

Policy and Process for Updating Gender on the GOC Register

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Owner:	Yeslin Gearty – Director of Corporate Services	
Author:	Aaron Grell – International Registration & Quality Assurance Manager	
Policy Project Team:	Aaron Grell, Yani King, Kiran Gill, Chris Liddell, John Duncan	
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1. Statement

- 1.1 We are committed to supporting registrants who wish to update their gender on our register and ensuring compliance with the [Gender Recognition Act 2004 \(GRA\)](#). This document sets out the process for applying to the GOC to update the registered gender. We will agree such applications unless there is a public protection reason for not doing so.
- 1.2 As part of our statutory duty to maintain and publish a register of all those who are fit to practise, we publish certain information about our registrants, which currently includes their gender.
- 1.3 We recognise that this is a sensitive area for some registrants. This policy and process document seeks to make our process for updating gender is clear and easy to apply. It also ensures confidentiality under section 22 of the GRA and complies with our information governance framework.
- 1.4 As a statutory regulator subject to the public sector equality duty, we are committed to upholding the [Equality Act 2010](#) including the prohibition of discrimination on the grounds of gender reassignment. This document aligns with our commitment to promoting equality, valuing diversity and being inclusive.
- 1.5 This document supports our values:
 - We respect other people and ideas
 - We show empathy

2. Purpose

- 2.1 This document outlines our policy and process for managing applications from GOC registrants to update their gender on the register.

3. Scope

- 3.1 This document applies to all GOC registrants. All GOC employees, including any temporary employees, contractors or consultants, must follow this policy in handling registrants' applications to update their gender.
- 3.2 This policy does not apply to applications for a change of name, on which the GOC has a separate policy.

4. Disclosure of information

- 4.1 The GRA restricts the circumstances under which the GOC can disclose information concerning the gender reassignment of a registrant. The [Data](#)

[Protection Act 2018](#) and the GRA require us to take all reasonable steps to avoid inappropriate disclosure of a registrant's gender reassignment.

- 4.2 The GRA permits disclosure in the following circumstances:
- 4.2.1 with the registrant's consent;
 - 4.2.2 to prospective employers and regulatory bodies to confirm fitness to practise (FTP) history or pending FTP proceedings;
 - 4.2.3 for court or tribunal proceedings, including FTP proceedings; and
 - 4.2.4 where this is necessary in the public interest or is required by statute.
- 4.3 We will always try to seek consent before disclosure. If exceptionally, for example, because of urgent legal proceedings, we are required to disclose this information without advance consent, we will inform the registrant as soon as possible.
- 4.4 All documentation will be retained in accordance with the GOC's data retention policy.

5. Process to follow

- 5.1 The process is summarised in the chart at annex 1.
- 5.2 We are only able to consider enquiries or applications for updating the gender on the register directly from the registrant.
- 5.3 Registrants wanting to update their gender must make their application using the prescribed form (annex 2).
- 5.4 The Registration team must immediately hand the application form to a Registration Manager or Head of Registration, who must then create a confidential electronic folder, with access restricted to key staff members, to store all relevant information on the GOC network. The folder's name will be coded to protect the registrant's confidentiality.
- 5.5 All communications with the registrant regarding the application must be documented and stored securely on the GOC network. Access will be restricted to specific individuals.
- 5.6 All applications and enquiries received under this policy will be assessed and processed by a Registration Manager.
- 5.7 Following assessment by the Registration Manager or Head of Registration, they will check the information against our CRM database and create a new CRM record with no link to the previous CRM record. This new record will

include a new GOC registration number and the original registration date. The previous record will not be deleted, but an alert will be placed on the record to refer any queries or complaints relating to that record to the Registration Manager or Head of Registration. The record will also be made inactive.

- 5.8 If there is an active FTP investigation against the registrant, all relevant data will be moved to the confidential electronic folder. This will provide confidentiality while maintaining public protection, as relevant data will remain accessible to staff managing the FTP matter.
- 5.9 If the registrant has any previous FTP findings or sanctions, this information will be stored in the GOC's secure electronic folder. Any new or existing warnings or sanctions will be recorded against the new CRM record.
- 5.10 If a complaint or query is received against the previous record, CRM will alert staff to refer the matter to a Registration Manager or the Head of Registration. A Registration Manager or the Head of Registration will create appropriate CRM alerts.
- 5.11 We will not charge a fee for applications to update gender.

6. Compliance

- 6.1 If anyone has concerns that this policy/process is not being followed, they should raise these with a Registration Manager in the first instance, and then follow the [corporate complaints and feedback process](#) if necessary.
- 6.2 Non-compliance with this policy could put the GOC in breach of its legal obligations and could undermine trust in it as a regulator.

7. Transparency

- 7.1 This document will be published on the GOC website, alongside links to relevant statutory authorities and other resources.

8. Reasonable adjustments

- 8.1 Registrants should contact the Registration team at registration@optical.org if they would like to receive this information in an alternative format or need assistance.

9. Glossary of relevant terms

- **Equality Act 2010**
Legislation that provides a legal framework to protect individuals' rights and

advance equality of opportunity for all. It prohibits discrimination on a number of grounds including a person's gender reassignment.

- **FTP**
Fitness to Practise: a registrant's fitness to be registered. The GOC has a duty to investigate and act where a registrant may not be fit to practise, train or carry-on business.
- **Gender**
Characteristics of women, men, girls, and boys that are socially constructed. Gender varies from society to society and can change over time and may differ from the sex assigned at birth (as shown on the birth certificate).
- **Gender dysphoria**
A person's sense of unease at a mismatch between their sex and their gender identity.
- **Gender expression**
External manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behaviour, voice, and/or body characteristics. Typically, transgender people seek to align their gender expression with their gender identity, rather than the sex they were assigned at birth.
- **Gender identity**
A person's innate, deeply felt psychological identification as a man, woman, or other gender, which may or may not correspond to the sex assigned at birth.
- **Gender Recognition Act 2004**
Legislation that allows someone to change their gender, and to obtain a Gender Recognition Certificate.
- **Gender Recognition Certificate**
A certificate that allows a person to change the sex on their birth certificate.
- **Non-binary**
Someone whose gender identity is neither male nor female.
- **Trans**
An umbrella term for people whose gender identity differs from the sex assigned at birth. They may describe themselves using a wide variety of terms including transgender.

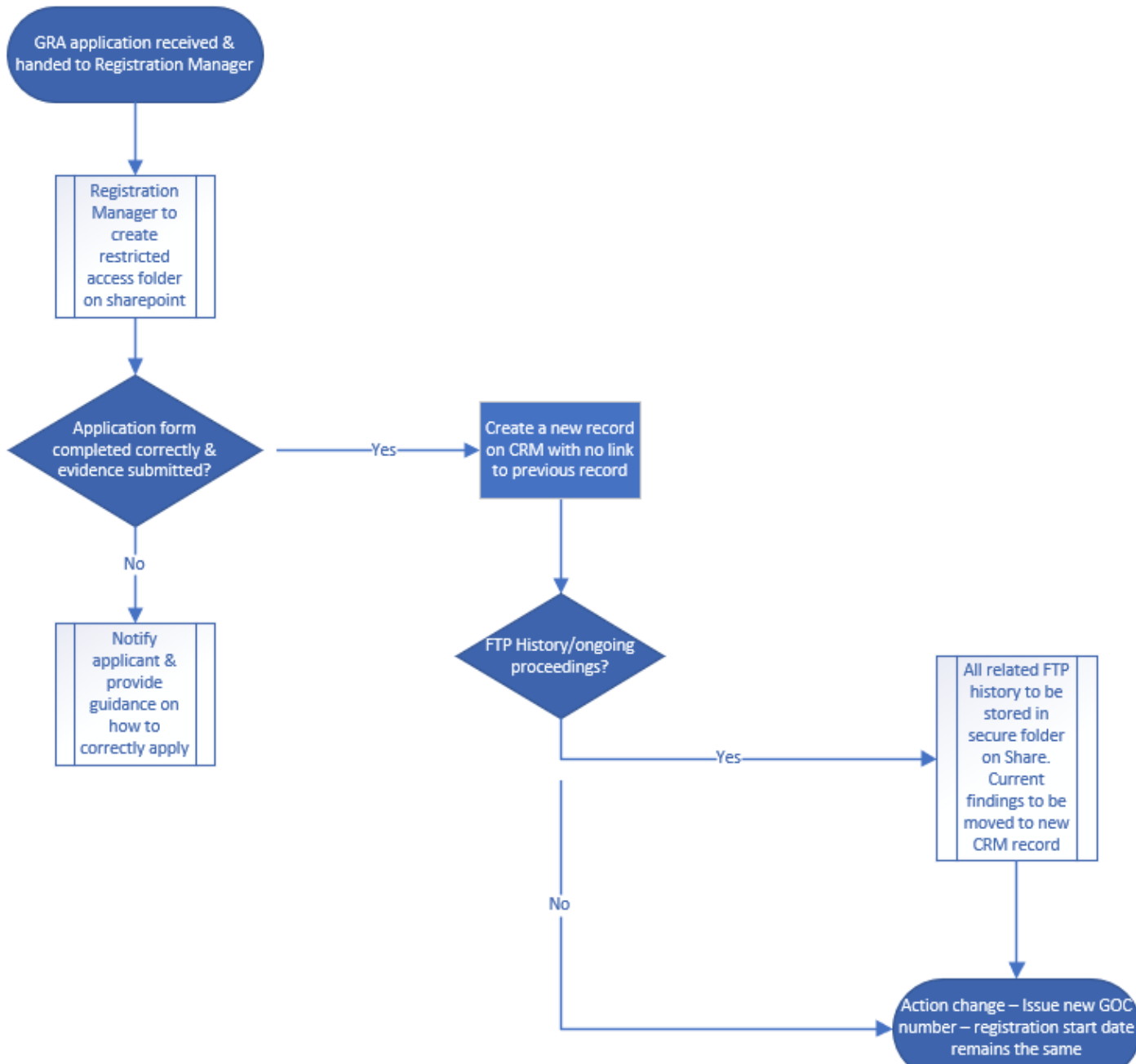
10. Annexes

Annex 1 – Internal process flowchart

Annex 2 – Application form

Annex 3 – Links to legislation

Annex 1 – Internal process flowchart



Annex 2 – Application form



Application for updating your gender

General Information and protecting your data

The GOC register is public information, meaning any enquirer will have access to it. This will include your GOC number, gender, name, qualification, and status on the register.

We publish the GOC register on our website, and we supply register data to the Department of Health and Social Care, and professional, educational, and training bodies so they can update their own information and compile statistics.

We will retain information concerning this application, in accordance with our GRA Policy and Process.

Before completing application

Evidence

With this application you will need to submit evidence linking your current identity with your identity on the GOC register. Example of this are as follows:

- Passport
- Driving licence (both paper and photocard parts)
- Statutory declaration
- Deed poll

If you do not hold such evidence, please contact us for advice about an alternative declaration.

Submitting your application

Please submit your application to registration@optical.org

For further advice please feel free to email us at registration@optical.org or call on +44(0)20 7580 3898, option 1 Mon to Thurs 09.00-17.00, Fri 09.00-16.45

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Your previous personal details (please give us the information that is currently on our register)

GOC number	
Preferred title	
First name	
Middle names	
Surname	
Date of birth	
Gender	

Your previous contact details

Home telephone	
Mobile telephone	
Work telephone	
Email address	
Home address	
Practice address	

Updates required

I want to apply for:	
Change of gender status and name	<input type="checkbox"/>
Change of gender status only	<input type="checkbox"/>

About your gender and name change

I wish to change my gender:			
From:	<input type="checkbox"/> Male	To:	<input type="checkbox"/> Male
	<input type="checkbox"/> Female		<input type="checkbox"/> Female
	<input type="checkbox"/> Non-Binary		<input type="checkbox"/> Non-Binary
	<input type="checkbox"/> Intersex		<input type="checkbox"/> Intersex
I also wish to change my name:			
From:		To:	

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From what date do you want the register to show your new gender and/or new name?			

Direct debit mandate

Your direct debit	Yes (send me new direct debit mandate)	No (transfer the existing direct debit mandate to my new record)
Do you have new bank account details?	<input type="checkbox"/>	<input type="checkbox"/>

Please complete this section if any of your contact details have changed

Home telephone	
Mobile telephone	
Work telephone	
Email address	
Home address	
Practice address	

Third party authorisation

If you would like us to be able to discuss your application with a third party if needed, please provide details here. If you do not give us authorisation, we may not be able to discuss any part of your application with your employer or professional body.	
Name of organisation	
Name of contact at organisation (if known)	
Telephone number	
Email	

Declaration

I declare that I have read, understood, and will comply with the GOC's Standards of Practice for Optometrists and Dispensing Opticians.
I understand that the GOC will use the information I have provided to exercise its proper and statutory functions.

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I declare that the information given in this form is true and accurate.

I understand that my annual renewal application will be due by 15 March each year regardless of the date of my registration.

I understand that I must notify the GOC immediately if there are any changes to the information provided in this application.

Signature:

Date:

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Annex 3 – Research references and legislation

The Crown Office and Procurator Fiscal Service

The Crown Office and Procurator Fiscal Service. Guidance for prosecutors in relation to Transgender Accused [Online]

https://www.copfs.gov.uk/images/Documents/Prosecution_Policy_Guidance/Guidelines_and_Policy/Transgender%20Policy.pdf [Accessed 6 September 2021].

Data Protection Act 2018

Legislation.gov.uk. 2018. Data Protection Act 2018. [online] Available at: <<https://www.legislation.gov.uk/ukpga/2018/12/contents>> [Accessed 6 September 2021].

Disclosure and Barring Service

Disclosure and Barring Service (2018) Transgender Applications. Available at: <https://www.gov.uk/guidance/transgender-applications> [Accessed 7 September 2021].

DBS Sensitive (2021) Email to Yani King 18 May.

Due Diligence Checking

Due Diligence Checking (2016) The criminal record checking process for transgender applicants. Available at: <https://www.ddc.uk.net/question/dbs-process-transgender-applicants/> [Accessed 6 September 2021].

Equality Act 2010

Legislation.gov.uk. 2010. Equality Act 2010. [online] Available at: <<https://www.legislation.gov.uk/ukpga/2010/15/contents>> [Accessed 6 September 2021].

Gender Recognition Act 2004

Legislation.gov.uk. 2004. Gender Recognition Act 2004. [online] Available at: <<https://www.legislation.gov.uk/ukpga/2004/7/contents>> [Accessed 6 September 2021].

GIRES

GIRES (2019) Gender Diversity Policy Guide for Employers. Available at: [Gender-Diversity-Policy-Guide-for-Employers-201908.pdf \(gires.org.uk\)](https://www.gires.org.uk/Gender-Diversity-Policy-Guide-for-Employers-201908.pdf) [Accessed 6 September 2021].

Ministry of Justice

Ministry of Justice (2020) The Care and Management of Individuals who are Transgender. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863610/transgender-pf.pdf [Accessed 6 September 2021].

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Transgender Mermaids

Transgender Mermaid (2019) Guide to UK Legal Gender Recognition. Available at; [gender-recognition-guide.pdf \(mermaidsuk.org.uk\)](https://mermaidsuk.org.uk/gender-recognition-guide.pdf) [Accessed 6 September 2021].

Unlock

Unlock (2018) Call for evidence: DBS checks which reveal trans/gender history because of gender-specific offences committed in the past. Available at: <https://www.unlock.org.uk/call-for-evidence-dbs-checks-transgender/>. [Accessed: 6 September 2021].