

Our ref: FOI/18/03760

J Stewart
request-533496-dc06383e@whatdotheyknow.com

21 January 2019

Dear J Stewart,

Request under the Freedom of Information (Scotland) Act 2002 (FOISA)

Thank you for your request of 17 December 2018 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked:

“Which Women's groups were consulted (PRIOR TO THE 2011 CENSUS) when the question 'What is your sex?' changed its meaning from collecting statistics on biological sex to Self Identified sex/Gender Identity? Can you provide copies of the submissions you received from the Women's groups?”

“What other stakeholders did National Records of Scotland consult (PRIOR TO THE 2011 CENSUS) when the definition of Sex changed to no longer mean biological sex but Self identified sex/Gender Identity? Did any express concerns on how this would negatively impact on the delivery and planning of services e.g. Health? Can you provide copies of the submissions you received from them?”

Response to your request

In 2011 there was no change in the meaning of the question ‘What is your sex?’ and for this reason NRS (formerly GROS) did not consult with women’s groups or other stakeholders. We have no record of receiving any responses from women's groups for 2011.

The Census Act 1920 does not define “sex”. The term “sex” is used in the Census Act to provide a power to enable questions to be asked “with respect to sex”. The question on sex has remained the same since the census began, namely “What is your sex? Male/Female”, without there being any definition of what is meant by sex. In the 2011 census in Scotland, the meaning of the question ‘What is your sex?’ did not change but additional guidance was provided online for transgender people so that they were aware that they could respond in terms of how they identified. Continuing this approach of self-identification is what is currently being worked on in relation to 2021.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to:

Information Governance Team
National Records of Scotland
Ladywell House
Ladywell Road
Edinburgh
EH12 7TF
Email: foi@nrscotland.gov.uk

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your rights is available on the Commissioner's website at:
<http://www.itspublicknowledge.info/Appeal>.

Yours sincerely,

Esta Clark
Head of Statistical Design, Processing and Outputs
Scotland's Census 2021