

# Testing guidance for the sex question

Scotland's Census 2021

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**Date:** 19/12/2019

**Prepared for:** National Records of Scotland

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# Contents

Executive summary .....	1
<b>1 Introduction .....</b>	<b>8</b>
1.1 Background.....	8
1.2 This report	9
1.3 Terminology .....	9
<b>2 Methodology.....</b>	<b>11</b>
2.1 Introduction .....	11
2.2 Study design .....	11
2.2.1 Within-subject design.....	11
2.3 Sampling 13	
2.3.1 General population survey sampling.....	13
2.3.2 Trans or non-binary survey sampling.....	14
2.4 The questionnaire .....	15
2.4.1 Questionnaire content.....	15
2.4.2 Survey mode .....	16
2.5 Fieldwork 17	
2.5.1 General population survey .....	17
2.5.2 Trans or non-binary survey .....	17
2.6 Response 17	
2.6.1 General population survey .....	17
2.6.2 Trans or non-binary survey .....	21
2.7 Data processing .....	22
2.7.1 Editing .....	22
2.7.2 Coding .....	22
2.7.3 Quality assurance .....	22
2.8 Weighting 23	
2.8.1 General population survey weighting .....	23
2.8.2 Trans or non-binary survey .....	27
2.9 Analysis methods.....	27
2.9.1 Statistical testing.....	27
2.9.2 Analysis of text responses .....	28
<b>3 Findings: General population survey.....</b>	<b>29</b>
3.1 How people answer the sex question when first asked.....	31
3.1.1 Response to the 'what is your sex?' question .....	31

3.1.2	What is known about people who chose not to answer the sex question when first asked.....	32
3.2	Do people use the guidance? .....	35
3.2.1	Accessing the guidance.....	35
3.2.2	Whether the general population read the optional guidance when first asked the sex question .....	36
3.2.3	Who reported reading the guidance.....	37
3.2.4	Whether those who reported reading the guidance actually read it.....	38
3.3	Understanding how people answer the sex question (when first asked) based on different versions of the guidance .....	38
3.3.1	Response to sex question (when first asked), by version of guidance ...	38
3.3.2	Response to sex (when first asked) among those who reported reading the guidance .....	38
3.4	How people answer the sex question when asked to consider different versions of the guidance .....	39
3.5	Acceptability of guidance types.....	43
3.5.1	Why some people find guidance unacceptable.....	45
3.6	Impact of guidance types .....	48
3.6.1	Likely impact of guidance on census completion .....	48
3.6.2	How likely impact on census completion differ by guidance type .....	51
<b>4</b>	<b>Findings: Trans or non-binary survey.....</b>	<b>53</b>
4.1	Background.....	57
4.2	How trans or non-binary people answer the sex question .....	57
4.2.1	Trans or non-binary response to the sex question .....	57
4.2.2	What is known about trans or non-binary people who chose <i>not</i> to answer the sex question when first asked?.....	58
4.2.3	Reasons why some trans or non-binary people did not answer the sex question.    58	
4.3	How trans or non-binary people use the guidance.....	59
4.3.1	Accessing the guidance.....	59
4.3.2	Whether trans or non-binary people read the optional guidance when first asked the sex question .....	59
4.3.3	Those who reported reading the guidance.....	60
4.3.4	Whether those who reported reading the guidance actually read it.....	60
4.4	Understanding how trans or non-binary people answer the sex question (when first asked) based on different versions of the guidance .....	61
4.4.1	Response to sex question (when first asked) by version of guidance available    61	
4.4.2	Response to sex question (when first asked), among those who reported reading the guidance .....	61
4.5	How trans or non-binary people answered the sex question when asked to consider different versions of the guidance.....	63
4.6	Acceptability of guidance types.....	66

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4.6.1	Reasons given for finding the self-identification sex guidance unacceptable .....	67
4.6.2	Reasons given for finding the legal sex guidance unacceptable .....	68
4.7	Likely impact of guidance types on census behaviour .....	72
4.7.1	Likely impact of self-identification sex guidance on census completion..	73
4.7.2	Likely impact of legal sex guidance on census completion.....	73
4.7.3	How did likely impact on census completion differ by guidance type.....	75
4.8	Additional views trans or non-binary participants provided on the guidance	76
	Appendix A. Guidance.....	79
	Appendix B. Questionnaires .....	81



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# Executive summary

## Background

- Scotland's Census 2021 will include the question 'what is your sex?' with two response options 'female' and 'male'. A decision on the guidance to accompany the question is still to be made. Two versions of the guidance were tested: one advised people to respond according to their self-identified sex, the other according to their legal sex.
- To explore views on both versions of the guidance, National Records Scotland (NRS) commissioned a survey of a random sample of the general population and a separate survey of an opt-in sample of trans or non-binary adults.
- Participants were first asked to respond to the sex question with guidance available if they chose to access it. Results from this question provide the closest measure there is to likely behaviour at the census. In both surveys, half the sample were given access, where required, to self-identification sex guidance and half to legal sex guidance.
- All participants were then shown each version of the guidance in turn and asked how they would answer the 'what is your sex?' question based on it. To combat the potential impact of response to the second question from exposure to guidance for the first question, a random half of participants were given the self-identification sex guidance first and then the legal sex guidance. The reverse was true for the remaining half of participants

## General population survey

- 2208 participants completed the questionnaire. Participants had the option of taking part either online or on paper. 52% took part online and 48% completed the questionnaire on paper.

### Understanding how the general population answer the sex question

- 96% of participants answered the sex question when first asked and 4% chose not to answer it. Of those that responded, 53% reported being female and 47% male.
- There was no relationship between non-response to the sex question and age of participant.

### Understanding how the general population use guidance

- When first answering the sex question, as will be the case in the census, participants were not shown guidance but could access it if they chose to.
- Around one in ten (11%) people reported reading the guidance before answering the sex question. Background data collected for online participants indicated, however, that only 15% of online participants that reported reading the guidance actually clicked on the 'help' button to access it (0.5% of all online participants). There was similar evidence of over-reporting among those who took part on paper. Consequently, the proportion of the general population that actually accessed guidance when answering the 'what is your sex?' question (at first asking) is likely to have been significantly lower than 11%.

### **Understanding how people answer the sex question (when first asked) based on different versions of the guidance**

- Non-response to the sex question when first asked did not differ significantly by guidance type. That is, participants who reported reading the self-identification sex guidance before answering ‘what is your sex?’ (when first asked) were no more or less likely to *not* answer the question than those who reported reading the legal sex guidance (6% and 9%, respectively).

### **Understanding how people answer the sex question when asked to consider different versions of the guidance**

- After being asked the sex question in a way that replicated the census as closely as was feasible, everyone was then presented with a version of the guidance to read and asked how they would answer the ‘what is your sex?’ question having read the guidance. Once they had done this, they were shown alternative guidance and asked to answer the sex question again using this. The order guidance was presented to participants was randomised.
- Non-response to the sex question did not vary significantly according to guidance type (1% for self-identification and 2% for legal sex guidance). That is, the version of the guidance consulted did not relate to likelihood to respond to the sex question in this scenario.
- Those in the general population who reported they were trans or had a trans history were more likely than others to avoid answering the sex question, irrespective of which version of the guidance was used (18% said they would not answer if self-identification sex guidance was used, compared with 1% of non-trans people.) The equivalent figures for legal sex guidance were 59% compared with 1%, respectively

### **Acceptability of the different versions of guidance**

- Participants were asked how acceptable each version of the guidance was for inclusion in the census with answer options ranging from very acceptable to not at all acceptable.
- Two-thirds (69%) reported that the self-identification sex guidance was acceptable for use in the census. This was not significantly different from the 68% that found the legal sex guidance acceptable.
- Nine in every ten (91%) people gave the same acceptability response to both versions of the guidance. Two percent described the self-identification sex guidance as more acceptable for the census than the legal sex guidance. The same proportion (2%) which was similar to the 4% that reported the opposite – that the legal sex guidance was more acceptable.
- Based on their response to sex when first asked, males were significantly more likely than females to describe the self-identification sex guidance as unacceptable (7% and 4%, respectively). Views on the acceptability of the legal sex guidance did not significantly differ by response to sex when first asked (7% and 5%, respectively), that is males were no more or less likely than females to find the legal sex guidance unacceptable.
- Five percent found self-identification sex guidance not acceptable or not at all acceptable for use in the census. The equivalent figure for legal sex guidance was also 5%.
- Those who described a version of the guidance as unacceptable were asked to explain, in their own words, why they felt this was the case.



## **Reasons why some people find the self-identification sex guidance unacceptable**

- Upon reading the self-identification sex guidance, a common theme among those that found it unacceptable was that sex is binary and determined at birth and that consequently there should be a legal basis to any response to the sex question. For some whom had objections, the self-identification sex guidance was viewed as ‘encouraging’ the notion that sex is a personal choice.
- The presence of the term ‘non-binary’ prompted others to declare the guidance unacceptable as they viewed the term as clearly relating to gender and not sex. Some viewed the guidance as confusing and risked potentially overcomplicating the question, especially for older people. Although it is worth noting that any guidance that accompanies the sex question in the census will need to be actively sought out and testing showed that, when given the opportunity to access the guidance, the majority of people choose not to.

## **Reasons why some people find the legal sex guidance unacceptable**

- A common theme among those who found the legal sex guidance unacceptable was that there should be no need for a guidance, since they viewed sex as determined at birth and known to all. Therefore, for some, all the information given in the guidance are simply unnecessary and confusing. The guidance was described as a waste of resources and ‘encouraging’ young people that they can have a choice over their own sex. While these views were expressed in response to the legal sex guidance it was apparent that these thoughts extended to the self-identification sex guidance as well.
- Another reason why the legal sex guidance was deemed unacceptable, was the fact that it deprives individuals of their right to self-definition. Some people felt that there should be a third choice of ‘other’. In addition, there was a view that people should be allowed to declare a sex that is different to their birth sex without having obtained a gender recognition certificate (GRC).
- A person’s legal sex was considered, by some, to be too personal to be asked to share on the census. This was not unique to the legal sex guidance and was mentioned as an objection to self-identification sex guidance also.
- In some cases, confusion over the language used in the guidance was mentioned. The inclusion of the term ‘non-binary’ was particularly confusing for some. For others, the feedback given pointed to general confusion and misunderstanding of the terms sex, gender and sexual orientation.

## **Likely impact of the different versions of the guidance on census behaviour**

- To get a measure of the impact the guidance might have on behaviour at the census people were asked, for both versions of the guidance, to choose what they would do if the census included the particular guidance with the ‘what is your sex?’ question.
- For both versions of the guidance, nine in ten people (91% for self-identification and 90% of legal) said they would ‘answer the question ‘what is your sex?’.
- For the self-identification sex guidance, 2% said they would ‘skip the sex question’ in the census if the guidance was used and 1% said they would ‘not complete the census at all’. The likely impact of the legal sex guidance was the same - 2% would skip the sex question if the legal sex guidance were used and 1% would not take part in the census at all.

- The vast majority (95%) reported that the impact on their census behaviour would be the same for both version of the guidance. For 2%, the impact was greater for one guidance type than the other and for a similarly small group of people (2%) it wasn't clear what the impact would be.

### Trans or non-binary survey

- The survey of trans or non-binary adults living in Scotland was an opt-in online survey with recruitment across a large and diverse range of charities, support groups and medical settings. Seventy-five people completed the survey.
- Since participants were not selected at random, the findings relate only to those who took part and inferences to the wider trans or non-binary population in Scotland cannot be made. Different approaches to sampling mean that comparisons between the general population survey findings and the trans or non-binary findings cannot, and should not, be made.

### Understanding how trans or non-binary people answer the sex question

- When first asked the question 'what is your sex?', 47% (n=35) of trans or non-binary participants responded 'female', 45% (n=34) responded 'male' and 8% (n=6) chose not to respond.
- Those who chose not to answer the sex question when first asked were asked to explain, in their own words, why they didn't provide an answer. An objection to the binary nature of the response options proved to be a common theme among non-responders.
- All of those who did not answer the sex question when first asked it described their trans status as 'non-binary'.

### Understanding how trans or non-binary people use the guidance

- When first asked the sex question guidance was available, but participants had to click on a 'help' button to access it. When asked, one in three (33%) trans or non-binary participants reported accessing guidance when answering the question.
- However, background data collected on online participants indicated that a quarter of those who claimed to access guidance did not actually do so. Thus, overall, 25% (n=19) of trans or non-binary participants genuinely accessed guidance before answering the question 'what is your sex?'.
- Those describing their trans status as 'non-binary' were significantly more likely than those who described it in another way to access guidance before answering the sex question (37%, n=13 and 15%, n=6, respectively).

### Understanding how trans or non-binary people answer the sex question (when first asked) based on different versions of the guidance

- Of the 25% (n=19) of trans or non-binary people who accessed guidance when first asked to respond to the 'what is your sex?' question, Non-response to the question did not differ significantly by guidance type.
- Over half (58%, n=11) of those that genuinely accessed guidance before answering the sex question reported that the guidance prompted them to change their answer.
- Those who read the self-identification sex guidance were no more or less likely than those who read the legal sex guidance to report changing their minds about how to answer (55%, n=6 and 63%, n=5 people, respectively).

- Three of the 6 people who reported changing their mind after reading the self-identification sex guidance text had initially planned not to answer the question but chose to respond having read the guidance. The same was true of those reporting that reading the legal sex guidance changed their mind (3 of the 5 did not plan to answer prior to reading the guidance but went on to provide a valid response).

### **Understanding how trans or non-binary people answer the sex question when asked to consider different versions of the guidance**

- After answering the initial sex question – which was presented in a manner replicating how it might appear in the census – , trans or non-binary participants were then presented with each version of the guidance to read, in turn, and asked how they would answer the ‘what is your sex?’ question having read the guidance.
- When presented with the self-identification sex guidance, 23% (n=16) of trans or non-binary participants reported they would not answer the sex question. Around half (49%, n=35) said they would not answer the sex question if the legal sex guidance was used.
- How trans or non-binary people responded to the sex question when each version of the guidance was considered was compared to see if, and how, answers changed in line with guidance. For 60% (n=41) the response given to the sex question when self-identification sex guidance was considered did *not* match the response given when legal sex guidance was considered.
- Twenty-six of the 32 trans or non-binary people reporting that they would not answer the sex question if legal sex guidance were used, provided a valid answer to the question when the self-identification sex guidance was considered.
- Many of those reporting that they wouldn’t answer the sex question described their trans status as non-binary and, when asked to describe in their own words why they would not answer, pointed to the binary nature of the response options as the reason for their decision. This was raised as an issue for both versions of the guidance but was more pronounced for the legal sex guidance.

### **Acceptability of the different versions of guidance**

- Participants were asked how acceptable each version of the guidance was for use in the census.
- Sixteen of the 75 trans or non-binary participants (21%) described the self-identification sex guidance as either not acceptable or not at all acceptable. When asked how acceptable the legal sex guidance was for inclusion in the census, 58 participants (77%) viewed it as unacceptable.
- While a third (n=28) of trans or non-binary participants viewed both versions of the guidance as equally acceptable, close to two thirds (n=46) viewed the legal sex guidance as *less* acceptable than the self-identification sex guidance for use in the census. Only one of the 75 participants described the self-identification sex guidance as the least acceptable of the two versions.

### *Reasons why some trans or non-binary people find the self-identification sex guidance unacceptable*

- When asked to explain, in their own words, why the self-identification sex guidance was not acceptable, the most widely held view related to the restrictive nature of the binary response options to the question rather than any specific issues with the guidance itself.

- Other objections to the self-identification sex guidance touched on broader implications relating to the role of census in defining society and societal views. Some questioned the accuracy of the data that would be gathered from non-binary people and it was also noted that the guidance didn't give everyone in the population visibility, again a reference to non-binary people having to answer a binary question.
- While some viewed the self-identification sex guidance as unacceptable, they made it clear that they deemed it more acceptable than the legal sex guidance.
- Highlighting that views across trans or non-binary people aren't always consistent, it was mentioned that the self-identification sex guidance confuses sex and gender which were considered to be separate by those who cited this issue.

### **Reasons why some trans or non-binary people find the legal sex guidance unacceptable**

- Many trans or non-binary people who found the legal sex guidance unacceptable provided an extensive narrative on why they felt this way, often offering multiple reasons for their views. Common themes were:
- Binary nature of the sex question – those describing themselves as non-binary described the binary nature of the question as restrictive. That the guidance, and the subsequent question on trans status, acknowledged that a person could be non-binary but did not allow this to be expressed at the sex question was noted as particularly frustrating.
- Issues with the legal sex guidance specifically – Many disagreed with the guidance requirement to hold a gender recognition certificate (GRC) in order to respond according to their lived sex. The process of obtaining a GRC was described as bureaucratic and off-putting for those eligible to apply. It was noted that the insistence on holding a GRC meant that the guidance could, in effect, create a two-tier system among trans people – those with and those without a GRC.
- Data quality implications of using legal sex guidance – A view reported was that using 'legal sex guidance would result in data that was inconsistent with 2011 census data when trans or non-binary people could answer according to self-identified sex. Some participants indicated that they would answer the question according to self-identified sex even if the 'legal sex guidance were to be used. A knock-on implication of this on data quality noted by participants was that some would then choose not to answer the subsequent trans status question since when used in combination with their response to the sex question, they might be thought to be lying and it could allow their sex at birth to be determined.
- Emotional implications the legal sex guidance on trans people – several participants associated the requirements of the 'legal sex guidance with feelings of distress and rejection and there was a sense that using this guidance could have negative consequences on the mental wellbeing of trans people.
- Societal implications of using legal sex guidance – some trans or non-binary people perceived the implications of using 'legal sex guidance as going beyond the personal. Their view was that if legal sex guidance was to be used, then, this would be viewed as the 'government' presenting its position on the acceptance and recognition of trans identities and potentially, as a result, shaping wider public perceptions to negative effect.

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### **Likely impact of the different versions of the guidance on census behaviour**

- For each version of the guidance, trans or non-binary participants were asked what they would do in the census if the guidance was included.
- Of the 75 participants, 52 (69%) reported that they would answer the sex question in the census if self-identification sex guidance were used. Fourteen would skip the sex question and just 4 would not take part in the census at all if the guidance were used.
- Likely impact on census behaviour appeared to more negative for the legal sex guidance with 17 (23%) of the 75 participants reporting they would answer the question, 23 stating that they would skip the question and a further 23 stating that they would not complete the census at all.
- Forty percent (n=30) indicated that the impact of guidance on their likely census behaviour would be the same for both versions. Forty percent (n=30) indicated that legal sex guidance would have a more negative impact on census behaviour than self-identification sex guidance and 3% (n=2) said the opposite.

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# 1 Introduction

## 1.1 Background

Conducted every 10 years, Scotland's Census is the official estimate of every person and household in Scotland. A question asking people to report what sex they are has been included in Scotland's census since 1801. On the 2011 census, guidance on how to record sex advised transgender people that they could respond to the binary question on a self-identification basis.<sup>1</sup>

The decision on what guidance should accompany the sex question ('what is your sex?') in the 2021 census in Scotland is still to be made. Two versions were included in testing, one version notes that transgender people can give an answer that is different from what is on their birth certificate and states that a gender recognition certificate (GRC) is not required. The alternative version states that the answer given should match a person's birth certificate and that those who have a GRC may record their legal sex. Both versions of the guidance can be found in Appendix A.

To explore the potential impact of the two versions of the guidance to accompany the sex question, National Records of Scotland (NRS) commissioned ScotCen Social Research (ScotCen) to carry out two separate within-subject<sup>2</sup> surveys with the below groups:

- General population - adults aged 16 and over living in Scotland
- Adults aged 16 and over self-identifying as trans or non-binary and living in Scotland

NRS's objectives were to understand the impact of the two different guidance sets for the sex question on the question responses, data quality, guidance acceptability and census completion on these two groups.

To meet the objectives of the study both surveys were designed to address the following research questions, separately for the general population and the trans or non-binary population:

### **Understand response to the sex question**

- What proportion answered the sex question?
- What proportion answered the sex question with/without consulting guidance?
- What proportion declined to answer the sex question because of the version of guidance they have read?

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<sup>1</sup> For the 2011 census guidance was available online.

<sup>2</sup> A within-subject design is a type of experimental design whereby each participant is exposed to all the conditions of interest, which in the context of this research meant that every participant was shown both versions of the question guidance and asked how they would answer the sex question based on them. The alternative, a between-subject design, would be when different groups saw different versions of the guidance. For full details of the study design see Section 2.2.1 below.



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- How would people answer the sex question based on an alternative version of the guidance?

### **Understand non-response as a measure of data quality**

- What was the non-response rate to the sex question?
- What reasons, if any did people give for not answering the sex question?
- Was there a relationship between use of guidance and non-response to the sex question?
- How did non-responders choose to answer the question when asked to consider alternative guidance?

### **Understand views on the acceptability of guidance**

- What proportion found each version of the guidance acceptable?
- What were the reasons, if any, people gave for finding guidance unacceptable?
- Was there a relationship between non-response to the sex question and views on acceptability of guidance used?

### **Understand impact of guidance on census completion**

- What proportion said they would answer the sex question in the census if the guidance was used?
- What was the relationship between non-response to the sex question and likelihood of census completion?

## **1.2 This report**

Both surveys were carried out in Autumn 2019. In total, 2208 participants took part in the survey of the general population. Of these, 52% completed the survey online and 48% filled it out on paper. The survey of trans or non-binary adults was available only online and was completed by 75 people.<sup>3</sup>

Findings from both the general population survey and the trans or non-binary survey are included in this report. Methodological differences in the way the two samples were recruited mean that survey findings for the general population survey and the trans or non-binary survey are presented separately as they are not directly comparable.

A detailed methodology for both surveys can be found in Section 2. Copies of the questionnaires used for the surveys can be found in the Appendix A, along with both versions of the guidance in full (Appendix B).

## **1.3 Terminology**

ScotCen recognises that there are different, and sometimes conflicting, views towards some of the concepts and terms discussed in the report. As an independent research institute with considerable expertise in survey methodology including questionnaire

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<sup>3</sup> These figures refer to the final number of participants included in analysis. Some responses were removed at the data processing stage. See Section 2.7 for further details on data processing.

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design and testing, ScotCen does not take a position on the 'correct' terminology to be used in the sex question or guidance, the census or any other survey vehicle used in the production of National Statistics. The terms 'trans or non-binary', 'self-identification sex guidance' and 'legal sex guidance' were agreed with NRS, at the outset of the research, as suitable for use in this study.



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## 2 Methodology

### 2.1 Introduction

The findings presented in this report are drawn from two separate surveys with the following groups:

- General population - adults aged 16 and over living in Scotland
- Trans or non-binary population - adults aged 16 and over self-identifying as trans or non-binary and living in Scotland.

Conducted in parallel, the design and content of both surveys were very similar but other aspects of the methodology differed. Most notably, the sampling methodology adopted for each of the surveys means that comparisons between general population survey findings and trans or non-binary findings cannot, and should not, be made. It is for this reason that findings for these populations are presented separately throughout this report. This chapter outlines the methods employed for both surveys highlighting similarities and differences between the two, where they occurred.

The study protocols and participant materials were approved by the National Centre for Social Research's internal ethics committee.

### 2.2 Study design

As noted in the introduction to the report, NRS commissioned this research to explore two sets of guidance<sup>4</sup> for the question 'What is your sex?' with the populations of interest. Specifically, the surveys were designed to assess the impact, if any, of the different guidance on: question response, data quality, guidance acceptability, how trans status and sexual orientation questions were answered, and census completion overall. In addition the research sought to determine these for the general population and the trans or non-binary population separately.

The NRS research requirement for this testing was to be addressed via:

- a *within-subjects* survey of households in Scotland, which were to be randomly selected to ensure the whole of Scotland was represented geographically, and
- a *within-subjects* survey of the trans or non-binary population, using the same questionnaire as the general population survey and being carried out concurrently.

#### 2.2.1 Within-subject design

When trying to understand and assess the impact of different conditions on a population, in this context those conditions being different types of guidance to the sex question, different research design options are available. For both the general population survey and the trans or non-binary survey, a within-subject design was

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<sup>4</sup> The exact wording of each version of the guidance is included in Appendix A.

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required.<sup>5</sup> Unlike a between-subjects design where each participant is exposed only to a single condition, in a within-subjects design every participant is exposed to all the conditions of interest. For this study, that meant that each participant was exposed to both sets of guidance and asked how they would answer the question ‘what is your sex?’ accordingly.

There are several advantages of using a within-subject design. For example, using this approach allows exploration of how the same person responds to different guidance and analysis of whether the response varies according to participants’ characteristics. In comparison a between-subject design, within-subjects design is also relatively efficient and cost-effective in terms of the number of participants required to generate reliable and useful data. A further advantage is that within-study designs can potentially better control for random variance. The individual differences between groups’ characteristics in a between-subject design have the potential to become confounding variables – that is, individual differences between groups, rather than the question variants, may explain observed differences.

A potential disadvantage of within-subject design is participant attrition. There is increased likelihood of a participant dropping out of a questionnaire before having been exposed to all the conditions of interest - hence not allowing any comparisons to be made. To counter this, a very short questionnaire was designed, including only the minimum questions required to address the research questions.

A further limiting factor of within-subject design is the potential bias that can result from being exposed to more than one condition successively. In the context of this research this refers to the potential order effects of asking the same question, with different types of guidance, consecutively.

To minimise the impact of people being influenced by one version of the guidance when subsequently answering the sex question based on the alternative version, the version first presented was randomly assigned using a split sample design. For both surveys, , participant serials were randomly assigned to a questionnaire version at the sampling stage. Questionnaire version determined the order in which a participant would be presented with the two versions of the sex question guidance. For each sample, roughly half of the participants were presented with the self-identification sex guidance first and asked how they would answer the sex question based on it. These people were then shown the legal sex guidance and asked again how they would respond to the same sex question. For the remaining half of the sample the opposite was the case – legal sex guidance was introduced first and then the self-identification sex guidance. Note that when first asked the sex question, in an approach designed to mimic the census, the guidance was only made available where a participant actively accessed it.

The table below (Table 2:1) outlines how the study design worked, in practice, for both populations of interest. It also includes a brief description of each set of guidance and a description of how these are referred to throughout this report.

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<sup>5</sup> <https://methods.sagepub.com/reference/the-sage-encyclopedia-of-communication-research-methods/i15648.xml>

NRS guidance type <sup>6</sup>	Summary description of guidance	Description in reporting	Version of questionnaire administered	Order guidance presented in questionnaire	% samples assigned to version
Guidance A	Answer can be different from birth certificate. GRC <sup>7</sup> not required	Self-identification sex guidance	Version A	A, B	50%
Guidance B	Answer must be same as birth certificate or recognised legal sex (as per GRC)	Legal sex guidance	Version B	B, A	50%

## 2.3 Sampling

Different approaches to sampling were used for the general population survey and the trans or non-binary survey. A consequence of these different approaches is that findings from the surveys cannot, and should not, be compared with each other. Sampling approaches are discussed, separately, below.

### 2.3.1 General population survey sampling

The survey was designed to yield a representative sample of adults aged 16 or over, living in Scotland. The sample frame was the Postcode Address File (PAF), a list of postal delivery points compiled by the Post Office. The survey required an issued sample of 6,500 unclustered PAF addresses. The sample was filtered to exclude non-residential addresses, where possible. For each issued address, up to four participants aged 16 or over were invited to take part.<sup>8</sup>

All PAF addresses (expanded by the Multiple Occupancy Indicator (MOI) were stratified by the: (a) Scottish Government's 6-fold urban-rural classification of the address's datazone and (b) 6-fold regional classification. This stratification resulted in 36 strata. Within each of these 36 strata, addresses were sorted by the SIMD of the datazone and postcode. Addresses were then selected systematically from across the sorted list. This allowed analysis by urban –rural geography and level of deprivation.

To allocate addresses to questionnaire version type, all addresses from this sorted list were first grouped into pairs. Within each pair, one address was randomly allocated to receive version A of the questionnaire and the other address version B. This ensured a representative distribution of version type by urban/rural status, region and level of deprivation. Each person in a participating household received the same version of the questionnaire. Assuming a person level response rate of an average of 25%, the

<sup>6</sup> See Appendix A for each version of the guidance in full

<sup>7</sup> GRC denotes gender recognition certificate

<sup>8</sup> Information on the number of adults living in the household was collected at the start of the survey to aid weighting.

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sample was designed to detect a three percentage point difference in the response rates to version A versus version B with 80% power.

### 2.3.2 Trans or non-binary survey sampling

NRS defined the additional group of interest as adults (aged 16+) self-identifying as trans or non-binary and living in Scotland. A non-probability approach to sampling was used for this population. Non-probability sampling is used when a reliable sample frame of the population of interest does not exist, as was the case here<sup>9</sup>. This approach is also commonly used when surveying relatively small populations.

One limitation of non-probability sampling is that a population member's chance of selection is unknown. Consequently generalisations are limited to survey participants and inferences about the wider population from which they were drawn, should not be made. Hence, the findings section of this report relates to trans or non-binary participants and not the entire adult trans or non-binary population living in Scotland.

There are different types of non-probability approaches. Here a combination of convenience and snowball sampling was used to recruit a sample of trans or non-binary adults living in Scotland; as follows:

- Desk-based scoping exercise to identify a list of national and local charities, organisations, gender identity clinics and groups likely to have contact with trans or non-binary adults living in Scotland. In total, 55 potential 'advertisers' were identified.
- Information email sent to the list of potential advertisers informing them of the forthcoming Scotland's Census 2021 testing with trans or non-binary adults (16+). Details on the precise nature of the testing and exact questions to be tested were not provided.
- Interested bodies in a position to promote the survey were asked to contact ScotCen and confirm that they would adhere to our criteria (see below) for promoting the survey.
- Recruitment poster and fieldwork dates sent to bodies who agreed to promote the survey in line with outlined criteria. The poster signposted participants to contact ScotCen to find out how to access the survey and did not include information on the topic or exact questions included in the questionnaire.
- Potential participants contacted ScotCen to receive a survey weblink and unique log-in id.

A limiting factor of the opt-in survey approach adopted is that it was impossible to rule out any ineligible person from participating. To mitigate against this the following steps were taken:

- Bodies expressing an interest in advertising the survey were asked to agree to limiting promotion of the survey through what might be considered as more private channels of communication before being sent the recruitment details e.g. offices or other physical locations used, mailing lists, support groups, newsletters and private social media groups or forums.

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<sup>9</sup> <https://www.aapor.org/Education-Resources/Reports/Non-Probability-Sampling.aspx#INTRODUCTION%20TO%20NON-PROBABILITY%20SAMPLING>

- Anyone who wished to participate had to phone or email ScotCen to receive a log-in and web link as opposed to simply typing in a web link or 'clicking through' to access the survey.
- Screening questions were included at the beginning of the survey asking participants to confirm if they were over sixteen or not and which country they lived in. Anyone who recorded being under 16 and/or living out with Scotland was informed that they were not eligible to participate in the survey and their log-in details were deactivated so they could not return to the questionnaire.

At the end of the questionnaire participants were asked to record how they heard about the survey. The table below (Table 2:3) summarises the various means by which trans or non-binary participants reported having heard about the survey. Almost half said they heard about the survey through a friend or other personal contact. A third mentioned the name of one of the study's recruiting bodies. Eight different organisations were mentioned at least once, with some more than others.

**Table 2:4** How trans or non-binary participants reported hearing about the survey

How trans or non-binary participant reported hearing about the survey	%
Personal contact	47
Mentioned name of one of the charities, group health settings ScotCen contacted about assistance with recruitment	32
Social media	6
Combination of sources mentioned	10
Not answered/Can't remember	5

## 2.4 The questionnaire

### 2.4.1 Questionnaire content

The surveys were purposefully brief asking the minimum number of questions required to address the research aims. In addition to the sex question, participants on both surveys were also asked the currently proposed version of the trans status and sexual orientation census questions in Scotland. A series of questions designed to collect feedback on the acceptability of the guidance to the sex questions and likely impact on census completion were also included. Both the general population and the trans or non-binary surveys asked participant age to aid analysis, and the general population survey also included some additional questions on household composition to aid with survey weighting. The trans or non-binary survey included two screening questions on which country people are currently living in and whether they are aged 16 or over. Anyone who did not live in Scotland or reported being under the age of 16 was screened out and could not complete the questionnaire. Questionnaires are included in Appendix B.

## 2.4.2 Survey mode

### General population survey

In line with the approach to be used in the 2021 census in Scotland, participants were given the option of completing the questionnaire either online or on paper. Online access codes were included in all participant mailings. Paper copies of the questionnaire were included with the second mailing and they were also available on request throughout the fieldwork period.

There were two versions of both the online and the paper questionnaires. Table 2:5 shows the variants and the order in which guidance to the sex question was presented for each.

Table 2:6 Order guidance presented in online and paper questionnaires

Online version type	Paper version type	Order guidance presented in questionnaire
Version A	Version A	Self-identification sex guidance Legal sex guidance
Version B	Version B	Legal sex guidance Self-identification sex guidance

The content of the online and paper questionnaires was identical with the following exceptions:

- Both online, and on paper, a participant could choose not to answer a question if they wished, even those likely to be mandatory question at the next census. In the online questionnaire only, if a participant did not answer the first asked question 'what is your sex?' there was a follow up question asking why they chose not to answer. That was to allow information to be collected on some of the reasons why a person might *not* answer the question. It wasn't compulsory to provide an answer to this follow-up question. This was included in both the general population and the trans or non-binary surveys.
- Availability of guidance – as is likely to be the case at the next census, on the paper version of the questionnaires, guidance on how to complete individual questions was not displayed alongside the questions. Instead, on the front cover, under a section headed 'Guidance on answering the questions, a weblink to the online guidance was provided. The weblink led participants to either version a or version b of the sex question guidance. In the online version of the questionnaire the sex, trans status and sexual orientation questions all had a 'help' button on screen below the question and answer text. If a participant pressed the help button then one of the two versions of the NRS' guidance was displayed on screen.
- When taking part online, the only way to access guidance when answering the sex question for the first time was via the 'help' button. As noted above, on paper, the front cover of the questionnaire advised participants to visit an online guidance web page for advice on answering questions. Guidance was, however, also printed later in the questionnaire since this was the only means by which paper participants' views on both sets of guidance could be collected. Consequently, it is possible that some people taking part on paper inadvertently saw guidance when answering the sex question for the first time and/or saw the second version of the guidance prior

to answering questions about the first. The likelihood of the latter was minimised by presenting both versions on separate pages and requiring that the participant turn overleaf before being able to view the second version.

## Trans or non-binary survey

The trans or non-binary survey was an online only survey. Given the opt-in sample recruitment method and the potentially sensitive nature of the survey content, the decision was taken to not request the personal details that would be required to distribute questionnaires on paper.

As with the general population survey, there were two versions of the online questionnaire reflecting the order in which the two different sets of guidance were presented along with the sex question. Participants were randomly assigned a version at the point at which they were issued their log in details.

## 2.5 Fieldwork

### 2.5.1 General population survey

Fieldwork for the general population survey was commenced on the 18th September 2019 and ended on the 14<sup>th</sup> October 2019. During this period sampled addresses received up to three mailings at approximately weekly intervals. Mailings were as follows:

Table 2:4 General population mailout strategy

Mailout type	Mailout date	Mailout description
Invitation letter	18/09/19	Included survey web link and 4 unique access codes. Details on how to request paper copy also provided.
Reminder 1	25/09/19	Included 2 paper copies of the questionnaire plus weblink and 4 unique access codes.
Reminder 2	02/10/19	Included survey web link and 4 unique access codes. Details on how to request paper copy also provided.

### 2.5.2 Trans or non-binary survey

Fieldwork for the trans or non-binary survey was carried out concurrently with the general population survey (18/10/19 - 14/10/19). The recruitment poster noted the fieldwork start and end dates and recruiting bodies were asked to promote the survey during this period. As this was an opt-in survey no reminder strategy was employed.

## 2.6 Response

### 2.6.1 General population survey

From the 6500 addresses which were sampled, 2208 participants completed the survey. A total of 2355 returns were received, but 147 returns were excluded from analysis for the following reasons:



- 
- Unproductive interview – 120 online participants answered too few questions to conduct analysis. There were typically people who either dropped out immediately after entering the questionnaire or who scrolled through it without answering any/most questions.
  - Duplicates - 27 cases were removed as data suggested that they had completed the questionnaire more than once. or where a respondent had completed the survey more than once, typically across modes.

The remainder of this section will focus on the valid 2208 completed responses.

All participants were asked the number of people that lived in their household (HH), and of these, how many were dependent children. From this, we were able to calculate the number of adults (16+ years) in each household where at least one respondent completed the survey. Note that participants were advised to include those aged 16-18 years and in full time education in the total dependent children in the HH, and thus the calculated total adults is likely to be slightly under-reported. Using this measure, the mean number of adults per responding HH was 1.9. Up to four adults in a household could take part.

For 1631 households at least one questionnaire was completed survey; 1098 (67%) returned 1 complete response, 494 (30%) returned 2 completed questionnaires, 30 (2%) returned 3 completed questionnaires, and finally 8 (<1%) returned 4 completed questionnaires (the maximum number allowed).

While efforts were made to avoid sampling non-residential addresses, it can be assumed, based on previous studies using very similar sampling frameworks, that around 8% of sampled addresses were non-residential, and therefore not eligible to take part in the study.<sup>10</sup> It can therefore be assumed that the total number of eligible households was 5980 out of 6500. 1631 participating households therefore equated to a household level response of 27%.

Based on 2018 Scottish household estimates<sup>11</sup> an average of 2.15 adults per household can be used to estimate the number of adults in sampled addresses. This is broadly in line with the aforementioned, likely underreported, mean of 1.9 adults per HH who completed at least 1 survey. It was therefore estimated that 12,857 adults aged 16+ lived in the 5980 eligible sampled addresses. This means the overall person level response rate was 17.2%.

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<sup>10</sup> The sampling frame used was the publicly available PAF file, including houses of multiple occupations, but excluding known communal establishments and non-residential addresses. Invalid addresses include any address which is not a private residential address.

<sup>11</sup> Pg 11 - <https://www.nrscotland.gov.uk/files/statistics/household-estimates/2018/house-est-18-publication.pdf>



**Table 2:5 Address and person-level response rates**

No. of sampled addresses	6500
No. of eligible addresses (assuming 8% ineligibility)	5980
No. of addresses with at least one questionnaire completed	1631
Address level response rate	27%
No. of sampled participants (assuming mean 2.15 per HH)	12,857
Person level response rate	17%

### Response by mode

Response to the general population survey was split fairly evenly across online and paper; with 52% taking part online and 48% on paper.

**Table 2:6 Response by mode**

Mode of response	Frequency	%
Online	1152	52
Paper	1056	48
Total	2208	100

There was a clear linear association between age and mode of response, with likelihood of taking part on paper increasing in line with increased age, and the likelihood of taking part online decreasing with age.

**Table 2:7 Response to age, by survey mode**

What is your age?		Survey mode		Total
		Online	Paper	
16 – 24 years	Count	72	20	92
	%	78	22	
25 – 34 years	Count	146	51	197
	%	74	26	
35 -44 years	Count	183	82	265
	%	69	31	
45 – 54 years	Count	227	158	385
	%	59	41	
55 -64 years	Count	258	221	479
	%	54	46	
65 – 74 years	Count	204	311	515
	%	40	60	
75+ years	Count	62	207	269
	%	23	77	
Total	Count	1152	1050	2202

**Table 2:7 Response to age, by survey mode**

	%	52.3	47.7
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\* 5 respondents refused to provide their age, and 1 respondent ticked 2 response boxes so answer was invalid. All of these 6 respondents completed the survey on paper.

At least one completed online questionnaire was received from 919 sampled addresses, representing an address level online response rate of 15% (based on eligibility criteria set out above). A total of 1152 participants completed the survey online, meaning the person level online response rate was 9%.

764 addresses returned at least one paper questionnaire, therefore giving an address level paper response rate of 13%. A total of 1056 participants completed the survey on paper, and so the person level paper response rate was 8%.

**Table 2:8 Address and person-level response, by mode**

	Online	Paper
No. of sampled addresses	6500	6500
No. of eligible addresses (assuming 8% ineligibility)	5980	5980
No. of addresses with at least one questionnaire completed	919	764
Address response rate	15%	13%
No. of sampled participants (assuming mean 2.15 per HH)	12,857	12,857
Person level response rate	9%	8%

## Response by key demographics

More than half (53%) of the participants who completed the survey answered Female when first asked 'What is your sex?'. A little more than two in five participants (43%) answered Male, and a small proportion (4%) gave no response to this question. Further details on mode and sex of participant are discussed in Section 3.1.

**Table 2:9 Response to sex when first asked**

What is your sex?	%
Non-response	3.6
Female	53.4
Male	42.9
Multi-tick	0.1
<i>Total</i>	<i>100</i>

Just over half of participants (57%) were aged 55 years or older. There were therefore fewer younger adults in the sample of completed participants; around one quarter (25%) were aged 44 years or younger, and 4% were aged 16-24 years.

**Table 2:10 Age group of participants**

<b>What is your age?</b>	<b>%</b>
16 -24 years	4
25 -34 years	9
35 -44 years	12
45 – 54 years	17
55 – 64 years	22
65 - 74 years	23
75+ years	12
Non-response	0
Multi-ticks	0
Total	100

## 2.6.2 Trans or non-binary survey

A total of 82 people contacted ScotCen to request access details to complete the trans or non-binary survey, and of these 80 accessed the survey. The survey was then completed by 75 eligible participants. Three people did not meet the eligibility criteria either because they did not report living in Scotland or recorded their age as under 16. One person completed too few questions to be included in analysis. One person was removed as the data they provided suggested they were not trans or non-binary.

Three quarters (75%, n = 56) of those who completed trans or non-binary survey were aged 44 years or younger. Only a small proportion (7%, n = 5) were aged 55 years or older.

**Table 2:11 Trans or non-binary survey : Age group of participants**

<b>Age</b>	<b>%</b>
16 – 24 years	23
25 – 34 years	29
35 – 44 years	23
45 – 54 years	19
55 – 64 years	5
65 – 74 years	1
Total	100

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## 2.7 Data processing

### 2.7.1 Editing

#### Online

It is normal practice in computer assisted web interviewing (CAWI) programs to specify numerical range checks, logic checks for unfeasible responses and hard checks to prevent a participant from moving past a question without answering. Since this study was interested in respondent behaviour, including non-response to questions no such checks were added and no questions were mandatory. If a participant tried to proceed past a question without answering, then an error message was displayed but this could be suppressed by the participant and they could proceed past any question without answering it.

#### Paper

Paper data were reviewed for errors. If a participant ticked more than one box at a single code question then this was coded as 'multi-tick' on the dataset. If a participant followed routing instructions incorrectly then instead of being set to missing in the data this was coded as a 'routing error'. If no response to a question was provided, but it should have been, then this was coded as 'non-response.'

### 2.7.2 Coding

Post-interviewing coding was carried out by researchers at ScotCen on the trans status question. In the trans or non-binary survey, to aid with analysis of the survey questions specifically, the descriptions given at the trans status question were used to classify people as either trans or non-binary. The trans group consisted of people who described themselves as trans but did not mention non-binary in their response. The non-binary group was made up of those who just described their trans status as non-binary or as trans and non-binary.

All write-in responses were reviewed and coded in methods commonly used in qualitative analysis.<sup>12</sup>

### 2.7.3 Quality assurance

Quality checks carried out on the data included a check for evidence of duplication, that is, where more than one questionnaire was completed by the same person. Basic information collected on the individual and their household were reviewed along with survey responses and where there was evidence of duplication one case (the latest received by ScotCen) was removed from the data.<sup>13</sup>

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<sup>12</sup> See Section 2.9.2 on analysis of text responses for further information on coding of text answers

<sup>13</sup> See Section 2.6 for further details on cases removed at the data processing stage after data quality checks were carried out.

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Online cases where there was evidence of flat-lining - moving through the questionnaire without answering any of the questions - were recorded as partial interviews and removed from analysis.

Paper questionnaires were reviewed for evidence of tampering, that is, the recording of information out with the spaces provided.

## 2.8 Weighting

### 2.8.1 General population survey weighting

#### Overview

The achieved sample was weighted to adjust for:

- Differences in address/household response rates;
- Differences in individual response rates.<sup>14</sup>

#### Differences in address/household response rates

No household selection took place at each sampled address on the basis that only a small proportion of addresses include multiple households and it is difficult to operationalise this selection without an interviewer.

Multi-household addresses are identified in the sampling frame (Postcode Address File – PAF) using the Multiple Occupancy Indicator (MOI) which has a value of one for single-household addresses and a value of greater than one for multiple-household addresses. The sampling frame was expanded by the MOI at the sampling stage (i.e. addresses with a MOI greater than one were included in the sampling frame as many times as indicated by the MOI), therefore all households had an equal chance of selection<sup>15</sup>.

The weights adjusted for differences in address/household response rates were calculated in two steps:

#### ***Step 1: address/household participation***

The aim of the address/household participation weights is to reduce bias caused by systematic differences between the addresses/households that participated (i.e. for which at least one questionnaire was received) and those that did not.

The probability of an address/household to respond was estimated via a logistic regression model with whether or not the address/household participated as the outcome measure and the following address-level characteristics as independent variables: Index of Multiple Deprivation (IMD) quintile and region.<sup>16</sup> From this model, the predicted propensity to participate was estimated for each address/household. The

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<sup>14</sup> See Section 2 for analysis of response rates.

<sup>15</sup> At addresses with an MOI>1, the household member who opened the survey invitation letter would self-select their own household (rather than selecting one household at random).

<sup>16</sup> Measures of urban/rural status were considered for the model but did not significantly household response and therefore were not included.

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weights for address/household participation (wt1) were calculated as the reciprocal of these propensities for the 1,630 responding addresses/households.

The model for address/household participation is shown in Table 2:12

### **Step 2: expected number of completed surveys**

This stage of the weighting aims to reduce bias caused by systematic differences in the number of completed surveys returned by responding households.

The expected number of completed surveys at responding addresses was estimated via a (stepwise) logistic regression model (weighted by wt1) with whether or not the responding household returned one or more than one questionnaires<sup>17</sup> as the outcome measure and the same independent variables<sup>18</sup> from step 1 plus: a 2 fold urban/rural indicator, number of adults in the household, mode of data collection (i.e. Online or postal<sup>19</sup>) and whether the address received a second reminder. All interactions with the urban/rural indicator were also considered. The final model included the following variables which were identified as significant in predicting the number of completed surveys returned: SIMD quintile, number of adults in household, and mode of data collection. From this model, the expected number of completed surveys was estimated as one plus the model-predicted probability. The weight (wt2) was calculated as the inverse of this expected number.

The model for the expected number of completed surveys is shown in Table 2:13

## Differences in individual response rates

The composite weight for address/household level participation (wt3) was calculated as the product of the weights from the previous stages (wt3= wt1 x wt2).

The final stage of the weighting aims to reduce any residual non-response bias at the individual level using calibration (post-stratification). Calibration weighting adjusts the weights so that characteristics of the weighted achieved sample match population estimates.

The composite (household-level) weight from the previous stages (wt3) was calibrated so that the weighted achieved sample (weighted by the final weight) matched 2018 mid-year NRS Scottish population estimates of household residents by age and gender and NUTS region (see Table 2:14). The sex variable used in the calibration was the response to the first sex question asked. Four percent of participants preferred not to answer this question. As response to the sex question is a key outcome of the survey, those who refused to answer did not have sex imputed for calibration purposes. Rather, population estimates of sex were scaled to include a missing/refused category before calibration.

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<sup>17</sup> The number of responding households returning 3 or 4 questionnaires was too small to be included as separate categories in a regression model.

<sup>18</sup> Because of small sample sizes (a) households north of the Caledonian Canal were grouped together with those in the “rest of Scotland” region, and (b) a households in IMD quintiles 1 and 2 were grouped together.

<sup>19</sup> Households that responded using a mixture of web and paper; these were grouped together with the web completions for the purpose of the model (they could not be modelled separately as they have returned more than one completed surveys).

The final weight (final\_wt) was scaled so that the weighting and unweighted sample sizes are the same (2,208 cases).

Frequencies of sex when first asked in Section 3.1 are unweighted as this variable was used in weighting.

**Table 2:12** Logistic regression model for address/household participation

Variable	Odds	p	CI
<b>IMD quintile</b>		<0.001	
1 <sup>st</sup> (lowest)	1.00	-	-
2 <sup>nd</sup>	1.64	<0.001	(1.34, 2.00)
3 <sup>rd</sup>	1.84	<0.001	(1.51, 2.24)
4 <sup>th</sup>	2.31	<0.001	(1.90, 2.81)
5 <sup>th</sup> (highest)	3.29	<0.001	(2.71, 3.99)
<b>Region</b>		0.093	
Glasgow and Lanarkshire	1.00	-	-
Ayrshire, Dumfries & Galloway, Borders	0.98	0.833	(0.80, 1.20)
Lothian and Central	1.18	0.050	(1.00, 1.38)
Fife, Dundee and Grampian	0.97	0.765	(0.83, 1.15)
Rest of Scotland (south of the Caledonian Canal)	1.18	0.096	(0.97, 1.44)
North of the Caledonian Canal	1.21	0.199	(0.90, 1.63)
<b>Intercept</b>	0.17	-	-

**Table 2:13** Logistic regression model for expected number of completed surveys in responding households

Variable	Odds	p	CI
<b>IMD quintile</b>		<b>0.085</b>	
1 <sup>st</sup> or 2 <sup>nd</sup> (lowest)	1.00	-	-
3 <sup>rd</sup>	0.88	0.402	(0.65, 1.19)
4 <sup>th</sup>	1.28	0.130	(0.93, 1.76)
5 <sup>th</sup> (highest)	1.06	0.709	(0.78, 1.45)
<b>Number of adults</b>		<b>&lt;0.001</b>	
1 or 2	0.45	<0.001	(0.32, 0.62)
3+	1.00	-	-
<b>Mode of survey</b>		<b>&lt;0.001</b>	
Online (or mixed)	1.89	<0.001	(1.53, 0.62)
Paper only	1.00	-	-
<b>Intercept</b>	0.72	-	-

**Table 2:14 Calibration weighting**

Sex (when first asked)	Unweighted		Before calibration		After calibration		Population	
	n	%	n	%	n	%	n	%
Female	1179	53	1189	54	1100	50	2250355	50
Male	947	43	933	42	1023	46	2093311	46
Non-response	82	4	85	4	85	4	174932	4

**Table 2:15 Calibration weighting (age)**

Age group	Unweighted		Before calibration		After calibration		Population	
	n	%	n	%	n	%	n	%
16 – 24 years	92	4	95	4	284	13	581427	13
25 – 34 years	197	9	211	10	363	16	743598	16
35 – 44 years	265	12	270	12	325	15	665519	15
45 – 54 years	385	17	395	18	381	17	778974	17
55 – 64 years	479	22	484	22	353	16	722966	16
65 – 74 years	521	24	494	22	279	13	571378	13
75+ years	269	12	260	12	222	10	454736	10



NUTS region	Unweighted		Before calibration		After calibration		Population	
	n	%	n	%	n	%	n	%
UKM5: North Eastern Scotland	227	10	208	9	198	9	405164	9
UKM6: Highlands and Islands	219	10	194	9	192	9	392017	9
UKM7: Eastern Scotland	829	38	767	35	809	37	1656013	37
UKM8: West Central Scotland	547	25	610	28	624	28	1277126	28
UKM9: Southern Scotland	386	17	429	19	385	17	788278	17

## 2.8.2 Trans or non-binary survey

The lack of an available sample frame from which to draw a random list of potential participants was not available for the trans or non-binary adult population in Scotland. Consequently, non-probability sampling methods were used. The trans or non-binary survey was opt-in and not enough information is known about the wider trans or non-binary adult population to apply weighting to this data.<sup>20</sup>

## 2.9 Analysis methods

### 2.9.1 Statistical testing

#### General population survey

In common with other surveys, the general population survey collected information from a sample of the population. The sample was designed to represent the whole population as accurately as possible within practical constraints, such as time and cost. Consequently, statistics based on the survey are estimates, rather than precise figures, and are subject to a margin of error, also known as a 95% confidence interval ( $p < 0.05$ ). For example, the survey estimate might be 42% with a 95% confidence interval of 40% to 46%. A different sample might have given a different estimate, but we expect that the true value of the statistic in the population would be within the range given by the 95% confidence interval in 95 cases out of 100.

Where differences are commented on in Section 3 of this report 'Findings: general population survey', these reflect the same degree of certainty that these differences are

<sup>20</sup> See Section 2.3 for further details on trans or non-binary survey sampling.

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real, and not just within the margins of sampling error. These differences can be described as statistically significant. The terms significant and associated are only used to describe findings that are when a finding is statistically significant. Statistical testing was carried out via logistic regression.

## Trans or non-binary survey

In this report, we used significance testing to assess differences between groups, and highlight those where the p value was  $< 0.05$ . However, since probability sampling was not used, differences between groups surveys are not indicative of real changes in the wider trans or non-binary adult populations in Scotland. A single sample t-test was used to test if non-response to sex when self-identification sex guidance was considered was significantly different from non-response when legal sex guidance was considered ( $p=0.002$ ). Analysis includes descriptive statistics and all other statistical testing was carried out via logistic regression.

In Section 3 and Section 4, percentages do not always total 100 due to rounding. Where table bases do not add up to the overall total this is because some participants did not answer some, or all, of the questions included in the table.

## 2.9.2 Analysis of text responses

For both the general population sample and the trans or non-binary sample there were several points in the questionnaire where a participant had the option to respond to a question using their own words. A significant amount of data were generated this way and a robust and systematic approach to analysis was required.

A thematic approach to analysis was used and analysis involved a number of stages. First, all open responses were read by two members of the research team to allow them to familiarise themselves with the data and begin to identify key themes emerging from the data. A draft analytical framework was then drawn up by and agreed by the research team. Data from each open response was then coded using the analytical framework, so that all the data on a particular theme could be identified. Additional themes were added where necessary. Being able to carry out this detailed thematic analysis both between and within cases provided depth and richness in the interpretation of qualitative research data.

Findings from this thematic analysis are included in this report.

## 3 Findings: General population survey

### Key findings

- 2208 participants completed the general population questionnaire. Participants had the option of taking part either online or completing a paper questionnaire. 52% took part online and 48% completed the questionnaire on paper.

### Understanding how the general population answer the sex question

- 96% of participants answered the sex question when first asked and 4% chose not to answer it. Of those that responded, 53% reported being female and 47% male.
- There was no relationship between non-response to the sex question and age of participant.

### Understanding how the general population use guidance

- When first answering the sex question, as will be the case in the census, participants were not shown guidance but could access it if they chose to.
- Around one in ten (11%) people reported reading the guidance before answering the sex question. Background data collected for online participants indicated, however, that only 15% of online participants that reported reading the guidance actually clicked on the 'help' button to access it (0.5% of all online participants). There was similar evidence of over-reporting among those who took part on paper. Consequently, the proportion of the general population that actually accessed guidance when answering the 'what is your sex?' question (at first asking) is likely to have been significantly lower than 11%.

### Understanding how people answer the sex question (when first asked) based on different versions of the guidance

- Non-response to the sex question when first asked did not differ significantly by guidance type. That is, participants who reported reading the self-identification sex guidance before answering 'what is your sex?' (when first asked) were no more or less likely to not answer the question than those who reported reading the legal sex guidance (6% and 9%, respectively).

### Understanding how people answer the sex question when asked to consider different versions of the guidance

- After being asked the sex question in a way that replicated the census as closely as was feasible, everyone was then presented with a version of the guidance to read and asked how they would answer the 'what is your sex?' question having read the guidance. Once they had done this, they were shown alternative guidance and asked to answer the sex question again using this. The order guidance was presented to participants was randomised.
- Non-response to the sex question did not vary significantly according to guidance type (1% for self-identification and 2% for legal sex guidance). That is, the version of the guidance consulted did not relate to likelihood to respond to the sex question in this scenario.
- Those in the general population who reported they were trans or had a trans history were more likely than others to avoid answering the sex question, irrespective of which version of the guidance was used (18% said they would not answer if self-identification sex guidance was used, compared with 1% of non-

trans people.) The equivalent figures for legal sex guidance were 59% and 1%, respectively.

### **Acceptability of the different versions of guidance**

- Participants were asked how acceptable each version of the guidance was for inclusion in the census with answer options ranging from very acceptable to not at all acceptable.
- Two-thirds (69%) reported that the self-identification sex guidance was acceptable for use in the census. This was not significantly different from the 68% that found the legal sex guidance acceptable.
- Nine in every ten (91%) people gave the same acceptability response to both versions of the guidance. Five percent described the self-identification sex guidance as more acceptable for the census than the legal sex guidance, which was similar to the 4% that reported the opposite – that the legal sex guidance was more acceptable.
- Based on their response to sex when first asked, males were significantly more likely than females to describe the self-identification sex guidance as unacceptable (7% and 4%, respectively). Views on the acceptability of the legal sex guidance did not significantly differ by response to sex when first asked (7% and 5%, respectively), that is males were no more or less likely than females to find the legal sex guidance unacceptable.
- Those who found a version of the guidance unacceptable (8%) were asked to explain, in their own words, why they felt this was the case.

### **Reasons why some people find the self-identification sex guidance unacceptable**

- Upon reading the self-identification sex guidance, a common theme among those that found it unacceptable was that sex is binary and determined at birth and that consequently there should be a legal basis to any response to the sex question. For some whom had objections, the self-identification sex guidance was viewed as ‘encouraging’ the notion that sex is a personal choice.
- The presence of the term ‘non-binary’ prompted others to declare the guidance unacceptable as they viewed the term as clearly relating to gender and not sex. Some viewed the guidance as confusing and risked potentially overcomplicating the question, especially for older people. Although it is worth noting that any guidance that accompanies the sex question in the census will need to be actively sought out and testing showed that, when given the opportunity to access the guidance, the majority of people choose not to.

### **Reasons why some people find the legal sex guidance unacceptable**

- A common theme among those who found the legal sex guidance unacceptable was that there should be no need for a guidance, since they viewed sex as determined at birth and known to all. Therefore, for some, all the information given in the guidance are simply unnecessary and confusing. The guidance was described as a waste of resources and ‘encouraging’ young people that they can have a choice over their own sex. While these views were expressed in response to the legal sex guidance it was apparent that these thoughts extended to the self-identification sex guidance as well.
- Another reason why the legal sex guidance was deemed unacceptable, was the fact that it deprives individuals of their right to self-definition. Some people felt that there should be a third choice of ‘other’. In addition, there was a view that people should be allowed to declare a sex that is different to their birth sex without having obtained a gender recognition certificate (GRC).

- A person's legal sex was considered, by some, to be too personal to be asked to share on the census. This was not unique to the legal sex guidance and was mentioned as an objection to self-identification sex guidance also.
- In some cases, confusion over the language used in the guidance was mentioned. The inclusion of the term 'non-binary' was particularly confusing for some. For others, the feedback given pointed to general confusion and misunderstanding of the terms sex, gender and sexual orientation.

#### **Likely impact of the different versions of the guidance on census behaviour**

- To get a measure of the impact the guidance might have on behaviour when completing the census people were asked, for both versions of the guidance, to choose what they would do if the census included the particular guidance with the 'what is your sex?' question.
- For both versions of the guidance, nine in ten people (91% for self-identification and 90% of legal) said they would answer the question 'what is your sex?'.
- For the self-identification sex guidance, 2% said they would 'skip the sex question' in the census if the guidance was used and 1% said they would 'not complete the census at all'. The likely impact of the legal sex guidance was the same - 2% would skip the sex question if the legal sex guidance were used and 1% would not take part in the census at all.
- The vast majority (95%) reported that the impact on their census behaviour would be the same for both version of the guidance. For 2%, the impact was greater for one guidance type than the other and for a similarly small group of people (2%) it wasn't clear what the impact would be.

## 3.1 How people answer the sex question when first asked

After providing some information about themselves and their household, participants were asked the sex question ('what is your sex?') at question 5 of the questionnaire (see Appendix B). This section seeks to understand how participants in the general population sample answered the sex question when it was first presented to them.

When answering 'what is your sex?,' each participant had access to guidance to aid them. This was in line with the planned approach for the sex question in the next census. The exact version of the guidance a participant had access to was pre-assigned at random during sampling, with half able to access the self-identification sex guidance and half, the legal sex guidance.<sup>21</sup> Guidance for this initial iteration of the sex question was online for all participants, irrespective of whether they took part online or on paper. Reading the guidance before answering the sex question was not mandatory.

### 3.1.1 Response to the 'what is your sex?' question

Ninety-six percent of participants answered the question 'what is your sex?'. Just over half (53%) of those who responded when asked the sex question answered female and

<sup>21</sup> Both versions of the guidance are presented, in full, in Appendix A. Further details of the study design can be found in Section 2.2.1

47% answered male (Table 3.1). The balance of females to males was not as even as in Scotland's 2018 mid-year population estimate<sup>22</sup> or in the 2011 census (both 48% male and 52% female, aged 16+). It was, however, in line with other voluntary random probability sample surveys which regularly show that females are more likely than men to participate in surveys of this kind.<sup>23</sup>

Four percent did not provide an answer to the sex question when they were first asked it. This is notably higher than the non-response rate in the 2011 census when 0.8% of the Scottish population did not provide an answer to this question. Since both the survey, and the sex question itself, were completed on a voluntary basis, a higher level of non-response might be expected.

**Table 3:1 Response to sex question when first asked**

<b>Response to sex question when first asked</b>	<b>Total (%)</b>
Female	53
Male	43
Multi-tick	0
Non-response	4
<i>Unweighted Bases</i>	<i>2208</i>

### 3.1.2 What is known about people who chose not to answer the sex question when first asked

#### Mode of completion

There was a significant association between response to the sex question (when first asked) and mode of completion (Table 3:2). While online participants were equally likely to report being female and male, those taking part on paper were significantly more likely to report being female (49% female, compared with 42% male).

In addition, non-response was significantly higher on paper than it was for online participants (9%, compared with 0% online).<sup>24</sup> The difference between non-response in the paper questionnaire and the lack of non-response among online participants is likely to be, in part, explained by the design of the online questionnaire. When an online

<sup>22</sup> National Records of Scotland (2018) Mid-2018 population estimates Scotland. Available from: <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-estimates/mid-year-population-estimates/mid-2018>

<sup>23</sup> The combined sample of the 2016 and 2017 Scottish Core question data (total participants = 38,513, including the combined samples of the Scottish Crime and Justice Survey, the Scottish Health Survey, and the Scottish Household Survey) was made up of 55% females, and 45% males

<sup>24</sup> There were several online participants who did not answer the sex question, but these people did not answer the majority questions on the survey. Unlike at the census, testing purposefully allowed people to proceed past questions without answering them so non-response could be explored. It was clear that some people activated the survey then scrolled through the questions without answering any. These were classified as partially complete questionnaires and were removed at the data processing stage. The equivalent respondent type on paper is most likely to be someone who received the questionnaire, scanned it and then chose not to complete or return in.

participant attempted to move past a question without answering it an error message was displayed. While all questions were voluntary in testing – i.e. the error message could be ignored by the participant and they could still choose *not* to respond – it will have drawn a participant’s attention to potentially missing a question in error, in a way that was not the case for paper participants. In addition, on paper the question appeared on the bottom corner of a page increasing the likelihood of it being overlooked.

**Table 3:2 Response to sex question when first asked, by survey mode**

Response to sex question when first asked	Online (%)	Paper (%)	Total (%)
Female	50	49	50
Male	50	42	46
Multi-tick	-	0	0
Non-response	-	9	4
<i>Unweighted Bases</i>	1152	1056	2208
<i>Weighted Bases</i>	1298	910	2208

### Age of participant

Response to the sex question (when first asked) by age is presented in Table 3.3. While the data suggest that non-response was higher among older adults, when restricted to paper participants only<sup>25</sup>, there was no significant association between non-response to the sex question and age.

**Table 3:3 Response to sex question when first asked, by age**

Response to sex question when first asked	16 - 44 years (%)	45 - 64 years (%)	65+ years (%)	Total (%)
Female	55	48	43	50
Male	43	48	50	46
Non-response	2	3	7	4
<i>Unweighted Bases</i>	554	864	781	2205
<i>Weighted Bases</i>	973	734	494	2205

<sup>25</sup> There were no online participants that chose not to answer sex when first asked.



**Table 3:4** Response to sex question when first asked, by age (paper participants only)

Response to sex question when first asked	16 - 44 years		45 - 64 years		65+ years	
	Total	%	Total	%	Total	%
Non-response	17	7	25	8	37	11
Responded	242	93	288	92	295	89
<i>Unweighted Bases</i>	153		379		518	
<i>Weighted Bases</i>	259		313		332	

### Trans status of participant

After the ‘what is your sex?’ question, participants were asked the trans status question that will be included in the 2021 Census.<sup>26</sup> In total, 0.6% participants reported being trans or having a trans history. Non-response to the sex question (when first asked) was not significantly associated with a person’s trans status (Table: 3.5).

**Table 3:5** Response to sex question when first asked, by trans status

Response to sex question when first asked	Trans		Total (%)
	No (%)	Yes (%)	
Female	50	68	50
Male	47	23	46
Multi-tick	0	-	0
Non-response	4	9	4
<i>Unweighted bases</i>	2140	13	2153
<i>Weighted bases</i>	2137	25	2162

### Use of guidance

As noted earlier, when first asked the ‘what is your sex?’ question, participants had the option of accessing guidance to help them answer it. Among the 4% who chose *not* to answer, the majority (81%) had *not* read the guidance before deciding not to answer, indicating that guidance did not, overall, explain non-response. On the contrary, when these people were presented with guidance later in the questionnaire and asked the question again, most (95%) chose to answer on that occasion.

One in five (19%) non-responders reported reading the guidance before deciding not to answer the sex question. There was not, however, any significant relationship between the type of guidance read and non-response. While a small number of non-responders stated that reading guidance before answering the sex question had changed their mind and prompted them to *not* answer the question, this appeared at odds with their

<sup>26</sup> See Appendix B for exact question wording of the trans status question.



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later claims that the guidance was acceptable for use in the census and was likely to have minimal impact upon their likely census behavior.<sup>27</sup>

## Data quality of paper questionnaires

All non-responders to the sex question took part on paper. On the paper questionnaire the ‘what is your sex?’ question appeared in the bottom corner of a page and, hence, may simply have been missed by some participants. Missing questions, incorrectly following instructions and answering questions that should not be answered are all common errors that can be made on paper questionnaires, particularly if a person is not accustomed to them. Eight in ten of those who did *not* answer the sex question on paper made mistakes later in the questionnaire, incorrectly following instructions and answering questions they should *not* have answered. It is feasible, therefore, that some of the non-responders to the sex question are people who were prone to making questionnaire errors. Sixty-eight percent of those who did not correctly follow instructions were age 65 years or older. Given the question was in the bottom left-hand corner of a page in the paper questionnaire it is not inconceivable that some mistakenly moved past the question. This is also corroborated by the stark disparity in the rate of non-response among paper and online participants.

## 3.2 Do people use the guidance?

### 3.2.1 Accessing the guidance

As mentioned in Section 3.1, when answering the ‘what is your sex?’ question at the beginning of the questionnaire, guidance on how to answer the question could be consulted. The version of the guidance a person was directed to was randomised at the sampling stage to minimize the potential order effects of being exposed to both versions of the guidance in succession – a feature of the within-subject study design.<sup>28</sup> In practice, this meant that if guidance was sought around half of people were directed to the self-identification sex guidance and around half to the legal sex guidance.

The means of accessing the guidance was different for participants who took part on paper and online. To replicate the planned approach for Scotland’s Census 2021, online participants were able to view the guidance by clicking a ‘help’ button on screen at the sex question. For paper participants, the front of the questionnaire included a weblink to guidance on answering questions in the survey which, when visited, displayed the relevant version of the guidance in full. Again, this was aligned as closely as possible to our understanding of how those completing the census on paper will access guidance on completing any question on the census form.

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<sup>27</sup> In the questionnaire, after all participants had been asked to read guidance, they were asked two questions designed to collect views towards the guidance. The first question asked how acceptable it was for the guidance to be included with the sex question in the census with answer options ranging from ‘very acceptable’ to ‘not at all acceptable’. The second question asked participants what they thought they would do in the census if the sex question included this guidance. Full question text can be found in Appendix B. Analysis of these questions is in Section 3.5 and 3.6.

<sup>28</sup> Further details on the study design can be found in Section 2.2.1.

For the paper questionnaire, the guidance was purposefully not included on the same page as the sex question, when first asked, and both sets of guidance were presented on separate pages, with one presented overleaf from the other version. Nevertheless, the chance of a paper participant viewing the later guidance when first answering the sex question cannot be eliminated. Consequently, all analysis based on sex when first asked is presented separately by mode to reflect the fact that while guidance was truly hidden for online participants, the same was not true for those completing the questionnaire on paper.

For online participants, the number of times the help button, which displayed the guidance, was clicked on by a participant was recorded. The number of unique visits to the online guidance for those taking part on paper was also recorded.

### 3.2.2 Whether the general population read the optional guidance when first asked the sex question

After answering the sex question and the trans status and sexual orientation questions to be included in the next census, participants were asked if they read the guidance prior to answering the ‘what is your sex?’ question. Most people (87%) reported that they did not read the accompanying guidance before answering the sex question when first asked (see Table 3.6). Eleven percent reported reading the guidance before answering, while 2% did not indicate whether they had read the guidance or not.

**Table 3:6** Response to ‘Did you read the guidance before answering the sex question?’, by mode of completion

Guidance read before answering sex question	Survey mode		Total (%)
	Online (%)	Paper (%)	
Yes	6	19	11
No	94	76	87
Non-response	0	5	2
<i>Unweighted bases</i>	<i>1152</i>	<i>1056</i>	<i>2208</i>
<i>Weighted bases</i>	<i>1298</i>	<i>910</i>	<i>2208</i>

Those who completed the questionnaire on paper were significantly more likely than online participants to report having read the guidance before answering the sex question (19% and 6%, respectively). This difference can be explained, in part, by the fact that online participants had to actively seek out and click the help button to view guidance, whereas paper participants could have visited the web page containing guidance or noticed that the guidance was printed later in the questionnaire.<sup>29</sup>

<sup>29</sup> To measure how paper participants would answer the sex question according to both versions of the guidance it was necessary to include the guidance in the paper questionnaire. Guidance was not included on the same page as the first sex question asked. In addition, one version was presented overleaf from other. Nevertheless, it is possible that some paper participants saw guidance when answering the sex question for the first time. For this reason, response to sex when first asked (Table 3:1) is broken down by mode of completion.

Non-response to the question on whether the guidance had been read before answering the sex question was also significantly higher among those participating on paper. As discussed above, lower non-response rates among online participants might be explained by the fact that they were presented with an error message if they attempted to move past any question without answering it. For those who didn't answer a question, in error, this acted as a prompt to respond. It was not possible to replicate this on paper so the likelihood of missing a question in error on paper was increased.

### 3.2.3 Who reported reading the guidance

Table 3.7 indicates that, irrespective of age group, those that took part on paper were significantly more likely than online participants to report reading the guidance before answering the sex question. For example, 14% of participants aged 16-44, who completed the paper questionnaire reported reading the guidance compared with 7% of those in the same age group who took part online. Similarly, for those aged 65+, 26% of paper questionnaire participants reported consulting the guidance compared with 7% of online participants. Non-response to the question on whether the guidance was consulted was high (9%) among paper participants in the 65 and over age group.

**Table 3:7** Response to 'Did you read the guidance before answering the sex question, by mode of completion and age

Age	Did you read the guidance before answering the sex question?	Survey mode		Total (%)
		Online (%)	Paper (%)	
16-44 years	Yes	7	14	9
	No	93	85	91
	Non-response	0	1	0
45-64 years	Yes	3	17	9
	No	96	81	90
	Non-response	0	2	1
65+ years	Yes	7	26	20
	No	93	65	74
	Non-response	-	9	6
16-44 years	<i>Unweighted bases</i>	401	153	554
45-64 years	<i>Unweighted bases</i>	485	379	864
65+ years	<i>Unweighted bases</i>	266	518	784
Total	<i>Unweighted bases</i>	1152	1056	2202
16-44 years	<i>Weighted bases</i>	715	258	973
45-64 years	<i>Weighted bases</i>	421	313	734
65+ years	<i>Weighted bases</i>	162	335	497
Total	<i>Weighted bases</i>	1298	910	2204

Likelihood of reporting to have read the guidance was explored by trans status but no statistically significant relationship was found to exist. Similarly, there was no significant relationship between likelihood of reporting to have read the guidance and response to the sex question when it was first asked.

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### 3.2.4 Whether those who reported reading the guidance actually read it

In addition to asking people if they read the guidance before answering the sex question, for online participants it was also possible to record if they actually clicked on the help button to access the guidance prior to answering. In the discussion that follows it has been assumed that, in accessing the guidance, a person also read and engaged with it but this cannot be fully established.

Just 15% of online participants who claimed that they had read the sex question guidance prior to answering actually clicked the 'help' button on screen which then displayed the guidance. This means that the remainder, while claiming to read the guidance, didn't actually do so. Too few people actually read the guidance that it was not possible to identify any meaningful trends about the type of people most likely to have done so.

On the front of the paper questionnaire some text and a weblink signposted participants to the guidance online. Among paper participants, a total of 21 visits were made to the online guidance landing page, and from there 13 visits were made to the guidance for the sex question. If each of these 13 visits were by different participants, this means that just 6% of paper participants, who claimed to have read the guidance actually visited the guidance web page. While similar in proportion to the figure for online participants we cannot conclude that paper participants were just as likely to over-report given that guidance was printed later in the questionnaire. Some paper participants may have read ahead in the questionnaire and seen the guidance, reported reading the guidance but did not visit the guidance web page.

## 3.3 Understanding how people answer the sex question (when first asked) based on different versions of the guidance

### 3.3.1 Response to sex question (when first asked), by version of guidance

The first presentation of the question 'What is your sex?' is the closest the study could come to replicating census conditions. As discussed above, 4% of people chose not to answer the sex question when first asked. Non-response did not significantly vary by the type of guidance a participant could access. Given the question wording and response categories were identical in both versions of the questionnaire, and guidance had to be actively sought out by participants when the question was first presented to them, this is perhaps not unexpected.

### 3.3.2 Response to sex (when first asked) among those who reported reading the guidance

What is of greater interest is whether response to the sex question, when first asked, varied by guidance type among those who sought out and read the guidance accompanying the question before answering. In Section 3.2, it was noted that 11%

reported seeking out and reading the guidance before answering the sex question, with paper participants more likely to report having done so than those taking part online. Objective data indicated that this was an over-estimate.

Non-response to the sex question did not significantly vary by version of guidance reportedly read (Table 3.8). Six percent of those who reported reading the self-identification sex guidance before answering the sex question did not answer the sex question. The equivalent figure among those who reported reading the legal sex guidance was 9%.

**Table 3:8** Response to sex question by reported reading guidance

Response to sex question when first asked	Guidance reported reading		
	Self-identification sex (%)	Legal sex (%)	Total (%)
Female	59	47	57
Male	36	43	37
Non-response	6	9	6
<i>Unweighted bases</i>	<i>136</i>	<i>118</i>	<i>254</i>
<i>Weighted bases</i>	<i>141</i>	<i>106</i>	<i>247</i>

While it was possible to identify online participants who genuinely did click on the ‘help’ button and read the guidance before answering the sex question, so few actually did so that nothing meaningful can be said about how non-response differed by version for this group.

A third of those ‘reporting’ to have read the guidance before answering the sex question indicated that the guidance read changed how they decided to answer the question. The likelihood of reporting that the guidance changed a planned response did not significantly vary by guidance type.

Those reporting that reading the guidance changed how they answered the sex question were asked how they had planned to answer before reading the guidance. Just one in ten of these people actually went on to give an answer here that differed from their response to the sex question, indicating that either this latter question was answered incorrectly or the guidance did not, in fact, change their mind.

### 3.4 How people answer the sex question when asked to consider different versions of the guidance

In addition to answering the ‘what is your sex?’ question with optional access to the guidance, all participants were later presented with one of the two versions of guidance in full, asked to read it, and then asked how they would answer the sex question using

this guidance. Again, which version of guidance a participant was presented with first was decided, at random, at the sampling stage with approximately 50% presented with self-identification sex guidance first, followed by legal sex and the reverse for the remaining half of the sample. Once the set of questions were answered, the alternative guidance and associated questions were asked.

Asking everyone to consider each set of guidance, in turn, allowed comparisons of responding behavior by guidance type to be made. It was also possible to identify those participants that changed their response to the question in line with the guidance and to record how these responses changed.

In this scenario, whether people answered the sex question or not, did not differ significantly by the type of guidance they were asked to consider. Ninety-nine percent answered the question after having been presented with the self-identification sex guidance and 98% when legal sex guidance was considered (Table 3.9).

**Table 3:9** Response to sex question with self-identification sex guidance and legal sex guidance

<b>Response to sex question</b>	<b>Self-identification sex guidance (%)</b>	<b>Legal sex guidance (%)</b>
Female	51	51
Male	49	47
I would not answer	1	2
Unweighted bases	2130	2133
Weighted bases	2126	2128

Irrespective of the version of guidance respondents were asked to consider, those reporting that they were trans or had a trans history were significantly more likely than others to report that they would choose *not* to answer the ‘what is your sex?’ question based on the guidance (Table 3.10). This was significant for both versions of the guidance. Eighteen percent of trans or non-binary participants said they would not answer the sex question if self-identification sex guidance was used, compared with 1% of non-trans people. The equivalent figures for legal sex guidance were 59% and 1%, respectively.

Neither age of participant or mode of completion were associated with response behaviour for either type of guidance.

**Table 3:10 Response to Self-identification sex guidance and legal sex guidance**

Response to sex question with self-identification guidance	Do you consider yourself to be trans, or have a trans history?	
	No (%)	Yes (%)
Female	51	61
Male	48	22
I would not answer	1	18
<i>Unweighted bases</i>	2068	13
<i>Weighted bases</i>	2060	25
<b>Response to sex question with 'legal sex guidance</b>		
	No (%)	Yes (%)
Female	52	25
Male	48	15
I would not answer	1	59
<i>Unweighted bases</i>	2072	12
<i>Weighted bases</i>	2065	23

Since all participants were asked to review both versions of the guidance and answer the sex question accordingly, it was possible to examine if, and how, a person’s response changed. The vast majority (99%) were consistent in their responses with just 1% changing answer in response to the different guidance (Table 3.1).

**Table 3:11 Did different guidance mean different response to sex question**

Changed response to sex question based on guidance	%
Changed answer	1
Didn't change answer	99
<i>Unweighted bases</i>	2066
<i>Weighted bases</i>	2055

Ninety-nine percent of participants that described their sex as female according to the self-identification sex guidance gave the same response based on the legal sex guidance. The corresponding figure for males was <95.5% (Table 3.12). Those reporting that they would *not* answer the sex question based on one version of the guidance, were significantly more likely than others to report that they *not* answer the question based on the alternative version either, suggesting that the differing content of the guidance was not behind their decision not to respond.



**Table 3:12 Sex question response, by guidance**

Response to sex question with self-identification guidance	Response to sex question with legal sex guidance			
	Female (%)	Male (%)	I would not answer (%)	Total (%)
Female	99	0	31	51
Male	1	100	29	48
I would not answer	0	0	40	1
<i>Unweighted bases</i>	<i>1137</i>	<i>904</i>	<i>25</i>	<i>2066</i>
<i>Weighted bases</i>	<i>1048</i>	<i>972</i>	<i>35</i>	<i>2055</i>

While consistency of responses did not vary significantly by age of participant or mode of completion, trans people, or those with a trans history, were significantly more likely than others to provide a different response to the sex question depending on guidance version (Table 3.13).

**Table 3:13 Did people answer the sex question the same or differently using both versions of the guidance**

Answered sex question same or differently for both versions of guidance	Do you consider yourself to be trans, or have a trans history?	
	No (%)	Yes (%)
Answered sex question differently	8	47
Answered sex question the same	92	53
<i>Unweighted bases</i>	<i>2140</i>	<i>13</i>
<i>Weighted bases</i>	<i>2137</i>	<i>25</i>

To assess views on the acceptability of both guidance types for use in the census, participants were asked how acceptable they thought each version was.<sup>30</sup> Those describing either one or both sets of guidance as ‘not acceptable’ or ‘not at all acceptable’ were significantly more likely to provide inconsistent responses to the sex question (Table 3.14).

**Table 3:14 Did people answer the sex question the same or differently using both versions of the guidance, by acceptability of guidance**

Answered sex question same or differently for both versions of guidance	Acceptability of guidance	
	Both versions of guidance acceptable (%)	1 or both versions of guidance unacceptable (%)
Answered sex question differently	8	19
Answered sex question the same	92	81
<i>Unweighted bases</i>	<i>2037</i>	<i>171</i>
<i>Weighted bases</i>	<i>2040</i>	<i>168</i>

<sup>30</sup> See Section 3.5 for further details on the acceptability questions.



### 3.5 Acceptability of guidance types

To assess the acceptability of both sets of guidance, participants were asked, how acceptable they thought each version was for use in the census. Each acceptability question was asked immediately after a participant had been shown the guidance and asked how they would answer the sex question based on it. Importantly, this was before being shown the alternative guidance and being asked for their views about it. As noted in earlier sections, the order a participant was presented with the guidance was randomised for both paper and online participants.

When answering acceptability questions about the first set of guidance they were presented with, online participants could *not* see or access the alternative guidance. On paper versions of the questionnaire, it was possible to randomise the order in which the guidance the was presented but it was *not* possible to keep alternate guidance truly hidden. Presenting guidance on separate pages, and overleaf from each other, minimised the likelihood of a person seeing, and being influenced by, the second guidance when responding to the first. However, the likelihood of this occurring could not be eliminated completely.

When asked about the acceptability of including self-identification sex guidance in the census, a little over two-thirds (69%) considered it acceptable, a further 24% viewed it as neither acceptable nor unacceptable and 5% described it as either not acceptable or not at all acceptable (Table 3.15). Views on the acceptability of the self-identification sex guidance and the legal sex guidance were very similar, in that 68% also found it acceptable for use in the census and 5% described it as unacceptable.

Table 3:15 ‘How acceptable is it for this guidance to be used in the census?’

How acceptable is it for this guidance to be used in census?	Self-identification sex guidance (%)	Legal sex guidance (%)
Very acceptable	29	27
Acceptable	40	41
Neither acceptable nor unacceptable	24	24
Not acceptable	2	3
Not at all acceptable	3	2
Non-response	2	2
<b>Very acceptable / acceptable</b>	<b>69</b>	<b>68</b>
<b>Not acceptable / not at all acceptable</b>	<b>5</b>	<b>5</b>
<i>Unweighted bases</i>	<i>2208</i>	<i>2208</i>
<i>Weighted bases</i>	<i>2208</i>	<i>2208</i>

Views on the acceptability of each version of the guidance were explored by response to sex, when first asked. Men were significantly more likely than women to think that the self-identification guidance was unacceptable for use in the census; 7% of men

thought the self-identification sex guidance was not acceptable or not at all acceptable for use in the census, compared with 4% of women (Table 3.16). There was no difference in acceptability by sex (when first answered) for the legal sex guidance. Neither mode of completion or trans status were significantly associated with acceptability levels for either version of the guidance.

**Table 3:16** Acceptability of self-identification sex guidance by response to sex when first asked

	Response to sex question when first asked			
	Female (%)	Male (%)	Non-response (%)	Total (%)
Acceptable	70	66	76	69
Neither acceptable not unacceptable	24	24	21	24
Unacceptable	4	7	2	5
Non-response	2	2	1	2
<i>Unweighted bases</i>	1179	947	79	2205
<i>Weighted bases</i>	1100	1023	82	2205

**Table 3:17** Acceptability of legal sex guidance by response to sex when first asked

	Response to Sex question when first asked			
	Female (%)	Male (%)	Non-response (%)	Total (%)
Acceptable	69	68	65	68
Neither acceptable not unacceptable	25	24	23	24
Unacceptable	5	6	2	5
Non-response	2	2	10	2
<i>Unweighted bases</i>	1178	947	79	2204
<i>Weighted bases</i>	1099	1023	82	2204

It was possible to determine the proportion of participants who either found both sets of guidance unacceptable or found one set more acceptable than the other.<sup>31</sup> Of those

<sup>31</sup> Those who found one, but not both, sets of guidance as 'neither acceptable or unacceptable' were excluded from this analysis since it was decided that not all participants are likely to have interpreted this category in the same way. Some will treat this as a natural mid-point on an acceptability scale but others may have used this as a proxy for don't know or not sure thus making it difficult to assess if they found it more or less acceptable than the alternative guidance

who gave a valid response to their acceptability of both sets of guidance, the overwhelming majority (95%) answered the acceptability question in the same way for found both versions of the guidance (Table 3.18). Two-thirds (64%) found both sets acceptable for use in the census. Three percent deemed both sets of guidance unacceptable for the census. One percent found the self-identification sex guidance acceptable but the legal sex guidance unacceptable, and 2% also reported the opposite. Too few participants deemed one set of guidance less acceptable for the census than the other to say anything meaningful about the type of person who felt this way.

The likelihood of finding both sets of guidance unacceptable, was not related to either age of participant or mode of completion. When looked at it combination, men were, however, significantly more likely than woman to find both sets of guidance unacceptable.

**Table 3:18** Response to acceptability question for both guidance types

Acceptability of both versions of guidance	Response to sex question when first asked			
	Female (%)	Male (%)	Non-response (%)	Total (%)
Found both versions acceptable	65	62	63	64
Found both versions unacceptable	2	4	1	3
Found self-identification guidance acceptable and legal sex guidance unacceptable	2	1	1	1
Found legal sex guidance acceptable and self-identification unacceptable	1	2	-	2
Found both self-identification guidance and legal sex guidance neither acceptable nor unacceptable	21	20	16	21
Unclear interpretation*	6	8	11	7
Non-response to one or both acceptability questions	2	3	7	3
<i>Unweighted bases</i>	1179	947	79	2208
<i>Weighted bases</i>	1100	1023	82	2208

\*Where one response to acceptability of one guidance was 'neither acceptable nor unacceptable'

### 3.5.1 Why some people find guidance unacceptable

Participants who reported that the guidance was unacceptable for use in the census were asked to give, in their own words, their reasons why. A range of different reasons for why the guidance was unacceptable were given. Reasons given were not always specific to the version of the guidance a participant had just read. Some centered around whether any form of guidance for the sex question should be used at all, and many touched on both the self-identification and legal sex guidance at the same time.

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asked about. Those who did not answer either acceptability question were included in the 'same answer to both' category.

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## Self-identification sex guidance

A key reason for participants finding the self-identification sex guidance unacceptable was the belief that, relative to other matters, too much emphasis and government focus (both financial and temporal) was allocated to the matter. The guidance was also described as a waste of resources.

“Absolute nonsense! To think my income tax is spent on this...makes my blood boil. Let’s worry about education, NHS, homeless....” (35-44 years, male)

The presence of the term ‘non-binary’ prompted others to declare the self-identification sex guidance unacceptable as they viewed the term as clearly relating to gender and not sex. And others felt that ‘non-binary’ is a choice, and therefore was different to the other options in the sex question. It was also noted that the guidance could encourage people, and vulnerable people and children in particular, to question their identity.

“I think the census should record true sex at birth/legal sex recording intersex as an option would be acceptable. Non-binary refers to gender not sex and is not appropriate in a question about sex.” (55-64 years, male)

“Non-binary is not an actual position, just a choice, like a religion. People will answer however they choose and as there’s no way of checking there’s no point in worrying about it. How much money has been wasted in this exercise?” (45-54 years, female)

“Again too much encouragement for people (usually vulnerable people and young children) to believe they are unsure etc Minority with genuine problems-fine. Dangerous to present as mainstream.” (55-64 years)

There were participants who viewed the guidance as confusing and risked potentially overcomplicating the question, especially for older people. Another view was that sex is personal and therefore a private matter for people. Disclosing one’s legal sex was considered too personal to be shared on the Census.

“Invasion of privacy.” (55-64 years, male)

One objection mentioned in relation to both sets of guidance, but perhaps of more relevance to the self-identification sex guidance was around the notion that the guidance was viewed as ‘encouraging’ the notion that sex is a personal choice.

“It seeks to encourage self-declaration.” (65-74 years, male)

## Legal sex guidance

When asked about their views on the acceptability of the legal sex guidance a common theme was that people thought there was no need for guidance, of any kind, on the matter. There was a widely held view that sex is determined at birth and is known to all without the need for consulting any guidance. Consequently, the additional details given in any guidance were felt to be unnecessary, confusing and overly complicated.

“You are born male or female simple.” (45-54 years, male)

“Information on birth certificate is all that is required for a census.” (75+, female)

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There were participants specifically mentioned that they felt that sex is binary, and therefore either it was only necessary to ask for sex as stated on the birth certificate or that they were against a third option being mentioned in the 'legal sex guidance. Although there was also a view that asking people separately about gender realignment would be acceptable.

"Sex is a biological fact, not a social construct. Gender is a social construct and therefore alterable." (65-74 years, male)

"People are either male or female by birth and I accept that this is a legitimate question for planning facilities. Allowing other orientations is pandering to politically correct claptrap." (65-74 years, male)

However, there was also a view that there should be a third option at the sex question and that it should be 'Other'.

"The question should be a/male b/female c/other." (55-64 years, female)

Another criticism against the legal sex guidance, was the lack of information the census would then collect on 'gender identity issues' and the subsequent lack of visibility of those who do not identify as their birth sex. Having birth sex as the only type of data collected was deemed incomplete as it would not provide a true representation of the Scottish population.

"We might want to know what the population's sex at birth is but this would not really give us a true insight into the wide spread gender identity issues (crises) we are facing in this country at this time." (25-34 years, female)

For some, the legal sex guidance was found to be problematic due to privacy concerns. Disclosing one's legal sex was considered too personal to be shared on the Census.

"Invasion of privacy." (55-64 years, male)

## Other views expressed on the acceptability of guidance

There were participants who clearly expressed their preference for the self-identification sex guidance over the legal sex guidance. Others felt the legal sex guidance was unacceptable because it deprived people of their right to self-definition of their sex. It was also felt, by some, that participants should be allowed to declare a sex that is different to their birth sex without necessarily having obtained a GRC.

"There have always been shades of grey. The census should recognise this." (45-54 years, male)

"If you have a GRC you MAY record...." Why an option if using this legalistic def of sex? Previous guidance gives broader scope for personal definition (65-74 years, female)

Some participants provided comments which were not relevant to the question being asked. From such comments, it became evident that there was a confusion over terms such as sexual orientation and gender. There was also confusion over the language used in the guidance. The mention of 'non-binary' as a term was particularly confusing for some.

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“I am sick and tired of hearing about sexual orientation. I don't care about it and stop trying to pigeon hole people into a status.” (45-54 years, female)

While those who felt the guidance was acceptable were not required to provide a reason for this, a number of those who took part on paper did use the space provided to offer their views on the guidance. These responses centred around pointing out that consensus on this issue would be difficult to achieve, the complexity of sex determination, the complexity and confusing-nature of the questionnaire's content including some of the terminology used and the fact that guidance may not necessarily be followed by all participants regardless of its inclusion in the census.

“I don't understand all the terms - 'non-binary'. I think there is too much info in guidance - makes completing census off-putting.” (45-54 years, female)

## 3.6 Impact of guidance types

### 3.6.1 Likely impact of guidance on census completion

To assess the likely impact each version of the guidance might have on a census behaviour, each participant was asked what they would do if the census included the guidance with the question 'what is your sex?'. Answer options were:

- I would answer the question 'What is your sex?'
- I would skip the question 'What is your sex?' but answer other questions in the census
- I would not complete the census at all because of this
- I'm not sure what I would do

Asking people to predict their own behaviour can be problematic and it has been suggested that people have a tendency to under-estimate the role of situational and environmental factors in determining how they will behave in the future.<sup>32</sup> In this context, when asking people if they thought their behaviour at the census was likely to be influenced or affected by a version of the guidance, they were being asked to put this at the forefront of their minds. When the time comes to consider actual census participation, people will have multiple competing demands vying for their attention, and the attention given to the guidance, and consequently, its potential impact is likely to be less pronounced than is recorded here. That said, in combination with other findings, including reported non-response rates to the sex question, these questions on likely future action help give some sense of the potential impact the guidance might have on sex question response and census completion, even if ultimately the guidance is given less consideration, by some, than is implied here.

Nine in ten participants (91%) reported that they would answer the sex question in the census if it was accompanied by the self-identification sex guidance, the same proportion said the same with regards the legal sex guidance (90%) (Table 3.19). Having read the self-identification sex guidance, 2% thought they would 'skip the

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<sup>32</sup> Balcetis, E., and Dunning, D. (2011). Considering the situation: Why people are better social psychologists than self-psychologists. *Self and Identity*, 1-15 DOI: 10.1080/15298868.2011.617886

question 'What is your sex?' but answer other census questions'. This was not significantly different from the 3% who said the same about the legal sex guidance. Just 1% reported that if the census included the self-identification sex guidance they would not take part in the census at all. This was the same for the legal sex guidance.

**Table 3:19 Likely impact of guidance on census completion**

<b>What would you do if the census included this guidance with the question 'What is your sex?'</b>	<b>Self-identification sex guidance (%)</b>	<b>Legal sex guidance (%)</b>
I would answer the question 'What is your sex?'	91	90
I would skip the question 'What is your sex?' but answer the other questions in the census	2	3
I would not complete the census at all because of this	1	1
I'm not sure what I would do	3	1
Non-response to question on likely impact	3	3
<i>Unweighted base</i>	<i>2208</i>	<i>2208</i>
<i>Weighted base</i>	<i>2208</i>	<i>2208</i>

Likely impact on census behaviour was associated with trans status. Despite only a small number of people answering that they were trans, or had a trans history, those who did were significantly more likely than others to report that they would not complete the census at all, having read either version of the guidance. Half (50%) of those who considered themselves to be trans said they would 'skip the question 'what is your sex?' having read the legal sex guidance, significantly more than those who were not trans (2%) (Table 3.20). However, the equivalent figures for the self-identification sex guidance were 9% and 2%, respectively, which was not a significant difference (Table 3.21).

**Table 3:20 Impact of the legal sex question guidance on census completion, by trans status**

<b>What would you do if the census included this guidance (legal) with the question 'What is your sex?'</b>	<b>Do you consider yourself to be trans, or have a trans history</b>		<b>Total</b>
	<b>No (%)</b>	<b>Yes (%)</b>	
I would answer the question 'What is your sex?'	94	39	93
I would skip the question 'What is your sex?' but answer the other questions in the census	2	50	3
I would not complete the census at all because of this	1	10	1
I'm not sure what I would do	3	2	3
<i>Unweighted bases</i>	<i>2081</i>	<i>12</i>	<i>2093</i>
<i>Weighted bases</i>	<i>2085</i>	<i>23</i>	<i>2098</i>



<b>What would you do if the census included this guidance (self-identification) with the question ‘What is your sex?’</b>	<b>Do you consider yourself to be trans, or have a trans history</b>		<b>Total</b>
	<b>No (%)</b>	<b>Yes (%)</b>	
I would answer the question ‘What is your sex?’	95	81	94
I would skip the question ‘What is your sex?’ but answer the other questions in the census	2	9	2
I would not complete the census at all because of this	1	9	1
I’m not sure what I would do	3	1	3
<i>Unweighted bases</i>	2080	13	2093
<i>Weighted bases</i>	2083	25	2098

Table 3.22 indicates that those who found the self-identification sex guidance unacceptable for use in the census were significantly more likely than others to report that they would either skip the sex question, or not complete the census at all if this guidance was used. The same was true for the legal sex guidance (Table 3.23).

Views on the likely impact of either version of the guidance on census behaviour were not related either to age of the participant or whether they completed the questionnaire online or on paper.

<b>What would you do if the census included this guidance (self-identification) with the question ‘What is your sex?’</b>	<b>Acceptability of self-identification sex guidance</b>			<b>Total (%)</b>
	<b>Acceptable (%)</b>	<b>Neither acceptable nor unacceptable (%)</b>	<b>Unacceptable (%)</b>	
I would answer the question ‘What is your sex?’	98	90	69	94
I would skip the question ‘What is your sex?’ but answer the other questions in the census	1	5	6	2
I would not complete the census at all because of this	0	1	14	1
I’m not sure what I would do	2	4	11	3
<i>Unweighted bases</i>	1473	533	120	2126
<i>Weighted bases</i>	1504	523	109	2136



Table 3:23 Impact of legal sex guidance by acceptability of legal sex guidance

What would you do if the census included this guidance (legal) with the question ‘What is your sex?’	Acceptability of legal sex guidance			Total (%)
	Acceptable (%)	Neither acceptable nor unacceptable (%)	Unacceptable (%)	
I would answer the question ‘What is your sex?’	97	89	57	93
I would skip the question ‘What is your sex?’ but answer the other questions in the census	1	5	14	3
I would not complete the census at all because of this	0	0	20	1
I’m not sure what I would do	2	6	8	3
<i>Unweighted bases</i>	1471	542	116	2129
<i>Weighted bases</i>	1500	527	113	2140

### 3.6.2 How likely impact on census completion differ by guidance type

For most people (95%), the likely impact of the two versions of the guidance on census completion was the same, that is, they reported that they would behave the same way at the census, irrespective of the version of the guidance included with the sex question (Table 3.24). One percent reported that the self-identification sex guidance would have a greater negative impact on census completion than the legal sex guidance, and 2% said the opposite.

Table 3:24 Difference in impact on census completion of legal sex and self-identification sex question guidance

Impact of difference sex question guidance on census completion	Total (%)
* Same response to impact question for both versions	95
** Impact not clear	2
*** Self-identification guidance greater potential negative impact on census completion than legal sex guidance	1
**** Legal sex guidance greater potential negative impact on census completion than ‘self-identification’ guidance	2
<i>Unweighted bases</i>	2104
<i>Weighted bases</i>	2104

\* Reported impact of each guidance was the same

\*\* Answered ‘I’m not sure’ to at least one of the two impact questions

\*\*\* Would answer sex question with legal sex guidance, but would skip sex question with ‘self-identification sex’ guidance, or would skip sex question with legal sex guidance, but would not complete census at all if sex question included ‘self-identification sex’ guidance

\*\*\*\* Would answer sex question with ‘self-identification sex’ guidance, but would skip sex question with legal sex guidance, or would skip sex question with ‘self-identification sex’ guidance, but would not complete census at all if sex question included legal sex guidance

While impact across the board appeared to be minimal, there was a significant association between trans status and likely impact on census completion. Two in five (40%) trans people or those with a trans history said that the legal sex question guidance would have a more negative impact on their completion of the census compared with the self-identification sex guidance, compared with just 1% among others (Table 3.25).

**Table 3:25** Difference in impact on census completion of 'legal' and 'self-identity' sex question guidance, by trans status

Impact of difference sex question guidance on census completion	Do you consider yourself to be trans, or have a trans history?		Total
	No	Yes	
* Same response to impact question for both versions	96	60	95
** Impact not clear	2	-	2
*** 'Self-identification' guidance greater potential negative impact on census completion than legal sex guidance	1	-	1
**** legal sex guidance greater potential negative impact on census completion than 'self-identification' guidance	1	40	2
<i>Unweighted bases</i>	2036	12	2048
<i>Weighted bases</i>	2045	23	2063

\* Reported impact of each guidance was the same

\*\* Answered 'I'm not sure' to one question on impact

\*\*\* Would answer sex question with legal sex guidance, but would skip sex question with 'self-identity' guidance, or would skip sex question with legal sex guidance, but would not complete census at all if sex question included 'self-identity' guidance

\*\*\*\* Would answer sex question with 'self-identity' guidance, but would skip sex question with legal sex guidance, or would skip sex question with 'self-identity' guidance, but would not complete census at all if sex question included legal sex guidance

Neither age or mode of completion were related to the likelihood of a person stating that one version of the guidance would have a greater impact than the other.

## 4 Findings: Trans or non-binary survey

### Key findings

- The survey of trans or non-binary adults living in Scotland was an opt-in online survey with recruitment across a large and diverse range of charities, support groups and medical settings. Seventy-five people completed the survey.
- Since participants were not selected at random, the findings relate only to those who took part and inferences to the wider trans or non-binary population in Scotland cannot be made. Different approaches to sampling mean that comparisons between the general population survey findings and the trans or non-binary findings cannot, and should not, be made.

### Understanding how trans or non-binary people answer the sex question

- When first asked the question 'what is your sex?', 47% (n=35) of trans or non-binary participants responded 'female', 45% (n=34) responded 'male' and 8% (n=6) chose not to respond.
- Those who chose not to answer the sex question when first asked were asked to explain, in their own words, why they didn't provide an answer. An objection to the binary nature of the response options proved to be a common theme among non-responders.
- All of those who did not answer the sex question when first asked it described their trans status as 'non-binary'.

### Understanding how trans or non-binary people use the guidance

- When first asked the sex question guidance was available, but participants had to click on a 'help' button to access it. When asked, one in three (33%) trans or non-binary participants reported accessing guidance when answering the question.
- However, background data collected on online participants indicated that a quarter of those who claimed to access guidance did not actually do so. Thus, overall, 25% (n=19) of trans or non-binary participants genuinely accessed guidance before answering the question 'what is your sex?'.
- Those describing their trans status as 'non-binary' were significantly more likely than those who described it in another way to access guidance before answering the sex question (37%, n=13 and 15%, n=6, respectively).

### Understanding how trans or non-binary people answer the sex question (when first asked) based on different versions of the guidance

- Of the 25% (n=19) of trans or non-binary people who accessed guidance when first asked to respond to the 'what is your sex?' question, non-response to the question did not differ significantly by guidance type.
- Over half (58%, n=11) of those that genuinely accessed guidance before answering the sex question reported that the guidance prompted them to change their answer.
- Those who read the self-identification sex guidance were no more or less likely than those who read the 'legal sex guidance to report changing their minds about how to answer (55%, n=6 and 63%, n=5 people, respectively).

- Three of the 6 people who reported changing their mind after reading the self-identification text had initially planned not to answer the question but chose to respond having read the guidance. The same was true of those reporting that reading the 'legal sex guidance changed their mind (3 of the 5 did not plan to answer prior to reading the guidance but went on to provide a valid response).

### **Understanding how trans or non-binary people answer the sex question when asked to consider different versions of the guidance**

- After answering the initial sex question – which was presented in a manner replicating how it might appear in the census - trans or non-binary participants were then presented with each version of the guidance to read, in turn, and asked how they would answer the 'what is your sex?' question having read the guidance.
- When presented with the self-identification sex guidance, 23% (n=16) of trans or non-binary participants reported they would not answer the sex question. Around half (49%, n=35) said they would not answer the sex question if the 'legal sex guidance was used.
- How trans or non-binary people responded to the sex question when each version of the guidance was considered was compared to see if, and how, answers changed in line with guidance. For 60% (n=41) the response given to the sex question when self-identification sex guidance was considered did *not* match the response given when legal sex guidance was considered.
- Twenty-six of the 32 trans or non-binary people reporting that they would not answer the sex question if legal sex guidance were used, provided a valid answer to the question when the self-identification sex guidance was considered.
- Many of those reporting that they wouldn't answer the sex question described their trans status as non-binary and, when asked to describe in their own words why they would not answer, pointed to the binary nature of the response options as the reason for their decision. This was raised as an issue for both versions of the guidance but was more pronounced for the legal sex guidance.

### **Acceptability of the different versions of guidance**

- Participants were asked how acceptable each version of the guidance was for use in the census.
- Sixteen of the 75 trans or non-binary participants (21%) described the self-identification sex guidance as either not acceptable or not at all acceptable. When asked how acceptable the 'legal sex guidance was for inclusion in the census, 58 participants (77%) viewed it as unacceptable.
- While a third (n=28) of non-binary participants viewed both versions of the guidance as equally acceptable, close to two thirds (n=46) viewed the 'legal sex guidance as *less* acceptable than the self-identification sex guidance for use in the census. Only one of the 75 participants described the self-identification sex guidance as the least acceptable of the two versions.

### **Reasons why some trans or non-binary people find the self-identification sex guidance unacceptable**

- When asked to explain, in their own words, why the self-identification sex guidance was not acceptable, the most widely held view related to the restrictive nature of the binary response options to the question rather than any specific issues with the guidance itself.

- Other objections to the self-identification sex guidance touched on broader implications relating to the role of census in defining society and societal views. Some questioned the accuracy of the data that would be gathered from non-binary people and it was also noted that the guidance didn't give everyone in the population visibility, again a reference to non-binary people having to answer a binary question.
- While some viewed the self-identification sex guidance as unacceptable, they made it clear that they deemed it more acceptable than the 'legal sex guidance.
- Highlighting that views across trans or non-binary people aren't always consistent, it was mentioned that the self-identification sex guidance confuses sex and gender which were considered to be separate by those who cited this issue.

### **Reasons why some trans or non-binary people find the legal sex guidance unacceptable**

- Many trans or non-binary people who found the legal sex guidance unacceptable provided an extensive narrative on why they felt this way, often offering multiple reasons for their views. Common themes were:
- Binary nature of the sex question – those describing themselves as non-binary described the binary nature of the question as restrictive. That the guidance, and the subsequent question on trans status, acknowledged that a person could be non-binary but did not allow this to be expressed at the sex question was noted as particularly frustrating.
- Issues with the legal sex guidance specifically – many disagreed with the guidance requirement to hold a gender recognition certificate (GRC) in order to respond according to their lived sex. The process of obtaining a GRC was described as bureaucratic and off-putting for those eligible to apply. It was noted that the insistence on holding a GRC meant that the guidance could, in effect, create a two-tier system among trans people – those with and those without a GRC.
- Data quality implications of using legal sex guidance – a view reported was that using 'legal sex guidance would result in data that was inconsistent with 2011 census data when trans or non-binary people could answer according to self-identified sex. Some participants indicated that they would answer the question according to self-identified sex even if the 'legal sex guidance were to be used. A knock-on implication of this on data quality noted by participants was that some would then choose not to answer the subsequent trans status question since when used in combination with their response to the sex question, they might be thought to be lying and it could allow their sex at birth to be determined.
- Emotional implications the legal sex guidance on trans people – several participants associated the requirements of the 'legal sex guidance with feelings of distress and rejection and there was a sense that using this guidance could have negative consequences on the mental wellbeing of trans people.
- Societal implications of using legal sex guidance – some trans or non-binary people perceived the implications of using legal sex guidance as going beyond the personal. Their view was that if 'legal sex guidance was to be used, then, this would be viewed as the 'government' presenting its position on the acceptance and recognition of trans identities and potentially, as a result, shaping wider public perceptions to negative effect.

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### **Likely impact of the different versions of the guidance on census behaviour**

- For each version of the guidance, trans or non-binary participants were asked what they would do in the census if the guidance was included.
- Of the 75 participants, 52 (69%) reported that they would answer the sex question in the census if self-identification sex guidance were used. Fourteen would skip the sex question and just 4 would not take part in the census at all if the guidance were used.
- Likely impact on census behaviour appeared to more negative for the 'legal sex guidance with 17 (23%) of the 75 participants reporting they would answer the question, 23 stating that they would skip the question and a further 23 stating that they would not complete the census at all.
- Forty percent (n=31) indicated that the impact of guidance on their likely census behaviour would be the same for both versions. Forty percent (n=30) indicated that 'legal sex guidance would have a more negative impact on census behaviour than self-identification sex guidance and 3% (n=2) said the opposite.

## 4.1 Background

The survey of trans or non-binary adults in Scotland was online only. Potential participants were recruited via an extensive range of voluntary, social media and medical settings.<sup>33</sup> At the beginning of the questionnaire screening questions were included to establish that potential participants lived in Scotland and were aged 16 or over. Aside from these eligibility questions; the content and structure of the trans or non-binary questionnaire was identical to the online version of the general population questionnaire (see Appendix B).

All participants were asked the ‘what is your sex?’ question’ in a way that replicated how it will appear in the census as closely as was feasible, that is, with guidance available for review if required. All participants were then shown both versions of the guidance in full and asked how they would answer the sex question based on these. Follow-up questions designed to assess their views the guidance were also included. The order a participant viewed the guidance in was randomised, with half presented with self-identification sex guidance first and then legal sex guidance and half the legal sex guidance first followed by self-identification sex guidance.<sup>34</sup>

Due to the different methodologies employed to recruit participants findings from the trans or non-binary survey cannot, and should not, be compared. Since probability sampling was not used to recruit participants to the trans or non-binary survey no inferences to the wider trans or non-binary population in Scotland can be made. Any differences described refer to differences observed between survey participants only. Data from 75 participants were used in the analysis that followed.<sup>35</sup>

## 4.2 How trans or non-binary people answer the sex question

### 4.2.1 Trans or non-binary response to the sex question

When first asked the question ‘what is your sex?’ 35 (47%) participants to the trans or non-binary survey answered female, 34 (45%) male and six (8%) did not provide an answer to the question (Table 4:1).

Response to sex question when first asked	Frequency	%
Female	35	47
Male	34	45
Non-response	6	8
<i>Total</i>	75	100

<sup>33</sup> See Section 2.3.2 for further details on the recruitment of the trans or non-binary sample.

<sup>34</sup> See Section 2.2 for further details on the study design.

<sup>35</sup> See Section 2.7 for further details on data processing and cleaning.



## 4.2.2 What is known about trans or non-binary people who chose *not* to answer the sex question when first asked?

The likelihood of responding to the sex question when first asked did not vary significantly by age of participant. There was, however, a significant association between a participant's trans status and their responding behaviour (Table 4:2). Immediately after the sex question, all participants were asked the trans status question planned for inclusion in the 2021 census. Everyone answered yes to the trans status question and based on the write in descriptions supplied, it was possible to identify those who described themselves as non-binary and those who did not. All six participants who chose not to answer the sex question when first shown it described their trans status as non-binary.

Table 4:2 Response to sex question when first asked, by trans status<sup>36</sup>

Response to sex question when first asked		Trans	Non-binary	Total
Female	Count	19	16	35
	%	48	46	47
Male	Count	21	13	34
	%	53	37	45
Non-response	Count	0	6	6
	%	0	17	8
Base		40	35	75

## 4.2.3 Reasons why some trans or non-binary people did not answer the sex question.

When first presented with the sex question 6 (8%) trans or non-binary survey participants chose *not* to answer. These people were asked to explain, in their own words, the reason why they decided *not* to respond to the question. A common reason given for not answering the sex question was the limiting nature of the binary response options.

“I am non-binary and this question does not give an option for this therefore I cannot answer it accurately. My sex is non-binary and would like to remind you that sex and gender identity distinction has no legal basis. Not having a third option for this question excludes me and other non-binary people and really triggers my social dysphoria around not being seen and recognised as a[n] equal member of society. I experience daily transphobia and questions like this significantly contribute to an environment and culture that excludes and marginalises non-binary people.” (35-44 Years, non-binary)

<sup>36</sup> The non-binary category includes those who described themselves only as non-binary as well as those who described themselves as trans non-binary.



Another reason given for not answering the ‘what is your sex?’ question was the legal sex guidance. It was argued that insisting on a gender recognition certificate (GRC) to differentiate among trans people means that some will have to answer with their birth sex and others with their self-identified sex. This was perceived as not allowing an accurate representation of the trans population.

“I cannot see any situation other than describing to a medical professional, where I would need to disclose the gender at which I was assigned at birth. The presence or absence of a GRC should not be relevant and asking a question like ‘What is your sex’ to monitor equality and statistic[s] on the population suggests that trans people are not recognised at all in these statistics.” (25-34 years, non-binary)

## 4.3 How trans or non-binary people use the guidance

### 4.3.1 Accessing the guidance

The trans or non-binary survey was online only. In line with the general population survey and the planned approach for the next census, a ‘help’ button was displayed on screen alongside the ‘what is your sex?’ question text and available response options. When clicked on, the ‘help’ button displayed a version of the guidance. The exact version of the guidance displayed was randomised, with half of participants able to access the self-identification sex guidance and half the legal sex guidance.<sup>37</sup>

### 4.3.2 Whether trans or non-binary people read the optional guidance when first asked the sex question

Once participants had answered the sex question, trans status question and a question on sexual orientation they were then asked if they read the guidance before answering the sex question. (Table 4:3). A third (n=25) of trans or non-binary participants reported that they pressed the ‘help’ button to access guidance before they answered the sex question.

Table 4:3 Response to ‘Did you read the guidance before answering the sex question?’

Did you read the guidance before answering the sex question?	Frequency	%
Yes	25	33
No	50	67
<i>Base</i>	75	100

<sup>37</sup> See Section 2.2 and Section 3.2.1 for further details on the study design and further details on how participants could access guidance.

### 4.3.3 Those who reported reading the guidance

Likelihood of accessing guidance to the sex question was not significantly associated with age. There was, however, a relationship between consultation of the guidance and trans status, with those describing themselves as non-binary significantly more likely than others to report that they read the guidance before answering ‘what is your sex?’ (Table 4:4).

**Table 4:4** Response to ‘Did you read the guidance before answering the sex question?’ by trans status<sup>38</sup>

Did you read the guidance before answering the sex question?		Trans	Non-binary	Total
Yes	Count	7	18	25
	%	28	72	100
No	Count	33	17	50
	%	66	34	100
<i>Bases</i>	<i>Count</i>	<i>40</i>	<i>35</i>	<i>75</i>
	<i>%</i>	<i>53</i>	<i>47</i>	<i>100</i>

There was no association between likelihood of reporting to have read the guidance and non-response to the sex question when it was first asked.

### 4.3.4 Whether those who reported reading the guidance actually read it

Background data collected for the online survey allowed an objective assessment of whether guidance to the sex question was accessed or not. It should be noted that while it was possible to say with certainty who clicked the ‘help’ button to access guidance, this does not necessarily equate with having read it once it was accessed.

While one in three trans or non-binary participants reported reading the guidance, administrative data collected online indicated that 76% (n=19) of those that reported accessing the sex question guidance actually did. This equates to a quarter of all trans or non-binary participants accessing guidance before answering the ‘what is your sex?’ question.

In line with participants subjective account, the likelihood of genuinely accessing guidance before answering the sex question was significantly associated with a person’s trans status (Table 4:5). Those describing their trans status as non-binary, were significantly more likely than those who described it another way, to have accessed the guidance in advance (37%, compared with 15% (n = 13 and n=6, respectively)).

<sup>38</sup> The non-binary category includes those who described themselves only as non-binary as well as those who described themselves as trans non-binary.

Table 4:5 Actually accessed guidance before answering sex question, by trans status<sup>39</sup>

Actually accessed guidance in advance of answering sex question (when first asked)		Trans	Non-binary	Total
Read guidance	Count	6	13	19
	%	15	37	25
Did not read guidance	Count	34	22	56
	%	85	63	75
<i>Bases</i>	Count	40	35	75
	%	100	100	100

## 4.4 Understanding how trans or non-binary people answer the sex question (when first asked) based on different versions of the guidance

### 4.4.1 Response to sex question (when first asked) by version of guidance available

As discussed in Section 4.1, 8% (n=6) of trans or non-binary participants chose not to answer the sex question when first asked. Non-response to the sex question did not vary significantly by the version of the guidance a person could access when answering the question. Since the question text and available response options were identical, irrespective of what version of the guidance was available, and a participant had to actively seek out guidance, no notable difference here was not expected.

### 4.4.2 Response to sex question (when first asked), among those who reported reading the guidance

It is possible to explore if and how response behaviour to the sex question when first asked varied among those who genuinely accessed the guidance before responding. In section 4.2.2, it was noted that one in four trans/non-binary participants accessed the guidance when asked to answer the sex question for the first time. As also noted earlier, the version of the guidance a participant was presented with was decided at random during the sampling stage.

All those who decided to access the guidance, and whom were presented with the self-identification version (n=11), proceeded to provide an answer to the sex question (Table 4.6). Among those who accessed the legal sex version of the guidance (n=8), one person chose not to answer the sex question after accessing the guidance. When asked why they chose *not* to answer it they reported:

<sup>39</sup> The non-binary category includes those who described themselves as non-binary only and those who described themselves as trans non-binary.

**Table 4:2** Response to sex question when first asked among those who accessed guidance, by version of guidance accessed

Response to sex question when first asked among those who accessed guidance	Self-identification sex guidance (n)	Legal sex guidance (n)	Total (n)
Female	6	5	11
Male	5	2	7
Non-response	0	1	1
<i>Bases</i>	<i>11</i>	<i>8</i>	<i>19</i>

All trans or non-binary participants reporting that they had read the guidance before answering the sex question were asked if the guidance had changed their mind, and if so, how? Of the 19 trans or non-binary participants that genuinely accessed question guidance before answering the sex question, over half (n=11, 58%) reported that reading it had changed their answer to the question (Table 4:3). The likelihood of reporting that guidance changed a planned response to the sex question was not associated with the version of the guidance consulted.

**Table 4:7** Did reading guidance change planned response to ‘what is your sex?’ question?

Did planned response change after reading guidance?	Frequency
Changed planned response	11
Did not change planned response	8
<i>Base</i>	<i>19</i>

Participants that accessed guidance and reported that it changed how they planned to respond were asked how they had planned to answer the sex question prior to reading the guidance and changing their mind. Half (n=3) of those reporting that the self-identification sex guidance changed their planned response said they were originally planning *not* to answer the sex question but decided to respond having read the guidance (Table 4.8). Three out of the five participants reporting that the legal sex guidance changed their mind, had also planned not to answer the sex question prior to reading the guidance, but then chose to respond.

**Table 4:8** Planned response to sex question prior to reading guidance, by actual response to sex question (when first asked)

Response to sex when first asked	Self-identification sex guidance			Legal sex guidance		
	How were you going to answer the sex question (when first asked)?			How were you going to answer the sex question (when first asked)?		
	Female (n)	Male (n)	I was not going to answer (n)	Female (n)	Male (n)	I was not going to answer (n)
Female	1	1	2	0	2	1
Male	1	0	1	0	0	2

## 4.5 How trans or non-binary people answered the sex question when asked to consider different versions of the guidance

Up until this point the focus has been on how trans or non-binary participants responded to the sex question when asked in a manner that replicated the census as closely as was feasible. It was noted that three quarters of trans or non-binary participants did *not* access the guidance when answering the sex question. Therefore, to determine how all trans or non-binary participants would answer the ‘what is your sex?’ question according to both versions of the guidance, everyone was shown each in turn, and asked how they would respond. As mentioned throughout, the sample was split evenly so that half of participants were shown the self-identification sex guidance first, and the remaining half saw the ‘legal sex guidance first. Once a participant had indicated how they would respond, two questions on the acceptability of the guidance and its likely impact on behaviour at the census were asked. Everyone was then presented with the alternative guidance, asked how they would respond to the sex question based on it and then asked the same two questions designed to evaluate views towards it.<sup>40</sup>

Asking everyone the sex question twice, considering both versions of the guidance, allowed for comparisons of response to the sex question and of overall views towards the guidance.<sup>41</sup> Around half (47%, n= 35) of all trans or non-binary participants reported that they would not answer the sex question if it was accompanied with the legal sex guidance (Table 4:9). This was significantly higher than the proportion (21%, n = 16) that said that the same of the self-identification sex guidance.<sup>42</sup>

<sup>40</sup> See Appendix B for questionnaire content

<sup>41</sup> Those who reported reading the guidance when first answering the sex question, but didn’t access it according to background data collected, are excluded from the analysis in this section as they did not actually see the guidance at the point at which response to the sex question was made. This meant comparisons on response based on guidance could not be made.

<sup>42</sup> P=0.002. See analysis in Section 2 for further details on statistical testing.

**Table 4:9** Using this guidance, how would you answer the question 'what is your sex?'

	Self-identification sex guidance		Legal sex guidance	
	Frequency	%	Frequency	%
Female	23	31	20	27
Male	32	43	17	23
I would not answer	16	21	35	47
Bases	71		73	

Since everyone was asked to answer the sex question twice, according to both guidance types, it was possible to examine if, and how, a person's response changed between the two versions. For six in ten trans or non-binary participants (61%, n = 42) response to the sex question varied depending on the type of guidance considered.

**Table 4:10** Whether gave same/different response to sex question based on different versions of the guidance

	Frequency	%
Same response to both sex question	27	39
Different response to sex question	42	61
Base	69	100

Eleven participants who considered their self-identified sex to be female also responded female when asked to consider the legal sex guidance. Ten participants responded male irrespective of guidance type while six reported they would not answer the sex question if either version of the guidance was used. Among those reporting that the response they gave would vary depending on guidance type, of note were the 26 people who would *not* answer the sex question if legal sex guidance were used but would answer it they could respond with their self-identified sex. Conversely, seven participants that answered the sex question when asked to consider the 'legal sex guidance, said they would not answer when asked to consider the self-identification sex guidance (Table 4:11).

**Table 4:11** Response to sex question when asked to consider self-identification sex guidance by response to sex question when asked to consider legal sex guidance

Response to sex based on self-identification sex guidance		Response to sex based on legal sex guidance			Total
		Female	Male	I would not answer	
Female	Count	11	2	10	23
	%	55	13	30	33
Male	Count	6	10	16	32
	%	30	63	49	46
I would not answer	Count	3	4	7	13
	%	15	25	21	20
<i>Total</i>	<i>Count</i>	20	16	32	69
	<i>%</i>	100	100	100	100

Those who reported that they would not answer the sex question when a specific set of guidance was used were asked to explain why, in their own words, this was the case. Several of the reasons given by people who said they would not answer the sex question if ‘legal sex guidance was used included reference to personal identity and lived experience.

“I have an interim GRC that is in process to a full GRC, there’s also no way I’d answer that as my birth gender as that is not my gender, and I’d be offended/upset at anyone./any questionnaire trying to insist it was just because I didn’t have a full GRC yet.” (45 – 54 years, Trans woman)

“I do not wish to answer a question that is based purely on my assigned sex status at birth. That is not who I am.” (45 – 54 years, Trans man)

For several, who said they would not answer the sex question if self-identification guidance was used, the option to self-identify as male or female did not help them as they were non-binary. Although some expressed a preference for it over the legal sex guidance.

“I do not understand why as i non-binary person it is vital for me to provide information on my sex which matches my official documents, if this is not case for binary transgender people, who are permitted to self-select their sex regardless of what is on their official documents, when both groups are essentially in the same position with regards to this question.” (16 – 24 years, non-binary)

“I would still feel distressed but not as severely [as for legal sex guidance], because it feels that at least there is a recognition that this is a complex issue, and it would cheer me a little that at least my binary trans friends were being properly respected even if I were not. I would still feel ashamed and sad, but I

would try to bear with it because I want to contribute as best I can.” (45 – 54 years, non-binary)

Some participants reported that they wouldn’t answer the sex question if either set of guidance was used. Again, a common theme among was the lack of an available option for non-binary people.

“Neither describes how I would define my sex.” (25 – 34 years, non-binary)

## 4.6 Acceptability of guidance types

After being presented with a version of the guidance and asked how they would answer the sex question accordingly, participants were asked how acceptable the guidance was for use in the census. This question was asked before a participant was presented with the alternative guidance and associated set of questions (Table 4:12).

When asked about the acceptability of using self-identification sex guidance with the sex question for the census, 2 in every 3 participants (67%, n = 50) reported that they found the guidance either acceptable or very acceptable. Sixteen (21%) trans or non-binary participants reported they would find it ‘not acceptable’ or ‘not at all’ acceptable for the census to include self-identification sex guidance.

Three in four trans or non-binary participants (77%, n = 58) reported that they found the legal sex question guidance unacceptable, that is, they described it as not acceptable or not at all acceptable for use in the census. Ten participants described the legal sex guidance as acceptable for use in the census, significantly lower than acceptability levels for the self-identification sex guidance.

**Table 4:12** How acceptable is it for self-identification sex guidance to be used in the census?

	Self-identification		Legal sex	
	Frequency	%	Frequency	%
Very acceptable	26	35	4	5
Acceptable	24	32	6	8
Neither acceptable nor unacceptable	9	12	7	9
Not acceptable	9	12	18	24
Not at all acceptable	7	9	40	53
<i>Acceptable/Very acceptable</i>	50	67	10	13
<i>Not acceptable/not all acceptable</i>	16	21	58	77
<i>Bases</i>	75	100	75	100

It was possible to examine responses to acceptability of self-identification sex guidance by responses based on acceptability of the legal sex guidance. Ten (13%) trans or non-binary participants describe both sets of guidance as acceptable for use in the census (Table 4:13). One in five (n = 15) reported that both sets of guidance were



unacceptable.<sup>43</sup> Forty-six participants (61%) viewed the self-identification sex guidance as more acceptable than the 'legal sex guidance for inclusion in the census, while just one participant felt the legal sex guidance was the more acceptable of the two.

**Table 4:13** Difference in acceptability of guidance

	Frequency	%
Both versions acceptable	10	13
Both versions unacceptable	15	20
Both versions neither acceptable or unacceptable	3	4
Self-identification guidance more acceptable than legal sex guidance	46	61
Legal sex guidance more acceptable than self-identification guidance	1	1
<i>Bases</i>	<i>75</i>	<i>100</i>

#### 4.6.1 Reasons given for finding the self-identification sex guidance unacceptable

If a participant described a version of the guidance as either not acceptable or not at all acceptable for use in the census then they were asked to describe in their own words why they felt this was the case. In total, sixteen participants said that they found the self-identified sex guidance unacceptable. Most objections came from participants who described their trans status as 'non-binary,' although not everyone who reported their trans status as non-binary found the guidance unacceptable. Of all 33 non-binary participants, 12 objected to the self-identification sex guidance and 22 objected to the legal sex guidance. Seventeen participants provided some information on why they thought the self-identification sex guidance was not acceptable. When asked to explain, in their own words, why this was the case the most pronounced objection given related to the binary nature of the response options on offer rather than any specific objection to the guidance itself.

“It doesn't identify that not everyone fits neatly within the boxes male and female.” (16 – 24 years, non-binary)

“Sex and gender are on a bimodal spectrum rather than a strict binary” (45 – 54 years, non-binary)

For some who found the self-identification sex guidance unacceptable, the lack of a third response option had significant personal and emotional implications. The binary sex question was described as invalid and some felt that forcing non-binary people to 'misgender' themselves was distressing.

<sup>43</sup> Unacceptable is defined as not acceptable and not at all acceptable combined.

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Other objections to the self-identification sex guidance touched on broader societal implications relating to the role of census in defining society, the accuracy of the data gathered and the visibility of everyone in the population.

“...to not let people be respected for who they are, isn’t a good point to define a community or society by excluding them.” (25 – 34 years, non-binary)

“This mental distress provoked is not in the name of greater good or in the name of providing necessary data... it is unnecessary as the information it solicits is meaningless and unusable.” (16 – 24 years, non-binary)

One view expressed was that the self-identification sex guidance confuses gender and sex which were considered to be separate by the person who expressed the view. Some felt that whilst the guidance recognised the existence of non-binary identities, the question did not provide an appropriate response for those with such identities. This objection was expressed by trans participants who described themselves as non-binary as well as those who did not.

“I would also argue that to segregate “non-binary” answers to some separate “trans status” category is incredibly dismissive and I would like to emphatically request that you consider us valid human beings. If anything, separate sex and gender, not cis and trans.” (35 – 44 years, non-binary)

“It conflates a person’s gender identity with the gender assignment given them at birth and forces them into choosing a binary position. Non-binary and intersex people exist and the guidance is helping the census erase them.” (45 - 54 years, trans woman)

Finally, some who found the self-identification sex guidance unacceptable clearly expressed a preference for it over the alternative legal sex guidance and/or recognised its relevance to trans people who did not object to binary response options.

“I do however believe that the guidance in relation to trans men and trans women is great!” (25 – 34 years, trans woman)

## 4.6.2 Reasons given for finding the legal sex guidance unacceptable

In total, 58 (77%) trans or non-binary people said that they found the legal sex guidance either ‘not acceptable’ or ‘not at all acceptable’. When asked to explain, in their own words, why they did not think it acceptable to have the ‘legal sex guidance with the sex question in the census, just one of those objecting to the guidance chose *not* to provide a reason why.

Many of those objecting to the legal sex guidance offered an extensive narrative of their concerns on the acceptability of the guidance for use in the census and often included multiple reasons why they objected. Common themes, discussed in turn below, were:

- The binary nature of the sex question
- Issues with the legal sex guidance specifically

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- Data quality implications of using legal sex guidance
  - Emotional implications of the legal sex guidance on trans people
  - Societal implications of using legal sex guidance

## Binary nature of the sex question

For those who described their trans status as non-binary, the objections to the 'legal sex guidance were in a similar vein to those they expressed about the self-identification sex guidance. The binary nature of the response options to the sex question was a key reason non-binary people described the legal sex guidance as unacceptable for use in the census. This view was also held by some trans people who did not describe their status as non-binary. A binary question than acknowledges the existence of non-binary identities in the guidance was particularly frustrating for some participants.

“It's nonsensical, patronising and confusing to require me to answer a binary question about sex followed by a question that allows me to identify as non-binary. Being non binary means I am not male or female regardless of what is on my birth certificate. It is intrusive, insensitive and disrespectful to ask what is on my birth certificate given that it is not relevant to my sex and gender now.”  
(35 – 44 years, Non-binary)

## Issues with the legal sex guidance specifically

With regards the actual guidance itself, the main criticism centred around the use of the 'legal' definition of sex. While it was acknowledged that the guidance was in line with the current legal definition and the laws around GRCs, the fact it was compliant with the current legal definition did not mean that this was the most appropriate way to have people report their sex.

“Its invasive and irrelevant. The sole reason I didn't click "not at all acceptable" is because it does correlate with the current law around GRCs.” (16 – 24 years, Trans man)

Several reasons why the legal definition of sex was not viewed as fit for purpose were offered. First, the requirement to have a gender recognition certificate (GRC) to be able to record a sex different to the one on the birth certificate was a source of frustration for some. The process to obtain a GRC was described as heavily bureaucratic and consequently off-putting for many who were eligible to apply. Acknowledging the proposed changes to GRC administration, several participants mentioned that they would not put themselves through a process perceived to be lengthy and involved when the legislation may be subject to change soon. GRC not being applicable to all in its current form was also mentioned as a barrier to applying. Consequently, for some, using a GRC to determine someone's sex was described as assessing trans people based on their willingness to go through an outdated process rather reflecting the stage of their transition.

“It assumes trans people are able or willing to get a GRC. Until the GRC legislation changes, the process of changing your legal sex is complex and bureaucratic.” (35 – 44 years, Trans man)

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“It also in my opinion creates a 2 tier system among trans people - those with a GRC and those without - therefore reinforcing the authority of the gender recognition panel that assesses the validity of a trans person based on outdated criteria. Examples of which being a psychiatric assessment, how many surgeries you have had, what you look like in a photo, all for the sum of a £140 fee with no right to appeal a rejection.” (25 – 34 years, trans woman)

Some who objected to the legal sex guidance questioned the need to collect legal sex data. For most participants, the sex assigned to them at birth was their legal sex. Only for few their legal sex was the sex in which they lived and accessed services. Several respondents reported that all services they needed, both from the voluntary and public sector, were provided to them based on their self-identified sex; without requiring a GRC.

“Furthermore, I don’t fully understand what the purpose of requiring the documentation of a transgender individual’s legal or birth sex would achieve. As a transgender woman I have had dealings with many charities and local health services. All of which provided help and support tiered to me as a woman, based on a system of gender self-declaration. When I suffered trauma after being sexually assaulted in a bar on a night out, I was referred to Rape Crisis Scotland who provided support and care to me as a woman. When I was referred to an Eating Clinic to tackle my issues with Anorexia and Binge-eating Disorder, I was provided support and care as a woman. When I was referred to Autism Scotland to assess learning difficulties, I was provided support and care as a woman. Not once was I required to provide a Gender Recognition Certificate to acquire the support I needed.” (25 – 34 years, trans woman)

## Data quality implications of using legal sex guidance

Data collected on the basis of legal sex was also perceived to be of poor quality in that it would not support consistent responses. Some trans participants would have to answer based on their birth sex, as they have not obtained a GRC, whereas, others would answer based on their lived sex – having obtained a GRC. Some noted that there would be difficulties with how the data would be used in particular because of the differing medical needs for those who had been through transition and those who had not. For example, one view mentioned by several participants was that counting trans men without a GRC as female would be meaningless given they could have had various surgeries or other procedures but not applied for a GRC.

“Furthermore, due to the nature of the therapies and procedures I have undertaken during my transition, I am more likely to require screenings for issues that, the majority of the time, affect women. These being breast cancer screenings and osteoporosis risk assessments due to my, what is medically considered, feminine levels of Oestradiol and Androgens. Therefore, it is to my, and NHS Scotland’s benefit, that I am consistently recorded as female, to ensure that the necessary treatments and screenings are appropriately funded and accessible in my area. This also being true for the charities I mentioned earlier, who provided vital support in my times of desperation.” (25 – 34 years, trans woman)

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Some participants also noted that the data collected using this guidance would be incomparable to that from the previous census, in that it would force trans people without a GRC to report their birth sex rather than their self-identified sex.

“...this would make the next set of data incompatible with that of previous censuses that allowed trans people to answer as their lived sex.” (35 – 44 years, Non-binary)

Several participants mentioned that if the census included the legal sex guidance, they would ignore it and answer the sex question based on self-identified sex. Some of these people also indicated that they would refuse to answer the subsequent question on trans status, as it would reveal that they had lied when answering the sex question and consequently allow sex at birth to be determined.

“As a trans people who suffers from gender dysphoria, it would be incredibly distressing for me to essentially identify or "out" myself on official documents as I do not possess a Gender Recognition Certificate. This therefore would result in me either identifying myself as my lived sex of female, regardless of the guidance's request for legal sex or sex assigned at birth; or not answering at all.” (25 – 34 years, trans woman)

For some, permitting trans people to answer the sex question according to self-identified sex was perceived as more beneficial for the census, allowing for a more accurate representation of the Scottish trans population.

“It would also, in my opinion, hugely benefit the wider transgender community to have the guidance ask for lived sex, as it could potentially increase the chance of transgender people willing to identify themselves as such and therefore would help accurately determine just how many transgender people live Scotland.” (25 – 34 years, trans woman)

## Emotional implications of the legal sex guidance on trans people

Several participants indicated that the legal sex guidance would potentially have significant emotional impact on trans people. The legal sex guidance was associated with feelings of distress and rejection. One view was that using such guidance would create a sense amongst the trans population that they were “second class citizens” and that their identities would not be properly recognised, each perceived to have potentially negative consequences for the mental wellbeing of trans people.

“I work with a lot of trans young people (both under and over 16) and vulnerable trans people who are unable to monitor and reduce the negative effects that this guidance would induce. By requiring them to answer as the sex on their birth certificate they know that in the eyes of the state, and therefore wider society, they are and will always be the sex they were assigned at birth. This will have significant impact on their mental health and I am concerned at the damage which could occur as a result.” (25 – 34 years, Trans man)

“Answering the question like that made me feel physically sick. I felt betrayed because I had not expected it here. I have made huge efforts to contribute to my country and this makes me feel that my country is rejecting me; that I am

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being treated like a second class citizen. I also feel that I am being forced to lie, which is repellent to me.” (45 – 54 years, Non-binary)

## Societal implications of using legal sex guidance

In several instances, the decision around which sex guidance should be used in the census was perceived to have wider societal implications. It was felt that by deciding between legal and self-identification sex guidance, the government would make clear its stance on the acceptance and recognition of trans identities, as well as potentially shape public perceptions on the matter. One view was that having to ‘misgender’ oneself in responding to the census was similar to behaviours which in other spheres of life would be deemed discriminative and unlawful. In a similar vein, it was noted that a decision to adopt legal sex guidance could be perceived as providing a justification of anti-trans ideology and potentially provoking resentment of the trans population.

“It forces trans people who have fought to overcome huge obstacles to become their true selves to go back to a place which hurts them and where they don’t belong. It automatically mis-genders them and if someone did that on the street it would be a hate crime, if an employer did this we would be going to HR or higher. It totally invalidates trans identities but also refuses to see they exist. And it feels extremely discriminatory, like I previously mentioned- if someone was found to have filled it in falsely or not at all over this I know there can be a fine, this would essentially be a fine for being trans and unable to put your trans gender on a form as it doesn’t have an option for that and they refused to buckle and go back to birth gender. That is not a good place to be, we have spent years being celebrated as being world leading for not making trans people feel like that, so we should see, accept and recognise trans identities which the first question did and would also actually maybe give an idea of trans population. For me personally I answered the last census as male so no way I am answering differently this time.” (25 – 34 years, Trans man)

The perception that the legal sex guidance reinforced the prioritisation of sex over gender as a principal characteristic was also noted by participants.

“It asks those of us who do not have the luxury of having a GRC (non-binary people, people who have issues gaining a GRC linked to citizenship issues, those under the age of 18, people who cannot afford to do so, people who refuse to engage with an outmoded process, etc.), and thus have our birth certificate reissued, to lie about the sex we live our daily lives, and access services, as. It is both distressing and inaccurate. Moreover, it is an intentional attempt to cement 'sex' as only what is recorded on a birth certificate, and make that concrete, separated off from gender which is not used in most legislation. It is an ideological shift that does not serve a legitimate data collection purpose.” (35 – 44 years, Non-binary)

## 4.7 Likely impact of guidance types on census behaviour

In addition to being asked how acceptable each version of guidance was for use in the census, trans or non-binary participants were also asked what they would do if the



census were to include the guidance with the sex question. Response options ranged from answering the ‘what is your sex?’ question, skipping the sex question but answering the other questions in the census, or not taking part in the census at all because of the guidance. Participants also had the option to say they were not sure what they would do.<sup>44</sup>

#### 4.7.1 Likely impact of self-identification sex guidance on census completion

Seven in ten (69%, n = 52) trans or non-binary participants reported that if the census included the self-identification sex guidance with the sex question they would proceed and answer the question (Table 4:14). Around two in ten (19%, n = 14) reported that they would skip the sex question but answer other questions on the census, while the remainder either said they would not answer the census at all (5%, n = 4) or were not sure what they would do (5%, n = 4).

**Table 4:14** What would you do if the census included self-identification sex guidance with the sex question?

	Frequency	%
Non-response	1	1
I would answer the question ‘What is your sex?’	52	69
I would skip the question ‘What is your sex?’ but answer the other questions in the census	14	19
I would not complete the census at all because of this	4	5
I’m not sure what I would do	4	5
<i>Bases</i>	75	100

Those who found the self-identification sex guidance unacceptable were more likely than others to report that they would skip the sex question in the census (50%, n = 8) or not complete the census at all (25%, n = 4) if the guidance were used. Conversely, the majority (90%, n = 45) of those who found the guidance acceptable reported that they would answer the sex question in the census if it was accompanied by this guidance.

#### 4.7.2 Likely impact of legal sex guidance on census completion

When asked what they would do if legal sex guidance was used in the census, around a third (31%, n = 23) reported that they would skip the sex question if the guidance were used (Table 4:4). The same number said they would skip the census entirely if asked to answer the sex question according to their legal sex. Just seventeen trans or

<sup>44</sup> See Section 3.6 for further background on asking people about future behaviours.

non-binary participants thought they would answer 'what is your sex?' in the census if asked to consider the legal sex guidance.

**Table 4:15** What would you do if the census included legal sex guidance with the sex question?

	<b>Frequency</b>	<b>%</b>
I would answer the question 'What is your sex?'	17	23
I would skip the question 'What is your sex?' but answer the other questions in the census	23	31
I would not complete the census at all because of this	23	31
I'm not sure what I would do	12	16
Non-response	0	0
<i>Bases</i>	<i>75</i>	<i>100</i>

Among those who deemed the legal sex guidance unacceptable for use in the census, 33% (n = 19) said that they would skip the sex question at the census and 40% (n = 23) thought they would not complete the census at all if the guidance was included with the sex question (Table 4:16). Twelve percent (n=7) of those who found the 'legal sex guidance to be unacceptable for use in the census thought they would answer the sex question at the census.



**Table 4:16** Response to ‘What would you do if the census included legal sex guidance with the question ‘What is your sex?’ by acceptability of Guidance

What would you do if the census included this guidance with the question ‘What is your sex?’		Acceptability of legal sex guidance			Total
		Acceptable	Neither acceptable or unacceptable	Unacceptable	
I would answer the question ‘What is your sex?’	Count	8	2	7	17
	%	80	29	12	23
I would skip the question ‘What is your sex?’ but answer the other questions in the census	Count	0	4	19	23
	%	0	57	33	31
I would not complete the census at all because of this	Count	0	0	23	23
	%	0	0	40	31
I’m not sure what I would do	Count	2	1	9	12
	%	20	14	16	16
<i>Total</i>		<i>10</i>	<i>7</i>	<i>58</i>	<i>75</i>

### 4.7.3 How did likely impact on census completion differ by guidance type

For thirty participants (40%) behaviour at the census did not vary by guidance type. (Table 4:5). The same proportion (40%, n=30) indicated that the legal sex guidance would have a greater negative impact on census behaviour than the self-identification sex guidance. These people would either skip the sex question or not take part in the census at all if legal sex guidance were included with the sex question, whereas, they would answer the question if self-identification sex guidance were to be used. Just two participants described the self-identification sex guidance as likely to have a greater impact on census behaviour than the legal sex guidance. Twelve participants (16%) did not know what they would do if one of the sets of guidance (self-identification sex or legal) were included, and hence the impact was unclear.

	Frequency	%
Not answered one or both impact questions	1	1
Same response at both impact questions	30	40
Impact not clear	12	16
Legal sex guidance had greater negative impact than self-identification sex guidance	30	40
Self-identification sex guidance had greater negative impact than legal sex guidance	2	3
<i>Total</i>	<i>75</i>	<i>100</i>

## 4.8 Additional views trans or non-binary participants provided on the guidance

As noted earlier in the report, trans or non-binary participants often offered a broad and extensive narrative when asked to answer questions in their own words. As a result, the data collected revealed additional findings, that did not necessarily fall under any of the topics touched on thus far but, nevertheless, may be considered relevant. As such, they are reported here as additional findings.

### Feedback on the term ‘birth sex’

One of the common themes identified earlier was a dislike of the notion of ‘birth sex’. As their birth sex was considered no longer relevant to them, participants expressed a significant unease with its use. However, some participants offered potential solutions to the issue.

One view was that a question on gender combined with a question on trans status would provide far more meaningful data than either version of the guidance. People would be allowed to self-identify and would therefore be more inclined to volunteer their trans history. Subsequently, a cross-reference of the two responses would enable the separation of trans and non-trans people without the associated negative impact of asking birth sex.

“I am not female. I am non-binary. I do not see how it is relevant. You can monitor equality through using gender only and additional questions about trans history/status/being a different gender to the one assigned at birth. It feels incredibly painful and uncomfortable to have to answer as female as that is not what I am, but what so many people view me as (incorrectly).” (25-34 years, non-binary)

“All other documentation I have says my sex is male, including my medical records. Why is the sex i was assigned at birth relevant when I have disclosed a trans status?” (16-24 years, trans man)

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## Some suggested alternative to 'what is your sex?'

Some non-binary participants recognised the relevance of asking about birth sex. However, given the emotional impact of terms such as 'birth sex' and 'GRC' can have on some trans or non-binary people, they suggested the question might usefully be rephrased. According to some participants, being asked the sex assigned to them at birth was a completely different question to 'what is your sex?'. Subsequently, although 'male' is not an accurate term for non-binary people, assigned male at birth (AMAB) was characterised as an acceptable term.

"I understand you need to know certain information to plan for appropriate NHS resources etc., but changing the way the census works to force people to misidentify themselves is a backward step, and there are better ways to get this information. I'm happy to identify as AMAB non-binary, but not as male." (35 – 44 years, non-binary)

"I would probably order the paper form so I could write in "AMAB Non-binary" (assigned male at birth), but I would feel a lot better about answering it after reading the guidance." (35-44 years, non-binary)

A suggestion to avoid confusion and misuse of 'sex' and 'gender' as terms, another suggestion was to replace the 'what is your sex?' question with 'how would you describe yourself'. This way there would be no references to confusing terms and people will be able to self-identify.

Personally I think rather than a sex or gender question there should be a "how would you describe yourself " question with man, woman and other (with space to specify) options. This removes the problem of different interpretations of the terms sex and gender and would still be useful for equalities monitoring. (16 – 24 years, non-binary)

## Data quality implications for legal sex guidance

Referring to the legal sex guidance, some participants mentioned that if forced to answer the sex question in the census, based on the legal sex guidance, they will actively choose to record their self-identified sex irrespective of what the guidance says. In addition, some of these people would then not answer the trans status question either. These data quality implications did not apply to the self-identification sex guidance.

"What this guidance does do is make sure that I do not answer the question about my trans status. The result is that for statistical purposes you cannot differentiate me from someone who was born with a cervix. This guidance corrupts data that could easily be extracted by simply allowing me to answer female as that is how I live my life and then comparing that with my answer to the trans question which clearly tells you that I was not born with a cervix." (55 – 64 years, trans woman)

"...If however, they can answer the sex question with their true gender, then there is more chance that trans people will actually answer this voluntary

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question. It all depends on how the sex question is worded and what the options are!” (55-65 years, trans status not described)

## Concerns about the implications of lack of anonymity

Another point raised was around the named responses on census. Some reported that the census is not anonymous, and a cross-reference of sex and forename would be enough to identify them, people mentioned that some trans participants would be unwilling to disclose such information.

“This guidance can also force trans people to out themselves anyway, because their forenames may clearly be at odds with their birth sex, thus flagging up their trans status no matter the voluntary trans question afterwards. So this guidance directly contradicts the census' attempts to foster equality.” (45-54 years, trans woman)

“Also, asking binary trans people who are not out (whether they've transitioned or not) to disclose this is... not good as long as census data is not anonymous.” (35-44 years, non-binary)

## Feedback on the trans status question

Another issue identified was that under the current trans status question, two different notions were conflated. The current trans status question was characterised as an attempt to separate cis and trans binary population. Addressing non-binary participants under the same question, despite the fundamental differences in the binary nature of their existence, was seen as ‘incredibly dismissive’. Others suggested having the sex and trans question appear together so that participants can see how they relate to each other.

“Also, not all non-binary people consider themselves to be trans, and some would therefore be forced to misidentify themselves either as cisgender (then limited to the previous question's binary), or as trans to get the option to identify themselves as non-binary.” (35 – 44 years, non-binary)

“I would also argue that to segregate “non-binary” answers to some separate “trans status” category is incredibly dismissive and I would like to emphatically request that you consider us valid human beings. If anything, separate sex and gender, not cis and trans.” (35-44 years, non-binary)

“It treats non-binary people as if our identity isn't real, by telling us we can't answer truthfully, and then saying "oh but it's okay, you get another go at the optional question". Considering most of the population won't answer that one (or will be confused by it), it makes me feel that I'm not being taken seriously. If nothing else, putting these questions together on the same page would make it much easier to judge how they relate to each other.” (35 – 44 years, non-binary)

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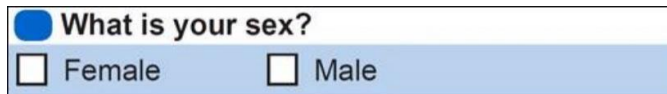
# Appendix A. Guidance

## Scotland's Census 2021

### Questions and draft guidance for testing

September 2019

#### Sex question – version 1



What is your sex?  
 Female       Male

#### How do I answer this question?

If you are transgender the answer you give can be different from what is on your birth certificate. You don't need a [Gender Recognition Certificate \(GRC\)](#).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

#### I am answering for someone else. How do I answer?

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

#### Why is this question asked?

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

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## Sex question – version 2

<input checked="" type="radio"/> What is your sex?
<input type="checkbox"/> Female <input type="checkbox"/> Male

### How do I answer this question?

The answer you provide should be the same as your birth certificate. If you have a [Gender Recognition Certificate \(GRC\)](#) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

### I am answering for someone else. How do I answer?

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

### Why is this question asked?

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

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# Appendix B. Questionnaires

## Contents

1. General population survey – Paper – Version A
2. General population survey – Paper – Version B
3. General population survey – Online – Version A
4. General population survey – Online – Version B
5. Trans or non-binary survey – Online only – Version A
6. Trans or non-binary survey – Online only – Version B

# 1. General population survey – Paper – Version A



General population Survey  
Paper Questionnaire  
Version A

## Help shape the next census

National Records of Scotland is responsible for carrying out the 10-yearly census of population and housing in Scotland. It is vital for the planning and funding of services in your community.

Planning for the next census, which will take place in 2021, is already underway. We need to make sure that we get the right information for everyone in Scotland. By filling out this survey you will be helping us to ask the right questions.

ScotCen is carrying out a short survey on our behalf to test some questions that may be included in the next census. By taking part in this survey you will help shape the next census.

Further information about the survey and our privacy notice are available at [www.scotcen.org.uk/census](http://www.scotcen.org.uk/census)

All the answers you provide will be entirely confidential.

## How to fill in this questionnaire

This survey takes around 5 minutes to complete. Please answer all questions, unless the instructions ask you to skip a question. For most questions you will be asked to tick the box next to the statement which best applies to you.

Please:

- make sure you are aged 16 or over
- you are answering on your own behalf
- tick your answers within the box like this:
- print your answers, in English, within the boxes like this: 

S	M	I	T	H															
---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
- use capital letters — one per box
- correct any mistakes like this: 

S	M	<del>E</del>	I	T	H														
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 or 

S	M	I	T	H															
---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

If you prefer, you can complete this survey online at [survey.natcen.ac.uk/census](http://survey.natcen.ac.uk/census)  
You will be asked to enter the unique access code that can be found on the letter that came with this survey.

## Guidance on answering the questions

For some of the questions there is guidance available online on how to answer them at: [www.scotcen.org.uk/censushelp](http://www.scotcen.org.uk/censushelp)



Please return the survey using the pre-paid envelope provided, or to:

NatCen Social Research  
101-135 Kings Road  
Brentwood, Essex  
CM14 4LX



If you have any questions please call the survey helpline FREEPHONE 0800 652 0501. The helpline is open Monday to Friday — 9am to 5pm, or email [scotlandscensus@scotcen.org.uk](mailto:scotlandscensus@scotcen.org.uk)

P14443

5



## Questions

**1 How many people usually live in your household?**

Please include yourself and all other adults and children

**2 Of these, how many are dependent children?**

Please include all people who are:

- aged 0–15
- aged 16–18 and in full-time education

**3 Which of the following best describes your household?**

Tick one box only

- Single person household
- Single parent household with children
- Couple household without children
- Couple household with children
- Other — without children
- Other — with children

**4 What is your age?**

Tick one box only

- 16–24 years
- 25–34 years
- 35–44 years
- 45–54 years
- 55–64 years
- 65–74 years
- 75+ years

**5 What is your sex?**

Female       Male

**6 Do you consider yourself to be trans, or have a trans history?**

This question is voluntary  
 Answer only if you are aged 16 or over  
 Trans is a term used to describe people whose gender is not the same as the sex they were registered at birth  
 Tick one box only

- No
- Yes, please describe your trans status (for example, non-binary, trans man, trans woman):

**7 Which of the following best describes your sexual orientation?**

This question is voluntary  
 Answer only if you are aged 16 or over  
 Tick one box only

- Straight / Heterosexual
- Gay or Lesbian
- Bisexual
- Other sexual orientation, please write in:

**8 Did you read the online guidance before answering the question 'What is your sex'?**

- Yes → go to 9
- No → go to 11

**9 Did reading the guidance change how you decided to answer the question 'What is your sex'?**

- Yes → go to 10
- No → go to 11

**10 How were you going to answer the question 'What is your sex?' before you read the online guidance?**

- Female → go to 11
- Male → go to 11
- I was not going to answer it. Please tell us why in the box below:

**11** Here is guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

**What is your sex?**

- Female
- Male

**How do I answer this question?**

If you are transgender the answer you give can be different from what is on your birth certificate. You don't need a Gender Recognition Certificate (GRC).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**12** Using this guidance, how would you answer the question 'What is your sex'?

- Female ➔ go to 13
- Male ➔ go to 13
- I would not answer it. Please tell us why in the box below:

**13** How acceptable is it for this guidance to be used in census?

- Very acceptable ➔ go to 14
- Acceptable ➔ go to 14
- Neither acceptable nor unacceptable ➔ go to 14
- Not acceptable. Please tell us why in the box below:
- Not at all acceptable. Please tell us why in the box below:

**14** What would you do if the census included this guidance with the question 'What is your sex'?

- I would answer the question 'What is your sex?'
- I would skip the question 'What is your sex?' but answer other questions in the census
- I would not complete the census at all because of this
- I'm not sure what I would do

**15** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

---

**What is your sex?**

- Female
- Male

**How do I answer this question?**  
 The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**  
 If you're answering for someone else, where possible you should ask them how they would answer. If they're away, select the answer you think they would choose.

**Why is this question asked?**  
 The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

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**16** Using this guidance, how would you answer the question 'What is your sex'?

Female ➔ [go to 17](#)

Male ➔ [go to 17](#)

I would not answer it. Please tell us why in the box below:

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**17** How acceptable is it for this guidance to be used in census?

Very acceptable ➔ [go to 18](#)

Acceptable ➔ [go to 18](#)

Neither acceptable nor unacceptable ➔ [go to 18](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

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**18** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

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**Thank you for taking part. Your answers will help shape Scotland's Census 2021.**

Some useful support organisations are listed at [www.scotcen.org.uk/censussupport](http://www.scotcen.org.uk/censussupport) if you would like some support or wish to discuss any of the topics that have come up in the survey.

## 2. General population survey – Paper – Version B



General population Survey  
Paper Questionnaire  
Version B

### Help shape the next census

National Records of Scotland is responsible for carrying out the 10-yearly census of population and housing in Scotland. It is vital for the planning and funding of services in your community.

Planning for the next census, which will take place in 2021, is already underway. We need to make sure that we get the right information for everyone in Scotland. By filling out this survey you will be helping us to ask the right questions.

ScotCen is carrying out a short survey on our behalf to test some questions that may be included in the next census. By taking part in this survey you will help shape the next census.

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All the answers you provide will be entirely confidential.

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Please:

- make sure you are aged 16 or over
- you are answering on your own behalf
- tick your answers within the box like this:

• print your answers, in English, within the boxes like this: S M I T H

• use capital letters — one per box

• correct any mistakes like this:  or S M I T H

If you prefer, you can complete this survey online at [survey.natcen.ac.uk/census](http://survey.natcen.ac.uk/census)

You will be asked to enter the unique access code that can be found on the letter that came with this survey.

### Guidance on answering the questions

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Please return the survey using the pre-paid envelope provided, or to:

NatCen Social Research  
101-135 Kings Road  
Brentwood, Essex  
CM14 4LX



If you have any questions please call the survey helpline FREEPHONE 0800 652 0501. The helpline is open Monday to Friday — 9am to 5pm, or email [scotlandscensus@scotcen.org.uk](mailto:scotlandscensus@scotcen.org.uk)

P14443

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## Questions

**1 How many people usually live in your household?**  
 Please include yourself and all other adults and children

**2 Of these, how many are dependent children?**  
 Please include all people who are:  
 • aged 0–15  
 • aged 16–18 and in full-time education

**3 Which of the following best describes your household?**  
 Tick one box only

- Single person household
- Single parent household with children
- Couple household without children
- Couple household with children
- Other — without children
- Other — with children

**4 What is your age?**  
 Tick one box only

- 16–24 years
- 25–34 years
- 35–44 years
- 45–54 years
- 55–64 years
- 65–74 years
- 75+ years

**5 What is your sex?**

- Female       Male

**6 Do you consider yourself to be trans, or have a trans history?**

- This question is voluntary
- Answer only if you are aged 16 or over
- Trans is a term used to describe people whose gender is not the same as the sex they were registered at birth
- Tick one box only

- No
- Yes, please describe your trans status (for example, non-binary, trans man, trans woman):

**7 Which of the following best describes your sexual orientation?**

- This question is voluntary
- Answer only if you are aged 16 or over
- Tick one box only

- Straight / Heterosexual
- Gay or Lesbian
- Bisexual
- Other sexual orientation, please write in:

**8 Did you read the online guidance before answering the question 'What is your sex'?**

- Yes ➔ go to 9
- No ➔ go to 11

**9 Did reading the guidance change how you decided to answer the question 'What is your sex'?**

- Yes ➔ go to 10
- No ➔ go to 11

**10 How were you going to answer the question 'What is your sex?' before you read the online guidance?**

- Female ➔ go to 11
- Male ➔ go to 11
- I was not going to answer it. Please tell us why in the box below:

**11** Here is guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

**What is your sex?**

- Female
- Male

**How do I answer this question?**

The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**12** Using this guidance, how would you answer the question 'What is your sex'?

Female → go to 13

Male → go to 13

I would not answer it. Please tell us why in the box below:

**13** How acceptable is it for this guidance to be used in census?

Very acceptable → go to 14

Acceptable → go to 14

Neither acceptable nor unacceptable → go to 14

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

**14** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

**15** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

What is your sex?

- Female
- Male

**How do I answer this question?**

If you are transgender the answer you give can be different from what is on your birth certificate. You don't need a Gender Recognition Certificate (GRC).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**16** Using this guidance, how would you answer the question 'What is your sex'?

- Female ➔ [go to 17](#)
- Male ➔ [go to 17](#)
- I would not answer it. Please tell us why in the box below:

**17** How acceptable is it for this guidance to be used in census?

- Very acceptable ➔ [go to 18](#)
- Acceptable ➔ [go to 18](#)
- Neither acceptable nor unacceptable ➔ [go to 18](#)
- Not acceptable. Please tell us why in the box below:
- Not at all acceptable. Please tell us why in the box below:

**18** What would you do if the census included this guidance with the question 'What is your sex'?

- I would answer the question 'What is your sex?'
- I would skip the question 'What is your sex?' but answer other questions in the census
- I would not complete the census at all because of this
- I'm not sure what I would do

**Thank you for taking part. Your answers will help shape Scotland's Census 2021.**

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### 3. General population survey – Online – Version A



General population Survey  
Online Questionnaire  
Version A

#### Questions

**1** How many people usually live in your household?

- Please include yourself and all other adults and children

**2** Of these, how many are dependent children?

- Please include all people who are:
- aged 0–15
  - aged 16–18 and in full-time education

**3** Which of the following best describes your household?

- Tick one box only
- Single person household
- Single parent household with children
- Couple household without children
- Couple household with children Other —
- without children
- Other — with children

**4** What is your age?

- Tick one box only
- 16–24 years
- 25–34 years
- 35–44 years
- 45–54 years
- 55–64 years
- 65–74 years
- 75+ years

**5** What is your sex?

- Female  Male

If gave no answer to "what is your sex:  
You chose not to answer the question  
'What is your sex?' Please tell us why:

**6** Do you consider yourself to be trans, or have a trans history?

- This question is voluntary
- Answer only if you are aged 16 or over
- Trans is a term used to describe people whose gender is not the same as the sex they were registered at birth
- Tick one box only

No

Yes, please describe your trans status (for example, non-binary, trans man, trans woman:

**7** Which of the following best describes your sexual orientation?

- This question is voluntary
- Answer only if you are aged 16 or over
- Tick one box only

Straight / Heterosexual

Gay or Lesbian

Bisexual

Other sexual orientation, please write in:

**8** Did you press the 'Help' button and read the guidance before answering the question 'What is your sex'?

Yes go to 9

No go to 11

**9** Did reading the guidance change how you decided to answer the question 'What is your sex'?

Yes go to 10

No go to 11

**10** How were you going to answer the question 'What is your sex?' before you read the online guidance?

Female go to 11

Male go to 11

I was not going to answer it. Please tell us why in the box below:

51



**11** Here is guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

What is your sex?

- Female
- Male

**How do I answer this question?**

If you are transgender the answer you give can be different from what is on your birth certificate.

You don't need a Gender Recognition Certificate (GRC).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**12** Using this guidance, how would you answer the question 'What is your sex'?

Female [go to 13](#)

Male [go to 13](#)

I would not answer it. Please tell us why in the box below:

**13** How acceptable is it for this guidance to be used in census?

Very acceptable [go to 14](#)

Acceptable [go to 14](#)

Neither acceptable nor unacceptable [go to 14](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

**14** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

**15** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

**What is your sex?**

- Female
- Male

**How do I answer this question?**

The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**16** Using this guidance, how would you answer the question 'What is your sex'?

Female [go to 17](#)

Male [go to 17](#)

I would not answer it. Please tell us why in the box below:

**17** How acceptable is it for this guidance to be used in census?

Very acceptable [go to 18](#)

Acceptable [go to 18](#)

Neither acceptable nor unacceptable [go to 18](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

**18** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

**Thank you for taking part. Your answers will help shape Scotland's Census 2021.**

Some useful support organisations are listed at [www.scotcen.org.uk/censussupport](http://www.scotcen.org.uk/censussupport) if you would like some support or wish to discuss any of the topics that have come up in the survey.

## 4. General population survey – Online – Version B

### Questions

**1** How many people usually live in your household?

- Please include yourself and all other adults and children

**2** Of these, how many are dependent children?

- Please include all people who are:
- aged 0–15
  - aged 16–18 and in full-time education

**3** Which of the following best describes your household?

- Tick one box only

- Single person household
- Single parent household with children
- Couple household without children
- Couple household with children Other —  
 without children
- Other — with children

**4** What is your age?

- Tick one box only

- 16–24 years
- 25–34 years
- 35–44 years
- 45–54 years
- 55–64 years
- 65–74 years
- 75+ years

**5** What is your sex?

- Female  Male

If gave no answer to "what is your sex:  
You chose not to answer the question  
'What is your sex?' Please tell us why:

**6** Do you consider yourself to be trans, or have a trans history?

- This question is voluntary
- Answer only if you are aged 16 or over
- Trans is a term used to describe people whose gender is not the same as the sex they were registered at birth
- Tick one box only

No

- Yes, please describe your trans status (for example, non-binary, trans man, trans woman:

**7** Which of the following best describes your sexual orientation?

- This question is voluntary
- Answer only if you are aged 16 or over
- Tick one box only

Straight / Heterosexual

Gay or Lesbian

Bisexual

Other sexual orientation, please write in:

**8** Did you press the 'Help' button and read the guidance before answering the question 'What is your sex'?

Yes [go to 9](#)

No [go to 11](#)

**9** Did reading the guidance change how you decided to answer the question 'What is your sex'?

Yes [go to 10](#)

No [go to 11](#)

**10** How were you going to answer the question 'What is your sex?' before you read the online guidance?

Female [go to 11](#)

Male [go to 11](#)

I was not going to answer it. Please tell us why in the box below:

5

**11** Here is guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

**What is your sex?**

- Female
- Male

**How do I answer this question?**

The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**12** Using this guidance, how would you answer the question 'What is your sex'?

Female [go to 13](#)

Male [go to 13](#)

I would not answer it. Please tell us why in the box below:

**13** How acceptable is it for this guidance to be used in census?

Very acceptable [go to 14](#)

Acceptable [go to 14](#)

Neither acceptable nor unacceptable [go to 14](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

**14** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

5

- 15** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

What is your sex?

- Female
- Male

**How do I answer this question?**

If you are transgender the answer you give can be different from what is on your birth certificate. You don't need a Gender Recognition Certificate (GRC).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

- 16** Using this guidance, how would you answer the question 'What is your sex'?

Female [go to 17](#)

Male [go to 17](#)

I would not answer it. Please tell us why in the box below:

- 17** How acceptable is it for this guidance to be used in census?

Very acceptable [go to 18](#)

Acceptable [go to 18](#)

Neither acceptable nor unacceptable [go to 18](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

- 18** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

**Thank you for taking part. Your answers will help shape Scotland's Census 2021.**

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## 5. Trans or non-binary survey – Online only – Version A



Trans or non-binary survey  
Online only  
Version A

### Questions

**1 Where in the United Kingdom do you currently live?**

- Scotland  
 England  
 Wales  
 Northern Ireland

If answer is not Scotland:  
Thank you for your interest but unfortunately  
you are not eligible to take part in the survey.

**2 Are you aged 16 or over?**

- Yes  No

If answer is not Yes:  
Thank you for your interest but unfortunately  
you are not eligible to take part in the survey.

**3 What is your age?**

Tick one box only

- 16–24 years  
 25–34 years  
 35–44 years  
 45–54 years  
 55–64 years  
 65–74 years  
 75+ years

**4 What is your sex?**

- Female  Male

If no answer to "What is your sex":  
You chose not to answer the question  
"What is your sex?" Please tell us why:

**5 Do you consider yourself to be trans, or have a trans history?**

- This question is voluntary
- Answer only if you are aged 16 or over
- Trans is a term used to describe people whose gender is not the same as the sex they were registered at birth
- Tick one box only

- No  
 Yes, please describe your trans status  
(for example, non-binary, trans man, trans woman):

**6 Which of the following best describes your sexual orientation?**

- This question is voluntary
- Answer only if you are aged 16 or over
- Tick one box only

- Straight / Heterosexual  
 Gay or Lesbian  
 Bisexual  
 Other sexual orientation, please write in:

**7 Did you press the 'Help' button and read the guidance before answering the question 'What is your sex'?**

- Yes go to 8  
 No go to 10

**8 Did reading the guidance change how you decided to answer the question 'What is your sex'?**

- Yes go to 9  
 No go to 10

**9 How were you going to answer the question 'What is your sex?' before you read the online guidance?**

- Female go to 10  
 Male go to 10

I was not going to answer it. Please tell us why in the box below:

**10** Here is guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

**What is your sex?**

- Female
- Male

**How do I answer this question?**

If you are transgender the answer you give can be different from what is on your birth certificate. You don't need a Gender Recognition Certificate (GRC).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**11** Using this guidance, how would you answer the question 'What is your sex'?

- Female [go to 12](#)
- Male [go to 12](#)

I would not answer it. Please tell us why in the box below:

**12** How acceptable is it for this guidance to be used in census?

- Very acceptable [go to 13](#)
- Acceptable [go to 13](#)
- Neither acceptable nor unacceptable [go to 13](#)
- Not acceptable. Please tell us why in the box below:
- Not at all acceptable. Please tell us why in the box below:

**13** What would you do if the census included this guidance with the question 'What is your sex'?

- I would answer the question 'What is your sex?'
- I would skip the question 'What is your sex?' but answer other questions in the census
- I would not complete the census at all because of this

I'm not sure what I would do

5



- 14** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below

**How do I answer this question?**

The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

- 15** Using this guidance, how would you answer the question 'What is your sex'?

Female [go to 16](#)

Male [go to 16](#)

I would not answer it. Please tell us why in the box below:

- 16** How acceptable is it for this guidance to be used in census?

Very acceptable [go to 17](#)

Acceptable [go to 17](#)

Neither acceptable nor unacceptable [go to 17](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

- 17** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

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**14** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below

**What is your sex?**  
Female  
Male

**How do I answer this question?**  
The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**  
If you're answering for someone else, where possible you should ask them how they would answer. If they're away, select the answer you think they would choose.

**Why is this question asked?**  
The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**15** Using this guidance, how would you answer the question 'What is your sex'?

- Female [go to 16](#)  
 Male [go to 16](#)

I would not answer it. Please tell us why in the box below:

**16** How acceptable is it for this guidance to be used in census?

- Very acceptable [go to 17](#)  
 Acceptable [go to 17](#)  
 Neither acceptable nor unacceptable [go to 17](#)  
 Not acceptable. Please tell us why in the box below:  
 Not at all acceptable. Please tell us why in the box below:

**17** What would you do if the census included this guidance with the question 'What is your sex'?

- I would answer the question 'What is your sex?'  
 I would skip the question 'What is your sex?' but answer other questions in the census  
 I would not complete the census at all because of this  
 I'm not sure what I would do

**Thank you for taking part. Your answers will help shape Scotland's Census 2021.**

Some useful support organisations are listed at [www.scotcen.org.uk/censussupport](http://www.scotcen.org.uk/censussupport) if you would like some support or wish to discuss any of the topics that have come up in the survey.

14

## 6. Trans or non-binary survey – Online only – Version B



Trans or non-binary survey  
Online only  
Version B

### Questions

**1 Where in the United Kingdom do you currently live?**

- Scotland  
 England  
 Wales  
 Northern Ireland

If answer is not Scotland:  
Thank you for your interest but unfortunately  
you are not eligible to take part in the survey.

**2 Are you aged 16 or over?**

- Yes  No

If answer is not Yes:  
Thank you for your interest but unfortunately  
you are not eligible to take part in the survey.

**3 What is your age?**

Tick one box only

- 16–24 years  
 25–34 years  
 35–44 years  
 45–54 years  
 55–64 years  
 65–74 years  
 75+ years

**4 What is your sex?**

- Female  Male

If no answer to "What is your sex:  
You chose not to answer the question  
'What is your sex?' Please tell us why:

**5 Do you consider yourself to be trans, or have a trans history?**

- This question is voluntary
- Answer only if you are aged 16 or over
- Trans is a term used to describe people whose gender is not the same as the sex they were registered at birth
- Tick one box only

- No  
 Yes, please describe your trans status  
(for example, non-binary, trans man, trans woman):

**6 Which of the following best describes your sexual orientation?**

- This question is voluntary
- Answer only if you are aged 16 or over
- Tick one box only

- Straight / Heterosexual  
 Gay or Lesbian  
 Bisexual  
 Other sexual orientation, please write in:

**7 Did you press the 'Help' button and read the guidance before answering the question 'What is your sex'?**

- Yes go to 8  
 No go to 10

**8 Did reading the guidance change how you decided to answer the question 'What is your sex'?**

- Yes go to 9  
 No go to 10

**9 How were you going to answer the question 'What is your sex?' before you read the online guidance?**

- Female go to 10  
 Male go to 10

I was not going to answer it. Please tell us why in the box below:

**10** Here is guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below.

**How do I answer this question?**

The answer you provide should be the same as your birth certificate. If you have a Gender Recognition Certificate (GRC) you may record your recognised legal sex.

The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**11** Using this guidance, how would you answer the question 'What is your sex'?

Female [go to 12](#)

Male [go to 12](#)

I would not answer it. Please tell us why in the box below:

**12** How acceptable is it for this guidance to be used in census?

Very acceptable [go to 13](#)

Acceptable [go to 13](#)

Neither acceptable nor unacceptable [go to 13](#)

Not acceptable. Please tell us why in the box below:

Not at all acceptable. Please tell us why in the box below:

**13** What would you do if the census included this guidance with the question 'What is your sex'?

I would answer the question 'What is your sex?'

I would skip the question 'What is your sex?' but answer other questions in the census

I would not complete the census at all because of this

I'm not sure what I would do

**14** Here is some *different* guidance on how to answer the question 'What is your sex?'. Please read it then answer the questions below

**What is your sex?**

Female  
Male

**How do I answer this question?**

If you are transgender the answer you give can be different from what is on your birth certificate. You don't need a Gender Recognition Certificate (GRC).

If you are non-binary or you are not sure how to answer, you could use the sex registered on your official documents, such as your passport or driving licence. The next question is a question about trans status and history. You can respond as non-binary in this question.

**I am answering for someone else. How do I answer?**

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. You don't need to know or ask whether they have a Gender Recognition Certificate (GRC).

**Why is this question asked?**

The sex question provides vital information for organisations on national and local population statistics, and for long term analysis, as it has been asked since 1801. This question is also used for equality monitoring.

**15** Using this guidance, how would you answer the question 'What is your sex'?

- Female [go to 16](#)  
 Male [go to 16](#)

I would not answer it. Please tell us why in the box below:

**16** How acceptable is it for this guidance to be used in census?

- Very acceptable [go to 17](#)  
 Acceptable [go to 17](#)  
 Neither acceptable nor unacceptable [go to 17](#)  
 Not acceptable. Please tell us why in the box below:  
 Not at all acceptable. Please tell us why in the box below:

**17** What would you do if the census included this guidance with the question 'What is your sex'?

- I would answer the question 'What is your sex?'  
 I would skip the question 'What is your sex?' but answer other questions in the census  
 I would not complete the census at all because of this  
 I'm not sure what I would do

**Thank you for taking part. Your answers will help shape Scotland's Census 2021.**

Some useful support organisations are listed at [www.scotcen.org.uk/censussupport](http://www.scotcen.org.uk/censussupport) if you would like some support or wish to discuss any of the topics that have come up in the survey.

5