**Air Cadet Publication (ACP) 15**



**Diversity & Inclusion Policy**

## Amendment sheet

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# ACP 15 – Diversity & Inclusion Policy

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**Related Documents**

This policy document supersedes Personnel Instruction No 104 of ACP 20 - Personnel Regulations and should be read in conjunction with ACP 4 - Safeguarding and Protecting Children.

### Foreword by Commandant RAF Air Cadets

1. The RAF Air Cadets (RAFAC) is a brilliant place to work and volunteer, with a large team of regulars, reserves, civil servants and Cadet Forces Adult Volunteers (CFAV) coming together to provide safe, exciting, challenging, and inspiring opportunities to tens of thousands of cadets in the Air Training Corps and Combined Cadet Force (RAF). As Commandant I am responsible for ensuring that the RAFAC is indeed a brilliant place to be, one that supports, respects, and celebrates the diversity of everyone in the air cadet family.

2. I have experienced the warmth, energy, and value that a diverse and inclusive workforce brings, especially in the stress of challenging work or when solving some of life’s more trying problems. But I have also witnessed the harm that prejudice and inappropriate behaviour can cause our people and their families. I want the RAFAC to be welcoming to those who have yet to join us from the breadth of society we represent, but also a safe and respectful space for those who have already joined. Equally, for those who move on from our organisation, I want them to do so having been given every opportunity to be their authentic self and carrying the knowledge that every person deserves respect.

3. I expect every member of the RAFAC to embrace a strong understanding of diversity and inclusion, to seek opportunities for informative training, to create inclusive teams and activities, and be unafraid to discuss the lived experience of others who are different to ourselves. Together we must ensure that everyone can be comfortable in sharing their views and do not feel compelled to fit into established, but outdated, norms.

4. Everyone is afforded legal protection under the Equality Act 2010 based on the nine listed protected characteristics. However, beyond this legal requirement it is our moral duty to strive for an environment in which people feel confident in their ability to express their authentic selves. To create and sustain this diverse and inclusive environment we all need to play our part, every day, in all that we do. We must respect each other and embrace the differences in background, character, experience, and perspective that are inherent in a diverse organisation. This responsibility is shared between us all - permanent staff, adult volunteers, and cadets – and it is not limited solely to those with command or leadership responsibility, though they too must lead by example and role model inclusive language and behaviour.

5. Everybody has clear responsibility for ensuring that their personal conduct is exemplary, and others are treated with fairness, dignity, and respect. Your conduct should not cause offence and, please, don’t be a passive bystander - challenge those who offend, harass, victimise, or bully others. In this regard I am unequivocal: any form of harassment, intimidation or unlawful discrimination is unacceptable and will be investigated. I will set the example and live by these values, and I invite anyone to challenge me if I fail to do so.

6. Embracing diversity and inclusivity requires a solid foundation of commitment. I believe we should all be proud to be part of an organisation that is free from intimidation, humiliation, harassment, and discrimination; one which is safe, secure, and enjoyable, and where people treat each other in accordance with our core values of Respect, Integrity, Service and Excellence. Only then can we unlock the true potential of our staff, volunteers, and most importantly, our air cadets, and in turn harness the energy, innovation and brilliant achievements that will undoubtedly follow.

### Air Cdre A Keeling

### Commandant RAFAC

**Diversity & Inclusion Policy**

**Introduction**

1. The RAFAC is an air, space and cyber focussed uniformed youth organisation whose purpose is to unlock the potential of young people while fostering an interest in the RAF. This potential cannot be unlocked if the RAFAC is an environment where diversity is not celebrated. It provides young people from all sections of society the opportunity to gain new skills, develop confidence and expand their social network in an environment where equality and respect is integral. To achieve this the RAFAC also recruits competent and effective CFAVs in a range of leadership and delivery roles. All CFAVs are committed to the development, safety, and security of cadets in their areas of responsibility and are fundamental to the RAFAC’s success.

2. Where possible, all cadets, CFAVs and staff are to be provided with equal opportunity and the encouragement to realise their full potential irrespective of [age](#Age), [disability](#Disability), [gender reassignment](#GenderReassignment), [marriage and civil partnership](#MarriageCivilPartnership) status, [pregnancy and maternity](#PregnancyMaternity), [race](#Race), [religion or belief](#ReligionBelief), [sex](#Sex) and [sexual orientation](#SexualOrientation) and related issues such as paternity, childcare, nationality and socio-economic status. All personnel within the organisation, in any capacity, are to be treated fairly and every individual also has a responsibility for treating others with fairness, dignity and respect.

3. This Diversity and Inclusion (D&I) Policy seeks to encourage the valuable contribution that all individuals from diverse backgrounds can provide and strives to promote a culture in which participation is pursued and highly valued, recognising these benefits will not be achieved unless all cadets, CFAVs and staff identify and understand any biases and prejudices which they previously may have been unaware of. Unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 reduces confidence, erodes morale, destroys cohesion and as a direct consequence, undermines effectiveness and organisational integrity.

RAFAC’s Moral Responsibility – A Diverse & Inclusive Culture

4. Diversityis the ways in which people differ including (but not limited to) race, ethnicity, religion, beliefs, physical attributes, disabilities, sex, gender identity, sexual orientation, age, socio-economic background, life experiences (including marriage, civil partnership, pregnancy, maternity, and paternity), skills and the way people think and do things. Key terms and concepts can be found at [Annex B](#PI104AnnexB).

5. **Inclusion** is the action of embracing these differences. Inclusion is about valuing and harnessing people’s unique backgrounds, talents, perspectives, and insights for the benefit of individuals and the organisation.

6. D&I are fundamental to a modern and progressive RAFAC. D&I is also not a new concept, mutual trust and respect have always been integral to RAFAC’s ethos and core values. What has changed is the increasing social conscience which presents the organisation with a perfect opportunity to review current working practices and behaviours, how our people see and interact with each other, and what everybody can do to improve the lived experience for others.

7. Increasing everybody’s awareness of the challenges that members of the air cadet family experience will help everyone to understand the part they must play. It is worth remembering that without diversity, an environment can become stale and blinkered, and without inclusion attitudes can become intolerant and toxic. When a harmonious mix of D&I is present across the whole organisation it can help everyone feel a sense of belonging and value, and this in turn can lead to innovation, greater team cohesion, better morale, and it can further unlock everyone’s potential.

8. The RAFAC is fortunate to have a diverse population where many pockets of remarkable good practice already take place. The advice and continued selfless support provided by members of the ASPIRE Network (where ASPIRE is an acronym for Accept, Support, Promote, Include, Respect and Educate) is a great example, as is the ever-improving support to sustaining the good mental health and wellbeing of RAFAC’s people. While ASPIRE is somewhat organic in nature, grown from within by people who care, and is laying good foundations, it is clear RAFAC can and should do more.

9. This D&I Policy is only the beginning of our journey, the proposed changes will require a sustained and multifaceted approach. If D&I is to become the very essence of the culture of RAFAC, then increasing general awareness, challenging unacceptable language and behaviour, adopting a progressive leadership tone, and improving access to resources will be critical to its success.

**RAFAC’s Legal Responsibility – The Equality Act 2010**

10. The RAFAC policy on D&I adheres to the following legislation: The Equality Act 2010 and the Public Sector Equality Duty (Section 149 of the Equality Act 2010). The RAFAC has a direct liability to abide by all relevant legislation and an obligation to ensure that all personnel act in accordance with these laws. A summary of relevant legislation can be found at Annex A. Under the Equality Act 2010 every member of RAFAC is protected from discrimination, of which there are four main types:

a. [Direct discrimination](https://www.equalityhumanrights.com/en/advice-and-guidance/what-direct-and-indirect-discrimination) means treating one person worse than another person because of a protected characteristic. For example, a promotion comes up at work, the employer believes that people’s memories get worse as they get older so doesn’t tell one of their older employees about it, because they think the employee wouldn’t be able to do the job.

b. [Indirect discrimination](https://www.equalityhumanrights.com/en/advice-and-guidance/what-direct-and-indirect-discrimination) can happen when an organisation puts a rule or a policy or a way of doing things in place which has a worse impact on someone with a particular protected characteristic. For example, a local authority is planning to redevelop some of its housing. It decides to hold consultation events in the evening. Many of the female residents complain that they cannot attend these meetings because of childcare responsibilities.

c. [Harassment](https://www.equalityhumanrights.com/en/advice-and-guidance/what-harassment-and-victimisation) means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment. For example, a person with a visible disability is visiting a pub with friends. The bar staff make derogatory and offensive comments about them, which upset and offend them.

d. [Victimisation](https://www.equalityhumanrights.com/en/advice-and-guidance/what-harassment-and-victimisation) means people cannot treat you unfairly if you are taking action under the Equality Act 2010 (such as making a complaint of discrimination), or if you are supporting someone else who is doing so. For example, an employee makes a complaint of sexual harassment at work and is dismissed as a consequence.

11. Additionally, the RAFAC seeks to follow the guidelines issued by the [Equality and Human Rights Commission](https://www.equalityhumanrights.com/en).[[1]](#footnote-2) Although national legislation varies in Northern Ireland from the rest of the UK, it is the same in substance and all good practices are identical.

**D&I Policy Advice and Guidance**

12. The RAFAC is committed to achieving a diverse and effective membership in a safe and secure environment free from discrimination, harassment, and victimisation. All cadets, CFAVs and staff are to act in accordance with the RAFAC D&I Policy, any form of [unlawful behaviour](#Unlawfulbehaviour) will not be tolerated. To reinforce this message, the Commandant RAFAC has provided a D&I Statement which is to be visibly displayed in all Squadrons, CCF(RAF) sections, VGSs, AT Centres and other facilities where groups of cadets routinely convene. The Commandant's statement can be found at [Annex C](#PI104AnnexC).

13. Advice on RAFAC D&I policies and procedures should be sought from HQ RAFAC (DCOS Spt/ASPIRE Lead) and ASPIRE advisors at Wing and Region, who can provide advice and guidance on the [nine characteristics](https://www.equalityhumanrights.com/en/equality-act/protected-characteristics)[[2]](#footnote-3) protected from discrimination under the Equality Act 2010 and related policy issues such as paternity, childcare and socio-economic factors. Additionally, those in the command chain and line managers may also seek advice and guidance either from the [Air D&I Communications Page](https://modgovuk.sharepoint.com/teams/24549) on SharePoint, from RAF Diversity Allies or direct from the RAF D&I Policy Staff at Air Command.

**Reasonable Adjustments**

14. Irrespective of ability, performance and aptitude, reasonable adjustments are to be implemented where reasonably and financially practicable (including when writing Admin Orders and Joining Instructions) to permit cadets and CFAVs with disabilities, medical conditions, or any additional needs access RAFAC opportunities. If structural adaptations to buildings are being considered, the Chain of Command (CoC) should liaise with Head of Infrastructure at HQ RAFAC in the first instance.

15. In order to promote inclusivity when planning the activity/environment, collaboration with the cadet (if appropriate) and parents/carers should be sought to assess need and develop strategies. If safety issues require consideration, the CoC are to consult with Comdt 2 FTS or Regional Commandants as appropriate to ascertain functional risk and subsequent actions.

**Flexibility Statement**

16. All cadets participating in programmed events should experience similar degrees of challenge and fun, consequently CFAVs may be required to adapt activities/environment (wherever possible) appropriate to the abilities of the cadet.

17. Uniform should not limit inclusivity within the RAFAC, adaptations should be applied if medical requirements, gender identity, and religious or cultural expression specify, such as spectacles, hair style and the wearing of headdress. Further guidance can be found in the current version of AP1358C.

18. Socio-economic factors should not preclude cadets and CFAVs from inclusion within the RAFAC organisation. If someone’s personal finances or other resources are limited, assistance can be sought from either a Squadron, Wing or Regional Welfare Fund: assistance for cadets and CFAV of the CCF(RAF) should be submitted at regional level. HQ RAFAC may also be able to access funds from external sources, such as the RAF Benevolent Fund.

**Inclusive Processes and Policies**

19. A coherent approach to D&I in all RAFAC policies, activities and documentation is vital. With a plethora of information already available, HQ staff need to make sure this is up-to-date, easy to access, and that it reduces confusion and uses non-gendered language. To achieve this huge undertaking, HQ RAFAC will seek to form a project team to review AP1919 and all RAFAC policy, guidance, working practices and training. Pending this substantial overhaul of RAFAC policy, DCOS Spt will work with HQ staff and ASPIRE, to:

a. Bring all relevant D&I policy documents into one digital area. Develop and publish further guidance on how to improve the inclusivity of RAFAC activities, making reasonable adjustments where appropriate.

b. Carry out an assessment of all RAFAC policy documentation to ensure that D&I is embedded.

c. Improve reporting processes for D&I concerns and provide links to support.

d. Produce generic Terms of Reference for Inclusion Specialists and D&I Advisors.

e. Provide a Pledge for RAFAC Diversity Allies.

f. Review current RAFAC mandatory training packages ensuring D&I is embedded within them and include D&I training qualifications and currency on Bader.

g. Introduce D&I as a mandated agenda item at the full range of local, regional, and national conferences, providing a summary of challenges, positive practice, training updates and changes in policy as appropriate.

**Respect for Diversity and Inclusion**

20. Respect is one of the RAFAC’s core values. Treating people with respect means making time to understand others’ experiences, thoughts, and feelings, and being considerate to the lived experience of another. Upholding the value of respect means providing a safe environment for vulnerable individuals, enabling them to try new things, reduce their feelings of isolation and consequently improve emotional connections between everyone. Respect is a value everyone can develop by listening to each other, developing self-awareness and by being open to new ideas.

21. It is also essential to understand what acceptable language and behaviours are, and why developing self-awareness is so important as first steps in improving inclusivity across the RAFAC. To assist understanding, RAFAC’s DCOS Spt with the support of ASPIRE will seek to develop in a range of accessible formats:

a. Terms of reference for key positions in the ASPIRE Network.

b. A sustained influence campaign providing digital posters, information leaflets and other interactive materials that explain and promote the principles and benefits of D&I to RAFAC.

c. An e-learning package about D&I for air cadets and all adult volunteers.

d. Improved material to explain unacceptable language and behaviour and how to tackle it appropriately.

e. A generic D&I presentation for all RAFAC units to download and use.

**Establish a Sense of Belonging**

22. Recognising and celebrating difference allows everybody to see the possibilities that embracing diversity can bring to the RAFAC and to life in general. However, until this becomes innate being intentionally inclusive will help everyone reduce the potential for exclusion and increase that sense of belonging for everyone. To promote this sense of belonging over the RAFAC will seek to:

a. Promote D&I successes, lessons learnt and share good practice across the whole organisation, using the Air Cadet Magazine and influence platforms.

b. Continually review and improve recruitment and associated induction programs to make sure everyone feels welcome when they join us.

c. Encourage ASPIRE to grow to support all minority or marginalised groups.

d. Invite and work with local community groups who campaign to promote inclusion and diversity.

**Responsibility for Implementation**

23. The Deputy Commander Capability (DCom Cap) is responsible, on behalf of the Air Force Executive Committee, for the formulation and implementation of RAF D&I Policy and associated Action Plans. This responsibility is then delegated through the CoC to all Commanding Officers and Heads of Establishment, who are responsible for implementation of the principles and practices highlighted within this instruction. Commandant RAFAC is responsible for ensuring implementation and compliance across the RAFAC organisation. Commanders at Regional, Wing, VGS, Sqn or Contingent level, supported where necessary by ASPIRE Network Regional and Wing Advisors, are responsible for the implementation in their areas.

**Responsibilities**

24. The RAFAC recognises that all persons – be they Service Personnel, MoD civilians, CFAVs, cadets, or contractors – whilst on RAFAC property or participating in cadet activities are individually accountable to challenge [unlawful behaviour](#Unlawfulbehaviour) and have a role in implementing this policy:

a. **RAFAC Senior Leadership Team**. The RAFAC Senior Leadership team shall ensure that they, and all RAFAC personnel under their command, operate within this D&I policy and encourage, foster, and promote a culture of D&I within the organisation.

b. **CFAVs**. It is incumbent on all volunteers in every part of the organisation to set the highest personal and professional standards and to act as D&I role models. All CFAV are to ensure compliance with this policy and assist those for whom they have responsibility, and to be aware of their rights and obligations. The CoC is to be vigilant in identifying discrimination, harassment, and victimisation, taking prompt action to deal with it, rather than waiting for complaints to arise. Administrative action is available to address inappropriate conduct. Where potential criminal offences are disclosed, the appropriate Police authority must be informed. Commanders do not absolve their responsibilities, not only in relation to the wrongful acts of subordinates but also in respect of their duty of care to the victim of such wrongful acts or behaviour.

c. **Individuals**. All RAFAC staff, cadets and CFAVs have a responsibility for ensuring that their personal conduct and that of those around them, whether in the working, volunteering or social environment, is exemplary and that they treat others with fairness, dignity, and respect. All personnel must ensure that their own conduct does not cause offence, it does not harass or victimise others, and they must be prepared to offer support to those who suffer or witness unlawful behaviour and to report any incidents.

25. The RAFAC’s policy is clear and unequivocal; any form of discrimination, harassment, or victimisation of personnel (Service, MoD civilians, CFAVs, cadets, or contractors - anybody) is unacceptable and will not be tolerated. All personnel are to respect, and act in accordance with, this policy. Failure to do so, either by positive act or unwillingness to take appropriate action where this is necessary, should be considered as grounds for possible disciplinary or administrative action. All personnel should be aware of the basic principles of equality legislation as detailed at [Annex A](#PI404AnnexA); individuals may be held personally liable in law if they contravene equality legislation.

**Monitoring**

26. The RAFAC Senior Leadership Team shall monitor the implementation of this policy, while also ensuring fairness and transparency through the following areas:

a. Recruiting, selection and appointment procedures.

b. Performance management processes.

c. D&I training.

d. Disciplinary grievance processes. All alleged discrimination, harassment and inappropriate behaviour must be investigated, promptly, consistently, and thoroughly.

**Training**

27. **OF5s.** All serving OF5s are to attend the MOD’s Leading Diverse & Inclusive Organisations training course at the Defence Academy.

28. **Permanent Staff.** The annual completion of D&I training, in accordance with extant civil service and RAF policy, is mandatory for all permanent staff.

29. **CFAVs**. D&I training is mandatory for all CFAVs. The Adult Volunteer Induction Program and CCF CFAV induction packages are to include the subject of D&I and all courses run by the Command & Leadership School are to have the principles of D&I embedded within them. Development of a suitable refresher D&I training package for CFAVs will be coordinated by the DCOS Spt.

30. **Cadets**. Commanders at all levels are to ensure that all cadets joining their unit are briefed and fully aware of the policy. ASPIRE will seek to develop age-appropriate training packages for cadets.

31. Information will be promulgated by the Senior Leadership Team and the Aspire Network to all personnel to raise awareness of D&I and the contents of this policy.

**Disciplinary and Grievance Procedures**

32. All CFAVs have the right to submit a formal complaint through the CoC if they believe that a breach of any aspect of the RAFAC’s D&I policy has taken place. However, where an incident does not amount to a serious offence, the complainant is urged to try to resolve the situation at the lowest possible level. Where a complainant wishes to discuss an incident ‘in confidence’ before deciding on whether to proceed with a complaint, they are advised to contact the Sqn CO, a Chaplain, one of the ASPIRE advisors, or DCOS Spt, whichever is the most appropriate for the circumstances. Details of the complaint procedures are in ACP 20 PI 117.

33. Every air cadet has the right to submit a complaint if they believe that a breach of any aspect of the RAFAC’s D&I policy has taken place. This complaint would usually initially be to their CO, but where necessary or desirable, it can be made to any appropriate adult and the process of dealing with the complaint should mirror that for CFAVs.

34. RAFAC D&I complaints made against regular, or reserve personnel or civil servants will be managed in accordance with the relevant MOD informal or formal resolution policy.

35. Any individual who hampers an investigation, or who victimises a complainant, may be subject to administrative or where applicable, disciplinary action. One of the purposes of the law is to ensure that personnel are not dissuaded from bringing discrimination claims because of fear of subsequent victimisation.

**Malicious or Vexatious Allegations**

36. Making malicious or vexatious allegations is both harmful to the person against whom the allegation is made and to the broader organisation. If, after investigation, it is found that a complaint has been vexatious or made maliciously, administrative or (where applicable) disciplinary action will be considered.

**Sustaining Diversity & Inclusion**

37. Every day, every member of RAFAC should strive to uphold the contents of this policy.D&I continually evolves alongside social norms and organisational learning. Whilst the RAFAC encourages all its members to challenge unacceptable behaviour and language, it must be remembered that that people learn at different speeds, and some may initially make mistakes; these missteps will provide excellent opportunities for mutually respectful conversations about diversity and inclusion. The RAFAC wants to improve access for all and should provide a safe place for everyone to ask questions, to provide support for each other, and to share positive outcomes. To assist in communicating and supporting everybody during the RAFAC’s Astra campaign, DCOS Spt, with the support of ASPIRE, will seek to:

a. Establish a Diversity Allies network across the RAFAC.

b. Recruit more cadets and CFAV to be RAFAC D&I Ambassadors as an additional duty.

c. Recruit Inclusion Specialist Advisors to provide advice on each of the protected characteristics defined in the Equalities Act 2010 as an additional duty.

38. Anyone can be a RAFAC Diversity Ally. Each person within the RAFAC family has unique qualities to bring to the organisation; promotion of this ethos will grow inclusivity and understanding. Similarly, Inclusion Specialists Advisors will play a pivotal role in providing support the network of D&I Ambassadors and assisting them in providing advice or signposting members of the RAFAC family in seeking further support for their respective protected characteristics. They will also be key influencers who will assist senior leadership in the RAFAC with introducing diversity initiatives to support underrepresented groups and will be invited to assist in the further development of RAFAC D&I policy and guidance.

Annexes:

A. Summary of Legislation.

B. Glossary of Terms.

C. Commandant RAFAC’s Diversity and Inclusion Policy Statement.

D. Non-Binary and Transgender Guidance.

**Annex A**

**Summary of Legislation**

**Equality Act 2010**

1. The Equality Act 2010 came into force in October 2010, it replaces previous legislation (including the Race Relations Act 1976 and the Disability Discrimination Act 1995). The RAF’s D&I policy ensures consistency in what the RAF needs to do to make the workplace a fair environment and to comply with the law. Under the Equality Act 2010 it is unlawful to discriminate[[3]](#footnote-4) against people who have 'protected characteristics', ie., treating someone less favourably because of certain attributes of who they are. The protected characteristics include age, disability, gender reassignment, sexual orientation, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sex.

**Public Sector Equality Duty**

2. The Public Sector Equality Duty (Section 149 of the Equality Act 2010) came into force on 5 April 2011. The Equality Duty applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people’s needs.

3. The Equality Duty is supported by specific duties, set out in regulations which came into force on 10 September 2011. The specific duties require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty and to set themselves specific, measurable equality objectives.

### Annex B

**Glossary of Terms**[[4]](#footnote-5)

**Acquired Gender**

1. Acquired gender is the legal term used to describe a person’s gender after transition but prior to the issue of a gender recognition certificate (GRC). Once a GRC and a birth certificate has been issued a person only has their sex (and therefore gender) as described on their birth certificate.

**Affirmed Gender**

2. A person whose appearance and pronouns reflects their gender identity, and not necessarily the one they were born with. This phrase is often used following hormone treatment or gender reassignment surgery and is preferable to true or confirmed gender.

**Age**

3. The length of time that an individual has lived.

**Agender**

4. Where a person considers themselves to have no gender.

**Ally/Allies**

5. A (typically) straight and/or cis person or people who support(s) members of the LGBTQ+ community.

**BAME**

6. This acronym, which is no longer considered acceptable, was used to describe non-white communities in UK. The acronym BAME stands for present ‘black, Asian, minority, ethnic’.

**Chest Binding**

7. Chest binding (compressing breast tissue to give the appearance of a flat chest) is a common practice among people who do not want their chest to look feminine, such as transgender men and masculine-presenting assigned female at birth people.

**Cisgender or Cis**

8. This term can be used to describe people who feel that the sex/gender recorded at birth aligns well with their sense of self. For example, a person recorded as female at birth whose gender identity is female/woman. Sometimes thought of as the opposite of trans.

Coming Out

9. When a person first tells someone/others about their orientation and/or gender identity.

**Culture**

10. The outlook, attitudes, values, morals goals, and customs shared by a group of people or organisation.

**Dignity**

11. The right of an individual to be respected and valued.

**Disabiltiy**

12. A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

**Discrimination**

13. Singling out an individual or group for special favour or disfavour whether by direct or indirect means.

**Direct Discrimination**

14. This refers to less favourable treatment against an individual because of that person’s protected characteristic.

**Diversity**

15. In this context, people from a wide range of backgrounds, ethnicities, and cultures.

**Equality**

16. Equality is about ensuring that every individual has an equal opportunity to make the most of their lives and talents and believing that no one should have poorer life chances because of where, what or whom they were born, or because of other characteristics. Equality recognises that historically certain groups of people with particular characteristics, eg., those of certain races and religions, disabled people, women and LBGT+ individuals, have experienced discrimination.

**Fair(ly)(**

17. In this context, to treat individuals in a way that is right, reasonable, and equal.

**Gender**

18. Gender is a social construction relating to behaviors and attributes based on labels of masculinity and femininity; gender identity is a personal, internal perception of oneself and so the gender category someone identifies with may not match the sex they were assigned at birth where an individual may see themselves as a man, a woman, as having no gender, or as having a non-binary gender – where people identify as somewhere on a spectrum between man and woman.

**Gender Dysphoria**

19. Used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn’t feel comfortable with the sex they were assigned at birth.

**Gender Expression**

20. Gender expression refers to the cultural gender-related cues and behaviours a person uses, traditionally associated with masculinity and femininity. This includes name, pronoun, title, clothing, hair, walk, speech, mannerisms, and any other gendered aspects of presentation. Understanding the difference between gender identity and gender expression allows us to recognise that transition is mostly about changing gender expression (cultural gender cues) rather than gender identity (sense of self).

**Gender Fluid**

21. A person who does not consider themselves to be of a fixed gender identity.

**Gender Identity**

22. A person’s innate sense of their own gender, whether male, female, or non-binary (see below), which may or may not correspond to the sex assigned at birth.

**Gender Non-conforming**

23. This is a broad term that describes those who do not conform to social expectations of gender identities or gender expressions. Being gender non-conforming does not mean someone is trans, nor are all trans people gender non-conforming.

**Gender Reassignment**[[5]](#footnote-6)

24. Gender reassignment is defined in the Equality Act (2010) as ‘A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) to reassigning the person's sex by changing physiological or other attributes of sex’. Gender reassignment is both a legal term and a protected characteristic

**Gender Recognition Certificate (GRC)**

25. This enables trans people to be legally recognised in their affirmed gender and to be issued with a new birth certificate. Not all trans people will apply for a GRC and you currently must be over 18 to apply. You do not need a GRC to change your gender markers at work or to legally change your gender on other documents such as your passport.

**Harassment**

26. Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may also involve unwanted conduct of a sexual nature or be related to gender reassignment or sex. The conduct can either be a serious one-off event or be a ‘course of conduct’, ie., it happens on several occasions.

**Inclusion/Inclusivity**

27. The action or state of including or of being included within a group or organisation. Inclusion is where people's difference is valued and used to enable everyone to thrive.

**Indirect discrimination**

28. This is when a provision, criterion or practice is applied in a way that creates disproportionate disadvantage for a person with a protected characteristic as compared to those who do not share that characteristic, and this is not a proportionate means of achieving a legitimate aim.

### 

### Intersex Conditions

29. A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female, or non-binary.

**Marriage/Civil Partnership**

30. Marriage is defined as a 'union between a man and a woman' and widely acknowledged as a legally binding relationship between 2 people (mixed and same sex couples). However, important to note is that gay marriage it is not legally recognised in some countries.

31. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples in a wide range of circumstances, such as employment, education, service provision and housing. Failure to do so would amount to discrimination on grounds of sexual orientation. Individuals are not known as husband and wife, rather as civil partners. The British Government are currently reviewing law to allow mixed sex couples to enter a civil partnership.

**Non-Binary**

32. This refers to someone whose gender identity is not only male/man or female/woman. They may experience their gender as both male and female, or neither male nor female or take another approach to gender that doesn’t align with traditional binary ideas. Refers to a person whose emotional, romantic and/or sexual attraction towards others is not limited by sex or gender.

**Positvie discrimination**

33. Treating someone with a protected characteristic more favourably to counteract the effects of past discrimination. It is generally not lawful although the duty to make reasonable adjustments is an exception were treating a disabled person more favourably may be required by law, so it is legitimate to provide reasonable adjustments which favour of a disabled person.

**Pregnancy and maternity**

34. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating someone unfavourably because they are breastfeeding. After 26 weeks, sex discrimination protection applies.

**Prejucice**

35. Judging someone without knowing them, based on what they look like or what group they belong to.

**Pronoun**

36. Words we use to refer to people’s gender in conversation - for example, ‘he’ or ‘she’. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they/their and ze/zir.

**Protected characteristic(s)**

37. These are the grounds upon which discrimination is unlawful. The characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

**Queer**

38. Queer is a term used by those wanting to reject specific labels of romantic orientation, sexual orientation and/or gender identity. It can also be a way of rejecting the perceived norms of the LGBT community (racism, sizeism, ableism etc). Although some LGBT people view the word as a slur, it was reclaimed in the late 80s by the queer community who have embraced it.

**Questioning**

39. The process of exploring your own sexual orientation and/or gender identity.

**Race**

40. Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

**Racism**

41. Treating someone unfairly because of their race, colour, nationality or ethnic or national origins.

**Real Life Experience**

42. This term refers to time spent living full time in the gender role and appearance with which the individual truly identifies.

**Reasonable adjustments**

43. The duty on RAFAC to make take positive steps to ensure that disabled cadets and CFAVs can fully participate in activities, and that they can enjoy the other benefits, facilities, and services which RAFAC provide. This duty goes beyond simply avoiding discrimination and requires RAFAC to anticipate the needs for reasonable adjustments, as well as recognising that disabled individuals’ needs may change over time.

**Religion/Belief**

44. ‘Religion’ has the meaning usually given to it but ‘belief’ includes religious and philosophical beliefs including lack of belief (eg., Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Respect**

45. To consider the views and opinions of others in how you treat people.

**Sex**

46. Sex refers to the biological aspects of an individual as determined by their anatomy, which is produced by their chromosomes, hormones, and their interactions, generally male or female and is something that is assigned at birth.

**Sexual Orientation**

47. A person’s sexual attraction to other people, or lack thereof. Along with romantic orientation, this forms a person’s orientation identity.

**stereotypes**

48. A generalised belief or idea of a group of people who belong to a certain group are the same and labelling them.

**Transgender**

49. Transgender is a term that some people who feel that the sex/gender recorded at birth does not match or sit easily with their sense of self, can use to describe themselves. For example, a person recorded as female at birth whose gender identity is male/man. The UK government does not provide a definition for transgender. Under UK law you are either male or female; and you may, subject to meeting set criteria, have your gender reassigned.

**Transgender Man**

50. A term used to describe someone who is assigned female at birth but identifies and lives as a man. This may be shortened to trans man, or FTM, an abbreviation for female-to-male.

**Transgender Woman**

51. A term used to describe someone who is assigned male at birth but identifies and lives as a woman. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female.

**Transition(ing)**

52. The steps a trans person may take to live in the gender with which they identify. Each person’s transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this and is therefore not defined by medical intervention.

53. Transitioning also might involve things such as telling friends and family, dressing differently, and changing official documents.

**Transphobia**

54. Transphobia is the fear or dislike of, or prejudice towards, someone based on the fact they’re transgender. This includes the denial or refusal to accept their gender identity.

**Transsexual**

55. This was used in the past as a more medical term (similarly to homosexual) to refer to someone whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. This term is still used by some although many people find this term offensive or outdated.

**Unlawful behaviour**

56. Under the Equality Act (2010), it is unlawful to discriminate, harass or victimise someone because they have or are perceived to have a ‘protected characteristic’ or are associated with someone who has a protected characteristic.

**Vicarious Responsibility/Vicarious Liability**

57. The RAFAC has automatic responsibility for any discrimination by an adult staff member against another. This is the case even if superior officers were unaware of the discrimination taking place. In law this is known as vicarious liability. It is therefore the duty of personnel to take all reasonably practicable steps to prevent discrimination. It is also a defence if the RAFAC prove that all reasonably practicable steps were taken to prevent the staff member carrying out the discriminatory act by, for example, promulgating to all personnel a D&I Directive.

**Victimisation**

58. Victimisation is treating someone unfavourably because they have taken some form of action relating to the Equality Act, eg., made a complaint under the Act or supported somebody who is doing so, such as appearing as a witness.

**Annex C**

**Diversity and Inclusion Statement**

The RAFAC Diversity and Inclusion Statement can be found at the following link:

[Link](https://rafac.sharepoint.com/:b:/s/interim/QM/ER5IBCl3ey5Ljgc6-kwSzkoBExxnb6Q4v1Q8622UZuMLRg?e=4oh8hL)

This Statement is to be printed at displayed in all RAFAC buildings.

**Annex D**

**Guidance for supporting Transgender and Gender Non-Conforming Staff and Cadets**

**Introduction**

1. The Royal Air Force Air Cadets (RAFAC) seeks to recruit Cadet Force Adult Volunteers (CFAV) with differing experience, skill sets and perspective to develop and support cadets under their responsibility. Consequently, and as part of its wider policy on D&I, this advice and guidance seeks to assist and support cadets and CFAV who do not identify with either gender but also those who are considering, undergoing, or are already presenting themselves in a gender different to that of their birth.

2. Whilst this document outlines available support for Transgender and Gender Non-Conforming Staff and Cadets, we all also have a legal and moral responsibility to ensure everyone feels safe, valued, and included. This guidance should help to facilitate conversations with cadets and parents, to develop action plans to create that safe space for everyone based on understanding and respect for all. Providing guidance for us all to develop an appreciation of some of the issues experienced by this community, and to assist everybody in supporting their fellow cadets and colleagues.

3. It is essential to note that ‘gender reassignment’, whilst being the terminology of the protected characteristic, is terminology now less commonly used day-to-day; this is because it can be easily misunderstood or mistaken for a situation that involves medical treatment or intervention. As the RAFAC is committed to increasing awareness, minimising barriers, and promoting equality, the term ‘transgender’ is considered less likely to be misinterpreted and therefore this document is titled Guidance for supporting Transgender and Gender Non-Conforming Staff and Cadets.

**Legislation**

4. The RAFAC Guidance for supporting Transgender and Gender Non-Conforming Staff and Cadets aligns with the following legislation: The Human Rights Act (1998), The Data Protection Act (2018), The Gender Recognition Act (2004) and The Equality Act (2010). The RAFAC has a mandate to abide by all relevant legislation and an obligation to ensure that all personnel act in accordance with these laws. A summary of relevant legislation can be found at [Appendix 1](#SummaryLegislation).

5. The RAFAC also seeks to follow the guidelines issued by the [Equality and Human Rights Commission](https://www.equalityhumanrights.com/en)[[6]](#footnote-7). Although national legislation varies in Northern Ireland from the rest of the UK, it is the same in substance and all good practices are identical. Key terms and concepts can be found at [Appendix 2](#DefinitionsTerminology).

RAFAC Advice and Guidance

6. The RAFAC is committed to achieving a diverse and effective membership in an environment free from discrimination, harassment, and victimisation. All cadets and CFAV are to act in accordance with the RAFAC Diversity and Inclusion (D&I) policy and associated guidance, any form of unlawful behaviour will not be tolerated. Advice on RAFAC D&I policies and procedures should be sought from DCOS Spt, HQ RAFAC.

Advocates and Support Organisations

7. Further general support and advice can be obtained from the following external organisations:

Youth:

* + - [Gendered Intelligence](http://genderedintelligence.co.uk/support/trans-youth/groups)
    - [Young Stonewall](https://www.youngstonewall.org.uk/)
    - [~~Mermaids~~](https://mermaidsuk.org.uk/young-people/)
    - [LGBT Youth Scotland](https://www.lgbtyouth.org.uk/)
    - [Nonbinary Wiki](https://nonbinary.wiki/wiki/Main_Page)
    - Young Minds

Adult:

* + - [GIRES](https://www.gires.org.uk)
    - [Stonewall](https://www.stonewall.org.uk/)
    - [IMAAN](https://imaanlondon.wordpress.com/)
    - [~~Mermaids Over 19s~~](https://mermaidsuk.org.uk/young-people/resources-for-over-19s/)
    - [Switchboard LGBT+ Helpline](https://switchboard.lgbt/)
    - Press for Change

### Gender Identity

8. To understand who Transgender and Gender Non-Conforming people are, it’s first useful to understand the difference between sex and gender.

9. Sex refers mainly to a person’s biological and physical characteristics, associated with the categories of female and male. It includes factors such as internal and external reproductive organs, chromosomes, and hormonal make-up.

10. An individual’s gender identity is the gender to which they feel they belong. It refers primarily to a person’s sense of self, for example, a man, woman, or non-binary person, and to associated behavioural expressions set within the social and cultural contexts related to masculinity and femininity. Gender identity is not automatically determined by sex or what was recoded at birth, although it is usually assumed that it is, as they very commonly correlate. People may question their gender for a period before coming to an understanding of who they are.

### Administrational Requirements for Transgender Cadets and CFAV

11. Each person’s experience of [‘transition’](#transition) will vary and there is no right or wrong way of approaching it. For example, not all in the transgender community require or want surgery or medical intervention and some may be [gender fluid](#genderfluid). Young people under the age of 18 can transition socially, but they can’t get hormones or surgery, or change the sex as it appears on their birth certificate; if they have parental consent, they can change the gender marker on their passport. Some young transgender people can get ‘hormone blockers’, medications which put puberty on hold and delay their body from developing in ways they aren’t comfortable with. For transgender adults who would like to follow a surgical or medical route, they are usually expected to undergo [real life experience](#reallifeexperience) to ensure they are fully prepared and certain before proceeding. At all times the individual must be treated with dignity and respect and support provided where necessary.

12. There are several administrational stages that the transgender cadet/CFAV will need to navigate. It is **Imperative** to make sure these are driven by the individual choosing to do so, and they are not forced or mandated. They are as follows:

a. Informing. Once a cadet or CFAV has decided to transition they should notify their local CoC when comfortable. There is a possibility that the individual may experience prejudice therefore it is imperative that the local leadership team are able to provide adequate training and support for the individual wherever possible. The immediate leadership team are to:

(1) Assist the individual to find an appropriate point of contact for support and develop a program of regular meetings. This ideally would be someone at unit level but should be someone that the individual can relate to and can trust; ASPIRE will be able to advise.

(2) Establish if, when and how the individual wants to announce their transition.

(3) Ascertain whether time will be required for medical appointments, and whether this will have any impact on activities within the RAFAC.

(4) Establish how to tackle any unlawful behaviour in collaboration with the individual.

(5) If the individual is a transgender CFAV, establish how they would like to proceed and how you can best support them. You can discuss a range of options as appropriate, such as if they wish to remain on the same unit or if they would like to take a sabbatical and return after a period of time in their affirmed gender.

b. **Personal Records**. During the initial phase of transition, the individual may change their name. There is no requirement by law to have a gender recognition certificate (GRC) to do this.

**For a CFAV** - The individual should request that their SMS or Westminster record is updated, so that personal details can be updated and re-issue a new identity card if appropriate. Following consent from the individual, Unit Commanders should notify the CoC of the required changes. Permanent staff should in turn make contact with SO3 Personnel Management to update relevant details on Bader.

**For a Cadet** – If the cadet wishes to have their details altered on SMS, ie, name, gender, pronouns etc, this can only be actioned following the completion of a new 3822A signed accordingly (by parents/guardian for under 18s, or themselves if 18 or over). Without this SMS **cannot** be altered. It is important that SMS is correct at all times as this will be used with events and off unit activities.

c. **On unit.** Whilst on a unit we can accommodate a cadets request to best help support them in their affirmed gender. The only exception to this the changing of SMS as detailed above. If a cadet wishes to be known by a different name, different pronouns or wear different uniform then this will be facilitated to support the individual and avoid any unease or trauma (even without an SMS change). Further advice is available in Appendix 2 of this guidance.

d. **Events off unit.** When a cadet attends an event off squadron, eg., camps, AT, shooting etc. the cadets TG21/23 **must** reflect their SMS record (and therefore what is on the 3822A). If the cadet identifies differently to what is stated on their 3822A/SMS then this must be explained to them when attending off squadron events. In the case that accommodation is needed, it will need to be explained that the cadet will need to be accommodated in accordance with their gender on the SMS. It is important to seek advice on what facilities (sleeping accommodation, ablutions etc) are available on the activity to best aid the cadet with feeling comfortable. Whilst the above must be in line with SMS the cadet can still wear their preferred uniform and use their preferred name and pronouns etc. whilst away. Communication between cadet, unit staff and event staff is of the utmost importance in these instances. Further advice is available in Appendix 2 of this guidance.

e. **Confidentiality**. Maintaining confidentiality and compliance with the [Data Protection Act 2018](#dataprotectionact) concerning gender transition must be strictly adhered to, where able records, documents and correspondence will not refer to former names. You must take care not to ‘out’ transgender people by sharing details about their transition or history with anyone, including other cadets, parents, or volunteers, who they have not already told. Doing so could place them at risk of discrimination and harassment and could be unlawful. Irrespective of age, you should only tell other people that someone has transitioned if you’ve been given explicit permission to do so by the individual. Under General Data Protection Regulation, the sharing of personal data of children is given greater protection, so take care to keep confidentiality. Someone who’s over 18 may have a Gender Recognition Certificate (GRC), but they don’t need to share it, or any information within it, to demonstrate their gender identity, sex, or transgender status. If someone does have a GRC it would usually be unlawful to disclose their transgender history without their consent.

f. **Confidentiality and Parents**. All air cadets must be supported appropriately, and a conversation will be necessary to ascertain whether the young person has told their parents or carers that they identify as transgender. In addition, if they do know remember to reassure parents that RAFAC is a safe and welcoming organisation and bullying and harassment of any kind will not be tolerated. It would be a breach of a young person’s confidentiality to discuss their status with their parents or carers without having permission first, as the young person may not want their parents or carers to know they’re transgender. It may be that the young person is anxious about telling their parents or carers, so don’t disclose anything without their consent.

g. **Uniform**. Once the CoC has been informed authority will be provided for re-issue of uniform via the individual’s OC. AP1358C provides updated guidance in accordance with current RAFAC D&I standards to further support transgender, non-binary and gender fluid cadets and CFAV.

h. **Practical considerations**. Once transition commences, the individual is permitted to use facilities, such as toilets and ablutions, of their affirmed gender identity. Where able, gender-neutral facilities should be provided for cadets and CFAV who identify as non-binary. Commanders are to assess practical arrangements required prior to booking for both national and international activities and consider strategies for compromise (see Appendix 3). Of note, not all nations are welcoming and supportive of LGBT+ people, so it would be wise to check prior to travel. Transgender CFAV should be aware that the application forms for the various disclosure organisations ask applicants to state any previous names they have been known by, as this is required to process the disclosure application. If transgender CFAV applicants don’t want to reveal details of their previous identity when applying to become an adult volunteer, they should contact the relevant disclosure organisation as follows:

* England and Wales: Telephone the sensitive application team 0300 106 1452

By email to [sensitive@dbs.gsi.gov.uk](mailto:sensitive@dbs.gsi.gov.uk)

* Scotland: Disclosure Scotland dsoperations@disclosurescotland.gov.scot
* Northern Ireland: Access NI: 0300 200 7888.

13. It is important to note that under the Gender Recognition Act (2004), an individual may commit a criminal offence if they disclose information (received in an official capacity) which reveals the gender history of a transgender person who holds a GRC or that a person has applied for a GRC. Where it is necessary to provide information about a transgender adult volunteer, consideration should be given to redacting the information that is sent. For example, if it is necessary to provide evidence of a transgender person’s qualification, consideration should be given as to whether the person in possession of a certificate that has been provided by the trans person, can confirm to others that the trans person holds the necessary qualifications, rather than sending a copy of a certificate (if the certificate reveals that their birth gender is different to their affirmed gender). In cases of doubt, legal advice should be obtained.

Appendices:

1. Summary of Relevant Legislation.

2. Definitions and Terminology.

3. Guidance for Supporting Transgender and Gender Non-Conforming Cadets and Adults.

**Appendix 1 to**

**Annex D**

# Summary of Legislation

1. **The Equality Act** became law in 2010 and protects all people in Britain from discrimination, harassment, and victimisation. There are nine [protected characteristics](https://www.equalityhumanrights.com/en/equality-act/protected-characteristics)[[7]](#footnote-8):

2. Under the Equality Act you are protected from discrimination:

3. When you are in the workplace.

4. When you use public services like healthcare (eg, visiting your doctor or local hospital) or education (eg.at your school or college).

5. When you use businesses and other organisations that provide services and goods (like shops, restaurants, and cinemas).

6. When you use public and private transport.

7. When you join a club, association, or organisation like the RAFAC.

8. When you have contact with public bodies like your local council or government departments.

9. **The Human Rights Act** (1998) and UN Convention on the Rights of a Child (UNCRC) provide legal protection to children and young people who are gender variant.

10. **The Gender Recognition Act** (2004) is not needed to action a change of gender, but it does provide the legal right to change gender with a Gender Recognition Certificate (GRC). This leads to a new birth certificate in the acquired gender. Not all transgender people will have a GRC, but they have protection from discrimination regardless. Records, wherever possible, should be changed in accordance with the GRC. Details of a person’s gender history should be kept confidential. For those who have acquired this information in a professional capacity, it is a criminal offence to disclose it.

11. **The Data Protection Act** (2018) supplements the EU General Data Protection Regulations (GDPR), which came into effect on 25 May 2018. Data regarding transgender status and gender reassignment are deemed ‘sensitive data’ under the Act. It is unlawful for this data to be passed on without the explicit consent of the individual concerned.

**Appendix 2 to**

**Annex D**

**Support Transgender and Gender Non-Conforming Staff and Cadets**[[8]](#footnote-9)

**Initial conversations with non-binary and transgender cadets and adults**

1. Confusion over gender identity doesn’t just affect adults. Children and adults may be going through a time of uncertainty between their own gender identity and biological sex (gender dysphoria) causing them significant anxiety and distress. The RAFAC’s main concern is to do what is best for that person, by listening to them and trying to see the situation from their perspective. It is important to remember that being a transgender cadet is not a safeguarding issue, the cadet is not subject to different child protection measures; however, they may need more support than other children or adults.

2. The individual might choose you to talk to so try to keep calm and approachable. Conversely it might be parents, carers or guardians who disclose to you. Always begin by having an open, encouraging, and honest conversation. Don’t assume that parents and carers or guardians will know that the individual is transgender and check with them before you speak to anyone. In this conversation, it’s unlikely that you’ll be discussing anything that the individual hasn’t already experienced or thought about before, and it will give them confidence to know that including them, and supporting them, is important to you.

3. The individual might want to adopt a different name or use different pronouns to describe themselves, such as ‘he’ ‘she’ or ‘they’ - this should always be respected.

4. Reassure the individual that having non-binary or transgender status or history isn’t a problem in the RAFAC, and that you’ll support the individual as you would do all individuals. Remember, non-binary and transgender people may face unwelcome reactions from peers and even from family members. Make sure they know that they can tell you if anyone is not supportive.

5. The impact of this initial disclosure may raise issues for you, and you may need time to process all the information. Remember that this is still the same person you have always known with the same sense of humour, the same likes, and dislikes. Young people under 18 who identify as transgender are also usually referred to a specialist child and adolescent Gender Identity Clinic. Staff at these clinics can carry out a detailed assessment of the young person, to help them determine what support they need.

6. All conversations should be treated in confidence, and you should always offer reassurance. Also tell the individual that their confidentiality will be respected in line with RAFAC’s policies and processes. Additionally:

7. Actively listen to them, be accepting and supportive.

8. Ask them how they would like to be supported or if there’s any information they want or need.

9. Let them know if needed to, they can come and talk to you again or recommend someone else whom they can speak to.

10. Some transgender people may wish to change their name to make it in line with their identity (see Annex A to PI 104 para 14b). Although they may not have changed their name legally, individuals have the right to choose the name by which they like to be known on the unit, or by friends and family. Respecting an individual’s request to change their name and pronoun is a pivotal part of supporting and validating that person’s identity.

11. Ask the individual what their chosen pronoun might be and where or when to use it, and then use it in those circumstances. If you make a mistake, correct yourself and move on – try not to make a big deal of it. We recommend you avoid gender stereotyping where able, use neutral pronouns like cadets or children or everyone.

12. There is a possibility that the individual is only able to present in their affirmed gender whilst away from home; this may be because parents or family members are unaccepting them, or they are anxious about disclosing to them. It is essential not to ‘out’ them by disclosing anything without their consent, and it is also important to provide a safe space for them to be themselves.

13. Remember, each cadet, adult and situation is going to be different, so approach each individual on a case-by-case basis. You will always have the support of the RAFAC CoC and ASPIRE Advisors, so discuss with your local leadership team if experiencing any challenges to implementing the advice in this guidance.

**Conversations with parents, guardians, or family members**

14. Before you discuss anything with the cadets, parents/carers it is strongly recommended that you seek advice from a member of the ASPIRE Network. The ASPIRE Diversity Advisors are there to support you and will be able to signpost or provide guidance and advice. If your ASPIRE Representative is not available, you should liaise with DCOS Spt at HQ RAFAC in the first instance.

15. You will need to discuss with the individual whether they’ve told their families they are transgender. They may not have; you may discover that the individual does not want their families to know they’re transgender or they could be anxious about telling them. Therefore, it is essential that you must not disclose anything without first gaining consent from the individual concerned. It is important to note that information regarding sexual orientation is classed as 'sensitive personal data' under the Data Protection Act (2018), there are some exemptions provided within the Act as to when you can process this sensitive personal data and/or disclose to third parties without consent, but caution is urged when choosing justifications, as unnecessary disclosure could result in someone’s confidentiality being breached and legal action may be taken.

16. Once you have cadet consent and liaised with your ASPIRE Advisor, speak to the transgender cadet’s parents or carers for more information, but only if the cadet feels that would be helpful.

17. If required reassure parents or carers of transgender cadets of the RAFACs D&I policy and any other relevant guidance that’s available. RAFAC is a safe and welcoming organisation and bullying of any kind will not be tolerated.

18. Be prepared, some of the other cadet’s parents may have questions about gender and gender identity. Some may even have less accommodating views on gender identity. We recommend you signpost them to this guidance. All parents should also be directed to our D&I policy, alongside all other relevant policies. It is important to remember that any discussions should not identify the individual without their express consent.

**Media**

19. Occasionally there maybe enquiries from the media. In the event of enquiries, rather than saying “no comment” or “no access”, it is more appropriate to use the line “We are committed to diversity and inclusion. We do not comment on particular individuals”. It’s important that you forward any queries from the external press to the press officer at RAFAC HQ via your local CoC. Further information can be found in ACP 50.

20. Additionally, as with all cadets and adults, unless there is valid consent, CFAVs are not to photograph or name the individual, or allow anyone else to do so.

**Safeguarding**

21. Being a transgender cadet or young person in itself is not a safeguarding risk and should not be treated as such. It only becomes a safeguarding matter when the individual is being bullied, harassed, or discriminated against. If you have any concerns, discuss with your CoC refer to the RAFAC Safeguarding policy and/or liaise with the Safeguarding team at HQ RAFAC. If there’s a safeguarding issue related to the cadet’s gender status and their welfare is at risk, it would then be acceptable to disclose their transgender status in line with safeguarding protocols (IAW ACP 4). Remember that the needs of all cadets involved in a safeguarding issue should be approached in a balanced and considered way.

**Uniform and dress**

22. Transgender and Gender Non-Conforming cadets and adults have the right to dress in a manner consistent with their gender identity or gender expression. Dressing in the clothes associated with the chosen gender can be a big step and potentially daunting and can often represent one of the earliest stages of transition. In doing so these individuals are making themselves more visibly different from much of the community and effectively ‘outing’ themselves to the rest of the unit as transgender. Care must be taken to ensure that transgender-identified cadets and adults are supported fully during this time. In terms of RAFAC uniform, once the CoC has been informed authorisation will be provided for a re-issue of uniform via the individual’s OC.

**Transition**

23. This whole process of transition is a unique experience for all individuals that undertake it. People may decide they want to either alter their body permanently or their appearance to match their affirmed gender. Puberty can be a challenging time, especially as a child’s body is changing physically. They might be prescribed medication to stop puberty from progressing, or (from age 16) hormones to allow their body to develop in the way of their affirmed gender.

24. There may be reasons why a cadet or adult might not seek medical advice. They may not be old enough or have disclosed it to their family. As a result, they may try to adapt as their bodies develop. For example, cadets or young people who are transgender boys with developing breasts may strap down their chests to make it less obvious, named binding. They can often experience a great degree of discomfort when participating in strenuous activities. If you know someone who is binding their chest, make sure that you monitor their performance carefully during particularly physical activities and hot temperatures. Binding could cause both discomfort or adversely affect breathing. You could think about subtly offering more breaks. If at any point the cadets binding becomes a safety risk to them during an activity, i.e., creating severe breathing issues, then the cadet’s participation must be stopped.

25. Transgender people may go on to have surgery to change their body to match their affirmed gender. It is usually a complex process taking place over a prolonged period. It is important to recognise that this experience can be very stressful, confusing, or upsetting for the individual. What is important to remember is that whatever stage they are at in this process, a transgender people must always be treated with respect and as a member of their affirmed gender.

**Practical ideas for activities and events**

26. Some transgender people may not be comfortable with certain physical activities during parade nights or residential activities. Let them know in advance what the activities might be and make plans together, so they can make an informed decision about what they take part in.

27. You could provide options to help with this if the young person is unsure about taking part in an activity, discuss things in advance and find out what they would like to do as an alternative. Ideally, if an alternative activity is being provided, this should be made available to all young members to make the event more accessible for everyone.

28. Water-based activities such as swimming can be a stressful activity for transgender people as they may want to wear layers of clothing to conceal their body. You might find it useful to try and discuss with them, and the parent or guardian if appropriate, and come up with a strategy in advance. Other activities that may need to be discussed in advance might include those that include physical contact, or that highlight physical differences like using climbing or abseiling harnesses.

29. It is worth discussing with a transgender people whether the instructors leading the activity will need to be told that they are transgender in advance - for example if specialist equipment is needed and will need to be fitted. This could help avoid anxiety in the individual if it's discussed in advance.

30. The RAFAC aims to provide all cadets with opportunities to challenge themselves in a safe and supportive environment. Nobody should ever feel forced to take part in something that distresses them. If you discuss activities with the individual and make a plan prior to participating, the more they may feel able to take part and included.

**Practical Ideas for nights away, trips and camps**

31. A degree of discussion, care and preparation is required to enable transgender cadets and adults to participate in camping and residential activities. Speak to the cadet or adult in advance of going away, to discuss different aspects of the residential. Find out what would make them most comfortable and supported - try not to make assumptions. Having open conversations in this way will give them confidence that their inclusion and support is important to you and it might be they may have an even better idea. Perhaps consider completing a support plan, they, their parent, or guardian may help to assess their needs, find solutions and identify any risks to them and their privacy.

32. You might find it beneficial to discuss with the cadet choosing a named CFAV; who will be attending the activity; who is aware that they are transgender and knows of any treatment or medication the cadet is taking, in order to provide support and medical treatment if required. If no named CFAV is attending directly, it may be worthwhile providing the CFAV Activity Lead with contact details of a CFAV, or family member, who they can talk to should the need arise.

33. Where shared accommodation is a necessity, it is important to remember that as an organisation we operate a zero-tolerance policy on bullying, harassment, and discrimination. It is not ok for a transgender cadet or CFAV to be relocated, or refused attendance at an activity, based on other people’s concerns, or worries. Nor is it ok to use safeguarding risk as an excuse to limit a transgender cadet or CFAVs experiences in any activities.

34. Sleeping arrangements should be planned carefully; a cadet or adult may be binding their chest or wearing very tight underwear to flatten them. The opportunity to remove this clothing overnight in private is very important. The important factor is to be open and honest with the individual about the accommodation and be led by the individual’s decisions as long as it remains practical. Single Living Accommodation is not always going to be available.

35. If a transgender cadet or CFAV feels uncomfortable sharing accommodation, an alternative option should be provided where reasonable and practicable to do so. This should be done discreetly, in conversation with the individual and, if appropriate and agreed by the young person and/or their parent or guardian.

36. Alternatives might include asking them who they know well and would be happy sharing with. If practical and relevant, you could provide more than one tent for groups, or large rooms or tents with various sleeping compartments, allocating discretely the individual their own compartment for privacy. Where you have control over the venues, try and choose ones with different sized rooms for choice, for example singles and dorms.

37. It is the role of CFAV to lead and manage conversations and planning to ensure that all cadets and adults can participate. This includes managing the requests of any people who may not wish to share accommodation with other young members. At all times when considering this, it is important to remember that the organisation operates a zero-tolerance policy on bullying, harassment, and discrimination. This should not be used as a means to isolate any individual or groups of individuals that could be discrimination under the Equality Act (2010).

38. You may not have of control over the toilet and washing facilities, however transgender cadets and adults must be supported to use the facilities in accordance with their affirmed gender. There may be occasions when you may need to manage trans cadet or CFAV expectations. You might have to balance competing rights which fall under the 9 Protected Characteristics which are covered by the Equality Act (2010). In these situations, CFAV need to instigate sensitive conversations and compromises may need to be reached for all concerned. Consideration should be given as to whether the individual would feel more comfortable using communal facilities at times when they are not being used by others. This could be done through allocating timeslots for ablutions (similar to situations where there are no separate over 18 ablution facilities) but being careful not to ‘out’ the transgender cadet in doing so.

39. The use of gendered facilities, such as toilets and showers, can be a cause of anxiety for transgender cadets and adults. Talk to the individual about what would be most comfortable for them and what would make them feel safe. An individual may wish to have more privacy when changing at a residential event and for activities too. Planning together will make sure that transgender cadets and adults don’t avoid using the bathroom or feel singled out in any way. You can always review the plans during the nights away to see how everything is working and if any adjustments need to be made.

40. Where you have control over venue selection, try and find one with self-contained individual cubicle toilet options. Try to ensure at least one self-contained gender-neutral facility is available. This makes provision for non-binary cadets and adults and supports any other members who wish for more privacy. If there are no gender-neutral facilities, find out if the accessible toilet can be re-designated as a toilet for all - gender neutral and accessible. Find venues with single cubicle showers as these provide privacy for all. If showers are more open, stagger shower times so all individuals get enough privacy or can shower on their own

41. Ideally, find or designate another private space for changing. However, if changing is more open, get practical and make partitions with sheets or screens so all the cadets and adults can get some privacy if they want it. Alternatively, you could consider staggering changing times so all get enough privacy or have space to change on their own.

**International travel**

42. Going overseas is an exciting, challenging and often enriching experience for cadets and adults. But some countries have laws which discriminate against or persecute lesbian, gay, bisexual, and transgender plus (LGBT +) people. Even if the law respects and protects transgender people, the attitudes and behaviours of others may not.

43. CFAV escorting the cadets overseas need to be aware of the local culture and find out in advance what the laws and attitudes are towards members of the LGBT+ community. The Foreign and Commonwealth Office provide advice for LGBT+ people on travelling abroad, and what to do if you encounter problems overseas.

44. In some countries being LGBT+ is illegal. If you have any LGBT+ cadets or adults, and you can decide on the destination, you should choose a country that everyone can access safely. It wouldn’t be appropriate and could be discriminatory; to take a group abroad but to state those LGBT+ members can’t go because it isn’t safe.

45. If you’re worried about negative attitudes or behaviours, you might encounter overseas, you should have a frank and honest conversation with the individual about their own personal safety. There may be some situations where the risks of taking part are too high. Things to be taken into consideration and discussed in advance with the member include:

46. Laws of the country being visited and risk to safety and security.

47. The approach someone wants to take to keeping their transgender identity private, and the practicalities of that.

48. Whether it’s safe to talk openly about their gender identity.

49. Possible issues at borders or when entering the country if their gender marker in their ID or passport doesn’t match their gender expression – they could possibly be denied entry.

50. If they need to access healthcare – a medical telephone service with LGBT+ training may be a safe option.

51. Whether anyone else in the travelling group needs to know about their status for their safety and wellbeing.

52. Make a personal safety plan with them to mitigate the above risks, and ensure they’re fully involved in the decision-making. Try not to make assumptions. Depending on those decisions you might need to make sure that other young people and volunteers are aware of their behaviour and language while travelling to avoid ‘outing’ the transgender member.

53. Transgender cadets and adults may not have passports that reflect their gender identity. This might make taking a trip abroad more stressful for them. For example, they might feel the need to change their passport in advance, or they may have concerns about going through passport control. The Passport Office provides more information for transgender individuals on applying for a passport. Young people can only change the gender marker on their passport with consent from their parents or carers.

**Competitive sports and physical activities**

54. With the introduction of IBN017 – 2022:  All RAFAC sports delivery is targeting mass participation and equal opportunity. No longer is delivery confined to single gender participation or is a particular sport open to one gender.  This, however, will change from area to area depending on the specific geographical and demographical demands. All RAFAC sports delivery will have to abide by National Governing Bodies (NGB) Guidelines for the sport. If you have a cadet wishing to participate in one of these events and this proves to be an issue then please speak to your Wing/Region sports officer, in conjunction with your Wing/Region ASPIRE Advisor for further advice.

**Sports and Physical Activity – Further Guidance Flowchart**

Would the health and safety of the transgender cadet (or any other cadet) be placed at risk if the transgender cadet could participate in their affirmed (true) gender?

(see Note 1)

Would the transgender cadet have a competitive advantage if they could participate in their affirmed (true) gender?

(see Note 2)

In the circumstances does it matter if the transgender cadet has a competitive advantage?

(see Note 3)

The transgender cadet should be allowed to participate in their affirmed gender.

The transgender cadet may be prevented from participating in their affirmed gender.

(see Note 4)

No

Yes

Yes

Yes

No

No

**Notes:**

1. Note 1: Health and safety risks must always be considered whenever sporting or physical activities are organised, regardless of whether any cadet who takes part identifies as transgender. A cadet should be prevented from participating in an event if, for medical reason, there is a foreseeable risk of harm. Similarly, a cadet may be prevented from taking part if their stature creates a risk of harm to themselves or others (for example, in contact sports). However, it is important that those who organise sporting or physical activities take steps to ensure that no cadet is excluded unnecessarily. So, any non-contact activities could be organised, or teams selected, according to stature rather than gender. Where it is necessary to exclude a cadet from taking part for health and safety reasons, it is important not to cause embarrassment. The cadet’s privacy should be respected, and every effort made to ensure their gender or medical history is not revealed through careless, insensitive, or inappropriate handling. A transgender cadet should not be required, cajoled, or encouraged to take part in a team made up of those who share their birth gender.

2. Note 2: A person may gain a competitive advantage because they have considerably more size or strength than their peers.

3. Note 3: There may be some circumstances where the competitive advantage that a transgender cadet will have if they compete against others in their affirmed (affirmed) gender makes it necessary to prevent them from doing so. For example, it may be necessary if cadets are taking part in an official, externally organised event where the rules and requirements preclude transgender athletes competing in their affirmed (affirmed) gender. It is good practice for cadet unit commanders to enquire well in advance about the entry requirements for such events. Transgender cadets can then be advised of the requirements and can make informed decisions about participating. However, in most circumstances and, particularly where activities are organised internally or informally, it may be better to overlook the competitive advantage and allow a transgender cadet to compete in their affirmed (affirmed) gender. This is because the aim of having an inclusive, nurturing environment will outweigh, in many instances, the aim of ensuring fair competition.

4. Note 4: One of the aims of the Cadet Forces is to provide an inclusive environment where all feel welcome. Hopefully, the cadet experience will build confidence and teach cadets valuable life skills. Therefore, it should be only in very rare circumstances that cadet unit commanders, or those organising sporting or physical activities, should consider it necessary to prevent a transgender cadet from taking part in their affirmed (affirmed) gender.

1. Further information can be accessed via Equality and Human Rights Commission at [www.equalityhumanrights.com/en](http://www.equalityhumanrights.com/en). [↑](#footnote-ref-2)
2. The nine protected characteristics are age, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Further information can be accessed via Equality and Human rights Commission at [www.equalityhumanrights.com/en/equality-act/protected-characteristics](http://www.equalityhumanrights.com/en/equality-act/protected-characteristics). [↑](#footnote-ref-3)
3. This includes both direct and indirect discrimination as well as discrimination by association and discrimination perception. [↑](#footnote-ref-4)
4. The copyright in the RAFAC D&I Policy has been adapted from and all other intellectual property rights in that material are owned by, or licensed to, the Commission for Equality and Human Rights, known as the Equality and Human Rights Commission (“the EHRC”) and can be accessed via [www.equalityhumanrights.com/en/secondary-education-resources/useful-information/glossary-terms](http://www.equalityhumanrights.com/en/secondary-education-resources/useful-information/glossary-terms). [↑](#footnote-ref-5)
5. Definition provided by UK Public General Acts. Periodically this is reviewed; an extant definition can be accessed at <https://www.legislation.gov.uk/ukpga/2010/15/section/7>. [↑](#footnote-ref-6)
6. Further information can be accessed via Equality and Human rights Commission at [www.equalityhumanrights.com/en](http://www.equalityhumanrights.com/en). [↑](#footnote-ref-7)
7. The 9 characteristics are age, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Further information can be accessed via Equality and Human rights Commission at [www.equalityhumanrights.com/en/equality-act/protected-characteristics](http://www.equalityhumanrights.com/en/equality-act/protected-characteristics). [↑](#footnote-ref-8)
8. RAFAC guidance was inspired and/or adapted with thanks from the Girlguiding ‘Support and Guidance for Trans Members’, available at <https://www.girlguiding.org.uk/making-guiding-happen/running-your-unit/including-all/supporting-trans-members/>. [↑](#footnote-ref-9)