# Scottish government supports single-sex spaces amid contentious tribunal



The Scottish government has reiterated its support for the provision of single-sex spaces in light of a contentious employment tribunal involving a nurse and a transgender doctor. The case, which has drawn significant attention, concerns Sandie Peggie, a nurse at NHS Fife with over three decades of service. Peggie claims she experienced unlawful harassment under the Equality Act when she was required to share a changing area with Dr Beth Upton, a transgender woman.

The dispute arose following an incident in December 2023 at Victoria Hospital in Kirkcaldy, where Peggie reported feeling "embarrassed and intimidated" when Upton began changing next to her. In response, Upton lodged a complaint stating that Peggie's behaviour amounted to bullying. NHS Fife has since characterized Peggie's claims as "unnecessary and vexatious." Upton also alleged that Peggie had abandoned a seriously ill patient due to her presence in the changing cubicle, a claim Peggie refutes. The tribunal has been adjourned until July.

In the wake of the allegations, the Equality and Human Rights Commission (EHRC) reached out to both the Scottish health secretary and Fife health board, urging adherence to obligations outlined in the 2010 Equality Act. This included the necessity of conducting equality impact assessments regarding policies governing changing room access. In a discussion at Holyrood on Tuesday, Shirley-Anne Somerville, the social justice secretary, stated that the Scottish government is assessing the EHRC's correspondence. Speaking to The Guardian, she affirmed, "This government stands firmly behind the separate and single-sex exemptions provided in the 2010 act."

The Scottish Conservative shadow equalities minister, Tess White, pressed for more transparency on how public bodies are managing single-sex spaces, questioning the legality of actions taken by NHS Fife in this regard. White alluded to previous warnings about the potential implications of policies introduced during Nicola Sturgeon’s administration regarding gender identity.

The matter has prompted a wider discussion within Scottish politics, with Anas Sarwar, the leader of the Scottish Labour party, expressing regret over his party's support for stalled gender recognition reforms. Sarwar has called for clearer guidelines concerning single-sex provisions in Scotland, while First Minister John Swinney maintains that existing guidelines are adequately clear.

The Peggie tribunal is significant, particularly as legal precedents in UK case law addressing workplace changing room policies remain limited. In a related case, a group of nurses in England has initiated legal action against County Durham and Darlington NHS Foundation Trust, alleging sexual harassment and sex discrimination due to a policy permitting trans women access to women’s changing rooms. As this case, along with the ongoing tribunal in Scotland, unfolds, legal experts and advocacy groups are carefully monitoring the implications for workplace rights and trans inclusion.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://www.theyworkforyou.com/sp/?id=2025-02-20.2.1> - This URL supports the discussion in the Scottish Parliament regarding single-sex spaces and the ongoing employment tribunal involving a nurse. It highlights the political debate surrounding gender identity policies and their impact on public services.
* <https://www.equalityhumanrights.com/media-centre/news/equality-regulator-engages-scottish-government-and-nhs-fife-regarding-staff> - This URL corroborates the involvement of the Equality and Human Rights Commission (EHRC) in urging adherence to the Equality Act 2010 regarding single-sex facilities in NHS settings.
* <https://www.mumsnet.com/talk/womens_rights/5282365-shirley-anne-somerville-firmly-behind-single-sex-spaces-scottish-parliament> - This URL supports the statement by Shirley-Anne Somerville affirming the Scottish government's commitment to single-sex spaces as outlined in the Equality Act 2010.
* <https://www.legislation.gov.uk/ukpga/2010/15/contents> - This URL provides access to the Equality Act 2010, which is central to the legal framework governing single-sex spaces and is referenced throughout the article.
* <https://www.theguardian.com/uk-news/2025/feb/25/scottish-government-reiterates-support-for-single-sex-spaces> - This URL would likely support the article's claims about the Scottish government's stance on single-sex spaces and the ongoing tribunal, though it is not directly available in the search results.