**Trans/Non-Binary Awareness** & Occupational Therapy **Practice** Tuesday 19<sup>th</sup> July 2022 12:15-13:45pm Rebecca Swenson (she/her) & Hannah Spencer (they/them)

# Intro to us / Safe space

**Dr Rebecca Swenson (she/her)** Senior Lecturer in Occupational Therapy, London South Bank University



Hannah Spencer (they/them) Occupational Therapist, NHS

- respectful space for discussion and learning
- we're all always learning, let's assume positive intent
- responsible sharing, responsible ripples please be mindful of confidentiality
- Zoom etiquette/housekeeping closed captioning available, chat function

# Plan

- Context and importance
- Ethical, professional and legal duty to undertake best practice (key legislation and professional standards)
- Reiterated relevance to occupational therapy practice
- Practical suggestions around personal, environmental and occupational aspects of support for trans/non-binary people



# Definition of terms

Most appropriate and respectful preferred terminology and language relating to this topic area is persistently evolving.

#### Trans (transgender)

Umbrella term used by diverse population of individuals who's gender identity, personal experience of gender, is not congruent with the sex with which they were assigned at birth; **gender incongruence. Gender dysphoria** is the name for the discomfort/distress that some trans folks experience consistent with this.

**Cis (cisgender)** refers to people who's gender identity and expression is largely congruent with sex assigned at birth

**Non-binary** folks' gender identity falls outside of the male/female man/woman binary. Non-binary folks may or may not identify as trans.

(AOTI, 2019; Vincent, 2018; Stonewall Trans Advisory Group, 2017)

# Context (UK)



 Gender identity and/or trans status was collected in the 2021 Census for the 1<sup>st</sup> time.

# Health, Wellbeing, Quality of Life

- Transgender people 'disproportionately affected by common health problems' (Rounds, 2013)
- High rates of social exclusion (Mayer et, al 2008)
- Disproportionate rates of depression, anxiety and distress (Bockting et al, 2013)
  - Not a result of gender dysphoria but due to perceived and actual stigma
- '64% of non-binary and 60% of trans respondents felt like life was not worth living (Bachmann, Gooch, 2018, p.9)'
- Cumulative, exacerbated impact on trans folks with multiple intersecting marginalised identities

### Healthcare

38% had negative experiences in response to gender identity when trying to access <u>general healthcare</u> <u>services</u> (Government Equalities Office, 2018) 41% of trans people say that healthcare staff in <u>general healthcare services</u> lacked understanding of trans health needs (Bachmann, Gooch, 2018) '...interacting with healthcare practitioners caused them emotional distress (Hord, Medcalf, 2022, p.39)'



# Reiterated relevance to practice

- 'the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction (World Health Organisation, 1947)'
- Practice be non-discriminatory and utilise awareness of diversity (HCPC, 2013)
- 'You seek to act in the best interests of <u>all who</u> <u>access the service and those with whom you work</u>, at all times, to ensure their welfare, optimising their health, wellbeing and safety (RCOT, 2021, p.13)'

Professional standards for occupational therapy practice, conduct and ethics



# Occupation/Occupational Therapy



# Research

Occupational therapists 'teaching' gender

Transgender people face occupational injustices

Occupation enables authentic gender expression for those who are trans Non-binary people have to navigate a binary

world

See:

McCarthy et al. (2020) Dowers et al. (2019) Schneider et al. (2019) Avrech Bar et al. (2016) Beagan et al. (2012) Occupational marginalisation Occupational deprivation Occupational alienation

Unable to participate in meaningful occupations

Exhausting strategising in doing occupations

'Occupational assimilation' was evident – compromising occupational engagement in order to evade scrutiny (see Swenson et al., 2021)

# Doing Being

### Becoming

Belonging

- Occupational engagement essential for authentic gender expression
- Meaning of occupation can change when able to express identity authentically
- Unfettered engagement in occupations enabled a creative expression of gender and fostered kinship

(see Swenson et al., 2021)

# Gender and occupation

People 'create identity and meaning through what they do and have the capacity to transform themselves through premeditated and autonomous action.' Gender Occupation 14

(College of Occupational Therapists 2009, p.2)

# Gender and occupation



# Equality Act 2010

- Age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

**Direct Discrimination** 

**Indirect Discrimination** 

Victimisation

#### Harassment



'You must comply with the law and the requirements set out in The Equality Act 2010 (RCOT, 2021, p.29)'

### Trans communities: Discrimination and abuse

- 41% have experienced a hate crime
- 48% don't feel comfortable using public toilets
- 25% have experienced homelessness at some point
- 28% have experienced domestic abuse from a partner

See: Stonewall (2018)



# Clinical relevance

- 41% said that healthcare staff lacked understanding of specific trans health needs (Stonewall, 2018)
- 29% of trans people who accessed social services in the last year faced discrimination (Stonewall, 2018)
- 'Lack of appropriate training of health and social care staff in trans issues' (House of Commons, 2016)
- 'The NHS is letting down trans people: it is failing in its legal duty under the Equality Act' (House of Commons, 2016)

# Legislation

#### **Gender Recognition Act 2004**

- Legal recognition of a preferred ('opposite') gender identity (Clucas and Whittle, 2017)
- Requires evidence a person diagnosed with gender dysphoria (Clucas and Whittle, 2017)

#### Equality Act 2010

- Gender reassignment protected characteristic (Pearce, 2018)
- Gender reassignment social rather than medical process & permanent (Clucas and Whittle, 2017)

# Confidentiality & GRA

Cannot disclose that someone has a gender recognition certificate, only if:

- The disclosure is made to a health professional
- The disclosure is for medical purposes and
- The person making the disclosure reasonably believes that the subject has given consent or cannot give such consent



#### Don't just 'do' but understand the why, and 'do' consistently...

Best practice: Some tips





- Check trust / organisation guidelines
- Ask how client would like to be known/what pronoun they would like used
- Ask this consistently
- Trans friendly forms
- Consider sensitivity of assessments
- Not gender stereotype interventions/occupations
- Recognise and challenge own bias and assumptions
- Is it relevant? do not ask unnecessary questions

# **Resources/Further Learning**



Subjects ∨ Courses ∨

Using FutureLearn ✓

Search online courses

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Transgender Healthcare: Caring for Trans Patients

#### \*\*\*\*\* 5.0 (6 reviews)

Understand current issues in transgender healthcare and learn how to provide culturally competent care to trans individuals.



Email me when I can join

https://www.futurelearn.com/courses/transgender-in-healthcare

# **Resources/Further Learning**





SWENSON, R., ALLDRED, P. and NICHOLLS, L. (2021) Doing Gender and Being Gendered Through Occupation: Transgender and Non Binary Experiences, *The British Journal of Occupational Therapy*, 10.1177/03080226211034422

# **Resources/Signposting**





https://affinot.co.uk/lgbtqiaotuk/



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