



ASIC
Australian Securities &
Investments Commission

Gender Affirmation Guidelines

August 2021

About these guidelines

These guidelines describe the application of the Gender Affirmation Policy to all ASIC team members and provides additional guidance to team members affirming their gender in the workplace, people leaders and colleagues.

These guidelines support ASIC's values of **ACCOUNTABILITY**, **PROFESSIONALISM** and **TEAMWORK**.

Document control

Ownership

The Senior Executive Leader, People & Development is responsible for the development and implementation of these guidelines.

Application

These guidelines support the Gender Affirmation Policy to assist any team member affirming their gender in the workplace and to people leaders and colleagues in understanding their roles and responsibilities under the Gender Affirmation Policy.

Approval

These guidelines have been reviewed and approved by the following parties on the following dates:

Version	Reviewer	Comments	Approver	Approval date
1.0	s 22		s 22	9/08/2021

Version history

Version	Details of change	Approval date
1.0	Document created	9/08/2021

Distribution

These guidelines have been distributed to the following parties on the following dates:

Version	Date	Distribution list
1.0	27/08/2021	All team members

Location

These guidelines are located on myASIC at [People & Development – Policies & Guidelines](#).

Review

These guidelines will be reviewed after 24 months by People & Development and the Rainbow Network.

Contents

A	Guidelines for everyone at ASIC	4
	Team member support	4
	Employee assistance program	4
	Facilities	4
	Additional information and support	5
B	Guidelines for team members affirming their gender	6
	Open communication.....	6
	Workplace Gender Affirmation Plan	6
	Gender affirmation leave	7
	Dress code and clothing	7
C	Guidelines for people leaders	8
D	Guidelines for allies.....	10
	Appendix 1 – Gender Affirmation Checklist	11
	Appendix 2: Sample communication	13
	Key terms	14
	Related information	15

A Guidelines for everyone at ASIC

- 1 ASIC is committed to workplace diversity and fostering an inclusive environment where all our team members, our stakeholders and our communities are treated with fairness and respect.
- 2 People and Development (P&D) and the Rainbow Network are available to support team members, including people leaders, so that everyone at ASIC has a positive experience where a team member affirms their gender.

Team member support

- 3 All team members, contractors, consultants, secondees and volunteers regardless of where work is performed are responsible for meeting the standards of behaviour outlined in the ASIC Code of Conduct. This includes:
 - a. treating a team member's gender with respect, fairness, courtesy, sensitivity and maintaining an open-minded attitude;
 - b. participating in related training or education;
 - c. being willing to ask respectful questions when unsure of something; and
 - d. listening to, and understanding, the team member's needs and concerns and maintaining honest communication to build trust and support a positive and successful workplace transition.

Employee assistance program

- 4 The [Employee Assistance Program](#) (EAP) provides confidential and professional counselling and related services to assist in resolving issues that may be work related or of a personal nature.
- 5 Team members affirming their gender in the workplace and their colleagues that may be impacted by the affirmation process can access the EAP. Colleagues are encouraged to seek support if needed in adjusting to a team member's gender affirmation.
- 6 The EAP is accessible by all employees and their immediate family members.

Facilities

- 7 Team members affirming their gender may access the bathrooms and facilities that are the same as their affirmed gender or, if preferred, the accessible facilities. Preventing a team member from using the facilities of their affirmed gender identity may be unlawful and is inconsistent with ASIC policy. It is not appropriate to require a team member to use accessible facilities or any other particular bathroom or changing facility.

Additional information and support

- 8 P&D and the Rainbow Network can provide further support and assistance on the Gender Affirmation Policy or these guidelines. Further information and resources are available on the [Rainbow Network intranet page](#).

B Guidelines for team members affirming their gender

Open communication

- 9 Open communication between the team member affirming their gender and their people leader and/or P&D is strongly encouraged to mitigate potential difficulties or issues.
- 10 Communication will be different for each team member contingent upon their circumstances.

Workplace Gender Affirmation Plan

- 11 Team members affirming their gender in the workplace may develop a Workplace Gender Affirmation Plan, in conjunction with their people leader, P&D and/or a support person. Where possible, responsibility for actions in the Workplace Gender Affirmation Plan should be assigned to specific people.
- 12 A team member affirming their gender is not required to develop a Workplace Gender Affirmation Plan. The contents of any plan will depend of the circumstances of the team member and the stage they are at in their individual gender affirmation journey.
- 13 As appropriate to the circumstances of the team member, a Workplace Gender Affirmation Plan could consider, but is not limited to:
 - a. creating a support team, which may include a support person, a people leader, and a P&D representative;
 - b. expected timeframes for gender affirmation process;
 - c. any proposed leave plans;
 - d. a plan for how the affirmation will be communicated to relevant colleagues;
 - e. identify training requirements and who training will be delivered to;
 - f. actions and dates to implement changes to personal details in the various information and data systems at ASIC; and
 - g. the expected date the team member will present in the workplace in their affirmed gender; and consider, if appropriate, a plan for the team to meet the team member as their affirmed gender.
- 14 See [Appendix 1](#) – Gender Affirmation Checklist which may be used to ensure key items are included in the Workplace Gender Affirmation Plan if appropriate for the individual circumstances.

Gender affirmation leave

- 15 Team members affirming their gender may access leave and flexible working arrangements in accordance with the Leave Policy and Flexibility Policy including but not limited to personal leave where required. Leave should be discussed when developing a Workplace Gender Affirmation Plan and notice provided (where possible) in line with the Leave Policy.

Dress code and clothing

- 16 The same professional standards of dress and appearance apply to all team members at ASIC. Transgender, gender diverse and non-binary team members should dress in a manner that best reflects who they are.
- 17 Team members should discuss standards of dress with their people leader and/or P&D as needed. People leaders and P&D may collaborate with the Rainbow Network and/or external partners with the relevant expertise to provide support.

C Guidelines for people leaders

- 18 People leaders should be mindful that a team member affirming their gender may prefer to discuss their personal circumstances with someone outside of their immediate team. People leaders should be prepared for situations where the team member prefers to work with P&D rather than their immediate people leader.
- 19 The responsibilities of a people leader assisting a team member affirming their gender will vary depending on the situation and the preferences of the individual team member. Early engagement by people leaders with P&D is encouraged to support the implementation of the Gender Affirmation Policy.
- 20 Responsibilities of people leaders or P&D in supporting a team member affirming their gender include:
 - a. working with the team member to understand their aims and expectations and what they want the people leader's role to be;
 - b. if appropriate, supporting the team member in developing and implementing all aspects of their Workplace Gender Affirmation Plan;
 - c. developing a shared understanding and agreement about any flexibility requirements or changes to work arrangements needed during any transition period;
 - d. protecting the privacy of the team member and maintaining strict confidentiality;
 - e. providing support and flexibility for any leave that may be required by the team member;
 - f. communicating honestly, openly, and regularly with the team to set expectations;
 - g. Facilitating communication of relevant information to key stakeholders.
 - h. increasing their own level of understanding by seeking resources and education if required;
 - i. supporting colleagues, for example by being available to answer questions and address any concerns of colleagues through briefings or facilitating education and awareness;
 - j. diligently escalating any issues to P&D or seeking advice as necessary; and
 - k. modelling ASIC's values and providing leadership to develop a positive, inclusive, and respectful environment to support a successful transition.
- 21 People leaders should consider hosting information and awareness sessions for colleagues of the team member. People leaders and P&D should ensure that:

- a. the team member is involved in the education of colleagues to the extent the team member is comfortable;
 - b. all communication is respectful; and
 - c. information and resources are provided to colleagues.
22. An example communication via email can be found in [Appendix 2](#).

D Guidelines for allies

- 23 An ally is someone who is associated with another or others for some common cause or purpose, in this case supporting the experience of someone affirming their gender. Being an ally is an ongoing process and a continual journey. Allies can demonstrate support in many ways, for example by:
- a. ensuring that bad behavior is called out – no-one should feel disrespected, and it is important to challenge remarks or jokes whenever they are said and no matter who says them;
 - b. encouraging colleagues to use correct pronouns or name – it is ok to make a mistake, correct it and move on and to not make a big deal out of it;
 - c. being patient, kind and respectful – where a person begins to question their gender, their identity may shift back and forth as they find out what works for them; and
 - d. listening with an open mind.
- 24 Colleagues 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 team member who is affirming their gender.

Appendix 1 – Gender Affirmation Checklist

The following checklist details the actions required throughout different stages of the affirmation process. The timing of these actions should be amended based on individual circumstances.

Description	Action	Responsibility
Leave requirements	Identify any requirement of team member including whether leave may need to be staggered or staged.	Team member People leader People & Development
Security Clearance	Submit a ' Change of Circumstances ' form through Personnel Security . See Holding and maintaining a security clearance for details.	Team member Personnel Security
Personal details	Update your personal details by emailing P&D Advisory, including: <ul style="list-style-type: none"> • Preferred name • Legal name • Gender • Payroll details See paragraph 24 of the <i>Australian Government Guidelines on Recognition of Sex and Gender</i> for details of verification documents.	Team member P&D Advisory
Security pass and photo ID	Email s 22 to organise your new security pass and photo ID.	Team member National Monitoring Centre
ASIC Identification	If you are an Enforcement Team member with ASIC credentials, request an update to be issued by Evidence Services.	Shared Services – Evidence Services
IT logins and access	Updates to your personal details through P&D Advisory will flow through to IT Service Desk – if you experience any issues with this, please email IT Service Desk .	IT People & Development
Email signature	Update your email signature with any changes to your name, pronouns, or contact details.	Team member
Organisational chart, team information and intranet content	Arrangement for updates to all relevant team materials.	Team Executive Assistant
Team support and awareness training	Identify team member's objectives and expectations. Consider: <ul style="list-style-type: none"> • Formal training – presented by Rainbow Network or Pride in Diversity • Email to team • Team meeting 	People leader People & Development Rainbow Network

Preference for advising information to team	Identify team member's objectives and expectations. Methods of communication which may include email, group discussion or morning tea with team before returning to work following gender affirmation. Consider communication to: <ul style="list-style-type: none"> • Leadership team • Immediate team • Key internal stakeholders • External customers 	Team member People leader People & Development Rainbow Network
Plan for returning to work after gender affirmation	Identify team member's objectives and expectations.	Team member People leader People & Development Rainbow Network
Follow up support	Check for any issues with: <ul style="list-style-type: none"> • official paperwork • team conduct • external stakeholders 	People leader People & Development

Appendix 2: Sample communication

Good morning/afternoon

I would like to provide you with some important information about your colleague who you have known as *[pre-affirmation name]*.

From *[date]*, we will be welcoming *[post-affirmation name]* back into our team. Therefore, it is important all our people use *[post-affirmation name]*'s pronouns of *[pronouns]* in future. This may take a little practice.

ASIC fully supports *[name]* in *[pronoun]* gender affirmation and I trust that you will all show *[pronoun]* the same level of respect as any other colleague. I also stress that ASIC provides a safe and inclusive work environment for everyone.

We have arranged an information session for *[post-affirmation name]*'s immediate colleagues and the wider team on *[date]*, which you can register for here *[insert link to training registration]*.

ASIC is a transgender inclusive workplace and there is further information available on the [Rainbow Network intranet page](#), including a link to details of the [EAP program](#) for anyone who might need to discuss this further.

Key terms

Term	Meaning in this document
Diversity	Creating an environment that values and utilises the contributions of people with different backgrounds, ways of thinking, experiences and perspectives.
Inclusion	Ensuring everyone in ASIC has equality of opportunity without any barriers as a result of their diversity.
LGBTIQ+	lesbian, gay, bisexual, transgender, intersex and queer
Rainbow Network	A stream of ASIC's Diversity Council to help LGBTIQ+ team members connect and develop a sense of community within the workplace.
People leader	An ASIC employee with people management responsibilities. For example, a Senior Executive, Senior Manager, Manager or Team Leader.
Team member	An ASIC employee, either permanent or temporary.

Related information

[Bullying Policy](#)

[Code of Conduct](#)

[Code of Conduct and Grievance Handling Procedures](#)

[Flexibility Policy](#)

[Flexible Work Arrangement Procedure](#)

[Discrimination & Harassment Policy](#)

[Diversity & Inclusion Policy](#)

[Gender Affirmation Policy](#)

[Leave Policy](#)