

Lord Bethell, the Department of Health and Social Care, has provided the following answer to your written parliamentary question (HL3144):

Question:

To ask Her Majesty's Government whether hospitals are required to provide single-sex services to patients. (HL3144)

Tabled on: 21 April 2020

This question was grouped with the following question(s) for answer:

1. To ask Her Majesty's Government whether they intend to review their Delivering same-sex Accommodation guidance, published in September 2019, particularly Annex B: Delivering same-sex accommodation for trans people and gender variant children; and if so, when. (HL3139)
Tabled on: 21 April 2020
2. To ask Her Majesty's Government what plans they have, if any, to withdraw the Delivering same-sex Accommodation guidance, published in September 2019. (HL3140)
Tabled on: 21 April 2020
3. To ask Her Majesty's Government whether the Delivering same-sex Accommodation guidance, published in September 2019, provides for someone who is undergoing a personal process of changing gender but who (1) is not planning to undergo, (2) is not currently undergoing, or (3) has not undergone, gender reassignment by changing physiological or other attributes of sex; and if so, why. (HL3141)
Tabled on: 21 April 2020
4. To ask Her Majesty's Government what assessment they have made of the impact of allowing patients to self-identify their gender on (1) the treatment of such patients, and (2) other patients accommodated in the same wards. (HL3142)
Tabled on: 21 April 2020

Answer:

Lord Bethell:

In September 2019, NHS England and NHS Improvement published a revised version of the guidance on *Delivering Same-Sex Accommodation*. The team are reviewing feedback received and considering further revisions.

The guidance is clear that providers of National Health Service-funded care are expected to have a zero-tolerance approach to mixed-sex accommodation, except where it is in the overall best interest of all patients affected. There are some clinical circumstances where mixed sex accommodation can be justified. These are few, and mainly confined to patients who need highly specialised care, such as that delivered in critical care units.

There are currently no plans to withdraw the guidance. The guidance is relevant to all patients including patients who have the protected characteristic of gender reassignment as set out in the Equality Act 2010. That is, a person who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the

purpose of reassigning sex. The review will include consideration of whether the language used within the guidance needs to be clearer.

NHS trusts have not been asked to provide the information required to make an assessment of the impact of allowing patients to self-identify their gender and there are no plans to ask them to do so. NHS trusts will be required to provide single sex services to patients, unless it is appropriate to do otherwise based on the patient's clinical condition.

Date and time of answer: 18 May 2020 at 15:50.