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	TRANS & NON-BINARY INCLUSION POLICY	

v.	Latest Amendment Details	Authorised by
4	Included reference to the April 2025 UK Supreme Court ruling	To be approved by the Senior Leadership Team

Purpose

The Youth Sport Trust (YST) is committed to ensuring that all trans and non-binary people are treated with dignity, respect, and fairness in every aspect of our work. YST goes beyond legal requirements to create an inclusive environment where all gender identities and expressions are valued, and no one experiences discrimination.

This policy outlines the steps YST takes to welcome, support, and protect trans and non-binary people, in line with:

- Equality Act 2010
- Gender Recognition Act 2004
- Data Protection Act 2018
- Relevant UK case law and the April 2025 UK Supreme Court ruling on the definition of “sex” under the Equality Act.

Scope

This policy applies to:

- All employees, trustees, contractors, volunteers, workers, and job applicants.
- All stages of the employment relationship, with a particular guidance for those wishing to socially and/or medically transition at work.
- Parents/carers, children, young people, and adults engaged with YST programmes and activities.

The policy accompanies YST’s Equality, Diversity and Inclusion policy and Dignity at Work policy. Failure to take account of this policy may result in disciplinary action being taken against an employee or worker and the potential ending of the contact for all contractors and volunteers.

The YST Commitment

YST is committed to:

- Removing barriers to recruitment, promotion, and retention for trans and non-binary people.
- Providing a safe, respectful, and inclusive culture, free from discrimination, harassment, or victimisation.
- Support individuals through any stage of social and/or medical transition, recognising every transition is unique.
- Respect and affirm an individual’s stated name, pronouns, and identity at all times.
- Ensure confidentiality around gender history, trans status, and personal information.

Our aim is for everyone involved in YST— employee, worker, trustees, volunteers, partners, parents/carers, and participants—to feel welcome, safe, and valued.

Trans definitions

Definitions and terminology regarding trans people are evolving. The appendix to this policy provides guidance on some of the most commonly used terms. All managers and colleagues will address individuals by their stated pronouns and name and failure to do so may result in disciplinary action. Rather than assume, it is best to ask someone how they wish to be addressed.

Using inappropriate language and terminology can cause offence and distress and undermines YST's efforts to create an inclusive workplace for trans or non-binary people.

YST recognises that gender identity and sexual orientation are not interchangeable terms. Trans and non-binary people can be any sexual orientation, including but not limited to, bi, gay, heterosexual/straight or lesbian so employees should not assume that a trans or non-binary colleague has a particular sexual orientation.

Meeting the needs of trans individuals

YST aims to anticipate and respond positively to the needs of individuals, providing a professional and consistent service so that all trans and non-binary employees feel welcome, safe, valued and supported in achieving their potential and contributing as a member of the organisation.

This policy applies (but is not limited) to the advertisement of jobs and recruitment and selection, learning and development, opportunities for promotion, conditions of service, benefits, facilities and pay, health and safety, conduct at work, grievance and disciplinary procedures, and termination of employment.

For parents/carers and children, this policy applies (but is not limited) to engagement in YST programmes and events, communication, education and training opportunities, health and safety, personal conduct, and complaints.

Supporting trans individuals

YST recognises that trans and non-binary job applicants and individuals are not required to inform the organisation of their trans status or trans history. An individual's gender identity will always be acknowledged and respected.

Recruitment

YST wishes to attract applicants from a wide talent pool and all recruitment processes are designed to be inclusive. Trans and non-binary applicants are not required to disclose their status and any disclosure that is made, will be treated in strict confidence.

If a criminal records check is required, individuals must disclose on their application any previous names and/or gender as part of the check. Trans applicants may use the sensitive application process to avoid disclosing previous names to YST. Please click on the link for more information about the sensitive application process: <https://www.ddc.uk.net/question/dbs-process-transgender-applicants/>

The requirement to provide proof of identity to confirm the right to work in the UK can be particularly sensitive for a trans or non-binary applicant whose identification documentation may be in their previous names. YST will offer the full range of permissible documents and handle the process sensitively.

Where an individual's documentation reveals their previous name and thereby their trans history, this information will be kept confidential and stored securely with the permission of the individual and in accordance with the requirements of the Data Protection Act, 2018.

Monitoring

In line with YST's Equality and Diversity policy, the charity will monitor the gender identity and trans status of the existing workforce and of applicants for jobs (including promotion). The disclosure of information by employees/job applicants is voluntary and any information disclosed will be treated in confidence, stored securely and used only to provide statistics for monitoring purposes.

Employment

An employee who is socially or medically transitioning may wish to be redeployed on a temporary or permanent basis. Requests to be redeployed will be discussed with the employee and YST will seek to accommodate the employee's wishes where possible.

An employee's gender identity, trans history or trans status will not have a bearing on any employment decisions or access to benefits, except where necessitated by law. In some circumstances, an individual who has transitioned but does not have a gender recognition certificate (GRC) may be required to disclose

their trans history for insurance or pension purposes. YST will ensure that this requirement has been checked with the underwriter and the requirement is made clear in any scheme information provided to employees. In such circumstances, the employee's written consent will be obtained before disclosing their trans history and trans status.

Names and pronouns

YST will take all necessary steps to ensure that an individual's change of name is respected. YST is aware that a failure to change pronouns and names on records in respect of a trans or non-binary employee could constitute direct discrimination.

A GRC is not required to enable a trans person to change their name and YST will never ask an individual if they have a GRC to verify a name change, as to ask such a question would be inappropriate and unlawful.

Consistently addressing a trans or non-binary employee by their previous name and/or an inappropriate pronoun may be regarded as harassment and will be dealt with accordingly.

Changing employee records including workplace systems

Any records that hold personal details should be changed by the time the individual presents at work in their affirmed gender. Records will include all the workplace systems that may contain names, titles and other personal identifiers such as photographs on the YST's website and intranet. The line manager and HR will work with the employee to ensure that nothing is omitted.

Confidentiality

All records that include details of an employee's gender history will be destroyed in a secure manner, unless there is a specific reason for retaining them. Where other people in YST need to be aware of the employee's transition to make a change to a particular record, YST will obtain the employee's consent, and restrict the information to those who need to know.

Where there is a need to retain documentation that shows someone's trans history, this information will be stored confidentially in line with the requirements of Data Protection legislation. The information will be held electronically in a secure environment (for example, password protected) that can be accessed only with the consent of the individual concerned. Only named individuals will be allowed to access this information and those individuals will be made aware that breaches of confidentiality could be unlawful and result in disciplinary action.

Care will be taken to ensure that any search of YST's records by others will not inadvertently reveal an employee's trans history.

It is an individual's decision whether or not to reveal their gender identity, trans status and trans history and YST will respect their right to privacy.

Where an employee discloses information about their gender identity, trans status and/or trans history (verbally or in writing), this will be treated as confidential. This includes any information provided to the line manager or HR. Such information will not be shared with others, unless there is a specific reason and then not without the written consent of the individual concerned. Disclosure of the trans history of someone with a GRC without their specific permission would normally be a criminal offence.

Information relating to an employee's gender identity, trans status and trans history will not be disclosed to a third party without the individual's consent, for example when responding to a reference request. Information that is collected and stored on trans young people shall be stored confidentially and YST will respect a young person's right to privacy.

Communication

YST will work with the employee to agree what information needs to be conveyed to work colleagues and when the information should be conveyed. While the whole workforce may not need to know about the

employee's transition, people who work closely with the individual will normally need to know to ensure that a good working relationship is maintained.

The employee may wish to tell colleagues about their transition or may prefer if this is done by someone else on their behalf. YST will encourage the individual to do what is best for them and, if the employee is not ready to tell anyone at the early stages, YST will respect the employee's wishes. The employee is entitled to privacy and YST will seek to protect them from intrusive enquiries.

Where an employee has a public or client-facing role, YST will discuss with the individual what, if anything, third parties need to know and how this should be handled.

YST will be mindful of possible media interest and establish a protocol for handling media interest to ensure that:

- a trans or non-binary employee is not left to deal with this; and
- their colleagues understand the importance of not compromising the individual's right to privacy.

Bullying and harassment

YST adopts a zero-tolerance approach to harassment, bullying or victimisation and such behaviour may result in action being taken under the organisation's Disciplinary procedure.

Examples of harassment against trans or non-binary people include:

- verbal abuse such as name-calling, threats, derogatory remarks or belittling comments about trans and non-binary people;
- asking an individual if they have a GRC;
- jokes and banter about someone's gender identity, gender expression, trans history, trans status or trans people generally;
- refusing to use the correct pronouns or name;
- threatening behaviour or physical abuse;
- intrusive questioning about gender identity, gender expression, trans history or trans status;
- excluding a trans or non-binary colleague from conversations or from social events;
- refusing to work with someone because they are trans or non-binary; and
- displaying or circulating transphobic images and literature.

All employees are made aware of YST's Dignity at Work policy and the procedures in place for handling complaints of bullying and harassment. YST will also publicise its position on bullying and harassment to any third parties with which it engages.

Any complaints of bullying and harassment are taken seriously and dealt with promptly in line with our Dignity at Work Policy and Disciplinary Procedures.

Gender neutral facilities

All toilet and shower facilities at the YST office are gender neutral.

When attending external events, YST will make every effort to understand the toilet facilities available at the venue in advance, so that trans and non-binary individuals have the information they need to feel included and supported. No individual will ever be expected to use an accessible toilet unless they require it due to a disability.

We are committed to creating an inclusive and respectful environment for all employees. If you have particular needs or would like to discuss adjustments to support your comfort and wellbeing at work or at external events, please let us know, we will always work with you to put appropriate arrangements in place.

Dress codes

YST's dress code is gender neutral. Where YST provides staff kit, employees are encouraged to select whatever kit they feel comfortable wearing, regardless of their gender identity. The only requirement is that it is the correct uniform for their role.

Training and awareness

Trans and non-binary inclusion is part of YST's equality training for all employees. The aim is to help our employees to understand what is and is not acceptable behaviour and to differentiate myth from reality, thereby minimising the potential for conflict arising from misunderstandings.

Discrimination because of gender identity, trans history or trans status is included in other training as appropriate, for example, induction, recruitment and selection, performance management and customer-care training.

Supporting an employee who is transitioning

YST will be supportive of an employee who has made the decision to transition. YST acknowledges that the transition process and the time it takes will be unique to each individual and that it is not always a linear process.

Transitioning is a major decision and the individual may have taken years to come to this point. They may fear rejection or ridicule by their work colleagues. It is therefore vital that YST supports the individual so that they can continue to work without fear of discrimination and harassment and colleagues are helped to understand the process.

Once YST has been made aware by an employee they will be starting, or have started, the process of transitioning, an appropriate point of contact will be agreed with the employee. That person will work with the employee to develop a confidential action plan to manage the individual's transition at work. The plan will consider all the steps necessary to take as a workplace in the individual's transition and any help that can be offered. No action will be taken without the employee's consent.

It is important to develop a plan tailored to the individual employee. The transition action plan may include:

- The timing and approach for the individual to present at work in their affirmed gender identity;
- How any request to temporarily change jobs during the transition process, or to move to a new role permanently, will be handled;
- When and how colleagues, especially direct reports, will be informed;
- Whether and how third parties, such as clients, will be informed;
- How absences related to medical transitioning (e.g., medical appointments or treatment) will be managed;
- Arrangements for updating the individual's name on HR records, email, security badges, etc.;
- Confidentiality measures; and
- Dress codes (including YST kit).

Transitioning is a process that takes time, and, to help both parties, regular review meetings will be arranged to manage the process. This will ensure that the right support is in place and enable the plan to be amended as things change. Effective support for someone who is transitioning requires dialogue, agreed action and respect.

Additional guidance and support

There are many external sources of information, guidance and support, some of which are detailed below:

- <https://www.stonewall.org.uk/> which gives up to-date information and campaign about positive change for lesbian, gay, bi, trans queer, questioning and ace (LGTBQ+) individuals.
- <https://genderedintelligence.co.uk/> A not for profit organisation that exists to increase understanding of gender diversity and improve trans people's quality of life.

- <https://www.scottishtrans.org/> An equality network organisation that strives to improve gender identity, gender expression or trans status inclusion in Scotland.

In addition, all employees have access to a 24-hour, completely confidential and free telephone helpline service by calling 0345 565 1851 and quoting your cash plan membership number.

Appendix

Trans definitions

- **Acquired gender:** a legal term used to refer to the gender in which a trans person lives and presents to the world. Not the gender they were assigned at birth but the gender in which they should be treated. Affirmed gender is a term preferred by the trans community.
- **Affirmed gender:** the process of bringing the gender role and appearance into alignment with the gender identity, 'affirms' that identity. The term 'affirmed' gender, is now becoming more common in describing the post-transition gender status. 'Affirmed' should be used in preference to 'acquired'; the latter is the language of the Gender Recognition Act, and is more appropriately used to describe the acquisition of a Gender Recognition Certificate and new Birth Certificate
- **Allies of trans people:** a cis person who supports members of the trans communities.
- **Bi:** refers to an emotional and/ or sexual orientation towards more than one gender.
- **Cisgender or Cis:** someone whose gender identity is the same as the sex they were assigned at birth. Nontrans is also used by some people.
- **Deadnaming** Calling someone by their birth name after they have changed their name. This term is often associated with trans people who have changed their name as part of their transition
- **Gay:** refers to a man who has an emotional, romantic and/or sexual orientation towards men. Also a generic term for lesbian and gay sexuality - some women define themselves as gay rather than lesbian.
- **Gender:** often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.
- **Gender dysphoria:** used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn't feel comfortable with the gender they were assigned at birth.
- **Gender expression:** how a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not conform to societal expectations of gender may not, however, identify as trans.
- **Gender identity:** a person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.
- **Gender reassignment:** another way of describing a person's transition. To undergo gender reassignment can include undergoing some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self identified gender. Gender reassignment is a characteristic that is protected by the Equality Act 2010, and it is further interpreted in the Equality Act 2010 approved code of practice.
- **Gender Recognition Certificate (GRC):** this enables trans people to be legally recognised in their affirmed gender and to be issued with a new birth certificate. Not all trans people will apply for a GRC and you currently have to be over 18 to apply. You do not need a GRC to change your gender markers at work or to legally change your gender on other documents such as your passport.
- **Gillick competence:** a term used in medical law to decide whether a young person (under 16 years of age) is able to consent to their own medical treatment, without the need for parental permission or knowledge.
- **Intersex:** a term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female or non-binary or any other gender a person may feel comfortable in.
- **LGBT:** the acronym for lesbian, gay, bi and trans.
- **Lesbian:** refers to a woman who has an emotional, romantic and/or sexual orientation towards women. Some non-binary people may also identify with this term.
- **Non-binary:** an umbrella term for a person who does not identify as only male or only female, or who may identify as both.
- **Outed:** when a lesbian, gay, bi or trans person's sexual orientation or gender identity is disclosed to someone else without their consent.

- **Person with a trans history:** someone who identifies as male or female or a man or woman but was assigned differently at birth. This is increasingly used by people to acknowledge a trans past.
- **Pronoun:** words we use to refer to people's gender in conversation - for example, 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they/their and ze/zir.
- **Queer:** in the past a derogatory term for LGBT individuals. The term has now been reclaimed by LGBT young people in particular who don't identify with traditional categories around gender identity and sexual orientation but is still viewed to be derogatory by some.
- **Real life experience (RLE):** is relevant in the context of a person planning medical intervention through hormone replacement therapy or surgery. It can be a requirement of some doctors prior to undertaking these interventions. It is the period of time in which a trans person lives full-time in the gender role in which they identify.
- **Sex:** assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions.
- **Sexual orientation:** a person's emotional, romantic and/or sexual attraction to another person.
- **Trans:** an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) Trans, Transsexual, Gender-queer (GQ), Gender-fluid, Non-binary, Gendervariant, Cross-dresser, Genderless, Agender, Non-gendered, Third gender, Two-spirit, Bi-gender, Trans man, Trans woman, Trans masculine, Trans feminine and Neutrois.
- **Transitioning:** the steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.
- **Transphobia:** the fear or dislike of someone based on the fact they are trans, including the denial/refusal to accept their gender identity.
- **Ze/Zir:** see pronouns