TRANSSEXUAL PEOPLE AND COMPETITIVE SPORT

GUIDANCE FOR NATIONAL GOVERNING BODIES OF SPORT

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FOREWORD

Guidance for national governing bodies of sport on transsexual people and competitive sport

This guidance and **supporting resources** for national governing bodies of sport have been developed by the home country Sports Council Equality Group (SCEG) to assist those involved in administering sport to identify what steps they can take to provide an inclusive environment that is supporting of and welcoming to transsexual people.

Transsexual people have as much right as any other people to take part in, enjoy, and achieve their potential in competitive sport; we are committed to ensuring that NGBs take steps to ensure that their sport is as accessible as possible to all members of the community and that they recognise the implications of the legal framework within which they operate.

Through the industry-wide Equality Standard for Sport, over 185 NGBs have committed to external and independent verification of the successes they have had with regard to equality; they have taken action to increase their understanding of equality, and increase levels of inclusiveness and diversity within their sport; their aim is to demonstrate real and sustained change with regard to ensuring that people from all communities are involved at all levels of the sport, and in all roles, as well as in eliminating discrimination.

As more transsexual people are involved in competitive sport in the UK and as our understanding of the issues that they face, both legally and medically, increases we will continue to share good practice and knowledge in this area.

We jointly support and endorse this guidance as well as the **supporting resources** and will seek to work with all national governing bodies of sport to implement the guidance in pursuit of fair and equal treatment for transsexual people seeking to play competitive sport.

Sports Council Equality Group
Published September 2013

The Sports Council Equality Group would like to thank Lucy Faulkner for developing this guidance. In addition, we would like to thank all who contributed to the guidance as part of the consultation: the Gender Identity Research and Education Society, Delia Johnston, the Department of Media, Culture and Sport, UK Athletics, Badminton England, the England Hockey Board, Scottish Swimming, Stonewall Scotland, the Scottish Transgender Alliance, the Equality Network (Scotland) and the LGBT Sport Network (Wales).

INTRODUCTION

The purpose of this guidance is to inform national governing bodies of sport (NGBs*) in the UK to help them determine what steps they can take to provide an inclusive environment that is supporting of and welcoming to transsexual people particularly with regard to competitive sport.

Its specific aims are to:

- Increase the confidence and competence of administrators in sport with regard to supporting transsexual people to play competitive sport.
- Provide a ten-point action plan that, when implemented, will support NGBs to provide a more inclusive environment for transsexual people.
- Ensure administrators in sport are dealing with the issues facing transsexual people seeking to play competitive sport in a way that is fair to everyone.
- Provide the legal and relevant compliance framework within which all sports operate.
- Promote inclusion for all people within the sport by providing model frameworks for transsexual people to play competitive sport.
- Provide technical information to help sports develop the appropriate policies and procedures.

Scope of this guidance

In the last few years SCEG has been made aware of a number of transsexual people contacting NGBs and who are now, through the NGB policies, playing competitive sport in their affirmed gender. All these people, except for one who is an elite athlete, were seeking to play grassroots sport.

In addition to transsexual people wishing to play competitive sport, NGBs also have a responsibility to protect and consider the needs of those who may be employees, administrators, volunteers, officials or spectators who may be transgender people, or perceived to be so, or associated with them, such as family members. However this particular guidance focuses only on transsexual players, or would-be players, in competitive sport.

* NGB is used to describe any national governing body of sport in the UK and incorporates the term Scottish Governing Body of Sport or SGB.

Why this is important to NGBs

The guidance covers competitions managed and organised by the NGBs as well as those managed and organised by their members e.g. regional and county associations, districts, leagues and clubs, referred to as domestic competition/s in this guidance. It also covers the eligibility and selection of transsexual men or women to represent a home country or GB in international competition or be entered into international competition by them, referred to as international competition.

Competition or competitive sport is defined as activity where the result (winning and losing) has a meaningful outcome. This guidance would not, therefore, apply to sporting activities such as training, friendly or informal matches. It covers all types of competition e.g. mainstream leagues and tournaments as well all other competitive formats of the sport e.g. Masters events.

Supporting resources

The guidance is complemented by a set of supporting resources which provide more detailed technical information as well as examples of good practice (see below). In addition other examples of good practice such as NGB policy documents can all be found on the Equality in Sport website managed by SCEG www.equalityinsport.org

Guidance for NGBs on transsexual people and competitive sport September 2013

This guidance provides NGBs with information to enable them to determine what steps they can take to provide an inclusive environment that is supporting of and welcoming to transsexual people particularly with regard to competitive sport.

Transsexual people – eligibility to compete in domestic competition September 2013

This document provides more detailed guidance with regard to legislation and the status of transsexual people seeking eligibility to compete in domestic competitions i.e. competitions run and managed by the NGB, as well as those organised by their members, e.g. regional and county associations, districts, leagues and clubs. This document has helped to inform the guidance document for NGBs and should be used as a reference document to assist NGBs to increase their knowledge and understanding of the specific issues with regard to transsexual people and domestic competitions.

Transsexual people – eligibility to compete in international competition September 2013

This document provides details of the situation with regard to transsexual people competing in international competitions which are run under the auspices of an international federation. It has helped to inform the guidance document for NGBs and should be used as a reference document to assist NGBs to increase their knowledge and understanding of the specific issues with regard to transsexual people and international competitions.

NGB is used to describe any national governing body of sport in the UK and incorporates the term Scottish Governing Body of Sport or SGB.

TRANSSEXUAL PEOPLE AND COMPETITIVE SPORT

The evidence from NGBs in the UK clearly suggests that there are a number of transsexual people seeking to play competitive sport and their age range, ability and ambition varies considerably. NGBs will need to have policies and procedures in place with regard to transsexual people playing competitive sport that reflects this range.

Examples of transsexual athletes in the public domain include:

- Renee Richards who played women's tennis in the 1970s and who is believed to have been the first transsexual professional athlete.
- Canadian Michelle Dumaresq who was Canada's downhill mountain bike champion in 2003 and competed on the pro circuit.
- Nong Tum was a champion kickboxer in Thailand and the subject of the movie 'Beautiful Boxer'. She won twenty-two professional fights, eighteen by knockout, and is a household name in her home country. Officially retired in 1999 she made a comeback in 2006.
- Mianne Bagger may be the best known transsexual in professional sport today. Since 2004 she has been a touring professional golfer competing on tours in Europe and Australia.
- Keelin Godsey is an athlete competing in the hammer throw. He and narrowly missed making the Olympic team. "Up till now I have competed as a woman and was pre-everything. I am now currently taking Testosterone, started 8/7/12, and am navigating the world of sports, specifically track and field, as a transitioning athlete. I will be trying to make it as a male hammer thrower."

"… it's only a matter of time before a transsexual athlete becomes the first to represent his or her country at the Olympics. That day will be one to celebrate as another part of a long tradition of overcoming barriers to competition." Donna Rose.

Donna Rose is an author and educator and an elected member of the Human Rights Campaign Business Council. She is a male-to-female transsexual and an advocate and spokesperson for transgender people and issues.

Key issues for NGBs

Through feedback from NGBs we have identified some recurring concerns about how to approach the inclusion of transsexual people in competitive sport, these include:

- Confusion about the terminology and a lack of confidence about what terms to use.
- Lack of knowledge and understanding of equality legislation and the implications for NGBs including single-sex, mixed-sex competition and age-restricted competition.
- Concerns about applying international competition regulations to domestic competition.
- A perception that transsexual females will have an unfair advantage over other female competitors.
- Concerns over the safety of competitors – particularly in close contact sport.
- Lack of an identified central point of contact in the NGB who is confident and competent to manage issues with regard to transsexual people.
- Local organisations e.g. clubs and leagues developing their own policies with regard to transsexual people playing competitive sport due to lack of clear guidance or communication from the NGB.
- Managing people's attitudes, prejudices and stereotyping in sport about transsexual people.

"ACROSS THE BOARD, SPORT MAKES A HUGE DIFFERENCE TO OUR LIVES, AND WHILST ANY DISCRIMINATION EXISTS IT WILL PUT UP BARRIERS TO PEOPLE GETTING INVOLVED, AND HAVE A NEGATIVE EFFECT ON PEOPLE'S PHYSICAL HEALTH AND EMOTIONAL WELLBEING."

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AN INTERVIEW WITH A TRANSSEXUAL WOMAN PLAYING COMPETITIVE HOCKEY – FEBRUARY 2013.

What were your reasons for getting involved in sport and hockey in particular?

I wanted to be part of something fun and accepted as just part of a larger team, while having the chance to build new friendships. It was refreshing to make new friends who were not aware of my birth gender; I was totally accepted.

I chose hockey because it's a team sport. You can't succeed at hockey as a lone player; you have to work together as a team, so the focus is on the team.

How have the people at the club supported you?

Everyone has been amazing, much better than I imagined. I've started to make new friendships and I'm totally accepted as one of the girls. I've only discussed my circumstances with a small group and they have treated me with respect and maintained confidentiality.

When I started playing competitively it was really good to have a mentor from my club who I could turn to and ask any awkward questions and discuss any challenges like locker rooms, showers and parents or what if someone challenged me or objected etc. The best support I have had is to be treated the same as everyone else, and that's all I want.

What were the barriers to you getting involved?

I was terrified to go along although I've wanted to play for ages. I was simply too afraid of rejection. One of the hardest parts about transitioning is social transition, and it requires a lot of effort to re-build friendships and re-establish yourself in a new role while dealing with your history.

Now you are starting to play competitively how do you feel, are you enjoying it, what benefits are you finding for yourself?
I have something to look forward to every week and I'm gaining much more confidence with who I am as a person while making new friendships. Simply being accepted as female and part of a team really builds my confidence both at work and socially. I've also started running and have entered a half marathon charity race.

What would have made your experience of joining a club easier?
When I started hockey training I wasn't initially allowed to participate in competitions and this was really hard as it set me apart from everyone else. However since the EHB policy changes it will be much easier for other transgender men and women who want to play. Hopefully other sports will adopt a similar approach.

I think it's particularly hard for transgender women to play sport. As a transgender woman you need to overcome a lot of fear and lack of confidence and having no prior sporting experience or reference, it was hard. But the way I saw it is that many women lack confidence and have many insecurities, and in this respect I'm just the same as everyone else.

The hardest part was the first few weeks. Turning up to hockey training when there was 50 other women who all seemed to know each other really well was very intimidating, especially as I'd never even held a hockey stick before; I had to start with the basics "this is the end you hold".

What would you say to another transsexual female who is thinking about playing competitive sport?
I would just say, "Give it a go! It's really good fun, you will make friends and get really fit too."

NGB FRAMEWORK – A TEN-POINT ACTION PLAN

The following ten-point action plan provides a framework for NGBs to help them remove barriers to transsexual people playing competitive sport.

1. Understand the terms used.

2. Ensure compliance with the law and the international, sporting regulatory framework.

3. Ensure that the board sets responsibility for inclusion and anti-discrimination at the highest level in the organisation.

4. Consult and build relationships with transsexual people and associated organisations.

5. Develop a clear policy and procedures for transsexual people competing in domestic competition.

6. Develop and introduce codes of conduct.

7. Develop a clear policy and procedures on managing incidents of transphobia.

8. Raise awareness and develop understanding through training.

9. Share guidance with members, and make guidance readily available so that transsexual people know their rights, and offer support.

10. Publicise your commitment to inclusion and tackling transphobia.

NGB TEN-POINT ACTION PLAN

1. Understand the terms used

This guidance uses a number of terms associated with transgender people as well as sport. We recognise that there are considerable differences in those that are used and we recommend that NGBs are aware of and adopt the following terms.

Transgender person

The term transgender person or trans person are umbrella terms to cover a number of specific terms such as transsexual men, transsexual women, intersex people, androgyne and polygender people, cross-dressing and transvestite people.

Gender reassignment

Gender reassignment is one of a number of protected characteristics defined in the Equality Act 2010 and is the process of transitioning from one sex to another. This legislation (as well as the equality legislation in Northern Ireland) prohibits discrimination against a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning their sex.

Transsexual person

This term refers to someone with the protected characteristic of gender reassignment. We use the term transsexual man to describe a female-to-male transsexual person and use the term transsexual woman to describe a male-to-female transsexual person. This is not the same as a cross-dresser, or transvestite people, nor is it the same as sexual orientation.

Gender dysphoria

The NHS uses the following terms and explanations with regard to gender dysphoria[†].

Gender dysphoria is a condition in which a person feels that there is a mismatch between their biological sex and their gender identity. **Biological sex** is assigned at birth, depending on the appearance of the infant. **Gender identity** is the gender that a person 'identifies' with, or feels themselves to be. Gender dysphoria is a recognised condition, for which treatment is sometimes appropriate. It is not a mental illness. Some people with gender dysphoria have a strong and persistent desire to live according to their gender identity, rather than their biological sex and may undergo treatment so that their physical appearance is more consistent with their gender identity.

It is estimated that 1 in 11,500 people experience gender dysphoria. However, there may be many people with the condition who do not seek help. On average, men are diagnosed with gender dysphoria five times more than women. While gender dysphoria is rare, the number of people being diagnosed with it is increasing due to growing public awareness about the condition. However, many people with gender dysphoria still face prejudice and misunderstanding about their condition.

Affirmed (acquired) gender

We use the term 'affirmed' or 'acquired gender' to describe the sex that the person has transitioned/is transitioning to as opposed to that which was assigned at birth.

[†] http://www.nhs.uk/conditions/gender-dysphoria/Pages/Introduction.aspx

Transphobia

We use the term 'transphobia' or 'transphobic discrimination' to describe discriminatory, abusive or negative language or behaviour that is directed towards anyone who comes under the umbrella term of transgender; in addition it may be towards a transsexual person's friend or supporter, or anyone that may be perceived to be a transsexual person (whether they are a transsexual person or not). The behaviour may include a reluctance or refusal to provide access to services to the same extent as that provided for a non-transsexual person.

2. Ensure compliance with UK legislation and the international, sporting regulatory framework

UK equality legislation

NGBs are responsible for the regulation of participants in events in their sport and for providing fair and safe competition. They are also responsible for determining the competition framework for their sport including whether single sex and/or mixed-sex competitions are sanctioned. They have to do this fairly while complying with the relevant legal framework which is slightly different in Northern Ireland compared to England, Scotland and Wales. In addition they may have an international, sporting regulatory framework for international competition that they need to comply with.

Each NGB and its Board of Directors needs to recognise the legal framework under which we all have to operate. In England, Scotland and Wales it is the **Equality Act 2010** and in Northern Ireland there are a number of different pieces of legislation, the main one being the **Sex Discrimination (Northern Ireland) Order 1976**.

While the legislation in Northern Ireland and the rest of the UK is slightly different, the implications for NGBs are the same and separate sporting competitions can be organised for men and women where:

- Physical strength, stamina or physique are major factors in determining success or failure (fair and safe competition) and
- One sex is generally at a disadvantage in comparison with the other (separate competition).

Fair and safe competition

NGBs must not restrict the participation of a transsexual person in competitive sport unless this is strictly necessary to uphold fair or safe competition; any other restriction would amount to direct discrimination. NGBs should treat a transsexual person as belonging to the sex in which they present (as opposed to the biological sex they were born with) unless this might give the transsexual person an unfair advantage or would be a risk to the safety of competitors which might occur in some close contact sports. Any negative effect of restricting the participation of transsexual people must be mitigated as far as possible, to permit as much inclusion as is fair and safe.

Separate competition

Separate competition for girls and boys may or may not be allowed, depending on the age and stage of development of the children who will be competing. At some ages and in some sports it is not possible to say that boys and girls have significant differences of physical strength or stamina or that one sex is at a disadvantage in comparison with the other. Only if it is possible to say this should NGBs sanction separate competitions.

It is recommended that NGBs review their competition regulations to ensure that any age restriction is compliant with UK equality legislation.

International, sporting regulatory framework

Policy and procedures for international competition

Policy

Each NGB will need to develop a policy with regard to the eligibility of transsexual people to represent a home nation or GB in international competition or be entered by an NGB into international competitions. NGBs should either adhere to the policy or guidelines of their international federation; should the international federation not have a policy the NGB may wish to implement the IOC policy or could develop its own based on the NGB's domestic competition policy. NGBs should note that this policy should be in relation to sporting competition organised by an International Federation or the IOC, not for domestic competition organised by the NGB.

The IOC policy is the *Statement of the Stockholm consensus on sex reassignment in sport May 2004*. (The phrase 'sex reassignment' used by the IOC has the same meaning as 'gender reassignment used in the UK). Please refer to the **supporting resources** for more information.

Procedures

In addition to implementing a policy NGBs will need to develop procedures to determine this eligibility.

The transsexual person may have dealt with the international federation and gone through its procedures for eligibility. In this case the NGB would need to ascertain from the international federation that the transsexual person has received permission to compete.

The transsexual person may prefer to liaise with their NGB rather than the international federation, in which case the NGB will need to establish a set of clear procedures to implement its policy with regard to transsexual people competing in international competitive sport. Please refer to the s**upporting resources** for more information.

3. **Ensure that the board sets responsibility for equality discrimination at the highest level in the organisation.**

The board should make a commitment to equality and take responsibility for ensuring that actions are taken to address this within the sport. It should nominate a board member and a senior member of staff (CEO or equivalent) to lead on equality. Relevant policies and procedures as well as equality targets and actions should be identified and resources prioritised to support these; progress towards achieving the targets should be reported to the board regularly by the board member and the senior staff member.

In addition the NGB should identify an appropriate central point of contact to manage any enquiries about transsexual people in the sport and to provide the necessary advice and guidance to transsexual people or to members. This person could be the CEO or someone with responsibility for equality, ethics or compliance. This will depend entirely on the size of the NGB and how the workforce (paid or unpaid) is structured.

The contact person's role would be to:

- Manage any queries with regard to transsexual people playing competitive sport.
- Implement the NGB's policy and procedures.
- Maintain all documentation revealing information about a person's past or present gender reassignment status in accordance with the NGB's policies with regard to the management of sensitive and confidential information and in line with the **Data Protection Act 1998** and, where relevant, the **Gender Recognition Act 2004**.
- Recognise the confidentiality obligations that are associated with handling such a matter.

Undertake all communication with the individual concerned only sharing information with international colleagues and members e.g. county associations, districts, leagues and clubs on a 'needs-led' basis allowing them to manage player registration.

68%

of trans respondents would be more likely to participate in sport if it was more LGBT friendly.

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4. Consult and build relationships with transsexual people and associated organisations

The NGB should set up consultation processes with transsexual people and organisations that work with and support them. Through this consultation process the NGB can identify action it may need to take to tackle transphobia and promote the inclusion of transsexual people. For example you may decide to set up an Inclusion Advisory Group to the Board or to the Chair of the Board that includes transsexual people.

NGBs may already be aware of transsexual people involved in the sport e.g. as officials, athletes or coaches and who might be interested in supporting equality work. In addition the following organisations are useful starting points to help identify who can support NGBs with their inclusion work with regard to transsexual people:

England – Pride Sports and Trans Action Group (TAG).
Scotland – Scottish Transgender Alliance, LEAP Sports, LGBT Youth Scotland and Stonewall Scotland.
Northern Ireland – Equality Commission and the Rainbow Project.
Wales – LGBT Sport Network (Wales), Stonewall Cymru.

5. Develop a clear policy and procedures for transsexual people competing in domestic competition.

In order to comply with the law allowing transsexual people to participate fully and provide safe and fair competition, NGBs should determine how this inclusion can occur without unfairly disadvantaging their opponents or failing to fully consider any safety issue.

Any such policy will need to:

- Address the needs and wishes of transsexual people to compete in their affirmed gender.
- Support the NGB's role to regulate participants and provide fair and safe competition.
- Address concerns from people involved in organising local competitions about any perceived, or real, unfair advantage or about the safety of all competitors.

Determining the appropriate policy for each NGB will depend on its unique circumstances and will be governed by the assessment of any unfair advantage and also the safety of all competitors. To assist NGBs we have developed frameworks which can then be applied to an individual sport. Please use the flow chart below to find the most appropriate framework for your sport.

Please also refer to the **supporting resources** which can be found on the Equality in Sport website www.equalityinsport.org for more information that will assist you to develop the appropriate procedures and develop your understanding of the issues and for more information on the background to these policy frameworks.

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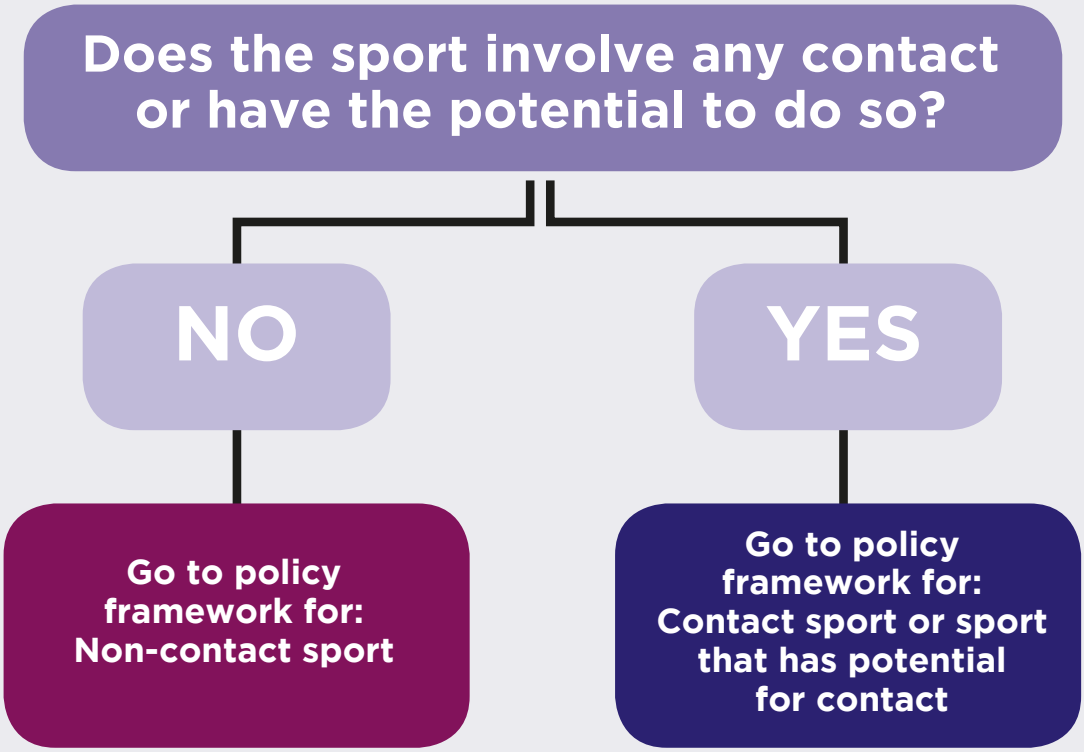
Flow chart for NGBs to determine which policy framework is best suited to their circumstances



If your sport is a non-contact sport go to the ***policy framework for non-contact sport***; if your sport involves contact, or has the potential for contact to occur, please go to the ***policy framework for contact sports or sports with the potential for contact.***

Policy framework for non-contact sport

In non-contact sports, such as badminton or athletics, the inclusion of transsexual people in competition is only about unfair advantage. These non-contact sports may be sanctioning single sex and/or mixed-sex competitions.

For non-contact sports it is recommended that NGBs:

1. Adopt the policy framework for non-contact sports.
2. Review any age-restricted competitions to ensure they are in line with equality legislation (we recommend that NGBs look at the Government's website www.gov.uk or contact their Sports Council for further advice with regard to age discrimination).
3. Establish a set of clear procedures to implement their policy with regard to transsexual people competing in domestic competition. These will need to include the following:
   - All enquiries should be passed to a nominated person at the NGB who has sufficient seniority and knowledge of the issue to manage it appropriately.
   - All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with the NGB's policies with regard to the management of sensitive and confidential information and in line with the Data Protection Act 1998 and, where relevant, the Gender Recognition Act 2004.
   - Anyone involved should understand the confidentiality obligations that are associated with handling such a matter.

- The nominated person at the NGB should undertake all communication with the individual concerned only sharing information with members e.g. county associations, districts, leagues and clubs on a 'needs-led' basis allowing them to manage player registration.
- In order to determine compliance with this policy it is recommended that the nominated NGB representative and/or the CEO and a medical representative appointed by the NGB consider the evidence on a case-by case basis.
- An appeals process should be established for decisions made in relation to any individual.

4. Seek their own legal advice with regard to their policy and procedures for transsexual people and competitive sport.

80%

of trans respondents have witnessed or experienced homophobia or transphobia in sport.

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Non-contact sport	
Affirmed gender	**Domestic competition run under the auspices of an NGB and in accordance with its regulations and policies**
Any transsexual male (female-to-male transsexual person)	May compete in his affirmed gender in any male or mixed-sex domestic competition
Transsexual woman – over 16 and post-puberty (male-to-female transsexual person)	May compete in her affirmed gender in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender or that she has had a gonadectomy. **Or** She may compete in any male or mixed-sex competition if she has not started hormone treatment
Transsexual girl – under 16 and post-puberty	*Either* She may compete in her affirmed gender in any female or mixed-sex domestic competition subject to an individual case-by-case review, if required, undertaken by the NGB **Or** She may compete in any male or mixed-sex competition if she has not started hormone treatment nor had a gonadectomy
Transsexual girl – pre-puberty	May compete in her affirmed gender in any female or mixed-sex domestic competition subject to confirmation of her stage of pubertal development

Policy framework for contact sports or sports with the potential for contact

In contact sports, e.g. judo, or sports with the potential for contact, such as hockey and football, the inclusion of transsexual people in competitive sport is mainly about the safety of competitors. These contact /potential contact sports may be sanctioning single sex and mixed-sex competitions.

For contact sports or sports with the potential for contact it is recommended that NGBs:

1. Adopt the policy framework for contact sports or sports with the potential for contact. In order to ensure the safety of competitors it is important that this framework is not allowed to supersede the NGB's rules or regulations with regard to the age that mixed-sex competition is sanctioned.
2. Review any age-restricted competitions to ensure they are in line with equality legislation (we recommend that NGBs look at the Government's website www.gov.uk or contact their Sports Council for further advice with regard to age discrimination).
3. It is recommended that contact sports and sports that have the potential for contact that sanction mixed-sex competitive sport, undertake a risk assessment to support their decision as the increased strength of men might result in an increase in the number and severity of injuries when men compete against women in these sports.

4. Establish a set of clear procedures to implement their policy with regard to transsexual people competing in domestic competition. These will need to include the following:
    - All enquiries should be passed to a nominated person at the NGB who has sufficient seniority and knowledge of the issue to manage it appropriately.
    - All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with the NGB's policies with regard to the management of sensitive and confidential information and in line with the Data Protection Act 1998 and, where relevant, the Gender Recognition Act 2004.
    - Anyone involved should understand the confidentiality obligations that are associated with handling such a matter.
    - The nominated person at the NGB should undertake all communication with the individual concerned only sharing information with members e.g. county associations, districts, leagues and clubs on a 'needs-led' basis allowing them to manage player registration.
    - In order to determine compliance with this policy it is recommended that the nominated NGB representative and/or the Chief Executive and a medical representative appointed by the NGB consider the evidence on a case-by case basis.
    - An appeals process should be established for decisions made in relation to any individual.
5. Seek their own legal advice with regard to their policy and procedures for transsexual people and competitive sport.

Contact sport and sport with the potential for contact	
Affirmed gender	**Domestic competition run under the auspices of an NGB and in accordance with its regulations and policies**
Transsexual male – over 16 **(female-to-male transsexual person)**	May compete in his affirmed gender in male domestic competition if his blood-measured testosterone level is within the range of his affirmed gender and this is confirmed annually by a suitably qualified medical representative appointed by the NGB **Or** If he has not started hormone treatment he can play in any female domestic competition
Transsexual male – under 16 and post-puberty	May compete in any male or mixed-sex domestic competition subject to age eligibility and subject to an individual case-by-case review undertaken by the NGB **Or** If he has not started hormone treatment he can play in any female domestic competition
Transsexual male – pre-puberty	May compete in any male domestic or mixed-sex competition subject to age eligibility and subject to confirmation of his stage of pubertal development
Transsexual woman – over 16 and post-puberty **(male-to-female transsexual person)**	May compete in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender or that she has had a gonadectomy. **Or** If she has not started hormone treatment she can play in any male domestic competition

Transsexual girl – under 16 and post-puberty	May compete in any female domestic or mixed-sex competition subject to age eligibility and subject to an individual case-by-case review undertaken by the NGB **Or** If she has not started hormone treatment nor had a gonadectomy she can play in any male domestic competition
Transsexual girl – pre-puberty	May compete in any female or mixed-sex domestic competition subject to age eligibility and subject to confirmation of her stage of pubertal development

6. Develop and introduce codes of conduct

Everyone associated with the sport should know the standards of behaviour that it expects with regard to inclusion and anti-discrimination as well as the sanctions for any breach of these. This is normally achieved through developing codes of conduct for all the different groups of people associated with the sport and which include sanctions for breaching a code. Good practice is that people sign up to codes of conduct annually e.g. through membership or registration systems.

Codes of conduct should include the responsibility of people to treat one another with respect, dignity, sensitivity and fairness; discriminatory, offensive, violent or abusive behaviour or language are all unacceptable and complaints will be acted upon.

They might be updated to include reference to the context e.g. *'discriminatory, offensive, violent or abusive behaviour or language such as homophobic, racist or transphobic…'*.

Or it might reference the relevant protected characteristics e.g. *'discriminatory, offensive, violent or abusive behaviour or language on the grounds of age, disability, gender reassignment, ethnic origin, marital or civil partnership status, pregnancy or maternity, religion, race, sex or sexual orientation…'*.

7. Develop a clear policy and procedures on managing incidents of transphobia

The NGB should have an Equality Policy which complies with home country legislation. It should include:

- A statement of intent.
- Scope.
- Outline of specific commitment and actions.
- Details of how the policy will be implemented.
- Responsibilities.
- Details of how the policy will be monitored and updated.
- How complaints will be addressed.

There should be explicit reference to transphobia within these. A template and example policies are available on the Equality in Sport website (Foundation Level) www.equalityinsport.org

8. Raise awareness and develop understanding through training

The NGB will need to determine who involved in the sport requires training and what format this could take. It could be embedded into existing opportunities e.g. staff induction, coach and official education. Board members and staff (paid and unpaid) as well as volunteers running the sport need to understand the principles of equality and should receive annual updates and briefings on this including reference to the inclusion of transsexual people and transphobia.

Information and case studies with regard to transphobia and the inclusion of transsexual people should be included in any generic equality training however it's possible that this might get 'lost' due to the range of equality issues that will be covered. NGBs might find, through a training needs analysis (TNA), that there is a need for some specific training with regard to engaging and involving transsexual people in the sport.

You could develop a set of equality competencies (behaviours) that you want people associated with the NGB to demonstrate and provide regular training, briefings or updates for this. It may help to develop a training matrix to identify who needs training, when it happens and when it needs updating.

Your HR department may be able to help you with a TNA and training matrix. If you are working towards the Preliminary Level of the Equality Standard then there is a requirement to undertake a TNA and produce a training matrix and a template for this can be found on www.equalityinsport.org

The relevant home country Sports Council will be able to advise NGBs with regard to any existing learning and development opportunities or signpost NGBs to people who can provide bespoke training solutions.

9. Share guidance with members, and make guidance readily available so that transsexual people know their rights, and offer support.

Each NGB should produce guidance for members and for transsexual people with regard to the accessibility of the sport for transsexual people. This should include:

- Your statement about equality.
- Reference to equality legislation.
- The current position for transsexual males and females seeking to play competitive sport, or train and play in informal matches.
- Who to contact at the organisation or the NGB.
- Key points in relation to your policy and procedures.
- Your expectations of members.
- Individual, personal considerations e.g. dress code and changing/toilet facilities.
- How to report inappropriate language or behaviour.

The following points are considered to be good practice for local sporting organisation officials:

- Treat the individual with dignity and respect.
- Explain the NGB policy and procedure and ask their view on how to proceed. Provide contact details of the NGB contact.
- Respect the private and confidential nature of the individual's situation.
- Agree with the individual what information is to be shared with others and if this is necessary how it should be shared. In general no information should be shared by the local official unless they have express permission from the transsexual person and the NGB contact will follow its strict policy with regard to information sharing.

- Ask the individual what communal changing facilities they would prefer to use as not every changing facility will have private cubicles. This will depend on whether the individual has transitioned or is in the process of transitioning and whether they have undergone any gender reassignment surgery. It may be that the most appropriate option is to use the cubicles in the toilets appropriate to their full-time gender-role or arrive changed and ready to play to avoid any misunderstanding should they still have the secondary sex characteristics of their former gender. In line with good safeguarding practice NGBs should recommend that adults (unless they are the parents) do not use the same changing facilities as children under the age of 18 unless there are separate cubicles.
- Encourage the individual to feedback any inappropriate language or behaviour from other members or spectators so that it can be dealt with.
- Ensure a Code of Conduct is publicised indicating their zero-tolerance policy towards all bullying/harassment of people with protected characteristics.

Please refer to the **supporting resources** for examples of guidance for transsexual people and local sporting organisations from NGBs.

10. Publicise your commitment to inclusion and tackling transphobia

The NGB should have a clear public statement about its commitment to tackling transphobia and promoting the inclusion of transsexual people. Information should be publicised widely and regularly and be evident on the sport's website and to transsexual people as well as organisations that work with and support transsexual people.

NGBs should ensure that inclusive language is included in all communications, use visual cues that the organisation is LGBT friendly and include links to partner LGBT organisations on websites and in communications.

You could sign the government's **Sports Charter**, or a local sports charter if one exists in your home country, that calls for anyone and everyone with a sporting interest or involvement to unite and tackle homophobia and transphobia in sport. The Sports Charter was launched in 2011 with the backing of five major sporting bodies and the London Organising Committee for the Olympic and Paralympic Games (LOCOG). It has support from all over the UK with over 3,300 signatories.

The Government Equalities Office (part of DCMS) website contains all the details of the Sports Charter as well as a communications toolkit and a logo to help you get the message out that you are committed to tackling homophobia and transphobia.

FURTHER HELP AND GUIDANCE

Equality in Sport www.equalityinsport.org	The website of the home country Sport Council Equality Group. It contains information on the Equality Standard for Sport as well as good practice advice on a range of equality matters. The **supporting resources** for this guidance can also be found on this website.
Equality and Human Rights Commission www.equalityhumanrights.com	A statutory organisation that promotes and monitors human rights and protects, enforces and promotes equality across the nine protected characteristics. The Commission provides lots of information on its website including codes of good practice and a helpline.
Equality Commission for Northern Ireland www.equalityni.org	The Equality Commission for Northern Ireland is an independent public body established under the Northern Ireland Act 1998. The Commission is responsible for promoting awareness of and enforcing anti-discrimination law on the following grounds: age, disability, race, sex (including marital and civil partner status, gender reassignment, pregnancy and maternity), sexual orientation, religious belief and political opinion.
The Gender Trust www.gendertrust.org.uk	The Gender Trust is the UK's largest charity working to support transsexual, gender dysphoric and transgender people or those who are affected by gender identity issues. It has a helpline and provides training and information for employers and organisations.
Gender Identity Research and Education Society (GIRES) www.gires.org.uk	National body that examines the science around gender and transgender individuals. It produces a wide range of resources.

Government Equalities Office https://www.gov.uk/government/publications/sports-charter	Government website with information on its commitment to supporting transgender people, the Sports Charter and supporting resources.
The Intercom Trust www.intercomtrust.org.uk	South West charity that provides local professional community support and advocacy for LGB and trans people and their families, and training and consultancy on LGB and Trans issues.
International Lesbian and Gay Association www.ilga.org	ILGA - International Lesbian and Gay Association has information on international LGBT issues.
LEAP Sports Scotland www.leapsports.org	LEAP Sports runs events, activities and projects to encourage more LGBT people to try or get involved in sport. It works closely with new and existing LGBT sports clubs to help them develop, through training, advice and resources.
LGBT Youth Scotland www.lgbtyouth.org.uk	LGBT Youth Scotland is the largest youth and community-based organisation for lesbian, gay, bisexual and transgender people in Scotland.
NHS Direct http://www.nhs.uk/conditions/gender-dysphoria/Pages/Introduction.aspx	Advice and guidance with regard to gender dysphoria.
Pride Sports www.pridesports.org.uk	Pride Sports is a social enterprise working in the UK to challenge transphobia and homophobia in sport and improve access to sport for LGBT people.
The Rainbow Project www.rainbow-project.org	The Rainbow Project is a health organisation that works to improve the physical, mental and emotional health and well-being of lesbian, gay, bisexual and/or transgender people in Northern Ireland. It is the largest LGBT organisation in Northern Ireland and has two centres: one in Belfast city centre and the other in Foyle, L'Derry.

Schools out www.schools-out.org.uk	There are items about LGBT History Month (February) and transphobic bullying.
Scottish Transgender Alliance www.scottishtrans.org	The Scottish Transgender Alliance was formed to address issues of prejudice and the lack of information and support for transgender people in Scotland.
LGBT Sport Network (Wales) http://www.sportwales.org.uk/research--policy/research-themes/lesbian,-gay-and-bisexual-participation-in-sport.aspx	A network established in Wales to drive LGBT work associated with sport in Wales.
Stonewall Scotland www.stonewallscotland.org.uk	Stonewall runs a Diversity Champion programme to support employers in developing transgender inclusive policies and practices within the workplace. In conjunction with the Scottish Transgender Alliance Stonewall has developed a guide on this subject which can be found at http://www.stonewall.org.uk/documents/changing_for_the_better.pdf.
Trans Action Group (TAG) http://www.pridesports.org.uk/first-trans-action-group-for-sport/	A group set up to encourage meaningful change for the inclusion of trans people in sport in the UK.
Out for Sport – Equality Network (Scotland) http://www.equality-network.org/our-work/policyandcampaign/out-for-sport/	Out for Sport is Scotland's first research into homophobia and transphobia in Scottish sport. This research was carried out by the Equality Network and the summary report provides a good overview of the types of issues facing LGBT people in sport in Scotland.