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## **Freedom of Information Request Reference No: 01.FOi.19.002903**

I note you seek access to the following information:

I am writing to request both these documents:

1. Transgender Policy
2. Q&A Section attached to 1.

### **DECISION**

I have today decided to disclose the located information to you in full.

Please find attached information pursuant to your request above.

Please note, documents referred to within the policy, where there is no hyperlink, have been provided as attachments.

The Policy itself is made up of the Inclusion, Diversity and Equality Policy Statement and Equality Impact Assessment, the attached documents and linked NPCC guidance, and the Q&A section.

For your information, this Policy is currently under review and subject to change.

I would like to thank you for your interest in the MPS.

**Information Rights Unit**

# Transgender policy

## Introduction

The Met provides support and advice to officers and staff who identify as transgender, and their line managers.

## Important

This information is Met policy. Anyone who works for the Met, including contractors and volunteers, must comply with it.

## [View the Policy and Equality Impact Assessment](#)

[Inclusion, Diversity and Equality Policy Statement and Equality Impact Assessment](#)

## [Transitioning Flowchart and Checklist](#)

[Transitioning Flowchart.doc](#)

[Transitioning Checklist](#)

## [Useful resources](#)

[NPCC Trans guidance for Policing Sector overview](#)

<https://www.npcc.police.uk/2018%20FOI/EDHR/Trans%20Guidance%20for%20the%20Policing%20Sector%20Overview.pdf>

[NPCC Trans guidance for Policing Sector - manager](#)

<https://www.npcc.police.uk/2018%20FOI/EDHR/Trans%20Guidance%20for%20the%20Policing%20Sector%20Manager.pdf>

[NPCC Trans guidance for Policing Sector – staff](#)

<https://www.npcc.police.uk/2018%20FOI/EDHR/Trans%20Guidance%20for%20the%20Policing%20Sector%20Individual.pdf>

[NPCC Trans guidance - Glossary of Terms](#)

<https://www.npcc.police.uk/2018%20FOI/EDHR/Trans%20Guidance%20for%20the%20Policing%20Sector%20Glossary.pdf>

[Transitioning Update Plan](#)

[Medical appointments record](#)

# Transgender Q&As

## What does transgender mean?

Transgender: (often abbreviated to “trans” or TG). ‘Transgender has had different meanings over time, and in different societies. Currently, it is used as an inclusive “umbrella” term describing all those whose gender expression falls outside the typical gender norms. It is often the preferred term for those who change their role permanently or intermittently. Those who live continuously outside gender norms, sometimes with, and sometimes without, medical intervention are covered by this term. Non-binary gender identities also fall under this umbrella term (see glossary below).

Trans men and trans women: The expression ‘trans’ is often used synonymously with ‘transgender’ in its broadest sense. Recently the use of the asterisk has become an additional symbol of inclusion of any kind of trans and non-binary gender presentation – hence **trans\*** person.

## Why isn’t gender simple?

There are three key aspects of gender:

- Gender Identity – What gender the individual identifies with.
- Gender Presentation – How an individual wishes to present their gender.
- Biological Sex – What biological markers (genitalia, chromosomes etc.) an individual has.

Biological sex is largely assigned at birth, depending on the appearance of the genitals. Gender identity is the gender that a person ‘identifies’ with or feels themselves to be, and gender presentation is how they wish to present their gender to the outside world.

While biological sex and gender identity are the same for most people, this isn’t the case for everyone. For example, some people may have male anatomy, but identify as female, while others may not feel they’re definitively either male or female.

This disparity between sex and gender identity can lead to distressing and painful feelings that are called gender dysphoria. Gender dysphoria is a recognised medical condition. It is not a mental illness.

An umbrella term for people who do not identify solely with a single gender is “non-binary gender”.

**A glossary of terms (see NPCC glossary of terms [here](#))**

**Transgender** is an umbrella term used to describe an individual whose gender identity differs, either permanently or temporarily from that which they were assigned at birth.

A **trans woman** (a female assigned male at birth) or **trans man** (male assigned female at birth) are people who transition from their gender assigned at birth to their actual gender. They are recognised as having a medical condition known as Gender Dysphoria. For many, but by no means all such individuals, hormone treatment and corrective surgery may play a significant part in their expression of gender identity. The Equality Act 2010 no longer requires a person to be under medical supervision to be protected from discrimination or harassment. Some people who go through this process - known as the "transition" - prefer to be known simply as transgender, rather than transsexual. It's best to ask which people prefer.

The term transgender is sometimes confused with sexual orientation but being trans is about gender identity. Transgender people identify as heterosexual, lesbian, gay and bisexual like any other community group.

A **Transvestite** is a person (most commonly a man) who has a need to express a part of their personality by dressing in the clothing of the opposite sex. They may or may not experience some degree of gender dysphoria. Such a person may manage their need by occasional 'cross dressing' though others may choose to live larger proportions of their daily lives in the opposite gender. The term 'transvestite' is sometimes viewed as derogatory and 'cross dresser' may be preferred.

A **Cross Dresser** will occasionally wear clothes traditionally associated with people of the other sex. Cross-dressers are usually comfortable with the sex they were assigned at birth and do not wish to change it. "Cross-dresser" should NOT be used to describe someone who has transitioned to live full-time as the other sex, or who intends to do so in the future. Cross-dressing is a form of gender expression and is not necessarily tied to an erotic activity. Cross-dressing is not indicative of sexual orientation.

**Intersex** is a term used for people who are born with a reproductive or sexual anatomy and/or chromosome pattern that does not seem to fit typical definitions of male or female. Intersex conditions are also known as differences of sex development (DSD).

**Non-binary** is the umbrella term used to refer to individuals who do not identify definitively as male or female however some people may use more specific words to refer to their gender identity. Some of the more popular are shown below:

- **Agender** - Having no gender identity or no gender to express
- **Androgyne** - Identifying or presenting between 'masculine and feminine' or 'male and female'
- **Bigender** – Having two different gender identities and/or expressions at different times

- **Gender-Fluid** - A person whose gender is not static and changes throughout their life. This could be daily/weekly/monthly basis and will be different for everyone.
- **Gender Neutral** - Having a neutral gender identity or expression, or identifying with a preference for gender neutral language / pronouns
- **Gender-Variant** - Having two gender identities or expressions, either simultaneously, at different times or in different situations
- **Intergender** - A gender identity in-between female and male, and were born with [intersex](#) bodies
- **Third Gender** - Having a gender identity that is not defined in terms of the two binary options (male/female, masculine/feminine), but on its own terms
- **Trans** - Identifying with the umbrella term covering all gender identities or expressions that transgress or transcend society's rules and concepts of gender.

## Non-Binary Gender Q&As

Current statistics (from the 2016 Stonewall Workplace Survey) indicate that approximately 1% of the population consider themselves transgender. Of these:

- 22% are trans women
- 20% are trans men
- 58% are non-binary gender

### What does non-binary gender mean?

Non-binary is an umbrella term used to describe people who do not feel male or female. They may feel that they embody elements of both, that they are somewhere in between or that they are something different.

### What other names may a person use to describe themselves as non-binary gender?

Bi-gender, intergender, gender queer, none, gender fluid, agender, androgyne, neutrois, other, gender neutral, non gender, pan gender, poly gender, third gender.

### What are the key aspects of gender?

There are three key aspects of gender:

- Gender Identity – What gender the individual identifies with.
- Gender Presentation – How an individual wishes to present their gender.

- **Biological Sex** – What biological markers (genitalia, chromosomes etc.) an individual has.

Gender identity is the gender that a person 'identifies' with or feels themselves to be. Gender presentation is how they wish to present their gender to the outside world. Biological sex is largely assigned at birth, depending on the appearance of the genitals.

While biological sex and gender identity are the same for most people, this isn't the case for everyone. For example, some people may have male anatomy, but identify as female (or vice versa), while others may not feel they're definitively either male or female.

### **What is gender dysphoria?**

Gender dysphoria is a condition where a person experiences discomfort or distress because there's a mismatch between their biological sex and gender identity. Gender dysphoria is a recognised medical condition. It is not a mental illness.

### **What legislation has the Home Office published regarding non-binary workers?**

Working definition:

'A person can identify with a gender which is in-between or beyond the two categories of 'man' and 'woman', or as having no gender. Alternatively they may intend to undergo some aspects of medical transition. This variability may mean a member of staff spends some or all of their time experiencing a mismatch between their gender identity and presentation. In practice this may mean that a member of staff [or officer] may choose to present in the gender which matches their identity on a given day.' - Current Home Office definition 2016.

### **As a non-binary officer/member of staff, what can the MPS do to help me be myself at work?**

If you identify as non-binary gender, and wish to have the capability to present how you feel at work, you are encouraged to speak to your line management in order to facilitate this. Whilst each case will need to be assessed on an individual basis, line management are strongly encouraged to do all they can to allow individuals to be themselves. This potentially includes secondary warrant cards, uniform or email addresses if required.

If you change line management (through moving roles, promotion, etc.), then your case may need to be assessed again, once more with the emphasis on doing everything practicable to allow you to continue to be yourself.

As an example, a successful pilot project has been completed with a self-declared non-binary officer who works in SO. The officer now holds two warrant cards and has two e-mail addresses. The [LGBT+ Network](#) can assist with any advice required, or issues that arise.

## **Will officers / staff who present as trans\* be allowed to search under PACE?**

Officers and searching staff who identify as non-binary gender will not be allowed to search the opposite sex since their gender identity / presentation is not covered currently under the Equality Act 2010 which specifically includes gender reassignment (transition).

## **What facilities can a non-binary person use?**

If someone (whether binary or non-binary) presents as, say, female then they use the female toilet and vice versa. There is no law or policy prohibiting anyone from using whichever toilet matches their gender identity, and a trans\* individual cannot be ordered to use a toilet that they feel uncomfortable using. A trans\* person does not need to "prove" their right to use the toilet in anyway, including producing a Gender Recognition Certificate.

The same goes for changing facilities although in a workplace scenario it is advisable to inform colleagues of the change if the trans\* person is undergoing or about to undergo transition. This enables learning and understanding to take place and any concerns to be discussed. Any non-binary individuals should speak to line management with regards to changing facilities. Once more, the LGBT+ Network can assist with any advice. A number of MPS buildings now have unisex toilets which will negate this issue.

## **Points to note**

- Most non-binary people do not want to do away with gender. They just want their own genders to be respected.
- Having a non-binary identity is something innate within a person. It is not simply a lifestyle choice.
- Non-binary people face an elevated risk of street harassment and assault. This is partly due to poor public understanding.
- Countries like India and Australia legally recognise genders other than male and female.
- British businesses and local councils are increasingly acknowledging multiple gender options.

## **Terminology**

NB. It must be remembered that language and terminology can and does change. Always check that the language you are using is correct and preferred by the individual you are engaging with.

## **Transitioning Q&As**

### **I want to undergo gender reassignment, who should I tell?**

You should tell your immediate line manager, but if you feel awkward about this, you may tell any member of the management team. You can also contact the Strategic Inclusion and Diversity Unit or the [LGBT+ Network](#) for support and advice.

### **Do I need permission to go through gender reassignment?**

No, the decision is yours and the organisation will respect your wishes and support you.

### **When should I tell someone?**

There are no set timescales for when you have to tell the organisation, but there are procedures to go through and the more notice your managers have, the better they will be able to support you and manage any changes required.

### **Who needs to know?**

Your line manager will need to know in order to support you. Any colleagues you work with, and other people you have dealings with (e.g. Criminal Justice Unit clerks) may need to be told. You can discuss who needs to know in more detail with MPS [LGBT+ Network](#).

### **Do I need to tell managers on a Form?**

Yes, before the reassignment your line manager will ask you to sign a Notification of your Intention to Undertake Permanent Gender Reassignment, [Form 7210](#), in order to agree the time frame and ensure the MPS's timely support of you.

### **How will other people be told?**

Your line manager will discuss this with you. They will ask you if you want to be present or absent when colleagues are told and whether you would like to write something for presentation. Ultimately, how it is done will be agreed between you and nothing should be done which will make you feel uncomfortable. You can discuss how other people will be told in more detail with the MPS [LGBT+ Network](#).

### **Do I have to move from my current role / location due to transition?**

No, you may stay in your current role / location.

## **Can I move from my current location?**

If you want to change location, you may be able to do so. If you are a police officer this will be arranged by the Workforce Planning Unit and you may have no choice in where you are posted. If you are a member of police staff you may be transferred. This may be difficult for some people, depending on their grade, whether they hold a specialist post and whether suitable roles are available.

## **Can I have a new warrant card or police staff pass to reflect my preferred gender identity?**

Yes, your line manager will arrange this for you as well as permanently amending all your personal records.

## **What happens to my personal records?**

Where appropriate your records will be permanently amended and you will be given a new personnel file so that old records cannot be accessed.

## **What is a Gender Recognition Certificate?**

The [Gender Recognition Certificate \(GRC\)](#) is the legal certificate which enables a transsexual person to change their birth certificate to their assumed name and gender. There are a number of criteria which must be fulfilled before a GRC can be issued. These include medical assessments, living in the assumed gender for at least two years and an intention to remain in that gender permanently. The issue of a GRC means that the individual is recognised legally in their assumed gender.

## **As a trans woman or trans man MPS Police employee, do I need a GRC in order to use Police Powers of Search?**

With effect from 10th July 2012 all trans women or trans men officers and staff with searching duties will be able to carry out these duties regardless of whether they hold a GRC.

## **What happens if I am ordered by a senior officer, who does not know my background, to carry out a search?**

If this scenario is likely to occur, it is advised that you are issued with a MPS search exemption certificate, which you must carry at all times. This certificate will be issued under the authority of the Commissioner and available for officers and staff in transition as agreed by their line manager.

## **Can I carry on doing operational duties?**

You will be allowed to continue in an operational role as either a police officer or member of police staff and carry out duties that are appropriate to the role.

### **Will I be medically retired?**

No, gender reassignment will not automatically lead to medical retirement. As with all staff, if you become permanently unable to work, medical retirement may become an option.

### **Will I be allowed time off for medical appointments?**

You should discuss this with your line manager. All staff are allowed to attend medical appointments although where possible you should try to arrange them outside of working hours. Your line manager can discuss flexibility around your normal working patterns to allow for other treatments, such as, voice therapy.

### **If I have sickness absence resulting from surgery or chemical treatments, will they be exempt from the attendance management policy like pregnancy-related illness?**

No, these absences are not automatically protected. You should discuss the implications of the attendance management policy with your line manager who will explain it fully.

### **Will I go onto recuperative duties?**

You will go onto recuperative duties only if it is appropriate. If your transition means that you are not able to carry out your normal role, you will be referred to Occupational Health, who will advise your managers.

### **Which toilets and changing rooms am I able to use?**

You will use the facilities that are appropriate to your assumed gender. However, in the early stages you may prefer to use private facilities if they are available. Your line manager should discuss this with you.

### **Will gender reassignment stop me being promoted or moving to another role?**

No, you will be able to apply for promotion, transfers or development opportunities and be treated in the same way as any other member of staff. The outcome of all selection processes depends on the candidate demonstrating their competency for the role.

### **Will gender reassignment stop me getting an extension of service?**

No. Extensions of Service for Police Staff will be granted in line with the conditions set out in the relevant policy, and if you meet the conditions, an extension will be granted.

**As a police officer will gender reassignment affect my threshold payments?**

No, it will have no effect on this.

**Will gender reassignment affect my pension?**

Individuals who hold a full Gender Recognition Certificate will be entitled to a pension in line with their assumed gender.

**Do I have to declare medical treatments or drugs I am taking?**

If you are a police officer or police staff in a specialist post, or applying for a specialist post, which requires you to make a medical declaration then you will have to do so. You may wish to be referred to OH if you are taking a prescribed course of medication.

## Medical Appointments Record

(Record separately)

Reason	Date

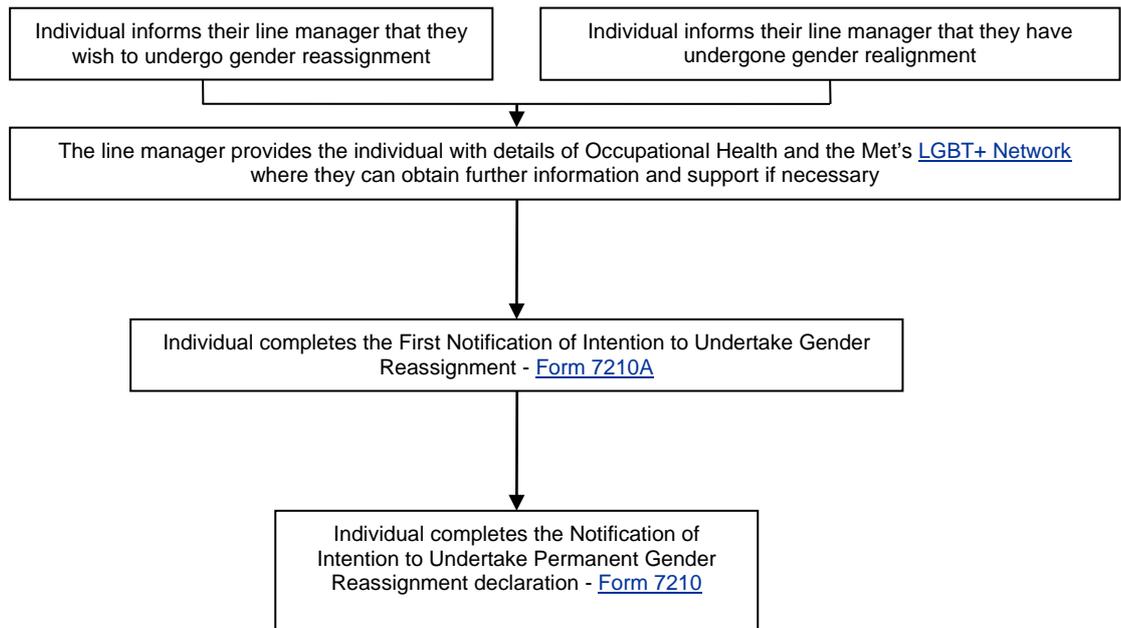
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## Transitioning Checklist

To do	Yes/No/NA
Read the force's policy on transitioning at work	
Make a list of all records to be changed and who's accountable for them	
Direct the employee to support systems available inside or outside the force	
Agree any workplace adjustments or redeployment options	
Discuss potential timelines such as name changes on the systems, when to inform colleagues	
Discuss preferred titles and pronouns	
Agree if, when and how the individual would like to inform colleagues	
Consider occupational health referral to discuss medication or surgery and adjustments required	
Consider discussion with conflict trainer on different search and conflict resolution techniques, given changes in strength and gender of those being searched	
Discuss with the individual if the force has used details about them or pictures of them in social media previously and if/how they want these removed e.g. press releases, publicity posters etc.	
Discuss with individuals the force searching policy and any potential issues and possible resolutions to deal with any challenging scenarios.	

Freedom of Information Publication Scheme					
Protective Marking:	Not protectively marked			Publication (Y/N):	N
Title:	Transgender Policy Toolkit - Action for a Manager of staff / officer Transitioning in the Workplace - Flowchart				
Summary:	A flowchart outlining the required management action for transitioning in the workplace				
Branch / OCU:	Strategic Inclusion and Diversity Unit				
Date created:	30/01/2019	Review date:	April 2020	Version:	1.1
Author:	Callum Fraser				

**Management Action Flowchart for Transitioning in the Workplace**



## Transitioning Update Plan

To Update	Whose responsible	When?	Date completed
Email address			
Name badge			
Business cards			
Warrant card(s)			
IT systems			
HR systems			
Federation/Union membership			
Pensions scheme			
Uniform store data			
Certificates/awards			
Permits			
NCALT			
Airwave			
Mobile Data Terminal			
Biometric data: DNA/Fingerprints			