

03/12/2025

NN-ICB/25-1394

Dear Requestor

Re: Freedom of Information Request

Thank you for your request for information, received on 10 November 2025, regarding gender code of practice. Your request has been processed under the Freedom of Information Act 2000 (FOIA).

Under the FOIA, public authorities are required to respond within 20 working days. Following a search of our records, I can confirm that Nottingham and Nottinghamshire Integrated Care Board (ICB) does not hold the information requested.

Context to support our response

As an Integrated Care Board (ICB), NHS Nottingham and Nottinghamshire ICB does not provide clinical services, operate healthcare facilities, or employ staff working within hospitals, community services or other care settings. The ICB is, therefore, not responsible for the day-to-day operation of patient-facing services, nor for the management of:

- single-sex accommodation;
- ward or departmental environments;
- policies concerning dignity, privacy or confidentiality of patients, visitors, carers or provider-employed staff.

The information requested relates to operational practices within NHS provider organisations, which fall outside the scope of information held by the ICB.

Provider organisations within our area include:

- Nottingham University Hospitals NHS Trust (<https://www.nuh.nhs.uk/freedom-of-information>)
- Nottinghamshire Healthcare NHS Foundation Trust (<https://www.nottinghamshirehealthcare.nhs.uk/c-freedom-of-information>)
- Sherwood Forest Hospitals NHS Foundation Trust ([Freedom of Information | Sherwood Forest Hospitals](#))
- Primary care providers.

These organisations may hold the information you have requested. You may wish to contact individual providers to request this and how to submit a Freedom of Information request to each provider can be found on their website links above.

Please find below our response to your specific questions:

Question 1. What arrangements have you in place under the control of the Integrated Care Board (ICB), within the Healthcare and other Services Provided by the ICB and Built Estate (i.e. NHS Services in all the hospitals and care facilities) to maintain the; dignity, confidentiality and privacy of:

Transsexual People who have a Gender Recognition Certificate (GRC) - see notes below with respect to: patients, staff, patient carers and visitors?

Those that are Protected under section 7 (gender reassignment - termed here for ease as GR or 'transgender') of the Equality Act 2010 (EA) - see notes below with respect to: patients, staff, patient carers and visitors?

The ICB does not hold information on the operational arrangements used by commissioned providers to maintain dignity, confidentiality and privacy for patients, staff, carers or visitors. These matters relate to provider policies and operational procedures used within hospitals and clinical services, which are the responsibility of each provider organisation.

Question 2. If areas or facilities are designated as 'Single Sex',

- a) How do you establish that 'Sex' – for Staff (Managers, Doctors, Nurses, Auxiliaries, Porters, Cleaners, etc), Patients, Carers or Visitors?
- b) Is any ban of the opposite sex a 'blanket' ban with exclusions applying to some people (i.e. Transsexuals), all people of the opposite 'sex' (patients, carers, staff and or visitors) or is it only applicable to Transsexual people? To whom does it apply?
- c) If so, how do you justify this on a 'proportionate means to achieve a legitimate aim' basis, both on an individual basis and as a whole?

The ICB does not designate or operate single-sex facilities, nor do we set local operational rules for staff, patients, carers or visitors within hospitals or care settings. We, therefore, do not hold policies or procedures on:

- how 'sex' is established for operational purposes;
- the application of exclusions or 'blanket bans';
- the justification of such arrangements;

These matters sit with NHS provider organisations that manage clinical environments.

Question 3. Any 'Equality and Health Inequalities Impact Assessment' (EHIA) associated with any policies affecting transsexual people implemented or proposed since the SC Judgement in April 2025.

The ICB does not hold any Equality and Health Inequalities Impact Assessments relating specifically to policies affecting transsexual people following the April 2025 Supreme Court judgment. The ICB has not introduced or amended any ICB policies in this area that would have generated such an assessment. Any assessments undertaken by provider organisations would be held by those organisations rather than the ICB.

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) has an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Director of Corporate Affairs via lucy.branson@nhs.net or by writing to FOI Team at NHS Nottingham and Nottinghamshire ICB, Sir John Robinson House, Sir John Robinson Way, Arnold, Daybrook, Nottingham NG5 6DA.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office (ICO), who will consider whether the organisation has complied with its obligations under the Act and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire ICB. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>.

Complaints to the Information Commissioner's Office should be sent to:

FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone 0303 123 1113 or report a concern via <https://ico.org.uk/concerns/>.

Yours sincerely

Freedom of Information (FOI) Officer on behalf of NHS Nottingham and Nottinghamshire Integrated Care Board

nnicb-nn.foi@nhs.net

All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of NHS Nottingham and Nottinghamshire Integrated Care Board. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via nnicb-nn.foi@nhs.net. All requests for re-use will be responded to within 20 working days of receipt.