

# Guidance on collecting data regarding gender identity and sexual orientation

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These guidelines have been developed to help researchers in the faculty of BLSS to collect gender and sexuality related data in an inclusive and non-offensive manner.

They are based on guidance from the [Equality and Human Rights Commission](#), [Stonewall](#) and [BPS guidelines](#) for working with individuals of varied identities, sexualities and relationship diversity.

## What is the issue here?

Some may not be aware that standard demographic questions (e.g. gender, marital status, sexual orientation) are not sufficiently inclusive for all and may even be offensive to some. Others may not have questioned whether it is appropriate to include certain demographic questions in the first place. Indeed, the EU GDPR essentially prohibits collection of “special category” data such as this (see [here](#)), unless there is a clear purpose and clear consent is provided from the participant.

Even with legitimate reasoning for collecting such data, those with some awareness of how phrasing of such questions can limit inclusivity may include an option such as “*prefer not to say*” for a question on gender. This is still not sufficient. The current guidance addresses ways in which one might collect data on gender identity, sexual orientation and marital status when conducting research.

## Why collect these data?

Sufficiently describing the sample demographics can be important for both the understanding and replication of research findings from a scientific perspective. It may be that our phenomenon of interest is moderated by demographic factors. Determining the extent to which results vary according to demographic factors (e.g. if an intervention is less effective for a given demographic) may also help us reduce inequalities for relevant outcomes in our respective fields. Detailed knowledge of the sample characteristics may allow for more accurate replication of our studies and increase the confidence in our research findings.

In many instances however, it should be clear that some demographic data may not be of relevance. Specifically for example, if there is no clear evidence that sexual orientation will yield any impact on the research findings in a given field of research, it may be fruitless to ask participants to provide these data. Moreover, such questions may prevent certain individuals from providing some, or any information for your project.

## Ensuring protection through confidentiality/anonymity

Some individuals may wish to express their gender identity/sexual orientation as part of research, but not in other contexts, such as for work or with specific close ones. It is thus imperative that these data are protected (i.e. not passed onto third parties), especially given the potential (negative) implications and disadvantages that can occur in work or home contexts as a result of other people learning about a person’s gender identity/sexual orientation.

As such, confidentiality should be stringently maintained as per standard ethics guidelines and GDPR regulations. Also, there should be consideration that individuals can be identified through a combination of demographic traits (e.g. a specific ethnicity, postcode and job role) even if the name of the person is not captured during data collection. Protection of confidentiality (i.e. restricting third party access to personal data) should be considered for each of the following domains:

- Via personal communication to a third party (from the researcher team or others present during data collection, such as a focus group)

- Via third party access to data recording devices/software, data transfer processes and/or data storage
- Via research outputs

## Gender Identity

Gender identity data should be collected in an inclusive manner, which: a) allows an individual to describe their gender in their own words, and b) acknowledges an understanding of gender as fluid and on a spectrum. For gender identity questions:

- Ensure that the terms “sex” and “gender” are being used correctly: The former typically refers to sex organs and/or biological characteristics (e.g. chromosomes, genitalia) to distinguish between males and females and is typically assigned at birth. Gender is based on personal and societal constructions or beliefs regarding masculinity/femininity, potentially ranging on a spectrum including “female” and “male” identity. It is identified by the specific person, incorporates a range of descriptors/terms and is fluid (i.e. can change over time). We imagine that most individuals conducting research will want to know gender identity as opposed to sex, but please reflect on what data you wish to collect and how exactly to ask the question.
- Try to avoid having male as the first (i.e. default) option all of the time, as this potentially reinforces an implicit gender hierarchy and for some, might imply other categories to be non-normative.
- Ensure that individuals have the option not to identify their gender in the response, with a “*prefer not to say*” style option.
- A “prefer to self-describe” response, (with a free-text space) should also be included, to allow individuals to express their identity outside of a prefixed category. This may also allow for individuals with non-binary identities to respond accordingly.
- Please note that there are no specific requirements regarding formatting, provided that the question is clear and the above points are attended to. This may specifically be the case for qualitative research, where the questions may be presented in an alternative format.
- You may wish to pay extra attention to individuals that have transitioned between gender identities, but do not consider themselves transgender. For this, additional questions such as those outlined in the second example below might be useful.

**As an example, questions regarding gender identity could be expressed as follows:**

*What best describes your gender?*

- *Female*
- *Male*
- *Non-binary*
- *Prefer not to say*
- *Prefer to self-describe: \_\_\_\_\_*

**If your research question requires focus on the gender identity of those who have transitioned, another example *could* be the following:**

1. *At birth, were you described as:*
  - a. *Female*
  - b. *Male*
  - c. *Intersex*
  - d. *I prefer not to say*
  
2. *Which of the following describes how you think of yourself?*
  - a. *Female*
  - b. *Male*
  - c. *I prefer not to say*
  - d. *I would prefer to self-describe: \_\_\_\_\_*

## Sexual Orientation

Ensure that questions on gender identity and sexual orientation are kept separate as they are obviously not mutually exclusive. Similarly, questions about marital status should not incorporate sexual orientation for the same reason. For sexual orientation:

- Try to avoid having heterosexual/straight as the first (i.e. default) option all of the time, as this implies other categories to be non-normative.
- Ensure that individuals have the option not to identify their orientation in the response, with a “*prefer not to say*” style option. As above, this should be incorporated to all diversity questions where possible.
- A “prefer to self-describe” response, (with a free-text space) should also be included, to allow individuals to express their identity outside of a prefixed category.
- Try to incorporate one or two (non-offensive) different terms for a given category, as certain individuals might refer to themselves in a different way. For example, some women refer to themselves as Gay women, whereas others refer to themselves as Lesbian.
- When discussing a significant other, try to use neutral terms such as “partner” as opposed to gendered terms such as “husband” or “wife”.
- As above, formatting may vary depending on the requirements of the research.

**As an example, a question regarding sexual orientation *could* be expressed as follows:**

*What is your sexual orientation?*

- *Bisexual*
- *Gay Woman/Lesbian*
- *Gay Man*
- *Heterosexual/Straight*
- *Prefer not to say*
- *Prefer to self-describe: \_\_\_\_\_*

## Ensuring that ethics applications address these issues

When applying for ethical approval and incorporating questions on gender and sexual orientation, we recommend that you address the following to make the process easier:

1. Justifying why data on protected characteristics are being collected/are of importance to the research
2. Giving an indication of how such questions will be phrased
3. Incorporating an additional checkbox on consent forms, where participants can explicitly acknowledge that data on gender identity/sexual orientation will be used as part of the research
4. Incorporating inclusive language throughout participant facing documentation (i.e. Information sheets, consent forms)
5. Allowing individuals not to respond to gender identity and sexual orientation questions if they do not wish to (i.e. by providing a “prefer not to say” option or not requiring participants to respond to that question before continuing with a survey)
6. How confidentiality of gender/sexual orientation demographic data will be protected (with respect to the domains mentioned above)

## Additional considerations

Consider that the nature of gender specific questions may be potentially sensitive to given participants. This may need to be acknowledged and potentially addressed in the participant debrief process – Based on the nature of the project, if there is a reasonable chance of psychological distress, describe how this will be handled by the researcher. For example, participants could be referred to relevant support organisations.

Consider the impact that research outputs (e.g. examining gender identity as a key variable) could have on society and how this will be managed. Ensure that findings are presented in an objective manner and communicated in a way that emphasises both the inherent limitations of the study itself and generalising a single output to wider societal concerns. Consider how you present these findings to media outlets (if applicable) and the extent to which certain outlets may interpret the research in either a more or less favourable light than desired.

## Glossary of terms

This glossary of selected terms has been obtained from Stonewall [here](#).

**Bi** - An umbrella term used to describe a romantic and/or sexual orientation towards more than one gender. Bi people may describe themselves using one or more of a wide variety of terms, including, but not limited to, bisexual, pan, queer, and some other non-monosexual and non-monoromantic identities.

**Cisgender** - Someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people.

**Gay** - Refers to a man who has a romantic and/or sexual orientation towards men. Also a generic term for lesbian and gay sexuality - some women define themselves as gay rather than lesbian. Some non-binary people may also identify with this term.

**Gender** - Often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.

**Gender Expression** - How a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not conform to societal expectations of gender may not, however, identify as trans.

**Gender identity** - A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.

**Gender Reassignment** - Another way of describing a person's transition. To undergo gender reassignment usually means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender. Gender reassignment is a characteristic that is protected by the Equality Act 2010, and it is further interpreted in the Equality Act 2010 approved code of practice. It is a term of much contention and is one that Stonewall's [Trans Advisory Group](#) feels should be reviewed.

**Heterosexual/Straight** - Refers to a man who has a romantic and/or sexual orientation towards women or to a woman who has a romantic and/or sexual orientation towards men.

**Homosexual** - This might be considered a more medical term used to describe someone who has a romantic and/or sexual orientation towards someone of the same gender. The term 'gay' is now more generally used.

**Lesbian** - Refers to a woman who has a romantic and/or sexual orientation towards women. Some non-binary people may also identify with this term.

**Non-binary** - An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

**Orientation** - Orientation is an umbrella term describing a person's attraction to other people. This attraction may be sexual (sexual orientation) and/or romantic (romantic orientation). These terms refers to a person's sense of identity based on their attractions, or lack thereof. Orientations include, but are not limited to, lesbian, gay, bi, ace and straight.

**Pan** - Refers to a person whose romantic and/or sexual attraction towards others is not limited by sex or gender.

**Queer** - Queer is a term used by those wanting to reject specific labels of romantic orientation, sexual orientation and/or gender identity. It can also be a way of rejecting the perceived norms of the LGBT community (racism, sizeism, ableism etc). Although some LGBT people view the word as a slur, it was reclaimed in the late 80s by the queer community who have embraced it.

**Trans** - An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.