

56517 Equality Act 2010 Compliance

I am writing to inquire whether you are fully compliant with the provisions of the Equality Act 2010, particularly in light of the recent Supreme Court ruling in *For Women Scotland v. Scottish Government* (UKSC16).

As you will be aware, the Supreme Court has ruled that the legal definition of woman, within the Equality Act, is based on biological sex. The Equality and Human Rights Commission (EHRC) interim guidance confirmed that if facilities are provided for women these facilities are reserved for biological women.

I would be grateful if you could provide the following information:

Communication with Employees: Please provide a copy of any communications to employees regarding the outcome of the Supreme Court judgement.

We are unable to provide the information requested as the cost to the Council of locating, retrieving, and providing the information far exceeds the statutory maximum of £600.

This part of the request is too wide to amount to a request for information that can be reasonably complied with. That said, please find below a communication that was published on the Council's intranet for employees on 17 April 2025 following the decision in *For Women Scotland Ltd v The Scottish Ministers* (the Supreme Court Decision).

A message on inclusivity for all

17/04/2025 Category: [Diversity and inclusion](#)

Yesterday, the UK Supreme Court ruled that the legal definition of 'woman', 'man' and 'sex' in the Equality Act 2010 (EQA 2010) is based on biological sex, being the sex recorded at birth. The Court also made it clear that this decision does not remove protection for trans people, with or without a gender recognition certificate, who continue to have protection from discrimination under the EQA 2010 under the protected characteristic of 'gender re-assignment', which includes protection from harassment.



We're considering the implications of the judgement and await updated guidance from the Equalities and Human Rights Commission. We'll keep colleagues informed.

The case was widely reported in the media and we want to acknowledge that the ruling will have created different feelings amongst colleagues and that our transgender colleagues may feel worried and anxious at this time.

Our organisational culture is founded on Our Behaviours of Respect, Integrity and Flexibility and we're committed to ensuring our workplace is inclusive for all - where you feel trusted, valued and able to raise concerns safely. We do not tolerate discrimination, abuse or harassment of any kind. You can [find out how to report any incidents of unacceptable behaviour](#) on our Speak Up Orb pages.

You can [find lots of support on our Wellbeing Orb pages](#) if you're struggling with any issues relating to this topic. You can [access our Employee Assistance Programme](#), PAM Assist online 24 hours a day, 7 days a week, or call them on 0800 882 4102.

The Council's Legal team have also provided on-going legal advice to employees within relevant Council Services regarding the outcome of the Supreme Court Decision and the appropriate next steps. This is protected in terms of legal professional privilege and shall not be provided.

Communication with Employees: Please provide copies of any communication to employees since 16 April 2025 that confirms that women's spaces and services provided by the Council are for female people and men's spaces and services are for male people.

If this has not been communicated to employees, please state when this will be done.

The legal advice outlined in the response to question 1 includes advice to employees within relevant Services regarding the appropriate next steps for the Council following the Supreme Court Decision. This advice is protected in terms of Legal Professional Privilege and shall not be provided.

Training and Awareness: Please state what training is planned for employees to ensure their understanding of the legal principles outlined in the ruling, especially in relation to the distinction between sex and gender reassignment as outlined in the Equality Act 2010.

If this training is to be provided by an external organisation, please give the name of the organisation.

This information is not yet recorded and we are not obliged to create an answer.

That said, we are able to explain that the Council has a digital learning resource – LGBT+ Awareness which has been removed from our learning platform at present while it is reviewed to ensure that it is compliant with the Supreme Court Decision and the associated EHRC Guidance. The intention is that this training (or training of a similar nature) will be re-uploaded once this review is complete. Various constituent parts of the Council will regularly have individual training, learning sessions and updates for colleagues within any given service. All of the foregoing is part of on-going workplace and culture training delivered within the Council.

Equality Impact Assessments: Provide details of any specific training, either internal or provided by external organisations, to those producing Equality Impact Assessments to ensure EIAs are in line with the Equality Act 2010.

As detailed in A1 above, this question too wide and lacks specification so as to reasonably enable us to ingather and share information requested.

That said, we are able to explain that the Council delivers (and has delivered for many years) in person and virtual internal training sessions to employees across our workforce who undertake Integrated Impact Assessments (IIAs) (which includes Equality Impact Assessments). These sessions have been delivered (for many years) and are delivered as and when required and help to ensure the IIAs that are produced comply with the Council's legal obligations, including those under the Equality Act 2010. Employees attend external training and educational events as part of continuing professional development and knowledge assurance.