V5

Data collection on sex and gender

This guidance is for researchers, undergraduate and postgraduate students, professional staff, and anyone else planning to collect data on sex and gender at Loughborough University for projects, surveys or academic research. It aims to support you to reflect on whether you need to collect this data, what to ask and what language to use, to help you to make informed, proportionate decisions before including such questions in your work.

This guidance is offered to support high quality research across the University and has been developed, jointly by the Research and Innovation Office (RIO) and EDI Services, in support of the exercise of academic freedom in line with the University Statement on Academic Freedom.

What's the difference between sex and gender?

Sex and gender are related but distinct concepts and it is important to note that there are no single, universally accepted definitions of either. There is however a legal definition in the United Kingdom.

Sex usually relates to a person's biology: their genes, hormones, internal and external genitalia and secondary sex characteristics, like body hair, breasts etc. Combinations of these five biological components are used in some definitions of sex. For some people these components all fit either the male or female archetype, for others they do not. For example, intersex is a biological variation that refers to individuals born with physical sex characteristics that differ from typical definitions of strictly male or female bodies. These variations may be apparent at birth or emerge later during puberty. In most data collection contexts, 'sex' refers specifically to 'sex assigned at birth' – that is, the classification of an individual as male or female based on physical characteristics observed at birth and recorded on their birth certificate. This is the legal definition under the UK's Equality Act 2010.

Gender usually describes how someone feels (gender identity), how they appear (gender expression) and how they are perceived and treated in the world. This is often based on those components of sex which are known, and on variable definitions of what is perceived as 'masculine' or 'feminine'. Gender is therefore also a social construct, the bounds of which can vary considerably between cultures, location and time.

While some people find that their gender aligns with their sex assigned at birth, this is not always the case. For example, transgender and non-binary individuals may have gender identities that differ from the sex they were assigned at birth.

Do you need to collect data on sex or gender at all?

Before adding any questions on sex or gender, take a moment to consider whether such data will genuinely inform your work. Under GDPR, you should only gather personal information that is necessary and proportionate to your purpose. While it can be tempting to think of a question on sex or gender as a 'standard' demographic question when collecting data on people, you should only do so if it is relevant or required for your research or project.

In academic research contexts, however, overlooking sex and gender difference can lead to incomplete or misleading findings, limiting their applicability and exacerbating disparities. The Sex and Gender Equity in Research (SAGER) Guidelines, which apply to studies with human participants, vertebrate animals and cell lines across clinical, preclinical and social science research, promote transparent, systematic reporting of sex and gender to improve the completeness and interpretability of findings. Likewise, the US National Institutes of Health's policy on "Sex as a Biological Variable (SABV)" similarly requires researchers to integrate sex considerations into study design, analysis and reporting. It is important to note that, as a result, this approach is increasingly expected by many international journals.

Importantly, some personal data relating to sex or gender should be treated with greater care if the context of their use could create significant risks, interfere with individuals' fundamental rights, or subject someone to discrimination or harm. If you need to use sensitive personal data about sex or gender, consider the possible risks associated with its use and put in place additional safeguards. Completing a Data Protection Impact Assessment (DPIA) will assist in identifying potential risks and appropriate steps to mitigate them.

Always ensure that the collection and use of data on sex and gender align with legal and ethical standards and be transparent about how the information will be handled.

Do you need to know about sex, or gender, or both?

Be clear about whether you need to collect data on sex, gender or both – and why. As discussed above, these are distinct concepts, and which one is relevant will depend on the aims of your work.

You should only ask participants about their sex if this is pertinent to your research. In some cases, this may be required to meet specific legal or policy obligations – for example, where data is collected to monitor compliance with the Equality Act 2010, which recognises sex as a protected characteristic. It may also be necessary in some medical research, where biological sex differences are directly relevant to the study design or analysis.

If your purpose does not require data based on legal or biological sex, it may be appropriate to not include a question on sex and to ask about gender instead. This is because, in some social, cultural, or workplace contexts, people's lived experiences can matter more, potentially making gender the more relevant concept. Where it is not necessary and proportionate, asking about biological sex could represent an unjustifiable breach of privacy and could risk revealing a person's trans history, which they may wish to keep private.

Where both sex and gender are relevant, you should generally ask separate questions to reflect the diversity of experiences accurately and to support proportionate and inclusive data practices (see below on **"How to phrase and structure your questions"**).

In most countries (including the UK), legal sex is recorded as male or female, however some estimates suggest up to 1.7% of the population may have intersex variations and not fit neatly into either category (see Fausto-Sterling (2000) and Sax (2002)). If relevant to your research or project, a separate question can capture this. Example wording is provided below.

Similarly, trans identity may be explored as a separate follow-up question, separate from questions relating to sex and gender. Suggested wording is again provided below.

How to phrase and structure your questions

Where you have determined that it *is* necessary to ask about sex and/or gender, it is important to design your questions thoughtfully. In most contexts it is useful to acknowledge that it may not be possible to perfectly capture this data. Examples of questions that reflect this include:

- **"Which of the following best describes your sex?"** OR
  "Which of the following best describes your gender?"

A key decision in your question design is whether to offer fixed response categories, free-text fields or both. Fixed options simplify coding of the data, that is, grouping responses

into clear categories, which makes analysis and reporting easier. However, they can risk excluding identities that fall outside the predefined labels.

Free-text responses allow participants to describe themselves in their own words. However, they are often more difficult for participants to answer and require additional effort to interpret and categorise during analysis.

Choose the balance that best suits the size, scope, and analytical aims of your project, as well as any limitations of your survey platform.

If you opt to only provide fixed responses, we recommend offering more than two options whether you are asking about sex or gender. For example, if the data is not essential data, it is always good practice to additionally provide a "Prefer not to say" option in addition to those discussed below. However, in such case you may want to re-assess whether you need to ask the question at all.

Keep in mind that the language in this area, particularly around gender identity, is evolving quickly and can vary by culture, geography, and context. The more prescriptive your response options, the greater the risk that your question may become outdated or misunderstood. If you are asking questions of a community that you are not part of, it is generally worth seeking local or community-specific advice on how to approach this well.

We also recommend listing your response options in alphabetical order to avoid implying prioritisation by position. However, options like “self-describe” and “prefer not to say” do not need to be alphabetised and are typically placed at the end.

Detailed suggestions for specific question wording and recommended response categories follow below.

Sex

Where asking about sex is pertinent to the research, we suggest the following question structure:

- **"Which of the following best describes your sex?"** OR **“What is your sex?”**
    - Female
    - Male
    - Prefer not to say

It is important to consider how legal definitions of sex may affect how participants respond. Participants from most countries, including the UK, will have a legally recorded sex which can only be 'male' or 'female'. Some countries allow a third sex marker for people born intersex. You should therefore offer suitable categories depending on where your participants may be or have originated from.

If it is relevant to capture whether people have an intersex variation, whether or not this is reflected in their legal sex, you should ask a separate question. We suggest:

- **"Are you intersex and/or have a variation of sex characteristics (VSC)?"**
  - Yes
  - No
  - Prefer not to say

If relevant you may also want to include a text box to allow participants to give further details.

Gender

Where asking about gender is relevant to your research or project, we suggest choosing one of the following question structures:

Free-text box for everyone

The most inclusive approach is to provide a free-text box for all participants, allowing them to describe their gender in their own words. For example, you might ask:

- **"Please describe your gender":** [Free-text box]

Please note, however, this option will require extensive re-coding of the data and may not be suitable for large samples.

Fixed options with a free-text box

Alternatively, you can offer a set of response options alongside a free-text box for those who wish to self-describe. A suggested format is:

- **“Which of the following best describes your gender?”**
    - Man
    - Non-binary
    - Woman
    - Self-describe (please describe) [Free-text box]
    - Prefer not to say

It’s important not to label an option as ‘Other’, as this can feel dismissive or exclusionary. Using ‘self-describe’ can help show respect and acknowledge a wider range of identities.

When asking about gender, it is sometimes considered best practice to use ‘man’ and ‘woman’ rather than ‘female’ and ‘male’, which relate more to sex. However, there are differing views on this, as discussed below in the section on “**Should you use ‘female’ and ‘male’ or ‘man’ and ‘woman’?”.**

Fixed options only

If a free-text option is not possible, for example due to a very large number of responses, we recommend replacing the “self-describe” option with:

- “Another term (for example, but not limited to non-binary, genderfluid, or agender).” OR
  “I describe my gender with another term (for example, but not limited to non-binary, genderfluid, or agender).”

This reduces the need for re-coding but is the least inclusive option, as some participants may find the available answers unsatisfactory.

Trans identity/history

"Transgender" is broadly defined as an umbrella term for individuals whose gender identity differs from the sex they were assigned at birth. This includes people who identify as men or women or with another gender identity, such as non-binary or gender diverse individuals.

Many, but not all, people whose gender identity is outside the man/woman binary identify as transgender, or trans, as this identity differs from the sex they were assigned at birth. You should not, however, assume that everyone who identifies outside the binary also identifies as transgender.

“Transgender” is not a gender in itself. As such, it should not be listed alongside options such as “male” and “female” or “man” and “woman”. Similarly, labels like “Trans man” and “Trans woman” should also not be used in such lists.

If knowing whether a person is transgender is relevant to your work, you should ask a separate question. Some questions ask, “Is the gender you identify with the same as your sex registered at birth?”. However, unless this is crucial for your data collection – as may be the case in healthcare services or certain research studies – we would recommend the following wording, as this is generally considered a less intrusive question.

- **“Do you identify as trans or do you have a trans history?”**
    - Yes
    - No
    - Prefer not to say

Under the Equality Act 2010, gender reassignment is a protected characteristic. This protection does not require any legal or medical intervention, such as having a Gender Recognition Certificate (GRC) or undergoing medical treatment. A person is protected if they are planning to transition, are in the process of doing so, or have already transitioned. It refers to a personal decision to move away from the gender associated with their sex assigned at birth to a different gender, for example, by asking to be called a different name or using different pronouns.

When should I use ‘man’ and ‘woman’ or ‘female’ and ‘male’?

There are different schools of thought about when to use ‘man’ and ‘woman’ or ‘female’ and ‘male’. In some academic disciplines, ‘man’ and ‘woman’ are preferred when asking about gender, to distinguish it from sex where ‘male’ and ‘female’ may be used. This is the approach we have suggested in the examples above.

In other contexts, using ‘male’ and ‘female’ for both sex and gender may be acceptable, and many people are familiar with answering questions this way.

In some legal contexts, such in relation to the Equality Act 2010, the Supreme Court has ruled that the terms “man” and “woman” (and “sex”) refer specifically to biological sex rather than legal gender or gender recognition certificates (GRC).

It is therefore important to consider which terms your participants are most likely to use and recognise, what terminology is common or expected in your field, as well as how your choices will be perceived. In general, be clear and consistent in your wording so you can explain your approach if asked.

Version	Owners / contributors
1	David Wilson, HR
2	EDI Servies and RIO / LGBTQ+ Staff and Student networks
3	EDI Servies and RIO
4	Revisions by Ethics Committee
5	EDI Servies and RIO

Further information

Sex, gender and terminology

- Supreme Court ruling (2025) on the legal definition of sex in the Equality Act 2010: House of Commons Library
- Advance HE: Advice for capturing gender as part of equality monitoring
- The Office of National Statistics guidance on the difference between sex and gender
- Guidance on gender-terminology at Stonewall and Gendered Intelligence
- HESA Data collection and analysis guidance, including for benchmarking.

Data protection

- Information and guidance on working with sensitive 'special category data' is available from the Information Commissioner's Office.
- Templates and guidance on conducting a Data Protection Impact Assessment (DPIA) can be found on the University website.