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# **PART 1**

## **EMBEDDING LGBT INCLUSION IN ALL POLICIES**

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**Inclusive Policy Toolkit**  
How to develop  
LGBT-inclusive  
employee policies

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## EMBEDDING LGBT INCLUSION IN ALL POLICIES

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### Inclusive Policy Toolkit

#### How to develop LGBT-inclusive employee policies

While using  
this guide, you  
may want to refer  
to Stonewall's  
[glossary of terms](#).

## CONTENTS

Why is it important?	3
Auditing your policies	5
Letting employees know your policies are LGBT inclusive	6
Training on policy implementation	7

# WHY IS IT IMPORTANT?

Policies are the foundation of any workplace, informing key practices and processes.

By embedding lesbian, gay, bi and trans (LGBT) inclusion across all of your policies, you'll demonstrate your commitment to respecting the identities of your LGBT employees. Policies that exclude LGBT employees, even if unintentionally, can leave them feeling unrecognised and unsupported by their employer.

It's also your legal obligation as an employer to ensure that your policies apply equally to LGBT employees. In England, Scotland and Wales, the Equality Act 2010 protects employees against direct and indirect discrimination from their employer and promotes equality of opportunity. This covers all aspects of employment, including employment-related benefits, recruitment and career development. Characteristics protected by the act include sexual orientation and gender reassignment.

Although most of the Equality Act 2010 doesn't apply to Northern Ireland, many of the same workplace protections exist. Employment discrimination on the basis of sexual orientation and gender reassignment are prohibited under the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 and the Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999 respectively.

## GENDER IDENTITY AND THE LAW

There is a lack of clarity around non-binary identities within the current legal framework. The descriptive term used is 'gender reassignment', but this is a very narrow definition of what it means to be trans. Going above and beyond the law, your policies should talk about 'gender identity' – a term more inclusive of non-binary identities. For more information, see Stonewall's ['First steps to trans inclusion'](#).

Before 1999, trans employees didn't have specific workplace protections. For lesbian, gay and bi employees, they weren't in place until 2003. Before these legal changes, LGBT people could have been fired simply because of their identity. Even today, many LGBT employees will have worked in a time without full protections, so may not be confident that policies apply equally or that they will be implemented fairly.

**Explicitly LGBT-inclusive policies will help:**

- Demonstrate clear and unambiguous support for LGBT employees, creating an environment where they can be themselves at work
- Ensure your LGBT employees access the benefits they're entitled to
- Ensure your LGBT employees are aware of their protections from discrimination, bullying and harassment and feel confident reporting incidents
- Guide line managers and other staff supporting LGBT employees to implement policies consistently and fairly

There are also instances where LGBT-specific policies are required. For example, you should have a transitioning at work policy, as well as related guidance for employees who are transitioning, line managers and HR. For more information, [see Part 4](#). If developing such policies for the first time, involve your LGBT employee network to ensure they reflect the lived experiences of your LGBT employees.



# AUDITING YOUR POLICIES

To ensure all your employee policies are fully LGBT inclusive, a thorough audit is essential.

This should happen periodically to ensure policies are up to date with current best practice. Involve your LGBT employee network in these reviews to make sure policies reflect the lived experiences of LGBT employees.

## What to check for in each policy:

- Does it make any assumptions about the reader's gender or their partner's gender?
- Is gender-neutral language used consistently throughout? For example, are 'they' pronouns used rather than 'he' or 'she'?
- Is it inclusive of non-binary identities, for example using 'regardless of gender' or 'all genders', rather than 'men and women'?
- Are terms like 'partner', 'spouse' and 'parent' clearly defined? Are these definitions explicitly inclusive of same-sex couples?

Policies should always be explicit in their inclusion of LGBT identities – never assume the reader will interpret a generic policy as applicable to LGBT employees.

For specific considerations when auditing discrimination, bullying and harassment policies, [see part 2](#).

For specific considerations when auditing family, leave and benefits policies, [see part 3](#).

## EQUALITY STATEMENTS

Many organisations use equality statements to set out their principles as supporters of equality for all. These statements are often used in multiple ways, including on recruitment documents, in training and as public commitments on websites.

These statements can go a long way to demonstrating your organisation's inclusivity, not only to your employees, but also to job seekers, customers, service users and the wider community. The most inclusive statements explicitly refer to LGBT equality.

However, an equality statement should never be used as an alternative to robust bullying and harassment and anti-discrimination policies. For more information about LGBT inclusion in these policies, [see part 2](#).

# LETTING EMPLOYEES KNOW YOUR POLICIES ARE LGBT INCLUSIVE

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It's important to regularly communicate that your policies are LGBT inclusive.

Employees may not read a policy until they think it applies to them, and some LGBT employees will be unaware of their legal entitlements at work. Even with the most inclusive policies in place, proactive internal communication is crucial.

#### **What to include:**

- A simple statement that your policies apply equally to every employee, regardless of their sexual orientation and gender identity. This is particularly powerful when it includes a statement of support from a senior leader, explaining why LGBT equality is important to them and the organisation.
- Signposting to LGBT-specific policies, such as your transitioning at work policy ([see part 4](#) for more information).
- Points of contacts in HR for LGBT employees who have questions or concerns about policies.

Reassurance that questions about, or requests for, policies and benefits will be treated confidentially by line managers and HR. For example, some LGBT employees may be concerned that enquiries will risk 'outing' them at work.

#### **When to communicate:**

- Whenever you're sharing policies or policy updates with staff.
- As part of new employee inductions.
- As part of all-employee equality and diversity training.
- After LGBT-specific policy audits – not only will this raise awareness of the policies themselves, but it will also demonstrate your active support for LGBT employees.
- As part of LGBT campaigns – for example, if you're telling your employees about International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT), you could mention your LGBT-inclusive discrimination, bullying and harassment policies.

# TRAINING ON POLICY IMPLEMENTATION

LGBT-inclusive policies will only lead to truly inclusive practices when implemented correctly and consistently.

All employees who deal with issues of employment should have specific training that's inclusive of LGBT-specific policy considerations.

## Key employees might include:

- Line managers, who play an important role in supporting and advising their teams, as well as challenging discrimination.
- HR personnel, who often handle the technicalities of employee policies and benefits, as well as complaints and grievances.
- Occupational Health teams, who may support employees, line managers or HR, for example in cases where employees transition in the workplace.

## WHAT TO COVER

### Discrimination, bullying and harassment

*(see part 2 for more information)*

- What discrimination, bullying and harassment on the basis of sexual orientation and gender identity look like.
- Organisational procedure for handling cases of discrimination, bullying and harassment.
- How to sensitively and confidentially handle complaints of homophobia, biphobia and transphobia.

### Employee benefits

*(see part 3 for more information)*

- How employee benefits apply to LGBT employees, for example how paternity leave applies to employees with same-sex partners.
- The importance of confidentiality when discussing available benefits with employees and how this protects LGBT employees from being 'outed' against their will.

### LGBT-specific policies

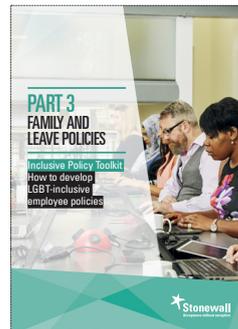
- How to put LGBT-specific policies into practice, for example your transitioning at work policy.

# MORE FROM STONEWALL

This is the first part of the Inclusive Policy Toolkit.

For the other parts, visit:

[www.stonewall.org.uk/inclusive-policy-toolkit](http://www.stonewall.org.uk/inclusive-policy-toolkit)



Diversity Champions is the UK's leading programme for ensuring all LGBT people are accepted without exception in the workplace.

Join today and receive expert guidance on how to create an equal environment for LGBT employees and service users. As a benefit of your membership, we'll help review your policies to ensure they are LGBT inclusive.

For more information, visit [www.stonewall.org.uk/dc](http://www.stonewall.org.uk/dc)

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