

Recommendation for Sex and Gender Monitoring Questions

Purpose and background

Many Civil Service departments collect demographic and personal data about their employees. When considering trans, nonbinary and intersex staff, there are generally three potential reasons for collecting this data:

- 1) To monitor diversity and representation of trans, nonbinary and intersex staff within the organisation
- 2) To improve inclusivity by being able to offer workplace adjustments (mainly for transitioning)
- 3) To identify if trans, nonbinary and intersex staff are experiencing bullying, harassment and discrimination (BHD)

There are recommended [harmonised standards](#) for sex and gender data collection across Government; at present this standard follows the approach used for Census 2021. a:gender's recommended approach is similar to the current standard but suggests important changes to maximise the inclusion of trans, nonbinary and intersex staff and avoid problematic language, while still allowing for accurate and consistent data collection.

Our recommendation

We recommend the following two-question approach:

What sex were you registered at birth?

- Male
- Female

Regarding your sex and gender now, please select all terms that describe you:

- Male
- Female
- Nonbinary
- Intersex
- Prefer to self-describe: _____
- Prefer not to say

It should always be **optional** for a respondent to answer these questions (whether the questions contain a 'Prefer not to say' option or not). It is likely this data would be considered '[Special Category](#)' under General Data Protection Regulations (GDPR); in most cases explicit consent is required to collect it and therefore the questions must be optional (this may not be the case where HR departments need to know an employee's legal sex for payroll and tax purposes, however this data is normally collected separately).

If the purpose of the survey is to record instances of BHD, then the sex and gender questions (and any other demographic questions) should be accompanied by BHD monitoring questions.

It is recommended that this type of survey is **anonymous** as it is more likely that respondents will feel comfortable to share their information.

Comparison to current harmonised standards

Compared to the current [harmonised standards](#) for sex and gender data collection, this recommendation improves on issues around inclusion and language not fully addressed which are outlined below.

Inclusivity and Representation. The current standard excludes intersex people altogether. This recommendation would allow the Civil Service to gather data on intersex employees alongside other demographic data. The primary objective for our approach is that all trans (in the widest sense) and intersex people are able to record themselves in the same capacity as everyone else.

Language. There are several points on the use of language that a:gender have considered for this recommendation in relation to the current harmonised standards:

- The use of 'identity' with 'gender' (e.g. 'the gender you identify with') only occurs in relation to trans or intersex people and therefore promotes unconscious bias; the word 'identity' is not used in other demographic questions (with the exception of national identity). In everyday discussion people rarely talk about identifying with their gender and this phrasing perpetuates the incorrect view that a person can simply choose their gender to be anything, making it a point of ridicule. Similarly, when discussing topics around gender equality the phrase 'gender identity' is not used, e.g. the gender pay gap.
- The Scotland Census 2022 asked the question 'Do you consider yourself to be trans or have a trans history?' and included a definition of trans. No other demographic question has an explanation, meaning that trans people are singled out which may promote unconscious bias. This recommendation does not include the word 'trans' therefore no definition is required; this removes the potential for unconscious bias and message fatigue for trans individuals, who are very aware of what being trans means.