

[REDACTED]

From: [REDACTED]
Sent: Thursday, 10 March 2022 3:14 PM
To: [REDACTED]
EXTERNAL - [REDACTED]
[REDACTED]

Subject: RE: Rainbow Regulators Meeting [SEC=OFFICIAL]
Attachments: Guideline on Gender Affirmation, Transition and Detransition - January 2....docx

Afternoon all,
For those on the call I have attached the guide regarding Transition, Detransition

[REDACTED]
RESERVE BANK OF AUSTRALIA | 65 Martin Place, Sydney NSW 2000
[REDACTED] w: www.rba.gov.au

-----Original Appointment-----

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Monday, 1 November 2021 5:10 PM
To: [REDACTED]
[REDACTED]

Subject: Rainbow Regulators Meeting [SEC=OFFICIAL]
When: Thursday, 10 March 2022 3:00 PM-4:00 PM (UTC+10:00) Canberra, Melbourne, Sydney.
Where: Microsoft Teams Meeting

 EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. [REDACTED]

Dear all
As the new Chair of the Rainbow Regulators group I am sending you a meeting series for our regular meetings so that it is in your diaries.
[REDACTED] from APRA has volunteered to assist me with the secretariat duties.
If you could have any agenda items to [REDACTED] with a cc to me by COB on the Friday before each meeting that would be great.
Please forward the invitation to any who have been missed or let me know if you are no longer attending and representing your agency.
Regards
[REDACTED]

Microsoft Teams meeting

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Guidelines for Staff on Gender Affirmation, Transition and Detransition

January 2022

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1. Purpose

This document was created by the LGBTI+ Allies Employee Resource Group in consultation with HR to:

- Define the meaning of gender affirmation
- Outline the process for a person undertaking gender affirmation and how the Bank, their manager and colleagues can support them.

2. Guideline Objectives

The objective of this guide is to outline how Bank staff can:

- Commit to mutual respect between all employees
- Recognise the principle that people's gender identity (or lack of one) should be respected
- Be sensitive to the difficulties involved in transition and detransition

This document may be used as a guide to develop a workplace plan that details the responsibilities of a person affirming their gender as well as their manager. The guide also outlines key terminology and points of contact. A person seeking to affirm their gender has a responsibility to work with their line manager and/or support networks to outline all expectations to ensure a positive experience. Success can only be achieved if everyone has a clear understanding of their responsibilities and roles.

3. Definition of Gender Affirmation

Trans and gender diverse people identify their gender(s) as different to the (biological) sex that was recorded at birth. Trans and gender diverse people may position 'being trans' as a history or experience, rather than an identity and consider their gender identity as simply being a woman, a man or a non-binary person. Some strongly connect with their trans experience: that is, the fact that they are a transgender person is important to their identity.

Gender affirmation, refers to the process of a person who may take 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 defined gender(s), based on what is right for them. Gender affirmation also covers the process whereby a person desires to return to identifying with their birth sex, which is sometimes called 'detransitioning'.

The absence of questions that accurately capture the gender diversity in our population makes it difficult to conclusively estimate the size of the trans and gender diverse community. The rates of detransition are even harder to establish, because organisations offering (e.g. medical) transition services generally do not track their former clients' subsequent experiences.

People in the trans and gender diverse community may describe themselves using one (or more) of a wide variety of terms. The term preferred by the individual should always be used.

4. Guidelines for staff seeking gender affirmation

We understand that every gender affirmation journey is different and therefore the expectations and responsibilities of our people will be unique and dependent on honest and open communications. We encourage everyone to bring their whole self to work by being open about who they are. Affirming your gender (or lack of one) in our workplace should not be attached to a fear of consequences.

We are committed to creating a workplace that is safe and supportive in which our people feel safe speaking with their line manager in relation to plans to affirm their gender. In circumstances where this is not possible, contact should be made with the Human Resources Business Partner and/or Senior Consultant, Leadership and Diversity.

As a person seeking to affirm their gender you have a responsibility to work with your line manager and/or support networks to outline all expectations to ensure a positive experience. Success can only be achieved if everyone has a clear understanding of their responsibilities and roles. Initially we encourage you to speak with your line manager, and HR Business Partner or Senior Consultant, Leadership and Diversity to commence your support. The HR Business Partner and/or Senior Consultant, Leadership and Diversity and Manager will then provide comprehensive support including assisting you with the development of a workplace plan.

Developing a workplace plan

An important step during this change is the development of a workplace plan outlining a timeframe with key milestones. These could include, but are not limited to:

- expected timeframes for gender affirmation
- proposed leave plans (if/as required)
- creation of a support team (if/as required)
- how the change will be communicated to relevant employees
- recommended training and who this will be delivered to
- details of an event to meet team in affirmed gender
- timeframes for IT system changes (such as gender and name)
- date employee will present in the workplace in their affirmed gender

This does not need to be developed by any one individual alone. It can involve consultation from various areas, support services and with your counsellor or manager.

Key stakeholders

Think about how and when communications about a gender affirmation should be provided to key stakeholders. Who will be part of these conversations? Consider all stakeholders that have

an ongoing relationship with the person affirming their gender and factors such as email contact information or access to third party premises.

Communication should start before the expected gender affirmation. Planning can assist in reducing the likelihood of misunderstandings and rumours.

Education

It could be that colleagues and stakeholders may have little to no awareness or education in relation to LGBTQI matters, or have been misinformed by less-reputable sources. To ensure that everyone is aware of the role they need to play to create an inclusive workplace and so everyone understands what their expectations are it is important to ensure education is provided.

When developing a workplace plan consider what you would like to be included within this education and work with your talent team to develop an appropriate implementation.

Appearance and dress

The same professional standards of dress and appearance apply to all people in our workplace. Trans and gender diverse employees should dress in a manner that best reflects who they are. You should seek to convey a professional appearance in work settings, regardless of sex or gender identity. It is not appropriate to expect employees to choose modes of dress that are stereotypical of either their sex or their gender identity. Managers and other colleagues must refrain from comments of this nature as per the Workplace Behaviour Policy.

Updating details

If you are a person affirming your gender and intend to change your name, gender or title you may want your IT systems, physical signage and a security pass to be updated. The following table indicates how to achieve these changes in the Bank:

Personal Details	Process details	Evidence Required	Forms / Contact/s
Title	Changes can be made to an alternative title of either Mrs / Ms / Miss / Mr or the non-binary title Mx.	Yes	PeopleSoft currently does not support non-binary titles but other titles can be changed when legal name is changed (Non-binary title is a requirement of the new HR system coming in 2023)
Preferred name	A preferred first name is a name that you commonly use that is different from your legal given name.	No	Currently not self-service in PeopleSoft. Please contact the HR Service Desk.
Name	Your legal given name; amendments can be made once evidence is supplied that this has been amended via appropriate legal channels.	Yes	A self-service transaction in the HR system. An approval is sent to the HR Systems team who will contact you to sight your original legal name change documentation.

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Guidelines for Staff on Gender Affirmation, Transition and Detransition

Sex	Sex should be recorded separately to gender identity, as these are separate concepts in Australian law and the Bank is required to report statistics on employees disaggregated by sex. Ideally, this should be sex as recorded at birth rather than current legal sex, but there will be situations where this can no longer be evidenced.	Not applicable	PeopleSoft currently does not support recording separate sex and gender fields or a non-binary option (Separate sex and gender identity fields is a requirement of the new HR system coming in early 2023). For the time being, change of name and title will be taken as the record of gender.
Gender	In future, your gender will be recorded in the HR system separately from sex at birth, and can be amended, including if you identify as a non-binary gender, on your personal record.	Yes ¹	Please request this along with your legal name change. PeopleSoft currently does not support a non-binary option (Separate field with non-binary option and a "Prefer not to say" option are a requirement of the new HR system coming in early 2023)
Email	An email address will automatically be updated once the above given name amendments have been supplied and evidenced.	Yes	
Security Pass	If a new security pass is required images will also be updated.	No	Please contact the WP Service Desk
Security clearance	If you have a security clearance, please contact the security clearance contact person in Shared Services for information on how to proceed.	Yes	As with any change in personal circumstances, a change in name or gender needs to be reported to AGSVA, and will be handled according to their existing transition policy.
Other accounts	Other accounts should be automatically updated once the HR system has been updated.	Not Applicable	
Name badge, desk plates and business cards	New name badges, desk plates and business cards may be requested. A cost code needs to be supplied when the order is placed.	No	Please contact the WP Service Desk

¹ Proof can include

- a) a statement from a Registered Medical Practitioner or a Registered Psychologist which specifies their gender
 - b) a valid Australian Government travel document, such as a valid passport, which specifies their gender, or
 - c) a state or territory birth certificate, which specifies their legal sex. A document from a state or territory Registrar of Birth Deaths and Marriages recognising a change of sex and/or gender will also be seen as sufficient evidence.
- See Australian Government Guidelines for Recognition of Sex and Gender for further information

Leave

You are welcome to take personal leave while transitioning or detransitioning, or to take care of tasks related to their transition or detransition. Managers are expected to approve such leave requests as they would any other reasonable request for personal leave. If you do not have sufficient personal leave, management are encouraged to offer discretionary leave instead, consistent with the Bank's Leave Policy.

The purpose of this leave may be taken for reasons that include, but are not limited to:

- a) medical or legal practitioner appointments;
- b) changing your dress and presentation;
- c) attending counselling;
- d) implementing other aspects of your workplace plan.

Sharing pronouns

You may wish to include your pronouns in your email signatures, either to signal your gender identity or to disambiguate your sex or gender where your name is ambiguous. You are not obliged to include pronouns in your correspondence.

5. Guidelines for Managers

If an employee approaches you with the intention to affirm their gender, your support is critical. Below are some of the key areas your assistance is required in this process.

Confidentiality and privacy

In accordance with 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.

It should also be noted that individuals are not required to disclose medical information to the department.

Sensitivity and respect

Treat any employee 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 around matters relating to their personal lives. Support is essential and expected, and disrespectful behaviour will not be tolerated.

Involvement in the development of a workplace plan

When you become aware of an employee who has the intention 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. Make sure to consider stakeholders, colleagues, policies and procedures existing in the workplace.

Help and support is available for managers to ensure a positive experience. For guidance please contact your HR Business Partner or the Senior Consultant, Leadership and Diversity in HR.

Communication

Clear, open and honest communication from managers, employees and the individual is essential. Communication will be different in all workplace plans and dialogue can help alleviate any potential difficulties or issues.

Hosting information and awareness sessions for team members and other stakeholders should be considered when developing the workplace plan.

Respectful communication that is created with involvement from all parties is essential. It is natural for colleagues to be curious: privacy of the individual's personal information will need to be balanced with the need for colleagues to understand the change and the expectations of their behaviour.

Addressing concerns of colleagues

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, in order to achieve a positive outcome. Be available to answer questions and also be aware of differentiating between personal views about others' behaviour and appropriate behaviour. Involving the employee who is affirming their gender in 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. As a manager you can contact the EAP or encourage employees or family members who are struggling to contact them.

Addressing negativity

While the experience of someone affirming their gender ought to be 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 need to be handled quickly (such as conversations around bathroom use or intentional or ongoing use of the incorrect names or personal pronouns). The EAP can assist with strategies on addressing this or you can contact your HR Business Partner and/or the Senior Consultant, Leadership and Diversity in HR for advice.

Leave entitlements

Providing reasonable flexibility and the ability for the person affirming their gender to access leave in accordance with existing leave policies is essential. You should approve reasonable requests for personal leave for the purposes of gender affirmation, as described in the previous section. You should also make the employee aware that discretionary leave is also available for this purpose. It is important that employees are not made to feel singled out for taking leave for this purpose. Some employees might prefer to use long service leave, annual leave and other leave entitlements instead; they should not be precluded from doing so.

6. Guidelines for Colleagues

Our people are expected to provide a safe and inclusive workplace where everyone can feel comfortable in bringing their whole selves to work. We expect all involved in the process of a person affirming their gender will maintain integrity and show respect throughout this time. Behaviours including bullying, victimisation, exclusion, deliberate misuse of pronouns or names, or innuendo are not acceptable and will not be tolerated as part of our Workplace Behaviour Policy.

If an individual approaches you with the intention to affirm their gender, your support is critical. Below are some of the key areas where your assistance is expected in this process.

- Ensure that bad behaviour is called out. No-one should feel disrespected and sometimes it can be your voice that changes the situation.
- It is important to use the pronouns the other person would want you to use. If you inadvertently use a different pronoun to the one the person would want you to use, it's OK, you're human!

DO: apologise, use the pronouns you've been asked to use and move on.

DON'T: make a big deal about it, go on and on about how bad you feel, or explain to the person how hard it is for you to get it right. This is highlighting the situation and could make the other person feel more uncomfortable.

- Someone who is beginning to question their gender identity may shift back and forth as they find out what works for them. Be patient and respectful of any such period of uncertainty.
- Don't ask invasive questions about medical procedures.
- Remember to listen with an open mind. Everyone is the expert on their own lives.
- Avoid giving the impression that it would be preferable for a colleague or third party to transition, or not to transition, to detransition or not detransition.
- Be mindful that presentation and identity need not align. It can be offensive to assume that, for example, a short-haired biologically female person in a suit is necessarily transgender or non-binary.
- People in the trans and gender diverse community may describe themselves using one (or more) of a wide variety of terms. Always use the term preferred by the individual.

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.

It should also be noted that individuals are not required to disclose medical information to colleagues or the department.

Sensitivity and respect

Be prepared to treat any employee 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 disrespectful behaviour will not be tolerated. For the avoidance of doubt, recognising a distinction between sex and gender identity would not be regarded as disrespectful; continually drawing attention to a transgender or non-binary person's birth sex would likely be seen as disrespectful.

Sharing pronouns

You may wish to include pronouns in email signatures, either to signal your gender identity or to disambiguate your sex where your name is ambiguous. You are not obliged nor are you explicitly encouraged to include pronouns, as this may set up an expectation that everyone should do so. This is unhelpful for people who are currently considering transitioning or detransitioning, as it effectively puts them 'on the spot' to declare their identity, perhaps before they are ready.

For the same reason, you should not instigate practices of declaration of pronouns in a group setting such as a meeting.

An alternative practice that does not contribute to pressure to declare gender identities prematurely would be to include a title (Mx/Ms/Mr) rather than pronouns.

Where an employee (or third party) has included their pronouns in emails and similar materials, it is expected that their colleagues will take note of and respect these indications.

7. Facilities

Australian Building Code, which has the force of legislation, requires employers above a certain size to provide single-sex toilets for employees. Because some employees – including but not limited to those who have transitioned – may not feel it is appropriate to use the facilities intended for people of the same sex, the Bank provides unisex accessible toilets on every floor of Head Office. This provision, as well as single-cubicle unisex changing facilities on B2, will be expanded as part of the 65MP project refurbishment.

Sensitivity and open-mindedness around use of facilities is expected on the part of all employees. This includes recognition that some faith communities expect and require single-sex facilities. It also includes recognition that stereotypical dress and presentation should not be a precondition for using the facilities provided for people of the same birth sex. Under no circumstances should people be made to feel uncomfortable for using unisex facilities, or be subject to assumptions about their reasons for doing so.

8. Record-keeping

The Equal Employment Opportunities (Commonwealth Authorities) Act requires entities such as the RBA to record employment data by sex, in order to track progress on women's inclusion in the workplace.

To ensure that employees' gender identity is also appropriately recognised, it should be recorded separately from their sex, in a separate field. This is not possible in current ESS, but is a requirement for the new HCM. In the interim, use title field as a proxy.

9. Guideline Management

Administration

This Guideline is administered by HR Department

Implementation

The Senior Consultant, Leadership & Diversity is responsible for the implementation of this Guideline.

Monitoring and review

This Guideline is reviewed by the LGBTI +Allies ERG, in consultation with HR Department, at least every two years or more frequently if there is a major change. All changes to the Guideline must be approved by the Executive Sponsor of the LGBTI +Allies ERG and the Head of Human Resources.

Communication

This Guideline is available on the Bank's intranet.

10. Resources

Related internal documents

[Pronouns Guide](#)

Related legislation

[Sex Discrimination Act 1984](#)

[NSW Anti-Discrimination Act](#)

[Equal Employment Opportunities \(Commonwealth Authorities\) Act](#)

[Births, Deaths and Marriages \(NSW\)](#) – explains what is required for a change of legal sex

[ABS Guidelines on Sex and Gender](#)

[Australian Government Guidelines on the Recognition of sex and gender](#)

Enquiries

Senior Consultant, Leadership & Diversity, Human Resources Department

11. Glossary

Term	Definition
Gender	Gender is a social and cultural concept. It is about social and cultural differences in identity, expression and experience as a man, woman or non-binary person.
Gender identity	The <i>Sex Discrimination Act 1974</i> defines gender identity as ‘the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person’s designated sex at birth.’
Transition	The legal, medical and social processes involved in affirming a gender identity that is different from the one typically associated with one’s sex at birth.
Detransition	The process of no longer identifying as transgender or non-binary and re-identifying with one’s birth sex. While this sometimes involves physical steps (e.g. no longer taking hormones), many aspects of medical transition are not reversible and will persist. In addition, some jurisdictions do not provide a pathway for legal recognition of detransition, where the person had previously legally transitioned. This term usually refers to someone who had previously taken medical and/or legal steps as part of their transition. See ‘desistance’ for the case of reversal of a social transition.
Desistance	A technical term used to denote the situation where a person (usually a young person) initially identifies as transgender or non-binary but ceases doing so before proceeding with medical steps to transition.
Transgender	Sometimes shortened to ‘trans’. Refers to someone who identifies as a man or woman, when that is not the gender identity typically associated with their sex at birth. Can also refer to people with non-binary identities.
Non-binary	Non-binary is an umbrella term describing gender identities that are not exclusively man or woman.
Sex (at birth)	Sex is understood in relation to (biological) sex characteristics. Sex recorded at birth refers to what was determined by sex anatomy observed at birth or infancy. To avoid ambiguity between sex and gender identity, use ‘female’ and ‘male’ to denote sex.
Legal sex	Some jurisdictions permit a change of legal sex, including amendment of one’s birth certificate. Where this has occurred, it may no longer be possible to evidence sex as recorded at birth.

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Guidelines for Staff on Gender Affirmation, Transition and Detransition