



[REDACTED]

28 February 2024

Dear [REDACTED],

Freedom of Information request: FOI2024/00078

Thank you for your Freedom of Information (FOI) request received on the 1 February in which you requested the following:

Your request:

- 1. Within your organisation, what policies exist to support staff members who identify as transgender and are transitioning?*
 - 2. With respect to the question above, could you please provide a copy of the policies to support staff who identify as transgender?*
 - 3. Do you have any information publications or presentations available to staff regarding LGBTQ+ and Transgender, if so please could you provide details and copies of the information.*
 - 4. How many persons who identify as transgender are employed or volunteer with your organisation, and at what grade or position are they employed?*
 - 5. What advice and information do you supply to managers and staff regarding Transgender? Do you provide any specialist training in dealing with colleagues or clients who identify as transgender?*
- If so, please provide copies of the relevant policies and material.*
- 6. Does your organisation have any connections with Stonewall or similar organisations to support employees from the LGBTQ+ and Transgender community, and if so, please could you provide further details and copies of any documents or policies?*
 - 7. Do you have any specific policies to support staff members transitioning/transgender in where they are deployed or employed in the organisation and in dealing with members of the public, if so please could you provide further information?*
 - 8. Do you have a specific lead or individual(s) who deal with LGBTQ+ issues or liaison within the organisation? If so, please could you provide details?*
 - 9. Do you have specific policies regarding keeping female, LGBTQ+ and transgender staff safe? If so, could you please provide details and copies of any relevant policies?*

Our response:

I can confirm that UK Research and Innovation (UKRI) holds some information relevant to your request. Please see the information below.

1. Within your organisation, what policies exist to support staff members who identify as transgender and are transitioning?

UKRI is committed to embedding a culture of inclusion and creating a work environment where our staff can thrive. We have Guidance on Supporting Transgender Employees in the Workplace, which sits alongside our Code of Conduct, EDI Policy, and Grievance, Harassment and Bullying Policy.

2. With respect to the question above, could you please provide a copy of the policies to support staff who identify as transgender?

- [Guidance on Supporting Transgender Employees in the Workplace](https://www.ukri.org/wp-content/uploads/2020/10/UKRI-081020-GuidanceOnSupportingTransgenderEmployeesInTheWorkplace.pdf)¹
- [Code of Conduct](https://www.ukri.org/wp-content/uploads/2021/03/UKRI-1503-21-CodeOfConduct-2.pdf)²
- [Equality, Diversity and Inclusion Policy](https://www.ukri.org/wp-content/uploads/2021/03/UKRI-250321-EqualityDiversityInclusionPolicy-V2.0.pdf)³
- [Grievance, Harassment and Bullying Policy](https://www.ukri.org/wp-content/uploads/2023/01/UKRI-240124-GrievanceHarassmentAndBullyingPolicyV2.pdf)⁴

3. Do you have any information publications or presentations available to staff regarding LGBTQ+ and Transgender, if so please could you provide details and copies of the information.

UKRI has run events related to LGBTQ+ and transgender inclusion, delivered by third-party guest speakers. We consider the recordings of these sessions, and the associated presentation materials, to be exempt under Section 40(2), personal information, and Section 43(2), prejudice to commercial interests of the FOIA. Further details on the application of these exemptions can be found below.

4. How many persons who identify as transgender are employed or volunteer with your organisation, and at what grade or position are they employed?

To meet our equality duties, we collect data on a number of protected characteristics, including data on staff transgender identity. Employees share this information voluntarily through our HR Management Information System.

Questions relating to transgender identity were introduced in 2021. Employees are asked “Do you consider yourself to be trans?” and have the option to respond with “No”, “Prefer not to say” or “Yes”. As of January 2024, UKRI has a workforce of 8,773 people, of whom approximately 4.5% of employees have provided information on transgender identity. Of these, less than 10 individuals have identified as transgender.

We consider information relating to the grade or job role of these individuals to be personal information, and exempt under Section 40(2), personal information, of the FOIA. Further details on this exemption are provided below.

5. What advice and information do you supply to managers and staff regarding Transgender? Do you provide any specialist training in dealing with colleagues or clients who identify as transgender?

If so, please provide copies of the relevant policies and material.

All UKRI employees are required to act in line with UKRI policies and consult supporting guidance. Our guidance on supporting transgender employees in the workplace provides all employees and managers with information. This covers areas such as putting a support plan in place, informing colleagues and time off for medical appointments. HR teams work closely with line managers and transgender employees to identify, support and implement the needs of individual employees.

In addition, UKRI delivers LGBTQ+ awareness and Transgender awareness training. These courses are designed to raise awareness of the legislation related to transgender identities, the diversity of people who might use the terms ‘trans’ and how to be inclusive of trans people in the workplace. They seek to increase confidence of staff when working with LGBTQ+ communities, as well as offering strategies to build positive allyship in the workplace.

¹ <https://www.ukri.org/wp-content/uploads/2020/10/UKRI-081020-GuidanceOnSupportingTransgenderEmployeesInTheWorkplace.pdf>

² <https://www.ukri.org/wp-content/uploads/2021/03/UKRI-1503-21-CodeOfConduct-2.pdf>

³ <https://www.ukri.org/wp-content/uploads/2021/03/UKRI-250321-EqualityDiversityInclusionPolicy-V2.0.pdf>

⁴ <https://www.ukri.org/wp-content/uploads/2023/01/UKRI-240124-GrievanceHarassmentAndBullyingPolicyV2.pdf>

Relevant policies are linked in the response to question 2. Training materials are the intellectual property of the third-party providers that deliver the sessions, and are therefore considered exempt under Section 43(2), prejudice to commercial interests of the FOIA. Further details of this exemption can be found below.

6. Does your organisation have any connections with Stonewall or similar organisations to support employees from the LGBTQ+ and Transgender community, and if so, please could you provide further details and copies of any documents or policies?

UKRI does not have any connections with Stonewall or similar organisations.

UKRI holds a Bronze Inclusive Employers Standard (IES). The IES is an evidence-based accreditation tool for inclusion and diversity that covers all the protected characteristics and wider inclusivity and diversity themes. It is used to measure inclusion and diversity and assess progress on the organisation's inclusivity and diversity journey.

7. Do you have any specific policies to support staff members transitioning/transgender in where they are deployed or employed in the organisation and in dealing with members of the public, if so please could you provide further information?

The guidance on supporting trans employees recognises that there may be a need for specific plan for informing clients or customers. This need varies and depends on the role of the employee. We work closely with individual employees to identify what support is needed where they are in an external facing role.

8. Do you have a specific lead or individual(s) who deal with LGBTQ+ issues or liaison within the organisation? If so, please could you provide details?

Work on LGBTQ+ inclusion for staff is delivered by our Workforce Equality, Diversity and Inclusion team in Human Resources. Enquiries about equality, diversity and inclusion can be directed to equality@ukri.org.

9. Do you have specific policies regarding keeping female, LGBTQ+ and transgender staff safe? If so, could you please provide details and copies of any relevant policies?

As an employer, UKRI has both a legal and a moral duty to protect the health and safety of our staff whilst they are at work. We take these responsibilities seriously and have put in place arrangements to ensure that we meet our obligations.

UKRI's [Health & Safety Policy](#)⁵ sets out our responsibilities across all levels of the organisation. Risk assessments are fundamental to how we ensure staff are safe when engaging in UKRI activities and consideration of all characteristics and requirements are considered in the risk assessment process.

Our Grievance, Harassment and Bullying Policy, linked above, outlines our process for managing any concerns related to harassment of staff.

UKRI's [Safeguarding Policy](#)⁶ sets out our duty to protect children, young people and vulnerable adults who are employed by UKRI or take part in events or activities hosted by UKRI, in which UKRI participates, or in any other interactions. It will also protect employees who have contact with children, young people and vulnerable adults in the event of allegations being made, subject to them following this policy.

Exempt information

Information relating to training material and presentations for questions 3 and 5, and information relating to UKRI employees for question 4 is considered to be exempt under the FOIA. Further information is provided below:

⁵ <https://www.ukri.org/who-we-are/work-for-us/working-at-ukri/our-employment-policies/health-and-safety-policy/>

⁶ <https://www.ukri.org/wp-content/uploads/2020/10/UKRI-081020-SafeguardingPolicy.pdf>

Section 40(2), personal information

We are exempting the identity of individuals and details of their protected characteristics contained within recorded webinars and presentations under section 40(2) of the FOIA. We are also exempting the grade or job title of individuals who identify as transgender, as due to the small numbers involved disclosure would likely make these individuals identifiable.

Disclosing this information would contravene the first Data Protection Principle as defined under Section 86 of the Data Protection Act 2018 and Article 5 of UK General Data Protection Regulation (UK GDPR). Section 40(2) is an absolute exemption and does not require a public interest test.

Section 43(2), prejudice to commercial interests

We believe that copies of webinar recordings and third-party training material falls under the scope of Section 43(2) of the FOIA. This exemption is used where disclosure would likely result in a person's (an individual, a company the public authority itself or any other legal entities) commercial interests being prejudiced.

This is a qualified exemption, and a test was carried out to determine whether the public interest in maintaining the exemption outweighs public interest in disclosure.

Public interest in favour of disclosure

- There is a general public interest in the disclosure of this information to ensure transparency and openness of a public organisation.
- There is also a public interest in transparency in order to ensure the accountability of public organisations and how they spend public funding.

Public interest in favour of withholding the information

- Presentations and training materials are considered to be the intellectual property of the organisation or individual that creates them. They form part of the value of these sessions, and public availability could harm the organisation's or individual's ability to charge an appropriate fee for the work undertaken in future.
- Disclosure would mean the materials are likely to become available to competitors. Organisations invest significantly in their training functions and their ability to continue this investment, to support and pay staff, and to further develop sessions could be harmed by disclosure. Releasing these materials could be taken advantage of by competitors, who would benefit from the investment made by others.
- Training materials and presentation slides are intended for use in the context of the session in which they are presented. If they were to be viewed in isolation outside of the environment for which they are intended, they may be misinterpreted, which in turn could lead to reputational damage and subsequent prejudice of their commercial interests.
- If these materials and exercises become publicly available, it compromises the ability of the organisation or individual to provide people with an effective learning experience, devalues the sessions, and potentially harms the ability to sell future iterations of the course. Training sessions often involve people being presented with a question or exercise that they have typically not previously thought about. This promotes curiosity, exploration and questions, which in turn facilitates learning. This experience is an essential part of the sessions to which these materials belong.
- Releasing information provided in confidence to UKRI is likely to damage the possibility of ongoing relationships with other organisations. Relationships may become untenable if third parties cannot be certain that their commercial information will remain confidential when held by UKRI.

- We also considered the impact on UKRI if commercially sensitive information of companies we engage and work closely with were disclosed. We believe it would damage the trust in UKRI and likely impact our ability to carry out our role and manage our current and future investments.

Taking the above arguments into consideration, we reached the decision that the need for commercial confidentiality outweighs the public interest in disclosure; therefore the information is exempt from disclosure.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact within the next 40 working days:

Head of Information Governance

Email: foi@ukri.org

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: www.ico.org.uk.

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,


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Information Rights Team
UK Research and Innovation
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