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Foreword

I am pleased to publish this Action Plan to advance equality for transgender people in Wales.

The Welsh Government is committed to making Wales a country where everyone has the same opportunities to contribute to the economic, environmental, social and cultural well-being of Wales. The Well-being of Future Generations Act provides us with an opportunity to advance equality in a more integrated and strategic way. This Action Plan will contribute to the specific well-being goal, 'a more equal Wales' and will also help to contribute to other Well-being goals, particularly, 'a Wales of cohesive communities' demonstrated by our work on tackling hate crime and developing community cohesion, addressing health inequalities will contribute towards 'a healthier Wales' and encouraging transgender people to participate in recreation will support the goal of 'a Wales of vibrant culture'.

Equality is about creating a fairer society where diversity is valued and respected, where people do not face discrimination and where everyone can participate, flourish and have the opportunity to fulfil their potential, whatever their background or identity, including their gender identity.

Our transgender stakeholders have spoken out about misconceptions and lack of understanding of transgender issues in our communities, schools, workplaces and amongst service providers. They have called on the Welsh Government to use all the levers it has to address these issues. As Minister with responsibility for equality, I am determined to address inequalities for transgender people.

I have listened to trans voices through the consultation process over the summer. I also met with a group of trans young people who were kind enough to share their experiences with me. The Welsh Government heard from trans people with a wide range of experiences and identities, about how being transgender can impact on many aspects of their lives.

While there was broad support for the actions described in the draft consultation Plan, there were also suggestions as to how to enhance the Action Plan. I want this Action Plan to be a living document which can develop further as we continue to work with the trans community.

This Action Plan will be the vehicle to drive forward our cross-Government actions in working towards greater equality for transgender people. It consists of identifiable and concrete actions with the intention of making specific improvements to trans people's lives.

I am determined the Welsh Government will continue to work with members of the trans community and take advantage of this opportunity to drive forward equality for trans people.

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping 'L' and 'G'.

Lesley Griffiths AM
Minister for Communities and Tackling Poverty

Introduction

The Minister for Communities and Tackling Poverty, with responsibility for equality for transgender people, is committed to driving forward actions which will address discrimination, improve access to public services and tackle social stigmatisation, harassment and bullying for transgender people in Wales.

The Welsh Government wanted to seek the views of those with an understanding of issues which affect transgender people in order to produce an Action Plan which would address the barriers they face. In summer 2015 the Welsh Government held a 12 week consultation period where we asked for comments on our proposed actions.

The consultation built on the conversations we had already begun with members of the trans community and was structured around the themes of Children and Young People, Communities, Public Services, Striving for Equality, and any potential gaps which we hadn't identified.

The consultation was widely circulated to stakeholders. We held three focus groups with members of the trans community. The Minister for Communities and Tackling Poverty attended the first focus group with trans young people from the Trans*form Cymru Steering Group. The second took place in Llandudno and was organised by Unique Transgender Network, the third took place in Cardiff with members of Trans+ Social Meet Up Cardiff (TSMU Cardiff).

We are very grateful for these networks working so closely with the Welsh Government to organise these events and for welcoming us to join them to talk about the Action Plan. We received 62 written responses to the consultation, 28 of which came from individuals. We would like to thank all those who responded, particularly for sharing with us personal stories and experiences. A summary of the consultation responses can be found [here](#).¹

This Action Plan highlights the actions the Welsh Government will take to advance equality for trans people. The majority of respondents to the consultation indicated they agreed the actions we proposed should be considered a priority. Other suggestions were also put forward which we have sought to address where we can. Some issues such as the Gender Recognition Act (2004) fall outside of the Welsh Government's remit so unfortunately we have not been able to address these.

The range of issues raised was broad, highlighting just how many aspects of a trans person's life can be affected by discrimination and other barriers. The Welsh Government recognises the issues are complex and although much could be achieved by improving transgender awareness across the board,

¹ <http://gov.wales/docs/dsjlg/consultation/151211-transgender-consultation-summary-of-responses-en.pdf>

there is not a 'quick fix'. We see this Action Plan as a living document which can develop further as we continue to work with the trans community.

We recognise there are a diverse range of identities and experiences within this community and trans people may use different terms to refer to themselves. For the purposes of this Action Plan, the Welsh Government uses the terms transgender and trans as umbrella terms to describe people whose gender identity and sense of self does not wholly match the gender assigned to them at birth. The Welsh Government has spoken to a growing number of people who identify as non-binary. Not all non-binary people identify as trans, but the Welsh Government aims to include non-binary people when we say trans.

The Welsh Government will use terms we believe to be generally accepted with our stakeholders within the trans community.

Section 1: Children and Young People

Many trans people are now coming out at a younger age. This increases the likelihood that schools and youth organisations will encounter trans young people or a young person who has a family member who is transgender.²

According to GIRES, a school of 1,000 pupils should expect around 10 to be gender variant to some degree.³

Young people's experiences can have a huge impact on shaping their lives. Bullying at school, home, online or in communities can have an effect on their mental health, attendance and ability to learn. Research indicates 91% of trans boys and 66% of trans girls experience harassment or bullying at school.⁴

The Welsh Government would like schools to be a safe, supportive environment where children and young people can be comfortable with their identity.

Our stakeholders have given us examples of schools which have been supportive of a young person transitioning, but we have also heard examples where schools have struggled to provide an appropriate environment.

Through our Equality and Inclusion Grant funding, the Welsh Government fund Youth Cymru's Trans*Form Cymru project which empowers and supports trans young people to access their rights and to provide support to youth-facing organisations to address discrimination and exclusion often experienced by trans young people. Their work is led by a Steering Group of young people who all identify on the trans spectrum.

Trans*form Cymru have identified a lack of specific training on trans awareness for professionals working with young people. Current approaches are reactive rather than proactive.

Trans*Form Cymru have produced a toolkit containing guidance for youth work organisations and a selection of resources to use with young people to promote awareness of equality and diversity. The Toolkit can be found [here](#).⁵

The Welsh Government consultation raised some key themes:

Awareness raising

Transgender awareness raising was a common theme in the consultation responses with the expectation it will lead to greater understanding and therefore acceptance. Whether this is amongst young people themselves

² Trans*form Cymru Toolkit p2 <http://youthcymru.org.uk/transform-cymru/>

³ GIRES <http://www.gires.org.uk/assets/Schools/assistingschools.pdf>

⁴ House of Commons Women and Equalities Committee Transgender Equality Report 2016. P 73 <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/390.pdf>

⁵ Trans*form Cymru Toolkit p2 <http://youthcymru.org.uk/transform-cymru/>

(either to understand what a fellow pupil may be dealing with or for a trans young person to better understand their gender identity) or amongst teachers and staff working with and supporting young people.

Staff training

Another strong theme emerging in consultation responses was the need for appropriate transgender awareness training for teachers, staff and others working with young people.

Best Practice / Guidance

A number of respondents raised the need for best practice guidance for schools looking to support a transgender learner. The Transgender Guidance for Wrexham Schools 2015 which was informed by good practice in Cornwall was recommended to be adopted across all schools in Wales. The guide gives practical advice on issues which will effect a young trans person.

Bullying

Respondents recognised the devastating effect bullying can have on young people and into their later life.

There was a strong focus on cyber bullying in the responses. Whilst some respondents recognised the internet can provide a great way to socialise, explore and have fun, they also recognise there are risks to young people.

During Hate Crime Awareness Week in October 2015, the Welsh Government held a cyber-hate conference in association with Cardiff University. The conference raised awareness and increased understanding of cyber-hate and bullying and its impact on victims. The Crown Prosecution Service has developed free resource packs for teachers so that they can help students explore issues about hate crime and bullying. There are currently a variety of different packs available. These included a set of resources to help teachers explore: disability hate; racist and religious hate crime, and homophobic and transphobic bullying and hate crime. The resources can be found [here](#).⁶

The Welsh Government funds the All-Wales School Liaison Core Programme which aims to educate young people about community and personal safety, including bullying (www.schoolbeat.org/).

Actions

- To fund Youth Cymru's Trans*form Cymru project led by a Steering Group of trans young people to disseminate trans*form toolkit containing good practice guidance, case studies and resources to enable practitioners to:

⁶Crown Prosecution Service Schools Project – homophobic and Transphobic Bullying and Hate Crime
http://www.cps.gov.uk/northwest/working_with_you/hate_crime_schools_project/schools_project_lgbt_hate_crime/

- Empower trans young people
 - Establish safe environments for trans young people
 - Effectively support trans young people
- To fund Youth Cymru's Trans*form Cymru project led by a Steering Group of trans young people to work with youth facing organisations to encourage them to commit to the Trans*form Cymru Charter (a good practice Quality Mark recognising trans inclusive practice)
 - To continue our drive to publicise our Respecting Others anti-bullying guidance which can be found [here](#).⁷
 - Review existing materials and lesson plans for transgender inclusion and identify to what extent these are being used in schools.
 - Identify and share current best practice advice on supporting transgender learners.
 - Explore what additional support might be provided, including the need for practitioner training on transgender awareness.
 - Further use of the extensive range of e-Safety resources on Hwb to promote understanding of Cyberbullying and cyber-hate.
 - Use the Resources and News items on Hwb to signpost users to relevant information such as the NSPCC.

⁷ Welsh Government Respecting Others anti-bullying guidance 2011
<http://gov.wales/docs/dcells/publications/111007respectingothersen.pdf>

Section 2: Communities

Hate Crime

In the UK wide Trans Mental Health Study, 81% of participants avoided certain situations due to fear. 51% worried they would have to avoid social situations or places in the future due to fear of being harassed, read as trans, or being outed.⁸

The All Wales Hate Crime Research in 2013 showed there are significant barriers for transgender people to report hate crimes and identified the significant impact upon victims. Nearly half (46%) of victims disclosed suicidal thoughts, with over a third (37.5%) of victims stating violent crimes were the most serious they had experienced.⁹

Predominantly, responses to our consultation focussed on awareness raising of transgender hate crime. Some responses suggested trans people may not know how to report or perceive there to be little prospect of a conviction if they do, so it is important to publicise the LGBT Hate Crime Project and initiatives which increase reporting. Respondents also suggested a need for Police forces and Hate Crime services to have specific trans awareness training.

The Welsh Government's 'Tackling Hate Crimes and Incidents: Framework for Action' sets out how we aim to work with partners across Wales to take forward three objectives on prevention, supporting victims and improving multi-agency working. The Welsh Government published an Outcomes and Evidence Report from an Independent Advisory Group, which is chaired by the Minister for Communities and Tackling Poverty, on progress through the Framework in December 2015. The document can be found [here](#).¹⁰

The Welsh Government has funded Victim Support Cymru to run the National Hate Crime and Report Centre. This provides independent advocacy and advice for victims and anonymised reporting where victims do not feel confident to go to the police.

Actions

- To fund the National Hate Crime Report and Support Centre through Victim Support Cymru which will:

⁸ Jay McNeil, Louis Bailey, Sonja Ellis, James Morton & Maeve Regan (2012) Trans Mental Health Study. p 37 and 39. http://www.gires.org.uk/assets/Medpro-Assets/trans_mh_study.pdf

⁹ Dr Matthew Williams and Dr Jasmin Tregidga (2013) All Wales Hate Crime Research Project. p 223 – 4.

¹⁰ <http://gov.wales/topics/people-and-communities/equality-diversity/rightsequality/hate-crime/?lang=en>

- monitor the number of transgender people who are reporting and receiving support;
 - roll out all Wales training across public sector and community organisations to increase awareness of hate crime which will include gender identity hate crime;
 - map hate crime referrals which will include transgender hate crimes and provide information for Local Authorities to enhance tension monitoring procedures.
- To work with the Hate Crime Criminal Justice Board Cymru to raise awareness of concerns highlighted during the consultation with regards to convictions and increasing awareness.
 - To support Hate Crime Awareness Week 2016 to increase greater understanding and information across communities on how to report.
 - Fund Community Cohesion Co-ordinators to work with local organisations and communities to increase awareness of hate crime and reporting.

Violence against Women, Domestic Abuse and Sexual Violence

The Scottish Transgender Alliance report 'Out of sight, out of mind?: Transgender People's Experiences of Domestic Abuse' (2010)¹¹ found although 80% of respondents identified having experienced some form of abusive behaviour from a partner or ex-partner, only 60% of respondents recognised the behaviour as domestic abuse. 76% identified having experienced psychological or emotional problems as a consequence of the abuse, with 24% telling no one about the domestic abuse they experienced. 15% said they had attempted suicide as a consequence of the abuse and 51% thought the most recent domestic abuse they had experienced was "wrong but not a crime".

The Welsh Government Transgender Action Plan Consultation responses covered a number of themes:

- Ensuring services are trans and non-binary inclusive – there can be particular issues with gendered services.
- Increasing awareness and reporting both within the trans community and within services.
- Ensuring trans voices are included in service design and delivery.
- Gender Identity training for anyone supporting victims of domestic abuse.

In June 2014, the Welsh Government published 'Barriers faced by Lesbian, Gay, Bisexual and Transgender People in Accessing Domestic Abuse, Stalking and Harassment, and Sexual Violence Services'. The report can be found [here](#).¹²

The research found that LGBT people who experience domestic abuse, stalking and harassment and sexual violence may face specific barriers to accessing services. These included:

- 'individual barriers' which related to their knowledge and recognition of abuse occurring in LGBT relationships, lack of knowledge and connectedness to LGBT friendly services, lack of certainty or ability to be open about their gender identity or self-blame in relation to their experience of abuse,
- 'interpersonal barriers' related to control and abuse from other people on the basis of their gender identity,
- 'structural and cultural barriers' relating to the way existing services have been designed with the needs of heterosexual, cisgender women in mind.

The recommendations from this report are being progressed via a range of delivery mechanisms.

¹¹ http://www.scottishtrans.org/wp-content/uploads/2013/03/trans_domestic_abuse.pdf

¹² <http://gov.wales/statistics-and-research/barriers-faced-lesbian-gay-bisexual-transgender-people-accessing-domestic-abuse-sexual-violence-services/?lang=en>

Actions

- Training to support relevant public and voluntary service staff is being built into a National Training Framework (NTF) on Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) to ensure staff understand and can respond appropriately to transgender peoples' lives, experiences and particular requirements. This will include ensuring trans people are considered in general training and specific training needs are considered as necessary. The NTF will be further developed during 2016-17.
- To ensure that due consideration to the particular issues faced by transgender people in relation to VAWDASV is made in the development of the various statutory guidance, which will be issued under S.15 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. Each piece of guidance will be subject to full public consultation in due course.
- Support the National Adviser to establish a National Service User Group, which will include LGBT representation to ensure views on LGBT issues are fully reflected and considered across all work in this area, including, publicity campaigns and the development of the National Strategy on Violence against Women, Domestic Abuse and Sexual Violence.
- Fund Welsh Women's Aid to:
 - issue guidance in 2015-16 to their member organisations on providing accessible services to meet the needs of transgender survivors of domestic abuse and sexual violence;
 - deliver training to domestic abuse services on meeting the needs of transgender survivors of domestic abuse and sexual violence.

Sport

The Welsh Government used the Transgender Action Plan Consultation as an opportunity to hear directly from trans people and gather information about their participation in sport. We asked an open question about what, if any, barriers there are to participation in sport for transgender people.

Sport proved to be a popular theme in both the written consultation responses and the focus groups we attended. We heard from trans people with a range of experiences in sport from those who were actively involved in sports, those who had enjoyed sport in the past but didn't feel there was a space for them to participate now and people who felt there were too many barriers preventing them taking part. We also heard from people who had experience of elite sports, participated in regular competitions and people who had overcome barriers to make use of local leisure facilities.

The most prominent responses in our consultation were the barriers created by gendered facilities and gendered teams / sports activities.

Some respondents had been refused entry to facilities which matched their gender, some felt uncomfortable or afraid to use those facilities and there was recognition of the barrier gendered facilities could present to non-binary people. However, it is important to note we heard from others who hadn't experienced any negative issues using changing facilities and some who had proactively spoken to staff at local leisure centres to seek reassurance they would be welcomed without incidents.

Responses also highlighted gendered teams as a barrier to trans people fearing acceptance, particularly to non-binary people. Linked to this was the impression some people may have suggesting trans women may be at an unfair advantage in a women's sports team.

Other issues raised in the consultation were the fear of transphobic bullying from other players, spectators or the media, the role of Sport Associations and Governing Bodies in removing barriers, raising awareness for staff and the lack of trans role models in sport.

Sport Wales

Sport Wales are the national organisation responsible for developing and promoting sport in Wales. They are the main adviser on sporting matters to the Welsh Government and are responsible for distributing National Lottery funds to both elite and grassroots sport in Wales.

Sport Wales see the benefits of sport in the widest sense, not solely impacting on improving the physical health of the nation, but also in bringing communities together, building confidence in young and old, providing new skills and training and attracting investment into Wales.

LGB&T Sport Cymru

The LGB&T Sport Cymru Network was formed in 2013 in response to research conducted by Sport Wales which identified whilst many lesbian, gay and bisexual people are interested in sport, they have also been put off by negative experiences, or the perception it is an unpleasant and unsafe environment for gay people. It is also widely recognised the trans* community can encounter significant and sometimes elevated challenges.

Consisting of a mixture of professionals and volunteers from Welsh National Governing Bodies, Stonewall Cymru, volunteers from LGB& T inclusive sports clubs and groups, and individuals from pro-active LGB&T ally groups, LGB&T Sport Cymru exists to support the development of an inclusive Welsh sporting landscape within which LGB&T individuals can participate, compete, coach, volunteer or gain employment in a sport of their choice. This message is consistent with the Sport Wales "Vision for Sport in Wales" and seeks to endorse a position where "Every Child is Hooked on Sport for Life" and where Wales creates a "Nation Of Champions".

The Network currently have 3 appointed LGB&T Sport Cymru Ambassadors and provide guidance and support to the sports sector whilst simultaneously engaging with LGB&T individuals to challenge preconceptions around sport and physical activity. The recently launched LGBT Sport Cymru website which provides useful guidance and support to clubs wishing to share or improve their inclusive practice and allows for prospective participants to identify local opportunities which offer a welcoming and self environment. Visit www.lgbtsport.cymru to find out more.

LGBT Sport Cymru are a proactive and ambitious organisation who are keen to support partners and change the landscape of sport in Wales. To find out more about LGBT Sport Cymru please contact michelle@lgbtsport.cymru

Action

The International Olympic Committee (IOC) has recently agreed amended guidelines to be taken into account by sports organisations when determining eligibility to compete in male and female competition:

- Those who transition from female to male are eligible to compete in the male category without restriction.
- Those who transition from male to female are eligible to compete in the female category but must meet certain conditions which can be found [here](#).¹³

¹³ http://www.olympic.org/Documents/Commissions_PDFfiles/Medical_commission/2015-11_ioc_consensus_meeting_on_sex_reassignment_and_hyperandrogenism-en.pdf

Sport Wales in partnership with the Sports Council Equality Group SCEG to review current guidance developed by the SCEG and identify if there is a need to refresh the publications or to look at further supporting resources, in light of pending IOC changes.

The current guidance listed below, can be found [here](#).¹⁴

- Transsexual People and Competitive Sport – Guidance for National Governing Bodies
- Transsexual People – Eligibility to Compete in International Competition
- Transsexual People – Eligibility to Compete in Domestic Competition

¹⁴ <http://www.equalityinsport.org/equality-groups/gender-reassignment/publications/>

Public Transport

In our consultation, we asked participants 'What barriers (if any) inhibit your use of public transport in Wales?'

The most prominent issue raised by respondents was safety, and in particular, fears of harassment, abuse, misgendering or for their personal safety.

During 2016, the Welsh Government will revise the statutory All-Wales Travel Behaviour Code in collaboration with schools, learners, local authorities, the Children's Commissioner and relevant third sector organisations. The revisions to the Travel Behaviour Code consultation has concluded and a new statutory All-Wales Travel Behaviour Code is expected to be published later this year. The Code and the associated statutory guidance will be linked to the Hate Crime Framework, including the Welsh Government's Respecting Others anti-bullying agenda.

Action

The Welsh Government aims to develop the revised All-Wales Travel Behaviour Code to improve safety, including standards of behaviour, on the home to school journey, including journeys between schools. We propose to provide more robust anti-bullying messages within the new Code. We also propose to revise the Travel Behaviour Code statutory guidance by:

- including details of sources of help and advice for learners to enable crimes against those with protected characteristics (as defined by the Equality Act 2010) to be tackled, and by
- providing clear systems to allow parents, carers and learners to report incidents of bullying, including hate crimes, to the appropriate authorities.

Section 3: Public Services

Health

The Trans Mental Health report (2012) found 32% of respondents across the UK have waited 1-3 years for an initial appointment at a Gender Identity Clinic.

The study also showed in General Health services;¹⁵

- 12% had been refused or ended care because of the way in which they were trans or because of a trans history,
- 24% had experienced hurtful or insulting language about trans people,
- 29% had received a refusal to discuss or address a particular trans-related health concern,
- 54% had been told by the health professional they didn't know enough about a particular type of trans-related care to provide it,
- 61% had been asked questions about trans people which made them feel they were educating the health professional.

Health featured predominately in the consultation responses and focus group conversations. It is clearly an important matter and covers a wide range of different issues.

A prominent theme raised by respondents was the need to travel to London for appointments and treatment. This can add to the cost, anxiety and stress of treatment. Respondents raised their preference for a Welsh Gender Identity Clinic and more choice over which clinic they were treated in.

Linked to this were issues with our current referral pathway and the wish for consideration to be given to other models from around the UK. A strong theme in the consultation comments was the waiting time for appointments and the length of time for treatment. Long waiting times can lead to increased stress, anxiety, increased dysphoria, self-medication and most worryingly increased suicidal thoughts.

An issue commonly raised during focus groups and in consultation responses is the need for training and increased awareness of both gender identity and equality issues as a whole, along with specific training and resources to be made available about the referral pathway. A number of Welsh Government stakeholders have raised with us the feeling they are training the health professionals they see.

The current position

The Welsh Health Specialised Services Committee (WHSSC) is currently responsible for commissioning gender dysphoria services for Welsh

¹⁵Jay McNeil, Louis Bailey, Sonja Ellis, James Morton & Maeve Regan (2012) Trans Mental Health Study. p45. http://www.gires.org.uk/assets/Medpro-Assets/trans_mh_study.pdf

residents. Given the extremely specialist nature of treatment, there are only a limited number of facilities in the UK able to carry out gender reassignment surgery to which WHSSC can refer patients. However, the Welsh Government does recognise there are other, less highly specialised treatments, such as initial psychiatry assessment endocrinology, speech and language therapy, which could be provided in a more effective and localised way than is currently the case in some areas. Discussions between LHB Chief Executives on progressing this work have already begun.

The Welsh Government will also support awareness raising for healthcare providers to increase knowledge and understanding of transgender and gender identity issues.

NHS Wales has recently launched a dedicated Gender Dysphoria website which includes a *useful links* page, listing a range of organisations who can provide support and advice to trans people and their families. The website address is: <http://www.genderdysphoria.wales.nhs.uk>.

Action

- To develop and implement an NHS Wales Strategy for Wales, which will include a care pathway and guidance for healthcare practitioners, to be progressed as a priority. Any service realignment required to support the pathway should begin during 2016/17.

Housing

The Transgender Action Plan consultation responses told us trans people can be vulnerable when it comes to housing. Some people may experience family breakdown, homelessness, victimisation by neighbours or loss of employment when they come out as trans. For those who lose their social network, homelessness may become a reality.

A small number of consultation and focus group responses addressed the issue of trans-specific housing with mixed views. Some felt there was a need for trans-specific housing projects, particularly for those needing temporary or emergency housing in a safe, protected environment. Others felt housing services should be inclusive and grouping trans people into the same place could create a ghetto and increase risk of social isolation or harassment and abuse.

Other responses advised housing service providers may require additional training around the specific needs transgender people may have, the need to ensure housing provider's processes do not unintentionally discriminate and the need for clear guidance for service providers on best practice in relation to changing records when someone has transitioned.

The Welsh Government recognises the need to support people who are either at risk of or are already homeless.

The implementation of the Housing (Wales) Act 2014 will ensure people who are homeless or threatened with homelessness are given the help they need to find or keep a home. The Welsh Government is funding Shelter Cymru to deliver independent housing advice across Wales, including specific funding for LGBT awareness raising for homelessness services.

The Code of Guidance for Local Authorities on the Allocation of Housing and Homelessness, ensures authorities take account of someone's gender identity when considering what reasonable steps could be taken to support an applicant who is either at threat of homelessness or is homeless.

Actions

- Incorporate LGBT advice service within Shelter Cymru's national advice project.
- Incorporate the Hate Crime Toolkit as a 'reasonable step' which could be taken in the statutory Code of Guidance to accompany the Housing (Wales) Act 2014.
- Work with Tai Pawb to ensure, where practicable, any data collection exercise or advice takes account of protected characteristics, including gender identity.

Section 4: Workplace

Some respondents during our Consultation and Focus Group events recognised there are employers who are taking proactive steps to address trans equality and are meeting the needs of staff members who transition. However, there are also employers who are not currently equipped or knowledgeable enough to support trans staff members.

Issues for consideration which were raised with us included:

- Toilets and changing facilities.
- Privacy - a person's transgender status is protected and breaching a trans person's privacy is unlawful.
- Changing a person's name and title in IT systems.
- Bullying or discrimination in the workplace.
- Time off for medical appointments.
- Dress codes.

Action

Business Wales will place guidance on the Business Wales website which will help employers support transgender people in the workplace. The guidance will give advice to employers about the issues individuals can experience from the decision to transition, during the process of transitioning and how to support someone in the workplace after transitioning.

The guidance will also explain and give advice on supporting people who wish to alter their gender and do not wish to undertake medical transitioning.

Section 5: Striving for Equality

In the consultation, the Welsh Government asked whether there are other actions the Welsh Government should take to ensure transgender issues are addressed when taking decisions or setting equality objectives.

The most prominent issues raised were the need to consult, listen to and work with trans people when implementing policies which will affect them and also for the Welsh Government to ensure consideration is given to how new policies could impact a transgender person by undertaking Equality Impact Assessments (EIAs). Training and good practice models to improve the quality of EIAs should also be provided.

The Equality Act 2010 created the Public Sector Equality Duty (PSED), which places a duty on public bodies to:

- Eliminate discrimination, harassment, victimisation;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Welsh Government was the first part of Great Britain to regulate to create specific duties under the 2010 Equality Act. These specific equality duties laid a further foundation for taking equality forward in Wales and underpin the general PSED.

Equality Impact Assessments

Under these specific equality duties the Welsh Government must ensure any and all decisions made do not unfairly discriminate, by carrying out robust Equality Impact Assessments and by involving and engaging relevant stakeholders as part of the decision-making process.

When developing new and reviewing existing services and policies, the Welsh Government considers potential or actual barriers groups might face and identifies ways to remove or lessen the impact of those barriers before any decision is implemented. In this way, the disadvantage should be averted before it happens. Actions can also include a range of positive actions which allows the Welsh Government to treat individuals according to their needs.

The Equality Impact Assessment Practice Hub has been developed jointly by NHS Centre for Equality and Human Rights, the Welsh Local Government Association and the Welsh Government and provides public sector colleagues with resources to promote and support the development of EIAs. The Hub will continue to develop based on feedback and updated with new practice notes, case studies, case law and new guidance. The Hub can be found at www.eiapractice.wales.nhs.uk

Equality Objectives and Strategic Equality Plan for 2016-20.

Under the specific equality duties the Welsh Government published our first four year Equality Objectives in April 2012 and have reviewed and refreshed our Equality Objectives for 2016-20.

The purpose of the Equality Objectives is to strengthen the Welsh Government's performance of the Public Sector Equality Duty and ensure the Welsh Government is making year on year progress in advancing equality and inclusion for all protected groups. The Equality Objectives also inform our stakeholders and the general public, the areas of inequality which the Welsh Government is prioritising as areas for action.

The Equality Objectives have been developed following in-depth engagement and consultation with protected groups across Wales. This engagement provided stakeholders with the opportunity to influence the Equality Objectives and the way they were drafted.

The detailed actions which will take forward each Equality Objective will be set out in the Strategic Equality Plan (SEP) for 2016-20. We will publish our Strategic Equality Plan 2016-20 later on in 2016.

Actions

- Improve the quality of EIAs by providing guidance for policy makers on how new policies could potentially impact on a transgender person. To include good practice models and community group contacts for engagement.
- The Transgender Action Plan will feed into the revised Welsh Government Strategic Equality Plan for 2016-2020.

Glossary of terms

Agender – Having no gender identity, or a neutral gender identity.

Bi - gender – Having two gender identities, either at the same time, at different times or in different situations. These two genders could be male and female but can also include non-binary identities.

Cis / Cisgender – A person whose gender identity matches the gender they were assigned at birth. Someone who is not trans.

Coming Out – Acknowledging to yourself and others that you are transgender.

FTM – Female-to-Male. Sometimes used by trans men.

Gender binary – The concept that there are only two genders, male and female.

Gender dysphoria – Describes a variety of negative feelings that are related or connected to someone's gender or sex. Trans individuals require a diagnosis of gender dysphoria before beginning gender reassignment treatment.

Gender expression – The external presentation of gender identity.

Gender identity – A person's sense of self, which may not wholly match the gender they were assigned at birth.

Gender fluid – Moving between gender identities or expressions.

Gender neutral – Having a neutral gender identity

Hate Crime – A criminal offence which is perceived, by the victim or any other person to be motivated by a hostility or prejudice based on a person's actual or perceived disability, race, religion and belief, sexual orientation and gender identity.

Intersex – A term used to describe people born with variations of internal and/or external sex anatomy resulting in bodies that cannot be classified as typically male or female.

LGBT / LGBT+ – Lesbian, Gay, Bisexual and Transgender. The '+' is used to indicate the wide spectrum of sexual orientations and gender identities.

Misgendering – Referring to someone using a word, often pronoun, which does not correctly reflect the gender with which they identify.

MTF – Male-to-Female. Sometimes used by trans women.

Non-binary – An umbrella term used to describe identities which lie outside of male and female.

Outing – Someone else disclosing your transgender identity, usually without your consent.

Trans / Transgender / Trans* - An umbrella term to describe people whose gender identity and sense of self does not wholly match the gender they were assigned at birth.

Transition – A term used to describe changing gender presentation so it aligns with gender identity. Transition has two main forms, social transition and medical transition.

Transphobia – The dislike, fear or hatred of transgender people.

Transsexual – A term sometimes used interchangeably with transgender, however can be used to refer to someone who has undergone or is intending to undergo medical transition, rather than being an umbrella term. It is always best to ask which term someone prefers to describe themselves.

Welsh Government Action Plan to advance equality for transgender people

Action	Owner	Measures
Children and Young People		
<p>To fund Youth Cymru's Trans*form Cymru project led by a Steering Group of trans* young people to disseminate trans*form toolkit containing good practice guidance, case studies and resources to enable practitioners to:</p> <ul style="list-style-type: none"> • Empower trans* young people • Establish safe environments for trans* young people • Effectively support trans* young people. 	Fairer Futures and Youth Cymru	In place through 2016 – 2017.
<p>To fund Youth Cymru's Trans*form Cymru project led by a Steering Group of trans* young people to work with youth facing organisations to encourage them to commit to the Trans*form Cymru Charter (a good practice Quality Mark recognising trans* inclusive practice).</p>	Fairer Futures and Youth Cymru	The Charter was launched in December 2015. Action to promote the Charter throughout 2016 – 2017.
<p>To continue our drive to publicise our Respecting Others anti-bullying guidance.</p>	Pupil Wellbeing Branch Education and Public Services	2016-17
<p>Review existing materials and lesson plans for transgender inclusion and identify to what extent these are being used in schools.</p>	Supporting Achievement & Safeguarding, Education and Public Services	2016-17
<p>Identify and share current best practice advice on supporting transgender learners.</p>	Supporting Achievement & Safeguarding, Education and Public Services	2016-17
<p>Explore what additional support might be provided, including the need for practitioner training on transgender awareness.</p>	Supporting Achievement & Safeguarding, Education and Public Services	2016-17
<p>Further use of the extensive range of e-Safety resources on Hwb to promote</p>	Digital Learning Division,	Ongoing through the

Action	Owner	Measures
understanding of Cyberbullying and cyber-hate.	Education and Public Services	delivery of the e-Safety contract.
Use the Resources and News items on Hwb to signpost users to relevant information such as the NSPCC.	Digital Learning Division Education and Public Services	Ongoing
Communities		
Hate Crime		
To fund the National Hate Crime Report and Support Centre through Victim Support Cymru which will: <ul style="list-style-type: none"> • monitor the number of transgender people who are reporting and receiving support; • roll out all Wales training across public sector and community organisations to increase awareness of hate crime which will include gender identity hate crime; • map hate crime referrals which will include transgender hate crimes and provide information for Local Authorities to enhance tension monitoring procedures. 	Fairer Futures Education and Public Services	2016-17.
To work with the Hate Crime Criminal Justice Board Cymru to raise awareness of concerns highlighted during the consultation with regards to convictions and increasing awareness.	Fairer Futures Education and Public Services	
To support Hate Crime Awareness Week 2016 to increase greater understanding and information across communities on how to report.	Fairer Futures Education and Public Services	October 2016
Fund Community Cohesion Co-ordinators to work with local organisations and communities to increase awareness of hate crime and reporting.	Fairer Futures Education and Public Services	2016-17
Violence Against Women, Domestic Abuse and Sexual Violence		
To ensure that due consideration to the particular issues faced by transgender people in relation to VAWDASV is made in the development of the various	Violence Against Women and Domestic Abuse	Guidance to be issued year on year.

Action	Owner	Measures
<p>statutory guidance, which will be issued under S.15 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. Each piece of guidance will be subject to full public consultation in due course.</p>	<p>Education and Public Services</p>	<p>Evidenced through relevant EIA attached to each piece of guidance.</p>
<p>Training to support relevant public and voluntary service staff is being built into a National Training Framework (NTF) on Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) to ensure staff understand and can respond appropriately to transgender peoples' lives, experiences and particular requirements. This will include ensuring trans people are considered in general training and specific training needs are considered as necessary. The NTF will be further developed during 2016-17.</p>	<p>Violence Against Women and Domestic Abuse Education and Public Services</p>	<p>Guidance issued January 2016. E-learning September 2015 Ask & Act launch – March 2016.</p>
<p>Support the National Adviser to establish a National Service User Group, which will include LGBT representation to ensure views on LGBT issues are fully reflected and considered across all work in this area, including, publicity campaigns and the development of the National Strategy on Violence against Women, Domestic Abuse and Sexual Violence.</p>	<p>National Adviser for VAW, other forms of Gender-Based Violence, Domestic Abuse and Sexual Violence</p>	<p>September 2016 – March 2017 (initial regional focus groups will be piloted January 2016 – Feb 2016 to feed into development of national forum).</p>
<p>Fund Welsh Women's Aid to:</p> <ul style="list-style-type: none"> • issue guidance in 2015-16 to their member organisations on providing accessible services to meet the needs of transgender survivors of domestic abuse and sexual violence; • deliver training to domestic abuse services on meeting the needs of transgender survivors of domestic abuse and sexual violence. 	<p>Violence Against Women and Domestic Abuse Education and Public Services</p>	<p>Issuing of guidance to WWA member organisations by year end. Numbers will be available from WWA following completion of training.</p>
<p>Sport</p>		

Action	Owner	Measures
<p>Sport Wales in partnership with the Sports Council Equality Group SCEG to review current guidance developed by the SCEG and identify if there is a need to refresh the publications or to look at further supporting resources, in light of pending IOC changes. The current guidance listed below, can be found here.¹⁶</p> <ul style="list-style-type: none"> • Transsexual People and Competitive Sport – Guidance for National Governing Bodies • Transsexual People – Eligibility to Compete in International Competition • Transsexual People – Eligibility to Compete in Domestic Competition. 	<p>Sport Wales and Sports Policy Branch, Economy, Skills and Natural Resources</p>	<p>Initial discussions to take place in April 2016 Agreed approach by September 2016 (or in line with IOC changes).</p>
Public Transport		
<p>The Welsh Government aims to develop the revised All-Wales Travel Behaviour Code to improve safety, including standards of behaviour, on the home to school journey, including journeys between schools. We propose to provide more robust anti-bullying messages within the new Code. We also propose to revise the Travel Behaviour Code statutory guidance by:</p> <ul style="list-style-type: none"> • including details of sources of help and advice for learners to enable crimes against those with protected characteristics (as defined by the Equality Act 2010) to be tackled, and by • providing clear systems to allow parents, carers and learners to report incidents of bullying, including hate crimes, to the appropriate authorities. 	<p>Public Transport Division, Economy, Skills and Natural Resources Division</p>	<p>During 2016</p>
Public Services		
Health		

¹⁶ <http://www.equalityinsport.org/equality-groups/gender-reassignment/publications/>

Action	Owner	Measures
<p>To develop and implement an NHS Wales Strategy for Wales, which will include a care pathway and guidance for healthcare practitioners, to be progressed as a priority. Any service realignment required to support the pathway should begin during 2016/17.</p>	<p>Mental Health & Vulnerable Groups</p>	<p>Work on the pathway has already begun. It is anticipated that any service realignment required will begin during 2016/17. Progress will be overseen by the Gender Dysphoria Partnership Board.</p>
<p>Housing</p>		
<p>Incorporate LGBT advice service within Shelter Cymru's national advice project.</p>	<p>Housing Policy Education and Public Services</p>	<p>This service is providing specialist support for front line services in LGBT needs. Annual reports from Shelter Cymru.</p>
<p>Incorporate the Hate Crime Toolkit as a 'reasonable step' which could be taken in the statutory code of guidance to accompany the Housing (Wales) Act 2014.</p>	<p>Housing Policy Education and Public Services</p>	<p>The Hate Crime Toolkit is referred to in the Code of Guidance for Local Authorities on Allocations and Homelessness. The Code also says Frontline staff should be appropriately trained.</p>
<p>Work with Tai Pawb to ensure, where practicable, any data collection exercise or advice takes account of protected characteristics, including gender identity.</p>	<p>Housing Policy Education and Public Services</p>	<p>Tai Pawb regularly advises social landlords on methods of data collection for equality purposes.</p>

Action	Owner	Measures
		Transgender issues would be high-lighted.
Workplace		
<p>Business Wales will place guidance on the Business Wales website which will help employers support transgender people in the workplace. The guidance will give advice to employers about the issues individuals can experience from the decision to transition, during the process of transitioning and how to support someone in the workplace after transitioning.</p> <p>The guidance will also explain and give advice on supporting people who wish to alter their gender and do not wish to undertake medical transitioning.</p>	<p>Entrepreneurship & Delivery</p> <p>Economy, Skills and Natural Resources</p>	December 2016
Striving for Equality		
<p>The Transgender Action Plan will feed into the revised Welsh Government Strategic Equality Plan for 2016-2020.</p>	Fairer Futures Division	<p>Publication Autumn 2016</p> <p>Actions Implemented 2016-2020</p> <p>Annual updates on the action plan will be incorporated into the Annual Report on Equality which is published on the Welsh Government website.</p>
<p>Improve the quality of EIAs by providing guidance for policy makers on how new policies could potentially impact on a transgender person. To include good practice models and community group contacts for engagement .</p>	Fairer Futures Division	Publication by March 2017.