

Committee: **Corporate Overview Scrutiny Committee**
Date of Meeting: **22nd January 2021**
Report Subject: **Trans Equality Policy**
Portfolio Holder: **Councillor Nigel Daniels Leader / Executive Member – Corporate Services.**
Report Submitted by: **Andrea J Prosser – Head of Organisational Development.**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
09/12/20	10/12/20	11.01.21			22/01/21		28/01/21	

1. Purpose of the Report

- 1.1 The purpose of this report is to give the Corporate Overview Scrutiny Committee the opportunity to scrutinise, challenge and give views on the proposed Trans Equality Policy, prior to being submitted to Full Council for approval to implement.

2. Scope and Background

- 2.1 The Trans Equality Policy has been developed to supplement existing policies and to ensure that employees who do not identify with their birth assigned gender have the right to equal treatment and protection from discrimination at work, and managers are clear about their individual roles and responsibilities for supporting colleagues who are transitioning whilst in the workplace.
- 2.2 The implementation of the Trans Equality Policy will evidence that Blaenau Gwent County Borough Council is committed to supporting employees undergoing, or planning to undergo, gender reassignment and transition. It will also show the Council and Schools aim to eliminate discrimination based on Gender Identity, whilst creating a culture of respect for human rights and where our employees feel valued.
- 2.3 This Policy has been developed in respect of all employees of the Council, including School based employees and subject to approval will be recommended to School Governing Bodies for adoption.
- 2.4 The Trans Equality Policy has been developed in line with the Equality Act 2010, and the Gender Recognition Act 2004.

3. Options for Recommendation

The Corporate Leadership Team considered this report and Policy on the 10th December and support the approval and implementation of the Policy.

- 3.1 **Option 1: (preferred option)** Members of the Committee to consider the Policy and recommend approval to Council.

3.2 **Option 2:** Members of the Committee suggest further amendments/additions to the Policy.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Statutory Responsibilities**

As outlined at 2.4 above, this policy has been developed to supplement existing policies and is in line with the Equality Act 2010, which makes it unlawful to discriminate against, or treat someone unfairly because of gender reassignment. The policy has also been developed in line with the Gender Recognition Act 2004, which places a proactive duty on public organisations to promote equality of opportunity, foster good relations and eliminate unlawful discrimination between individuals who have the protected characteristic of gender reassignment and individuals who do not.

4.2 **Blaenau Gwent Well-being Plan**

The policy, by offering increased support to Trans Employees helps to promote the following aspects of the Blaenau Gwent Well-being Plan:

- Safe and friendly communities
- To encourage and enable people to make healthy lifestyle choices in the places that they live, learn, work and play.

5. **Implications Against Each Option**

5.1 **Impact on Budget**

There is no direct cost to the implementation of this policy.

5.2 **Risk**

Should Blaenau Gwent County Borough Council not implement a Trans Equality Policy, it could prove more difficult to evidence at an Employment Tribunal that an employee has not been discriminated against based on gender reassignment, which is a protected characteristic under the Equality Act 2010.

5.3 **Human Resources**

The implementation of the Trans Equality Policy, would evidence that the Council and Schools are a Trans-Inclusive Workplace, enabling Trans employees to feel supported. The policy aims to provide support and guidance to the Trans employee and manager alike to support during this process.

6. **Supporting Evidence**

6.1 **Involvement (consultation, engagement, participation)**

Consultation, engagement and participation regarding the development of the policy has been internal to the Council, along with the Trade Unions who are supportive of the policy.

6.2 **Thinking for the Long term (forward planning)**

The policy is intended to provide increased support to all Council and school based employees and the clear aim and aspiration of the policy is that, long-term (and short-term), Trans employees will be supported and assisted by it.

6.3

EqlA (screening and identifying if full impact assessment is needed)

The newly developed policy supplements existing policies in promoting equal opportunity.

7 Monitoring Arrangements

7.1 In Wales, the Equality Act 2010 (Wales) Regulations 2011 places a specific legal duty upon public authorities that requires the Authority to have effective arrangements in place to monitor equality and have in place systems to gather, analyse and publish employment monitoring data. No information will be published, or used in any way that identifies an individual.

7.2 The policy will be monitored regularly and reviewed in line with OD's Policy Schedule.

Background Documents /Electronic Links

Appendix 1 – Trans Equality Policy

Appendix 2 – EqlA