



Dorset  
Council



Equality and Diversity

# Developing Effective Practice with Older Trans Adults



# Aims

- To explore what we mean by Trans
- To consider some useful terms
- To explore relevant legislation
- To watch Cat's story
- To consider the challenges when someone develops dementia



# What do we mean by Trans?

- Trans people are people whose gender identity differs from, or does not match or sit easily with, their assigned sex. Trans is an umbrella term that embraces many different identities.
- Being trans is not always about feeling you are the 'opposite' gender.
- Some people identify themselves as being outside of 'male' or 'female'. For example non-binary people.
- Language is important. The words a person uses to describe their identity should be respected by others.
- It's estimated that around 1% of the population (600,000) might identify as Trans, including people who identify as non-binary.



# Useful Terms

It is worth noting that terminology changes and words mean different things to different people, but at present these are felt to be useful terms.

**Assigned sex/gender** – the sex we are given at birth based on our appearance

**True gender** – the gender a person identifies with

**Affirmed gender** – the person's gender following transition, the true gender with which they identify with has been affirmed. Transition does not need to mean surgery, it can also mean changing names, pronouns, dressing differently and living in their self-identified gender.

**Cisgender** – the person's gender identity matches the sex they were given at birth

**Non-binary** - An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.



# Gender Recognition Act 2004 (GRA)

Introduced in April 2005, the GRA gives legal recognition to a trans person's affirmed gender and recognises a trans person as someone who lives permanently in their affirmed gender and intends to do so for the rest of their life.

There is no requirement to be taking hormones or having surgical procedures.

The GRA enables trans people to apply to the Gender Recognition Panel for 'gender recognition'. If successful, you receive a Gender Recognition Certificate (GRC), and information on how to get a new birth certificate.

Once you have a GRC, you must be treated as your affirmed gender for legal purposes, including marriage, civil partnership, and registration of death.

# Equality Act 2010

The Equality Act 2010 provides a legal framework to protect the rights of individuals with 'protected characteristics' and to advance equality of opportunity for all.

Gender reassignment is a protected characteristic under the Act. This gives protection against discrimination, harassment, and victimisation.

To be protected, there is no need to have undergone treatment or surgery. You can be at any stage in the transition process – proposing to, or undergoing a process to reassign your gender, or have completed it.

The Equality Act 2010 defines exceptions when it is lawful to positively discriminate and treat you differently due to gender reassignment.

It allows service providers to restrict access to single sex spaces on the basis of biological sex if there is a clear justification, for example a Women's Refuge.

# Taylor v Jaguar Land Rover (2020)

Ms Taylor took JLR to a tribunal arguing they had suffered harassment and direct discrimination in the workplace due to identifying as gender fluid or non-binary.

JLR argued that this did not fall within the definition of a protected characteristic under the Equality Act 2010.

The tribunal panel found in Ms Taylor's favour as their lawyer argued the government themselves referred to a gender 'spectrum' during parliamentary debates about the act.

The case was felt to be a 'milestone moment' as people who may not have felt protected by the act are now considered to be.

[Gender-fluid worker wins Jaguar Land Rover tribunal - BBC News](#)





# Growing older as me: Cat's story



# THE TRANS AGEING AND CARE (TrAC) PROJECT

## Dignified and inclusive health and social care for older trans people in Wales

Later life can bring with it a number of anxieties for trans individuals about how they will be treated by social care practitioners if they require care services or need to move into long term care in the future.

Some trans individuals may have worries about living with dementia and losing control over day-to-day decision making and their personal choices, such as what clothes to wear and how to dress.

Others may be worried about aspects of personal care being neglected by care staff, such as the importance of regular shaving or the taking of prescribed hormones.

Some individuals will anticipate discriminatory treatment if care staff see surgical scars on their bodies while providing personal, intimate care.

The views and attitudes of other residents or staff in long term care environments may also be a major concern. Trans older individuals can be highly vulnerable in these care settings and isolated from others.



# Memory problems

Dementia can cause people to experience memory problems. In addition to the day-to-day difficulties that this causes, trans people may be affected in other ways:

- If a person has told some people about their gender identity but not others, the person may forget who they've shared this with. They may think they have told some people when they haven't.
- Some people may forget that they have gone through the process of sharing their gender identity. This can cause them distress, as they may feel the need to hide this information.
- Trans people who have transitioned (or are in the process of doing so) may not remember that they have started or been through this process.



# Memory problems (cont.)

- A person who is trans may also be undergoing hormone therapy. If the person forgets to take the hormones or suddenly stops, they may develop health problems.
- As dementia progresses, the person is more likely to remember older memories than more recent ones. The person's experience may be that they are living in an earlier time in their life and may include positive experiences that helped shape their identity. However it may mean that they believe they are living in a time when they had to hide their gender identity for fear of negative consequences.

‘with some people who are trans, what the dementia might end up doing is for them to regress and um, if you like, even forget that they have transitioned so, they um believe they’re in the um, the gender, the birth gender. And that in some cases, both of their sort of the carers and the health situation they’re in and their own families may take advantage of that.

... somebody was buried as their birth gender and um their family kept all of their trans-support network away.

And, um, there was another example, of where the er partner of the person, trans-person, who died, they were left with nothing, all the photos of them together had been destroyed by the family.... the caring services need to take into account...

And actually not to collude with family or other people who are trying to put pressure on someone, you know, taking advantage of someone’s, situation of dementia to make them into a person that they didn’t want to be’.

# Advanced Statement

This document enables the person's wishes to be recorded.

These may include:

- How they wish to dress
- The pronouns they would like people to refer to them by
- Any prosthetics they use

Although an advanced statement is not legally binding it should be taken into account if decisions are needing to be made on a person's behalf.

Good support planning is also key!



Understanding gender identity and trans issues can be confusing at first, but nobody is expecting you to know everything right away.

If you say the wrong thing by accident (which is something that happens to everyone), just apologise, recognise you've got it wrong, and move on. We're all human and people slip up sometimes.

It's important that we have real, honest, respectful conversations.

[www.stonewall.org.uk](http://www.stonewall.org.uk)



# Useful Resources

- [The truth about trans \(stonewall.org.uk\)](https://www.stonewall.org.uk)
- [Social work with transgender people \(communitycare.co.uk\)](https://www.communitycare.co.uk)
- [Social worker training on transgender issues 'largely deficient' \(communitycare.co.uk\)](https://www.communitycare.co.uk)
- [Trans-inclusive-brochure-SW.pdf \(swan.ac.uk\)](https://www.swan.ac.uk)
- [Trans issues and later life \(ageuk.org.uk\)](https://www.ageuk.org.uk)
- [supporting a lesbian gay bisexual or trans person with dementia.pdf \(alzheimers.org.uk\)](https://www.alzheimers.org.uk)





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