

Facilities Management from A to Z

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ranssexuals

Facilities management policies must take into account the rights of transsexuals to be treated according to their acquired gender at work.

There are about 5,000 transsexual people in the UK. Many have undergone surgery to match their bodies to their gender identity, a treatment known as gender reassignment. Although not of great significance in statistical terms, each case is of significance to the individual concerned and must be handled carefully out of respect to that person and to comply with anti-discrimination legislation.

After a number of high-profile cases, the Sex Discrimination Act 1975 was amended by the Sex Discrimination (Gender Reassignment) Regulations 1999 to make it clear that transsexual men and women are expressly included in the Act where they suffer discrimination because they have undergone, or are about to undergo, gender reassignment.

The Gender Recognition Act 2004 ensured that transsexual people who have successfully registered with the gender recognition panel will be recognised, can marry, and be given a new birth certificate - all using their acquired gender.

Consultation with the employee can ensure the situation is handled effectively. The employer should discuss with the individual how they would prefer to handle the situation and follow a process agreed between them.

The individual may not wish to let anyone know of the change and may need extra support going through a difficult process. Also, amendments may be required to records and systems - all references must reflect current name, title and sex.

The use of toilet facilities is one of the areas that must be handled with care. The employer and employee should agree the point at when using facilities such as changing rooms and toilets should change from one sex to the other. An appropriate point for change of facilities for the gender-changed employee is at the point of social gender change.

It is unacceptable to insist that transsexual employees use separate facilities, such as a disabled toilet, once they are operating fully in their chosen gender identity. It may be useful for the company to employ a policy for the use of toilets, such as the ladies' facility is accessible to "all individuals identifying and living as women full-time", and vice versa.

Other areas for consideration include whether a transsexual person is adequately covered by existing policies on issues such as equal opportunities, confidentiality, welfare facilities and allocation of resources such as office space and equipment and, if not, how these will be amended.

The Equalities Office has a practical guide to help employers when a job applicant or member of staff is a transsexual person. It can be downloaded from:

www.equalities.gov.uk/what_we_do/gender_reassignment.aspx