Gender segregation – guidance for universities and students’ unions

Key points from the guidance issued by the Equality and Human Rights Commission, (EHRC), July 2014

1. Segregation by gender is not permitted in universities normal academic, teaching and research activities.
2. Segregation by gender is not permitted in any academic meetings or at events, lectures, meetings provided for students, or at events attended by the public or staff of the University or the Students Union. This includes events on premises or otherwise. External speakers cannot insist on any segregation by gender.
3. Segregation by gender is permitted during collective worship as that is not subject to equality law.
4. University meetings: segregated seating should not be arranged, as any seating arrangements amounts to direct discrimination if it results in any actual or potential disadvantage to any participant because of gender. This includes events where there may be suggestions for provision of a non-segregated part within an overall segregated arrangement as well. This is not permissible either. Furthermore, the events organiser or the external speaker must not place any pressure on any woman to sit separately from men (or vice versa), as this would be unlawful harassment.
5. Voluntary segregation: genuinely voluntary segregation does not cause disadvantage and is therefore permissible. Universities and students unions are fully responsible for demonstrating that such segregation was wholly and demonstrably voluntary though. To be entirely voluntary there must be no direction of any kind, explicit or implicit, from the organisers. Attendees must have the freedom to choose where to sit, except where space has been designated for other legitimate reasons, for example, for speakers or people with disabilities, children etc.

Exceptions “there are only very limited (and tight) exceptions, for example: communal accommodation in residential accommodation; sports sessions involving a high degree of physical contact; and positive action measures to overcome a disadvantage or to tackle low participation. Religious worship is also exempt.

Overall, universities and students unions are advised to protect themselves from liability of any discrimination by prohibiting gender segregation at all meetings and events which go beyond acts of religious worship or practice. They must not facilitate discrimination by others at the request of an external speaker or an individual attending or wishing to attend an event.

Steps to take: Universities (i.e. all staff) must ensure that no enforced segregation by gender takes place at any event, unless it’s specifically for religious worship. For guest lectures that follow worship, segregation must be eliminated.

Any complaints received on segregation must not be ignored.

Further advice and guidance is available from the Equality Policy Unit: equality@leeds.ac.uk.

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June 2018