

# People & Health Overview Committee – 6 February 2024

## Responses to Public Questions

### 1. Question from Jenny Murray

With reference to new guidance issued by the Government dated 18th December 2023 regarding how public authorities should be complying with their duties under the Equality Act 2010

<https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities>

and the accompanying letter from the RT Hon Kemi Badenoch MP, Minister for Women and Equalities, Secretary of State for Business and Trade and President of the Board of Trade,

<https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/letter-to-public-authority-leaders-from-the-minister-for-women-and-equalities>

it clearly states:- *“They (Authorities) should not use concepts such as gender or gender identity, which are not encoded in the act and can be understood in different ways.”* This is again repeated under “Myth 8”.

So why has Dorset Council’s EDI strategy document included ‘Gender identity’ as a protected characteristic and also made the undemocratic and startling announcement that all Dorset residents have a “gender identity” (see point 5.1) when they do not.

‘Gender Identity’ is a disputed, nebulous notion and has no definition in law. (The ONS wording included is also meaningless as there is no accompanying definition of “gender” in the document). Dorset Council must be aware of the risks it places on itself by going above the law at the request of Stonewall and/or other lobby groups – this is very well documented now - indeed the ONS is one of those very examples and has now withdrawn from Stonewall's WEI scheme.

### **Response from the Portfolio Holder for Corporate Development and Transformation**

Thank you for your question about the council's draft Equality, Diversity and Inclusion (EDI) strategy. The item on the draft EDI strategy and action plan was deferred and will be presented for discussion at a future committee meeting later on in the year.

The reason for this deferral is that officers have recommended waiting for the Department for Education's current consultation on "Gender questioning children: draft schools and colleges guidance" to be completed and their report published, so we can consider the finalised guidance and align Dorset Council's position appropriately, including revision of the draft EDI strategy if required.