



GENDER EQUALITY

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OVERVIEW

- Gender equality duty
- Impact of inequality
- What is Gender?
- Why does it matter?
- Service delivery
- Transgender people
- Further reading/info

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THE GENDER EQUALITY DUTY

The gender equality duty was introduced into legislation in the Equality Act 2006, amending the Sex Discrimination Act. It means that public bodies must have 'due regard' to the need to:

- *eliminate unlawful sex discrimination and harassment (including for transsexual people)*
- *promote equality of opportunity between men and women*

This is the gender equality general duty.





WHAT ARE THE SPECIFIC DUTIES?

Requirements to:

- Produce and publish a gender equality scheme
- Monitor and review progress
- Review the scheme every 3 years
- Develop, publish and review an equal pay policy
- Conduct and publish gender impact assessment

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IMPACT OF INEQUALITIES

Has the potential.....

- To harm mental health -social inequality and trauma experiences in unequal relationships with people who have power over them are the root cause for many peoples mental health difficulties.
- to affect how people experience and express mental distress
- to affect how psychological distress is understood,

and

- to affect how mental health services are accessed and experienced.

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DEFINING GENDER

- The term “gender” refers to the economic, social, political and cultural attributes and opportunities associated with being male and female.
- In most societies, men and women differ :
 - in the activities they undertake
 - in access and control of resources and
 - in participation in decision-making
 - In most societies, women as a group have less access than men to resources, opportunities and decision making

*Beijing Platform for Action (1995) 4th World
Conference on Women*

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GENDER IS.....

Fundamental to :-

- Our sense of who we are
- The roles we adopt
- The way in which we perceive others and in the way they perceive us

It is therefore vital that we have an understanding and an awareness of the social construct of women and men's lives in order to be able to meet their mental health needs effectively and ensure equality.

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WHY GENDER MATTERS

Any individual who at least partially defines themselves as belonging to a particular equality strand (race, disability, age, sexual orientation or faith/belief) will also have an aspect of their identify that is male or female

(DTI 2005)

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GENDER EQUALITY IN SERVICES WOULD BE...

- Knowledgeable about the ways that gender, race and other inequalities can be detrimental to mental health
- Willing and able to help service users talk about their gendered lives and experiences
- Alert to and challenges, the ways that gender and other inequalities undermine the safety and quality of services.
- Acknowledges and takes account of differences between women & men in actual practice

Informed gender practice July 08

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GENDER INFORMED SERVICE PRINCIPLES

1. Equality: power used openly and fairly
2. Knowledge and commitment: staff able and willing to bring a gender informed perspective to their work
3. Relationships: staff authorised and supported to place relationships with patients at the centre of services

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GENDER INFORMED SERVICE PROVISION

- Safety: physical and sexual
- Adverse incidents
- Information sharing and gathering
- Power and control
- Language
- Partnership working
- Relationships

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CROSS CUTTING ISSUES

Women and men are not homogenous groups:

- BME
- Asylum seekers & refugees
- Lesbians
- 'Patients as parents'





TRANSSEXUAL PEOPLE

Transsexual people (that is, individuals who have proposed, commenced or completed reassignment of gender) enjoy legal protection against discrimination.

In addition, good practice requires that clinical responses be patient-centred, respectful and flexible towards all transgender people who do not meet these criteria but who live **continuously or temporarily** in the gender role that is opposite to their natal sex.





GENERAL KEY POINTS ARE THAT:

- trans people should be accommodated according to their presentation (the way they dress, and the name and pronouns that they currently use)
- this presentation may not always accord with the physical sex appearance of the chest or genitalia
- it does not depend upon their having a gender recognition certificate (GRC) or legal name change
- it applies to toilet and bathing facilities (except, for instance, that pre-operative trans people should not share open shower facilities)
- the views of the trans person should take precedence over those of family members where these are not the same

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KEY POINTS CONTINUED..

- Those who have undergone full-time transition should **always** be accommodated according to their gender presentation.
- Different genital or breast sex appearance is **not** a bar to this, since sufficient privacy can usually be ensured through the use of curtains or by accommodation in a single side room adjacent to a sex-appropriate ward.
- This approach may only be varied under special circumstances where, for instance, the treatment is sex-specific and necessitates a trans person being placed in an otherwise opposite sex ward.
- Such departures should be proportionate to achieving a 'legitimate aim', for instance, a safe nursing environment.

DoH May 09

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FURTHER READING/INFO

- Women's mental health strategy/implementation guidance:
http://www.dh.gov.uk/en/Healthcare/Mentalhealth/DH_4002408
- Men's health forum:
<http://www.menshealthforum.org.uk/>
- The gender & access to health services study
http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_092042
- Gender Equality
http://www.dh.gov.uk/en/Managingyourorganisation/Equalityandhumanrights/Genderequality/DH_074223
- Trans a practical guide for the NHS
http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_089941

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