

Divisions Affected – All

Cabinet
21 June 2022

Cabinet Response to Transgender Motion

Report by Corporate Director – Customers, Organisational Development and Resources

RECOMMENDATION

1. **The Cabinet is RECOMMENDED to**
 - a) Agree the commissioning of research to provide an evidence base to underpin prioritisation and delivery
 - b) Agree to update our Including Everyone framework to set out our commitment to transgender and non-binary residents
 - c) Agree the approach to providing gender inclusive bathrooms through the council's Property Strategy
 - d) Agree the approach to providing consistent and inclusive language
 - e) Agree to the development of an LGBTIQ+ guidance document
 - f) Agree to an annual review of progress

Executive Summary

2. In December 2021, a motion was put forward to Council requesting action to support our transgender and non-binary residents. The motion was agreed at Council in April 2022.
3. The ambitions of the motion cross a range of service areas and partnerships and form a long-term commitment to equality in Oxfordshire. This paper sets out the key areas of focus and recommendations for the Cabinet.

Background

4. The motion by Councillor Sally Povolotsky reads as follows:

“Transgender and non-binary people face significant disadvantage in society, vulnerable to violence, isolation, homelessness, and lack of access to suitable healthcare provision.

Council believes that:

- All UK law should clearly recognise that trans rights are human rights.
- Transgender and non-binary people deserve respect and autonomy.
- It's therefore our duty as community leaders who seek to create an open and tolerant society to speak out against transphobia and discrimination in all its forms.

Council therefore resolves to:

- Ensure that all Council services, both directly provided and through partners, are fully accessible, regardless of their sexuality or gender identity.
- State publicly that trans rights are human rights and affirm the legal rights of all protected groups under the 2010 equality act.
- To work with healthcare providers to remove barriers transgender and non-binary people face when accessing medical care.
- Work to provide at least one gender inclusive bathroom (accessible) where possible in every public building owned or operated by the Council.
- Ensure that the Council's constitution, policies, forms, and all internal and external communications are;
- Reducing the amount of gender information collected unless absolutely necessary,
- Respecting the pronouns individuals use for themselves,
- Providing opportunities for self-identification beyond the binary “man” and “woman”.
- Encourage and support a network of informal LGBTQIA+ allies across officers and councillors.
- Support and embrace the development of a LGBTQIA+ guidance within OCC for employees and contractors.”

Response

Supporting fully accessible services and access to medical and clinical care

5. To achieve fully accessible services, we need to ascertain where there are barriers in accessing our services and where limitations exist, in order to use an evidence-based approach in addressing issues.
6. For services run and commissioned by the council, we propose programming focused engagement with residents, utilising methods such as Lived Experience conversations, youth forums and our annual residents' survey, to gather insight that will support the development of a delivery framework. Any

health related feedback will be shared with Healthwatch to include in their report.

7. To understand barriers in accessing medical and clinical care, we propose commissioning research led by Healthwatch Oxfordshire to engage transgender and non-binary residents and capture their experiences. As the results from the Healthwatch research will be relevant to all system partners, the recommendations should be shared with the Joint Health Overview and Scrutiny Committee for consideration.

Outwardly supporting the rights of transgender residents

8. We are committed to adhering to the Equality Act 2010 which identifies gender reassignment as a protected characteristic.
9. We propose to update our Including Everyone framework to incorporate a clearer commitment to supporting our transgender and non-binary communities and to work with services to consider suitable actions to be included in the accompanying action plan.

Providing gender inclusive bathrooms

10. We will complete a review of the bathroom facilities available in our buildings as part the council's Property Strategy, which is currently in development.

Providing consistent and inclusive language and capturing relevant data

11. The council's best practice consultation and engagement guidance has been refreshed and includes consistent guidance on when to collect data on sex and the appropriate questions to ask residents when required, which is in line with the National Census questions.
12. Colleagues across the organisation are supported to include the use of pronouns in their email signatures and we will continue to encourage respect and understanding of people's choice to include their pronouns in this way.
13. For new documents and policies published by the council, we propose introducing guidance that requests use of non-binary language including 'they' and 'them' except in cases where 'she/her' and 'he/him' are necessary. In these cases, we will be led by national legislation and guidance.
14. The council will review update and review any existing policies and documents, in line with agreed policy review dates.

LGBTQIA+ allyship and guidance

15. To support an inclusive organisation, we will establish LGBTQIA+ guidance document for officers and councillors, building on the outcomes of the research (Para 6), and which will be developed and led by representatives of

the community through our internal staff network, to ensure the guidance is relevant and informed.

16. This best practice guidance will be a supporting document to improve inclusive service delivery, for example by improving Equality Impact Assessments

Annual review

17. Following implementation of any of the recommendations set out in this paper, we will complete an annual review to appraise progress and consider any future actions required.

Corporate Policies and Priorities

18. The recommendations in this paper will support the council's priority to tackle inequalities in Oxfordshire and our Including Everyone Framework.

Financial Implications

19. The proposals set out in this paper are recommended to be a long-term approach to be delivered in line with established strategies and existing budgets.

Comments checked by:

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Legal Implications

20. Under the Equality Act 2010, there is a public sector Equality Duty that means the council has to consider all individuals when shaping policy, delivering services and in relation to their own employees. It also requires that the council has due regard in the need to:
 - (a) eliminate discrimination
 - (b) advance equality of opportunity
 - (c) foster good relations between different people when carrying out their activities

21. The recommendations set out in this paper, and our use of Equality Impact Assessments, enables our enactment of these responsibilities.

Comments checked by:

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Equality & Inclusion Implications

22. The majority of the recommendations seek to lead on inclusivity and bring equality for our transgender and non-binary colleagues and residents, supporting the gender reassignment protected characteristic.

Sustainability Implications

23. There are no sustainability implications in line with this paper but any changes to council buildings will be subject to a full Climate Impact Assessment.

Risk Management

24. The development of an evidence base is to ensure that all actions meet the needs of the transgender population and avoids the risk of actions being irrelevant or inconsistent

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