



FOI REF: 21/203

05th May 2021

Tel: 0300 131 4500
Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

a. How many members of your medical staff have a GRC?

The Gender Recognition Act 2004 safeguards the privacy of transsexual people by defining information in relation to the gender recognition process as protected information. Therefore as a trust we do not ask the question and it would be illegal for us to do so or share such information where a member of staff would be identifiable.

The NHS system called Electronic Staff Records (ESR) does not have a function to capture Transgender status only the male or female gender identity. The system however does allow individuals to have the gender natural prefix of MX for those that do not want to be identified as male or female. The MX prefix cannot guarantee transgender status.

b. How many members of your medical staff identify as transgender who do not hold a GRC?

Please see above.

c. Does your trust restrict doctors or nurses with a GRC who are legally recognised as female to conduct intimate exams on females (eg. smear tests, pelvic exams, breast exams)?

No, the Trust ensures we adhere to the chaperone policy, NMC guidance and GMC guidance, whilst respecting patients' beliefs and requests, where their needs can be reasonably met.

Cont.../

- d. Do your trust restrict any of the duties of nurses and doctors who identify as transgender who do not hold a GRC in relation to their work with male or female patients?**

No, the Trust ensures we adhere to the chaperone policy, NMC guidance and GMC guidance, whilst respecting patients' beliefs and requests, where their needs can be reasonably met.

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, please write to Lynette Wells, Director of Corporate Affairs, East Sussex Healthcare NHS Trust (lynette.wells2@nhs.net) quoting the above reference.

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
esh-tr.foi@nhs.net