



My Ref: FOI/4466
Your Ref:
Date: 28/05/2025
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

Your questions and my findings are as follows:-

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.**

At present, the Council does not have a standalone policy or internal memo that explicitly sets out the approach to allowing males who identify as women (with or without a Gender Recognition Certificate) to access women-only spaces or services. However, the Council's current approach is guided by the Equality Act 2010, which includes gender reassignment as a protected characteristic. This means that individuals who are undergoing, have undergone, or intend to undergo gender reassignment are protected from discrimination in accessing services.

We are currently awaiting further statutory guidance from the EHRC before undertaking any formal review or issuing updated internal communications or policies.

- 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?**

At this time, no policies are under active review specifically in response to the Supreme Court's clarification of the Equality Act 2010. We are awaiting further guidance from the EHRC to ensure that any policy revisions are legally robust and consistent with national standards.

The EHRC has confirmed that updated statutory and non-statutory guidance is in development and will provide clarity on the practical implications of the ruling

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.

No Equality Impact Assessments (EIAs) are currently under review specifically in relation to the Supreme Court ruling. As with policy review, this is pending the release of further guidance from the EHRC.

The Council remains committed to the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010. We use a standardised EIA process to assess the impact of policies and decisions on individuals with protected characteristics, including sex and gender reassignment

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?

Currently, no new monitoring or compliance mechanisms have been implemented specifically in response to the Supreme Court ruling. However, the Council recognises the importance of ensuring that women's rights are not compromised under any future policy revisions.

Once the EHRC guidance is received, we will review our monitoring frameworks to ensure they are aligned with the clarified legal definitions and obligations

If you have any queries about this letter, please contact Information Requests via email.

Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

COPYRIGHT STATEMENT

(©) Barnsley Metropolitan Borough Council

This information is a relevant copyright work for the purposes of the Copyright, Designs and Patents Act 1988. It is owned solely by Barnsley Metropolitan Borough Council but you are able to use and re-use it freely without charge, including for commercial purposes, in accordance with the terms of the Open Government Licence found at The National Archives Website <http://www.nationalarchives.gov.uk/doc/open-government-licence>

You can also write to the Information Policy Team, The National Archives, Kew, Richmond, Surrey TW9 4DU

When re- using the information please ensure that you:

Acknowledge the copyright and source of the information by including the following attribution statement: "Contains Barnsley Metropolitan Borough Council information (©) Barnsley Metropolitan Borough Council. Licensed under the Open Government Licence."

Include the same acknowledgement in any sub-licences you grant, and a requirement that any further sub-licences do the same.

Do not use the information in a way that suggests that Barnsley Council endorses you or your use of the information.

The information is licensed "as is". Barnsley Council is not liable for any errors or omissions in the information and shall not be liable for any loss, injury or damage of any kind caused by its use.

PO Box 634, Barnsley, South Yorkshire S70 9GG

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

COPYRIGHT STATEMENT

(©) Barnsley Metropolitan Borough Council

This information is a relevant copyright work for the purposes of the Copyright, Designs and Patents Act 1988. It is owned solely by Barnsley Metropolitan Borough Council but you are able to use and re-use it freely without charge, including for commercial purposes, in accordance with the terms of the Open Government Licence found at The National Archives Website <http://www.nationalarchives.gov.uk/doc/open-government-licence>

You can also write to the Information Policy Team, The National Archives, Kew, Richmond, Surrey TW9 4DU

When re- using the information please ensure that you:

Acknowledge the copyright and source of the information by including the following attribution statement: "Contains Barnsley Metropolitan Borough Council information (©) Barnsley Metropolitan Borough Council. Licensed under the Open Government Licence."

Include the same acknowledgement in any sub-licences you grant, and a requirement that any further sub-licences do the same.

Do not use the information in a way that suggests that Barnsley Council endorses you or your use of the information.

The information is licensed "as is". Barnsley Council is not liable for any errors or omissions in the information and shall not be liable for any loss, injury or damage of any kind caused by its use.

PO Box 634, Barnsley, South Yorkshire S70 9GG