



Banc Ceannais na hÉireann
Central Bank of Ireland

Eurosystem

Gender Identity & Expression

in the Workplace Policy

January 2023

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Introduction

The Central Bank of Ireland (the 'Bank' or 'we') is committed to fostering a supportive, fair, and inclusive workplace where all colleagues are treated with dignity and respect. This includes creating a welcoming and safe environment for all, regardless of gender identity or expression. Gender identity refers to a person's internal, deeply-felt sense of being male, female or something other or in-between, regardless of the sex they were assigned at birth. Please see Appendix 1 for further terminology which may be helpful in understanding this policy.

The introduction of a Gender Identity and Expression in the Workplace Policy supports our desired culture and aligns to our values of Integrity and Care, Courage and Humility and Teamwork and Excellence.

This policy is supported by the Bank's Dignity at Work Policy & Charter which outline our commitment to ensuring that all colleagues can work in an environment that is free from any form of bullying, harassment, sexual harassment or any other inappropriate behaviour that could be reasonably regarded as an affront to a person's dignity at work.

Purpose

The purpose of this policy is to provide guidance and support to colleagues who may wish to transition or affirm their gender in the workplace. It is unlikely that this policy will anticipate every situation that might occur and therefore the needs of each individual must be considered, on a case-by-case basis, as and when the circumstances arise.

This policy is supplemented by a toolkit and training sessions which will promote awareness and understanding of gender identity and expression in the workplace and provide practical guidance and further information for all employees and people managers.

Scope

Whilst this policy applies specifically to Bank colleagues the Bank will also engage with and support Bank contractors, at their request, should they wish to change their gender identity/ expression or affirm how they identify.

1. Context and Legislation

This policy has been developed in the context of the Employment Equality Acts 1998-2021, which prohibit direct and indirect discrimination in relation to the nine equality grounds including gender.

The Employment Equality Acts prohibit discrimination in employment – including recruitment, promotion, pay and other terms and conditions of employment.

Discrimination with respect to gender can include both direct and indirect discrimination:

- Direct discrimination may occur when an employee or job applicant is treated less favourably than another employee in the same situation or circumstances because of their gender (including gender identity or gender expression); and
- Indirect discrimination may occur where an apparently neutral provision puts an employee or group of employees or job applicants who are members of one of the nine groups (including gender) at a disadvantage because of being a member of that group.

The Gender Recognition Act 2015 provides for a process that enables transgender people to apply for full legal recognition by the State of their preferred gender by obtaining a Gender Recognition Certificate that reflects a gender change.

As a public sector body, the Bank has a statutory duty (known as the public sector duty) under the Irish Human Rights and Equality Commission Act 2014. It places an obligation on any public sector body, in the performance of its functions, to have regard to the need to eliminate discrimination, promote equality of opportunity and treatment of colleagues.

2. Colleague Records

- Colleagues should, upon request, be addressed by the name and pronoun that correspond to their gender identity;
- It is important to note however that each employee may have a different approach to their transition and this may or may not include social, physical or legal changes. The Bank will respect and support each employee's choice and preference;
- The Bank will change an official internal record to reflect a change in gender (and name if changed) upon receipt of either of the following: Official Passport or a certified copy of an entry in the appropriate Gender Recognition Register;

- In the absence of the documentation outlined above the Bank may be obliged to retain certain records that include an employee's officially recognised name and gender but will seek, insofar as possible, to use the name and gender preferred by the employee on relevant records; and
- In circumstances where records must be retained by the Central Bank that do not reflect the preferred name and gender, colleagues handling same will be required to ensure that in doing so they will avoid any inadvertent disclosure of such confidential information.

3. Confidentiality and Privacy

- All individuals have a right to privacy and this includes the right to keep one's transgender and gender identity status private. Equally, colleagues may choose to discuss and express their gender identity and expression openly and it is at their discretion as to when, with whom, and how much to share;
- The Bank is committed to respecting the right to privacy in respect of an employee's gender identity and expression and any information disclosed in this regard will be treated as confidential and only disclosed as necessary with the individual's prior consent;
- Information held by the Bank complies with the requirements of the Data Protection Legislation and the Freedom of Information Act and relevant Central Bank policies;
- The Bank must take all necessary precautions to ensure the safe-keeping and accuracy of all records containing personal information; and
- Where information is recorded or shared the terminology used must be respectful - see Appendix 1 for guidance on language.

4. Training and Awareness

The Bank will provide training, which will be available to all colleagues, to support successful implementation of this policy and create greater awareness and understanding of gender identity and expression in the workplace for all.

5. Transitioning and Gender Affirmation

The Bank will support colleagues in whatever form of transitioning or gender affirmation is right for them and acknowledge that some colleagues may decide to

medically transition, some may change their name(s), pronouns, style of dress etc. as a means to express their gender identity while others may not.

Medical transitioning is a process that is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex and includes any part of such a process. Medical aspects of transitioning are a private matter between doctor and patient and colleagues seeking time off for medical procedures should review the Bank's Sick Leave Regulations for details on how to manage any absence. The associated toolkit also provides some useful guidance and advice for colleagues.

If an employee decides to transition or confirm how they identify they should contact one of the following to arrange a meeting to discuss in confidence and agree a process with which they are comfortable:

- Line manager
- HR Advisory

6. Use of Facilities

- Any person who is transitioning, or who has already transitioned, can use the facilities (toilets, showers and changing facilities) that corresponds to their gender identity;
- Furthermore, some non-gendered or universal facilities (i.e. both non-gendered and accessible) will be provided in each of our premises where possible;
- It is recognised that it may not be possible to retrofit non-gendered or universal facilities in older buildings and provision of these facilities in older buildings will be considered on a case-by-case basis - please refer to the supporting toolkit for further information.



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