

Zoë Garbett
Mayor of Hackney
Cllr Sally Zlotowitz
**Cabinet Member for Healthy
Communities and Adult Social Care**
Hackney Town Hall
Mare Street
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6 July 2026

Dear Secretary of State

Equality and Human Rights Commission (EHRC) Code of Practice

We are writing to ask you to reject the updated EHRC Code of Practice for Services, Public Functions and Associations, laid before Parliament on 21 May 2026.

We are deeply concerned about the implications of the revised Code for transgender and gender-diverse residents and staff, and about the significant practical challenges it creates for local authorities, public services, and employers seeking to meet their legal obligations while maintaining safe, inclusive environments. This guidance functions to consolidate a system of public segregation that is unjust, unworkable and untenable.

The updated Code risks undermining the safety, wellbeing, and dignity of transgender people in Hackney and across the country. The government's own Equality Impact Assessment acknowledges that forcing trans people into spaces designated their gender assigned at birth puts them at real physical risk. Requiring trans residents or staff to use facilities corresponding to their sex assigned at birth, or directing them to separate "third spaces", amounts in practice to a form of segregation. This will mean transgender people will need to publicly 'out' themselves in public settings, which will lead to increased distress, stigma, harassment, and discrimination.

We are also concerned that the guidance does not adequately reflect the operational realities facing public services. In healthcare, social care, education, and local government settings, the assumption that organisations can readily provide self-contained alternative facilities or dedicated "third spaces" is unrealistic, particularly at a time when public infrastructure and budgets are under significant pressure.

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Furthermore, by requiring staff and service providers to undertake complex assessments regarding access to single-sex facilities, the Code places frontline workers in an extremely difficult position. It risks creating situations in which staff are expected to make judgements based on appearance, perceived biological characteristics, or assumptions about an individual's sex. We are concerned that this would be both unworkable and incompatible with the Equality Act 2010, while placing staff at risk of conflict and legal challenge. That is not to mention the outrageous implications on the basis of principles and human dignity.

The Code also creates significant legal uncertainty for local authorities, voluntary and community sector organisations, and independent service providers and venues. Rather than providing clarity, it risks exposing organisations to competing legal claims from multiple directions, generating substantial compliance burdens and unmanageable litigation risks.

Should the Code be approved in its current form, the clearest way we could uphold our various responsibilities would be to convert all public body and service provider facilities to have universal gender neutral facilities, such as single lockable rooms. The government should be telling us how it expects us to fund and deliver such a vast series of architectural changes.

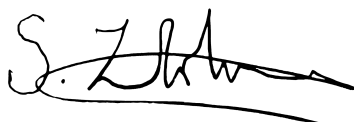
We urge the Government to listen carefully to the growing concerns being raised by local authorities, service providers, equality organisations, and affected communities. As currently drafted, we fear the guidance will lead to the segregation of transgender people from everyday public life, prove difficult and harmful to implement in practice, increase confusion and legal uncertainty.

Hackney is a borough built on diversity, resistance and community. This Code of Practice is in direct contradiction with those values. We demand an urgent response setting out how the Government intends to support inclusive organisations, mitigate the operational and legal risks arising from the Code, and ensure that trans people will be protected in principle and practice.

Yours sincerely



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Mayor of Hackney



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