

## WELSH GOVERNMENT HR POLICIES

### GENDER NEUTRAL AND ACCESSIBLE TOILETS

We aim to ensure that the Welsh Government is viewed as an organisation that all sections of our community would consider a good place to work: a safe place where equality and diversity are valued and respected.

We aim to ensure that no member of staff experiences discrimination. This policy addresses discrimination which may arise due to a person's gender, their impairment or because an individual is proposing to undergo, is undergoing, or has undergone gender reassignment (or part of that process); is intending to or is already living in a new gender role; whose gender is non-binary;<sup>1</sup> or who is intersex.

The policy sets out that all single user toilets should be gender neutral and all accessible toilets should have a sign making it clearer that they are for use by people with non visible impairments as well as visible impairments.

All our policies are fully inclusive of all staff regardless of age, marriage and civil partnership (both same sex and opposite sex), pregnancy and maternity, race, religion or belief, sex, sexual orientation, whether they have an impairment or health condition, are neurodivergent or use British Sign Language, their gender identity or gender expression. We acknowledge that the terms 'gender identity' and 'gender expression' are not protected characteristics as defined by the Equality Act 2010, however, we believe that Government policy which includes provision for those persons who identify within the 'trans' umbrella (rather than on the basis of binary gender) is a more inclusive approach and one which ensures the Welsh Ministers are in a position to comply with all their statutory duties related to equality and the promotion of well-being in Wales.

If you have any feedback on the inclusivity of this policy, please email [EqualityintheWorkplaceTeam@gov.wales](mailto:EqualityintheWorkplaceTeam@gov.wales)

The Guidance and Procedures to support the implementation of this policy can be accessed by clicking [here](#).

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<sup>1</sup> **Non-binary** – an umbrella term for a person who does not identify as only male or only female, or who may identify as both. (<http://www.stonewall.org.uk/help-advice/glossary-terms>)

## **Guidance and Procedures**

Related links

Transitioning policy

Equality and diversity policy

### **1 THE POLICY**

1.1 In conjunction with the Policy and this guidance, we suggest that you also read the following :

A:gender guidance for staff and managers called The Workplace and Gender Reassignment

[Stonewall's guidance on trans inclusive policies](#)

[Guidance to the Gender Recognition Act 2004](#)

### **2. ROLES AND RESPONSIBILITIES**

#### **2.1 Employees are responsible for:**

- Making themselves familiar with the policy and this guidance

#### **2.2 Managers are responsible for:**

- Consulting the HR Business Partners if they have any concerns and or wish to discuss matters in relation to the operation of the policy and this guidance.

#### **2.3 Building and Facilities Management teams are responsible for:**

- Ensuring all accessible toilets under the management of the Welsh Government, in offices owned or leased by the Welsh Government, display a bilingual and accessible sign stating 'Not every impairment is visible'.
- Ensuring all single user toilets under the management of the Welsh Government in offices owned or leased by the Welsh Government are gender neutral. In practice this means that they must not be identified as for use by either men or women and must have an appropriate gender neutral sign (for example, a picture of a toilet). All single user toilets must have sanitary bins. All signage and directions to the gender neutral toilets must also be gender neutral (for example, 'Toilets').

### **3. BACKGROUND TO POLICY DEVELOPMENT**

#### ***Accessible toilets***

3.1 Feedback has indicated that people with non visible impairments may feel embarrassed to use accessible toilets because the sign on the door (a person in a wheelchair) may be interpreted as meaning such toilets are only for use by people with a visible physical impairment. This was not the intention of the sign (a universally recognised sign for disabled people) and adding an additional sign, 'Not every impairment is visible' will ensure that people with a non visible physical impairment and a non visible mental health impairment are entitled to use the toilets.

#### ***Gender neutral toilets***

3.2. Gender neutral toilets meet the needs of people who feel uncomfortable using gender specific toilets and can be used by everyone, whether they identify as male, female or non binary.

3.3 A pilot of gender neutral toilets in Aberystwyth and in one toilet in Llandudno Junction was welcomed by staff and others who used the buildings

3.4 There are some other single user (non-accessible) toilets across the estate and consideration will also be given to introducing more single user toilets where practicable as part of future refurbishment or new building projects.

3.5 Gender specific multi user toilets will continue to be used in offices and we trust staff to decide which gender specific toilet is suitable for them. Our Transitioning Policy guidelines state 'Employees undergoing transitioning should use the facilities of their acquired gender from the first day that they present in that gender. Employees cannot be asked to use alternative facilities, such as the 'accessible toilet.'