

HARGREAVES  
LANSDOWN

# TRANS AND NON-BINARY EQUALITY AT HL

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# POLICY STATEMENT AND OBJECTIVES

Hargreaves Lansdown (HL) is committed to providing an inclusive and supportive working environment for all colleagues, regardless of gender identity and celebrates and values the diversity of its colleagues.

HL recognises that transgender rights are human rights, and we are committed to respecting human rights and the principles set out in the European Convention on Human Rights, reflecting the United Nations Universal Declaration of Human Rights, as outlined in our Human Rights Policy. This means ensuring the right to equality and non-discrimination and supporting the right of all our people to be treated with respect and dignity which applies to all people regardless of their sex, sexual orientation or gender identity.

This document focusses specifically on trans and non-binary colleagues and we recognise that this includes gender diverse people and all other people who identify as falling under the trans umbrella term. HL understands that gender is not a binary, but a spectrum.

The aims are to:

- Outline the support and reasonable adjustments available to trans and non-binary colleagues.
- Raise awareness and understanding across the business to support our

trans and non-binary colleagues and wider community.

- Help managers in their responsibility to support trans and non-binary colleagues.
- Help trans and non-binary colleagues to be aware of what support and resources are available to them.

The principles of this policy extend to everyone who engages with HL, this includes directly employed colleagues, consultants, contractors and agency colleagues.

## DEFINITIONS

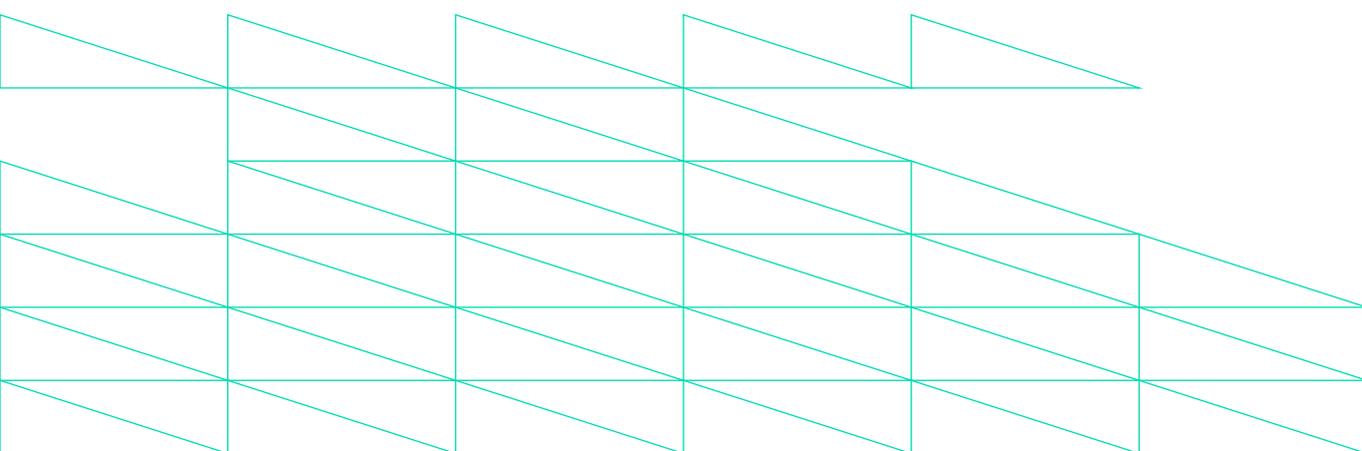
Trans is an umbrella term for people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms. The term trans is used throughout this policy because it is inclusive of this spectrum.

Transitioning is the steps a trans person may take to live in the gender with which they identify. Each person's transition is unique to them and will involve different things. For more

information about this, please see 'Transitioning at Work' below as well as the Supporting Trans and Non-Binary Colleagues at HL Guidance document.

Some trans people do not identify as either male or female, some identify as both and possibly to varying degrees, or they have a fluid sense of gender identity. All support outlined in this policy applies in equal measure to all trans people regardless of their gender identity, including but not limited to non-binary and gender fluid individuals.

For more information on definitions and terminology, please see the glossary of terms in the Supporting Trans and Non-Binary Colleagues at HL Guidance document.



# LEGAL FRAMEWORK FOR THIS POLICY

Trans people in the UK are legally protected by two key pieces of legislation:

## **The Gender Recognition Act 2004**

– allows those transitioning to apply for a gender recognition certificate. This gives them legal recognition of their gender and enables them to obtain a new birth certificate. This act protects the privacy of an individual with a gender recognition certificate by making it a criminal offense to disclose certain information relating to the gender recognition process without the consent of the individual.

**The Equality Act 2010** – protects a person from discrimination, harassment and victimisation if they are proposing to undergo, are undergoing, or have undergone a process (or part of a process) of gender reassignment. Trans people are protected whether or not they decide to undergo medical procedures and whether or not they have a Gender Recognition Certificate (GRC). Under the Equality Act it is unlawful to:

- Treat someone less favourably than other people in relation to employment on the grounds that they propose to, start or have completed a process to change their gender.

- Harass or bully someone on the grounds that a person is proposing to, undergoing or have undergone a process to change their gender.
- Victimise someone because they have, or are suspected to have, raised a grievance under the Equality Act.

Whilst this legal framework informs the policy, we recognise that gender identities that aren't explicitly covered under the legal term 'gender reassignment' are protected by this policy.

## RECRUITMENT

HL is dedicated to attracting applicants from as wide and diverse a talent pool as possible. The recruitment process for hiring new colleagues should therefore be inclusive to trans and non-binary applicants.

Interviewers should not ask questions about an applicant's gender identity or gender history. If an applicant chooses to mention this during the interview, their disclosure will have no bearing on the outcome of the interview or be exposed outside the interview.

The requirement to provide proof of identity to confirm an applicant's right to work in the UK can be sensitive for a trans or non-binary applicant. They may have identification documentation which does not match their gender identity. The People team will ensure that an applicant is made aware of

all of the acceptable identification documentation to prove their right to work in the UK. As with all applicants, regardless of gender identity, the People team will ensure that the process of checking this documentation is handled with sensitivity and respect for the individual's privacy. We will only process your information where we have a lawful reason for doing so.

When documentation and data is provided containing gender history, we will process it in line with data protection law at all times as outlined in our Data Protection Policy. If anyone in HL is processing data and has any concerns or questions on processing this data, it is important that they speak to the Data Protection Officer to ensure adherence with the legislation.

If an individual's documentation reveals their gender history, this information will be kept confidential and stored securely, with the permission of the individual, while meeting the requirements of data protection legislation. This same approach applies where an applicant is required to present any qualification certificates in the applicant's previous name. We recognise that it is illegal to disclose someone's trans history without their consent. An example would be letting another colleague know that someone is trans without their consent to do so (e.g., The People team telling a manager, managers telling their team...etc).

# TRANSITIONING AT WORK

HL recognises that transitioning is a unique process and may include a number of changes dependent on the individual's preference. These can include, but are not limited to, changes in name, pronouns, dress and appearance. Some individuals may opt to undergo medical procedures and others may not.

If you are a manager and a colleague informs you of their intent to transition at work, it is vital that you support them through this process. The experience of transitioning will be different for different colleagues and therefore, listening to the individual and making note of their plans and needs is key.

The meeting should be informal, but a representative from the People team will be able to attend if their support is required and the colleague may wish to have another person join them for support. Although this is an informal meeting, it must be treated with the same importance as any other colleague life event disclosure (i.e., maternity leave, flexible working request...etc.). Developing

a transitioning at work plan is the recommended place to start, which should be compiled and agreed with the colleague.

For support on how to approach and structure this meeting a Transitioning at Work Guidance for Managers document is available.

The plan should consider:

- What support they need whilst discussing their transitioning at work plan.
- Who will need to be informed, how would the colleague like them to be informed and how the communication will be worded.
- When and how would the colleague like to present at work in their gender identity.
- Whether they have concerns or questions about the current working environment and facilities and what accommodations or reasonable adjustments might need to be considered to support them.

- If the colleague will need time off work to attend medical appointments or other appointments related to their transition. These should be agreed in line with the Attendance Management guidance.
- Signposting - the colleague may not be aware that Lifeworks is available to them at no cost. Lifeworks is HL's Employee Assistance Programme. Through this, colleagues have access to a confidential telephone counselling service with qualified counsellors who have had specific trans equality training. The colleague may also find Kaleidoscope, HL's LGBTQ+ Network beneficial if they have not already joined.

Transitioning is a process that takes time. As such, regular check ins are suggested to help the colleague manage the process, and to make sure their needs are being met. This will ensure that we are continuing to provide the right support and can make any amendments to the plan where appropriate.

# PRONOUN AND NAME CHANGES

HL will take the necessary steps to ensure that an individual's change of name and pronouns are respected. We appreciate a trans or non-binary colleague may begin living as their authentic selves and go by their chosen name and pronouns regardless of whether or not they intend to take steps to change their legal name.

For more information on the process of changing preferred and/or legal name, refer to the Supporting Trans and Non-Binary Colleagues at HL Guidance document which details all of the considerations and processes for updating a colleague name on systems, security passes and more.

It is colleagues' and managers' responsibility to respect any updated name and pronoun changes.

Consistently addressing any individual by their previous name and/or inappropriate pronouns is not acceptable behaviour. Please see the section 'Bullying and Discrimination' for more information.

# CONFIDENTIALITY

It is an individual's decision whether or not to reveal their gender identity and history. HL respects their right to privacy and commits to good data and record keeping. Any colleague's disclosure that they intend to transition/are transitioning/have transitioned, will be treated with absolute confidentiality.

HL recognises that the Gender Recognition Act 2004 deems it a

criminal offense to disclose any personal information relating to the gender recognition process any colleagues are undertaking, without the individual's consent. The transition and/or trans status of a colleague is considered strictly confidential and should only be disclosed with the consent of the colleague.

For some colleague records (for example, pension records) it may be necessary for the People Team to retain reference to the sex an individual is assigned at birth. Access to such records will be highly confidential and will be restricted only to colleagues who require such details to perform their role-specific duties, including but not limited to the People and Payroll team.

# TOILETS AND FACILITIES

HL recognises that colleagues have the legal right under the Equality Act 2010 to access facilities, such as toilets and changing rooms, according to their gender identity.

Trans and non-binary colleagues will not be expected to use disabled or accessible facilities as an alternative. HL recognises that currently there

are no gender-neutral facilities in some office sites that are not owned by HL. We are committed to continual improvement of gender-neutral access to facilities across all of our sites.

HL will support individuals when they start using the facilities appropriate for their gender and can offer

guidance on how this should be communicated with colleagues if the individual feels it appropriate.

Any concerns raised by others will be dealt with promptly and with sensitivity. Harassment of the individual will not be tolerated, as per the section Bullying and Discrimination below.

# DRESS CODES

Colleagues are welcome to dress in a way which reflects their gender identity on any given day. HL respects that some colleagues may not fit within the gender binary (male or female) or may wish to present as male on some days and female on others.

HL does require that colleagues simply comply with the HL Dress Code whilst working in the office or representing HL outside of the office.

Our Dress Code is gender neutral and is outlined in the HL Dress Code document.

# BULLYING AND DISCRIMINATION

HL recognises that our trans colleagues are protected under the Equality Act 2010, and it is unlawful to discriminate against, harass or bully a trans colleague. This is the case whether or not a person is intending to transition, is transitioning, or has transitioned.

HL adopts a zero-tolerance approach to harassment, bullying, discrimination or victimisation of trans and non-binary colleagues. Such behaviour will result in action being taken under HL's disciplinary procedure. This procedure is outlined in our Bullying and Harassment Policy.

Examples of harassment and discrimination against trans or non-binary people can include, but are not limited to:

- Verbal abuse such as name-calling, derogatory remarks or belittling comments about trans and non-binary people.
- Intrusive questioning about someone's gender identity or transition.
- Remarks or intrusive questioning about someone's gender identity in relation to their religious identity, race or disabilities.
- Jokes and "banter" about an individual's gender identity, or trans and non-binary people generally.
- Refusing to call an individual by their appropriate pronouns (e.g. calling a trans woman "he") or deliberately calling a person by the name they had before they came out. This is known as 'deadnaming' and will be dealt with on a case-by-case basis.
- Threatening behaviour or physical abuse.
- Excluding colleagues from conversation or social events.
- Refusing to work with someone because they have transitioned or come out as trans or non-binary.
- Displaying or circulating transphobic images and literature.

# ABSENCE FROM WORK

Trans and non-binary colleagues will not be unfairly disadvantaged in relation to time off for trans-related medical appointments and support.

Reason for time off may include, but are not limited to:

- Counselling
- Adapting to medication/hormone treatment
- Medical and surgical procedures relating to a colleague's transition

Any required time off will be managed through HL's Attendance Management procedure and Flexible Working policy.

For more information on the support a trans colleague may require, refer to the Supporting Trans and Non-Binary Colleagues at HL Guidance.

# ASSOCIATED DOCUMENTS

- Supporting Trans and Non-Binary Colleagues at HL
- Human Rights Policy
- HL Dress Code
- Bullying and Harassment Policy
- Attendance Management Procedure
- Attendance Management FAQs
- Transitioning at Work Support Guidance for Managers

# EXTERNAL RESOURCES

- **www.depend.org.uk** – Offering free, confidential advice, information and support to all family members, spouses, partners and friends of trans people in the UK.
- **www.genderkit.org.uk** – a website that offers resources and guidance to help with all the small steps that can be taken when transitioning.
- **www.gires.org.uk** – Gender Identity research and Educations Society (GIREs) provides information for Trans people, their families and the professionals who care for them. GIREs also provides a transwiki which helps people to find support local to them.
- **www.inclusiveemployers.co.uk** is the UK's leading inclusion and diversity experts, working with employers to create inclusive workplace.
- **www.Lifeworks.com** is HL's Employee Assistance Programme.
- **www.mindlinetrans.org.uk** is a confidential support helpline for people who identify as trans, agender, gender fluid, non-binary. They also support family members and friends and provide signposting to other services and resources. Contact on 0300 330 5468.
- **www.stonewall.org.uk** – Stonewall campaigns for the equality of lesbian, gay, bisexual, and Trans people across Britain.
- Switchboard is an LGBT+ helpline that can provide support and information, open 10:00-22:00 every day. They can connect you with the right LGBTQ+ services or advice. Contact on 0300 330 0630 or [chris@switchboard.lgbt](mailto:chris@switchboard.lgbt)
- **www.transgenderzone.com** is an online resource that covers all aspects of transgender issues.
- **Unite Resources for LGBT+ People** provides support for LGBT+ people in the workplace.

# GLOSSARY OF TERMS

For a Glossary of Terms relating to this policy and further LGBTQ+ terminology please see the Supporting Trans and Non-Binary Colleagues at HL Guidance and Glossary of Terms.