

## **Transgender & Non-Binary Inclusion Policy**

### **Guidance for Clubs and Competition Providers**

*Updated: January 2021*

Athletics Northern Ireland is committed to ensuring that athletics is open and welcoming to all who wish to participate in the sport and that they are treated fairly. It is also committed to confronting and eliminating discrimination and harassment within the sport and any instances of this will be dealt with in accordance with the Athletics NI Equality, Diversity & Inclusion Policy.

This guidance and the supporting resources have been developed by Athletics Northern Ireland to assist athletics clubs and competition providers in providing an inclusive environment for transgender & non-binary people to participate in the sport of athletics.

#### **Other Organisations & Resources:**

##### [Stonewall](#)

A national charity that campaigns for the equality of LGBTQ+ individuals across the UK.

##### [Mermaids](#)

Mermaids raises awareness about gender nonconformity in children and young people amongst professionals and the general public. It also supports children, young people and their families.

##### [Rainbow Project](#)

The Rainbow Project is a health organisation that works to improve the physical, mental and emotional health and well-being of LGBTQ+ people in Northern Ireland.

##### [Cara-Friend](#)

Cara-Friend provides a range of services across Northern Ireland including LGBTQ+ awareness training, youth groups, one-to-one support, the LGBT Switchboard NI helpline and the LGBTQ+ Inclusive Schools Programme.

##### [Gendered Intelligence](#)

A trans-led organisation which provides support for young trans-people aged 8-25 and has a range of services for education, training and consultancy in the UK.

##### [NSPCC/ CPSU](#)

The Child Protection in Sport Unit provides various resources for safeguarding LGBTQ+ young people in sport.

## **Useful Terms**

For the purposes of this policy and guidance, please see below the following terms:

### Gender Identity

The psychological identification of oneself in relation to gender.

### Biological Sex

A person's biological sex is their assigned gender at birth.

### Transgender Person

The term transgender person or trans-person is an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using a number of terms including (but not limited to) transgender, transsexual, gender-queer, gender-fluid, non-binary, genderless, a-gender, non-gender, bi-gender (or bi), polygender, or androgynous.

### Trans Male

The term trans-male, or trans-man is used to describe a person whose assigned gender at birth was female, but they identify and live as a man. The abbreviation used for this is FTM (female-to-male).

### Trans Female

The term trans-female, or trans-woman is used to describe a person whose assigned gender at birth was male, but they identify and live as a woman. The abbreviation used for this is MTF (male-to-female).

### Non-Binary

This term is used to describe people who don't see themselves as being part of one binary gender (male/female). Non-binary identifying people can also be defined as identifying as either having a gender which is in between or beyond the two categories of 'man' or 'woman', as fluctuating between 'man' and 'woman', or as having no gender, either permanently or some of the time.

### Gender Reassignment/ Transitioning

Gender Reassignment is defined in the Sex Discrimination NI Order 1976 as "a process which is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex and includes any part of such a process". This legislation and the Employment Equality (Sexual Orientation) NI Regulations 2003 prohibits discrimination of 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.

Gender Reassignment is also referred to as Transitioning. This is the process where a person begins to live as their felt gender, which can take the form of social gender role transitioning (asking people to use the correct pronoun or name, changing the way one looks, changing name legally, or undertaking medical interventions etc). Transitioning may or may not include gender affirming medical interventions, such as cross-sex hormone treatment or surgery.

## Gender Dysphoria

Gender Dysphoria is a term that describes a sense of unease that a person may have because of a mismatch between their biological sex and their gender identity. Gender Dysphoria is a recognised condition and while it is not a mental illness, this unease can lead to ill mental health and can be caused or worsened by the prejudice and discrimination from society and can have a harmful impact on daily life.

## Transphobia

Transphobia describes a range of negative attitudes, feelings or actions towards transgender people or to transness in general. Transphobia can include fear, aversion, hatred, violence, anger or discomfort expressed towards people who do not conform to social gender expectations. This also includes discrimination towards someone who is perceived to be transgender and/or that person's friend, family or support person.

## **Legislation**

The practices and procedures within this policy and guidance document are based on the principles contained within the Northern Ireland legislation as follows:

- Sex Discrimination NI Order 1976
- Disability Discrimination Act 1995
- Race Relations NI Order 1997
- Fair Employment and Treatment NI Order 1998
- Employment Equality (Sexual Orientation) NI 2003
- Employment Equality (Age) Regulations NI 2006

## Policy For Competition

The Athletics NI policy for transgender and non-binary people competing in athletics complies with the UK Athletics Trans-gender policy, which can be viewed [here](#). The policy includes athletes competing in domestic competition- i.e. open competitions, Athletics NI events and the NI & Ulster Championships within Northern Ireland; and those training with affiliated Athletics NI Clubs, Associations or Run NI groups.

The table below outlines the aspects of the policy:

Athletics Competition	
Affirmed gender	Domestic competition run under the auspices of Athletics NI and in accordance with its regulations and policies.
Any trans male (female-to-male transsexual person)	May compete in his affirmed gender in any male or mixed - sex domestic competition.
Trans woman – over 16 and post-puberty (male-to-female transsexual person)	<p style="text-align: center;">Either</p> 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 gender reassignment surgery. <p style="text-align: center;">Or</p> She may compete in any male or mixed-sex competition if she has not started hormone treatment.
Trans girl – under 16 and post-puberty	<p style="text-align: center;">Either</p> She may compete in her affirmed gender in any female or mixed-sex domestic competition subject to an individual case-by-case review, undertaken by ANI. <p style="text-align: center;">Or</p> She may compete in any male or mixed-sex competition if she has not started hormone treatment nor had gender reassignment surgery.
Trans 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.
Non-Binary	May compete in their affirmed gender in any gendered or mixed domestic competition, subject to the eligibility criteria stated below.

## **Eligibility Criteria for Transgender People to Take Part in Domestic Athletics Competitions**

### **1. Transgender Male Athletes**

To be eligible to participate in the male category of athletics as a transgender male, the athlete (or a parent or guardian\*) must provide Athletics NI with the following:

- a written statement declaring that his gender identity is male and that he wishes to participate in the male category.

### **2. Transgender Female Athletes**

To be eligible to participate in the female category of athletics as a transgender female, the athlete (or a parent or guardian\*) must provide Athletics NI with the following:

- a written statement declaring that her gender identity is female and that she wishes to participate in the female category.
- she must demonstrate that the concentration of testosterone in her serum has been less than 5 nmol/L continuously for a period of at least 12 months immediately prior to application; and
- she must keep her serum testosterone concentration below 5 nmol/L for so long as she continues to compete in the female category of athletics.

In the case of an athlete who is 16 years and under, due to the unique variance of physical and psychological developmental changes that take place during puberty and the medical options available to adolescents, Athletics NI may, where appropriate, consider and approve an application without direct reference to the above criteria but will be mindful of such criteria when assessing such applications.

*\*It is strongly encouraged that consent from a parent or legal guardian is provided, however where this is not forthcoming the consent of the athlete alone may be acceptable in accordance with the principle of Gillick Competency.*

### **2. Non-Binary Gender Athletes**

Athletes who identify as Non-binary Gender may participate in the gender category of athletics that they feel most comfortable with. If this gender category of athletics is different to that associated to their sex assigned at birth the process and criteria applicable to their participation in that category shall be the same as for a Transgender athlete.

The criteria shall also apply to those athletes who have previously transitioned the gender category of athletics in which they participate, and now wish to participate in the other gender category of athletics.

## **Approval Process**

- 1) All applications related to this Policy should be addressed to the Athletics Northern Ireland Equality Officer, using the details provided. To ensure that approval is received in good time, it is recommended that the athlete submit their application to Athletics NI at least six weeks in advance of the date at which they first wish to compete in their requested gender category of athletics.
- 2) A panel will determine whether the criteria have been met (or, if not, then what else the athlete must provide to satisfy the criteria). The panel will consist of the Athletics NI Director of Business & Operations, ANI Equality Officer and the ANI Welfare Officer. The panel may make such enquiries as it considers necessary including requesting further information from the athlete and/or obtaining additional expert opinion(s), including that of a medical expert.
- 3) The panel will notify the athlete of its decision as soon as is reasonably practicable.
- 4) An athlete may only compete in domestic athletics in the sex they were assigned at birth until written confirmation is received from Athletics NI that they may participate in their identified gender.
- 5) Athletics NI may monitor an athlete's ongoing compliance with the criteria, and in particular hormone-related treatment, as determined on a case by case basis. Where the criteria are not complied with, Athletics NI may withdraw approval for that athlete to continue to participate in the gender category for which they applied.
- 6) Where a Transgender athlete from another sport wishes to participate in athletics in Northern Ireland, Athletics NI may recognise and give effect to the eligibility decision of the sport governing body, World Athletics or other body, with respect to that athlete, provided that it is consistent with the principles set out in this Policy.
- 7) In the event that the gender of an athlete is questioned, Athletics NI will work with the individual to undertake a sensitive and confidential review of their circumstances and shall have the authority to take appropriate measures to determine whether the athlete is required to establish eligibility subject to the criteria within this policy if it considers that there are grounds to do so.

## **Guidance for Clubs & Competition Providers**

It is not necessary for any transgender or non-binary athlete to make any disclosure regarding their affirmed gender in order to participate in club training or open meetings, however, they may wish to inform their Club Welfare Officer, so that the Officer is informed should any issues arise.

A trans-man or boy is permitted to participate fully (including in training) and may compete in his affirmed gender in any male or mixed sex domestic athletics competition.

Trans-females may participate in training or open meetings and it would not be necessary for anyone to know anything about the person's affirmed gender. It is only if a trans-female wishes to compete in female or mixed sex domestic competitions that it will be necessary to consult the Athletics NI Policy and follow the processes given above.

Non-binary athletes may participate in training or open meetings in their affirmed gender category. It is only if a biologically male, non-binary athlete wishes to compete in female or mixed sex athletic competitions (as defined in the Athletics NI Policy) that it will be necessary to consult the Athletics NI Policy and follow the processes given above.

Clubs and competition providers should endeavour to provide gender-neutral changing and toilet facilities for use by all athletes. A trans-athlete may prefer to refrain from using communal sports facilities where privacy is likely to be an issue, particularly if they are transitioning, or undergoing medical treatment. If gender-neutral facilities are not available, clubs and competition providers should endeavour to provide alternative facilities that the athlete is comfortable using.

Complaints from other users or competitors must be handled carefully. It may be that other users find it uncomfortable to share facilities with trans-people but it is the duty of club and competition providers to ensure that confidentiality is not compromised and that members and competitors are not subjected to abuse or discrimination, whether physical or verbal, on any grounds.

An additional non-binary athlete category may be available at events at the discretion of the competition provider, and this will follow the same entrance rules as other gender categories and will be ranked separately (i.e. Male, Female, Non-Binary). Prizes for this category will be at the discretion of the event organiser and may be based on the number of competitors within the category.

If someone tells you, or you become aware, that they are a non-binary or trans-person you should:

- Treat them with dignity and respect. Respect the private and confidential nature of the person's situation and agree with the non-binary or trans-person how information is to be shared with others if this is necessary.
- Explain the Athletics NI Policy and, in particular, explain that there are no restrictions to training or competing in open meetings.
- Support the person with their choice of changing facilities where possible.
- Take prompt and decisive action against anyone in the organisation whose behaviour or language is inappropriate or offensive to or about non-binary or trans-people. Use your disciplinary procedures to manage this.
- Ensure a Club Code of Conduct is publicised indicating your zero-tolerance policy towards all bullying/harassment of people with protected characteristics.
- Ensure that any training the organisation undertakes with regards to equality covers non-binary or trans-people and the Athletics NI Transgender & Non-Binary Policy as well as Athletics NI Equality, Diversity & Inclusion Policy.

## **Confidentiality**

All personal information provided to Athletics NI under this policy will be dealt with in strict confidence at all times and will only be accessible by those named for the sole purpose of the application of this policy. All information and data will be handled in accordance with the Athletics NI GDPR Policy, available [here](#).

## **Athletics NI Contact Details:**

### **Equality Officer:**

Athletics Northern Ireland  
Athletics House  
Old Coach Road  
Belfast  
BT9 5PR  
Email: [shauna.bratten@athleticsni.org](mailto:shauna.bratten@athleticsni.org)

### **Welfare Officer:**

Athletics Northern Ireland  
Athletics House  
Old Coach Road  
Belfast  
BT9 5PR  
Email: [welfare@athleticsni.org](mailto:welfare@athleticsni.org)