To tell, or not to tell? Mentioning your sexuality in job applications, interviews and the workplace is entirely up to you.

Finding LGBT-positive employers

Sexual orientation has become a significant part of the equality agenda of many organisations. An increasing number of employers are becoming more responsive to the needs and requests of their lesbian, gay, bisexual and transsexual (LGBT) staff.

Most employers see having a diverse workforce as good business practice but also value corporate social responsibility within their organisation. They want to attract the best candidates irrespective of their sexual orientation. They also know they can get the best out of their employees if all staff are happy to be themselves and this includes being open about their sexual orientation if they want to be.

The shift in attitudes towards supporting LGBT staff has been varied across sectors and employers within them. Some industries have been perceived as quite conservative in the past, for example, investment banking, law, accountancy, etc but they are embracing equality agendas and are trying to appear more LGBT-friendly.

While some sectors may have been slower to adapt, awareness of LGBT issues can now be found across all industries. Public-sector organisations have a longer history of supporting LGBT employees and so tend to have more structured support in place.

Where do you look for information on LGBT-friendly employers?

Research is vital in making sure you find an employer that's right for you.

A good source of help when looking for positive employers is Stonewall, a lesbian, gay and bisexual charity. Every year they produce:

- **Starting Out: Lesbian, Gay and Bisexual Careers Guide**: a tool to help graduates and career-changers find out more about gay-friendly employers. King’s Careers and Employability have the physical copy of the 2014 guide in their careers library.
- **The Workplace Equality Index**: a list of the 100 most LGBT-friendly organisations in the UK.

Remember that the index doesn't cover all employers; just because a company isn't on the list, doesn't mean they're not an LGBT-friendly employer. Many of the companies on the index are large employers, but don’t rule out working for smaller organisations where you might find it easier to get to know people and perhaps be open about your sexual orientation.

It's also worth checking the websites of companies you're interested in to see what policies they have and whether they refer to sexual orientation. If possible, try to find out how these policies are put into action on a day-to-day basis. Also bear in mind that people within the organisation will still have their own opinions but if the company has an LGBT-friendly policy it's a step in the right direction to avoiding, or being able to deal with, any discrimination.
Many employability magazines focus on diversity issues and may contain details of LGBT-friendly employers. The LGBT press may also feature relevant companies. You can also try career events that are targeted at equality, for example, the Diversity Careers Show.

Some universities are trialling LGBT mentoring schemes where they match you with an LGBT employee in an organisation within your chosen career that positively supports its LGBT staff. Ask your mentoring co-ordinator for information about this.

**What support is there for LGBT employees?**

Many larger organisations have set up LGBT networks and these are a good sign of the prevailing culture of a particular employer. You don't have to join the networks if you don't want to but if they're publicised openly on company websites it's probably a good indication of the management’s view on the subject. You could also find out whether there would be an opportunity to set up a new support group for LGBT staff, if there is not one running already.

Trades unions can be a good source of support and information. Many, such as the teaching and public-sector unions, have LGBT information on their websites and hold separate conferences for gay members.

There are also networks beyond your employer that you could join. Regionally based LGBT professional networking groups are available, which can be used to make contact with LGBT businesses in your area. On a larger scale, there is the Gay Business Association, which is the LGBT professionals' network for the UK.

**Disclosing your sexual orientation**

Telling your employer or work colleagues about your sexual orientation is a personal decision. There's no right or wrong answer to the question: 'Should I come out to a potential employer? And if so, when's the right time?'

The decision to disclose your sexual orientation depends on many elements, the most important of which is you and what you’re comfortable with, as well as the nature of the work you do.

It can be difficult, however, to hide your sexual orientation and it may not be the best thing to do in terms of your work. Research carried out by Stonewall reports that people who have a supportive workplace climate, with robust, inclusive policies, feel more comfortable to be themselves, which then increases their productivity and performance.

Marketing yourself positively to an employer is always important no matter what your personal situation is. Think about how disclosing your sexual orientation may be done in a constructive way to show you have skills that make you stand out from other applicants.

Showing you can work in a diverse environment and manage preconceptions are excellent skills to have. Coming out involves risk taking, empathy, sensitivity, leadership and probity. These are all qualities that employers welcome.
Disclosing your sexual orientation during the application process

You don't have to disclose your sexual orientation at any point during the application process so don't feel like you need to include it in your CV, covering letter or application form.

If you are disclosing during the application process, ask yourself why and whether it's relevant to the job. For example, you may want to say you were chair of the lesbian, gay, bisexual and transsexual (LGBT) student society to show you have leadership and organisational skills, rather than just to mention your sexual orientation.

Increasingly, companies are asking for you to complete diversity questionnaires on paper and online applications, which often ask for your sexual orientation. However, this information is almost always just for equality and diversity monitoring purposes and shouldn't be seen by the short-listing and interview panels. There should always be the option to 'prefer not to say' and it's up to you whether you disclose on these questionnaires.

Disclosing your sexual orientation at interview

Much the same applies with interviews as with the application process. If you disclose, it should be relevant to the questioning and the skill sets being sought by the question. It's important that you're confident and comfortable with sharing this information as well.

Always remember that an interview is a two-way process, and it's your chance to know more about the organisation. If you decide to let the recruiter know your sexual orientation, you could ask questions about the value of diversity in the organisation, or whether they have a support network for LGBT staff. If they don't, you can ask why.

An outright question such as 'Are you gay?' shouldn't be asked by the interviewer. As with any question of a personal nature, you may wish to ask for clarification as to the relevance of it to the job. If you don't want to disclose, you should say you don't want to answer the question. Don't lie, as being untruthful in an interview could become an issue later if you get the job.

Telling colleagues at work about your sexual orientation

Once in work, what you say, or don't say, about your sexual orientation is again up to you. You might consider your private life as private and separate from work or you might want to tell everyone at once because you have always done so.

Before you do anything, talk it over with someone. Ideally, this will be someone in work who understands the ethos of the organisation and whose judgement you trust. Finally, always remember that you should follow the path that will make you comfortable and allow you to perform well in the workplace.

Your rights around sexual orientation issues

The main law relating to discrimination on the grounds of sexual orientation is the Equality Act 2010. It provides the right not to be disadvantaged nor treated badly at work or in education because of your sexual orientation.

The Equality Act brought together all of the existing regulations that gave protection against any kind of discrimination. There are nine protected characteristics within the Act: age, disability, gender reassignment, marriage
and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

Under the Equality Act 2010, organisations can take positive action if there is evidence that discrimination exists within a protected characteristic if all other factors between candidates are the same. For example, significantly lower recruitment levels of gay people, yet their skills were equal. It also gives employers a duty to promote positive relationships between the protected characteristics.

**What does the Equality Act do?**

The legislation defines the following types of discrimination in the workplace:

- **Direct discrimination**, when you are treated less favourably than others because of your sexual orientation.
- **Indirect discrimination**, when criteria, principles or practices disadvantage you because of your sexual orientation.
- **Harassment** on the grounds of your sexual orientation, ie unwanted behaviour that offends your dignity or creates an intimidating, hostile, humiliating or offensive environment for you because of your sexual orientation.
- **Victimising** you because you've made, or are going to make, a complaint or allegation of discrimination on the grounds of sexual orientation, or you're supporting someone who is.
- **Discrimination on the grounds of sexual orientation** after the working relationship has ended (in certain circumstances).

You can also complain to your employer if a member of their staff has discriminated against you because of your sexual orientation. Employers can be made to be responsible for the actions of their employees who discriminate against others and they're encouraged to train staff about the regulations in the Equality Act to avoid any discrimination.

**What to do if you think you’ve been discriminated against**

If you feel you've been discriminated against, bullied, harassed or victimised because of your sexual orientation while applying for a job, either on the application form, during the selection process or at interview, you can contact Acas (Advisory, Conciliation and Arbitration Service). You should try to get in touch with them as soon as possible as there is usually a time limit on when you can make an employment tribunal claim.

If you have started a job and feel you're being discriminated against, bullied, harassed or victimised at work because of your sexual orientation, you should speak to someone within your organisation. They should take the matter seriously and have measures in place to deal with it.

Consider taking the following actions until you're happy with the outcome:

- Keep a written record of any discrimination or harassment to show your employer.
- Look to see if the organisation has a bullying and harassment or dignity at work policy and understand what it covers.
- Speak to your line manager, another manager or someone in the HR office to tell them what's happened and ask them to take action, referring to the Equality Act 2010.
• If there is one, speak to the company's LGBT staff network, equality network or bullying and harassment adviser for extra support.
• Contact your trade union if you're a member of one.
• Your employer may offer a mediation service, which you may want to try to see if it can resolve the issues.
• If the matter can't be resolved informally, submit a formal grievance to your employer. If you're not happy with the outcome of this then submit an appeal.
• If all of the above fail to resolve the matter you can seek legal advice, with a view to take your employer to an employment tribunal.
• If you believe a crime has been targeted at you because of your sexual orientation you should consider reporting it as a hate crime to the police. Other incidents that aren't criminal offences can also be reported as hate incidents. More information on how to report can be found at True Vision.

**Further information**

**Equality Act 2010**
https://www.gov.uk/equality-act-2010-guidance

**Stonewall: Workplace Discrimination**
http://www.stonewall.org.uk/at_work/workplace_discrimination/

**Starting Out: Lesbian, Gay and Bisexual Careers Guide**
http://www.startingoutguide.org.uk/

**The Workplace Equality Index**
http://www.stonewall.org.uk/at_work/workplace_equality_index_2014/default.asp

**Diversity Careers Show**
http://www.diversitycareersshow.com/

**Gay Business Association**
http://www.gba.org.uk/

**True Vision.**
http://www.report-it.org.uk/home

**Acas: Equality**

**EHRC: Your rights to equality at work**