

SCOTTISH TRANSGENDER ALLIANCE
EQUALITYNETWORK

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TRANSGENDER
EQUALITY
MONITORING

**Guidance for organisations on
monitoring transgender staff or
service users**




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EQUALITYNETWORK



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About the STA

The **Scottish Transgender Alliance (STA)** was formed to address issues of prejudice and the lack of information and support for transgender people in Scotland. The Scottish Transgender Alliance membership is drawn from transgender community groups, organisations and individuals engaged in developing work or delivering services for the benefit of transgender people throughout Scotland. It seeks to improve the lives and experiences of transgender people in Scotland.

Funded by the Scottish Government Equality Unit, the Equality Network employs a Project Coordinator to support and develop the work of the Scottish Transgender Alliance to improve transgender rights, equality and inclusion across Scotland.

The aims of the Scottish Transgender Alliance Development Project are:

- To ensure that transgender equality and rights are integrated into national and local programmes and strategies that promote gender equality and rights.
- To ensure that transgender equality and rights are also integrated into national and local programmes and strategies that promote LGBT (lesbian, gay, bisexual and transgender) equality and rights.
- To ensure that the project works to and promotes an inclusive model of transgender identity which encompasses all those whose gender identity or gender expression differ from the 'norms' expected by the society they live in, including transsexual people, cross-dressing people, intersex people and androgyne/polygender people.

Why is it necessary to collect information about transgender equality?

Fairness and Freedom: The Final Report of the Equalities Review in 2007 came to the conclusion that “Poor measurement and a lack of transparency have contributed to society and governments being unable to tackle persistent inequalities and their causes. The data available on inequality are utterly inadequate in many ways, limiting people’s ability to understand problems and their causes, set priorities and track progress. And even where data do exist, they are not consistently used well or published in a way that makes sense.”

If carried out correctly, monitoring transgender equality can help you to understand the needs of your transgender service users and staff – it can help to make sure that the service you are providing is fit for purpose and that it is effective and efficient. It can also help highlight areas for improvement and demonstrate your organisation’s commitment to equality.

However, the number of transgender people in Scotland is not currently known accurately and most transgender people are extremely wary of revealing that they are transgender. Therefore it is important to think very carefully about using a range of different methods to collect information about transgender equality. Remember that the numbers of individual transgender people are not the only thing - or the most important thing - to monitor to check progress on transgender equality.

Examples of other matters that can and should be monitored to collect information about transgender equality include:

- Progress against transgender equality action points in your gender equality scheme action plans;
- Types and outcomes of service provision complaints;
- Take up and outcomes of staff grievance and harassment procedures;
- Contents of and feedback from equalities training;
- Staff and service user attitudes towards transgender equality and rights;
- Information from departing service users and staff about why they are leaving;
- Language used in internal and external communications;
- Internal and external image of the service;
- Number of requests to change gender on staff or service user records.

Monitoring the number of transgender service users or staff:

Do not just automatically jump into trying to count the number of your service users or staff who are transgender. Without careful planning this may not tell you anything meaningful about how your organisation is progressing in transgender equality. You might find that monitoring attitudes of your employees towards providing services to transgender people or to working alongside transgender colleagues will better reveal your progress towards transgender equality. Or that working in partnership with other organisations to hold an annual focus group for transgender staff or service users might better reveal the key inequalities still being faced by transgender people in your organisation.

Be clear – monitoring on its own does not improve equality.

If your organisation does decide to undertake monitoring of transgender service users or staff, then make sure that you are able to answer the following questions:

- What is the purpose of collecting the data?
- How will you ensure data protection / anonymity?
- How will the data be interpreted? What baseline will be used for comparison?
- What possible changes to your equality work could happen as a result?

If you cannot answer these questions, you are not ready to start monitoring transgender service users or staff. Once you have determined your answers to the above questions, you should record these answers in an information factsheet and make this easily available for interested service users, staff and external equality organisations to read.

The importance of the right climate:

Monitoring is not an easy task, and it is crucial that the climate is right. Introducing monitoring before your organisation is ready can be a bit like trying to run before you can walk. It is essential that the climate is right both internally and externally and that staff and service users know why the questions are being asked and what will happen to the information that is gathered. Transgender service users and staff cannot be expected to share such personal information with you unless you have clearly demonstrated to them that your organisation is trustworthy and trans-friendly.

Ensure that your organisation has made public commitments to improving transgender equality and updated existing equality policies to be transgender inclusive before attempting to carry out transgender monitoring.

Specific transgender awareness training should be given in advance to any staff who will be handling either service user enquires about monitoring forms or processing the data collected.

The importance of secure data protection:

When monitoring transgender service users, the security and safety of the information that you gather is essential, and you may wish to consider the systems you have in place for storing and coding the information. Organisations who have attempted to gather this information in the past have found these systems are crucial to building the trust and confidence of those being monitored, whether they are staff or service users. Make sure information about how you intend to ensure that monitoring data is securely protected is easily available to service users and transgender organisation to reassure them.

Many transgender people are extremely protective about the privacy of their gender identity and history. Outing somebody as transgender without their permission, even accidentally, could lead to either civil court proceedings for unlawful harassment and discrimination in service provision under the Sex Discrimination (Amendment of Legislation) Regulation 2008 or even to criminal charges under section 22 of the Gender Recognition Act 2004. It is therefore vital to ensure that service user monitoring data about transgender people is not linkable to named service users. Instead it should be anonymous and only the aggregated data results, not the raw data, should be shared across your organisation.

For any hope of a good return, confidentiality must be in place and be seen to be in place. A good check for how robustly confidentiality is maintained is to map the flow of information from the service user to the final reporting stage: how many people work directly on the data and how many other people have access to it? There should be as few steps in this chain as possible and other people's access should be prevented.

Incorrect & offensive transgender monitoring questions:

A wide variety of questions have sometimes been used by organisations to try to monitor transgender people. There is strong agreement across transgender groups and wider equality organisations and trade unions that two types of these question attempts are particularly offensive and incorrect in their attempts to describe transgender people.

The main two question types to avoid and reasons why are given below:

1. DO NOT use a question which incorrectly suggests that **all** transgender people are a 'third sex'. Most transgender people, especially transsexual people who have undergone gender reassignment do not consider themselves to be a 'third sex' and are likely to take offence at this suggestion. Only a small number of transgender people do not identify as men or as women.

EXAMPLE OF BAD PRACTICE

What is your sex?

- Female
- Male
- Transgender



EXAMPLE OF BAD PRACTICE

2. DO NOT use a question which incorrectly suggests that transgender is a type of sexual orientation. A person's gender identity and a person's sexual orientation are two different things. Transgender people can be lesbian, gay, bisexual or heterosexual/straight just like anyone else.

Although transgender people can have many equality and rights issues in common with lesbian, gay and bisexual people and often form LGBT organisations to pursue common aims, being transgender does not indicate anything about who you are attracted to.

EXAMPLE OF BAD PRACTICE

What is your sexual orientation?

- Lesbian
- Gay
- Bisexual
- Transgender
- Straight/Heterosexual



EXAMPLE OF BAD PRACTICE

Recommended questions for service user monitoring:

Online monitoring forms should always ensure that it possible for people to skip answering any question leaving it blank. If you wish to provide an actual 'Prefer not to say' answer option then it should be provided for all the monitoring questions on the form (not just for some of the questions).

Q1. What is your gender identity?

- Man (including trans man)
- Woman (including trans woman)
- Other gender identity (e.g. androgynous person) *



Q2. Is your gender identity the same as the gender you were originally assigned at birth?

- Yes
- No *



Q3. Have you ever identified as a transgender person?

Equality Organisations in Scotland use the term "transgender" as an inclusive umbrella term for a diverse range of people who find their gender identity or gender expression differs in some way from the gender they were originally assigned at birth.

- Yes *
- No



Q4. Please provide any further information about your gender identity if you wish:



If it is an online form then the additional option exists to use logic rules to provide an supplementary question Q5 which is only shown where the person selects any one or more of the answers indicated with a *.

Q5. Do you consider yourself to be within any of the following categories?

(you can tick more than one if you wish)

- FTM / trans man
- MTF / trans woman
- Intersex person
- Androgyne / polygender / genderqueer person
- Cross-dressing / transvestite person
- Other type of gender variant person
(specify if you wish): _____



Understanding what the recommended questions record:

Q1. "What is your gender identity?"

The first recommended question "What is your gender identity?" is simply a transgender-inclusive version of the traditional questions "What is your gender?" or "What is your sex?"

Instead of allowing only two options (man/male or woman/female), the question recognises that some (but not all) transgender people may self-identify as other than men or women. The question also recognises that most transgender people self-identify as being men or women (regardless of their birth gender or current legal gender). By using the term "gender identity", the question makes it clear to transgender people that they are welcome to give their personal identity regardless of their stage of gender reassignment. This question will therefore not provide a way of counting the number of transgender service users as most will select simply man or woman as their answer. Instead this first question will provide data on the numbers of self-identified men and women (as per the traditional sex/gender monitoring question it replaces) and also the number of service users who do not self-identify as men or as women but instead see their gender as being non-binary.

The people who select "other gender identity" on this question are likely to have additional needs for gender-neutral employment or service provision beyond the needs of transsexual people who are simply undergoing gender reassignment to live clearly as men or as women. This is why it is important to understand how many service users or staff do not identify as men or as women. This will be a smaller number than the total transgender service users or staff.

Q2. "Is your gender identity the same as the gender you were originally assigned at birth?"

The second recommended question seeks to count the number of service users or staff who are directly affected by transgender equality issues while being phrased in as terminology-neutral a manner as possible. Transgender terminology varies widely across the world so service users or staff coming to Scotland from other countries may not ever have used terms such as "transgender" to describe themselves before, but they may still have personal situations which in Scotland would be considered to fall within the umbrella term transgender. Also, even people who have always lived in Scotland may not like using particular transgender terminology. The people who answer "No" to this question count as service users directly affected by transgender equality issues even if they do not self-identify as being transgender due to differences in terminology use.

Q3. "Have you ever identified as a transgender person?"

The third recommended question seeks to count the number of service users who have self-identified as transgender people. The reason for asking whether they have "ever identified" rather than if they currently identify is because many people who have undergone gender reassignment then cease to identify as transgender and simply see themselves as having a transgender history but nevertheless they can continue to be affected by transgender equality issues.

The inclusion of a definition of "transgender" within the question helps to minimise the problem of terminology being culturally biased but cannot eliminate it (hence the use of Q2 as well). Technically it could be argued that Q3 could be left out so long as Q2 is used. However, the inclusive definition of transgender which is within Q3 helps to educate all service users and staff about the existence of transgender people. Also comparisons of answers to Q2 and Q3 enables information about what percentage of service users or staff who may be affected by transgender equality issues actually relate themselves

to the term transgender and this is important as part of understanding how they might engage with transgender equality initiatives.

Q4. "Please provide any further information about your gender identity if you wish:"

Because of the small number of transgender people and the diversity of their identities and experiences, it can be useful to provide an opportunity for them to write a free text response if they wish to clarify their individual situation. This can be helpful in revealing shifts in the ways service users or staff are self-identifying – for example, the emergence of new transgender terminology is particularly common among students. Great care must be taken not to reveal the content of free text responses which might compromise the privacy of a respondent to anyone beyond the small number of staff analysing the raw data. It is not essential to include a free-text option and consideration should be given to matching the style of other equality strand questions in the wider monitoring form.

Q5. "Do you consider yourself to be within any of the following categories?"

The optional final fifth recommended question is only suitable for answering by respondents who are directly affected by transgender equality issues. In other words, Q5 should only be answered by someone if they have already either answered "other gender identity" on Q1, or "No" on Q2, or "Yes" on Q3. People who are not transgender are too unlikely to understand the categories in Q5 and should not be asked to complete this question otherwise there will be a major risk of false positives and over-counting. This means that the optional Q5 is most appropriate for use in online surveys where the computer survey programme can use behind-the-scenes logic rules to only show Q5 to respondents who have given at least one answer on Q1, Q2 or Q3 as above which indicate they are directly affected by transgender equality issues.

Analysis and presentation of results:

It should be borne in mind that numbers of people reporting that they are transgender are likely to be very low in the first monitoring exercises. Compared with more established monitoring questions, many organisations expect a lower response rate to the transgender monitoring questions the first time they are introduced. Transgender people are likely to be extremely cautious about disclosure and so figures initially may not necessarily be representative of your transgender service users or staff. This is why communication to service users and staff about why and how the monitoring is being carried out and ensuring the right climate for monitoring are so important.

Being able to demonstrate positive changes as a result of transgender monitoring will also encourage increased response rates in future exercises. However, it may take some time to establish whether results are an accurate representation.

It is essential that no individuals can be identified when reporting transgender monitoring results. When monitoring small numbers of people, even anonymous forms can 'out' people if there is more than one question on the form. This is also an issue in large samples where the combination of various questions work to break people down into smaller groups, such as particular departments or where someone falls within multiple minority equality strand groups.

Reporting that a survey of 5000 service users includes three transgender people would be fine. However, if this was broken down further in a report to show the sections of the organisation from which the three transgender people responded, this could put their privacy at risk if that section of the organisation had only a small number of people in it.

Using the recommended monitoring questions, the most important result which should be analysed is the **total number of respondents directly affected by transgender equality issues**. This is the total number of respondents who select any one or more of the following answers:

Q1. What is your gender identity?
Answer of “**Other gender identity**”

OR

Q2. Is your gender identity the same as the gender you were originally assigned at birth?
Answer of “**No**”

OR

Q3. Have you ever identified as a transgender person?
Answer of “**Yes**”

It is acceptable to refer to this **total number of respondents directly affected by transgender equality issues** simply as the **transgender respondents** for the purposes of succinctness so long as the above more detailed explanation of how the number is reached is given in at least a footnote or appendix of any report.

At present there is little in terms of baseline data to compare results with but the recommended questions are now starting to be used by a wider range of public services and equality organisations so more comparisons should become possible in the future. Be careful only to compare like with like. Some organisations currently use only Q2 or Q3 but by asking both questions your organisation will be better placed to be able to do meaningful comparisons with a wider range of organisations by looking at your data for the particular question you have in common.

Checklist for transgender monitoring:

To summarise, the following points are essential for successfully implementing monitoring of transgender staff or service users:

- Well publicised policies on transgender equality;
- Action plans to implement the equality policies, with built in review mechanisms;
- Specific transgender awareness training for staff who will be responsible for answering service user enquires about monitoring and staff responsible for analysing the data and reporting results;
- Clear understanding of the purpose of the monitoring, including how data will be interpreted and how it will be used to further equality;
- A strong strategy to guarantee the confidentiality of people's answers, including who will receive data – one central point – and how it will be processed, stored and reported;
- The confidentiality strategy tested by mapping the flow of information from start to finish, to check there is no unnecessary access to data;
- Proper consultation with service users, staff, transgender equality organisations and trade unions to check climate is right and to enable scrutiny of the proposed purpose of the monitoring and of the confidentiality strategy.

The Scottish Transgender Alliance can provide further tailored assistance to organisations in regard to transgender equality monitoring implementation and/or result analysis and interpretation.

Terminology

Gender Identity

This is an individual's internal self-perception of their own gender. A person may identify as a man, as a woman or, less commonly, as androgyne or polygender.

Gender Expression

This is an individual's external gender-related appearance (including clothing) and behaviour (including interests and mannerisms). Any person may have masculine, feminine and/or androgynous aspects of their appearance or behaviour.

Biological Sex

A person's biological sex includes all aspects of their gender-related biological structure: not only their genitals but also their internal reproductive system, their chromosomes and their secondary sexual characteristics such as breasts, facial and body hair, voice, and body shape. Most people's biological sex will be clearly and consistently female or male. However, a small but significant number of people have bodies which are not completely male or female. People born with these kinds of physical variations are referred to as intersex people. A person may also have a biological sex which is not completely clearly male or female if they have undergone some hormonal or surgical intervention as part of a process of gender reassignment.

Transgender People or Trans People

These are umbrella terms used to describe a whole range of people whose gender identity or gender expression differ in some way from the gender assumptions made about them when they were born. The terms transgender people and trans people can include: transsexual people, intersex people, crossdressing/transvestite people and androgyne/polygender people.

Transsexual People

This is a term used to describe people who consistently self-identify as the opposite gender from the gender they were labelled at birth based on their physical body. Depending on the range of options and information available to them during their lives, most transsexual people try to find a way to transition to live fully in the gender that they self-identify as. Transitioning is also known as gender reassignment. Most, but not all, transsexual people take hormones and some also undergo surgery to make their physical body match their gender identity better.

A female-to-male (FTM) transsexual man (trans man) is someone who was labelled female at birth but has a male gender identity and therefore is currently transitioning, or has already transitioned, to live permanently as a man.

A male-to-female (MTF) transsexual woman (trans woman) is someone who was labelled male at birth but has a female gender identity and therefore is currently transitioning, or has already transitioned, to live permanently as a woman.

Intersex People

This is a term used to describe people born with external genitals, internal reproductive systems or chromosomes that are in-between what is considered clearly male or female. There are many different intersex conditions.

When an intersex baby has ambiguous genitals, medical doctors often make an educated guess about which gender to assign to the baby. Sometimes the guess made by the doctors turns out not to match the intersex person's own gender identity in which case the intersex person may decide to transition as a teenager or adult.

In many cases, an intersex person will simply identify as a man or as a woman. However, in some cases, an intersex person may identify as being neither a man nor a woman.

Cross-dressing People

This is a term used to describe people who dress, either occasionally or more regularly, in clothes associated with the opposite gender, as defined by socially accepted norms. Cross-dressing people are generally happy with the gender they were labelled at birth and do not want to permanently alter the physical characteristics of their bodies or change their legal gender. Cross-dressing men are sometimes referred to as transvestite men, however this is becoming an increasingly out-dated term and may cause offence.

Androgyne People or Polygender People

These are terms used to describe people who find they do not feel comfortable thinking of themselves as simply either men or women. Instead they feel that their gender identity is more complicated to describe. Some may identify their gender as being a form of combination between a man and a woman, or alternatively as being neither. Like transsexual people, androgyne people and polygender people can experience gender dysphoria (sometimes as intensely as transsexual people do). They may partially transition socially and might take hormones or occasionally have some surgery done.

Gender Dysphoria

This is a recognised medical issue for which gender reassignment treatment is available on the National Health Service in Scotland. Gender Dysphoria is distress, unhappiness and discomfort experienced by someone about their biological sex not fully matching their gender identity. Transsexual people usually experience intense gender dysphoria which is significantly reduced by transitioning to live as their self-identified gender, perhaps taking hormones and/or getting surgery to make their physical body match their gender identity better. Other types of transgender people may also experience varying degrees of gender dysphoria, especially if their social circumstances prevent them from fully expressing their gender identity.



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