

Because equality matters

EQUALITY BULLETIN - AUTUMN 2025

Welcome to our Autumn Equality News. We are starting to feel the impact of the Supreme Court's judgment in *For Women Scotland v The Scottish Ministers*. At a time when employers and service providers are looking for guidance on how to manage the practical implications of the finding that "woman" in the Equality Act 2010 refers only to biological women, we provide an update on the Equality and Human Rights Commission's advice.

We also look at the proposed restrictions on the use of non-disclosure agreements recently added to the Employment Bill and how they might impact on employers. This year's gender pay gap reporting figures show an improvement so we take a look at what drives the gap and what can be done to continue that improvement. We also look at two interesting cases, the first highlights why it is important for employers to identify when a complaint may be a "protected act" for victimisation purposes. The second records the first time a service provider has been found to have discriminated on the grounds of gender critical beliefs.

You can also scroll down to find out more details on recent podcasts and equality and diversity training we can offer your organisation.

MEET OUR EQUALITY LAW PARTNERS



Sarah Gilzean
Partner

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ESSENTIAL EMPLOYMENT LAW WEBINARS

Our essential employment law webinars return in September after a summer break. You can register for any of the webinars by following the links from our [Upcoming Events](#) page. Our first equality related webinar takes place on 2 October and focuses on performance management and sickness absence. It runs in our hugely popular employment law question time format and can be registered from the link below

[Employment Law FAQs: Performance and Sickness](#) - 2 October 2025

Our webinars last for approximately 50 minutes and are free to attend. The webinars are applicable to the law of Scotland, England and Wales. If you can't attend on the day, please register anyway and we will send you a recording of the webinar.

Feedback from recent attendees at these seminars include ""Very informative, good pace and spoken in plain language", "Really insightful, knowledgeable and helpful", and "Great interaction. Brilliant advice."

EQUALITY AND DIVERSITY TRAINING

Do you provide training on equality and discrimination matters for your employees? Have you provided refresher training to your employees in the past year? Did it cover sexual harassment and harassment by third parties? If the answer to any of these questions is no, then your organisation may be exposed to financial and reputational risk in the event that a claim is raised.

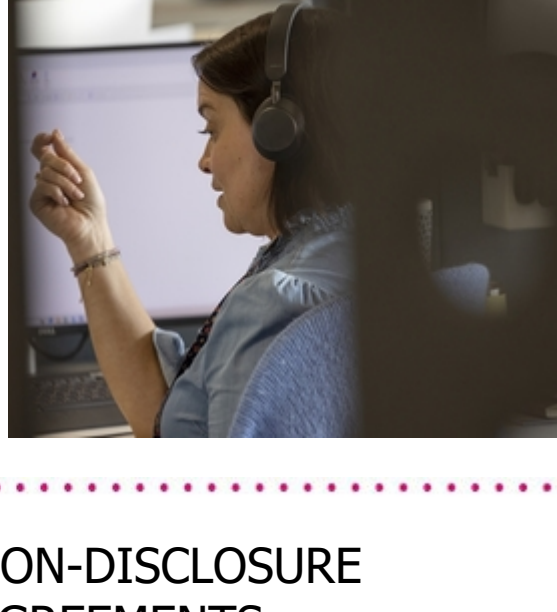
Sarah Gilzean runs training, to assist employers to improve equality and diversity within their organisation and to help employers establish a "reasonable steps" defence. Contact Sarah at sarah.gilzean@mfmac.com or on 0131 247 1157 if you would like to arrange a session tailored for your organisation's needs.

EHRC ADVICE

Advice for employers following the For Women Scotland Judgment

EHRC has updated their advice on managing the practical implications of the For Women Scotland judgment.

[Read More](#)



NON-DISCLOSURE AGREEMENTS

Will the Employment Rights Bill prevent misuse of NDAs?

A recent amendment will restrict the use of NDAs in cases of discrimination or harassment.

[Read More](#)

GENDER PAY GAP REPORTING

Gender pay gap continuing to narrow, but where do the challenges for employers lie?

This year's figures show the gap has reduced by 0.6% in the last year, but the challenge for employers is solving under representation of women in senior roles.

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VICTIMISATION DISCRIMINATION

Are you confident you would recognise a "protected act"?

Employers will be on the front foot when defending victimisation claims if they are able to recognise a protected act when one takes place.

[Read More](#)

ACCESS TO SERVICES DISCRIMINATION

Expulsion of client from vet practice was discrimination on grounds of belief

A member of the public has for the first time successfully brought a case of access to services being denied on the basis of gender critical beliefs.

[Read More](#)



OUR EQUALITY LAW PODCASTS

Our most recent employment law podcasts can be listened to at the links below.



Walking the tightrope between rights and protections

David Hossack and Caitlin Alexander from MFMac's Employment team discuss a recent case which focused on how courts approach the expression of Article 9 rights and protected beliefs. They consider the impact of workplace policies and training in this area, as well as aspects for employers to focus on when balancing employees' rights and reputational damage.

[Listen Here](#)



The Doctor Explains: What can employers do to help prevent health issues impacting at work?

David Hossack and Sarah Gilzean talk to Dr Sigi Joseph and Dr Jane Catley about the importance of health and wellbeing in the workplace and the simple steps that employees and employers can take to reduce the impact of ill health at work.

[Listen Here](#)



Dyslexia in the workplace

David Hossack is joined by Dr Jeremy Law of Glasgowlaw Scotland to discuss dyslexia in the workplace and to consider the issues raised in the report "Towards a dyslexia friendly Scotland".

[Listen Here](#)

Links to all of our podcasts can be found here

[Find out more](#)

CONTACT US

If you have any questions on the content of this bulletin or if you would like to discuss any other equality or discrimination issue then please contact specialists:

[Sarah Gilzean](#) on 0131 247 1157

[Lindsey Cartwright](#) on 0141 274 1141