Policy on Collecting Information about Sex and Gender at Queen's University

Category: *Administration and Operations*

Approval: *VPOC*

Responsibility: *University Advisor on Equity and Human Rights*

Date: *Date initially approved: September 2016*
Date of last revision: September 2016

Definitions:

"Sex" refers to a person's biological status at birth and is typically categorized as male, female or intersex (adapted from the American Psychological Association).

"Gender" is a socially constructed concept which can be described as the social characteristics attributed to sex. These social characteristics may vary dependent on cultural context. Human rights law recognizes the primacy of the individual's self-identification as to gender (adapted from the Ontario Human Rights Commission).

Purpose/Reason for Policy:

The purpose of this policy is to ensure, in so far as possible, that language used on in-take forms, record documents, and surveys is inclusive and free from bias or barriers related to sex and gender identification.

Scope of this Policy:

This policy is applicable to in-take forms, record documents and surveys in use at Queen's University.

Policy Statement:

Queen's University is committed to providing an inclusive and welcoming space to students, staff, faculty, and campus visitors. In keeping with that commitment, every effort will be made to ensure that the language used on in-take forms, record documents, and surveys is inclusive and free from bias or barriers related to sex and gender identification.

Responsibilities:

Under this policy, it is the responsibility of the individuals creating and/or administering in-take forms, record documents, and surveys to consult the *Guidelines on Collecting Information about Sex and Gender at Queen's University.*

Under this policy, it is the responsibility of the individuals creating and/or administering in-take forms, records documents, and surveys to make every effort to ensure that the language used in these documents is free from bias or barriers related to sex and gender identification.

Contact Officer	*University Advisor on Equity and Human Rights*
Date for Next Review	*Year/Month/Day*
Related Policies, Procedures and Guidelines	*Educational Equity Policy* *Employment Equity Policy* *Employment Equity Procedure* *Harassment/Discrimination Complaint Policy and Procedure* *Records Management Policy*
Policies Superseded by This Policy	*N/A*

Guidelines on Collecting Information about Sex and Gender at Queen's University

Contact Officer   *University Advisor on Equity and Human Rights*

Purpose

The purpose of these guidelines is to assist in the implementation of the *Policy on Collecting Information about Sex and Gender at Queen's University* . These guidelines are intended to be a resource for individuals designing and administering in-take forms, record documents and surveys.[1]

Guideline

When designing an in-take form, record document, or survey, consider the following:

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1. **Is it necessary to collect information concerning sex, gender or both to achieve my purpose?**
   a. Is the collecting of such information required by another internal or an external reporting body? (See section 2)
   b. Is information related to sex, gender or both used as part of my data analysis? Is it important or useful for me to collect information related to sex, gender or both? (See sections 3,4,5)

   If the answer to all of these questions is "no," then do not include questions on sex or gender.

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2. **If the collection of this information is required by an external reporting body, has that body dictated the specific collection question which must be used? Has that body dictated what response options must be provided?**

   Where both question and response options are dictated, and you are not satisfied that these are optimal, you could choose to include an additional question of your own. If you decide to include this additional question you should include a disclaimer/explanation as to why this question is being asked, the authority for asking it, and the purpose(s) for which the data is being collected.

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[1] Please be aware that any time the University collects personal information, a notice of collection should be included. For further information and examples, see the Queen's Records Management and Privacy web page.

In those instances where the particular question and/or response options have not been prescribed, you may be able to follow the best practices contained in the rest of this document to design your question and the possible responses to it, while still meeting the requirements of the external body.

3. **Is the information to be collected related to an individual's sex, gender or both?**

    "Sex" refers to a person's biological status at birth and is typically categorized as male, female or intersex (adapted from the American Psychological Association).

    "Gender" is a socially constructed concept which can be described as the social characteristics attributed to sex. These social characteristics may vary dependent on cultural context. Human rights law recognizes the primacy of the individual's self-identification as to gender (adapted from the Ontario Human Rights Commission).

    Since the terms "sex" and "gender" denote different things, avoid using them interchangeably. These will not be the same for some individuals[2], so it is important when developing forms to consider what kind of data you actually need.

    Forms often include a question that looks like this: *Gender: M   F*. It is unclear from such a question whether the intention is to gather data concerning the assignment of biological "sex" made at birth or data concerning "gender," i.e., how the individual answering the question identifies as to gender. For further information on how to ask a question related to gender, please see section five in this guideline.

    Regardless of whether the information being collected is related to sex, gender or both, it is imperative that the responses to these questions come directly from the individual being asked the question, or that individual's representative, not a third party. Respondents should always understand what information is being sought and why. In addition, respondents should be made aware of who will have access to the information being provided and whether or not this information will be kept confidential. Whenever circumstances permit, also offer an option not to disclose.

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[2] When answering a question related to biological sex assigned at birth, for example, a trans-identified individual might respond by answering "male", but when asked a question related to gender identity, that same individual might respond by answering "woman". Or "gender-fluid" or another term denoting an identity outside the gender binary.

4. **If the goal is to collect information concerning biological sex characteristics at birth, you may want to simply ask, "What biological sex were you assigned at birth?"**

   To be as inclusive as possible provide a blank space or text box for the answer.
   If that is not possible or is unlikely to produce the data you need, provide at least these options:
   1. Male
   2. Female
   3. Intersex[3]
   4. I prefer not to disclose information concerning my sex

5. **If the goal is to collect information concerning how the individual identifies in terms of gender:**

   a. Avoid the use of the gender binary, where only two options are provided and the requirement is to choose one or the other.

   b. If the reason for collecting information concerning gender identity is that services are to be available only to, or social progress is being tracked only for, a specified gender, make that clear and then ask only whether the individual identifies as that gender. Examples: 1. "The Ban Righ Centre provides services to mature women students. Are you a woman?" 2. "The government tracks information on program enrollment of individuals who identify as transgender. Are you transgender?" Response options should be: YES / NO

   c. If there are other reasons for collecting information concerning gender, ask the question, "How do you self-identify in terms of gender?"[4]

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[3] "Intersex" is a term increasingly used by individuals to self-identify in terms of biological sex as well as by health care professionals and is recognized by the Ontario Human Rights Commission as referring to people born with "unidentified or misidentified genitals," that is, with genitals that do not exhibit physical characteristics that clearly conform only to "male" or "female". In medicine, the term is understood to include bodies, reproductive systems, chromosomes and/or hormones not easily characterized as male or female.

[4] While some express concern that "self-identify" suggests there might be some other way to identify someone's gender, we rely on interpretations of the Ontario Human Rights Code that suggest that an individual's self-identification as to gender is determinative.

To be as inclusive as possible provide a blank space or text box for the answer.
If that is not possible or you wish to include a closed list of options in addition to the blank space or text box, provide at least these options[5]:

1. Man
2. Woman
3. I do not identify within the gender binary
4. I prefer not to disclose information concerning my gender

While these guidelines are intended to provide best-practices for the majority of situations, there are some cases that will require further discussion in relation to the type of question being asked and response options being provided. If you have questions or concerns, you are encouraged to contact the Equity Office and/or Human Rights Office.

Related Policies / Procedures

Educational Equity Policy
Employment Equity Policy
Employment Equity Procedure
Harassment/Discrimination Complaint Policy and Procedure
Records Management Policy

Links

N/A

Date Approved	*Year Month Day*
Approval Authority	*Board, Senate, PVP, VPOC, VP, Dean, etc.*
Related Policies, Procedures and Guidelines	*Educational Equity Policy* *Employment Equity Policy* *Employment Equity Procedure* *Harassment/Discrimination Complaint Policy and Procedure* *Records Management Policy*

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[5] Additional options can be included, and in some cases may well be needed, but be aware that language used to describe one's gender identity is continually evolving and extensive. It can feel exclusionary to be offered a long list of possible responses, none of which is the response the individual wishes to make.