

Date 16/03/2026
Your Ref
Our Ref 11173

Enquiries to Richard Mutch
Extension 35687
Direct Line 0131 465 5687
loth.freedomofinformation@nhs.scot
richard.mutch@nhs.scot

Dear

FREEDOM OF INFORMATION – DEFINITION OF A WOMAN

I write in response to your request for information in relation to the “definition of a woman”.

Question:

- I wish to make a Freedom of Information Request for NHS Lothian definition of a woman.

Answer:

NHS Lothian does not hold an organisational definition of the term “woman.” Where relevant in policy or practice, NHS Lothian is guided by statutory definitions provided in legislation and national guidance, including the Equality Act 2010 and the UK Supreme Court judgment of 16 April 2025, which clarified that the protected characteristic of sex refers to biological sex.

As NHS Lothian has no additional internal definition, we therefore provide formal notice under Section 17 of The Freedom of Information (Scotland) Act 2002, that the information you requested is not held.

I am sorry that we cannot help with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

Headquarters
Mainpoint
102 West Port
Edinburgh EH3 9DN

Chair Professor John Connaghan CBE
Chief Executive Professor Caroline Hiscox
*Lothian NHS Board is the common
name of Lothian Health Board*

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive