

# AUDIT AND GOVERNANCE COMMITTEE



Report subject	<b>Council Referral of Motion - Gender-Neutral Language</b>
Meeting date	11 March 2021
Status	Public Report
Executive summary	<p>The report references the Notice of Motion referred by Council to the Audit and Governance Committee for consideration. The Motion relates to the adoption of gender-neutral language.</p> <p>The committee is asked to consider the Motion and to consider making representations to Council. The proposer and seconder of the Motion have been invited to attend the meeting.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>the committee consider the proposed motion which is set out in paragraph 1 to this report and determine whether to make any recommendations to full Council.</b></p>
Reason for recommendations	<p>Full Council referred the Motion to the Audit and Governance Committee for consideration. It is for the Committee to determine whether to make any formal recommendations to Council.</p>

Portfolio Holder(s):	Councillor Drew Mellor (Leader of the Council and Portfolio Holder for Finance and Transformation)
Corporate Director	Graham Farrant (Chief Executive)
Report Authors	Richard Jones (Head of Democratic Services)
Wards	Not applicable
Classification	For Recommendation

## Background

1. The full Council meeting on 5 January 2021 considered a Motion on Notice under Procedure Rule 12 which was proposed by Councillor L-J Evans and seconded by Councillor Lisa Lewis. The Motion as proposed read:-  

“That Council resolves to use gender-neutral language in all reports and formal communications, both verbal and written, in accordance with its commitment to uphold the 9 protected characteristics of the Equality Act 2010 and in combating prejudice and discrimination.”
2. Following a debate by Council it was resolved “that the motion be referred to the Audit and Governance Committee for it to be considered through the Constitution Review Working Group”.
3. The Constitution Review Working Group considered the Motion at a meeting held on 25 February 2021.

## What is meant by Gender-Neutral Language

4. The Office of the Parliamentary Counsel and Government Legal Department jointly produced a Guide to Gender-Neutral Drafting in 2019, which aimed to promote the use of gender-neutral drafting for UK statutes and statutory instruments, the principles of which could be applied to the drafting of formal council documents.
5. The guide provides a useful definition of what is gender-neutral drafting:-  

*In its broadest sense gender-neutral drafting involves:*

  - *avoiding gender-specific pronouns and adjectives (such as “she/her/hers” or “he/him/his”);*
  - *avoiding nouns that might appear to assume that a person of a particular gender will do a particular job or perform a particular role (e.g., “chairman”).*
6. The Motion to Council, as proposed, did not define or provide a list of gender-neutral terms not to be used nor did it detail the scope of what was to be included within the definition of ‘all reports and formal communications, both verbal and written’. However, the proposer of the Motion has provided some clarity since the meeting as follows:-  
  - The adoption of the use of gender-neutral language minimises assumptions about the social gender or biological sex of people referred to in verbal or written communication. The policy should apply to all written and verbal communications produced or used in an official capacity (e.g., reports, policies, correspondence, newsletters, consultations, official records, etc.).

- It is not proposed to adopt a definitive list of gender-specific words which should be avoided but instead promote an awareness of gender-neutral language and apply the following principles to:-
  - avoid gender-specific pronouns and adjectives (such as “she/her/hers” or “he/him/his”);
  - avoid nouns that might appear to assume that a person of a particular gender will do a particular job or perform a particular role.
- The application and use of gender-neutral language shall not apply retrospectively to pre-existing documents. It is recognised that a transition period will be required for implementation, particularly where line-of-business processes and systems require modification.
- Inadvertent failure to comply with the policy shall not result in punitive action.

### **Constitution Implications**

7. In relation to the Constitution, the Council previously agreed not to change the current practice relating to the form of address for the person presiding at meetings and that this be left as a matter of choice for each individual person presiding.
8. If the Committee was minded to reconsider this position, there are currently 166 references to either Chairman, Vice-Chairman or their derivatives in the Constitution, 14 instances of gender specific pronouns and adjectives (e.g., his, her, he, she, etc.) and 14 other references which may be considered to be gender specific, although these are in relation to job titles.
9. If supported, changes to gender specific terms could be made during the comprehensive review of the Constitution which would minimise required effort and cost.

### **Corporate Implications**

10. The inclusion of all written communications as defined above could have significant consequences to line of business processes and require system changes or enhancements. This is not insurmountable, however, if approved there would need to be a transition period and appropriate alignment to programmed systems consolidation.
11. Training and awareness for all staff and councillors would be essential to promote and embed new working practices, which would require clear reference guidance to be produced. This activity could be led by the Equality Action Commission Group.

### **Conclusion**

12. The Committee is asked to consider the Motion as proposed and to consider making a to full Council.

### **Summary of financial implications**

13. The removal of gender-specific terms from the Constitution could be undertaken during the current comprehensive review exercise and implemented from September 2021. There would be minimal additional effort required to implement required changes on this basis.
14. The removal of gender-specific job titles could be removed as part of the transformation of the council and introduced under Smarter Structures from April 2021.
15. The adoption of the Motion as proposed with an expectation of immediate implementation could have far reaching consequences and unknown costs to

potentially upgrade systems and processes. A transition period would be required to avoid additional expenditure.

### **Summary of legal implications**

16. The adoption of a policy to use gender-neutral language is a local choice. There is no legal duty to adopt such an approach under existing legislation.

### **Summary of human resources implications**

17. There are no specific human resource implications arising from this report, however, it will be necessary to promote awareness of this policy to all staff and councillors.

### **Summary of sustainability impact**

18. There are no sustainability implications arising from this report.

### **Summary of public health implications**

19. There are no public health implications arising from this report.

### **Summary of equality implications**

20. There is no specific equality duty to adopt gender-neutral language policy, however, an increasing number of public sector organisations are deciding to implement such arrangements.
21. The use of gender-specific language is widely recognised as being hugely important in promoting gender equality, including the reduced perception that specific roles are performed by those of a specific gender.

### **Summary of risk assessment**

22. The adoption of a gender-neutral language policy will require awareness training for staff and councillors to embed adoption. There is a risk that individuals may inadvertently use gender-specific language which could result in criticism and allegations of misconduct.

### **Background papers**

Published Works

### **Appendices**

There are no appendices to this report.