

Full findings from Census Sex question guidance testing: November 2020

Research by the Qualitative and Data Collection Methods Expert Group

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1 Introduction

These comprehensive findings comprise reactions to and opinions of four possible versions of guidance for the Census sex question. The findings were collected via qualitative interviews with 52 participants and are based on in-depth thematic analysis of the data collected during interviews. The final report also includes reactions to the sex and gender questions to add context and a discussion of potential ordering effects between conditions one and two.

This analysis focusses on four research questions:

- What sex question guidance on the online help will maximise individual responses?
- What sex question guidance on the online help will best minimise the potential for any group to initiate a campaign response to the Census?
- Which approach most closely aligns with how respondents answer the question?
- Which approach provides the trans population with clear guidance on how to answer the sex question?

Annex A to C detail the sample, research methods used and membership of woman’s groups respectively.

2 Key Findings

- Participants did not ask to access the help button and did not indicate that they would have looked for help when answering the sex question.
- No single version was wholly acceptable/unacceptable, or helpful to trans participants.
- After seeing all the different version of guidance, participants were asked which version of the guidance they preferred. During this discussion there were trans participants who then said they would not answer a question about their sex at all, and no versions of the guidance would persuade them. This is likely to be partly due to being offended by one or more versions of the guidance – as they had all provided a response to the question before seeing any guidance.
- The strongest and most shared objections were for ‘*Sex registered on a birth certificate at birth*’ (Guidance D). A possible campaign response (see section 3.6.2) was explicitly raised after seeing this version, which would also include refusal to complete the Census. However, it was not unanimously disliked:
 - Participants from all groups, including trans, felt sex registered ‘at birth’ was more accurate for official data, and
 - There were non-binary participants who found being pointed to a specific document helped them make a choice between two (inaccurate) responses.
- Overall, ‘*Sex registered on a birth certificate*’ (Guidance B) was considered clear and sometimes / partially helpful, but could also lead to refusal or drop out for certain trans participants:
 - There were non-binary participants who stated they usually answered with the sex on their birth certificate, although it makes them feel uncomfortable. Participants who had updated their birth certificate were generally comfortable with this guidance.
 - Other trans participants reported feeling unhappy because they would be forced to record a sex they don’t identify with. Participants who objected to Guidance B, tended to find ‘*sex registered on a birth certificate at birth*’ (Guidance D) even more offensive, leading to the real possibility of them not completing the Census at all.
- The information in ‘*why we ask this question*’ and the more inclusive and empathetic tone of ‘*It’s up to you... use the sex on your official documents*’ (Guidance C) were valued and helped many

participants feel more positive about completing the question. However, there were also participants who found Guidance C vague and contradictory, and felt it had potential for inaccurate responses. There may be potential for reputational risk if there are members of the public who feel the question will be of poor quality.

- The phrase ‘if you’re not sure’ in all versions of the guidance was considered unacceptable or offensive among trans participants.
- While cisgender and Woman’s Groups participants expressed views, the guidance tested would have no impact on their own response or elicit further action, such as campaigning against the question.

Based on these findings Table 2 provides a red, amber, green (RAG) status for each version of guidance against each research question. Detailed evidence to support these is in section 3.

Table 2 – Red, amber, green status for guidance against the research questions

The Rag status may be interpreted as follows:

Green: No or minor issues raised

Amber: Rare or less severe issues raised

Red: Many or severe issues raised

Research question:	Group	Guidance directs respondents to:-			
		A – no guidance provided	B – birth certificate	C – self identified sex	D – sex as registered at birth
Will maximise individual response	Trans¹ and allies	Amber	Red	Amber	Red
	Women’s groups	Green			
	Cis²	Green			
Will best minimise potential for any group to initiate a campaign response to the census	Trans and allies	Amber			Red
	Women’s group and cis	Green		Amber	Green
Aligns with how respondents want to answer ³	Trans only	Amber	Red	Amber	Red
Provides clear guidance on how to answer	Trans only	Red	Green	Red	Green

1 There were trans participants who refused the sex question, and no version would dissuade them. Of those responding, B and D were the most likely to cause drop off.

2 No evidence found that cis-gendered individuals need help. Therefore, evaluation focussed on those for whom the sex question is a barrier to completion of the Census

3 All cisgender participants answered the same whatever concept is collected, therefore evaluation focusses on trans population

3 Detailed Evidence

3.1 Help button

Participants did notice the help button but none of them asked for it to be selected. No participants realised that it led to question specific guidance on how to answer the sex question. It was assumed the help button would lead to a generic webpage or index that it related to a help page about giving feedback on the Census. Others assumed the purpose of the help button was for seeking help with *'technical difficulties'*, and therefore they did not click on it and would only do so if they needed technical help.

This was due the help button being *'so small and at the bottom'* [of the screen] and because of its' position within a *'standard banner'* inviting feedback.

It was suggested that:

- The 'help' button should appear next to the question
- There should be an 'i' (information button) in a circle at the end of the survey question, to help indicate that the help section contains guidance specific to the survey question.

No participants indicated they would look for help when answering the question.

3.2 Findings on the survey question 'What is your sex?'



The screenshot shows a survey interface. At the top left, there is a 'Previous' link. The main heading is 'What is your sex?'. Below this is a light purple banner with the text 'A question about gender identity will follow later on in the questionnaire'. Underneath the banner are two radio button options: 'Female' and 'Male', each in a separate input field.

3.2.1 Acceptability and base-line propensity for non-responses

In the interview participants were asked to complete the Sex and Gender Identity questions prior to seeing any guidance. All participants answered the sex question and largely, it was said to be acceptable. However, despite answering it:

- There were trans participants who said it was unacceptable because the question was about sex and only had binary options.
- There were trans participants and their allies who said it was only acceptable once they had noticed the instruction saying that a question about gender will follow which shows *'really good awareness'* that some people are non-binary or *'not biologically the same sex'* as when they were born and a person's gender identity can differ from the sex on their birth certificate.
- While knowing they would have the option to self-identify later encouraged trans to answer, they said it also seemed like the survey is only really interested in a person's sex, and that gender identity is only asked to *'show some awareness'*. (Separate findings on the gender identity question are in Annex E)
- There were concerns that the sex question is an *'oversimplification'* of something that is not simple for many people (for example, people who are transitioning may be unsure about when to start

answering the sex question differently i.e. when their sex change is complete vs. when their birth certificate has been updated).

- There were participants who said that they would ignore this question if it was voluntary. As it is compulsory, they would read the other questions in the questionnaire to see if there are any other fields or response options and return to the sex question later.

3.2.2 Clarity and comprehension

Before seeing any guidance, the sex question was widely interpreted as asking about '*biological sex*', '*physical sex*' or '*sex at birth*'. The question wording was generally regarded as clear, partly because participants are familiar with the wording as the sex question is often asked in surveys.

The term 'sex' was interpreted in the following ways:

- '*Biological sex*', which is assigned at birth, and is based on examination of the genitalia i.e. male or female or based on '*productive capability*'. It was expressed that the traditional concept of 'sex' does not recognise that sex is '*ambiguous*' e.g. intersex people '*are forced to be assigned*' as either male or female at birth.
- The terms 'sex' and 'gender' were used interchangeably and were sometimes conflated i.e. participants said they would put the gender they '*identify*' with. Participants preferred the term 'gender' as 'sex' is too '*binary*' and not '*inclusive*'. Non-binary participants said the use of the term 'sex' in this way, from a biological standpoint, would '*cause dysphoria in the trans community*'.
- However, others distinguished the two terms, stating that sex is '*biological*' or '*what you were born with*' whereas gender is '*societal*'. Sex was described as a '*medical term*' whereas gender is about '*how you feel*'.

A further breakdown of these findings by age group is Annex D.

3.2.3 Alignment with preferred answer

Without seeing guidance, participants would typically answer with the sex assigned at birth. There were trans and non-binary participants who would do so because that is what is '*legally*' written down on their official documents; and because they would want to provide accurate information as they believe the Census generates important data. However, they said they '*really hate*' answering in that way and felt '*disenchanted*' by the sex question. Cisgender participants said they would not struggle to answer this question

Participants across all groups expressed discomfort with the binary options and lack of options for non-binary and intersex persons:

- trans and non-binary participants would feel '*uncomfortable*' about choosing Female or Male; or
- providing their sex at birth, which '*shouldn't matter at all*', as opposed to their gender identity i.e. '*who you are now*'.

Several suggestions for improvement were made, including;

- Adding a third option for '*other*', '*intersex*', '*non-binary*', or '*non-conforming*'
- Adding a '*prefer not to say*' response option because the question is '*personal*' and potentially upsetting to answer, however on the other hand, the phrase 'prefer not to say' was objected to because it sounds '*shameful*'.
- Adding a free text box
- Asking about gender instead of sex.

3.3 (Guidance A) 'No guidance provided'

What is your sex?



If you are completing the paper census questionnaire please use the [paper census guidance](#).

> Why we ask this question

Select either "Female" or "Male".

If you're aged 16 or over, a later voluntary question gives the option to tell us if the gender you identify with is different from your sex registered at birth, and if different to record your gender identity.

Answering on behalf of someone else

If you're answering for someone else, where possible you should ask them how they want to answer. If they're away, select the answer you think they would choose.

'No guidance provided' (Guidance A) did not help participants to answer the question, tended to have no impact, or made participants feel less positive towards answering the sex question. It is important to note that this guidance was shown to participants first and tended to draw more criticism once participants had seen the other versions, especially among trans participants and their allies.

3.3.1 Acceptability and potential for maximising individual responses

Participants feelings towards answering the sex question and Census 2021 generally remained unchanged after seeing Guidance A. There were trans participants who found Guidance A acceptable as it allows them to self-identify and it explains why the question is being asked. Trans participants who considered it more acceptable said it was because the other versions of the guidance were so offensive in comparison, but this was not a strong theme.

There were mixed views about whether Guidance A is '*inclusive*' or not. It was deemed '*inclusive*' due to the guidance statement saying that there will be a later question about gender, and about how to answer on behalf of someone else. Others thought it '*not inclusive*' and a '*little disrespectful*' towards the LGBT+ community. However, they said they would still complete the Census. The '*emphasis on selecting a binary option*' which doesn't recognise trans and excludes intersex was offensive to some trans participants. Other trans participants said the guidance does not sufficiently acknowledge trans and non-binary people, and they found it '*worrying*' that intersex is still '*completely invisible*'. They said this would make them feel '*angry*', but they would continue to complete the survey.

There were lots of questions about and opposition to the gender question only being asked of those aged 16 or over with participants thinking it should be asked of everybody. Trans participants said it implies that younger people don't '*know their own gender*' and '*disregards*' the fact that people can define themselves at a young age and does not acknowledge that '*trans kids exist*':

3.3.2 Potential for causing a campaign response

Participants were asked questions subtly assessing their likelihood to start a campaign response against Census question guidance on social media. There were no indications '*No guidance provided*' (Guidance A) would elicit complaints, social media campaigns or public comment. On the rare occasion where a potential campaign response was mentioned, it was after '*Sex registered on a birth certificate at birth*' (Guidance D) had been seen, so this finding is likely to be an effect of the cognitive interview.

Regarding the sex question itself, there were strong feelings among participants from all groups about the fact that intersex was missed entirely from the questions and all versions of the guidance. This is another area from which a campaign response could arise, although no direct evidence was found in this study so far.

Participants said they might urge trans, non-binary and intersex people to answer the sex question, despite its' lack of inclusivity, because there will be a later question about gender identity where they can provide more detail and because the data needs to be collected in a way which '*matches*' people's documents. They might also advise others to;

- Answer using their sex assigned at birth
- Refer to their official documents to help them decide how to answer
- Choose how they want to answer
- Refuse to answer the question, in order to force a change in the question that is being asked
- Other participants said they wouldn't advise others or urge them to answer in a particular way as it is a '*personal decision*'.

3.3.3 Clarity and comprehension

'*No guidance provided*' (Guidance A) was considered the least helpful of the guidance in this regard, as it provides no instructions on how to answer the question, except to either answer female or male. Although the wording was generally described as clear, after seeing the other versions of the guidance, participants said Guidance A was less clear than they had initially stated.

After seeing Guidance A, participants assumed the question was asking about the sex on your birth certificate (either sex at birth or reassigned sex), however participants said it might not be clear to everyone, and it was deemed '*annoying*' that the question doesn't explicitly ask for sex at birth; which would help intersex people or people who are transitioning answer the question and allow people to answer more accurately. Conversely, there were trans participants who were relieved the question didn't ask about sex at birth.

Generally, participants from all groups found the guidance clear, easy and '*not wordy*'. However, there were exceptions:

- Participants felt more explanation about the question being voluntary would provide reassurance about safety.
- Trans participants who initially understood the question and found it '*inclusive*' but felt more confused by '*so many words*'. This led them to change their mind about the question being inclusive.
- Trans allies who said it would be clear for cisgender people, but trans people may require more guidance, particularly around Gender Recognition Certificates.
- Cisgender participants who found it unclear, '*basic*', with not enough information and not sufficiently explaining '*why you need to know*'.
- It was sometimes assumed that the sex question is asked for '*identification purposes*' and participants suggested that explaining the answer should match identification but as the Census

understands that non-binary is not an option of identification in this country, the following question about gender identity will seek to address that issue.

Regarding the instruction to *'select female or male'*:

- Participants from all groups raised concerns that it is just *'reiterating the question'* and still requires respondents to select either female or male, which people *'might not want to do'*.
- Trans participants felt this was only aimed at cisgender people and said it did not help them to decide which option to choose. It would be more helpful if it pointed towards documents to refer to when answering the question or gave some other guidance rather than saying *'just answer it'*.
- Trans allies said it would be clearer if it *'explicitly'* mentioned that the question is about sex at birth. Conversely, Cisgender/Feminist participants praised that it doesn't get *'bogged down'* by going into detail about whether it's asking for sex assigned at birth, which can make it *'unclear and muddy'*.
- Cisgender participants who thought *'select female or male'* was the *'most important'* piece of guidance as it explains how to actually answer the question, noted it was *'tucked away'* in guidance, rather than with the question.

Regarding the instruction on *'...and if different to record your gender identity'*:

- It was understood that a later question about gender identity, and an opportunity to state whether your gender identity differs from the sex assigned at birth.
- Cisgender and feminist participants noted that it demonstrates awareness of gender identity which is *"a good addition"* and clarifies difference between sex and gender which they felt made the question clearer. They recognised this guidance was for people who had changed gender.
- The wording *'...and if different to record your gender identity'* was described as unclear to trans participants and made the guidance seem *'a bit short'*. To others, the wording seemed *'convoluted'*, *'wordy'* and participants had to re-read the sentence a couple of times.
- It was suggested a comma should be added to this phrase after the word *'different'*. So, it should appear as *'...and if different, to record your gender identity.'* The guidance was also described as being *'worded awkwardly' overall*.
- When participants saw this instruction, they said it was an improvement on the previous Census (2011) which did not recognise trans, non-binary or intersex people at all.

Regarding the instruction on answering for others:

- It was appreciated among trans participants and their allies because it told people they should ask others before writing down an answer for them, and not to assume how individuals would want to answer
- However, others felt that even if someone is away, they should not have questions answered for them in the Census by someone else. It was described as *'strange'* because it implies that respondents should give an answer that suits them, rather than the individual they are answering for.

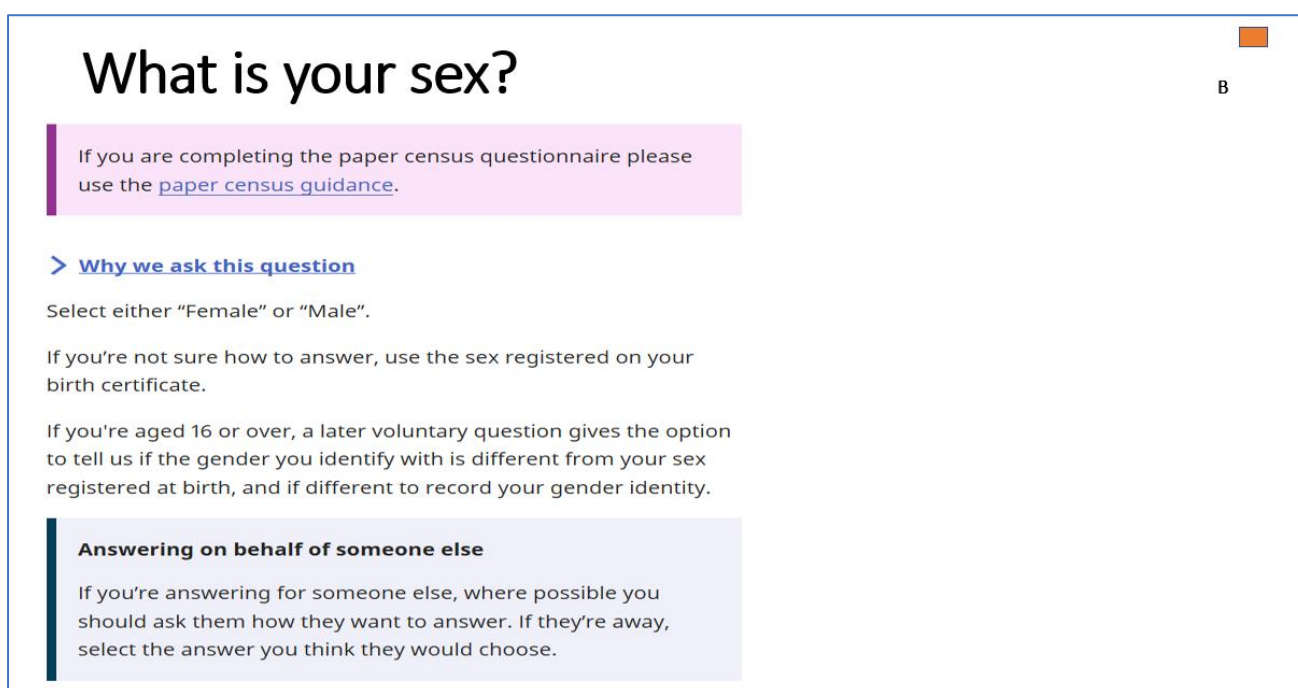
3.3.4 Alignment to participants' preferred answer

No forms of guidance align with how all trans participants want to answer the question. *'No guidance provided'* (Guidance A) did not provide specific advice about how to answer the question, except to say that participants should answer female or male. Trans and non-binary participants did not regard this as sufficient guidance to help them decide how they wanted to answer.

Participants tended not to change their answer after seeing Guidance A. However, there were participants who initially interpreted the sex question as asking about biological sex, but later changed their mind after seeing the statement in Guidance A that there will be a later question about gender identity question. This made them assume they should instead answer the sex question with their legally defined sex. Participants said the *'rest of the form'* would dictate how they answered the sex question, and they might change their answer to their registered sex, even though it differs from how they identify now, because they saw the statement in Guidance A which says they will have the opportunity to self-identify later on in the questionnaire. However, in these instances, participants were unsure whether they had answered correctly and said they would like clarification on whether it is asking for sex registered at birth or the sex registered on your current documents.

Trans participants said if they were unsure how to answer the question, they would try to select the most accurate answer and possibly return to it later, 'Google it', or seek another section where they could provide more detail, or they would not continue with the survey.

3.4 (Guidance B) – 'sex registered on their birth certificate'



The screenshot shows a survey question titled "What is your sex?" with a small orange square and the letter "B" in the top right corner. Below the title is a pink box containing the text: "If you are completing the paper census questionnaire please use the [paper census guidance](#)." Below this is a blue arrow pointing to the text: "> Why we ask this question". Underneath is the instruction: "Select either 'Female' or 'Male'." This is followed by two paragraphs of explanatory text: "If you're not sure how to answer, use the sex registered on your birth certificate." and "If you're aged 16 or over, a later voluntary question gives the option to tell us if the gender you identify with is different from your sex registered at birth, and if different to record your gender identity." At the bottom is a light blue box with the heading "Answering on behalf of someone else" and the text: "If you're answering for someone else, where possible you should ask them how they want to answer. If they're away, select the answer you think they would choose."

'Sex registered on a birth certificate' (Guidance B) is considered 'clear' in terms of how to answer; but could cause break off in answering the Census among trans respondents who find recording the sex on their birth certificate unacceptable.

3.4.1 Acceptability and potential for maximising individual responses

'Sex registered on a birth certificate' (Guidance B) was considered acceptable to some degree because it *'acknowledges'* that people's assigned sex can change. However, in rare cases, there were trans participants who said they would refuse to answer or *'try to find a way to get out of answering'* this question after seeing Guidance B because they interpreted it as asking about the sex registered on the birth certificate *at birth* (even though it didn't explicitly state this as it does in Guidance D). Some of these would break off from answering the Census completely.

It was regarded as unacceptable because:

- The guidance made the question seem *'more binary'* and *'less inclusive'*. Trans participants said the guidance implies the government only cares about what is on people's birth certificates, and that they do not *'recognise'* trans people. Cisgender participants did not like the narrow choice of documents to refer to. Those participants expressed they preferred *'It's up to you... use the sex on your official documents'* (Guidance C) as it provides more flexibility in terms of the documents that can be referred to (i.e. any official documents, rather than just the birth certificate).

Across the groups it was pointed out that people may not have access to their birth certificates. Passports were cited as a document that participants would have easier access to.

Participants also expressed their unhappiness with the wording used in this version of guidance;

- Woman's Group participants said that it is unacceptable because it's *'too direct'* (compared to D which used *'nicer'* wording).
- It was described as *'patronising'* and *'condescending'* to advise respondents to look at their birth certificate if they can't *'work out what sex'* they are; because the issue isn't that people don't know the sex they were registered at birth, it's that they may not *'feel comfortable'* answering in that way.
- There were concerns expressed about the *'forceful'* wording which participants interpreted as telling them to *'just do it'* compared to the gentler wording *'...you could, for example, use...'* in Guidance C.

Participants made other suggestions for how to improve the guidance. However, the points below were made by participants who did not have difficulties with answering the sex question. Therefore, these suggestions were based on personal preference and did not necessarily affect how participants would answer the question;

- Trans allies suggested that if the question is asking for the sex recorded on a person's current birth certificate, then *'Sex registered on a birth certificate'* (Guidance B) is preferable. However, if the question wants to know about the sex assigned at birth, then *'Sex registered on a birth certificate at birth'* (Guidance D) would be better.
- The wording *'It's up to you how you answer this question'* should be added to this version to make it *'friendlier'* and give people the option to answer in the way they would like.
- Trans allies expressed that only giving one example of an official document (a birth certificate) is not sufficient, and it was suggested a second example should be given.

3.4.2 Potential for causing a campaign response

Participants did not state or imply that they would initiate a campaign response after seeing *'Sex registered on a birth certificate'* (Guidance B), possibly because the wording allows respondents to use a new birth certificate (although in rare cases refusal was mentioned regarding Guidance B due to the emphasis placed on asking for the sex registered at birth.)

3.4.3 Clarity and comprehension

'Sex registered on a birth certificate' (Guidance B) was considered generally clear across all groups, as it told participants exactly *'what to do'* and which document to refer to. Among those for who English is not a first language, this version of the guidance was the most helpful.

However, the phrase *'sex registered on your birth certificate'* did not necessarily imply sex assigned at birth. While participants tended to understand it as referring to the *'gender'* or sex registered on your birth certificate when you were born, others interpreted it as referring to the sex registered on the current birth certificate, if it has been updated via a Gender Recognition Certificate.

Participants tended to find this version less clear compared to *'Sex registered on a birth certificate at birth'* (Guidance D), because it does not explicitly ask for the sex registered 'when you were born'. This led those participants to question whether they could answer using the sex on their current (updated) birth certificate. However, others interpreted Guidance B and D to be asking for the same thing (the sex registered at birth) and said the phrase 'when you were born' was unnecessary, so they preferred Guidance B in terms of clarity because it was *'less wordy'* than D.

3.4.4 Alignment to participants' preferred answer

'Sex registered on a birth certificate' (Guidance B) (as with Guidance D *"at birth"*) does not always align with how participants would want to answer the question because they were more likely to cause trans participants to change their answers, with some doing so unwillingly;

- There were trans participants who would initially base their answer on how they identify or the sex on their current birth certificate.
- However, after reading Guidance B they realised they would need to change their answer to sex assigned at birth. They objected to this because for many trans, intersex and non-binary people, the sex recorded on their birth certificate is *'wrong'* and would result in *'inaccurate data'*. It was found that this could lead to drop out from the Census. They said the guidance made them feel *'disenchanted'*. There were participants who initially answered using the sex registered at birth, and after reading this guidance and feeling offended by the emphasis on sex registered at birth, may change their answer to the sex they identify with now *'out of spite'* i.e. to provide a *'protest answer'*.
- Trans participants who do not have a Gender Recognition Certificate said they would struggle to answer the question because the sex recorded on their birth certificate differs from the sex recorded on other documents (i.e. passport, driving license) and so they would be unsure what answer to provide.
- However, there were trans participants who would give their sex at birth to a question asking, 'what is your sex?' on an official document as a matter of course, especially among non-binary participants.

3.5 (Guidance C) – ‘Sex on any of their official documents’

What is your sex?

C

If you are completing the paper census questionnaire please use the [paper census guidance](#).

> Why we ask this question

Select either “Female” or “Male”.

It's up to you how you answer this question. If you're not sure how to answer you could, for example, use the sex registered on any of your official documents.

If you're aged 16 or over, a later voluntary question gives the option to tell us if the gender you identify with is different from your sex registered at birth, and if different to record your gender identity.

Answering on behalf of someone else

If you're answering for someone else, where possible you should ask them how they want to answer. If they're away, select the answer you think they would choose.

There were varied views on ‘*It's up to you... use the sex on your official documents*’ (Guidance C). There were participants across all groups who preferred this version most as it was the most ‘*acceptable*’. While the friendly wording could maximise feelings of positivity towards answering the sex question and Census among all types of participant, some of the wording was found contradictory with concerns raised about accuracy from all groups. There were also those who identified a conflict between the importance of the question collecting ‘*factual*’ data and the wording of the guidance being inclusive.

3.5.1 Acceptability and potential for maximising individual responses

There were no refusals associated with this version of the guidance, however not all parts of the guidance were thought acceptable by all participants.

Regarding the phrase ‘*It's up to you how you answer this question*’:

- There was a sense of ‘*power*’ being handed back to the participant. Trans participants said that wording made them feel ‘*more at ease*’ as they could answer how they wanted to and choose which document to refer to. It makes it seem like the Census understands that how someone ‘*feels on the inside*’ might not ‘*reflect how someone feels on the outside*’.
- The inclusivity was praised; The wording was described as ‘*friendlier*’, ‘*softer*’ and more ‘*inclusive*’, ‘*respectful*’ and ‘*conversational*’.
- It was also found unacceptable because it doesn't help resolve the problem of ‘*accommodating people that biologically fall outside of that binary*’. The statement was interpreted as an ‘*acknowledgement*’ that the question is not suitable for everybody, and it was suggested that instead, the survey should ask a ‘*better question*’.

It implies respondents can ‘*self-identify*’ and answer ‘*however they like*’ whereas the other versions of guidance gave more specific instructions. The guidance was described as seeming more relevant to a gender identity question rather than a sex question, as it allows you to ‘*pick and choose*’.

Regarding ‘*Use the sex registered on any of your official documents*’:

- There were trans participants who found it *'surprisingly progressive'* because it is *'open ended'* and allows you to *'do something else potentially'*. Also, the sentence implies an awareness that sex could vary between documents.
- Among these participants this version of the guidance would maximise feelings of positivity towards answering the sex question and the Census.
- It was criticised by trans participants who said this made them feel like the researchers were only interested in sex assigned at birth, which made them feel *'uncomfortable'* as the sex assigned at birth does not describe the sex they identify with now. This made them feel more negatively towards completing the sex question and the Census and comes across as *'trans phobic'*.

Regarding 'if you're not sure...':

- Trans and cisgender participants objected to the phrase because it implies people don't know how they identify or are *'confused about their gender'* when people are actually *'quite sure'* about how they feel.

3.5.2 Potential for causing a campaign response

Generally, this version was found to be less likely to cause a campaign response from any of the groups as it allows respondents to answer how they want to. However, it was considered to have the potential to cause inaccurate answers to the Census due to the *'contradictory'* guidance. Although no participants interviewed said they would publicly criticise ONS in this way and no participants from women's groups objected from a feminist perspective, there is potential for ONS reputational damage if respondents publicly alleged that the guidance facilitates or causes inaccurate answers to the Census.

3.5.3 Clarity and comprehension

'It's up to you... use the sex on your official documents' (Guidance C) was considered the least clear guidance due to its contradictory instructions (i.e. because it says that it is up to individuals to decide how they want to answer, but then says to answer using the sex registered on your official documents). The wording was described as *'ambiguous'*, *'too vague'* and *'wishy washy'*, and there were concerns from all groups that this could lead to *'wrong'*, inconsistent or even *'untruthful'* answers based on feelings rather than fact;

- Trans participants were unsure whether to answer using their sex registered at birth or their current sex because the question appeared to be asking about sex assigned at birth, but also included the phrase 'it's up to you' which was considered more relevant to a gender identity question. Therefore, (Guidance C) was described as *'blurring the lines'* between sex and gender identity.

However, there were cisgender participants who said it was clear that it is asking about the *'gender you were born with.'*

Lack of clarity and potential for confusion was raised over which documents respondents could refer to;

- The use of the term *'any of your official documents'* was described as *'vague'*. Trans participants and their allies pointed out that the sex registered on 'any of your official documents' (i.e. passport, driving license, etc.) may not be the same as sex on your birth certificate so it is *'confusing'*. Also, the sex registered on a person's official documents would, for most people, *'simply be what they were assigned at birth'* and would not reflect their current gender identity. However, there were also trans participants who said they found it clear that they should refer to their Gender Recognition Certificate if they have one, and if not, they should refer to their birth certificate or passport.
- It was pointed out within the Women's Group sample that a Gender Recognition Certificate is an official document, but answers based on this could *'cause issues'*.

Regarding *'use the sex on your official documents'*:

Participants made suggestions about how to clarify which documents respondents should refer to. These were:

- For the guidance to provide examples of official documents to use, in a hierarchal order starting with which document the respondent should look for first.
- For the guidance to give birth certificates as an example of an official document. It was thought that this would help intersex people to answer the question.
- For the guidance to mention passports as an example of an official document. However, other trans participants said this is more confusing for people who have transitioned because their sex registered at birth may differ from the sex registered on their current documents. There were also concerns that some people may not have their birth certificate, so it is better to be '*broad*' and give people the option to look at any official document instead.

3.5.4 Alignment to participants' preferred answer

Trans participants felt that 'It's up to you... use the sex on your official documents' (Guidance C) was the most informative in terms of telling them why the question was being asked and it made them more likely to feel they could record the answer they wanted to give. Participants generally did not refuse to answer after reading this guidance. However, this was not the case among all trans participants who after seeing guidance said they would refuse to answer a sex question in any circumstances (unless a non-binary option was added).

There were also those who believed the wording of Guidance C to be '*contradictory*', it is not up to you how to answer, as the guidance states, you're still only given the choice of female or male.

Participants rarely said they would change their answer after seeing Guidance C. When trans participants said they would change their answer, it was because they thought after reading the guidance that it is asking for your current sex, rather than sex assigned at birth.

3.6 (Guidance D) – 'sex registered on birth certificate at birth'

D ■

What is your sex?

If you are completing the paper census questionnaire please use the [paper census guidance](#).

> Why we ask this question

Select either "Female" or "Male".

If you're not sure how to answer, use the sex registered on your birth certificate when you were born.

If you're aged 16 or over, a later voluntary question gives the option to tell us if the gender you identify with is different from your sex registered at birth, and if different to record your gender identity.

Answering on behalf of someone else

If you're answering for someone else, where possible you should ask them how they want to answer. If they're away, select the answer you think they would choose.

'Sex registered on a birth certificate at birth' (Guidance D) caused strong negative reactions. It did facilitate accurate answers and it could maximise likelihood of answering among those who appreciate and are not offended by its clear instructions. However, it is thought the strength of the negative reactions outweigh this benefit.

3.6.1 Acceptability and potential for maximising individual responses

There is a real possibility that 'Sex registered on a birth certificate at birth' (Guidance D) could lead to refusal to answer the question and break off from the Census. Participants who expressed concerns said they felt less positive about completing the sex question and Census.

Regarding 'when you were born':

- Across all groups, the phrase was generally considered either unacceptable or superfluous. While there were Woman's Group participants who said Guidance D helps clarify how intersex people should answer the question, there were trans participants who said it would be difficult for intersex people to answer and does not allow for '*nuances with intersex people*'.

Trans (including non-binary) participants described the phrase as:

- '*Transphobic*' – indicating the government are aware a birth certificate can be changed and implying that this is unimportant or not '*real*'. There were concerns that the data would be used to allocate services and resources based on sex at birth, rather than their current sex, which would be '*outright transphobia*'.
- '*Invalidating*' - of painful gender reassignment and money spent on a new birth certificate.
- '*perpetuating the myth*' that only sex assigned at birth matters, and '*how you identify now*' is not '*real*'.
- '*Offensive*', '*unpleasant*' and outdated – by trans participants who wish to '*distance*' themselves from self-identifying based on their genitals, particularly because people may find out later that they are actually intersex, which would mean the data they have previously provided becomes inaccurate.
- Irrelevant for people who have a Gender Recognition Certificate, because they '*essentially*' have a '*new*' birth certificate. It was suggested that the guidance should be changed to ask for the sex 'on your birth certificate' [as it appears in '*Sex registered on a birth certificate*' (Guidance B)].

The phrase 'when you were born' was regarded as:

- (Less commonly) '*inclusive*' and helpful for some non-binary participants in feeling better about picking a binary option (as they felt it provided better justification for why there are only female/male options).
- '*redundant*' - because they would assume a birth certificate is referring to the one given to them at birth.

Regarding the phrase 'If you're not sure how to answer...':

- It received negative comments because it '*misunderstands*' the reason why someone would not want to answer (i.e. because the information on their birth certificate is incorrect, rather than because respondents '*don't know*' how to answer.)

3.6.2 Potential for causing a campaign response

It is not clear from the research which sex question guidance version would best minimise the potential for any group to initiate a campaign response, but '*Sex registered on a birth certificate at birth*' (Guidance D) is the riskiest regarding causing one among trans groups and their allies.

Interviewers explored if the negative feelings expressed would translate into actions, without mentioning social media. Trans participants warned that they would consider:

- Discouraging their peers from clicking the help button and reading the guidance because it is *'hurtful'* and *'traumatising'*.
- Looking for a petition to sign against the Census using this guidance.
- Writing to ONS to complain about this guidance being used.
- Giving *'protest answers'* to the sex question.
- Conferring with friends and possibly organisations to see what their guidance is for how trans people should answer the sex question. They may also discuss with them the wider issue that the UK Government only recognises males and females and does not recognise trans people.
- Waiting until after the Census has been completed to assess how inclusive the questions were, before saying anything *'publicly'* on social media or in *'face to face'* conversations.

3.6.3 Clarity and comprehension

The instruction to use your birth certificate at birth was well understood. Trans participants found it clearer than other versions. Of all the versions, participants were able to most accurately interpret the meaning of Guidance D and understand how they should answer the sex question.

Participants interpreted the phrase 'sex registered on your birth certificate when you were born' as:

- The sex assigned at birth by a doctor or medical professional based on the *'presentation'* of genitalia
- The sex written down by your parents or the registrar when you were born
- The sex recorded on your original birth certificate, not an updated one which reflects your current gender identity.
- Participants said this version clarified that they should refer to their original birth certificate, rather than their GRC. There were instances of confusion, however this was not a strong theme. It was suggested that guidance should be added which clarifies whether respondents could refer to their GRC.

Although the clear direction toward sex at birth can be highly offensive for participants who do not identify with the sex registered at birth, there were non-binary and trans participants who appreciated the clarity of being directed to a specific document.

It was commented among Women's Group participants that if a respondent can change what's on their birth certificate, then this is the best version.

3.6.4 Alignment to participants' preferred answer

Like guidance B, *'Sex registered on a birth certificate at birth'* (Guidance D) received similar comments about not aligning with how participants would wish to answer the question, but D received stronger negative reactions due to the guidance which explicitly asks for the sex registered at birth. Trans participants said this was their least preferred version because it does not allow them to answer the question in the way they would like.

There is evidence that among trans participants with new birth certificates, this version of the guidance would elicit a different answer to previous versions of the guidance. Rather than give their reassigned sex to the sex question and answer 'yes' to the gender question, they would answer with their sex assigned at birth and 'no' to the gender question. However, they stated that they did not want to answer this way, and this was not their preferred version of the guidance for that reason. There were trans participants who said they would *'definitely'* give a *'protest answer'* if they saw this guidance, as they object to the statement which explicitly asks for the sex registered at birth. They may also drop out from the Census at this point.

3.7 Why do we ask this question?

✓ Why we ask this question

Your answer helps your local community by allowing charities, organisations, and local and central government to understand what services people might need.

This information is used to monitor equality between groups of people of different sexes. Equality monitoring helps make sure that everyone is treated fairly.

The sex question has been asked since 1801.

Hide this

There were mixed views about the ‘why do we ask this question?’ section. On the one hand, the link within the guidance was well received, across all groups of participants. They described it as having a positive impact on their feelings about answering the sex question and the Census itself. Participants said it clearly explains why the data is being asked for, which will help to reassure people who are ‘*suspicious*’.

Cisgender participants said they thought other people would find the link useful, however the pink and mauve coloured boxes on the page took their attention away from the link. Trans participants who felt uncomfortable about the lack of a third option for ‘intersex’ said they understood the data is required for statistical purposes and this explanation would make them feel less offended.

However, the guidance in the link was also criticised for not providing an adequate explanation for why the data is being collected in the way it is:

- Non-binary participants did not feel it sufficiently justifies why there are only two binary response options. Due to the guidance mentioning ‘sex registered at birth’, they assumed the reason is so the data can be used for record keeping and so it can be matched up with birth certificate and identification data, while this link did not provide sufficient information to explain if that is the reason – it would make the question more acceptable were it the case.
- simply saying ‘equality monitoring’ does not ‘*justify*’ why ONS has to ask for sex data. Trans allies said that if the Census wants to monitor equality between groups, then it should ask ‘*tailored*’ questions about equality, rather than putting people in ‘*boxes they don’t actually belong to*’. The term ‘monitoring’ was described as a bit ‘*intimidating*’ and has connotations of a ‘*nanny state*’.
- There were concerns from trans participants that the data will be used to allocate services based on sex assigned at birth, which may result in trans women being excluded from women’s services they need. Trans participants who expressed this view said that the information within the link ‘*upset*’ them more than the question itself.
- The sentence about the sex question being asked since 1801 was considered superfluous and irrelevant among participants across the sample. Trans allies pointed out that society has changed since 1801 and asking the question in the same way for so long is ‘*terrible*’.

The following suggestions for improvement were made:

- Participants would like reassurance that the data will not be passed onto others who might *'profit'* from it
- Examples of how sex data is relevant to determining the services people need should be added
- Non-binary participants explained that the health needs of trans women and cisgender women will differ, and therefore the guidance needs to clarify if the question is asking about sex assigned at birth or how people identify to allow respondents to provide the data that is required.

4 Conclusions

- None of the versions of the guidance tested are wholly acceptable to participants.
- There is potential for additional guidance to lead to non-response¹.
- The friendly language of *'It's up to you... use the sex on your official documents'* (Guidance C) was appreciated; using more inclusive language and tone would increase positivity towards answering the sex question.
- There is potential for some members of the public to view leaving the choice 'up to you' as collecting inaccurate data. However, this is also implicit in giving no guidance as well.
- The clear instructions of *'Sex registered on a birth certificate'* (Guidance B) and D were preferred over 'official documents' or no guidance in term of clarity and helpfulness; but could also cause offense to some.
- *'Sex registered on a birth certificate at birth'* (Guidance D) was regarded as the most offensive because it excludes respondents from referring to a new or updated birth certificate and requires recording a sex they no longer identify with.
- If directing people to give their sex registered at birth or sex registered on birth certificate, explaining why it is required and using inclusive and empathetic language may help minimise refusals.
- The 'why do we ask this question' was appreciated (although didn't adequately justify binary options); beginning guidance with this (and not hiding this information behind a link) would help some trans respondents to feel more positive about recording their sex.
- The binary nature of the female/male answer options were disputed (for non-binary and intersex) and no versions of the guidance were felt to justify it, although pointing to official documents implies it needs to align with these.
- Knowing a gender question will follow is reassuring and helped to reduce dropout from answering the Census.
- Instructions on how to answer when people are away were generally appreciated.

¹ If participants choose not to respond to the sex question, but submit an answer to the gender identity question, it might be possible that their answer to the gender question would be inconsistent with imputed sex. For example, making them both the same sex. It may be necessary to explore editing and imputation issues for monitoring the sub-population who submit a non-response.

Annex A - Sample

Participants were recruited through existing databases containing individuals who had 'opted-in' to take part in future research and via a professional agency. Screening questions were used to determine eligibility. A total of 52 participants were interviewed across the four primary groups in Table 1. Each group contained a spread of age, sex, gender and geographic variation. Membership to Woman's groups is provided in Annex A.

Table 1 – Characteristics of interview participants

Characteristic	Number of participants
Cisgender	16
Trans	16
Women's groups	16
Trans allies	7*

*Note column does not add up to 52 because a single participant may represent two categories, for example a trans participant can also belong to a woman's group.

Annex B - Research method

The research covered two aspects. Cognitive testing of four versions of guidance and in-depth discussion of social media use and the potential for social media or campaign activity in relation to the Sex question.

The guidance tested were:

- A. No guidance. Choose 'Female or Male'
- B. Use the sex on your birth certificate
- C. It's up to you, if unsure you can use the sex on official documents
- D. Use the sex on your birth certificate when you were born

The interview protocol included:

- i. In-depth questions about social media use and behaviours.
- ii. Cognitive test of Census sex and gender identity questions
- iii. Cognitive test of guidance and why we ask this question. The versions of the guidance were shown to participants in different orders in a between-participants design. Approximately half were shown condition one where 'No guidance provided' (Guidance A) was followed by C, B and D and the other half condition two where 'No guidance provided' (Guidance A) was followed by D, B and C.
- iv. In-depth questions on likelihood of interacting with social media in relation to the guidance

Possible ordering effects on the findings are discussed in Annex F.

Annex C – List of women's groups we recruited from

Womens league for peace and freedom
MIND Women's forum
Swarm Association
Women's Equality Party

Women's Aid
Women Kind
Southall Black Sisters
Disruptia
Bloody Good Period

Bristol Women's Voice
#MeToo on Campus
It Happens Here
Fawcett Society
Sister Supporter

Annex D - Interpretation of the term 'sex' broken down by age

Although there were participants from across all age groups who interpreted sex as referring to biological or physical sex and distinguished this as different from gender identity, participants' age did influence how they interpreted the term 'sex'. Participants were grouped into three age brackets; which were 16-29 years, 30-59 years old, and 60+.

The 16-29 age group were more aware of and explicit in distinguishing sex from gender:

- readily articulated 'sex' as being about biological/physical sex or '*what you were born as*'
- rarely conflated the term with gender; cisgender participants described sex as referring to '*biologically what organs [you have] and how you were born... obviously you can change your gender*'.
- Across all groups, often expressed concern about the binary nature of the sex response options.

This may indicate more exposure and a greater awareness of the issues surrounding sex/gender identity compared to the older groups.

Interpretations of the term 'sex' within the 30-59 age bracket were more mixed:

- often simply said 'either male or female' without elaborating in the way that younger participants did;
- interpreted 'sex' as 'what you were born as' however they tended not to be cisgender;
- (Cisgender) tended to express more confusion about the term 'sex' and conflated it with gender, eg. '*I suppose it is a word for gender*' and '*It's quite hard to explain in my own words...*' and were less likely to provide accurate descriptions compared to the 16-29 age bracket.
- Trans and their allies or Women's Group participants were able to distinguish between sex as '*biological*', and gender as '*societal*', and expressed concerns about the binary definitions of sex.

All participants in the 60+ group identified as Cisgender. They tended to:

- conflate the terms 'sex' and 'gender' and used the terms interchangeably, more so than the other groups; but
- There were others who interpreted sex as referring to a '*medical term*', which is about physical sex based on '*chromosomes*' and distinguished this from gender, which was described as being about '*what you are*' and how '*you present yourself*'.

Regarding acceptability of the sex question, there were mixed views across all age groups:

- There were participants from the 60+ group who said it was acceptable but a bit 'outdated' and asked why we need to know '*in this day and age*'. Others from this age group said it was unacceptable due to the binary response options and because other people might feel '*distressed*' about not being able to answer in a way they feel comfortable.
- In both the 16-29 and 30-59 age groups participants said it was acceptable because it collects useful information which is '*good for the country*' and the data could be used to make society more '*inclusive*'. Others said the question is acceptable but said it would be better if more non-binary options were added.
- Conversely, others in the 16-29 and 30-59 age groups said it was '*completely unacceptable*' due to the lack of binary options and warned it could lead to the Census being '*berated on Twitter*' if the question only has female/male response options.

Annex E - Findings on 'Is the gender you identify with the same as your sex registered at birth?'



Previous

Is the gender you identify with the same as your sex registered at birth?

This question is **voluntary**

Yes

No

Enter gender identity

Trans participants interpreted this question as asking:

- If respondents are trans or non-binary
- If respondents *'still associate'* with the sex registered at birth
- If you identify as *'the opposite sex'*
- What a person's gender/gender identity is

There were trans participants who said this was a *'straight forward'*, *'well-phrased'*, *'fair'* question that recognises that *'trans people exist'*. It was also rated positively because:

- The question uses a free text box and means participants do not have to select between *'limited options'*
- Non-binary participants said they preferred the gender question much more than the sex question because it allows them to select 'no' and then type in 'non-binary'.

Non-binary participants said the question was acceptable, but they raised concerns that there might be trans people who do not wish to answer it as they wouldn't want to disclose their sex assigned at birth. There were trans participants who said that although the question is *'triggering'* and made them feel *'slight panic'*, they would still answer it. They would prefer to be asked a question about their gender, rather than their 'gender identity', as the term 'gender identity' makes them *'cringe'* as it implies it is just about a person's feelings, and not based on reality.

Cisgender participants also described the question wording as a *'mouthful'*.

There were mixed views on the gender question being voluntary – some appreciate it being voluntary for privacy, others feel that it being voluntary makes it less important than the sex question. It was suggested that if the question is compulsory, a *'no response'* option should be added.

Participants from across all groups said they might skip the question if they did not understand it and may or not may return to it later. Others said they might look for help/guidance or ask family or friends, however none of them actually did look for help or guidance.

Interpretation of the term 'gender' broken down by age

Age was a factor in how accurately participants were able to interpret and describe the phrase 'gender you identify with'. Participants in the older age bracket 60+ expressed less certainty when asked to interpret the phrase in their own words. For example, they said they would just think of male and female and wouldn't be

sure about what other *'sort of gender identities'* there are. Others expressed uncertainty and interpreted it to mean *'how you put yourself out there to the general public... I don't know what you call them... young people who don't identify as either'*. However, there were others who interpreted it more accurately, stating it refers to *'gender representation... the way they introduce themselves, pronouns they use'*. The younger age groups were generally able to provide accurate interpretations of the phrase and found it easier to interpret in their own words compared to the term 'sex'.

Annex F - Order effects

The order in which participants view certain questions or pieces of guidance during the interview process can influence their opinions and reactions to the questionnaire. To minimise order effects, participants were split into two conditions, and shown the versions of guidance in differing order. However, there are certain order effects which have been observed during the interview process which should be taken into consideration when using the findings in this report.

For example, it is important to note that participants saw the sex and gender identity questions before seeing any of the versions of guidance. Therefore, order effects need to be considered here, as participants did sometimes change their answers after seeing the guidance. However, there were participants who still said they would answer the sex question in the same way after seeing the guidance (i.e. by providing their gender identity) so the order effects can be considered to be minimal.

'Sex registered on a birth certificate' (Guidance B) received criticism for sounding *'harsh'* and too *'direct'*, however participants made those comments after they had seen *'Sex registered on a birth certificate at birth'* (Guidance D) and C. Participants who saw *'It's up to you... use the sex on your official documents'* (Guidance C) first said B was *'not as nicely worded'*, and participants who saw D first said it sounded *'softer'* than B. It is important to note that none of the participants saw Guidance B first (i.e. before C and D) therefore it is not possible to know if they would have thought Guidance B sounded *'harsh'* if they had not compared it to previous versions.

'It's up to you... use the sex on your official documents' (Guidance C) was interpreted as asking respondents to *'self-identify'* when answering the sex question. However, participants themselves pointed out that their interpretation of the question as allowing them to self-identify may be influenced by the fact they had seen three other versions of guidance before they saw *'It's up to you... use the sex on your official documents'* (Guidance C). However, participants who were in Condition 1 (i.e. those who saw Guidance C as the second piece of guidance) also interpreted it as asking respondents to *'put whatever you want'*. In other words, participants interpreted Guidance C as asking them to self-define regardless of the order in which they saw the guidance. Therefore, we can assume the order effects are minimal.

There were trans participants who said that none of the guidance would convince them to complete the survey. However, there were occasions where those participants said they would feel comfortable about answering the sex question only after they had seen the statement explaining that there will be a question later about gender identity. The phrase reassured them that they will have an opportunity to self-identify later on.

Therefore, if those participants had noticed that statement earlier, their reactions to the guidance may not have been as negative. Participants who did not initially notice or *'take in'* the statement said it was because *'the text was all the same'*. This may be a good reason to recommend making the phrase *'A question about gender identity will follow'* more noticeable, as it had a positive impact on participants' willingness to answer the sex question.