

## Guidance

# Code of practice for services, public functions and associations: consultation 2025

Published: 20 May 2025

Last updated: 20 May 2025

## Table of contents

## Introduction

This is a consultation on our code of practice for services, public functions and associations. We previously consulted on this code of practice between 2 October 2024 and 3 January 2025.

We are opening another consultation on the code to gather feedback on changes we have made following the UK Supreme Court ruling on 16 April 2025 in *For Women Scotland Ltd v The Scottish Ministers (For Women Scotland)*.

The ruling was that the definition of sex in the Equality Act 2010 (the Act) should be interpreted as 'biological' sex only. This means that, for the purposes of that Act, a person's legal sex is the one that was recorded at their birth. This is a change to the previous interpretation adopted by the courts, which was that the definition of sex also includes people who have obtained a Gender Recognition Certificate (GRC). According to the new ruling, obtaining a GRC does not change your legal sex for Equality Act purposes.

Our code of practice includes practical guidance for service providers, associations and those delivering public functions on how they should comply with the Act. It was drafted before the ruling and some of the information in it

has therefore changed. We are consulting to gather feedback on these changes.

We acknowledge the importance of these changes to people with the protected characteristics of sex, sexual orientation and gender reassignment. Our role is to ensure everybody's rights are protected in line with the law, so that no one experiences discrimination or harassment as a result of their protected characteristic when using services. We are committed to developing guidance that provides legal clarity and practical support for organisations following the Supreme Court judgment.

## What we are consulting on

We are consulting on the changes we have made following the UK Supreme Court ruling in *For Women Scotland*.

On the following pages, you can read the parts of the code that we are consulting on that are new or have changed. These include changes to definitions and explanations, and new examples:

- [Code of practice consultation 2025: changes that apply across the code](#)
- [Code of practice consultation 2025: changes to chapter 2](#)
- [Code of practice consultation 2025: changes to chapter 4](#)
- [Code of practice consultation 2025: changes to chapter 5](#)
- [Code of practice consultation 2025: changes to chapter 8](#)
- [Code of practice consultation 2025: changes to chapter 12](#)
- [Code of practice consultation 2025: changes to chapter 13](#)

Any feedback provided on parts of the code that are not on these pages will not be considered an official response, but we will consider all comments in our future work.

You will be able to reference specific sections when you complete the survey.

## Take part in the consultation

We are opening this consultation to gather feedback on the changes we have made following the UK Supreme Court ruling in *For Women Scotland*. We are only consulting on parts of the code that are affected by the ruling.

Some parts of the code have not changed as a result of the UK Supreme Court's decision and are therefore not being consulted on. Any information

provided regarding parts of the code that are not being consulted on will not be considered as an official consultation response.

[Fill in the survey](#) to provide feedback for this consultation.

If you are unable to complete this survey, you can request a reasonable adjustment by:

- emailing [correspondence@equalityhumanrights.com](mailto:correspondence@equalityhumanrights.com)
- phoning 0161 829 8100

This consultation opened on 20 May 2025 and will close at 11:59pm on 30 June 2025.

## Page updates

Published:

**20 May 2025**

Last updated:

**20 May 2025**

→ [Next page](#)

Code of practice consultation 2025: changes that apply across the code

## Share this



LinkedIn



X



Facebook



Email

[Back to the top](#)

