

Weobley & Staunton on Wye Surgeries

SEXUAL ORIENTATION (PATIENTS & PUBLIC) POLICY

INTRODUCTION

The Equality Act (Sexual Orientation) Regulations outlaws discrimination by providers of goods and services to ensure that they do not discriminate against individuals, either directly or indirectly, in the provision of those services, on the basis of sexual orientation. These regulations take effect from 30th April 2007 and build on the 2003 regulations which provide protection for employees. Under the regulations patients have statutory right to protection against discrimination on these grounds.

Sexual orientation includes heterosexual, gay, lesbian and bisexual people, including other sexual minority identities such as queer and pansexual.

This document sets out the Practice Policy in relation to the provision of health services.

POLICY

The Practice will treat all non-staff visitors and patients as individuals, and will not deal with them or clinically treat them less favourably because of their sexual orientation, or because of their perceived sexual orientation.

When dealing with groups of individuals (eg. Charities supporting minority sexual orientations) the group will not be treated less favourably than groups convened for other purposes. This will apply to room facilities, meetings, display of posters or notices within the Practice, acceptance and display of leaflets and advertisements, links from the Practice website or the availability of other facilities which the Practice may be able to offer from time to time.

All staff will treat patients with equal courtesy and care regardless of sexual orientation or perceived orientation. This standard will apply when dealing with relatives or friends of the patient and will apply at all times on the premises even in the absence of patients. Staff failing to uphold this standard may be dealt with using the Practice's Disciplinary Procedures.

The Practice provides a regular commitment to having LGBT inclusion training to ensure it remains up to date and that all staff have been trained.

The Practice ensures that:

- Clinicians have knowledge of the prevalence and impact of conditions and issues that particularly affect lesbian, gay, bisexual and trans communities (in addition to HIV and sexual health)
- Clinicians have knowledge of evidence relating to the health of minority groups including lesbian, gay, bisexual and trans communities (eg. Black, Asian and Minority Ethnic LGBT people, disabled LGBT people)
- Clinicians promote cervical screening to all eligible women who are or have been sexually active (including those who have female partners)
- Clinicians, where appropriate, will ask questions identifying the gender of the sexual partner before giving contraceptive advice

- Clinicians understand the current legislation that gives same-sex couples with registered civil partnership status equivalent rights to married couples including entitlement to decision-making regarding health and social care and parenting options
- Staff have the knowledge, ability and confidence to signpost to potential sources of support and advice specific to a patient's sexual orientation and/or trans status
- Staff have an awareness of referral pathways to local or relevant organisations that can provide specialist services and support to LGBT patients have the confidence and knowledge to refer

Trans Status

This policy also outlines how the Practice will support patients who want to lawfully change their gender marker on our practice monitoring system. It will incorporate the Gender Recognition Act 2004.

A trans person can change their name and gender marker at their GP practice just by requesting it. They do not need to have been to a Gender Identity Clinic, taken any hormones, undergone any surgery, or have a Gender Recognition Certificate.

The law in the UK regarding names is actually very unusual, stating that anyone can call themselves by any first name without any documentation at all – as long as they are known by it, it is a legal name! Despite this, Primary Care Support England (PCSE) recommend that healthcare services see a deed poll before changing a patient's name on their medical record. For this reason, almost all GP practices will ask for a deed poll when amending patient's names/details. Patients can obtain a free Deed Poll online at www.freedeedpoll.org.uk

The Practice will support this and guide the patient through the process in accordance with the patient's individual needs and wishes.

When A Patient Wants To Change Their Name and/or Gender Marker On The Practice System

The patient informs the Practice that they would like to change their name on the practice system. They can do this by providing either a Gender Recognition Certificate or a change of name deed. If they want to change their gender marker on the system, they need to agree in writing their title and name and whether they are happy to be allocated a NHS number, which is the formal process of changing a gender marker through PCSE and is in line with confidentiality protocols outlined in the Gender Recognition Act 2004.

The Practice will then contact PCSE via their email support at pcse.enquiries@nhs.net providing an official documentation such as change of name deed or Gender Recognition Certificate.

PCSE then write to the National Back Office, who will create a new identity with a new NHS number. These records are then sent to the Practice to be held as the new medical records for the patient.

It must be made clear to the patient that:

- a patient does not need to have undergone gender reassignment in order to be eligible for a new number; either a Gender Recognition Certificate, a change of name via deed poll or even a statutory declaration would suffice.
- PCSE sends the practice a deduction notification for the patient and emails the main contact for the practice (if available) the new details for the patient
- The practice accepts the deduction and registers the patient using the new details provided by PCSE. Important: Do not update the patient's original record with their new NHS number. If this happens they will not be registered and will miss out on continuity of care
- PCSE sends a new patient medical record envelope with the patient's updated details to the practice
- The practice creates a new patient record using the new details, and transfers all previous medical information from the original medical record
- Any information relating to the patient's previous gender identity should not be included in the new record. Practices can use gender neutral language and anonymise patient details to retain important

information. For example, using phrases such as ‘the patient had a smear on....’ rather than ‘she had a smear on...’ This is to protect confidential information and ensure the practice is in line with the Gender Recognition Act 2004 which makes disclosing an individual’s trans history unlawful in many instances

It is important that practice complete the new registration for the patient **within five working days** to ensure no interruption to patient care.

When A Patient Does Not Wish To Be Registered As A New Gender Or With New NHS Number

If the Patient does not wish to be registered in a new Gender – with new NHS number, but just under their new name, then the Practice should confirm if the Patient wants to be registered with their current title or with the gender-neutral title Mx but gender marker listed on the system will stay the same.

If The Patient Is Under Secondary Care

Any new referrals made following the changes, will incorporate the new NHS number. For existing referrals the Practice would have to contact secondary care to inform them of the changes to the patient’s record so that they have the correct details.

Once PCSE have made the changes and the Practice have a new record, the patient’s identity is changed on the system, at the Practice and eventually within the whole of the NHS.

Screening

If the patient’s gender marker is being changed from male to female, the screening team will contact the Practice for no cervix confirmation.

If the patient’s gender marker is being changed from female to male, screening will become the responsibility of the Practice.

When registering new patients, usually you will select either ‘M’ for Male or ‘F’ for Female. Some non-binary patients may wish to be registered as ‘I’ (Indeterminate). For all patients registering as ‘I’, screening will become the responsibility of the Practice.

For more information on cancer screening for trans patients, please see this resource from Public Health England

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