

Single-sex services

Model policy

This model policy is specifically tailored for women’s charities in England and Wales, but can be adapted for use by other organisations covered by the Equality Act 2010.

The sections marked in grey should be replaced with your own text or selected as options, depending on your organisation’s circumstances.

**December 2021**

See also:

Single-sex services  
Providing a women-only service

Single-sex services  
Doing an equality impact assessment

# 1 Purpose and scope

* 1. [Organisation] aims to [Insert aims, for example provide a decent standard of accommodation, advice and support to women and children fleeing domestic violence and abuse, so that they can feel safe, recover and be resettled].

Option A: All our services are female only (for women and their children/ including male children up to 12)

Option B: Although our core [specify] service is female only, we also provide a limited service to male as well as female clients [for example helpline, offsite 1-to-1 counselling, dispersed units etc – specify]

* 1. This policy sets out our approach to providing a single-sex service. Its aim is to provide clear expectations for all. It will be displayed on our website and shared with funders and partner agencies as well as clients.

# 2 Terminology

* 1. This policy uses the following definitions:

A **woman** is an adult human female.

**Sex** means being male or female. It relates to biology: the roles played by male and female bodies in sexual reproduction. It is recorded at birth. Sex is a protected characteristic in the Equality Act (section 10).

The words woman and female are used interchangeably.

**Trans or transgender** is an umbrella term for people who do not identify with their sex, and may seek to live with a ‘gender identity’ that does not reflect their sex. It may (but does not necessarily) involve medical procedures to change the appearance of their body.

Gender reassignment is a protected characteristic in the Equality Act 2010 (section 7) referring to “people who are proposing to undergo, are undergoing or have undergone gender reassignment”. Having this protected characteristic does not change a person’s legal or biological sex.

# 3 Principles

* 1. General recommendation 19 of *The Convention on the Elimination of All Forms of Violence Against Women* (CEDAW) highlights that violence against women

“is a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.”

* 1. We seek to counter this discrimination by providing a women-only (female-only) service.
  2. Research and survey evidence [as well as local feedback from our clients] show that there is a preference and need for female-only services for women recovering from domestic violence (see Annex for research overview).
  3. Our service is trauma informed. We seek to provide an environment that offers safety, empowerment and healing, and does not exacerbate trauma. The rules that secure a female-only environment are therefore non-negotiable.
  4. We operate within the Equality Act 2010, the Charities Act and the Data Protection Act, as well as other relevant legislation.
  5. We respect everybody’s human rights and will seek to treat everybody with respect and dignity.
  6. We will not tolerate any harassment of any person.

# 4 Single-sex services and the Equality Act 2010

We provide single-sex services based the exceptions provided in the Equality Act 2010, specifically:

* 1. **[If your charitable objects state women]** [Part 14 Section 193 of the Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/section/193) The Charity Exception. Our charitable objects limit our beneficiaries to women (and their children). This is justified by tackling the disadvantage that women face from domestic abuse.

[quote from charitable objects]

* 1. [Schedule 3 Part 7 Paragraph 26 of the Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/schedule/3)provision of services to women who have been subjected to sexual and domestic violence by women is a proportionate means of achieving a legitimate aim. Specifically, our service qualifies under:

**(4)** The condition is that —

a joint service for persons of both sexes would be less effective, and

the extent to which the service is required by persons of each sex makes it not reasonably practicable to provide separate services.

and also:

**(6)** The condition is that —

the service is provided for, or is likely to be used by, two or more persons at the same time, and

the circumstances are such that a person of one sex might reasonably object to the presence of a person of the opposite sex.

* 1. **Paragraph 28, Part 7, Schedule 3 of the Equality Act** provides that there is no discrimination relating to gender reassignment discrimination, because of anything done in relation provision of a single-sex service, if the conduct in question is a proportionate means of achieving a legitimate aim.
  2. **Schedule 9 of the Equality Act** provides for direct discrimination in employment where there is a genuine occupational requirement for a particular protected characteristic, including sex.

# 5 Our single-sex policy

* 1. We provide a female-only service. This is non-negotiable and does not require case-by-case assessment. We ask that referring agencies make this clear and do not signpost males (including those who identify as women) to us [Where provided other than to the specific services which are open to both sexes].
  2. Males, including those who identify as transgender, will not be accommodated in our refuges. [Where mixed services are also provided, for example community one-to-one services, dispersed units are open to anyone: female, male and those who identify as transgender and non-binary.]
  3. Females who identify as transgender (and who may have changed their appearance through taking testosterone) will need to be individually assessed and may not be able to be accommodated.
  4. Male children up to the age of [12] can be accommodated with their mothers.
  5. Clients are required to sign a licence agreement. The licence agreement is a legal document that outlines rights and responsibilities. We reserve the right to withdraw the service if a client breaks the terms of this agreement, including misleading or obfuscating in declaring their sex.
  6. We will not share information about clients or their children with anyone outside [the organisation] without permission. The only exception to this is if there are major concerns about safety or risk to children. We will respect the reasonable privacy of transgender people who come into contact with [the organisation], including those with a Gender Recognition Certificate, but note that, since we are a single-sex service, disclosure of a person’s sex is a necessary expectation of interacting with our service as a client, staff member or volunteer.

# 6 Recruitment and selection

* 1. **Option A:** Since we provide a women-only service in a single-sex environment, all of our posts for staff, trustees, volunteers and contractors are open only to women.

**Option B:** Most of our posts are women-only, but the following positions are also open to men: [list positions]

* 1. Male applicants, including those who identify as transgender women, will not be considered for our female-only posts, which are advertised as being restricted to women only. They are asked to respect this and not to apply.
  2. Starting work for us on the basis of a false declaration on the job application form (about sex or anything else) is an act of dishonesty which can be expected to give rise to disciplinary proceedings and probable dismissal.
  3. An existing female member of staff may choose to transition to present as a man. They will be supported in terms of time off and protection against harassment as stated in the Equality Act. As a female-only employer, and in accordance with the Equality Act, we retain the right to consider organisational procedures that may result in dismissing an employee who decides to undergo gender reassignment.

# 7 Roles and responsibilities

* 1. The Board of Trustees is responsible for setting this policy and for reviewing it at intervals of no more than three years.
  2. The Chief Executive is responsible for the implementation of this policy.
  3. The Senior Management Team is responsible for ensuring that employees are inducted into the policy, and that complaints within the services for which they are responsible are dealt with according to this policy.
  4. Line managers are responsible for ensuring that their teams take full account of this policy.
  5. All members of staff, volunteers and members of the Board of Trustees are responsible for ensuring that their conduct and work upholds this policy.

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# ANNEX

# Research supporting the need for female-only services

**Research on the provision of services for women who have been subjected to sexual and domestic violence finds that women’s needs are best met by female-only organisations and in female-only spaces.**

Research by the Equality and Human Rights Commission (2012) showed that 95% of women using women’s services preferred to receive them from a female only-organisation.

A study by the University of Suffolk (2015) showed that survivors of childhood sexual abuse rated the services provided by women-run organisations highest.

Research by the Women’s National Commission on women-only services (2010)found that:

* 99% of the respondents believe that it is important for female survivors to have the choice to access a women-only support service.
* 79% of women said that there is still a need for independent women’s organisations even if mixed organisations and statutory bodies also provide single-sex services.
* Women respondents said they wanted women-only services for the following reasons: “safety, empathy, trust, comfort, support, less intimidating, focus on women’s needs, shared identity, expertise, confidence, access, rapport, long-term care”.

A report by the Women’s Resource Centre (2007) on the value and benefit of “by women, for women services” found that women who have experienced domestic violence want women-only services. It identifies safety, both physical and emotional, as a key benefit. The report found that as a result of using women-led services, women feel supported and comfortable. They develop confidence, greater independence and higher self-esteem. They are less marginalised and isolated and feel more able to express themselves.

Research by the Women’s Resource Centre (2019) with women’s services found that most wanted to retain a clear women’s only space with the ability to exclude transwomen in order to meet the legitimate aim of providing a female-only service, but many felt uncertain about how they could apply the law.

Shonagh Dillon’s research (PhD Thesis, 2021 – publication forthcoming) involved interviews with women working in the sector with different views on gender self-ID and transgender inclusion. It illuminated that blanket acceptance of transwomen in female-only spaces was largely rejected by both sides of the debate, and the retention of these spaces alongside specialist services for transgender victims were offered up as a solution. The research evidences the topic being shrouded in silence and fear, particularly for women who work within the MVAW sector.

[Any local research or feedback that you may have can be included here – but note that there is nothing unreasonable about relying on evidence already in the public domain. Your own organisation may not have the skills or the capacity to conduct robust user research.]

Hirst,A. and Rinne, S. (2012) *The Impact of Changes in Commissioning of Women-only Services. Equality and Human Rights Commission*. <https://www.equalityhumanrights.com/en/publication-download/research-report-86-impact-changes-commissioning-and-funding-women-only-services>

Smith, N. et al (2015) *Hear Me, Believe Me, Respect Me*. University campus Suffolk. <https://www.basw.co.uk/resources/hear-me-believe-me-respect-me>

Women’s National Commission (2010) Women-only Services. http://wnc.equalities.gov.uk/publications/doc\_download/451-findings-from-the-wnc-survey-on women-only-services.html

Women’s Resource Centre (2007) Why Women?   
<https://www.wrc.org.uk/why-women-only-the-value-and-benefits-of-by-women-for-women-services-2007>

Women’s Resource Centre (2019) Are the Equality Act 2010 and CEDAW working for the women’s voluntary & community sector in England? <https://www.wrc.org.uk/Handlers/Download.ashx?IDMF=d059f31c-78e5-45df-9e3e-7a59f869b19a>

# More resources

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| Sex Matters has also produced these related documents:   |  |  | | --- | --- | | Single-sex services:  **Doing an equality impact assessment** | Single-sex services:  **Providing a women-only service** | | Diagram  Description automatically generated with medium confidence | Graphical user interface, text, application  Description automatically generated |   You’ll find these plus updates and other resources in the [Single sex services section](https://sex-matters.org/where-sex-matters/single-sex-services/) of our website. |

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Company number: 12974690  
Registered office: 63/66 Hatton Garden, Fifth Floor Suite 23, London, EC1N 8LE