature of the transphobic crime that they experience.<br><br>To show folk that such reporting will have an impact.   | Publicise widely the systems available for reporting transphobic crime (TCrime.net, True Vision, Galop etc) illustrated with good examples of police response. Establish a method for analysing the reports submitted by the individual systems. Identify and support best practice.          | Home Office | No           | Publication of regular reports on incidence of transphobic crime and the actions required for its reduction. |          |
| <b>Safety &amp; support 6</b> | Support family continuity            |                    | To prevent family break up.<br><br>To provide effective support and help to people who experience abuse.<br><br>Notes<br>With support, family units can stay together, keeping family units intact will not only improve the prospects of  | Hitherto the burden for support has fallen on the Charity sector. With the rising trans population, more support will be required. This will require funding. The action is to secure funding to support the training of counsellors and for charities to increase their support of families. | DCSF        | No           | By the training of counsellors and/or funding the charity sector to undertake this support.                  |          |

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|                               |  |                    | <p>the family for a happier life aggregating, collating and but will also reduce the risk of reliance on State benefits by keeping the family unit together.</p> <p>However, 80% trans people experience domestic abuse from partner/ex partner. Only 40% recognise it as abuse. Only 15% people identified as trans don't experience harassment. High levels of sexual abuse. But services often exclude trans people at point of entry (refuges/hostels) AND community services under-funded.</p> <p>Housing providers often make assumptions (trans women are a threat to other residents) – needs to be challenged</p> | <p>Big Society to part fund cost?</p> <p>Use experiences of transphobia, domestic abuse and sexual violence to amend existing housing etc law.-</p> <p>Reinstate vulnerable status for trans people in housing need.</p> <p>Government fund resource toolkit for housing organisations on how they can become trans inclusive.</p>  | <p>GEO</p> <p>GEO</p> <p>GEO</p> | <p>Yes</p> <p>No</p> <p>No</p> | <p>Advise on best route for action.</p> <p>Advise on best route for action.</p> <p>Advise on best route for funding.</p>                                       |          |
| <b>Safety &amp; support 7</b> | Handling of trans by Family Courts and social services in domestic abuse cases |                    | <p>To understand the extent of the problem.</p> <p>To get fair treatment for all involved in domestic cases where trans identity is involved.</p> <p>Note<br/>The trans person cannot be fairly treated if those concerned are ignorant of transgender and show unintended bias. Informed justice/treatment would be the result.</p>   | <p>Establish the current experiences of trans people receiving services from the Courts.</p> <p>Training for all service providers is not affordable although desirable. Electronic training packages to be available when required. Establish mechanisms for funding and delivering e-learning.</p> <p><i>Comment generally on training: Train from the top and cost will not be an issue.</i></p> | <p>HMCS</p> <p>HMCS</p>          | <p>No</p> <p>No</p>            | <p>By the commissioning of a study to determine the current state of play.</p> <p>By the generation of training material and use within the Court Service.</p> |          |
| <b>Safety &amp; support 8</b> | Access to safe housing   |                    | <p>To provide safe housing when the need presents.</p> <p>To establish the extent of the problem.</p>  | Provide safe houses for victims of repeated transphobic crime.  | GEO                              | No                             | The provision of safe housing for at risk trans people.  |          |

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|                                | <i>The ability to move to a safer house is not easy at present.</i> |                    | Some folk are subjected to transphobic crime, where they live, on a daily basis and this must be addressed.  | Community to identify current research on extent of the problem.  | Com         | No           | By identifying the current research and proposing a way forward. |          |
| <b>Safety &amp; support 9</b>  | Protection of trans people from incited hatred                      |                    | To protect trans people from degrading, hostile media publicity and other public portrayals that are capable of inciting hatred, and as a consequence harassment, discrimination and violence. | Extend law to bring it in line with, for instance, sexual orientation, by creating the offence of inciting hatred against those having the protected characteristic of gender reassignment.   | MoJ         | Yes          | Enactment of amended law.  |          |
| <b>Safety &amp; support 10</b> | Protection from harassment  |                    | To determine whether the scope of Section 26 of the 2010 Equality Act applies to public performances and media in general.   | Legal opinion to be determined to address whether theatre/press/TV etc can fall under the scope of the provision of harassment by 'undertaking unwanted conduct that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading or humiliating or offensive environment for that individual'. | EHRC        | No           | By issuing such an opinion and testing the law as appropriate.   |          |

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| <b>SECTION 7: COMMUNITY &amp; CAPACITY – 7 ISSUES</b> |   |                    |  |   |             |              |   |          |
| <b>Community &amp; capacity 1</b>                     | Interface between the community and the GEO<br><br><i>GEO has, as part of its business plan, key objectives that apply to trans people, The GEO has been assigned the lead role in developing the cross government transgender equality action plan</i> |                    | To achieve the aims of the business plan that includes enhancing the life chances and the delivery of public services to meet trans peoples' needs, together with a commitment to engage with stakeholders, both internal and external to government and to minimise consultation fatigue.   | To prepare a clear action plan, that responds realistically to the trans community Statement of Need,   | GEO         | No           | Publication of the Transgender Equality Action Plan and by publishing the findings of its regular progress reviews.   |          |
|   |   |                    | To recognise that consultation and engagement with, and involvement of, stakeholders in policy development is a GOOD thing, but that the sheer volume of consultations on such a vast range of issues is having an overwhelming and unfair impact on a small group such as trans people.   | Establish a feedback mechanism for Government response to this Statement of Need. Annotate this document to indicate those actions that GEO agrees fall in the government domain and selects those that can be undertaken in the near term (identifying the Lead Department, timings and measurable benefits to be achieved).                                 | GEO /Com    | No           | Initially by annotating this plan as described in the action.   |          |
|   |   |                    | To facilitate the ability of trans stakeholders to contribute without creating a disproportionate burden or making it impossible for the stakeholders to contribute across the range of issues now being tabled by the Coalition Government  | Generate an on-going trans programme that does not go over and over aspects already discussed. Ensure that when a discussion is held, relevant representatives from responsible government departments are present (e.g. MoJ, CPS, EHRC etc). Hold the discussion once and move on. Generate action points during the meeting that are allocated accordingly. | GEO         | No           | Establish agreement between the community and government (represented by the GEO) on how the excellent cross community process commenced by GEO will be improved upon and endure publish the findings of its regular progress reviews and take further action as appropriate. |          |
|   |   |                    | Notes<br>This is what the genuine partnership between the trans community and the GEO (and the EHRC) needs to achieve, in order to capitalise on taking advantage of the much enhanced legal framework of protection now in place.<br><br>Many in the trans community are tired of discussing the same topics with the same and different organisations time | Community outline methods that could be considered to improve   | Com         | No           | Community issue a paper to GEO on ways to improve   |          |

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|                                   |   |                    | after time. We want an end to 'process' and a start to 'progress'. We believe that is the intent of The Minister of State for Equalities. This overly consulted group requires a guarantee that actions arising will be output rather than process driven.   | accessibility.<br><br>Generate a document (issue/action) that brings together community summary needs (deduced from this document) and responses from both government and the community as these emerge.<br><br>Use of on-line methods to save travel costs   | Com   | No                     | communications.<br><br>By keeping the issue/action document current and let this form the basis for each meeting/workshop that is held, updating and amending it as necessary, as the needs and actions evolve.  |          |
| <b>Community &amp; capacity 2</b> | To work more closely together and achieve a consensus |                    | To speak as one voice and create the best environment in which to improve the lives of trans people and their families.<br><br>Out of the Statement of Need that is widely supported within the trans community, select an agreed set of projects that the community can collectively undertake without government involvement.<br><br>To give the LGB&T Consortium the opportunity to be an enabling body that brings the trans sector together.<br><br>To allow the trans community to speak as one voice.<br><br>Notes<br>Achieving consensus is important. But, due to the diverse needs of the transgender community, actions and priorities will differ.<br><br>The GEO, in commencing the workshop approach, has already achieved more towards addressing disunity than has hitherto been achieved. | The generation of a regularly updated action plan for community action. Maintain an ongoing dialogue within the community, by means of online communication and periodic meetings, to select and progress collaborative projects.<br><br>Make better use of EHRC's enforcement capabilities and guidance.<br><br>Consortium make and implement proposals to act as enabling body for trans community.<br><br>Action by government to bring trans organisations together by building on the transgender action plan initiative.<br><br>Note<br>Some activities should be scheduled outside London. | Com<br><br>Com/<br>EHRC<br><br>Consort<br><br>GEO<br><br>No geo | No<br><br>No<br><br>No | Identify and publish an agreed list of projects, listing the collaborators in each, together with need for external funding or other resources, measurable outputs and timescales.<br><br>By the community identifying issues for EHRC to resolve.<br><br>By formulation and implementation of a plan.<br><br>By GEO agreeing to a partnership with the trans community the essence of which will be a workshop structure scheduled (initially) to refine the action plan over the coming months. A meetings schedule to be produced by GEO. |          |



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|                                   |                            |                    | <p>To establish if it is possible, given the scope of those included under the trans umbrella, to have an effective single organisation.</p> <p>Note<br/>The concern is that a 'one size fits all' approach has to be agreed, as people in different situations have different aspirations. For example, people who permanently change gender face many different issues and are likely to want different outcomes to those who reject the gender binary and lead androgynous lives. Only the first group currently have legal protection.</p>   | <p>An action on the trans community to decide how all views can be represented, or should the current initiative commenced by GEO be expanded upon.</p> <p>Notes<br/>There is strong disagreement within the transsexual community that such an approach is either workable or desirable.</p> <p>The vast majority of the transgender community are not well represented at present.</p>   | Com  | No  | <p>Generate a way forward that could improve upon the current system operated by GEO.</p> <p>This action to be undertaken by those that wish to propose a new consultation arrangement.</p>  |          |
| <b>Community &amp; capacity 3</b> | Lack of community capacity |                    | <p>To address the lack of funding, capacity, financial skills and coordination in the trans community.</p> <p>To address the lack of understanding of the needs of the trans community.</p> <p>To fund the training of trans people to deliver trans training to others.</p> <p>GEO programme of engagement with funders to fund the training of trans people to deliver trans training to others.</p> <p>Note<br/>There is currently no real investment in the trans sector. Many voluntary/community groups are struggling financially despite providing excellent and essential services. Capacity and resources are severely lacking with a few dozen individuals doing the lion's share of work with no</p> | <p>To get GEO to better understand needs of trans community.</p> <p>In consultation with the community, decide on best mechanism for funding, inform the community and assist with grant applications and bids.</p> <p>Identify funding opportunities, inform the community and assist with grant applications and bids.</p> <p>GEO to work with NCVS to provide frontline support for the sector.</p> <p>GEO to work with providers of funds to encourage financial support for the trans sector.</p> | <p>GEO</p> <p>Consort</p> <p>Consort</p> <p>GEO</p> <p>GEO</p> | <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> | <p>GEO to publish a programme of engagement with the trans community.</p> <p>Consortium to publish funding strategy for up-skilling and empowering the trans community.</p> <p>Launch funding support service and publicise funding opportunities as they occur.</p> <p>Memorandum of Understanding between GEO and NCVS.</p> <p>Publication of GEO strategy for how it will encourage financial</p> |          |

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|        |            |                    | <p>compensation. The aim is to address this problem.</p> <p>Note<br/>Funding must not be concealed in LGBT funding but kept as a completely separate strand.<br/>LGBT Consortium is currently giving excellent support to the plan development</p> <p>Notes<br/>Organisations such as the EHRC and GEO do have a role to play, since raising the capacity of the community will make the community less dependent on government.</p> <p>Notes<br/>The investment of training trans people in providing 'PETALS' training will allow them to deliver quality training.</p> <p>The funding stream should provide capacity for local groups (funding to cover travel costs etc).</p> <p>Note<br/>The investment of training trans people in providing 'PETALS' training will allow them to deliver quality training.</p> | <p>Identify skills gaps within the community.</p> <p>Procure funds to up skill trans sector e.g. train the trainer project, project and financial management, bid writing, community engagement and profiling and ensure funds are not diverted into LGB work.</p> <p>GEO to review across government and determine best routes for the provision of funding, ring-fenced for trans issues (GEO to fight for whatever money is available).</p> <p>Ensure that only trans organisation are invited to bid for work funded by national or local public sector bodies that is exclusively related to this sector.</p> <p>Ensure that the trans element of any general LGB&amp;T funding by national or local public sector bodies is specifically earmarked for the support of trans people.</p> <p>Advise non-public sector bodies to adopt a similar policy.</p> <p>Provide information and training for providers of services about trans issues and resources e.g. use e-learning to supplement trans awareness training, publicise capabilities of the groups as</p> | <p>Consort</p> <p>Consort</p> <p>GEO</p> <p>GEO</p> <p>GEO</p> <p>Com</p> | <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> | <p>support.</p> <p>Publication of survey results.</p> <p>By securing funding commitment.</p> <p>Publication of GEO funding review.</p> <p>Publication of guidance.</p> <p>Publication of guidance.</p> <p>Publication of guidance.</p> <p>Catalogue and publish available resources and identify additional material required.</p> |          |

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|                                   |  |                    |   | <p>displayed on TranzWiki.</p> <p>Establish ongoing funded process of mutual engagement – Consortium to be an enabling body for bringing trans sector organisations together.</p> <p>Both the GEO and EHRC offer secondments and internships which provide opportunities to develop the capabilities of individuals to play a more informed role in the trans community. We think there is a case for positive action here which should be pursued by the GEO and EHRC with the trans community.</p>  | Consort     | No           | <p>Consortium to publish a funded programme of engagement within the trans community.</p> <p>By offering secondments and internships to trans people.</p> |          |
| <b>Community &amp; capacity 4</b> | Lack of capture of the needs of all parts of the transgendered spectrum. |                    | <p>To establish the specific needs of cross dressing folk.</p> <p>To ensure that the large TV community is included in consultations, legislation and in other ways that impact it.</p> <p>To ensure that such folk have a voice but retain secrecy - this is a key aim for many.</p> <p>Note<br/>This part of the trans population have more difficulty accessing basic rights to food, shelter etc because of prejudice.</p> <p>To capture needs of<br/>-BME trans people<br/>-FtoM<br/>-etc.</p> | <p>Until the cross dressing community consider and establish the best way of ensuring that its needs are being understood and met, those speaking on behalf of transgendered folk should always seek to ensure that the needs, of this large part of the transgendered community are considered. However, the action is for the cross dressing community to establish what its special needs are if these are in addition to being treated with dignity, fairness and respect that should be afforded to all members of the transgendered community.</p> <p>Look for opportunities to capture needs of other parts of the spectrum.</p> | Com         | No           | <p>Cross dressing community to establish its specific needs and how best it should be represented.</p> <p>Ongoing.</p>                                    |          |
| <b>Community &amp;</b>            | Acknowledging  |                    | To acknowledge good practice on trans   | Explore how a Kite Mark award   | Com         | No           | By developing a plan  |          |

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| <b>Capacity 5</b>                 | trans expertise /trans friendly for service suppliers |                    | issues in organisation / service providers generally<br><br>Note<br>This would greatly help promote expertise and trans visibility.  | system or similar could be evolved. Consider adopting and building on existing scheme(s), e.g. the Trans Equality Index and Navajo. |             |              | showing how this would be achieved. |          |
| <b>Community &amp; capacity 6</b> | Definition of trans terminology                       |                    | There are many opinions on what trans-related terminology means and this work will not produce a definitive listing but will show current interpretations and how these vary and therefore has no lasting value. | No action here please.  |             |              |                                     |          |

| Serial   | Issue/need  | GEO classification | Aims  | Suggested action required  | Responsible | Legislation? | Monitoring of outcomes   | Deadline |
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| <b>SECTION 8: LGB&amp;T – 2 ISSUES</b>   |   |                    |   |  |             |              |  |          |
| <i>Note that the definition of T includes a broad spectrum of identities, including non gendered</i> |   |                    |   |  |             |              |  |          |
| <b>LGB&amp; 'T' 1</b>  | T' may be invisible in LGBT / LGBT is not always really trans inclusive |                    | To prevent T being submerged below LG&B.<br><br>Notes<br>Again, if the great and the good had more trans 'exposure', they are likely to better understand trans folk as people and not freaks as portrayed in the Daily Mail. | Government to ensure that when there is a government sponsored LGB&T event there is at least one trans person present.                                     | GEO         | No           | GEO to include in the guidance proposed in Community and Capacity, Serial 3, advice that (a) all government LGB&T events have trans people present and (b) when scheduling separate LGB and T events, they should not be held on the same day. |          |
|  |   |                    |   | By ensuring that T is always considered as a distinct strand in any policy work.   | GEO         | No           | By stating in the guidance proposed that T always be considered as a separate strand in any government policy work.  |          |
|  |   |                    |   | By endorsing and publishing the paper produced by Ben Gooch - 'Shining the light on trans inclusivity: 10 keys to becoming a trans positive organisation.' | Com         | No           | Publication of the paper by the trans organisations.   |          |
| <b>LGB&amp; 'T' 2</b>  | Relationship between LGB and T sectors                                  |                    | To forge an effective relationship between LGB and T organisations without submerging the clear and pressing needs of T.<br><br>Part of the problem is that LG&B do not understand T and the community should address this.   | Establish a mutually beneficial information exchange process between at least the larger organisations in each field.                                      | Consort     | No           | By publication of a plan containing agreed actions.  |          |
|  |   |                    |   | Ensure that each local group which provides T as well as LGB support is properly trained to meet the needs of trans people and involves                    | Consort     | No           | Begin funded programme of training.  |          |

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|        |            |                    |      | <p>them fully in its decision making about the services it offers them.</p> <p>Specifically include sessions on collaboration in such events as -LGBT Health Summit -Consortium AGM.</p> <p>Recruit more stakeholders in National LGB&amp;T Partnership and use this as another mechanism for promoting collaboration.</p> | <p>Com</p> <p>Partner-ship</p> | <p>No</p> <p>No</p> | <p>By running the sessions</p> <p>Publish partnership advice to stakeholders.</p> |          |

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| <b>SECTION 9: RESEARCH &amp; EVIDENCING NEED – 9 ISSUES</b> |  |                    |   |  |             |              |   |          |
| <b>Research &amp; evidencing need 1</b>                     | Efficient and effective trans consultation |                    | <p>To make better use of meeting time with GEO.</p> <p><i>Much improved use of meeting time with joint ownership of what is discussed will then demonstrate total engagement.</i></p> <p>General note:<br/>There is a concern that agencies such as the NHS, Police, local and national government think they are consulting by going back only to the same familiar faces as this is easy. Consultation must be open to all and ways of reaching such folk (who may wish to be invisible) must be found.</p> | <p>Better planning for more productive meetings.</p> <p>Stakeholders also have a responsibility here too, as the more considered and informed their approach and input, the more seriously the GEO and government can take it, the more progress that can be made.</p> <p>Note<br/>Trans people's needs do, of course, go beyond public services and thus beyond GEO's writ to some extent, and this is why partnership with the EHRC is also desirable.</p> | GEO/Com     | No           | <p>By the production of schedule for meetings. By consultation on specific agendas. By meeting key aspects being minuted at end of meeting for immediate circulation.</p> <p>(Standing agenda items also to be considered.)</p> |          |
| <b>Research &amp; evidencing need 2</b>                     | Wider trans engagement                     |                    | <p>To encourage transparency and wider community engagement.</p> <p>Note<br/>The vast majority of trans folk would at last have an opportunity to know what is being done in their name and have a chance to input.</p> <p>To facilitate attendance at meetings.</p> <p>To provide a guarantee that consultation is output driven</p>   | <p>Better dissemination of information by publishing minutes of all consultation meetings and other relevant information on special GEO trans action plan web page. Invite input from all those currently not represented rather than 'force' individuals to input through the currently favoured groups. Define outcomes intended for any meeting and how these will be assessed.</p> <p>Allocate funds to cover travel expenses.</p>                       | GEO         | No           | <p>A GEO web page and communication channel has been set up to achieve the aim.</p> <p>By providing travel expenses to attend consultations/ workshops or other types of meeting.</p>   |          |

| Serial                                  | Issue/need                           | GEO classification | Aims  | Suggested action required   | Responsible | Legislation? | Monitoring of outcomes  | Deadline |
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| <b>Research &amp; evidencing need 3</b> | Consultation of spouses and families |                    | <p>To ensure that this hitherto neglected group are consulted about decisions that affects them.</p> <p>To consult with trans spouses asap and their families. Incorporate issues arising into trans action plan.</p> | <p>Establish of when, where and how wider engagement is to be obtained, and what the respective responsibilities will be of the GEO, the trans groups and their members.</p> <p>GEO seek community advice on how to commence this process.</p>  | GEO         | No           | By GEO getting <u>independent</u> input on matters within this plan that impact trans spouses and their families.                       |          |
| <b>Research &amp; evidencing need 4</b> | Efficient research                   |                    | <p>To make best use of scarce resources.</p> <p>Note<br/>Funding is restricted for research and often adds no value. All research should be tagged against supporting an issue defined in the Statement of Need.</p>  | <p>A joined-up approach so that e.g. EHRC and GEO do not cover the same ground over and over again.</p> <p>Commission research from community groups. Emphasise qualitative research (case studies etc) as quantifying a population that largely wishes to remain 'undetected' is difficult.</p> <p>Avoid concentrating research on numbers and terminology alone, and ensure that research of trans and non-gendered people is comprehensive when undertaken. The US survey "<a href="#">Injustice At Every Turn</a>" is a good template to obtain the breadth of individuals' experiences.</p> <p>Note<br/>The opinion has been expressed that there should be a general acknowledgement that failure hitherto to act, because of the small trans population without regard to other factors, is intrinsically unfair</p> | GEO         | No           | GEO/EHRC to notify trans workshop group of intended research so that any existing data can be identified and the need for it confirmed. |          |
| <b>Research &amp;</b>                   | Targeting                            |                    | To make best use of scarce resources.   | Proposals for research should be  | GEO         | No           | By GEO agreeing to  |          |





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|   |  |                    | implementation of this plan should be measurable. As the whole process is directed towards making trans 'mainstream', the key parameter to measure is public acceptance.   | & "Not just another Statistic". These could act as an example for surveying the whole UK.   |                         |              |  |          |
| <b>Research &amp; evidencing need 8</b> | Trans acceptance – progress to meeting objective (gaining complete acceptance) |                    | To periodically survey the attitudes of society towards trans people to seek to determine why any improvements have been made and areas that require more attention<br>Note<br>This should include colleagues, service providers and people generally. | Periodically survey attitudes.<br><br>Advise all government entities and their suppliers to conduct attitude surveys.   | GEO/<br>EHRC<br><br>GEO | No<br><br>No | By conducting and analysing the results of future to inform updates to government action plans.<br><br>Action to be developed. |          |
| <b>Research &amp; evidencing need 9</b> | UK to be a trans equality leader   |                    | To pull through best practice from enlightened counties such as Belgium, The Netherlands and Denmark.  | Review how such nations are progressing in their treatment of their trans communities.<br><br>Address the concerns in the EUHR Commissioner's country report on any bad trans practice in UK<br><br>Note<br>Encourage joined-up thinking and collaborative working process. | GEO                     | No           | By publishing a report that shows the areas that the UK is treating trans community less favourably than other countries.      |          |



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|                  | minorities in conservative communities                |                    | <p>especially trans.</p> <p>Note<br/>The danger here is not just conservative communities, but the low level of awareness generally (so we are being overlooked rather than rejected or misunderstood) and the danger that trans people living happily in communities as men and women will have to out themselves in order to ensure measures to meet their needs are not overlooked, disregarded, or existing measures dropped.</p>  | <p>appropriate.</p> <p>Provide guidance to community organisers on trans issues and access for them to willing local or national trans resource.</p> <p>Note<br/>This is very important, as is the need to consider evidence beyond the locality in deciding how trans needs should be met, and a means of reporting and reacting to negative instances of this nature in a way that does not require self-outing by the individual affected, since this could severely diminish their quality of life.</p> | All Public Services | No           | <p>negative impact on trans people.</p> <p>Unsure</p>               |          |
| <b>Society 4</b> | Ensuring that the Big Society encompasses trans needs |                    | <p>To demonstrate the inclusion of trans people in the Big Society.</p> <p>Notes<br/>Big Society is about providing service. Government lacks the funding to resolve the unequal treatment that it and society has created for trans folk and their families. Government can demonstrate that the Big Society equally applies to trans people by their specific inclusion. There is already evidence to support the existence of widespread trans disadvantage in reports such as Engendered Penalties and, the Trans Research Review to back a need for positive action to help ensure that trans people and their families are assisted rather than disadvantaged by the Big Society</p> | <p>Government lacks expertise on trans matters and should accept offers from the trans community to supplement its teams working towards improving the lives of trans people. Big Society to employ trans actively in at least to regional level.</p> <p><i>Comment: The onus should be on government to demonstrate how it is engaging with trans issues and responding to the needs of our community and our safety.</i></p>  | GEO                 | No           | Initially by the inclusion of trans people in GEO teams (employed). |          |

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|                  |  |                    | initiative.   |  |               |              |   |          |
| <b>Society 5</b> | <p>Allowing trans people be who they want to be (i.e. men, women, transgender, androgyne, polygender, etc)</p> <p><i>and not trapped by bad law and society's ignorance of trans</i></p> |                    | <p>To allow trans to be individually accepted in society.</p> <p>Notes</p> <p>The overwhelming majority of trans people do not want the label 'trans'. They want to get on with their lives as people. Trans is 20 years behind 'gay' and requires a disproportion amount of government effort to put things right. Government would discharge its Duty of Care to a vulnerable and sizeable part of the population.</p> <p><i>Comment: More specifically, trans has very different needs than the gay community. Trans really is (trans)ition process rather than identity for many but some are unable or unwilling to transition</i></p> | <p>The key to this is not only implementing the needs expressed herein, but doing so in a way that allows the diversity of trans aspirations to be met, without one aspect of that diversity (e.g. those who want to be out, or gender non-conforming) undermining or being undermined by another aspect (e.g. those who prefer to be private about their gender change, or are gender conforming).</p> <p>Comment: Agree terminology (including possibility to agree to disagree to move forward).</p>                  | Gov & Society | Yes          | When trans people stop having to think of themselves as trans and can just get on with life being people. |          |
| <b>Society 6</b> | Paying due regard to needs of trans people in devising and implementing policy   |                    | <p>To ensure that policy documentation includes legal requirement to safeguard the protected characteristic of gender reassignment so that the community does not have to keep fighting the same battles.</p> <p>Note</p> <p>The community has a role to play in ensuring the public sector equality duty is applied. A responsibility also falls upon trans people themselves, to work with allies to make a major contribution to meeting this challenge in the most efficient fashion.</p>   | <p>Full implementation of the public sector specific and general duties cover gender reassignment but also ensure that guidance acknowledges that there are non-gendered folk who are not covered by gender reassignment but should be treated as if they were.</p> <p>Note</p> <p>When checking compliance, trans is a good 'barometer', since a contractor with good trans policies is likely to be good across the board, while one with good race or disability policies cannot be relied upon to have any trans</p> | EHRC          | No           | EHRC core responsibility to police and take action when non-compliance is reported.                       |          |

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|                  |                                      |                    |   | policy at all.  |   |                     |  |          |
| <b>Society 7</b> | Mass trans acceptance campaign       |                    | <p>To change public attitudes towards trans people.</p> <p>To educate the public that gender diversity is about gender identity and expression, NOT sexual orientation.</p> <p>Notes<br/>Such a campaign would promote a more positive attitude. The equivalent campaign for sexual orientation is deemed successful.</p> <p>For some, 'trans' is a process and such folk need to move on to be just men or women as appropriate.</p> | <p>Sponsor poster campaign (train stations, hoardings etc) that seeks to normalise the breadth of aspirations whilst not hanging a 'trans' label around everyone's neck.</p> <p>GEO and EHRC to provide overt support (e.g. branding on posters) as well as funding to a consortium of representative groups to run the campaign.</p> | <p>EHRC/<br/>GEO</p> <p>EHRC/<br/>GEO</p> | <p>No</p> <p>No</p> | <p>By government providing funding (or signpost funding) to a community led campaign informed by EHRC advice.</p> <p>And by showing overt support to campaign.</p> |          |
| <b>Society 8</b> | Lack of trans participation in sport |                    | To encourage trans folk to participate in sport as others do, as part of a healthy life style (and for those that so choose, to be positive role models).   | <p>Determine the barriers to trans people participating in sport.</p> <p>Community determine what constitutes a safe environment for sport.</p>   | <p>GEO</p> <p>Com</p>                     | <p>No</p> <p>No</p> | <p>By issuing a report on the barriers to participation.</p> <p>By definition of what is a safe environment.</p>   |          |

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| <b>SECTION 11: PROCUREMENT &amp; SERVICES – 5 ISSUES</b> |  |                    |   |   |  |              |   |          |
| <b>Procurement &amp; services 1</b>                      | Ensuring trans equality compliance from supplier/contractor        |                    | To ensure that trans people experience no disadvantage in the supply of contracted and commissioned services  | <p>Prepare examples of clauses to put into contracts and guidance on use. Contracted services and commissioning processes require equality and diversity issues specific for trans people to be included in procurement documentation and contracts.</p> <p>Public sector bodies to use public sector duty to ensure procurement processes reflect equality obligations and best practice for trans service users of contracted out public services / functions</p> | CLG, DH and other procurement agencies | No           | By the preparation of example clauses and their use in procurement process.   |          |
| <b>Procurement &amp; services 2</b>                      | Equal opportunity to bid for trans related contracted services     |                    | <p>To enable trans organisations to become cost-effective providers of services for the trans community e.g. awareness training, e-learning modules, research and analysis to ensure knowledgeable input at a consistent standard</p> <p>To provide funding streams to support currently non funded work.</p>                       | Local Authorities and government agencies to specifically engage with trans groups in the definition and procurement of trans-appropriate services  | stakeholders                           | No           | By the engagement commencing.   |          |
| <b>Procurement &amp; services 3</b>                      | Inappropriate treatment of trans service users by Local Government |                    | <p>To educate Local Government and other service providers enabling them to be pro-active in developing trans inclusive policies and procedures</p> <p>Trans people should not have to educate others while accessing services (other service users are not expected to do this and trans people should not be expected to “out</p> | <p>Model best practice with gender inclusive language, verbal and physical environment.</p> <p>As a key element in meeting Equality Act s149 PSD, use existing Codes of Practice and guidance so local authorities (in conjunction with their new responsibilities for promoting public health and well-</p>  | GLG                                    | No           | <p>By the commissioning then issuing of training modules that can be used by service providers before they encounter a trans service user.</p> <p>Evidence that local authorities are using</p> |          |

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|                                     |  |                    | themselves” to get a decent level of service). Service providers will then not be at risk of either causing distress or offence / loss of dignity to trans people. Service providers would be at reduced risk of acting unlawfully.    | being and under the Big Society) and others make provision for trans people to prevent discrimination/transphobia.<br><br>Training for all service providers is not affordable although desirable. Electronic training packages to be available when required.<br><br>Actively promote the e-learning resource developed by GIREs and ensure that service providers know how to access this. |             |              | the resource.            |          |
| <b>Procurement &amp; services 4</b> | Standards for the provision of services to trans people                |                    | To ensure that trans –related services are of appropriate quality.   | The setting up of National standards that trans service providers, experts etc. must comply with.<br><br>Local and sector based benchmarking initiatives are already established (covering employment and service provision) Community to assess and decide an effective way forward.  | Com         | No           |                          |          |
| <b>Procurement &amp; services 5</b> | Visibility of gender in private sector in supply of goods and services |                    | To better understand the range of trans people and address the needs of non and bi-gendered folk and those in transition.<br><br>To give visibility to the needs of non-gendered folk and protect the privacy of those who cherish it. | Require gendered roles within the private sector in the context of the supply of goods and services to be justified and cater for non gender people.<br><br>Examples to GEO email  | GEO         | Yes          | By amending Equality Act |          |