



**A guide to asking the  
right questions about  
gender on forms**

## Why are you asking?

First of all, reflect on whether you actually have a legitimate reason for asking at all. Have a think about why you need the information, what you will use it for, who benefits and what would its impact be. For example, if you want to know how to address people, you could ask what pronouns they use, rather than what their gender is.

The only time it is unequivocally important to ask about gender is if you are monitoring for equality, diversity and inclusion in your service, and this may necessitate a slightly different approach to the question.

## Title Question

Always give the options of both Mx and No Title as well as Mr, Ms, Mrs, Miss, Rev etc.

## Short format gender questions

A very basic and *almost* acceptable question is as follows:

**Gender**

Man

Woman

Other (please state)

Prefer not to say

**Example A**

Why don't we say male/female and ask about sex? Because forms with such wording can be confusing and potentially upsetting for trans people to fill out. "Biological sex" is not the same as our legal/social labels of gender.

Why don't we say "non-binary" as an alternative to man and woman? – Because non-binary men and women exist – non-binary is not a word that means "neither a man nor a woman", it's more broad than that.

Isn't "other" problematic though? – **yes**, it can make people feel "othered" by the question, some better options coming up . . .

## Alternative short questions

**How do you describe your gender?**

Man

Woman

In another way (please state)

Prefer not to say

Example B

**Gender Marker**

M

F

X

Prefer not to say

Example C

If you have a legitimate reason to ask if someone is trans for anonymous monitoring purposes, you can also ask:

**Do you identify as a gender other than the one you were assigned at birth, i.e. are you a trans person/a person with a trans history?**

Yes

No

Prefer not to say

Example D

## Longer monitoring questions

**About your gender/sex** – (please tick **any** of the following that apply to you):

- Woman
- Man
- Trans
- Cis
- Trans history
- Intersex
- Non-binary
- Prefer not to say

Other (please state)

Example E

Why we do it this way: many of these categories overlap, e.g. someone can be intersex, non-binary, trans and identify as a woman. By doing it this way, we demonstrate that we are aware of many different marginalised identities and we are developing a more full picture of our client group. We talk about sex as well as gender to explicitly include intersex people.

Another way is to give people a simple box to self-define:

**Please describe your gender**

Example F

## Can I monitor for gender and sexuality together?

You could, but be careful! A question like the following is okay, because it does not mix up gender and sexuality:

**About your gender/sex and sexual/romantic orientation –**  
(please tick **all** of the following that apply to you):

- Woman
- Man
- Trans
- Cis
- Trans history
- Intersex
- Non-binary
- Lesbian
- Gay
- Bisexual
- Asexual
- Heterosexual/straight
- Other (please state)
- Prefer not to say

Example G

But ideally ask separately, as follows:

**About your sexual/romantic orientation (tick all that apply)**

- Lesbian
- Gay
- Bisexual
- Asexual
- Other (please state)

Example H

Don't just ask "about your sexuality" followed by a list of lesbian/bi/gay/ trans etc!

## Legal Issues and Data Protection

Trans people are allowed to define their gender from the moment they decide to transition, and protected under the Equality Act 2010. Many trans people do not have a Gender Recognition Certificate (GRC) because it is complicated and lengthy to apply for. For this reason, questions like "what is your legal gender?" can be problematic, and should not be asked.

Once a trans person has a GRC they have extra legal protection and it is an offence to disclose their trans status or "out" them as trans.

You must consider, therefore, if you are asking information on a form that would breach a person's data protection. They may still voluntarily disclose, of course, but you must not "out" them.

While anonymous monitoring is vital to ensure communities are being properly served, remember trans people are a tiny minority and that even anonymous data may "out" them (e.g. if you find there is one trans person in your accounts team, could that out them?). Therefore, be particularly careful how monitoring data is handled, and by whom.

## Examples of poor practice

**What is your sex** (biologically determined, and can be male, female, or intersex)? (Please tick one box)

- a. Male
- b. Female
- c. Intersex
- d. Unspecific
- e. Prefer not to say

Title i.e. Mr/Mrs/ Mr  
Ms/Other:

DoB: 22.0

Gender: T

Postcode: [redacted]

Address: [redacted]

Gender:

- Male
- Female
- Transgender
- Other
- Prefer not to say

There are no circumstances where someone would need to know “biological sex” on a form. Even for medical purposes, it is not useful or sufficient information, as trans people post hormones may have medical/biological features of both sexes.

T/Trans/Transgender is not a gender in itself, it’s a word that describes someone’s relationship with their gender. Moreover, asking someone to tick this would “out” them as trans and breach data protection law.

Further information about monitoring trans people can be found at [https://www.scottishtrans.org/wp-content/uploads/2017/06/getting\\_equalities\\_monitoring\\_right.pdf](https://www.scottishtrans.org/wp-content/uploads/2017/06/getting_equalities_monitoring_right.pdf)