



ONS Census Transformation Programme

The 2021 Census

Assessment of initial user
requirements on content for
England and Wales

Sexual identity topic report

May 2016

Table of contents

1	Introduction	2
2	Background	3
3	Summary of consultation responses	6
4	Evaluation	8
4.1	User requirements - sexual identity	8
4.2	Other considerations - sexual identity	11
4.3	Operational requirements - sexual identity	13
5	Updated view	14
6	Equality implications of the updated view of ONS	15
7	Next steps	17
	Annex A: List of organisations that responded, by sector	18

1. Introduction

In June 2015 the Office for National Statistics (ONS) published the public consultation document ‘[The 2021 Census initial view on content for England and Wales](#)’¹. This discussed the initial views of ONS regarding the potential inclusion of current (2011) and additional topics in the 2021 Census. The public consultation was open from 4 June 2015 to 27 August 2015 and aimed to promote discussion and encourage the development of strong cases for topics users wanted to be included in the 2021 Census. The focus was on information required from the 2021 Census, not the detailed questions that could be asked on the questionnaire.

ONS received 1,095 responses to the consultation; 279 of these were from organisations and 816 were from individuals. Of all consultation respondents, 310 responded to at least one consultation question, or discussed collection of data, on the ‘Sexual identity’ topic.

There are no sub-topics within the ‘Sexual identity’ topic.

Based on the evidence given by users, topics were evaluated using the criteria detailed in the consultation document using a standardised method. The criteria are listed in table 1 below. The criteria largely reflect those used in the 2011 Census topic consultation and have undergone expert review within ONS and via the Census Advisory Groups for use in the 2021 Census topic consultation. More detail on the scoring methodology is available in section 2 of the document ‘[The 2021 Census - Assessment of initial user requirements on content for England & Wales: Response to consultation](#)’².

Table 1 Evaluation criteria

<p>1. User requirement</p> <ul style="list-style-type: none"> • Purpose • Small geographies or populations • Alternative sources • Multivariate analysis • Comparability beyond England and Wales • Continuity with previous censuses 	<p>2. Other consideration</p> <ul style="list-style-type: none"> • Data quality • Public acceptability • Respondent burden • Financial concerns • Questionnaire mode
	<p>3. Operational requirement</p> <ul style="list-style-type: none"> • Maximising coverage or population bases • Coding of derived variables and adjustment for non-response • Routing and validation

This report provides ONS’s updated view based on our evaluation of user responses against these evaluation criteria.

¹ <https://www.ons.gov.uk/census/censustransformationprogramme/consultations/the2021censusinitialviewoncontentforenglandandwales>

² <https://www.ons.gov.uk/file?uri=/census/censustransformationprogramme/consultations/2021censustopicconsultation/assessmentofinitialuserrequirementscontentforenglandandwalesresponsetoconsultation.pdf>

2. Background

Sexual orientation is composed of three dimensions: identity, attraction and behaviour. Sexual identity is a subjective view of oneself and may change over time and in different contexts, and may differ from sexual attraction and behaviour. This is a complex concept that no single question is capable of capturing effectively. For example, not all of those who have experienced a lesbian, gay or bisexual (LGB) sexual attraction consider themselves to have an LGB sexual orientation.

The introduction of the ‘Civil Partnership Act 2004’ and the ‘Marriage (Same Sex Couples) Act 2013’ reflect changes in society’s attitudes to diverse sexual identities. However, currently there is no census, in any country, that collects information on sexual identity and no plans have been announced to do so in any forthcoming census.

The ‘Equality Act 2010’ consolidated previous equality legislation and states that it is unlawful to discriminate against workers because of sexual orientation in relation to provision of goods and services, employment, or vocational training. Furthermore, the Act introduces a ‘[public sector Equality Duty](#)’³, which requires that public bodies consider all individuals when shaping policy, delivering services and interacting with their own employees. They must also have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

This led to ONS’s initial view on this topic, as published in the consultation document ‘[The 2021 Census initial view on content for England and Wales](#)’⁴ and reproduced in table 2 below.

Table 2 Initial view of ONS

Topic detail	Initial view	Collected in 2011?
Sexual identity	Further information required	No

In 2005, the ‘[2011 Census topic consultation](#)’⁵ identified a strong user need for information on this topic. Users emphasised the lack of data on the size of the lesbian, gay and bisexual (LGB) community. Respondents mostly referred to a requirement for information on this topic to inform service provision with some also noting that data could be used to aid resource allocation and policy development. Respondents also linked their requirements to the monitoring of equality objectives, including in relation to fulfilling the ‘Employment Equality (Sexual Orientation) Regulations, 2003’ and the planned ‘Equality Act 2006’.

At this time, the view of ONS was that such questions were not suitable for the 2011 Census. ONS had significant concerns about privacy, acceptability, accuracy, conceptual definitions and the effect that such a question could have on the overall response to the census.

³ <http://www.homeoffice.gov.uk/equalities/equality-act/equality-duty/>

⁴ <https://www.ons.gov.uk/census/censustransformationprogramme/consultations/the2021censusinitialviewoncontentforenglandandwales>

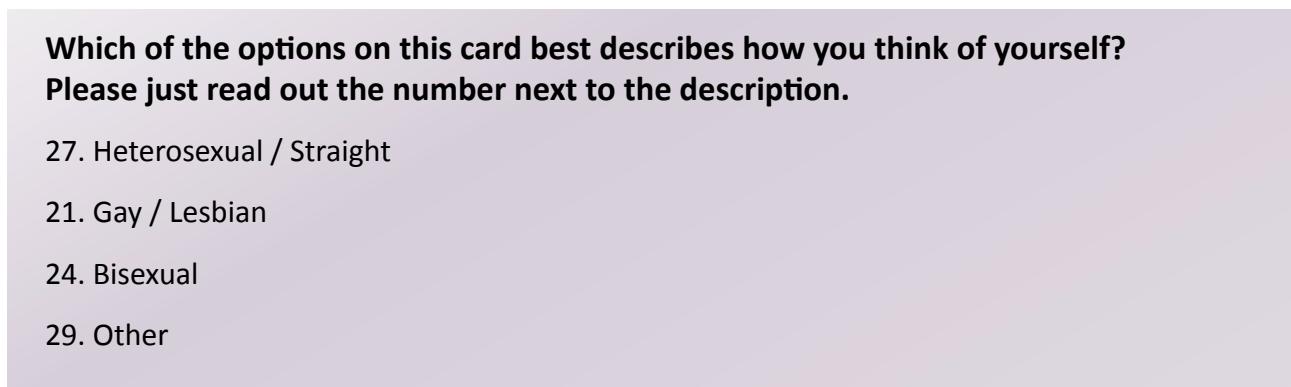
⁵ <http://www.ons.gov.uk/ons/about-ons/consultations/closed-consultations/2011-census---responses/index.html>

The evidence for these concerns stemmed from research undertaken by the Scottish Government between 2003 and 2006. This included a [review of methodological approaches](#)⁶, stakeholder engagement, and a [small scale postal test](#)⁷. Results of the postal test showed that 11 per cent of respondents who were asked the sexual identity question were either unhappy or very unhappy to respond to the question compared to less than 5 per cent for other questions. This led to the exclusion of this topic from the 2011 Census.

Instead, ONS established the [Sexual Identity Project](#)⁸ in 2006 to meet user requirements for information on sexual identity. The focus on sexual identity was based on research showing this to be the dimension of sexual orientation most closely related to disadvantage and discrimination. The project had three main objectives: question development, question testing and implementation, and guidance. This project involved consultation within and outside government. The external groups consulted included academics, non-governmental organisations, and LGB groups.

The project led to the publication of a [national harmonised standard](#)⁹ for asking questions on sexual identity and to the inclusion of this question in the Integrated Household Survey (IHS).

Figure 1 National harmonised question on sexual identity recommended for use in face-to-face interviews



There are several important aspects of this question that promote privacy between household members and increase acceptability and accuracy of response:

- the question is asked of each individual separately
- the question is not asked on behalf of absent household members
- responses to the question are presented in such a way that respondents do not have to reveal their answer to anyone else (except the interviewer)

Respondents are asked to indicate which option best describes how they think of themselves. In face-to-face interviews respondents are presented with a card with 4 response options and indicate their answer by reading a corresponding number assigned to the response option (see figure 1). Different cards with different numbers are used for each person so that when interviewed in sequence householders cannot discern other household member's answers from

⁶ <http://www.gov.scot/Publications/2003/03/16650/19351>

⁷ <http://www.gov.scot/Publications/2015/10/2781/319740>

⁸ <http://www.ons.gov.uk/ons/guide-method/measuring-equality/equality/sexual-identity-project/index.html>

⁹ <http://www.ons.gov.uk/ons/guide-method/harmonisation/secondary-set-of-harmonised-concepts-and-questions/sexual-identity.pdf>

the number they choose. In the case of telephone interviews, respondents are read the same response options and, upon second reading, are asked to say 'Yes' when the interviewer says the relevant option.

As a result of the addition of this question, ONS statistics on the size of the LGB population¹⁰ in the UK are available annually starting from the period April 2009 to March 2010 onwards. The latest IHS results for 2014 showed that 1.6 per cent of adults in the UK reported their sexual identity as LGB. The age group with the highest percentage of individuals reporting an LGB identity is 16-24 years. The region with the highest proportion of adults identifying as LGB was London at 2.6%. Data from one year of survey data can only produce robust estimates at regional level. However, the published data are stable over time and ONS is investigating combining five years worth of data to produce local authority level estimates.

The national harmonised standard has been adopted on other surveys including the 'National Survey of Sexual Attitudes and Lifestyles (2010-2012)' and the '1970 British Cohort Study: Forty-two year follow-up (2012)'.

However, these features cannot be replicated in a self-completion collection such as the census, where the questionnaire may be completed by one individual on behalf of all family members. Whilst a self-completion question was also developed as part of the project, it has not been tested, nor used by ONS in a self-completion household survey. This may have implications for the acceptability of this question to respondents.

ONS expect that including a question on sexual identity in the census would require an amendment to the Census Act 1920. The Act originally allowed the collection of six groups of information consisting of:

- names, sex, age
- occupation, profession, trade or employment
- nationality, birthplace, race, language
- place of abode and character of dwelling
- condition as to marriage, relation to head of family, issue born in marriage
- any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population

The addition of a question on religion in the 2001 Census required changes to the Census Act 1920 as it was judged that the right to collect information on this topic was not covered by the 6 groups listed above. This was done through primary legislation: the Census (Amendment) Act 2000.

Such primary legislation had to be passed by both the House of Commons and the House of Lords. Members of the House of Lords were concerned that the question could be seen as an infringement of respondents' civil liberties so it was decided that the question would be voluntary.

Any change to the Census Act 1920 to enable a question on sexual identity (to be asked on the 2021 Census questionnaire) would likewise have to be made through primary legislation.

¹⁰ <http://www.ons.gov.uk/search?q=integrated+household+survey>

3. Summary of consultation responses

Table 3 presents the number of responses by type of respondent and organisational sector. The organisations that responded to this topic are listed by sector in Annex A.

Table 3 Sexual identity - number of responses by type of respondent

Type of respondent	Total responses	
	N	% total responses
Individual	179	58
Organisation (all sectors)	131	42
Sector		% organisation responses
- Government department/public body	13	10
- Local authority	79	60
- Health organisation	3	2
- Housing	1	1
- Academic / research	2	2
- Charity and voluntary	19	15
- Commercial	6	5
- Genealogist/family historian	1	1
- Other	7	5
Total responses	310	100

Note: Percentages might not add to 100% due to rounding.

Note: An organisation may have submitted more than one response

The quotations below are used to illustrate why respondents have requested that data on sexual identity be collected on the census. These provide additional context to the evaluation.

Users from central and local government and the charity and voluntary sectors, noted the importance of collecting high-quality data about sexual identity that can be analysed in combination with other socio-demographic characteristics. This would be used for government policy development and monitoring, resource allocation, and service planning. Some users linked this to the need to collect data in order to meet the requirements of the Equality Act 2010 and the Equality Duty:

The National Lesbian, Gay, Bisexual & Transgender Partnership: *“The Equality Act 2010 states all public sector organisations must take the needs of people with any of the nine protected characteristics into account when services are designed and delivered, and sexual orientation is one of these protected characteristics. Without data on the size of the LGB population in local areas, public sector agencies, such as local authorities, hospitals and GP practices, cannot be certain that the services they provide fully meet the needs of all the people in their localities, as they are legally required to do.”*

Government Equalities Office (GEO): *“If ONS did not collect census data on sexual orientation in 2021 this would significantly impede the ability of central and local government to improve the planning of service delivery, allocation of resources properly and development of policy to tackle inequality, discrimination and disadvantage for LGB people. Census data on the LGB population would provide evidence on the extent of inequalities, which in turn would help to target and improve policy making, particularly in health services, education, employment, housing and social services for LGB groups.”*

Equality and Human Rights Commission (EHRC): *“If ONS did not collect information on sexual identity on the 2021 Census, then surveys would remain the only source of information on sexual identity. If access to those surveys remains the same as now, the impact will be that only limited information is available disaggregated by sexual identity and, as a result, we will not be able to monitor many issues with respect to sexual identity. This will limit the coverage of our statutory reviews and our ability to obtain evidence on issues relating to sexual identity.”*

A limited number of respondents also raised issues with collecting the data via the 2021 Census:

Health Statistics User Group (HSUG): *“Given the possible associations between sexual identity and health, we support the need for data on this topic at a national level. We also share concerns as to whether the census is the best way to collect such data.”*

Emergency Planning Society - West Midlands Branch: *“...this proposed question will cause many problems for the census, from people refusing to answer a very intrusive question.”*

Cornwall Council: *“Cornwall Council would welcome questions on sexual identity and orientation as there is no accurate local or national information. A ‘choose not to declare’ option would also be needed.”*

A small number of local authorities suggested that the wider topic of sexual orientation be investigated by the census, rather than the concept of sexual identity. This largely relates to the Equality Act 2010, as this lists sexual orientation as a protected characteristic; in addition, for health service provision it is sexual behaviour rather than identity or attraction that is relevant to outcomes. A large number of other respondents used the phrase “sexual orientation” in their responses rather than “sexual identity” but did not make an explicit reference to the difference between the two concepts.

Several respondents also referred to the importance of increasing the visibility of this group due to the current lack of data.

4. Evaluation

The following sections show the scores allocated to the topic by individual criterion based on the evidence given by users. The criteria largely reflect those used in 2011, but have undergone expert review within ONS and via the Census Advisory Groups. The document '[The 2021 Census - Assessment of initial user requirements on content for England & Wales: Response to consultation](#)'³ gives details on the scoring methodology including:

- 'user requirements criteria', including a description of relative weights, are described in section 2.1 of the document. Note that, in the following tables, the overall score is weighted and is not the sum of the scores for individual criteria
- 'other considerations' are described in section 2.2 of the document. These will predominately be used in conjunction with the user requirement score to steer the development of the census questionnaire and the production of administrative data research outputs
- 'operational requirements' are described in section 2.3, of the document. ONS has operational uses for some of the data collected in the census, of which the most important is maximising coverage of the 2021 Census. Each sub-topic is categorised as being of maximum, moderate or minimum importance in relation to operational requirements.

4.1 User requirements - sexual identity

Table 4 User requirement score by criterion

Criterion	Score	Evidence
Weighted Overall Score	72	Medium user need
Purpose	8	<p>Data on sexual identity are needed by a wide range of organisations, including local and central government for service provision, for example Hertfordshire County Council stated:</p> <p><i>“Better understanding of the number of LGB service users in Herts would also help us plan services better for things like sexual health services; help us target fostering and adoption services to LGB couples and individuals; help us understand hate crime figures better; help us plan anti-homophobic services better for children and young people.”</i></p> <p>Furthermore, the Government Equalities Office (GEO) highlighted the impact of the current lack of data on the development of policies related to the LGB population:</p> <p><i>“The lack of the most basic demographic data on LGB&T populations means service providers and policy makers are required to operate in a vacuum, without the necessary evidence to support decision-making and policy development, for example, estimating the costs, benefits and level of demand for the introduction of civil partnerships and marriage for same-sex couples; estimating the economic benefits of LGB&T inclusive employment policies and practices; and considering the needs of families headed by LGB&T parents.”</i></p>

³ <https://www.ons.gov.uk/file?uri=/census/censustransformationprogramme/consultations/2021censustopicconsultation/assessmentofinitialuserrequirementscontentforenglandandwalesresponsetoconsultation.pdf>

Criterion	Score	Evidence
		<p>Central and local government respondents also noted a need for data on sexual identity due to the requirement to provide evidence that they are meeting the public sector Equality Duty created by the Equality Act 2010. Stonewall stated that:</p> <p><i>“Accurate population data on sexual identity would allow the organisations we work with to develop services which are targeted to the needs of their local communities, and in doing so meet their requirements under the Equality Act 2010 to eliminate unlawful discrimination against, and promote equality of opportunity for, LGB people. Accurate data would also have a significant impact on policy development at a national level, equipping government bodies and regulators with the knowledge they need to develop programmes of work which have a positive impact on LGB people.”</i></p>
<p>Small geographies or populations</p>	<p>8</p>	<p>Data users stated a requirement for information on sexual identity at local authority area level and below to aid service provision. For example, Bristol City Council stated that:</p> <p><i>“We think population concentrations are changing but we don’t have evidence. We have a public sector equality duty to promote good relations between people who share a protected characteristic and those who don’t but we don’t have information which is reliable about the profile of the local LGB population...The only evidence of population density is in our gay night time economy area where homophobic incidents are higher. However we cannot take a proactive approach to preventing and tackling homophobic incidents in other areas of the city where LGB populations are higher without evidence that it is needed...”</i></p> <p>The Gay and Lesbian Association of Doctors and Dentists (GLADD) said that:</p> <p><i>“...it may also inform service delivery. For example, we may discover that older LGBT people are more likely to live alone in a particular small geographic area. Age-related services in that area may then need more training on the specific needs of older LGBT people who live alone and may need support.”</i></p> <p>The Government Equalities Office commented that:</p> <p><i>“Discussions with our stakeholders indicate, for example, that health commissioners would benefit from robust data on LGB populations at a local level, which would enable them to better understand the pool of potential users and the extent of user needs. This in turn would help them to better target services for LGB users, which will have a direct and significant effect on the experiences, treatment and outcomes for LGB people.”</i></p> <p>Furthermore, this topic relates to proportionately small groups within the population. The Integrated Household Survey¹¹ estimated that, in 2014, 1.6 per cent of adults in the UK identified their sexual identity as lesbian, gay or bisexual. The IHS estimates are only available at regional level. To provide accurate data below local authority level on such a group, and its component parts, census type statistics are required.</p>

¹¹ <http://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/integratedhouseholdsurvey/2015-10-01>

Criterion	Score	Evidence
Alternative sources	8	<p>Users do not consider that there are sources available capable of providing information at the required geography level to enable them to carry out Equality Impact Assessments for their authorities. For example, Gloucestershire County Council reference the fact that Integrated Household Survey estimates are only currently available at national and regional levels:</p> <p><i>“We currently use information about sexual identity from the Integrated Household Survey in our annual equality report that provides information about all of the protected characteristics. It is also used by commissioners when they are producing their due regard statements to ensure they consider the needs of all of the protected characteristics. This information is available at national and regional level, but the small sample size means estimates are not available for local authorities. This means that we are not fully able to meet the requirements set out in the Equality Act (2010) to consider the needs of LGBT communities as we do not know anything about them at a local level.”</i></p> <p>Some local authority respondents noted that information on civil partnerships could be used to give some insight into the number of LGB people in their communities. Gloucestershire County Council drew attention to the drawbacks of using these data:</p> <p><i>“We could also use information about Civil Partnerships from our registrar service, but this would not present a full picture of sexual identity and would mean we would not have any understanding of single people or surviving partners of a Civil Partnership.”</i></p>
Multivariate analysis	8	<p>A need for the cross-tabulation of data on sexual identity with other topics was shown. For example, Stonewall commented that:</p> <p><i>“There is limited research into the experiences of lesbian, gay and bi people who experience multiple discrimination on the grounds of characteristics including age, gender, religion, social background and ethnicity. Stonewall’s research has found, for example, that older LGB people have unique experiences and can often face discrimination from social care providers (Stonewall, 2011). Multivariate analysis will allow us to understand more about the composition of the LGB population and identify groups which might require targeted intervention.”</i></p> <p>This was supported by local and central government responses indicating a requirement to undertake multivariate analysis in the production of Equality Impact Assessments and other documentation. For example, the Government Equalities Office (GEO) stated that:</p> <p><i>“To develop better policy for LGB people, there is a need to be able to consider not just overall population size but also to consider the interplay of sexual orientation with other characteristics or attributes. For example, better data is needed on LGB people’s race, sex, age, educational outcomes, position in the labour market and incomes, living arrangements, family composition, and levels of poverty etc to fully consider the multiple dimensions of disadvantage, which could all be provided by including a question on sexual orientation.”</i></p> <p>This need is augmented by local authority work on creating profiles of their areas.</p>

Criterion	Score	Evidence
Comparability beyond England and Wales	8	<p>The Equality Act 2010 applies to the whole of England, Wales and Scotland. In addition, there is separate but equivalent legislation in Northern Ireland. Hence, users considered it important that figures should be comparable across the UK. Stonewall explained the importance of this stating that:</p> <p><i>“Stonewall’s research has found that experiences of hate crime and health inequalities vary by region of Britain. For example in the North of England 73 per cent of LGB victims of hate crime did not report it to anyone. That rises to 86 per cent in the Midlands and Wales (Stonewall, 2013). Understanding the differences in LGB populations across Britain will allow us to build a clear picture of how and why these experiences differ.”</i></p> <p>Data users stated that UK comparability of data on sexual identity would be very important for policy development and monitoring. For example, The National Lesbian, Gay, Bisexual & Transgender Partnership said that:</p> <p><i>“Firstly, we would use census data on sexual orientation to influence and implement policy on a UK wide level. The National LGB&T Partnership is a strategic partner to the Department of Health, and we therefore influence health matters and health policy within the Department of Health, Public Health England and NHS England. Secondly, would want to use the data to allow us to share good practice between local authorities, and highlight the good work of other local authorities.”</i></p>
Continuity with previous censuses	0	<p>Since information on sexual identity has not been collected on the census no comparisons with previous censuses would be possible if a question was included in the 2021 Census.</p>
Weighted Overall Score	72	Medium user need

4.2 Other considerations - sexual identity

Table 5 ONS assessment of impact by criterion

Criterion	Operational impact	Justification
Impact on data quality	High	<p>ONS has not previously included a question on sexual identity in the census. As such, concerns are around:</p> <ul style="list-style-type: none"> • impact on overall census response • response rates for the sexual identity question • difficulties in and appropriateness of imputing responses • accuracy of the responses given <p>Information from the 2014 Integrated Household Surveys (IHS) experimental statistics show that 1.6 per cent of adults in the UK reported their sexual</p>

Criterion	Operational impact	Justification
		<p>identity as LGB, however 3.9 per cent of adults were in the ‘don’t know/refusal’ category suggesting that the non-response may be higher than the estimates for the group of interest. The measures taken in the face-to-face and telephone interview questions (used in the IHS to promote privacy within a household) cannot be replicated in a self-completion collection such as the 2021 Census (where the questionnaire may be completed by one individual on behalf of all family members), and therefore ONS anticipate that data quality would be lower in a census context.</p>
Impact on public acceptability	High	<p>Previous research, reported in ‘The Census and Future Provision of Population Statistics in England and Wales: Public attitudes to the use of personal data for official statistics’¹² (2014), has shown that one in ten people did not want to provide information on their sexual orientation. As completing the census is mandatory for all usual residents of England and Wales this is a concern. Respondents to the current consultation were mixed in their opinions on the acceptability of asking questions on this topic in a census context with local authorities providing statements for and against collecting this data in the 2021 Census. For example Cheshire West and Chester said:</p> <p><i>“We agree that it is important to have information on sexual identity but do not feel the census household questionnaire is a suitable way of collecting this information.”</i></p> <p>By contrast, Tower Hamlets Council said that:</p> <p><i>“...since the 2010 Equality Act was introduced, these questions are increasingly being asked, and we would argue, becoming more commonplace and acceptable, and likely to be more so by 2021.”</i></p> <p>Maintaining privacy of individuals responding to this question in a self-completion context will be an important consideration. We are investigating methods of streamlining the process for individuals to make private census returns. Sexual identity is becoming more visible and widely discussed in the media so public opinion and willingness to provide information on this topic may be changing.</p>
Impact on respondent burden	High	<p>A question on sexual identity will require a clear definition of the terms used to help people of all ages understand the question and the response options. Consultation responses reflected this concern, for example Bristol City Council said:</p> <p><i>“Sexual identity - Sexual orientation is better understood as a term and it is more linked to behaviour... the vast majority of heterosexual people have never had to consider their sexual identity and won’t know how to answer the question.”</i></p> <p>However, the national harmonised standard question does not use either term, instead it asks a person to say which response option best describes how they think of themselves.</p>

¹² <http://www.ons.gov.uk/census/censustransformationprogramme/beyond2011censustransformationprogramme/thecensusandfutureprovisionofpopulationstatisticsinenglandandwalesrecommendationfromthenationalstatisticianandchiefexecutiveoftheukstatisticsauthorityandthegovernmentsresponse>

Criterion	Operational impact	Justification
Impact on financial concerns	Medium	There is unlikely to be large amounts of manual coding associated with this topic. However, there is a concern that inclusion of this question may affect overall response to the 2021 Census or increase the number of individual forms requested by members of households, and hence increase costs associated with follow-up field force operations. ONS's Sexual Identity project suggested that inclusion of sexual identity on a household survey had no significant impact on response rates. We plan to test the impact of this question in a census context as part of the 2017 Census Test.
Impact on questionnaire mode	Low	The sexual identity question is based on the national harmonised principles . Using this question, we do not foresee any issues with comparability between modes of data collection. The testing of this question in a census context will help to identify how much guidance or help respondents may require if a question on sexual identity were to be included in the 2021 Census.

4.3 Operational requirements - sexual identity

This question has not been asked in any previous England and Wales censuses and we do not anticipate any operational requirement to collect this information from the census.

5. Updated view

The following table gives the updated view of ONS at the topic level and the justification for this.

Table 6 Updated view

Topic detail	Initial view	Updated view	Justification
Sexual identity	Further information required	Consider how / whether to meet need	<p>There is a clear need among data users for improved information on sexual identity, especially in relation to policy development, service provision and fulfilling duties under the Equality Act 2010.</p> <p>The user responses suggest that the 2021 Census should be considered as a way to meet requirements for data on small areas and populations which allows multivariate analysis over a wide geographical area.</p> <p>However, other considerations regarding data quality, public acceptability and respondent burden are ‘high’ and hence ONS plans to investigate further if the census is an appropriate vehicle for collecting the required data before making a final decision after the 2017 Census Test.</p> <p>It is also probable that the addition of a question on sexual identity to the census would require an amendment to primary legislation (as discussed earlier in this document in 2. Background)</p>

6. Equality implications of ONS's updated view

The Equality Act 2010 and associated public sector equality duty require public bodies to work towards eliminating discrimination and promoting equality of opportunity with regard to nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These requirements are reinforced by secondary legislation in both England and Wales¹³ as well as by the Equality Objectives published recently by the Welsh Government which seek to address the key equality challenges faced in Wales and to support progress towards the well-being goals in the Well-being of Future Generations (Wales) Act 2015.

The proposals made for the 2021 Census content will consider identified 'User requirements' for data alongside other factors such as 'Other considerations' and 'Operational requirements' specified in our evaluation criteria. In addition, it will be important to take account of the impact of any decisions that we may make on equality. Impacts can be:

- positive - actively promote equality of opportunity for one or more groups, or improve equal opportunities/relations between groups
- adverse or negative - cause disadvantage or exclusion (any such impact must be justified, eliminated, minimised or counter-balanced by other measures)
- neutral - have no notable consequences for any group

The Equality Act 2010 included sexual orientation as a protected characteristic. As shown in previous sections of this document, consultation respondents demonstrated a clear requirement for data on this topic. However, ONS has concerns about including this question in the census (as outlined earlier in this document in 2. Background), and therefore plan to further investigate the effect of asking a question on this topic in the 2021 Census through a comprehensive testing plan.

This testing plan, outlined in the following section, starts from the assumption that if a question on this topic was included the national harmonised standard question, would be used. This mitigates the risk of respondents not understanding the terminology used by avoiding the term "sexual identity" as research has shown that this is not understood by everyone. Despite this, some respondents may be unable to answer the question as they have not yet developed their sexual identity. Hence the question would, as in the IHS, only be asked of those aged 16 and over, the age of consent in England and Wales. Further work will be needed to consider the sensitivities associated with such a question and how these could be addressed.

Despite the assumptions outlined above, there is still potential for negative equality impacts arising from the inclusion of a question on this topic in the 2021 Census. For example, requesting an individual questionnaire, or choosing not to answer the question could lead to other household members making assumptions about a respondent's sexual identity. This is why ONS's updated view is to include the topic in the 2017 Census Test and evaluate results to assess the impact on overall response, the quality of data collected, and the public acceptability of asking such a question. If the results of the test prove that there are significant negative equality impacts or that the data are of insufficient quality to support positive outcomes then the question would not be included in the 2021 Census.

¹³ *The Equality Act 2010 (Specific Duties) Regulations 2011 and The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.*

The next steps discussed below focus on developing a greater understanding of this topic and take into account the identified equality implications. As research and stakeholder engagement continues, if further equality implications emerge, these will be considered and mitigated where necessary. Further information on the research linked to question development and testing, and stakeholder engagement will be published as required.

7. Next steps

The main activity will be the inclusion of a question on sexual identity in the 2017 Test. This large scale test of 100 thousand households will be a split sample test with one of the main aims being to assess the impact on response of the inclusion of a sexual identity question. The design of the test will enable us to:

- include a question on this topic in one half of the 2017 Census Test sample, to investigate the effect on overall response
- assess the quality of response by evaluating the levels of non-response to the question, the number of questionnaire 'drop-offs' where no further information is completed and the level of refusal or prefer not to say responses
- assess additional volumes of calls and assistance to the census helpline
- conduct a follow-up interview with a sample of households included in the test to understand reasons for not responding (was this question a reason for not-responding) and the quality of responses

The current assumption is that the question to be included in the 2017 Test will be the current version of the self-completed harmonised question¹⁴. Before the 2017 Test, there will be some work to:

- review existing approaches to the collection of data about sexual identity both in the UK and internationally
- review the national harmonised standard question for self-completion to finalise a question for inclusion in the 2017 Census Test
- run focus groups with members of the public to ascertain their views on being asked a question on sexual orientation in the census
- engage with relevant stakeholders, including representatives of LGB groups

This will help to ensure that the question is suitable for the 2017 Test, and help to develop some of the wording and explanatory materials required. It will provide a body of evidence about people's views and understanding about the question and will help in our interpretation of the results from the 2017 Test.

The topic of sexual identity may be outside the scope of the current legislative framework for conducting a census (as discussed earlier in this document in 2. Background). Therefore:

- a review will be undertaken to determine if a question were to be asked in the census whether it would require changes to primary legislation
- if legislative changes are required the Parliamentary timetable may need to be considered.

Results from the 2017 Test and other evidence will be considered and a decision on the inclusion of sexual identity in the census will be taken. This decision will form part of the recommendation to government and Parliament on topics for the 2021 Census.

¹⁴ <http://www.ons.gov.uk/ons/guide-method/harmonisation/secondary-set-of-harmonised-concepts-and-questions/sexual-identity.pdf>

Annex A: List of organisations that responded, by sector

This list includes organisations that responded to at least one consultation question, or discussed collection of data, on the 'Sexual identity' topic. If multiple responses were received from an organisation the name only appears once.

Government department/public body

College of Arms	Health & Social Care Information Centre (HSCIC)
Department for Culture, Media and Sport (DCMS)	High Speed Two Limited
Department for Environment, Food and Rural Affairs (DEFRA)	Local Government Data Unit Wales
Department of Health (DH)	National Assembly for Wales
Equality and Human Rights Commission (EHRC)	Office for National Statistics (ONS)
Government Equalities Office (GEO)	Sport England
	Welsh Government

Local authority

Arun District Council	Dudley Metropolitan Borough Council
Association of North East Councils	Durham County Council
Barnsley Metropolitan Borough Council	East Riding of Yorkshire Council
Bedford Borough Council	East Sussex County Council
Blaby District Council	Essex County Council
Blackburn with Darwen Borough Council	Gateshead Council
Blackpool Council	Gedling Borough Council
Bournemouth Borough Council	Gloucestershire County Council
Bristol City Council	Greater London Authority
Bury Metropolitan Borough Council	Gwynedd Council
Caerphilly County Borough Council	Haringey Council
Carmarthenshire County Council	Hertfordshire County Council
Cheshire East Council	Horsham District Council
Cheshire West and Chester Council	Kent County Council
Chesterfield Borough Council	Lancashire County Council
City of Bradford Metropolitan District Council	London Borough of Bexley
City of London Corporation	London Borough of Camden
Cornwall Council	London Borough of Hackney
Cumbria County Council	London Borough of Harrow
Cyngor Sir Ceredigion/Ceredigion County Council	London Borough of Havering
Derbyshire County Council	London Borough of Hounslow
Devon County Council - Public Health	London Borough of Richmond upon Thames

Local authority (continued)

Manchester City Council	Southend-on-Sea Borough Council
Merton Council	St Helens Council
Mole Valley District Council	Suffolk County Council
Newcastle City Council	Surrey County Council
North York Moors National Park Authority	Tameside Council
Northampton Borough Council	Tower Hamlets Council
Northumberland County Council	Uttlesford District Council
Oldham Council	Walsall Council
Oxfordshire County Council	Waltham Forest Council
Powys County Council	Warrington Borough Council
Reigate & Banstead Borough Council	Warwickshire Observatory
Royal Borough of Kensington and Chelsea	West Suffolk Councils - St Edmundsbury Borough Council and Forest Heath District Council
Royal Borough of Kingston upon Thames	Westminster City Council
Salford City Council	Wookey Parish Council
Sheffield City Council	Worcestershire County Council
Shropshire Council – Intelligence and Research Team	Wychavon District Council
Snowdonia National Park	
Somerset County Council	

Health organisation

Betsi Cadwaladr University Health Board	Hywel Dda University Health Board
Cardiff and Vale University Health Board	

Housing

Yarlington Housing Group

Academic/research

British Sociological Association	Centre for Longitudinal Study Information and User Support (CeLSIUS)
----------------------------------	--

Charity and voluntary

Chwarae Teg	National AIDS Trust (NAT)
Discrimination Law Association	National Association of British Arabs
Equality and Diversity Forum	Older Lesbian, Gay, Bisexual and Trans Association (OLGA)
Family and Childcare Trust	Shelter
Friends, Families and Travellers	Stonewall
Gay and Lesbian Association of Doctors and Dentists (GLADD)	The National Lesbian, Gay, Bisexual & Transgender Partnership
Irish in Britain	The Vegan Society
Lesbian, Gay, Bisexual, Transgender Foundation	Unity Group Wales
London Friend	York Lesbian, Gay, Bisexual, Transgender Forum
Muslim Council of Britain	

Commercial

Sainsbury's	CACI Ltd
Operational Research in Health Ltd (ORH Ltd)	Infusion Research
First UK Bus	Demographics User Group (DUG)

Genealogist/family historian

Tasmanian Family History Society Inc.

Other

Academy of Social Sciences	New Economy
Emergency Planning Society - West Midlands Branch	Older People's Commissioner for Wales
Health Statistics User Group (HSUG)	Trades Union Congress
Market Research Society (MRS) and MRS Census & Geodemographics Group	

