

FAO Sir Bernard Silverman
Chair, ONS Methodological Assurance Review Panel

22 October 2020

Dear Sir Bernard

We are writing to you in your capacity as Chair of the Methodological Assurance Review Panel for the 2021 Census in England and Wales, noting the Panel's role in providing assurance that the 2021 Census will produce results which meet the code of practice for official statistics and is methodologically robust, and in identifying significant gaps and risks in methods.

Over the past year, all of us have been involved in scrutinising plans for the forthcoming census, and we have taken a particular interest in the development of the questions on sex and gender identity.

We are concerned about the guidance proposed by the Office for National Statistics to accompany the longstanding, mandatory sex question. The guidance advises respondents to answer in line with their self-declared gender identity, not their sex registered at birth. This is in spite of the fact that there is a new, separate question on gender identity, which we all welcome. We are concerned the guidance as it stands could seriously compromise the integrity of data on sex, which is a variable of critical importance in practically all applied uses for census data and is a protected characteristic under the 2010 Equality Act.

It emerged during the passage of the Census (Amendment) (Scotland) Act 2019 that similar guidance accompanied the sex question in the 2011 census but that its adoption was never subjected to any formal parliamentary or other external scrutiny. A senior official in the National Records of Scotland [admitted](#) in September 2019 that it was not known how widely used the guidance was, nor what impact it had on the quality of data collected on sex.

Whilst we recognise that the vast majority of respondents are unlikely to do so, we do not know how many individuals with transgender identities might seek out the guidance when answering the mandatory question on sex.

There is very little data on the transgender population in the UK. However, it is unlikely that those with transgender identities are evenly distributed across the population. For instance, 1 in 50 [male prisoners in England and Wales](#) identify as transgender. The Tavistock and Portman NHS Trust claims that between 1.2% and 2.7% of children and young people are 'gender-diverse'. A recent [study](#) (2018) based on a population representative sample of over 50,000 Stockholm County residents found that over 6% of 22-29 year olds want to be treated as a member of the opposite sex.

In December 2019, 80 of the UK's leading quantitative social scientists (including six of us signing this letter) [wrote](#) to the three UK census authorities to express concern about the potential impact of this guidance on the quality of data collected on sex, particularly for some subgroups of the population. It took almost six months for us to be granted a meeting with ONS to discuss our concerns, which eventually took place on 24 June this year at a large 'roundtable' event where most of the attendees represented a particular political

perspective on gender identity rather than having been selected for their expertise on data collection and analysis. There was a further, short meeting between data users and ONS staff in mid-July. The need to address our concerns has since been [raised](#) by the regulator.

From these and other exchanges, we have been left deeply concerned that senior staff at ONS do not recognise the risks being taken here with data quality, due to the methodological weakness the guidance introduces. We would urge the Panel to discuss their plans for guidance on the sex question urgently with relevant staff at ONS.

We wish to draw to your attention in particular that senior ONS staff have been unable to assure us that they have undertaken any analysis to assess the potential impact of this guidance on the quality of data collected on sex in the next census, in particular for some subgroups of the population.

We are concerned that the ONS does not appear to have assessed how far any guidance may exert more influence on respondents than in 2011, with the census being conducted online, and with the higher profile of transgender issues. Also, the ONS appears to be taking a position on response rates which confuses obtaining any response with obtaining a valid and statistically useful one, and it does not appear to have assessed the potential for its preferred approach to be objectionable to some participants, who on a reasonable guess, are likely greatly to outnumber those that may find an alternative guidance that directs respondents to use sex registered at birth, in a way which could have a negative impact on wider public engagement with the census.

For this reason, we have grave concerns about the quality and trustworthiness of the data that will be collected on sex in the 2021 census in England and Wales. We believe that this is a consequence of the ONS having failed to have due regard for the procedural standards set out in the code of practice for engagement with stakeholders.

We would very much welcome the opportunity to discuss this with you and your colleagues at the earliest opportunity, given that we understand the guidance will soon be finalised.

Yours sincerely

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Tarani Chandola, Professor of Medical Sociology, University of Manchester

Amanda Gosling, Senior Lecturer in Economics, University of Kent

Lucy Hunter Blackburn, former Deputy Director, Scottish Government, and doctoral candidate, University of Edinburgh

Jane Clare Jones, philosopher, author of 'The Political Erasure of Sex: Sex and the Census'

Lisa Mackenzie, policy analyst, author of 'The Political Erasure of Sex: Sex and the Census'

Colin Mills, Associate Professor of Sociology, University of Oxford

Kath Murray, Research Fellow in Criminology, University of Edinburgh

Lindsay Paterson, FBA, Professor of Education Policy, University of Edinburgh

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