

**Freedom of Information Act / Environmental Information Regulations Request**

Reference: ECC18510129 05 25
Response: 29 May 2025

I can confirm that Essex County Council does hold this information, and where we are able to release this, our response is listed below.

**I would be grateful if you could provide the following information.**

**1. Previous or current service delivery: Please provide copies of any policies, guidelines, internal memos or external communications that set out the council’s approach to allowing males who identify as women (either with or without a GRC) to use spaces or services designated as for women. These services can either be commissioned or provided directly by the council.**

ECC issued internal communications to senior leaders in light of the supreme court ruling (see below). Further guidance will be issued following guidance set out be the

Equality and Human Rights Commission.

**2. Policies: Provide a list of all policies and practices that are under review to ensure they align with the supreme court’s clarification of the Equality Act 2010 following the for women Scotland ruling. If no policies are currently under review has there been a decision about when this work will be undertaken?**

ECC’s policies and practices are reviewed periodically, and in light of governmental and/or legislative changes. Regarding the Supreme Court Ruling, we have taken an initial assessment of our policies and wait for the Equality and Human Rights Commission to issue full guidance.

**3. Equality impact assessments: Provide a list and copies of all equality impact assessments that are under review to ensure they are in line with the Equality Act 2010, particularly with regard to policies that affect women and sex-based rights.**

ECC has a formal process of carrying out Comprehensive Equality Impact Assessments (ECIA) related to formal decision making. ECIA’s support formal decision- making documents. Link to formal decision making can be found here:

[Meetings and Events](https://cmis.essex.gov.uk/essexcmis5/CalendarofMeetings.aspx). Other than work described in questions 1 and 2, no ECIAs have explicitly been updated further to the Supreme Court ruling but all are regularly reviewed throughout the lifetime of the project, decision or initiative and this includes ensuring they are in line with the Equality Act2010 at the time of review.

**4. Monitoring and compliance: What measures are in place to ensure that, going forward, women’s rights are not compromised under any of the council’s policies once existing policies have been updated to reflect the ruling of the supreme court?**

ECC has a number of policies that protect against the discrimination of women in the workplace. We also have training available to all staff regarding sexual harassment of women in the workplace. ECC is also an accredited White Ribbon organisation. ECC also has a proactive Women’s Network.

**Internal commissioning sent out to Senior Leaders**

*You will have seen the Supreme Court decision yesterday on the interpretation of the Equality Act 2010 in relation to the legal meaning of ‘sex’ and ‘gender’ and associated words in particular pieces of legislation. There is no urgent action for ECC to take. We need to respond to the decision thoughtfully and calmly in a way which keeps everyone safe. If you are interested to know more you can*[*read the press summary.*](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsupremecourt.uk%2Fuploads%2Fuksc_2024_0042_press_summary_8a42145662.pdf&data=05%7C02%7CFaizal.Hakim%40essex.gov.uk%7C273a9880a16e48371f6b08ddad783cac%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C638857454098621393%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=JnmdS08uQ7GqDXInhRz%2FFiLM0Eaosl6k0sQpPtYH5No%3D&reserved=0)

*The Commission for Equalities and Human Rights has made it clear they will urgently review their guidance by the summer. ECC will then review its own policies.*

*In the meantime:*

* *It’s still important we continue to provide a respectful and safe environment for all employees, regardless of their protected characteristics. That means we need to stop any harassment based on protected characteristics*
* *We do not need to change guidance on use of facilities in the short term – the guidance does not make anything we are doing obviously illegal, though it may increase the litigation risk in some cases – that’s why we need to review things*
* *If your teams receive a question or concern from an employee or service user, we need to encourage them to refer it to their manager. Our People and Organisation Development colleagues will advise on employment related queries and Essex Legal Services will advise on other queries.*

*As a member of our senior leadership team, please ensure you are sharing the above information with your teams.*

**Your Right to Know**

Democracy and Transparency

Essex County Council

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