



Lizzy Pitt v Cambridgeshire County Council

Public-sector social-work employer had no reasonable defence

Jurisdiction: Employment Tribunal 2024

Sectors: Public

Causes of action: Belief discrimination, Harassment, Sexual orientation discrimination

Legal representation: Liz McGlone at Didlaw (solicitor), Naomi Cunningham (counsel)

Decisions: [Ms E Pitt v Cambridgeshire County Council: 3311160/2023](#)

Summary of events

Lizzy Pitt is a social worker and was employed by Cambridgeshire County Council (CCC). Pitt is a lesbian and holds the "gender-critical" belief that sex is real, binary and immutable, and that it matters. During the workplace online meeting of an LGBTQIA+ peer support group in January 2023, Pitt and another lesbian colleague expressed gender-critical views.

The meeting had begun with an attendee explaining that he identified his dog as gender-fluid. One of Pitt's colleagues pointed out that the dog was in fact male. When Pitt joined the meeting, she declined to give her pronouns, and there was discussion about sex and gender in which Pitt and her colleague maintained that there were only two sexes and that it should be possible to run lesbian-only groups and social events.

Five staff members filed a formal complaint with CCC's human-resources department accusing Pitt of "symbolic violence" and inducing significant distress, including sleepless nights and anxiety. One attendee said he found it "quite inappropriate" that she and her colleague had commented on "transwomen participating in women's sports and sharing women's spaces".

In response, CCC launched an internal investigation into Pitt's conduct which went on for five months. The investigation concluded that her remarks were "non-inclusive" and had caused offence and "a detrimental impact on the mental health and well-being" of the complainants. As a result she was subject to disciplinary action, including a formal management instruction, and ordered not to attend the LGBTQIA+ network. She was instructed that she must ensure that "her personal views and beliefs did not manifest themselves in comments or actions in the workplace that might discriminate against others on grounds of a protected characteristic".

Pitt brought claims against CCC for discrimination and harassment related to her sexual orientation and her gender-critical beliefs. CCC defended the claim by saying that the issue was not her beliefs but the manner in which she had expressed them, which it called "aggressive and confrontational".

Outcome

On the morning of the scheduled hearing to decide the claim, CCC conceded that its behaviour had amounted to harassment of Pitt on the basis of belief and sexual orientation, and agreed to pay the compensation she claimed in full and to organise training on freedom of speech in the workplace.

The only matter remaining for the tribunal to decide was Pitt's application for her costs, which she claimed because she said that, given the contemporaneous documents of the complaint and investigation, the respondent "had no reasonable prospect of defending the claim, insofar as it was based on manifestation of the claimant's gender critical beliefs". The tribunal agreed, and awarded costs.

Remedy

The parties agreed to the terms of remedy and CCC was ordered to pay £54,000, including £22,000 for injury to feelings.

The tribunal ordered CCC to:

- review its inclusion policies and disciplinary procedures to ensure compliance with the legal protections of gender-critical beliefs
- update its e-learning modules with new content on freedom of belief and expression, authored by barrister Anya Palmer.

The tribunal also awarded the claimant costs of £8,000 on the basis that the respondent's defence to the belief discrimination and harassment claim had no reasonable prospect of success.