

Policies and Benefits: Part 1

Section 1: Policies and Benefits

This section comprises of 7 questions and examines the policies and benefits the organisation has in place to support LGBT staff. The questions scrutinise policy audit process, policy content and communication. This section is worth 7.5% of your total score.

Below each question you can see guidance on content and evidence. At any point, you may save and exit the form using the buttons at the bottom of the page.

1.1 Does the organisation have an audit process to ensure relevant policies (for example, HR policies) are explicitly inclusive of same-sex couples and use gender neutral language?

GUIDANCE: The audit process should be systematic in its implementation across all relevant policies. Relevant policies include HR policies, for example leave policies.

Yes

Please describe the audit process:

State when the process last happened:	All policies are subject to an equality impact assessment using the NHS Centre for Equality and Human Rights EqIA Toolkit during development and three yearly reviews.
Describe the audit process:	Employment Policies are scrutinized by Hywel Dda University Health Board's bi-monthly Employment Policy Review Group, Partnership Forum (comprising management representatives and Trades Union representatives) and Workforce and Organisational Development Committee and are open to full consultation with all staff at all levels prior to approval. Clinical Policies are scrutinized by the bi-monthly Clinical Policies Review Group and other relevant committees and are open to full consultation with all staff at all levels prior to approval. Financial and Corporate Governance Policies are also scrutinized by appropriate Committees prior to approval. All policies are published via global email for all staff to contribute comments.
Describe any previous outcomes of the audit process:	Phrases such as "he/she" have been replaced with gender neutral terms such as "they" /"staff" as appropriate. Policies refer to "spouse/partner" as opposed to husband/wife as appropriate.

1.2 Does the organisation have a policy (or policies) which includes the following?

Tick all that apply

GUIDANCE: The policy/policies should clearly state that the organisation will not tolerate discrimination against employees on the grounds of sexual orientation, gender identity and/or trans identity. These may be listed along with other protected characteristics. The policy/policies should also demonstrate, through careful wording, a zero-tolerance approach to homophobic, biphobic and transphobic bullying and harassment. They should explicitly include examples of what homophobia, biphobia and transphobia in the workplace may look like.

A. Explicit ban on discrimination based on sexual orientation

B. Explicit ban on discrimination based on gender identity and gender expression

C. Explicit ban on bullying & harassment based on sexual orientation

D. Explicit ban on bullying & harassment based gender identity and gender expression

Name the policy and paste the relevant policy excerpt:

	Policy	Excerpt
		Hywel Dda University Health Board (H DUHB) recognises that certain groups and individuals within society may experience disadvantage and unfair

discrimination. Stakeholders, (including the public, patients and staff) expect HDUHB to take a proactive approach to meeting its obligations under equality and human rights legislation and to putting its stated Values into practice.

The Equality Act 2010 prescribes that people should not be discriminated against in relation to:-

Age

- Disability
- Gender (Sex)
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief (including no belief)
- Sexual Orientation

The aim of this Policy is to ensure that equality and diversity considerations underpin the recruitment, employment and development of staff and the development and delivery of HDUHB's services to patients and service users. Policies and Introduction - Hywel Dda University Health Board (HDUHB) recognises that certain groups and individuals within society may experience disadvantage and unfair discrimination. Stakeholders, (including the public, patients and staff) expect HDUHB to take a proactive approach to meeting its obligations under equality and human rights legislation and to putting its stated Values into practice.

The Equality Act 2010 prescribes that people should not be discriminated against in relation to:-

Age

- Disability
- Gender (Sex)
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief (including no belief)
- Sexual Orientation

based on sexual orientation

Equality and Diversity Policy

The aim of this Policy is to ensure that equality and diversity considerations underpin the recruitment, employment and development of staff and the development and delivery of HDUHB's services to patients and service users. Policies and practices within HDUHB must demonstrate appropriate due regard to relevant equality and diversity issues, thereby ensuring that recruitment and employment and service delivery practices are designed, developed and delivered fairly and equitably, in accordance with equality and human rights legislation

6. ADOPTING A PRO-ACTIVE APPROACH TO EQUALITY, DIVERSITY AND HUMAN RIGHTS

Meeting the duties of the Equality Act 2010 and providing services tailored to meet the needs of our staff and communities involves a whole organisation approach. Everyone throughout the organisation is expected to be mindful of how they can contribute to creating an inclusive environment and providing equitable services, with dignity and respect.

6.10 All employees will:-

- Practise fairness and respect towards colleagues and to all sectors of the community they serve and be mindful of HDUHB Values when carrying out their duties

Actively intervene or report inappropriate behaviour, in relation to discrimination, harassment, victimisation, hate incident/crime, marginalisation, exploitation of groups or individuals on the basis of their protected characteristics as defined in the Equality Act 2010

Staff are not expected to induce or attempt to induce other employees, staff representatives or managers to unfairly discriminate against individuals or groups. Staff must not harass, abuse or intimidate other employees, patients, service users, carers or any other

		<p>member of the public they come into contact with during the course of their duties, whether on or off HDUHB premises.</p>
<p>B. Explicit ban on discrimination based on gender</p>	<p>Supporting Transgender Staff at Work</p>	<p>All Wales Dignity at Work Process - HDUHB will not tolerate any form of bullying and harassment which occurs at work and out of the workplace....and will take all practicable steps to avoid and eliminate this. Sexual harassment occurs when a person engages in unwanted conduct as defined earlier and which is of a sexual nature. Conduct „of a sexual nature“ can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature. Less favourable treatment for rejecting or submitting to unwanted conduct. The third type of harassment occurs when a worker is treated less favourably by their employer because that worker submitted to, or rejected unwanted conduct of a sexual nature, or unwanted conduct which is related to sex or to gender reassignment.... Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to ... gender reassignment, marital or civil partner status....sex or sexual orientation...The essential feature of harassment is that it is behaviour that the recipient feels is inappropriate and regards as personally offensive The term "related to" is given a broad meaning in the Equality Act 2010 and provides that employees can complain of unwanted conduct related to a relevant protected characteristic that they find offensive even if it is not directed at them personally. The Act also provides protection to workers who may be associated with someone who has a protected characteristic. Harassment is unacceptable even if it does not fall within any of these categories. Harassment may include...:</p>

identity and
gender expression

e)...remarks about a particular ethnic or religious group or gender;
f) outing or threatening to out someone as gay or lesbian;
Harassment is defined in the Equality Act 2010 as:
Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories. Bullying may be characterised as: Offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Current Transgender Staff Policy - HDUHB will ensure that anyone who is intending to undergo, is undergoing or has undergone changes to reflect their gender identity feels supported, valued, respected and understood and will be treated fairly.

Updated policy to be approved by Board 26/09/2019 - The Health Board will not tolerate discrimination, victimisation, harassment or bullying on the basis of a person's gender identity, gender expression or trans status. All reasonable steps will be taken at all times to provide a supportive and safe environment for trans staff and appropriate and timely action will be taken against those who act outside this zero-tolerance approach.

All Wales Dignity at Work Process - Hywel Dda University Health Board will not tolerate any form of bullying and harassment which occurs at work and out of the workplace, such as on business trips, at work-related events,

C. Explicit ban on bullying & harassment based on sexual orientation

All Wales Dignity at Work Policy

or on social media and will take all practicable steps to avoid and eliminate this.

Sexual harassment occurs when a person engages in unwanted conduct as defined earlier and which is of a sexual nature. Conduct „of a sexual nature“ can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature.

Less favourable treatment for rejecting or submitting to unwanted conduct

The third type of harassment occurs when a worker is treated less favourably by their employer because that worker submitted to, or rejected unwanted conduct of a sexual nature, or unwanted conduct which is related to sex or to gender reassignment, and the unwanted conduct creates for them any of the circumstances as defined earlier.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. The harassment may be persistent or relate to an isolated incident. The essential feature of harassment is that it is behaviour that the recipient feels is inappropriate to him/her and he/she regards it as personally offensive (i.e. a subjective test). However this must be weighed against what is generally regarded as reasonable behaviour (i.e. an objective test).

The term „related to“ is given a broad meaning in the Equality Act 2010 and provides that employees can complain of unwanted conduct related to a relevant protected characteristic that they find offensive even if it is not directed at them personally. The Act also provides protection to workers who may be associated with someone who

has a protected characteristic. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include, for example:

- e) racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- f) outing or threatening to out someone as gay or lesbian;

Harassment is defined in the Equality Act 2010 as:

Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Harassment is unacceptable even if it does not fall within any of these categories. Bullying may be characterised as: Offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened.

All Wales Dignity at Work Process - HDUHB will not tolerate any form of bullying and harassment which occurs at work and out of the workplace....and will take all practicable steps to avoid and eliminate this. Sexual harassment occurs when a person engages in unwanted conduct as defined earlier and which is of a sexual nature.

Conduct „of a sexual nature“ can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature. Less favourable treatment for rejecting or submitting to unwanted conduct. The third type of harassment occurs when a worker is treated less favourably by

D. Explicit ban on bullying & harassment based gender identity and gender expression

Supporting Transgender at Work Policy

their employer because that worker submitted to, or rejected unwanted conduct of a sexual nature, or unwanted conduct which is related to sex or to gender reassignment.... Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to ... gender reassignment, marital or civil partner status....sex or sexual orientation...The essential feature of harassment is that it is behaviour that the recipient feels is inappropriate and regards as personally offensive The term "related to" is given a broad meaning in the Equality Act 2010 and provides that employees can complain of unwanted conduct related to a relevant protected characteristic that they find offensive even if it is not directed at them personally. The Act also provides protection to workers who may be associated with someone who has a protected characteristic. Harassment is unacceptable even if it does not fall within any of these categories. Harassment may include...: e)...remarks about a particular ethnic or religious group or gender; f) outing or threatening to out someone as gay or lesbian; Harassment is defined in the Equality Act 2010 as: Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The relevant protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories. Bullying may be characterised as: Offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Current

Transgender Staff Policy - HDUHB will ensure that anyone who is intending to undergo, is undergoing or has undergone changes to reflect their gender identity feels supported, valued, respected and understood and will be treated fairly.

Updated policy to be approved by Board 26/09/2019 - The Health Board will not tolerate discrimination, victimisation, harassment or bullying on the basis of a person's gender identity, gender expression or trans status. All reasonable steps will be taken at all times to provide a supportive and safe environment for trans staff and appropriate and timely action will be taken against those who act outside this zero-tolerance approach.

1.3 Where the organisation has the following policies, do they explicitly state they are applicable to same-sex couples and use gender neutral language?

Tick all that apply

GUIDANCE: Where applicable, the policies should explicitly state that they apply to same-sex couples (or same-gender or non-heterosexual couples). Alternatively, they should explicitly state that they apply regardless of the gender of an employee's partner. The policies should avoid unnecessarily gendered language and pronouns, for example, by using the term 'partner' instead of 'husband' or 'wife' (as long as you have previously stated what constitutes a partner). It should be clear that parental leave policies apply to all employees, regardless of gender.

A. Adoption policy

B. Special or Compassionate Leave Policy

C. Maternity policy

D. Paternity policy

E. Shared Parental leave policy

Provide a brief description of the policy/policies you have uploaded:

ABCDE - Hywel Dda University Health Board's policies/procedures and guidelines are intended to be fully inclusive of all nine protected characteristic groups i.e age., gender reassignment...sex and sexual orientation. Please note that where the term "partner", is used, all policies apply equally, regardless of the gender of an employee's partner."

ACD - Maternity, Adoption and Paternity Leave Policy and Procedure - HDUHB recognises that employees who become parents have particular rights and needs. The policy provides the basis for a clear understanding of those rights and the nature and period of leave, paid and unpaid, that will apply in particular circumstances. HDUHB recognises the need for employees to be able to take time away from the workplace when they become parents. HDUHB is committed to implementing this policy in a way which meets the requirements of the Equality Act 2010. Hywel Dda University Health Board's policies /procedures and guidelines are intended to be fully inclusive of all nine characteristic groups. Please note that where the term "partner" is used, all policies apply equally, regardless of the gender of an employee's partner.

A. Upload the adoption policy

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/OkBK41Lrgo/>

B. Upload the special or compassionate leave policy

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/tkitMIXhdn/>

C. Upload the maternity policy

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/0sGU2ihCky/>

D. Upload the paternity policy

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/T3ERPqTNsQ/>

E. Upload the shared parental leave policy

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/J0xLA4boR4/>

Policies and Benefits: Part 2

Next Steps

1.4 Does the organisation have a Yes
policy (or policies) which support
employees who are
transitioning?

Does the policy (or policies) in place to support employees who are transitioning
cover the following?

Tick all that apply

GUIDANCE: Evidence submitted should demonstrate how information around organisational support for people transitioning is tailored to different employee groups. For guidance on creating a transitioning at work policy, see Stonewall's resource [here](#).

A. Work related guidance for an employee who is transitioning

B. Work related guidance on the process for an employee to change their name and gender marker on workplace systems

C. Work related guidance for HR staff on how to support an employee who is transitioning

D. Work related guidance for managers on how to support an employee who is transitioning

E. Work related guidance for employees on how to support a colleague who is transitioning

Provide a brief description of the policy/policies you have uploaded:

Supporting Transgender Staff at Work Policy - The policy outlines workplace guidelines for addressing the needs and issues that arise in the workplace when a trans person is recruited or transitions during their term of employment. It aims to support Trans staff at all stages so that they may continue to undertake their duties in an environment that is free from discrimination, victimisation and harassment, which positively embraces diversity. It recognises that people work better if they can be themselves, leading to a more positive and productive working environment facilitating better service provision. It acknowledges that a workplace in which diversity, including different gender identities, is celebrated, facilitates the recruitment and retention of appropriately skilled and experienced staff, It recognises the benefits of a diverse and inclusive workforce and the benefits of personal experience trans employees can bring. It aims to ensure that anyone who is intending to transition, is transitioning or has undergone changes to reflect their gender identity feels supported, valued, respected and understood and will be treated fairly. The policy has recently been updated as attached. Please see link to existing policy

<http://www.wales.nhs.uk/sitesplus/documents/862/350-Supportingtransgenderstaffpolicy-V3.pdf>

A. Upload guidance for members of staff

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/gA5onlolfq/>

B. Upload guidance for making changes on systems

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/4Gui2ytD5P/>

C. Upload guidance for HR staff

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/7UOn01Nb1x/>

D. Upload guidance for managers

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/ov2czmqo8C/>

E. Upload guidance for colleagues

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/qlxgxfMaCH/>

1.5 Does the organisation have a Yes
policy (or policies) in place to support all trans employees, including people with non-binary identities?

Does the policy (or policies) in place to support all trans employees, including people with non-binary identities cover the following?

Tick all that apply

GUIDANCE: Policies submitted should include clear information around how the organisation supports all trans employees, including non-binary people. Guidance on dress code should be offered regardless of whether an organisation has a uniform or dress code policy.

- A. A clear commitment to supporting all trans people, including those with non-binary identities
- B. Information on language, terminology and different trans identities
- C. Guidance on facilities and dress code for non-binary people

Provide a brief description of the policy/policies you have uploaded:

Supporting Transgender Staff at Work Policy - The policy outlines workplace guidelines for addressing the needs and issues in the workplace when a trans person is recruited or transitions during their term of employment. It aims to ensure that staff who are considering, are undergoing Transitioning or who have Transitioned are fully supported at all stages and that they may continue to undertake their duties free from discrimination, victimisation and harassment. It recognises that people work better if they can be themselves and highlights the benefits of a diverse workforce and inclusive working environment in terms of recruitment and retention, positive staff and patient experience and HDUHB reputation. It aims to ensure that anyone who is considering, is undergoing or has undergone changes to reflect their gender identity feels supported, valued, respected and understood and will be treated fairly.

Upload the policy and highlight content relevant to option A

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/GFKDD3TTgb/>

Upload the policy and highlight content relevant to option B

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/amtnaiEWc1/>

Upload the policy and highlight content relevant to option C

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/zrQToS4t2r/>

1.6 In the past two years, has the organisation communicated that its policies are LGBT inclusive to all employees?

GUIDANCE: The communication uploaded should demonstrate the organisation has informed employees that policies are LGBT inclusive. This may be on a post on an intranet system, but any file or screenshot must demonstrate the reach of the communication.

Yes

Provide a brief description of the communication you have uploaded:

A statement has been included on the front page of the overarching Written Control Documents webpage and the front page of the Employment Written Control Documents web page to this effect. These pages are viewed by staff whenever they access a policy. <http://www.wales.nhs.uk/sitesplus/862/page/62308>

Upload a communication from the past two years highlighting the relevant content:

please be aware only **one** file is allowed per answer

<https://stonewallsubmit.fluidreview.com/resp/110332752/h6CkZjbBNu/>

Provide the date that the communication was shared. 30/07/2019

The following question is for information gathering purposes only and is not scored.

1.7 Does the organisation provide its employees with private healthcare insurance which is explicitly inclusive of LGBT-specific health needs?

No