

Committee(s)	Dated:
Establishment Committee	09 July 2018
Subject: Over-arching policy on gender identity for the City of London Corporation	Public
Report of: The Town Clerk & Chief Executive	For Decision
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Summary

The City Corporation's vision is to build and support strong, sustainable and cohesive communities by ensuring our policies, processes and employment practices are inclusive.

The Corporation's Equality and Inclusion Board and the Establishment Committee provide strategic direction on equality and inclusion and ensure compliance with the Public Sector Equality Duty. The City of London Corporation has workplace guidance and online learning on transgender equality. However, there is currently no over-arching policy on trans issues covering employment and service provision.

It is proposed that officers be tasked with undertaking a piece of work to explore the development of an over-arching policy on gender identity for the City Corporation, including drawing on the expertise of relevant organisations funded by City Bridge Trust. This will include stakeholder engagement and consultation covering both service provision and employment practice, with a view to submitting a draft policy for decision in the October/November committee cycle. to include greater detail on stakeholder engagement in the development of the policy

Recommendation(s)

Members are asked to:

- Note the current general commitments to equality and inclusion.
- Endorse the proposal that officers develop an over-arching policy on gender identity for the City of London Corporation.

Main Report

Background

1. The City of London Corporation serves a wide range of communities, including the resident, worker, and business communities within the Square Mile, our service-users and our workforce at the City Corporation. In both our service delivery and employment practices, we seek to be a leader in equality, diversity and inclusion, actively working to tackle potential issues of discrimination and exclusion, in accordance with the Equality Act 2010 and our Public Sector Equality Duty (PSED), which is set out in the Act. This requires public authorities, in the exercise of their functions, to have 'due regard' to the need to:
 - eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - foster good relations between people who share a protected characteristic and those who do not.
2. The City Corporation will also take into account emerging legislation, regulations, codes of practice and government guidance such as Equalities and Human Rights Commission guidance for employers in its decision making and policy development.
3. Our commitment to equality and inclusion is set out in our published Equality Objectives for 2016 – 2020 and annual equality and inclusion performance report; our Equal Opportunities in Employment policy; and the City Corporation's Equal Opportunities Statement, which outlines our vision to *'build and support strong, sustainable and cohesive communities by ensuring our policies, processes and employment are inclusive'*. The City Corporation also demonstrates its commitment to equality and inclusion through its Equality and Inclusion Board chaired by the Town Clerk and the establishment and support of its six staff networks.
4. Over recent years, the City Corporation's policy on trans people and access to services has drawn public and media interest; most recently, for example, in relation to the admissions policy at the bathing ponds on Hampstead Heath, namely the practice, agreed in consultation with the recognised user group, that anyone who self-identifies as a woman may use the Ladies' Pond, as well as in relation to the provision of gender neutral sanitary facilities at the Barbican Centre. In addition, at two current IPG revenue projects we have provided neutral sanitary facilities and equality & impact assessments are now undertaken whenever gender designated facilities are upgraded.
5. The Equality Act 2010 includes 'gender reassignment' as a protected characteristic and as such provides explicit protection for 'trans' people against discrimination. In the City Corporation's Public Sector Equality Toolkit specific consideration is given to all protected characteristics including gender reassignment as part of its decision making process.

Current Position

6. The City Corporation has a workplace guide in place on transgender equality, which can be found at Appendix One. The workplace guidance covers areas such as legal position and definitions, supporting employees who are transitioning, time off and use of facilities. There is also a supporting online learning module.
7. The City Corporation does not, however, currently have an over-arching policy on gender identity that covers both service provision and our employment practices. As such, Members and officers do not have a central policy to refer to when responding to matters relating to gender identity.

Options

8. The City Corporation has two options for consideration; firstly, to continue without an over-arching policy on gender identity, or secondly, for officers to consider the option of developing, and the content of, a draft over-arching policy on gender identity for the Committee's consideration.
9. The issue of gender identity has relevance and importance for the work of a number of committees, including, but not limited to, those relating to open spaces, the Barbican Centre, Community & Children's Services and the City's family of schools. An over-arching policy for the City Corporation, based on current best practice and guidance, would support a consistent and coherent approach across all of our service areas, as well as ensuring we continue to act in accordance with the Equality Act 2010 and Public Sector Equality Duty.

Proposals

10. Members of Establishment Committee, with responsibility for matters relating to equality and inclusion for the City Corporation, are asked to approve the proposal that officers be tasked with looking at the option of developing an over-arching policy on gender identity in relation to employment and the provision of services. This work will consider the issues associated with such a policy, the current available guidance and the approach taken elsewhere, to inform the draft content of such a policy.
11. If approved, it is proposed that officers will submit a report for information to Establishment Committee and Policy & Resources Committee in September and October respectively, which sets out the key findings and relevant issues, with a view to thereafter submitting a draft policy for decision in the October/November committee cycle.
12. It is proposed that there will be wider consultation with interested stakeholders and interest groups as well as considering options for wider consultation.

13. City Bridge Trust has funding relationships with Spectra, London Friend (aka Friend Counselling (London) Ltd) and Metro Centre Ltd, all of whom work with trans and non-binary people, and whose expertise can be drawn upon in the development of the policy.

Corporate & Strategic Implications

14. The recommended course of action supports the City Corporation's vision as set out in the Corporate Plan 2018 - 2023, particularly the aims of '*contributing to a flourishing society*' and '*supporting a thriving economy*', and the following associated outcomes:

- *People enjoy good health and wellbeing*
- *People have equal opportunities to enrich their lives and reach their full potential*
- *Communities are cohesive and have the facilities they need*
- *We have access to the skills and talent we need*

Conclusion

15. Over recent years, the City Corporation's practice on gender identity has gained public and media interest, in relation to both the Barbican Centre and the bathing ponds on Hampstead Heath.
16. In line with the City Corporation's commitment to equality and inclusion, guidance is available and published on transgender equality in the workplace along with associated training.
17. Members are asked to approve the proposal that officers be tasked with exploring the option of developing an over-arching policy on gender identity for the City Corporation in relation to the provision of services. This is with a view to submitting a report outlining the key issues to Establishment and Policy & Resources Committee in September/October, and a draft policy for decision in the October/November committee cycle.

Appendices

- Appendix One – Managers' Guide Transgender Equality

Background Documents

- The City Corporation's Public Sector Equality Toolkit
- Equality Objectives for 2016 – 2020
- Annual Equality and Inclusion performance report 2016-17
- Equal Opportunities in Employment policy
- Equal Opportunities Statement
- Equality and Inclusion Board -Terms of reference

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