

Data collection and publication guidance

Age

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Introduction

The Equality Act 2010¹ (the 2010 Act) protects people from discrimination because of age. The legislation covers areas including education, employment, the provision of goods and services to the public and the exercise of public functions.

The 2010 Act also introduced a public sector equality duty² which came into force on 5 April 2011. The duty requires public authorities, including the Scottish Ministers, to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. The duty covers nine protected characteristics³, including age.

In addition to the public sector equality duty, Scottish Ministers have the power to supplement the public sector equality duty by placing specific duties on certain Scottish public authorities, and have done so by means of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012⁴.

It is recommended that all public authorities follow good practice in gathering and using relevant evidence and information. Age statistics are important for monitoring discrimination and inequality. Good quality age data will help with understanding the issues faced by people of varying ages, allowing for intersectional analysis with other socio-demographic characteristics, including

¹ [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [Section 149 of the Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

³ The duty only applies to the protected characteristic of marriage and civil partnership in relation to eliminating unlawful discrimination etc. relating to work under Part 5 of the 2010 Act.

⁴ [The Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk), as amended ([link to original version, with subsequent amendments not yet incorporated](#)).

those protected by the 2010 Act. The information may also be used to inform policy formulation and service delivery.

In order to promote more consistency, the Scottish Government developed harmonised questions for use in surveys in Scotland. The guidance, published in 2012, was reviewed in 2021 and this document sets out the revised guidance.

Recommended questions

The recommended question for collection of information on age in Scotland is:

Question:	What was your age last birthday?
Answer:	1: Refusal (spontaneous only) 2: Prefer not to say (non-interviewer led questionnaires only)

Alternative question

If more detail is required then the recommended question for collecting date of birth is:

Question:	What is your date of birth?
Answer:	1: Refusal (spontaneous only) 2: Prefer not to say (non-interviewer led questionnaires only)

ONS harmonised standard

The ONS harmonised standard is to ask “What is your date of birth?”, followed by “What is your age” **only if** the respondent refuses to give their date of birth.⁵ This is provided for information only and **is not** the recommendation of the Scottish Government.

⁵ [Age and date of birth harmonised standard – GSS \(civilservice.gov.uk\)](https://civilservice.gov.uk/gss/age-and-date-of-birth-harmonised-standard)

Additional guidance for interviewers

Instructions and 'prefer not to say'

Instructions should be given at the beginning of the interview/survey saying why all of the questions are being asked, that they are all voluntary and, if a respondent does not wish to answer any of the questions, they do not have to. This ensures all questions are treated the same.

Testing by the ONS has shown that provision of a 'prefer not to say' option results in an increase in non-responses in telephone/face-to-face interviews. As such the recommendation is that this should only be included in online and paper surveys where refusal is not otherwise possible with the caveat that this may increase the rate of non-response to this question.

If a 'prefer not to say' option is added to this question then it should be added to all questions. In interviewer-led surveys clear instruction at the beginning should advise people that they do not have to answer any question that they do not wish to.

Proxy responses

The question should be addressed directly to the respondent. Where the respondent is unable to provide an answer, for example they are unable to use a computer, then another member of the household can be asked to give a response on their behalf.

In this case the question should be asked as the following:

Question:	What was their age last birthday?
Answer:	1: Refusal (spontaneous only) 2: Prefer not to say (non-interviewer led questionnaires only)

Or, if using the alternative question:

Question: What is their date of birth?

Answer: 1: Refusal (spontaneous only)

2. Prefer not to say (non-interviewer led questionnaires only)

This should only be allowed as a last resort and the interviewer should record that a proxy response was given. It is very important the interviewers do not attempt to provide an answer on behalf of the respondent.

Analysis and presentation of results

Data should be analysed and presented in the way that is most useful to users of that data. Consideration should be given to which types of analysis would most likely reveal any inequalities that require action, which will depend on the subject area to which the data relates. Statistical disclosure issues should always be considered when publishing data.

Age range harmonisation

There are no harmonised age bands or categories for use in Scotland.

Scotland's Census 2022 outputs will be primarily disseminated via the Flexible Table Builder⁶ which should allow users to use different age bands to suit their needs. There is a need to maintain comparability with previous Census data so pre-built tables are likely to reflect the classification used in the 2011 outputs. The age bands used in reporting 2011 data were 0-15, 16-24, 25-49, 50-64, and 65+. Those interested in comparing against certain variables should consider reviewing the published 2011 statistics.⁷

⁶ [Flexible table builder | Scotland's Census \(scotlandscensus.gov.uk\)](https://scotlandscensus.gov.uk/flexible-table-builder)

⁷ [Analytical reports | Scotland's Census \(scotlandscensus.gov.uk\)](https://scotlandscensus.gov.uk/analytical-reports)

The ONS provides six groupings for outputs of age data, depending on purpose and data quality. While they are not recommended by the Scottish Government, they are linked below for reference.⁸

Unknown age

Where age is unknown the data should either be presented as 'unknown' or 'missing' or if missing values are unacceptable for your analysis it may be worth imputing the missing values.

Ambiguous terminology

It is recommended that data are presented with age group labels that are unambiguous, such as 'age 65 years and over' or '16 years and under'. Due to changes in the state pension age (specifically the current female state pension age which is changing dynamically to match the male state pension age) the phrases 'pensionable age' and 'pensionable adults' should not be used. Instead, data should be presented clearly stating the age range to which it refers. For the same reason the terms 'working age' and 'working age adults' should not be used. In addition, the term 'child' or 'school age' may mean different things to different people and should, therefore, also be avoided.

Definitions of 'adult' and 'child'

There is some variation regarding who constitutes an adult in Scottish law, depending on the context. The Age of Majority (Scotland) Act 1969⁹ states that:

"a person shall attain majority on attaining the age of eighteen"

⁸ [Age and date of birth harmonised standard – GSS \(civilservice.gov.uk\)](https://www.civilservice.gov.uk/gss/age-and-date-of-birth-harmonised-standard)

⁹ [Age of Majority \(Scotland\) Act 1969 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1969/10)

Similarly, the Children and Young People (Scotland) Act 2014¹⁰ references the UN Convention on the Rights of the Child (UNCRC)¹¹ which states that:

“a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”

Conversely, the Age of Legal Capacity (Scotland) Act 1991¹² states that:

“a person of or over the age of 16 years shall have legal capacity to enter into any transaction”

As long as the context of a report is one in which 16-17 year olds are considered legally capable, and therefore have the same rights and restrictions as those of or over the age of 18, it is acceptable to refer to a group of people aged 16+ as ‘adults’.

Intersectionality

An intersectional analysis gives an insight into how a combination of socio-demographic characteristics might relate to specific forms of disadvantage. For example disadvantage for a young minority ethnic woman may be different to a young white man.

There is an increasing awareness that taking an intersectional approach to research, policy making and operational decisions is important. This is because intersectionality can give insight into the experiences of different groups in society, and how particular characteristics can combine to impact on an individual's experiences. However, there is not always disaggregated data available to support such an approach. This is likely to mean that the

¹⁰ [Children and Young People \(Scotland\) Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/26/section/1)

¹¹ [UN Convention on the Rights of the Child \(UNCRC\) - UNICEF UK](https://www.unicef.org/uk/about-us/our-work/our-approach/intersectionality)

¹² [Age of Legal Capacity \(Scotland\) Act 1991 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1991/17/section/1)

information on which important decisions are made is not fully representative of the population it is intending to measure.

For example, data on demographic characteristics may be collected by a public body, but not disaggregated in an intersectional way due to issues around sample size and risk of disclosing an individual's identity. In these cases, organisations should not risk disclosing information about an individual's age.

Where sample size and quality allows, data should be disaggregated, including by sex, gender reassignment, race, religion or belief, age, disability, and sexual orientation, where combinations of these factors can result in discrimination, disadvantage and inequality. Being able to identify cases where combinations of factors are resulting in disadvantage enables policies to be developed and action taken to address these issues.

Contact us

This document has been provided to help people collect information on age in Scotland. We welcome any comments you have on this guidance note. It will be revised and updated periodically.

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