

Transitioning Policy and Guide

This policy applies to all Channel 4 employees and does not form part of any employee's contract of employment. We may amend it at any time.

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Transitioning Guide and Policy

Purpose

This policy sets out the steps Channel 4 takes to welcome and support trans and transgender people and the expectations that Channel 4 has of all who work at Channel 4 to treat trans and transgender people with fairness, dignity and respect and in a non-discriminatory way.

Scope

This policy applies to all Channel 4 employees and does not form part of any employee's contract of employment. We may amend it at any time.

Failure to take account of this guidance and policy may result in disciplinary action being taken against any Channel 4 employee.

Why is this policy important?

These guidelines are part of a suite that looks at gender identity and expression which outlines Channel 4's commitment to ensuring that any trans or transgender people at Channel 4 are treated with dignity and respect and will not be disadvantaged in the workplace.

Definitions

Acquired gender: Used in the Gender Recognition Act 2004 to describe a person's gender after transitioning. As this is a legal term, many people now prefer to use the term "affirmed" gender.

Assigned gender: The gender assigned to someone at birth, based on their physical characteristics.

Gender identity: A person's deeply felt internal and individual experience of gender, which may or may not correspond to the sex assigned to them at birth.

Gender expression: A person's external gender-related behaviour and appearance, including clothing.

Gender binary: The classification of sex and gender into two disconnected forms of masculine and feminine.

Gender variance: Gender expression that does not match society's norms of female and male.

Gender reassignment (or transitioning): The process where an individual changes their expressed gender to live fully in the gender with which they identify. For example, a person who was born female decides to take steps to live the rest of their life as a man. Gender reassignment does not require medical treatment and is a protected characteristic under the Equality Act 2010.

Non-binary: A person who does not directly identify as solely male or female. They may identify as both or neither male or female or something entirely different.

Transgender (or trans): An umbrella term describing people who are intending to undergo, are undergoing or have undergone gender reassignment at any stage; and people whose gender identity or gender expression differs from the gender they were assigned at birth whether or not they are planning or have had medical interventions such as hormones or surgery. The term can encompass individuals who are transsexual, cross dressers or non-binary.

Transsexual: A transsexual person has the protected characteristic of gender reassignment and is defined in the Equality Act 2010 as someone who is "proposing to undergo, is undergoing or has undergone gender reassignment". Gender reassignment is a protected characteristic under the Act. It is not necessary for a transsexual person to have to be under medical supervision to be protected in law from discrimination. (Please note this is an outdated term and no longer used, but displayed for reference only).

Gender fluid: Having a gender identity which varies over time.

Gender recognition certificate: Issued by the Gender Recognition Panel signifying full legal rights in acquired gender and allows the issuing of a replacement birth certificate.

Intersex: A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't seem to fit the typical definitions of female or male. For example, a person might be born appearing to be female on the outside, but having mostly male-typical anatomy on the inside. For the purposes of this policy only (intersex people will be treated the same as transgender or trans people).

Gender incongruence: Where someone is convinced that their true gender is different from the one indicated by their body or the one that has been assigned to them.

What are the details of the policy?

Our commitment

Channel 4 believes that diversity and inclusion bring benefits to the business and that people work well when they can be themselves.

We are committed to welcoming and supporting transgender employees and removing barriers to their recruitment, promotion and retention. Providing a working environment that is free from discrimination, harassment or victimisation because of gender identity is an important step in ensuring that transgender employees are respected and valued.

Definitions

Definitions and terminology regarding transgender people are evolving. The definitions page [here](#) provides insight on some of the most commonly used terms. Individuals will self-identify and how they choose to describe themselves should be respected by their managers and colleagues. Rather than assume, it is best to ask someone how they wish to be addressed.

Using inappropriate language and terminology can cause offence and distress and undermines Channel 4's efforts to create an inclusive workplace for transgender people.

Channel 4 recognises that gender identity and sexual orientation are not interchangeable terms. Transgender people can be bisexual, gay, heterosexual or lesbian and so individuals should not assume that a transgender colleague has a particular sexual orientation.

The Law

Equality Act 2010

Gender reassignment is one of the nine protected characteristics covered by the Equality Act 2010. The Act protects a person from discrimination, harassment and victimisation if they are "proposing to undergo, are undergoing, or have undergone a process (or part of a process) of gender reassignment". There is no requirement for the person to be under medical supervision as gender reassignment is considered to be a personal rather than a medical process.

Under the Act, a person who takes time off work for gender reassignment must not be treated less favourably in respect of employment decisions, for example by being denied access to training or promotion opportunities.

The Act also protects anyone who is perceived to have the characteristic of gender reassignment or is associated with someone who has the protected characteristic of gender reassignment, such as an individual's partner or a friend.

An employee who treats a colleague less favourably because of gender reassignment, for example by refusing to work for them, may be held personally liable for discrimination.

Genuine Occupational Requirements

In the vast majority of cases, the gender of a worker is of no relevance to their ability to do a particular job. However, the Equality Act 2010 does allow for an exception where being of a particular sex is an “occupational requirement” of that post. If this is the case for an employee transitioning at work, they will be redeployed to a suitable position.

Gender Recognition Act 2004

The Gender Recognition Act 2004 enables people aged 18 and over to gain full legal recognition for the gender in which they live. Once a person receives a Gender Recognition Certificate (GRC) they are legally of that gender for every purpose and have all the rights and responsibilities associated with that gender. An application for a GRC will be made to the Gender Recognition Panel.

Employment Rights do not depend on whether a person has a GRC. Transgender people are not required to apply for a GRC and many choose not to for various reasons.

I'm an Employee at Channel 4, what do I need to know?

Supporting an employee who is transitioning

Channel 4 will be supportive of an employee who has made the decision to transition. There is no reason why an employee who is transitioning should not continue in their current role. However, some people might prefer a period of redeployment during transition, or as a permanent change. Managers and the People Team will work with the employee to find a solution that meets the needs of both the employee and the service.

Special leave will be given in order for employees to attend transition-related appointments and treatment. These absences will not be counted in relation to absence or performance monitoring. In addition, trans employees are entitled to the same sickness absence and pay as other employees. Many people may have to travel a long distance for appointments, and these may be given at short notice. People may need reduced hours or duties, or other changes to usual working arrangements, for a temporary period following some treatments. Managers will be as flexible as possible to accommodate this.

Channel 4 acknowledges that the transition process and the time it takes will be unique to each individual and that it is not always a linear process.

Once Channel 4 has been made aware by an employee that they will be starting, or have started, the process of transitioning, an appropriate point of contact will be agreed with the employee. That person will work with the employee to develop a confidential action plan to manage the individual's transition at work.

The plan will consider what steps to take before, during and after the employee's transition. No action will be taken without the employee's consent.

Each plan will be bespoke to the employee and may include some of the following:

- when and how an individual will present at work in their new gender status;
- Working arrangements during the period of transitioning;
- the point at which colleagues, especially any direct reports, will be informed and how this will be done;
- if and how third parties, such as clients, should be informed;
- how absence from work for reasons associated with transitioning (for example, for medical appointments and/or medical treatment) will be handled;
- arrangements for changing the individual's name on their People Team records, email, security badges etc;
- confidentiality;

A number of meetings and review sessions will be set up to ensure that the employee and Channel 4 are comfortable and the right support is in place, and enable the plan to be amended as things change. Effective support for someone who is transitioning requires dialogue, agreed action and respect.

Channel 4 also provides support for all employees through our 'Employee Assistance Programme'.

Support for employees with a family member who is transitioning

If an employee is supporting a family member who is transitioning, they may need to take time off to attend appointments and treatment or to give assistance following surgical procedures. Some of these may be short notice, and may involve travelling a long distance. Managers will therefore try to be as flexible as possible to accommodate this.

What will Channel 4 do?

How Channel 4 supports transgender employees

We recognise that transgender job applicants and employees are not required to inform us of their gender status or gender history. The gender in which an individual chooses to present will always be acknowledged and respected.

To promote a workplace that is inclusive of transgender people, Channel 4 will adopt the following approach:

Changes to Names and pronouns

The organisation will take all necessary steps to ensure that an employee's change of name is respected.

A GRC (Gender Recognition Certificate) is not required to enable a transgender person to change their name and the organisation will not ask an individual if they have a GRC to verify a name change.

Changing employee records

Electronic Records will be updated in a timely manner to coincide with the date on which the transition begins. Care will be taken to ensure that records do not link back to the former name. Channel 4 will work with the employee to ensure that nothing is omitted. New security passes with the correct name and a new photograph will be issued. Paper records will be updated where possible. Those which cannot be updated – for instance paper copies of references relating to an employee's recruitment – will be stored in a secure place and clearly marked as only to be looked at by named persons.

Confidentiality

All records that include details of an employee's gender history will be held in a secure manner and in line with the requirements of data protection legislation, restricting who has access to this information. Where other people in the organisation need to be aware of the employee's transition to make a change to a particular record, Channel 4 will obtain the employee's consent, and restrict the information to those who need to know. Only named individuals will be allowed to access this information and those individuals will be made aware that breaches of confidentiality could result in disciplinary action.

Care will be taken to ensure that any search of Channel 4's records by others will not inadvertently reveal an employee's gender history.

It is an individual's decision whether or not to reveal their gender status and history and Channel 4 will respect their right to privacy.

Where an employee discloses information about their gender history; or status (verbally or in writing), this will be treated as confidential. This includes any information provided to the line manager or the People Team. Such information will not be shared with others, unless there is a specific reason and then not without the written consent of the individual concerned.

Information relating to an employee's gender status or history will not be disclosed to a third party without the individual's consent, for example when responding to a reference request.

Recruitment

Channel 4 want to attract applicants from as wide a talent pool as possible and the recruitment process is designed to be inclusive of transgender applicants. A job applicant's gender identity is irrelevant.

Managers should not ask questions about an applicant's gender identity or gender history. If an individual chooses to mention this during the interview, they should be informed that Channel 4 supports transgender employees and assured that the disclosure will have no bearing on the outcome of the interview and will not be revealed outside the interview room.

The requirement to provide proof of identity to confirm the right to work in the UK and standard employment checks, Channel 4 will always ensure that an applicant is made aware of the full range of permissible identification documents and that the process of checking is handled sensitively and with respect for privacy of the individual.

Where an individual's documentation reveals their previous name and thereby their gender history, this information will be kept confidential and stored securely with the permission of the individual and in accordance with the organisation's data protection policy.

Single-sex toilets and facilities

Channel 4 will support a transgender employee's right to use the toilets and facilities appropriate to their gender from the point at which the individual declares that they are living their life fully in that gender. In some cases, the individual may wish to use a single-occupancy toilet during their transition, but they must not be pressurised to do so, and this should not be seen as a long-term solution. Channel 4 London Offices provides gender neutral toilets on the ground floor and at our other locations Channel 4 would work with the employee and the building supervisors to discuss facilities.

Channel 4 will agree with the employee when they wish to start using the facilities appropriate to their acquired gender and how this should be communicated to colleagues if at all. Any concerns raised by others will be dealt with promptly and sensitively and harassment of the individual will not be tolerated.

Monitoring

The disclosure of information by employees/job applicants is voluntary and any information disclosed will be treated in confidence, stored securely and used only to provide statistics for monitoring purposes.

An individual's trans status will be kept in the strictest confidence in-line with the person's wishes and the law.

Employment

Channel 4 recognises that transitioning will involve different steps for each employee and as such we will support each person individually.

The organisation and individual's line manager will fully support a person's transition.

The organisation and individual's line manager will ensure that the individual does not suffer detriment, bullying or harassment as a result of transitioning.

The timescales, activity and communication will be driven and led by the person transitioning. An employee's gender history or status will not have a bearing on any employment decisions or access to benefits. Where access to benefits, pension and insurance providers request disclosure of an individual's gender status, the organisation will ensure that this requirement has been checked with the underwriter and the requirement is made clear in any scheme information provided to employees. In such circumstances, the employee's written consent will be obtained before disclosing their gender history and status.

Communication

Channel 4 will work with the individual to agree what information needs to be conveyed to work colleagues and when the information should be conveyed.

The may wish to tell colleagues about their transition or may prefer if this is done by someone else on their behalf. Channel 4 will encourage the individual to do what is best for them and, if the employee is not ready to tell anyone at the early stages, Channel 4 will respect the employee's wishes. The employee is entitled to privacy and Channel 4 will seek to ensure that privacy is protected in so far as it is able to do so.

Where an employee has a public or client-facing role, Channel 4 will discuss with the individual what third parties need to know and how this should be handled.

Channel 4 will be mindful of possible media interest and establish a protocol for handling media interest to ensure that:

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

Bullying and harassment

Channel 4 adopts a zero-tolerance approach to harassment, bullying or victimisation and such behaviour may result in action being taken under our disciplinary procedure.

Examples of harassment against transgender people include:

- verbal abuse such as name-calling, threats, derogatory remarks or belittling comments about transgender people;
- asking an individual if they have a GRC;
- jokes and banter about someone's gender identity or transgender people generally;
- refusing to use the pronoun appropriate to someone's acquired gender (for example, calling a trans woman "he") or calling the person by the name they had before they transitioned;
- threatening behaviour or physical abuse;

- intrusive questioning about someone's gender identity or transition;
- excluding a transgender colleague from conversations or from social events;
- refusing to work with someone because they have transitioned; and
- displaying or circulating transphobic images and literature

Any complaints of bullying and harassment are taken seriously and dealt with promptly in line with Channel 4's bullying and harassment policy.

Promotion of trans equality

As well as ensuring that trans employees are fully supported Channel 4 will demonstrate its commitment to trans equality in the following way:

- Ensuring that all training courses that are delivered are fully inclusive of trans people;
- Marking important dates for the trans community such as Trans Day of Visibility (31 March) and Transgender Day of Remembrance (20 November);
- Including trans people in publicity and marketing materials;
- Ensuring that all forms and surveys are inclusive of trans people, including non-binary people;
- Including trans equality as a core part of Channel 4's equality agenda and objectives;
- Investigating fully all complaints or harassment, victimisation or discrimination on the grounds of gender identity, gender history, trans status or gender expression; and
- Monitoring the implementation of this policy.

Where can you get more related information?

[TransActual Glossary](#) Signposted information and resources

<https://www.transgendermap.com/resources/united-kingdom/> A glossary of different resources

