

## Preventing discrimination

Important: In April 2025, the Supreme Court ruled that sex in the Equality Act 2010 refers to 'biological sex'. This will usually mean the sex recorded on someone's original birth certificate. We'll update this advice when the legal position is clearer. If you're planning any changes, you might want to [get legal advice](#).

All employers should take steps to make sure gender reassignment discrimination does not happen at work.

As an employer, you should:

- aim for a culture where everyone knows that gender reassignment discrimination and transphobia are not acceptable
- recognise and promote the benefits of a diverse and inclusive organisation

[Find out more about improving equality, diversity and inclusion](#)

## Steps for preventing gender reassignment discrimination

Many ways to prevent discrimination apply equally to all 'protected characteristics'. You can find out more in our advice on [preventing discrimination](#).

Measures that are specific to preventing gender reassignment discrimination include:

- supporting an employee who is transitioning
- having a transitioning at work policy
- considering things that particularly affect transgender employees
- reviewing any policies on absence or appointments
- appointing an LGBT+ champion
- setting up a staff LGBT+ network

LGBT+ stands for lesbian, gay, bisexual, transgender and other groups.

If you're a small organisation with limited resources, you might not be able to take all measures. But you have a duty to prevent discrimination, and there's still a lot you can do. Making your organisation more inclusive does not have to be costly or complicated.

If you're a public sector employer, you also have legal responsibilities under the [public sector equality duty](#).

## Supporting an employee who is transitioning

Deciding to transition is a big step for someone to take. The process will affect every part of their life.

It's important that:

- an employee feels able to talk openly with their employer
- managers know how to respond

Things you might need to discuss and agree include:

- what time off the employee might need, for example for medical appointments
- whether the employee needs any temporary changes to their job
- if the employee is changing their name, title or pronoun, when that change might happen
- who they want to tell and how and when they want to tell them
- how and when to make changes to staff records and systems, for example their email account

You should have regular conversations with an employee who is transitioning. Their plans or preferences might change.

## Confidentiality

You must keep information about an employee's transition confidential unless they agree for you to share it.

You should take the lead from the employee who's transitioning when deciding how and when to tell other people.

They might want to:

- tell some people but not others
- tell different people at different times
- tell people in a particular way
- stop sharing information

For example, an employee might want to tell their immediate team about their transition straight away. But they want to tell the rest of the department later.

If some employees know about it sooner than others, it's important they keep the information confidential.

An employee might not have told people outside of work about their transition, for example family members. Check with the employee what to do if you need to contact them outside of work. For example, if you need to get in touch with their emergency contact.

## Pronouns

Pronouns are words that refer to people without using their name. For example, he, she and they.

Using a transgender employee's old pronouns is known as misgendering. Doing this deliberately can be a form of harassment.

You should ask an employee who is transitioning what their pronouns are. Communicate this to other staff. Do this when and how the employee wants you to.

Some employees might feel uncomfortable about using someone's new pronouns. As an employer, you cannot force an employee to use someone's new pronouns. However, you can expect them not to use the old pronouns.

Some employers encourage their staff to share their pronouns. For example, in their email signature.

## Having a transitioning at work policy

You should consider having a transitioning at work policy, especially if you're a large employer.

You might not currently have any transgender employees, but this can change. And you might have employees who are not comfortable with people knowing they're transgender.

A policy can:

- show that transitioning at work is something you have thought about and would support
- help you prevent discrimination, which can happen when employers make decisions without thinking them through
- help employees and managers know what they need to discuss and plan
- make conversations easier

A policy should set out:

- how you will support an employee before, during and after transition
- what an employee and their manager need to discuss

Check the policy fits with other policies you might have. For example, policies on absence, menopause, maternity or adoption. If you provide healthcare benefits, you should check how they apply to people who are transitioning.

If you're a small employer, you might not want to create a policy. However, you could still think about how you would support an employee through transition.

## Considering things that affect transgender employees

Some aspects of work particularly affect transgender employees. These include:

- staff records
- IT and security systems
- legal checks
- toilets and changing facilities
- dress codes

### Staff records

Someone being transgender is sensitive personal information. As an employer, you must not disclose this information to another person without the employee's consent. The law is the Gender Recognition Act 2004.

You must keep records showing an employee's previous name, title or pronouns confidential.

You must deal with information relating to an employee's health under the General Data Protection Regulations (UK GDPR).

If you update an employee's payroll records, you need to tell HM Revenue and Customs (HMRC). Let the employee know before you do this. [Find out what to report to HMRC on GOV.UK.](#)

### IT and security systems

When an employee changes their name, you should update their work IT account. For example, you might need to change their email address.

You could consider offering an employee 2 email accounts for flexibility. For example, if they want to use their new name internally, but not when contacting clients.

You should update any systems for entering the workplace, for example security passes or photo ID.

You should agree with the employee how and when to make these updates.

This will help prevent problems such as:

- an employee not having email access
- an employee not being able to enter the workplace
- accidentally revealing that an employee is transgender

## Legal checks

A transgender employee's documents for legal checks might be in a different name. For example, identification documents, DBS records or references from previous employers.

You should handle this situation sensitively and confidentially.

[Find out about the DBS confidential checking service for trans employees on GOV.UK](#)

## Toilets and changing facilities

At some point during their transition, an employee will probably want to change the facilities they use.

If an employee tells you they want to use different facilities, you should talk to them about:

- when the change could happen
- what, if anything, to tell other employees

Everyone at work should be able to use facilities they feel comfortable with. Making a transgender employee use facilities they're not comfortable with could be discrimination.

If other employees raise concerns related to facilities, you should be sensitive to these. Consider the concerns and look for practical solutions that everyone can accept.

Good solutions might include:

- having one or more self-contained toilets that anyone can use
- making sure changing rooms have lockable cubicles

## Dress codes

It's reasonable for an employer to set standards of dress for their organisation.

However, you should make sure any dress codes or uniforms you have are flexible. They should allow employees to dress in a way they feel comfortable with. What someone feels comfortable with might change as they transition.

## Reviewing policies on absence or appointments

An employee can transition without any medical intervention.

However, a transgender employee might need time off for things like:

- counselling
- hormone treatment
- voice therapy

- hair removal
- surgery

You must not treat the employee less favourably than if the absence was due to illness or injury.

Make sure any absence policies you have do not discriminate against transgender employees.

Be prepared to talk with an employee about their plans. Plans might change so it's important to be flexible.

You should bear in mind that an employee:

- might need to attend a specialist clinic that is far away – their time off might need to include time for travelling
- might have waited a long time for an appointment – you should not ask them to rearrange appointments

You should not assume that surgery related to gender reassignment is elective or cosmetic. Being able to have relevant surgery can be important for an employee's physical and mental health.

## Appointing an LGBT+ staff champion

An LGBT+ staff champion is an employee who is committed to promoting equality for LGBT+ staff and tackling discrimination.

They should be:

- willing and able to give time to the role
- senior enough to be able to influence decision-makers and make sure actions are taken

Their role could include:

- keeping up to date with law and good practice
- understanding what transitioning at work involves
- helping employees who are transitioning or their managers to resolve problems at work

## Setting up a staff LGBT+ network

A staff LGBT+ network is a formal group for LGBT+ staff and their allies to:

- share experiences
- support each other
- raise issues that need addressing

An ally is someone who is not LGBT+ but wants to help make sure that their organisation is inclusive. They can be from any part of an organisation, working at any level.

## Get more advice and support

If you need help to deal with any challenges in your organisation, you can:

- [contact the Acas helpline](#)
- [get tailored support for your organisation](#)