



# Gender Affirmation Policy

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## 1. Purpose/Principles

The Department of Health and Aged Care (the Department) is committed to ensuring its people feel safe and empowered to be their true selves at work. The Department is committed to creating inclusive environments, free from discrimination, where all employees who would like to affirm their gender are supported to do so. The Gender Affirmation Policy (Policy), and associated [Gender Affirmation Guidelines](#) (Guidelines), apply to all ongoing and non-ongoing employees. Contractors may also be supported in some aspects of Gender Affirmation; this will be determined on a case-by-case basis. The Policy and Guidelines outline the supports available to assist employees with their gender affirmation journey, and outline the roles, responsibilities, and expectations of other staff in supporting this process.

This policy supports the Department's commitment to supporting a diverse workforce and aligns with the [Department's LGBTIQA+ Action Plan 2020-23](#). It is intended to help maintain a workplace that is safe and inclusive for everyone, including transgender and gender diverse (TGD) employees.

## 2. Quick Guide

Gender affirmation refers to a range of actions a person might go through to live as their affirmed gender or genders, based on what is right for them. The Department supports employees who wish to affirm their gender in the workplace.

The Department recognises each gender affirmation experience is different, and how employees wish to undertake this process is their choice. Employees may choose to do this without assistance however, several supports are available for those who would prefer assistance with affirming their gender in the workplace. Employees can use the information in the Policy and Guidelines to support their gender affirmation process and to identify support options.

The Department will take all reasonable steps to assist employees with their gender affirmation, including:

- developing a workplace plan with the employee (if requested), outlining key actions, milestones, and timeframes during the gender affirmation period. For example, proposed

leave, communication plan, reasonable adjustments and updating personal details. Workplace plan template can be found in the Gender Affirmation Guidelines.

- providing an appropriately trained support officer to assist the employee with affirming their gender (if requested) and connecting employees to supports and resources.
- providing employees with access to flexible leave, including paid miscellaneous leave, to assist the employee to affirm their gender
- reminding employees that they can elect bring a support person and/or representative who will advocate on behalf of the employee. The identified person may be required to act on the employee's behalf, such as attending meetings where and when appropriate. Further information can be found in the Gender Affirmation Guidelines.

All employees engaged in a gender affirmation process are reminded of the need to maintain confidentiality and privacy of personal information.

### 3. Detailed Information

#### Gender affirmation

Gender is part of a person's social and personal identity. It refers to each person's deeply felt internal and individual identity, and the way a person presents and is recognised within the community. Gender affirmation refers to the personal journey a person takes to confirm the gender they identify with and may include:

- social steps, such as publicly changing their name, pronouns and/or appearance
- medical steps, such as hormone treatment and/or surgery, and/or
- legal steps, such as changing their legal sex and name in official documents.

Everyone has the right to be themselves and feel safe at work. If an employee has decided it is time to affirm their gender in the workplace, the Department supports that decision and will assist the employee as needed with their gender affirmation journey.

The decision to affirm is very personal and everyone's experience will be different and unique. Affirming one's gender identity is not a linear process of male to female or vice versa – people may affirm their gender multiple times, as part of their gender journey. It is important that employees who affirm their gender have a positive experience, without fear or harassment. It is unlawful to discriminate against a person on the basis of their sexual orientation, gender identity or intersex status. For more information search [Bullying, harassment and discrimination on the intranet](#).

#### Privacy

Employees including managers are reminded of the need to maintain confidentiality and privacy of personal information.

Personal or sensitive information provided by an employee for accessing provisions provided under the EA and this policy must be handled in accordance with the [Privacy Act 1988](#) (the Privacy Act), the [Department's Privacy Policy](#) and the [Regulation 9.2 of the Public Service Regulations 1999](#)

Further detail in relation to privacy can be found in the Gender Affirmation Guidelines.

## What support is available?

Each person's journey is unique to them. The Department will strive to work closely with the person affirming their gender to provide personalised support. This support may include:

- assistance to develop a workplace plan that clearly sets out the proposed timetable of actions for affirming the person's gender in the workplace
- assistance on how to update personal information
- advice on relevant health and wellbeing services and support, including access to the Employee Assistance Program (EAP)
- access to flexible leave to assist employees to affirm their gender
- help to communicate with managers and colleagues about the employee's gender affirmation, and
- ensuring all employees in the Department are aware of the [APS Code of Conduct, Values and Employment Principles](#) and expected behaviours of everyone who works in the Department.

Regardless of the steps taken, or services accessed, employees who are affirming their gender will be supported and their preferences for how they want to affirm their gender will be respected.

The Gender Affirmation Guidelines contain further information and support for transgender and gender diverse employees, managers, and colleagues.

## How can employees access support?

Employees can choose who their first point of contact may be, ensuring they feel safe, comfortable, and respected. The first point of contact may be any of the following:

### Inclusion Officers

Inclusion Officers in People Branch have relevant training to provide general advice to all staff and assist employees with affirming their gender in the workplace.

As affirming gender is a personal matter, employees can choose how they seek support from the Inclusion Officers. Employees can:

- contact the Inclusion Officers directly. Information and contact details for Inclusion Officers can be found on the [LGBTIQ+ Workforce intranet page](#).
- ask a trusted colleague, friend, or family member to call on their behalf (complete Consent Form in [Gender Affirmation Guidelines](#)).

### Health Pride Network

The Health Pride Network works with the Department to ensure our workplace is safe, supportive, and inclusive of LGBTIQ+ people. The Health Pride Network works with the Department to build a culture of respect and dignity for all.

Staff wishing to affirm their gender in the workplace may choose to contact the Chair/s of the Health Pride Network to find out information on affirming gender in the workplace, or to ask the Pride Network to provide support. Contact details can be found on the [Health Pride Network community page](#).

## Manager

Employees can choose to talk directly to their manager about affirming their gender and accessing relevant supports. Employees can also develop a workplace plan with their manager. With the employee's consent, the manager can contact relevant business areas should this be required and/or requested.

## Trusted colleague, friend, or family member

Employees can choose to elect a support person and/or representative to advocate on their behalf. The employee affirming their gender must complete a consent form (available in the Gender Affirmation Guidelines) and provide this to the person acting on their behalf, and the relevant business area, for this to occur.

## Pride in Diversity

Employees are able to contact our external workplace inclusion partner, [Pride in Diversity](#) to facilitate initial discussions. Our Corporate membership provides exclusive access to a range of helpful resources.

## Leave under the Enterprise Agreement (EA)

Under the EA, employees who are affirming their gender can access various types of leave. This includes personal, long service or annual leave as well as apply for discretionary miscellaneous leave with or without pay.

Paid miscellaneous leave requires approval by the Assistant Secretary, People Branch. Applications can be made by emailing the People Policy Section ([s47E\(d\)](#) @health.gov.au)

As a guideline, the delegate may approve:

- up to 5 days paid miscellaneous leave, which counts as service.
- up to 12 months unpaid miscellaneous leave, which does not count as service

Leave may be taken for reasons that include, but are not limited to:

- attending medical and legal appointments
- adopting the presentation of the affirmed gender
- implementing other aspects of the employee's workplace plan.

Satisfactory evidence requirements specified in the EA and [Personal/Carer's Leave Policy](#) apply and may be requested to support applications for paid or unpaid miscellaneous leave. Refer to the [Miscellaneous Leave Policy](#) for more information.

## Workplace adjustments

The Department will apply the principle of workplace adjustment to break down barriers to facilitate full participation in all aspects of employment and enable an employee to perform the inherent or essential requirements of their job in a safe manner. A workplace adjustment may be in place as a result of a conversation between a manager and employee and may be included in the workplace plan. For more information search [Workplace Adjustment Policy](#) on the intranet.

## Dress code

Department of Health and Aged Care employee appearance and standard of dress should be in accordance with the [APS Values and Code of Conduct](#). TGD (including non-binary) employees are supported to present as their gender identity.

## Facilities

Bathroom facilities are available at all Department of Health and Aged Care sites and are available for inclusive use with TGD people able to use the toilet of their affirmed gender.

## Bullying and Harassment

As with other forms of inappropriate behaviour or misconduct, the Department has a zero-tolerance approach to homophobic, biphobic or transphobic behaviour or intersexism. These behaviours are unlawful and will be managed and resolved in accordance with whole-of-government policies, including the procedures set out in the [APS Code of Conduct](#) and [Our Behaviours in Action](#).

Our [Bullying and Harassment policy](#) sets out the Department's processes clearly. If you have been subjected to bullying or harassing behaviour, there are steps you can take to seek assistance:

For more information visit [Bullying, harassment and discrimination](#) page on our Intranet.

## 4. Further Assistance

For assistance and support with gender affirmation, please contact the department's [Inclusion Officers](#).

For any queries regarding the application of this policy, please contact the HR Helpline on s47E(d) or email s47E(d) @health.gov.au.

## 5. Responsibilities

### All Staff

Responsibilities include:

- treating all colleagues with respect

- using inclusive language including the correct name and pronouns when referring to a colleague.

## Employee (affirming their gender)

Responsibilities include:

- treating all colleagues with respect.
- communicating information relating to their gender affirmation to ensure their preferences are known and the necessary support can be offered. The employee is not required to disclose any information that they are not comfortable sharing.
- maintaining contact with their support person/s to notify them if any issues arise with respect to their gender affirmation, or if further support is required.
- notifying the relevant areas of changes to personal details and supplying official documentation (where required).

## Manager

Responsibilities include:

- maintaining employee confidentiality
- treating all employees and colleagues with respect
- considering applications to access leave for gender affirmation purposes on their merits and without bias
- supporting employees who are affirming their gender and assisting in the development of a workplace plan (when requested).
- contacting relevant business areas should this be required and appropriate, ensuring employee consent has been attained.

## Inclusion Officers and the Health Pride Network

Responsibilities include:

- maintaining employee confidentiality
- treating all employees and colleagues with respect
- providing information and support to employees who are affirming their gender and assisting in the development of a workplace plan (when requested)
- helping to communicate with managers and colleagues about the employee's gender affirmation (where requested)
- Inclusion Officers only:
  - assist with the co-ordination of relevant training and provision of resources
  - provide guidance and support to managers and teams to support employees affirming their gender.

## People Branch

Responsibilities include:

- providing guidance to staff on resources and processes relating to gender affirmation
- helping employees who are affirming their gender to develop a workplace plan (if requested) which clearly sets out a proposed timetable and actions to affirm the person's gender in the workplace
- providing guidance on system changes, such as updating personal information
- advising on relevant health and wellbeing services and support, including access to the Employee Assistance Program (EAP)
- working with the Health Pride Network to ensure that our workplace is safe, supportive, and inclusive of LGBTIQ+ people
- ensuring all employees in the Department are aware of appropriate expectations and etiquette in the workplace
- helping to communicate with managers and colleagues about the employee's gender affirmation
- coordinating reasonable adjustments to working arrangements to provide support during, and after, an employee's gender affirmation
- promptly investigating any allegations of bullying, discrimination, or harassment on the basis of someone's gender identity.

### Assistant Secretary, People Branch

Responsibilities include:

- considering requests for miscellaneous leave for gender affirmation purposes fairly and consistently.

## 6. Delegations

Information on delegations for leave provisions covered by this policy is in the [HR Delegations Schedules](#).

## 7. Legislation

- [Fair Work Act 2009](#)
- [Human Rights and Equal Opportunity Commission Act 1986](#)
- [Privacy Act 1988](#)
- [Public Service Act 1999](#)
- [Sex Discrimination Act 1984](#)
- [Work Health Safety Act 2011](#)

There are also specific state and territory laws prohibiting discrimination.



## 8. Related Topics, References and Forms

- [APS Values](#), [APS Code of Conduct](#) and [APS Employment Principles](#)
- [Behaviours in Action](#)
- [Bullying and Harassment policy](#)
- [Department of Health Enterprise Agreement 2019-2022](#)
- [Department's LGBTIQA+ Action Plan 2020-23](#)
- [Department's Privacy Policy](#)
- [Dignity and Respect in the Workplace Charter \(Unions NSW\)](#)
- [EAP intranet page](#)
- [Gender Affirmation Guidelines](#) – the Guidelines also contain additional resources
- [LGBTIQA+ Workforce](#)
- [Harassment Contact Officers](#) and [reporting form](#)
- [Health Pride Network community page](#)
- [HR Delegations Schedules](#)

## 9. Version Control

Version Number	Date of issue	Author(s)	Brief description of change
Version No: 1.0		Health Pride Network	Creation of policy in conjunction with transgender and gender diverse employees and People Branch
Version No: 1.1	June 2023	Inclusion Team, People Branch	Clarified language and defined responsibilities in consultation with Health Pride Network.
Version No: 1.2	July 2023	Workplace Relations Section	Updated LGBTIQA+ acronyms



# Gender Affirmation Guidelines

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The information in these Guidelines is supported by the Department's [Gender Affirmation Policy](#).

# Guidelines for employees affirming their gender

As an individual affirming your gender in the workplace, you have the right to openly be who you are and to express your gender authentically. This means you may express your gender identity, characteristics, or expression without fear of consequences.

The Department recognises each gender affirmation experience is different, and how you wish to undertake this process is your choice. You may choose to do this without assistance; however, several supports are available for those who would prefer assistance with affirming their gender in the workplace.

To ensure the right kind of support for you, one of the first steps will be identifying key personnel with whom you feel safe, comfortable, and respected. This will facilitate open, honest communication where expectations can be outlined to ensure your affirmation is a positive, successful experience.

As outlined in the Gender Affirmation Policy, your first point of contact may be:

- your immediate supervisor or Director
- an Inclusion Officer
- a member of the Health Pride Network, or
- a trusted colleague, friend, or family member.

These people can become part of your support team and assist with accessing information and supports to affirm your gender in the workplace. If you ask a support person to seek information on your behalf, you will need to complete a consent form (**see Appendix 1**) and provide a copy to the support person/s and relevant business areas. The Department will ensure it has your consent before discussing your specific needs with any of your support team.

## How the Department can help you

The Department recognises each person's gender affirmation is unique and will strive to work closely with you to provide personalised support. The Department will ensure each workplace affirmation takes place in a respectful and collaborative way. Those involved will have access to guidance and support from our Inclusion Officers, the Health Pride Network, and where appropriate our external partner, Pride in Diversity, or another suitable provider.

## Developing a Workplace Plan

You may wish to develop a workplace plan to support your gender affirmation in the workplace (template at **Appendix 2**). Should you choose, the workplace plan can be developed with assistance and support from your manager and/or an Inclusion Officer. A workplace plan may include key milestones such as, but not limited to:

- a) proposed leave plans (if/as required)
- b) creation of a support team (if/as required)
- c) how the change will be communicated to relevant employees (if/as required)
- d) recommended training and who this could be delivered to
- e) updating personal details (such as gender and name)
- f) workplace adjustments (if/as required)

A workplace plan is not mandatory but may be helpful to support your gender affirmation in the workplace.

## Access to Employee Assistance Program – LGBTIQA+ specialist line

The Department is committed to employee wellbeing, and it offers a range of free and confidential services under its [Employee Assistance Program \(EAP\)](#). EAP offers professional support for all employees (ongoing or non-ongoing), and their immediate family members.

The Department provides access to a specialist helpline through EAP for employees to access support from appropriately qualified and experienced EAP consultants who specialise in lesbian, gay, bisexual, transgender, intersex, Queer or Asexual (LGBTIQA+) issues with an in-depth understanding of sensitivities and required approaches. This line can be contacted directly by phoning: s47E(d)

## Things to think about

### Letting people know

You may want to consider if, when and how you want to communicate your gender affirmation to other people. This could be outlined in your workplace plan if you choose to develop one. Planning any communications can assist in reducing the likelihood of misunderstandings and miscommunication. Your support team can help you with this if needed. You may choose to send any communications yourself or ask your manager to do this for you. Example communications are provided at **Appendix 3**.

You will be supported to make decisions about what information is given to whom. The Department wants to make sure your privacy and personal information is respected whilst balancing the need for colleagues to understand the change and the expectations about their behaviour.

### Dress code

Department of Health and Aged Care employee appearance and standard of dress should be in accordance with the [APS Values and Code of Conduct](#). TGD (including non-binary) employees are supported to present as their gender identity.

### Facilities

Bathroom facilities are available at all Department of Health and Aged Care sites and are available for inclusive use with TGD people able to use the toilet of their affirmed gender.

### Education

It is important to understand that your manager and colleagues may not be educated about transgender or gender diversity and may not understand clearly what your needs may be. To ensure everyone is aware of the role they need to play to create an inclusive workplace, and so everyone understands what the expectations are, it is important we ensure relevant education is provided to those who need it.

When developing a workplace plan, it is a good idea to consider what you would like to be included within this education package, and work with your contact person to have this implemented. Access to external expertise can be secured through the Inclusion Officers.

While it is not your responsibility to educate your colleagues, you may need to be prepared for questions about your gender affirmation requirements. If you feel comfortable, Inclusion Officers



and the Health Pride Network can help you think through your ideas and prepare for those discussions. Otherwise, your support person/s can assist in developing alternative options.

## Updating details

If you intend to change your name, gender marker or title there will be a requirement for IT systems, physical signage, employee lists etc to be updated. Some of the main processes are outlined in the table below and can be included in your workplace plan (if applicable).

As People Branch have limited access and visibility of the wide range of systems Health employees use, we encourage you to consider additional systems you access and to contact the administrators when you are ready to update your details.

All identified internal visible places which hold your name or gender details will be updated on your request (noting some systems automatically update) to reduce the likelihood of you being accidentally misgendered

*Table 1: Updating your personal details*

Personal Details	More information	How to update your details:
<b>Title</b>	Changes can be made to an alternative title, such as Mr/Mrs/Ms/Miss or left blank.	You can change your title in SAP ESS in the Work Details tile. More information is available in the <a href="#">Updating your Corporate Directory details guide</a> .
<b>Preferred first name</b>	A preferred first name is a name that you will use that may be different from your legal given name.	You can change your preferred first name in SAP ESS in the Work Details tile. More information is available in the SAP Employee Self Service guide.
<b>Legal Name</b>	Your legal name can be updated by submitting a Payroll online enquiry form.	Under 'Quick links' on the Departments Intranet front page, select 'Workplace, Payroll and Finance Enquiry Forms'.  Select 'Payroll Enquiry' tab (this will direct you to 'My Self-Service Portal')  Click on the 'Select' button, 'Personal Details' folder and click on 'Manage Personal Details'.  Click on 'Make an online enquiry' ensuring you have a copy of your legal name change document ready to attach.
<b>Gender</b>	All Commonwealth Government Departments are required to provide three gender categories when collecting information on gender. In consultation with other departments and agencies,	You can update your gender in SAP ESS in the Equity and Diversity tile. More information is

	<p>and our Health Pride Network, the Department has determined that the most appropriate naming of these categories is male, female, and non-binary.</p> <p>Non-binary refers to any person who does not exclusively identify as either male or female, i.e., a person of a non-binary gender. People who fall into this category may use a variety of terms to self-identify.</p>	<p>available in the <a href="#">Gender Field SAP ESS User Guide.docx</a>.</p>
<b>Automatic updates linked to SAP</b>	<p>Once a name is changed in SAP (either by the user changing their preferred name in the Work Details tile or by Payroll team updating the name in SAP), the name change takes place within an hour and the process is fully automated (it may take longer for outlook to show the new name due to outlook caching of the address book).</p> <p>The following names are updated as part of the automated process:</p> <ul style="list-style-type: none"> <li>• User's name in Active Directory across all domains (protected, central, ...etc),</li> <li>• Outlook profile and email address (old name is added as an alias so emails sent to the old name are still received)</li> <li>• Webex profile and presence</li> <li>• Trim/Record Management</li> <li>• Intranet, Corporate Directory and MSSP</li> <li>• Building Access system (Gallagher)</li> <li>• Health Cloud applications such as Dynamics 365 and SharePoint online</li> <li>• Any other connected corporate systems</li> </ul> <p>These updates are automatic and don't require the user to request or fill in any forms.</p>	
<b>IT Username</b>	<p>This is the unique six letter identifier using a combination of your first and last name and linked to all aspects of your personal profile and IT access settings. Due to the technical complexities involved, including the impact to your settings and access, your User ID is not updated/changed when changing your name. Exceptional circumstances to have this changed should be outlined in a business case supported by Branch Manager (or above) and forwarded to IT</p>	<p>You can submit a request to change your username by sending an email to <a href="mailto:s47E(d)@health.gov.au">s47E(d)@health.gov.au</a>. A business case will need to be provided with approval from either your branch Manager or the Assistant Secretary of People Branch.</p> <p>Please note that a request won't be approved simply because it</p>



	Security <sup>s47E(d)</sup> <a href="mailto: @health.gov.au">@health.gov.au</a> for consideration.	has SES approval, it requires a strong business case as well.  Information on what is needed to be included in the request can be sought from <sup>s47E(d)</sup> <a href="mailto: @health.gov.au">@health.gov.au</a> .
<b>Security Pass</b>	A new security pass request will not be automatically generated when you update your name in SAP and you will need to manually make this request.	Once you have confirmed your name has been updated in SAP, you need to submit a request through the Update My Building Access or Equipment tile in SAP ESS.  You will need to re-confirm your accesses (or update if appropriate) and submit to your delegate for approval.  This will send an email to Security noting your updated name. Visit the security desk during opening hours to obtain your new pass.
<b>Other systems, employee lists, etc.</b>	List of other systems and lists that will need to be updated depending on departmental requirements  Corporate Credit Card  Travel booking system	A request needs to be sent to <sup>s47E(d)</sup> <a href="mailto: @health.gov.au">@health.gov.au</a> for a new credit card to be issued and your name to be updated in the travel booking system.
<b>Name badge, desk plates and business cards</b>	New name badges, desk plates and business cards can be arranged as required	Please speak to your regular contact who co-ordinates these items. In many cases this will be your branch EA.



# Guidelines for managers

The Department is committed to and supports workforce diversity and inclusion. If someone who reports to you (whether directly or indirectly) informs you of their desire to affirm their gender in the workplace or informs you they are currently in the affirmation process, your support is critical. Below are some of the key areas your assistance is required in this process.

## Key principles

- If you oversee, manage, or lead a team in which an employee is affirming their gender, it is important you demonstrate an understanding of, and use a sensitive approach to, their needs and concerns.
- Listen carefully to what the individual is telling you about how they'd like to be treated. For example, do they want to keep their affirmation as private as possible, or do they wish to celebrate publicly?
- Be open-minded and discuss the individual's needs and concerns.

## Confidentiality and privacy

In accordance with our existing policies, you should maintain an appropriate level of confidentiality and privacy in relation to all employee matters. Disclosing someone's transgender or gender diverse identity in the workplace without consent should never happen and is potentially unlawful. Information should only be disclosed to those who need to know, are involved in the process, and have the consent of the person who is affirming their gender. This should also be clearly communicated to anyone who needs to know to facilitate the process during the period prior to any organisational announcements.

Not only do the specific steps of affirmation and their timing vary, but individuals also differ in how public they want to be as they affirm their gender. Some individuals prefer that very few people know they are undergoing a gender affirmation process and hope that after this process they can quietly continue to live as members of their affirmed gender. Others are committed to educating the public about gender affirmation and are eager to answer questions and continue to talk openly about being transgender or gender diverse long after affirming their gender.

It is important to work closely with the employee to ensure you respect their privacy and their preference on the amount of information that should be shared with the rest of the employees. It is essential that open and honest communication be established to build trust for each party.

## Sensitivity and respect

Treat any employee who is affirming their gender with respect and an open-minded attitude. Be ready to listen and understand their needs and concerns. All employees deserve to be treated with respect and sensitivity when related to their personal lives. Support is essential and expected, and transphobic attitudes will not be tolerated.

## Language and pronouns

It is important that you, and any other employee, ask the person affirming their gender what name and pronouns they use, especially if you are unsure. If you catch yourself accidentally using the wrong name and/or pronouns, simply correct yourself and move on. If you repeatedly or deliberately use the wrong name and/or pronouns, you may be acting in a discriminatory way that is not condoned by the Department.

The Health Pride Network has a number of resources that can assist you to show your support, including 'I'll use your pronoun' postcards and stickers, see: [Information for Allies](#). **Appendix 4 and 5** also contain informative resources.

## Involvement in the development of a workplace plan

When you become aware of an individual who intends to affirm their gender, it is imperative you are supportive, open-minded, and honest. Be prepared to discuss their aims and expectations and ask what they want your role to be in the change.

The employee may choose to develop a workplace plan to support their affirmation. Generally, as a manager it will be expected that you will assist the employee in the development of their workplace plan if they ask you to be involved. As the manager, you should understand what may need to be included in the plan (see Appendix 1).

It is recommended that, with the employee's consent, you liaise with an [Inclusion Officer](#) in People Branch to provide the employee with a primary HR contact and/or with their nominated support person/s.

## Communication

It is important to have open conversations with the employee about their communication preferences. The employee may want to:

- inform all colleagues of their gender affirmation
- inform some close colleagues whilst their manager and/or Inclusion Officer informs the rest of the team
- have their manager and/or Inclusion Officer inform colleagues
- not have any discussion on the matter at all.

Should the employee ask you to communicate their gender affirmation to other staff, it is important to discuss your approach with the employee, agree on a timeframe for the discussion and ensure you keep the employee's privacy at the forefront of your mind. Colleagues may be informed through multiple means such as a confidential email or a scheduled meeting with the employee's team. Information and awareness sessions for team members and other stakeholders can also be considered when developing the workplace plan. Contact an Inclusion Officer to organise LGBTIQ+ awareness training or ally workshops where needed.

For your assistance, an example communication via email can be found at **Appendix 3**.

## Addressing questions and concerns

A lack of knowledge and awareness can lead to misunderstandings, concerns, and tension in the workplace. Be aware of any tensions arising and check in to find out the experience of the person affirming their gender.

Addressing expectations, goals and related matters are critical for everyone involved to achieve a positive outcome. Be available to answer questions and be aware of differentiating between personal beliefs and appropriate behaviour. Involving the employee who is affirming their gender in the content (but not necessarily delivery) of the education of colleagues is recommended and the level of involvement will differ in each instance.

Our Employee Assistance Program (EAP) providers are also available to provide support and guidance in workplace related matters to managers and employees. Specifically, the Department

funds a special LGBTIQ+ EAP service, with consultants who specialise in LGBTIQ+ issues with an in-depth understanding of sensitivities and required approaches. Department employees can contact EAP by phoning: s47E(d)

While we hope the entire experience of someone affirming their gender would be incredibly supportive and respectful, there may be instances of people who struggle with the change. Negative behaviour, destructive gossip, and deliberate attempts to isolate or make a person uncomfortable are not to be tolerated and need to be handled quickly.

You should remind all employees that behaviours including bullying, victimisation, exclusion, deliberate misuse of pronouns or names, or innuendo are not acceptable at the Department of Health. You should refer and report any incidences through My Self Service Portal, 'Bullying, Harassment, Discrimination Report'.

## Leave entitlements

Under the EA, employees who are affirming their gender can access various types of leave. This includes personal, long service or annual leave as well as apply for discretionary miscellaneous leave with or without pay.

Paid miscellaneous leave requires approval by the Assistant Secretary, People Branch. Applications can be made by emailing the People Policy Section s47E(d) @health.gov.au

As a guideline, the delegate may approve:

- up to 5 days paid miscellaneous leave, which counts as service.
- up to 12 months unpaid miscellaneous leave, which does not count as service

Leave may be taken for reasons that include, but are not limited to:

- attending medical and legal appointments
- adopting the presentation of the affirmed gender
- implementing other aspects of the employee's workplace plan.

Satisfactory evidence requirements specified in the EA and [Personal/Carer's Leave Policy](#) apply and may be requested to support applications for paid or unpaid miscellaneous leave. Refer to the [Miscellaneous Leave Policy](#) for more information.

## Name and gender changes

Legal name and gender "marker" (i.e., "M" or "F" on legal identity documents) changes can sometimes take months or even years to get updated depending on the circumstances. Until then, every effort should be made to use the employees preferred name and gender marker on all documentation. (e.g., email, phone directory, company identification card or access badge, name plate, etc.) The new name and pronouns should be used when the individual is ready.

# Guidelines for colleagues and all staff

If an individual approaches you and tells you they are intending to affirm their gender, your support is critical. Below are some of the key areas your assistance is required in this process.

## Sensitivity and respect

Treat any colleague who is affirming their gender with respect and an open-minded attitude. Be ready to ask questions, listen and understand their needs and concerns. All employees deserve to be treated with respect and sensitivity when related to their personal lives. Support is essential and expected, and transphobic attitudes will not be tolerated.

## Inclusive language

Language is a powerful tool for building inclusion at work. Examples of inclusive language include:

- using gender neutral language (hi everyone, instead of hi guys)
- using 'they' pronouns until you know what pronouns people use and then using the correct pronouns
- displaying your pronouns in your signature block
- using people's correct name
- using respectful terms such as transgender, gender diverse, non-binary and avoiding outdated and disrespectful terms
- asking someone if you're unsure about what words to use
- correcting yourself when you use names and pronouns incorrectly.

It is never acceptable to ask a transgender person about treatments or surgeries that they may or may not have undertaken. A good way to assess what is acceptable, is to consider whether it would be appropriate to ask a non-transgender or gender diverse person the same question.

## Become a trans ally

An ally is someone who actively and visibly supports others. Key ally actions are to:

- use and encourage others to use the correct name and pronouns. It is ok to make a mistake, correct it and move on. Be mindful not to make a big deal out of it.
- be patient, kind and respectful. Someone who is beginning to question their gender identity may shift back and forth as they find out what works for them.
- ensure bad behaviour is called out. No-one should feel disrespected and sometimes it can be your voice that makes the change.
- remember to listen with an open mind. Everyone is the expert on their own lives.
- look for practical examples to help support people in their affirmation. For example, offering to accompany them to use the facilities for their affirmed gender, if they are finding it difficult.

It is important to remember that being an ally is not something you can just say once, it is a continual journey.

In accordance with our existing policies, you should maintain an appropriate level of confidentiality and privacy in relation to all employee matters. Information should only be

disclosed to those who need to know, are involved in the process, or have the consent of the person who is affirming their gender.

Our Employee Assistance Program (EAP) providers are also available to provide support and guidance in workplace related matters.

Bullying, victimisation, exclusion, deliberate misuse of pronouns or names, or innuendo are not acceptable at the Department of Health and Aged Care.

Find out more about being an ally on the Health Pride Network's [Information for Allies](#) page.

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# Appendix 1: Consent form

## Nominated Support Person Consent Form

The Department of Health and Aged Care (the Department) is committed to ensuring its people feel safe and empowered to be their true selves at work. The Department is committed to creating inclusive environments, free from discrimination, where all employees who would like to affirm their gender are supported and encouraged to do so.

### When to use this form

This form is to appoint a nominated support person to assist you in communicating with the department about your gender affirmation process.

You may be nominated to support a person affirming their gender due to the potentially confronting process of needing to repeatedly disclose the same sensitive information. By having a nominated support person, they can (with the consent of the person they are representing) share the necessary information to support the person affirming their gender. For example, this may involve attending meetings to discuss leave requirements, either as a support or representative.

The nominated support person consent form should be read in conjunction with the Department's [Gender Affirmation Policy](#) and Gender Affirmation Guidelines, the [Department of Health's Privacy Policy](#) and the [Privacy Act 1988 \(Cth\)](#).

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## Part 1 - Employee Details

Name:

Email:

Phone:

## Part 2 - Appointment of nominated support person

I appoint the following person as my nominated support person

Name:

Email:

Phone:

Relationship to employee:

### ***Nominated Support Person must accept appointment here***

*I understand and consent to my personal information being collected by the Department for the primary purpose of being contacted by the Department to discuss the employee's gender affirmation process and accept the appointment as their nominated support person.*

***Nominated Support Person Signature:***

***Name:***

***Date:***      /      /

## Part 3 - Employee Consent

*I understand and consent to my personal information, including sensitive information, being collected by the Department through my nominated support person for the primary*



purpose of facilitating my gender affirmation process.

I understand that my nominated support person will:

- provide personal information about me, including sensitive information, to the Department in connection with my gender affirmation; and
- receive personal information about me, including sensitive information, from the Department about my gender affirmation.

I understand that I can withdraw my appointment of a nominated support person at any time by contacting the Inclusion team by emailing [s47E\(d\)@health.gov.au](mailto:s47E(d)@health.gov.au).

I understand that the Department will handle my personal information in accordance with the [Department of Health's Privacy Policy](#) and the [Privacy Act 1988 \(Cth\)](#).

**Employee Signature:**

**Name:**

**Date:**

/ /



## Appendix 2: Workplace Plan

Department of Health and Aged Care - Workplace Plan			
This document is a guide only and can be adjusted to suit the circumstances of the employee. Fields are optional and can be left blank if not applicable.			
The employee should complete a consent form and provide this to relevant members of their support team before commencing a workplace plan. Personal information should be kept in a secure TRIM file with appropriate access controls applied to maintain the employee's privacy.			
Employee name:		Contact details:	
Employee's affirmed name (if changing), title and pronouns:		Date the employee will present in their affirmed gender:	
Support team			
Manager		Contact details:	
Inclusion Officer		Contact details:	
Other support person/s		Contact details:	
		Contact details:	
<b>Action Plan</b>			
Action	Who will be involved?	Date(s)	Comments
Initial meeting to develop workplan			
Proposed leave plans			
Communication plan <i>How the change will be communicated to relevant employees and stakeholders</i>			
Training and delivery options			
Personal details changes			
Reasonable adjustments			
Event to introduce employee in their affirmed gender			
Workplace plan review meeting			

## Appendix 3: Example communications

Good [morning/afternoon]

The Department of Health and Aged Care is committed to fostering a safe and inclusive culture for all employees. This includes an environment where all lesbian, gay, bisexual, transgender or gender diverse and/or intersex employees are welcome, respected, valued, and supported.

This email is intended to inform you about gender affirmation in the workplace.

Gender is part of a person's social and personal identity. It refers to each person's deeply felt internal and individual identity and the way a person presents and is recognised within the community. Gender affirmation refers to the personal journey a person takes to confirm the gender they identify with and may include:

- social steps, such as publicly changing their name, pronouns and appearance
- medical steps, such as hormone treatment and/or surgery, and/or
- legal steps, such as changing their legal sex and name in official documents.

Everyone has the right to be themselves and feel safe at work. If an employee has decided to affirm their gender in the workplace, the Department supports that decision and will assist them with their gender affirmation journey.

Confidentiality and privacy are paramount, and information will only be disclosed to people that need to know and with the consent of the employee.

For more information, see our [Gender Affirmation Policy](#) and [Guidelines](#).

The decision to affirm is very personal and everyone's experience will be different and unique. It is important our staff who affirm their gender have a positive experience, without fear or harassment.

A reminder that it is unlawful to discriminate against a person on the basis of their sexual orientation, gender identity or intersex status.

If you have any questions, please come and see me, or have a look at the resources available on the [LGBTIQA+ Workforce page](#) and/or [Health Pride Network's](#) SharePoint page.

Good [morning/afternoon]

I would like to provide you with some important information about your colleague who you have previously known as **##old name##**.

From **##date##**, in **##enter pronoun##** affirmed gender, we will be welcoming **##new name##** back into our team. It is vital all our employees use **##new name##** and the relevant pronouns of **##enter pronoun##** moving forward. This may take a little practice but **##new name##** has the full support of the Department and I trust that you will all show **##pronoun##** the same level of respect as any other colleague.

We have arranged an information session for **##new name##**'s immediate colleagues and the wider team on **##date##** (which you can sign up for [here](#)).

The Department is a trans-inclusive workplace and there is further information available on the [LGBTIQA+ Workforce page](#). If you have any questions, please come and see me, or have a look at the resources available on the LGBTIQA+ Workforce page and/or [Health Pride Network's](#) SharePoint page.

## Appendix 4: Terminology

The following terms are common definitions, however consideration should be taken in each conversation to ensure everyone involved is using the applicable terms in the same way.

- **Ally** – a supporter or advocate for the Lesbian, Gay, Bisexual, Transgender, Intersex or Asexual communities. Being an ally is about using inclusive language, showing respect and support for your colleagues and in this case, members of the LGBTIQ+ community through your actions and your words. Typically, allies to the lesbian, gay and bisexual people are straight and allies to transgender people are cisgender.
- **Cisgender** - is a term for people whose gender identity aligns with their assigned sex at birth. It is the accepted term for people who are not transgender.
- **Gender** - this term while often used interchangeably with sex, refers specifically to the behavioural, cultural, psychological and/or social traits typically associated with one sex, rather than biological characteristics.
- **Gender Dysphoria** - many transgender and gender non-conforming people experience discomfort from the incongruity of their assigned sex at birth and their gender identity. The medical term for this discomfort, which can be severe, is gender dysphoria. Not all transgender people experience or are diagnosed with gender dysphoria.
- **Gender expression/presentation** - refers to a person's external characteristics and behaviours — such as clothing, grooming, mannerisms, speech patterns and social interactions — that represent or express their gender identity to others. Social or cultural norms can vary widely and some characteristics that may be accepted as masculine, feminine or neutral in one culture may not be assessed similarly in another.
- **Gender identity** - distinct from sexual orientation, this refers to a person's internal sense of being male, female, or something else. Since gender identity is internal, it is not necessarily visible to others. Gender non-conforming refers to individuals whose gender expression is different from traditional societal expectations related to gender. Gender non-conforming, like transgender, is an umbrella term and includes people who may identify as genderqueer, as neither a man nor a woman, and/or as gender fluid moving around freely between or outside of the gender binary.
- **Gender affirmation** - refers to the process of a person who takes:
  - social steps - such as publicly changing their name, pronouns, and appearance
  - medical steps - such as hormones, and/or surgery, and/or
  - legal steps - changing their legal sex and name in official documents to live as their affirmed gender(s), based on what is right for them.
- **LGBTIQ+** –The initials LGBTIQ+ are used to refer collectively to people who are lesbian, gay, bisexual, trans and gender diverse, intersex, queer or asexual. These seven distinct but sometimes overlapping groupings are part, but not all, of what we mean when we speak about LGBTIQ+ communities/populations. The Department acknowledges that many people and communities have additional ways of describing their distinct histories, experiences, and needs beyond the five letters in LGBTIQ+.
- **Sex** - refers to the classification of people as male or female. At birth, infants are assigned a sex based on a combination of biological characteristics including chromosomes, hormones, and reproductive organs.
- **Sexual orientation** - describes an individual's physical, romantic and/or emotional attraction to another person. Gender identity and sexual orientation are not the same. Transgender people may be straight, lesbian, gay or bisexual. For example, a person who affirms their

gender from male to female and is attracted to other women would likely identify as a lesbian or a gay woman.

- **Transgender** - an umbrella term used to describe someone whose gender identity does not match the biological sex they were born with. Trans is shorthand for transgender e.g., trans man is a term used to describe a transgender man and trans woman is used to describe a transgender woman.

Note: Transgender is correctly used as an adjective, not a noun or verb, thus transgender people is appropriate but transgenders and transgendered are often viewed as disrespectful. Not all people who consider themselves transgender will undergo gender affirmation.

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## Appendix 5: Resources

This section contains some useful resources for employees, managers, and colleagues to refer to for further information. It also includes an outline of training available within the Department.

- [ACON - Trans and Gender Diverse People](#)  
ACON's central location to assist TGD people to take control of their health.
- [TransHub - Health and Gender Affirmation](#)  
Digital information and resource platform that talks about ways that employers, management, leadership, and HR departments can support trans employees.
- [Trans@Work - Queensland Human Rights Commission](#)  
A guide for trans and gender diverse employees, their employers, and colleagues.
- [A Gender Agenda - Transgender for Workplaces](#)  
Information hub for workplace gender affirmation support.
- [A Gender Agenda - The Friday Centre](#)  
Peer navigation service that aims to assist trans and gender diverse communities with information and referrals to support their social, legal, and medical affirmation.
- [Human Rights Campaign Foundation - Trans Toolkit for Employers](#)  
Practical guidance for creating a more inclusive workplace for transgender and non-conforming employees.
- [Pride in Diversity - Understanding Employees' Use of Trans-Affirming Language within the Workplace](#)  
Research study examining processes of workplace inclusion for employees with diverse genders and sexualities, focusing on the role of language.
- [Pride in Diversity - Pronoun Guide](#)  
To understand more about pronouns, why it's important to use the rights ones, how to use pronouns when affirming someone's gender, and how to be a good ally to trans and gender diverse people.
- [Black Rainbow](#)  
Black Rainbow is a national Aboriginal and Torres Strait Islander Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, Sistergirl and Brotherboy (LGBTIQA+SB) organisation in the pursuit of positive health and wellbeing for Aboriginal and Torres Strait Islander Lesbian LGBTIQA+SB\*.
- [Deaf Rainbow](#)  
Deaf Rainbow NSW, formally DGLA, is an inclusive social network engaging and supporting the Queer d/Deaf, Hard of Hearing and Auslan community.
- [Sydney Queer Muslims](#)  
Sydney Queer Muslims is a non-profit organisation dedicated to providing social support, education and resources to individuals and families in NSW.

## Departmental Training

- SBS Inclusion Program: LGBTIQA+ course – available in SuccessFactors  
Aimed at building a safe and productive environment for all individuals regardless of their sexuality, gender identity or bodily diversity. Inclusion is not just for employees, but extends to the communities, customers, and clients they serve.
- Ally Awareness Training  
Contact an Inclusion Officer for external training options.

## Version Control

Version Number	Date of issue	Author(s)	Brief description of change
Version No: 1.0		Health Pride Network	Creation of policy in conjunction with transgender and gender diverse employees and People Branch
Version No: 1.1	June 2023	Inclusion Team, People Branch	Clarified language, defined responsibilities, and included Workplan document in consultation with Health Pride Network.
Version No: 1.2	July 2023	Workplace Relations	Updated LGBTIQA+ acronyms