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Sir Ian Diamond FBA
National Statistician

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Dear Ian,

I am writing in my capacity as Chair of the [UK Statistics Authority's Methodological Assurance Review Panel for the Census](#). I have received a letter (provided separately) from the charity dsdfamilies concerning the sex and gender identity questions in the Census. The letter raises a number of concerns both about process and detailed methodology relevant to Differences in Sex Development (DSD) and Variations of Sex Characteristics (VSC).

The letter also expresses a concern that inappropriate guidance could lead to harm and expresses a need for a risk assessment. Matters of this kind are not explicitly addressed in the code of practice, but the notion of compiling Census statistics that could put respondents at risk is almost self-evidently a breach of the spirit of the code of practice.

The role of the Methodological Assurance Panel ("the Panel")

The Panel has reflected on its own role in matters of this kind, as laid down in its [terms of reference](#). The review that we are carrying out, independently of the Office for National Statistics, is intended among other things "to provide assurance to the National Statistician that .. the statistics resulting from the 2021 Census will meet the code of practice for official statistics and therefore can be badged as National Statistics." The actual determination as to whether or not any statistics can be badged as National Statistics rests with the Office for Statistics Regulation, not with us; our role is to advise the National Statistician.

The Panel is continually advising on specific aspects of methodology; in other contexts, for example on questions relating to work, it has already been involved in considering whether the wording of guidance accurately reflects the ONS's stated aims. The code of practice also encapsulates certain process issues, and because these are part of the research leading up to the census, at least within broad parameters these are also part of our remit.

The specific issue of DSD/VSC

In line with the code of practice's requirement for "transparent judgements about definitions and methods" it is necessary for ONS to come to a clear view of what definition(s) it wishes respondents to use. The Panel is expecting an opportunity to comment on the guidance in the light of that view, both the words of the guidance and the form in which it will appear both online and on paper. For example, there is a distinction between what will be on the face of the online form and what will require a respondent to click through to obtain further information.

Whatever ONS's view of the aim of the sex and gender identity questions, and whatever the wording of the guidance, the Panel expects to be given a clear assessment of any possible bias or distortive effects, both directly on the questions themselves, and also on other aspects of the methodology of the census, such as approaches to linkage, undercount, imputation and future uses of the census.

While the Panel has expertise of a general statistical nature, it cannot claim specific knowledge or understanding of a matter such as DSD/VSC, and therefore its judgments would have to be informed by the views expressed to ONS of bodies such as dsdfamilies, which are both stakeholders and topic experts, and possibly users as well. There may also be other specialist stakeholders.

The code of practice places strong requirements for the views of groups in all these categories to be understood and addressed. Because of the sensitivity of this issue, it would be prudent for ONS to err on the side of abundance of engagement, collaboration and understanding of needs and views. It would seem appropriate to approach paragraph Q2.2 of the code of practice with a presumption that there may be a range of views as to what constitutes "recognised standards" in this area. As well as informal contact with stakeholders and experts, they will presumably be given written feedback addressing any issues they have raised, at an appropriate level of detail and rigour.

On less contentious topics, the Panel has been given general assurances about stakeholder engagement and has been happy to take these on trust. Because of the sensitivity and specialised nature of this particular matter, the Panel would find it helpful, as part of its review of the proposed guidance, to be provided a more detailed account of the various consultations and collaborations that have taken place as part of the background research.

I am copying this letter to the correspondent at dsdfamilies and to the Office for Statistics Regulation

With best wishes

BERNARD SILVERMAN

Bernard