

## Gender Segregation

In July 2014 the Equality and Human Rights Commission produced [guidance for universities and students' unions on gender segregation](#) in order to comply with the various requirements of the Equality Act 2010 and the Human Rights Act 1998. This guidance covers the legal obligations under equality law that universities and students' unions have in relation to gender segregation at events and meetings.

### Legal position

- Gender segregation is not permitted in any academic meetings or at events, lectures or meetings provided for students, or at events attended by members of the public or employees of the university or the students' union.
- Gender segregation is permissible during collective religious worship because it is not subject to equality law.
- Exceptions within equality law also permit religious organisations to provide services to benefit persons of one sex, or separate services for persons of each sex, in some circumstances.
- There are other express exceptions under equality law confined to communal accommodation, toilets and changing facilities, sports and welfare provision together with the potential for positive action measures, but there is no further exception that would permit segregated seating in any other circumstances.
- The legality of any decisions about segregation will ultimately be for the tribunals and courts to determine in each individual case.

### Voluntary segregation

Genuinely voluntary gender segregation does not cause disadvantage and is therefore permissible. To be voluntary, all attendees would need to be at liberty to freely choose where they wished to sit without any direction, whether explicit or merely an implicit expectation.

### Considerations

- What measures are in place or need to be put in place to ensure events held uphold the legal expectations outlined in the guidance?
  - What processes does your union have in place for reviewing external speakers and any breach in protocol with regards to this?
  - Does your events booking system ask for seating arrangement information?
  - What advice and information is or should be given to student societies to ensure their activities are lawful?
  - What action will your union take if unlawful activity does take place?
  - Are you in contact with your institution's Students Services Manager and Equality and Diversity Manager (or equivalents) should the need to discuss these issues arise?
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