

How do I ask about gender and sex?

Do you need to ask?

- First, consider: why do I need this information?
- Unless it's for monitoring purposes, it almost certainly is not needed
- It could be breaching someone's data protection to ask
- If it's for monitoring, make this clear and separate from, e.g. intake information, so the person is not outed
- "But I need to know how to address someone" – here's a best practice suggestion for intake forms:

Title options:

Mr Ms Miss Mrs Mx Other: _____ *

Name: _____

Is there another name you prefer us to use for you? _____

What pronouns should we use for you?

She He They Other _____

*We don't really need to know titles but if we ask, we should include mx

Monitoring questions

How can we know which communities we're serving well without doing good monitoring? Here's a best practice suggestion for your monitoring form:

Q1: How do you describe your gender?

Male/Man

Female/Woman

In another way (please state) _____

Prefer not to say

Q2: Is your current gender different from how you were assigned at birth? (e.g. trans/trans history)

Yes No Prefer not to say

Why don't we just ask people's sex assigned at birth and then if they're trans?

Asking this way reinforces the idea that trans identities (who we actually are) are less valid than the assignments society gave us (other people's assumptions about us).

Why not ask about "sex"? "Biological sex" is not the same as the legal/social labels of binary gender we are given at birth, and for trans and intersex people it's a complex question to answer; biology can be a combination of typically male and female attributes. In medical situations especially, it's unhelpful to make biological assumptions based on somebody's assigned gender at birth.

Why don't we offer man, woman, or non-binary as options? Non-binary can be a more complicated and diverse identity than "neither a man nor a woman" so it's not a great third option unless a person can choose more than one option.

Why don't we offer man, woman, or trans as options? Trans is not a gender, it describes someone's relationship to their gender. Setting trans people in a separate category from men and women undermines trans men and women's identity.

Why don't we offer man, woman, or other as options? Quite simply, it can make people feel "othered" to word the question this way.

Why is Q2 worded like that? A number of ways of wording this have been shown to get a lot of wrong answers, so take care that people will understand the question.

Can I monitor for gender and sexuality together? Not ideal, especially if the two things get mixed up, where being trans gets grouped in with being gay

What are the legal implications of all this? Trans people are allowed to self-identify their gender from the moment they decide to transition. They are protected in their identity under the Equality Act 2010, including from harassment (e.g intentional misgendering). Later in transition, they can change birth certificates with a Gender Recognition Certificate (GRC) but few have one. You are not allowed to ask to see a GRC. It is potentially a data protection breach to out someone as trans or record it unnecessarily. Think carefully therefore about how your monitoring data is handled/who sees it. Trans people can change their name and title with a deed poll. It is discriminatory to ask for an enrolled deed poll – the process is not legally necessary and outs the trans person in public records.