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| <b>Subject:</b>          | <b>Response to the Trans Equality Scrutiny Panel Recommendations</b> |  |                     |
| <b>Date of Meeting:</b>  | <b>9 May 2013</b><br>2 May 2013 Policy & Resources Committee         |  |                     |
| <b>Report of:</b>        | <b>Assistant Chief Executive</b>                                     |  |                     |
| <b>Contact Officer:</b>  | <b>Name:</b>   | <b>Emma McDermott</b>                      | <b>Tel: 29-1577</b> |
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| <b>Ward(s) affected:</b> | <b>All</b>   |  |                     |

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT**

- 1.1 The Trans Equality Scrutiny Panel was set up in May 2012 to highlight the challenges and inequalities facing transgender people in Brighton & Hove and to make some recommendations for change. It set out to find answers to the question: what needs to be done to make things fairer for trans people to live, work and socialise in the city?
- 1.2 The members of the Panel from the Council were Councillor Phélim Mac Cafferty, Councillor Warren Morgan and Councillor Denise Cobb. Jay Stewart of Gendered Intelligence<sup>1</sup> and Michelle Ross, a Trans Awareness Consultant & Counsellor at the Terence Higgins Trust, two noted national experts, were co-opted on to the panel. It also appointed a facilitator, Nick Douglas, of the LGBT Health and Inclusion Project (LGBT HIP) to help the Panel engage with as many members of the Trans Community and support groups as possible. LGBT HIP is funded through the Council's Communities and Equality Team who also supported the engagement and consultation process.
- 1.3 The council's Overview and Scrutiny Committee endorsed the panel's report on 28 January 2013 and forward it to all relevant decision making bodies for consideration. Due to committee scheduling it was not possible to bring a council response to committee before May.

**2. RECOMMENDATIONS**

- 2.1 That committee note the excellent process undertaken by the scrutiny team, assisted by the communities and equality team, to produce the Trans Equality Scrutiny Report.
- 2.2 That committee welcomes the scrutiny report and note the significance of its findings.

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<sup>1</sup> Gendered Intelligence is a community interest company that runs arts programmes, creative workshops, and trans youth group sessions that looks to engage people in debates about gender

- 2.3 That committee accepts the recommendations relevant to the city council and agrees the responses to the individual recommendations as provided in appendix 1.
- 2.4 That committee notes those recommendations that are for either other or all public sector organisations, or third sector partners, and that the council will work in partnership to implement these recommendations.
- 2.5 That committee forward its response to Full Council for information.
- 2.6 That committee agrees to the Trans Equality Report and this committee report being shared with the Local Government Association and other appropriate local government peer groups/forums.

### **3. BACKGROUND/CONTEXT**

- 3.1 The Trans Equality Scrutiny Panel was groundbreaking, being the first in the country to carry out, in a sensitive and effective way, a detailed investigation into the experiences and needs of Trans individuals and community in the city. It provides a firm and clear foundation for all public services to build on in terms of improving their understanding of and service provision to the Trans community. Much learning and awareness raising with service providers was achieved through the process. For example, during the panel process housing officers committed to commissioning trans awareness training and city services committed looking at the introducing more flexibility on honorific titles (such as Mr, Ms etc) within on-line forms.
- 3.2 Through providing a positive response to the recommendations the council wishes to signal its significant support for the Trans community and making positive and timely steps to improve their experiences. The council continually strives to improve its services ensuring they meet the needs of all individuals with protected characteristics. For example, it remains committed to carrying out equality impact assessments of its services, strategies and policies.
- 3.3 Nevertheless the findings of the Trans Equality Panel have highlighted that there has been inadequate awareness of the lives of trans people for too long. Further, that sensationalist media reporting coupled with a lack of understanding has led to trans people suffering undue discrimination, problems accessing services, and harassment.
- 3.4 Critically, the panel found that there is a lack of data on the number of trans people accessing services in Brighton & Hove, with the result that service providers are not necessarily aware or fully understand the needs of trans people. Hence, the recommendation for a needs assessment which involves trans people at every stage of the process, not only to ensure their voice is heard but also to help inspire the trust of the trans community and also recommendations on basic principles such as the importance of using appropriate pronouns to refer to someone: mistakes in gender-related speech can be very upsetting and can be easily avoided. The need for trans awareness training runs throughout the scrutiny report. The report challenges the council to be at the forefront of changing the perception of trans people in the city and using

its status and influence to tackle discrimination and reduce marginalisation of Trans individuals.

- 3.6 Given the importance of health issues for trans people, it is unsurprising that the scrutiny report makes a number of recommendations for health bodies, in particular the local Clinical Commissioning Group. Problems over accessing local appropriate and timely healthcare needs to be addressed. Whilst individual public bodies, are required to make their own response to the scrutiny report the council, through its public health mandate has take on responsibility to liaise with the clinical commissioning group and include a response to recommendations specific to the group. Similarly, the council has led a response to the recommendations that include both the Police and the Partnership Community Safety Team.
- 3.7 In addition the scrutiny panel found that Trans individuals were facing inadequate/inappropriate service provision in housing, adult social care, sports and leisure. Much of which could be resolved through staff training and development to raise awareness and sensitivity to the needs and experiences of trans peoples when teams are reviewing their services to ensure they meet all their service users needs.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION:**

- 4.1 All relevant services in the council were asked to respond to the Trans Equality Scrutiny Panel recommendations. They were also shared and discussed with service areas at the council's equalities steering group (5 February) and with public sector partners at the City Inclusion Partnership (19 March). Other public sector bodies will respond to the scrutiny report through agreed channels.

#### **5. FINANCIAL & OTHER IMPLICATIONS**

##### Financial Implications:

- 5.1 Financial implications for each response within Appendix 1 will be determined by the Council or named partner as they are actioned. A number of the responses have been or can be delivered within existing plans and budgets such as the grant award and monitoring activity. The Clinical Commissioning Group will be responsible for funding the responses in their name. Actions requiring additional funding will need to be considered against priorities and agreed through the budget monitoring process in 2013/14 or included with the budget plans for 2014/15 for both the Council and partner organisations.

*Finance Officer Consulted: Anne Silley*

*Date: 27/03/13*

##### Legal Implications:

- 5.2 Any actions the council takes in implementing a response to the Panel's recommendations must comply with the Equality Act 2010, and must have regard to relevant guidance issued by (i) the Government Equalities Office and (ii) the Equality and Human Rights Commission

*Lawyer Consulted: Oliver Dixon*

*Date: 02/04/13*

#### Equalities Implications:

- 5.3 All new activity or significant service changes arising from the responses to the recommendations will require discussion with the Trans Community, working with and through the LGBT Health & Inclusion Project.

#### Sustainability Implications:

- 5.4 A sustainable community is an inclusive community in which diversity is valued and respected. In undertaking the scrutiny panel and providing a positive response the council is starting to explicitly tackle the exclusion and discrimination of Trans individuals and the Trans community.

#### Crime & Disorder Implications:

- 5.5 There are several recommendations (no 18 and 19) that pertain to improving the safety of Trans individuals.

#### Risk and Opportunity Management Implications:

- 5.6 A significant opportunity has arisen from the excellent work of the scrutiny panel and the positive response of the council to build a stronger and more open and trusted relationship with the Trans community in Brighton and Hove, to improve the council's understanding of Trans individuals needs and experiences of council services. On the reverse there is a risk that expectations of the Trans community have been significantly raised through the scrutiny panel process and that delivery of some of the recommendations may take some time although all will be considered as part of the council's annual budget setting process.

#### Public Health Implications:

- 5.7 There are several recommendations that pertain to improving the health and well being of Trans individuals.

#### Corporate / Citywide Implications:

- 5.8 The response to the scrutiny panel recommendations supports the council's corporate plan priority to tackle inequality and engage people who live and work in the city. The council has a clear role to ensure that the needs of the Trans community are heard and understood equally to those of other groups with protected characteristics, and to champion those needs and voice with its public sector partners.
- 5.9 Through monitoring progress against these recommendations and leading the needs assessment and development of an associated strategy (see recommendation 36) the council plays a key city leadership.
- 5.10 The scrutiny panel report has recommendations for other public bodies. These will provide a direct response to Scrutiny via agreed processes and channels. In addition, some of the recommendations include opportunities for joint work, for example, trans awareness training.

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S)**

- 6.1 No other options were considered as a response is required to a scrutiny panel report.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 A formal response to a scrutiny panel is required. Therefore the committee is recommended to endorse the report and refer it to Full Council.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Response to the Trans Equality Scrutiny Panel Recommendations
2. [BHCC Trans Equality Scrutiny Panel Report January 2013](#)

### **Background Documents**

None

