

Note of the ONS Roundtable meeting on the guidance for the 2021 Census sex question: 24 June 2020

Attendees: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Iain Bell and Susan Mangles from the ONS

Aim: For the ONS to hear the differing views of attendees on the guidance to the sex question and to discuss the next steps.

Introduction to meeting

Iain Bell introduced the meeting by stating that the primary aim of the Census was to count the full population and that the mandatory sex question on the Census (which has been asked since 1801) is one of the key demographic questions which enables this. He said that the majority of people don't refer to guidance to answer this question on sex as demonstrated by the 2019 Census rehearsal. Research shows that the few who do are from the trans and non-binary populations. The sex question is also key as one of the questions which go towards making a complete record. In order to have a valid record two out of four of name, date of birth, sex and marital status must be complete. This means ensuring all people complete it is vital to counting the population.

Susan Mangles gave some background to the guidance on the sex question. Guidance was first introduced in 2011 at the request of the LGBT community, who along with peers have asked for guidance to be provided again for the sex question in the 2021 Census. Susan Mangles outlined the testing ONS had carried out for the guidance used in the 2019 rehearsal and explained how it was accessed. She made clear that the guidance is not finalised and that ONS is pleased to have input from the Roundtable participants to help with this.

Main points from Roundtable contributions where participants in turn gave their views

A summary of the key points raised is given below:

General points

The Census is an historical document which will tell the history of that time when people look back

The Census data should be as complete and accurate as possible and this means that the people filling in the Census need to be able to fill it in confidently

It is important to be able to compare questions with previous censuses, and in the past we have not over specified how to answer

The guidance on the sex question was only introduced in 2011, so people will always have previously interpreted the question as they see fit.

There is wide-ranging support for the new Gender Identity question on the Census

Use of the Census sex variable

The sex data is widely used and is a key demographic variable on many surveys including attitude surveys;

The categories on Census are widely used by others as a precedent even if user needs are different.

### Guidance on the sex question

*The following points were made in favour of the guidance setting out that 'sex at birth' should be answered*

Sex and gender identity are not the same and there is a need to know both sex at birth and gender

The guidance needs to make it clear what the question is asking

The current guidance muddles up sex and gender, while the question is asking about sex. It is possible people will answer in terms of their gender identity rather than their sex at birth

Accurate data on sex is required at both national and local levels. With the current guidance, at local levels - local areas have huge variations of the types of communities who live there, e.g. ethnic groups, trans communities, students- there is more risk of error

Disaggregated sex data is important in particular for evidence-based policy in particular at small area level. Sex at birth guidance would give the least biased results

Misclassification of sex may be negligible at population level, but there is no reason to believe this is the case at sub population level, age groups / small areas. There can be marked differences in sex ratio in small areas

Accurate sex data is required to help understand trans discrimination as well as discrimination against women. Sex at birth guidance is therefore required to ensure accurate data is collected on women and girls. Women's rights and trans rights need to be balanced

'Sex recorded on your birth certificate' is uncontroversial and the term is already used in guidance for the gender identity question

*The following points were made to raise concerns about the guidance setting out that 'sex at birth' should be answered*

Sex at birth guidance means that there will be a break in the data series on sex, which has been collected since 1801 on a self-identified basis. This is of concern to researchers who require data on a consistent basis with previous censuses

Most people answer the sex question without guidance, the guidance is aimed at the trans community to help them answer the mandatory question

Sex at birth guidance could conflict with the human rights of the trans community

There is a risk that members of the trans community will not answer the sex question if it based on 'sex at birth', nor go on to answer the rest of the census, so being lost from the data entirely

Historically, trans people would have answered the question based on how they presented themselves publicly

*The following points were made in relation to the current draft guidance*

The current draft guidance makes the question inclusive so every-one can answer, including some of the most vulnerable in society. This information is key to collecting data to address inequalities

It also helps minority groups, who have difficulty being heard, to complete the Census. Their voices are less likely to be heard if they don't fill the Census in

The guidance needs to be clear that you can identify as you wish, and shouldn't refer to legal documents as the current draft guidance does

People face considerable difficulty to change their legal gender and the current draft guidance enables people to participate in the Census and answer questions without a gender recognition certificate

The current draft guidance along with the new gender identity question means that we can look in detail at the population, at same time not break the sex question series

The guidance has been cognitively tested and used in 2019 rehearsal

The draft guidance implies that sex and gender are the same thing as you can answer as you want

The guidance should be explicit about variations of sex characteristics, sometimes known as intersex

*The following points were made on the issues around conflating sex and gender*

By conflating sex and gender the needs of women and girls are ignored and makes it difficult to provide the appropriate services they need

#### Legal sex question

There is no one definition of sex, so guidance could be based on legal sex, however, gender minorities are less likely to answer this question if asked on a legal sex basis

#### A combined sex/gender question

YouGov stopped binary data collection as a result of confusion

There is little shared understanding of sex and gender so some researchers would have recommended a single combined question, i.e. a combined sex and Gender identity question

#### Separate GI and sex question

Separate questions on sex and gender may confuse some people

#### Gender identity question

There is wide- spread support for the new gender identity question, the importance of collecting accurate data on the trans community is recognised

To understand the gender identity answers, there is a need to understand the sex question (i.e. need to know if it is sex at birth),

The gender identity question has been widely tested

#### Accessing services

Trans people tend to access services in line with their identity and data needs to be collected on this basis

Provision of services for women requires accurate data on women / children

### Equalities

The Census provides an opportunity to address structural inequalities: for example, women's inequalities in the workplace and on the gender pay gap; the inequalities the trans community face – it is difficult to measure this accurately without accurate data on both women and the trans communities

Data is required to enable public bodies to play their part in making society fairer by tackling discrimination and providing equality of opportunity for all

### Way forward discussion

Iain Bell thanked attendees for their contributions and summarised by saying that the most important aspect of the Census is that every-one is counted. He said that the target response rate was 94% nationally and 80% locally in all local authorities, with minimal variation within local authority area. From the contributions there seemed to be general agreement on this and also on the addition of the gender identity question. He noted that in testing, the gender identity question was well understood, and response rates were not undermined by the addition of this question.

Iain Bell however acknowledged that there were different views on the guidance for the sex question. There was no guidance for the sex question until 2011 when guidance was added at the request of the LGBT community. The draft 2021 guidance which was used in the 2019 rehearsal is not yet finalised and is worded similarly to that used in 2011.

From around the table concerns were expressed that the quality of the sex data would be undermined with the sex question guidance as currently drafted. It was noted that both sex and trans-status are protected characteristics and we need good quality data on both.

There was acknowledgement that it was important to maximise response rates but at the same time it was important to have accurate male/female data as well as accurate trans-status data.

Others around the table were concerned that there would be a break in the sex data series if the guidance was changed to 'sex at birth' which would have a negative impact on their research. Some felt that it is important to have an inclusive sex question and the guidance needed to reflect that. There was a danger that the trans community would not answer the sex question if it was 'sex at birth' and would not continue with the other questions on the Census. This would put the quality of the gender identity question at risk as well as the population count.

One option put forward is to revert to no guidance, which means that the data series will remain comparable. However, this would make 2011 different from the other censuses.

Iain Bell suggested a way forward would be further research and testing focused around the key criteria of ability for all respondents to answer and accuracy of data. The Roundtable attendees asked that the sample for testing should include all the population groups and asked that ONS included in the testing of the guidance 'sex at birth'. Iain Bell also mentioned the importance of community engagement in encouraging participation in the Census.

### Conclusion

Iain Bell thanked all attendees again for attending the Roundtable and for their contributions to the discussion. He said that as consensus had not been reached on the guidance for the Census sex

question, the Roundtable agreed that ONS should organise further research and testing. The research proposals would be shared with the group along with the results.