



THE UNIVERSITY *of* EDINBURGH

## Trans Policy (Staff) Equality Impact Assessment – February 2025

A. Key Information	
<b>Policy/practice name:</b>	Trans Policy (Staff)
<b>General background/aims of policy:</b>	The Trans Policy (Staff) is a policy created from the review of the Trans Equality Policy. In that review the decision has been taken to split it into two policies, one for Staff and one for Students.
<b>School/Dept:</b>	HR
<b>Assessed by:</b> (name & job title)	Sebastian Bromelow – Senior HR Partner EDI
<b>Sign off by:</b> (name & job title)	Dr Caroline Wallace – Head of HR EDI
<b>Sign off date:</b>	February 2025
<b>Review date:</b>	October 2025

B. Reason for EqIA	(check one)
New policy/ practice is proposed	<input type="checkbox"/>
Change to existing policy/practice is proposed	<input checked="" type="checkbox"/>
Other (describe in Section D below)	<input type="checkbox"/>

### C. Who will be most impacted by this proposal?

Age	<input type="checkbox"/>	Race (including ethnicity and nationality)	<input type="checkbox"/>	Marriage and civil partnership	<input type="checkbox"/>
Disability	<input type="checkbox"/>	Religion or belief (including no religion or belief)	<input checked="" type="checkbox"/>	Sex	<input checked="" type="checkbox"/>
Gender reassignment	<input checked="" type="checkbox"/>	Pregnancy and maternity	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Other characteristics	<input type="checkbox"/>				

### D. Consideration of Impact

There is no expected impact on the characteristics of Age, Disability, Race, Pregnancy and Maternity, or Sexual Orientation. This policy seeks to very directly address the employment of trans staff, and as such, makes no direct or indirect impact on the experience of staff with these other characteristics. Consideration of the impact of the policy on the characteristics of, gender reassignment, sex and religion or belief are set out below.

#### Gender Reassignment

In relation to Gender Reassignment, the expected outcome is for a **positive impact** on people who are protected under this characteristic, as well as more broadly within the trans community.

Latest staff data (AY 24/25) shows 1% of staff answered “yes” to “*I identify as trans/having trans history*”. With an additional 1.9% of staff answering, “*prefer not to say*” and a further 47% having “*no data*”.

The updated policy covers multiple additional areas of employment which were not covered within the Trans Equality Policy, this will give trans staff, and those supporting them, much clearer signposting, processes and expectations in relation to their full employment journey. Examples of sections include: Adjustments to the Workplace (S3), Identification (S4), Disclosure Scotland (S5.1), Travel Abroad (S5.2) and Absence (S6.)

Teams outside of HR have been consulted to ensure policy wording is accurate and maps against current process. HR has also conducted a mapping exercise against its own processes and procedures to enable HR staff to more clearly understand where process does, or does not, differentiate for trans employees. These exercises have enabled these teams to improve the user experience, such as in relation to name changes, but have not fundamentally changed the rights/expectations of staff.

Careful consideration and advice have been taken on the expanded wording on facilities use (S3.5). This section now provides greater clarity to colleagues on the use of toilets and other facilities across our wide and varied estate.

Consultations highlighted that the new policy is clear and supportive through its simple articulation on what is available to (trans) staff, as well as being honest to the current limitations of, for example, our systems.

The policy is accompanied by new 'Quick Guides' for trans staff, and those supporting them, which have also been welcomed.

### **Religion or Belief**

In relation to Religion or Belief. There is an **expected neutral impact**, with a **potential negative impact** on people with religious observances of modesty and propriety, who may have concerns about sharing certain facilities with someone of the opposite sex.

The University recognises that, as a matter of law, access to multi-occupancy toilet facilities on the basis of gender identity makes those facilities mixed-sex rather than single-sex facilities. We mitigate this risk by providing single occupancy toilet facilities throughout our estate, alongside other options.

In accordance with the Equality Act 2010, we will provide separate or single-sex facilities where this is a proportionate means of achieving a legitimate aim. We will also provide single-sex (not mixed-sex) facilities where required under other applicable law.

Guidance will be available to managers where required.

There is an **expected neutral impact**, with the potential for a **perceived negative impact**, for those who hold protected beliefs but are expected under the terms of this policy to use a staff member's pronouns. Misgendering can amount to harassment under the Equality Act 2010 and the University considers it has a legitimate aim in avoiding creating a hostile environment for staff with the protected characteristic of gender reassignment. Where staff wish, they are also free to use colleagues' names rather than refer to them in a manner requiring the use of pronouns.

The use of pronouns in terms of the policy cannot and should not be assumed to be indicative of any particular individual's beliefs in relation to issues of sex and gender. The statement of a staff member's own pronouns will always remain an individual choice for any staff member.

### **Sex**

In relation to Sex. There is an **expected neutral impact**, with a **potential negative impact** on people who have privacy or safety concerns about sharing certain facilities with someone of the opposite sex, where these facilities are provided on a mixed-sex basis, and that this may discourage them from using such facilities.

The University recognises that, as a matter of law, access to multi-occupancy toilet facilities on the basis of gender identity makes those facilities mixed-sex rather than single-sex facilities. However, the University also recognises that a policy requiring staff to use *only* the facilities which accord with their biological sex in any and all cases risks discrimination in respect of staff with the protected characteristic of gender reassignment.

We mitigate this risk by providing single occupancy toilet facilities throughout our estate where possible, alongside other options. In accordance with the Equality Act 2010, we will provide separate or single-sex facilities where this is a proportionate means of

achieving a legitimate aim. We will also provide single-sex (not mixed-sex) facilities where required under other applicable law.

Guidance will be available to managers where required.

### Summary

The policy is expected to have a **positive** or **neutral impact** on staff communities through providing greater clarity on current processes and procedures, but not materially changing them. For both *sex* and *religion or belief* we do not anticipate significant negative impacts, but we will work to ensure communication and ongoing engagement work to mitigate any real or perceived negative impact and meet our obligations under the Public Sector Equality Duty and other applicable law and regulations.

E. Equality Impact Assessment Outcome	check one
<b>Outcome 1:</b> No change required – the assessment is that the policy is robust.	<input checked="" type="checkbox"/>
<b>Outcome 2:</b> Adjust the policy or practice – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.	<input type="checkbox"/>
<b>Outcome 3:</b> Continue the policy or practice despite the potential for adverse impact, and which can be justified.	<input type="checkbox"/>
<b>Outcome 4:</b> Stop the policy or practice as there are adverse effects which cannot be prevented/mitigated/or justified.	<input type="checkbox"/>

### F. Action and Monitoring

We will continue to work closely with our Trade Unions, Staff Networks, and directly with our diverse communities, on the impact and application of the policy.

We also welcome the University EDI Committee and its Sub-Committees bringing forward staff voice on the impact of the Policy from our communities. Other Committees and formal groups of the University will also likely provide routes to feedback.

HR's continuous engagement with our staff and people managers will allow an understanding of the application of this policy across the University.

All HR policies are reviewed as part of a regular review cycle, monitoring their use and compliance with the law.