

## FRG029 - Transgender Policy

### 1. Definitions

- **British Triathlon Home Nation Membership:** membership of Triathlon England, Triathlon Scotland, or Welsh Triathlon.
- **Competitive Activity:** Any Swim, Bike, Run activity run under the auspices of British Triathlon or the Home Nations involving any or all of official timing/results, qualification, or rankings and involving participants of 12 years of age or greater.
- **Gender:** The UK government defines gender as:
  - a social construction relating to behaviours and attributes based on labels of masculinity and femininity; gender identity is a personal, internal perception of oneself and so the gender category someone identifies with may not match the sex they were assigned at birth
  - where an individual may see themselves as a man, a woman, as having no gender, or as having a Non-Binary gender – where people identify as somewhere on a spectrum between man and woman
- **Gender Affected Sport:** The Equality Act 2010 defines a Gender Affected Sport as a sport, game, or other activity of a competitive nature in circumstances in which the physical strength, stamina, or physique of average persons of one sex would put them at a disadvantage compared to average persons of the other sex as competitors in events involving the activity.
- **Home Nations:** Triathlon England, Triathlon Scotland, Welsh Triathlon.
- **International Events:** Any elite or Age-Group Swim, Bike, Run race run under the auspices of the International Olympic Committee, International Paralympic Committee, World Triathlon, European Triathlon or other international race for which BTF has jurisdiction (including those requiring a “Professional License”).
- **Non-Binary:** Non-binary (an umbrella term that includes genderfluid, genderqueer and other labels): not fitting neatly or exclusively into one of the binary gender categories. A non-binary person may have: a single fixed gender position other than male or female, no gender, a combination of male and female or other genders, or move between male, female and other genders – or they might not identify or agree with the concept of gender entirely.
- **Recreational Activity:** Any activity run under the auspices of British Triathlon or the Home Nations which is not competitive. A non-exhaustive list of examples would include club activity, coached sessions, events that do not have timing, results or prizes.
- **Sex:** The UK government defines sex as:

- referring to the biological aspects of an individual as determined by their anatomy, which is produced by their chromosomes, hormones, and their interactions
  - generally male or female
  - something that is assigned at birth
- **Swim, Bike, Run:** All forms and permutations including but not limited to Triathlon, Duathlon, Aquathlon, Aqua Bike, Swim-Run, Relay, Multi-Sport.
  - **Transgender:** A person whose gender identity is different from their physical sex at birth. Those people who, as defined by the Equality Act 2010, share the protected characteristic of gender reassignment, and are described as transsexual people under the legislation.

## 2. Introduction

British Triathlon believes Swim, Bike, Run can be enjoyed by anyone and aspires to support and regulate an environment that is truly inclusive but also provides a fair and safe environment for all.

The science illustrating the physiological, biological and subsequent sporting performance advantages that adult males enjoy over adult females - due to the effects of testosterone during male puberty – is unequivocal.

In addition, the scientific community broadly agrees that the *majority* of the physiological/biological advantages brought about by male puberty are retained (either wholly or partially) by transwomen post transition (Hilton & Lundberg, 2020 [<https://link.springer.com/article/10.1007/s40279-020-01389-3>] and Harper et al., 2021 [<https://bjsm.bmj.com/content/55/15/865>]).

The scientific research examining whether those retained physiological/biological advantages translate into a retained *sporting performance* advantage for transgender women post transition (compared with pre-transition and/or cis women) is somewhat limited. However, the science that does currently exist strongly challenges the idea that testosterone suppression alone sufficiently removes the retained sporting performance advantage of transwomen (when compared with pre-transition and/or cis women).

British Triathlon is determined that the transgender community can access triathlon without fear of discrimination or prejudice. People who identify as transgender have the right to be treated with dignity and respect and British Triathlon operates a zero-tolerance policy on homophobia, biphobia, and transphobia.

This updated policy has been developed following extensive research and consultation with stakeholders, the triathlon community, academics, and other relevant organisations.

## 3. Legislative Framework and Triathlon

3.1 The Gender Recognition Act 2004 (the “Act”) allows trans people to change their legal gender if they wish to. British Triathlon is fully committed to providing support, advice and guidance to its staff, clubs, committees, coaches, volunteers, and participants to ensure trans people can continue their participation in triathlon and multisport, whilst and after transitioning.

3.2 In practical terms, legal recognition will have the effect that, for example a trans woman, will legally be recognised as a female in English law. Applying for a Gender Recognition certificate allows for trans people to be legally recognised in their affirmed gender and to be issued with a new birth certificate. It is against the law to disclose someone's trans history. Anyone who has transitioned and feels their history has not been treated confidentially or has experienced transphobia whilst involved in triathlon (in any capacity), can contact British Triathlon for advice and support.

3.3 The Act makes specific provision for sports organisations to restrict participation by trans people as competitors in an event, or events, involving a gender-affected sport. A sport is considered a gender affected sport if the physical strength, stamina, or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender, as competitors in events involving the sport.

3.4 Such prohibition or restrictions can only be made in order to secure fair competition or the safety of competitors at the event or events. British Triathlon will support organisations involved with the delivery of events and competitions to ensure fairness and will investigate fully any complaints relating to unfair exclusion from triathlon or multi-sport.

3.5 The Equality Act (2010) makes discrimination, directed at a person who identifies as transgender (whether directly or indirectly), against the law. Unwanted conduct (harassment) directed towards trans people and victimisation, someone making a complaint about trans discrimination and being treated less favourably, is also against the law. Please refer to British Triathlon's Equality and Diversity Policy for more information on our commitment to providing equal access to opportunity.

3.6 At the time of this BTF Policy being approved, the World Triathlon policy is under review.

3.7 In November 2021, the International Olympic Committee published a new draft framework, to come into effect after the Beijing Games. In summary, this framework suggests transgender women should no longer be required to reduce their testosterone levels to compete in a women's sport category and says there should be no presumption that trans women have an automatic advantage over natal women. This guidance, when implemented, will replace the 2015 guidance with which many IFs align and will place responsibility on IFs to develop evidence-based policies. At the time of writing this policy, it is not clear when the IOC will implement this new framework. In the meantime, the 2015 guidance appears to remain current but has clearly been superseded in fact by the outcomes from the substantial further work that has been done in the area since 2015.

3.8 This Policy has been developed in accordance with the Gender Recognition Act 2004, the Equality Act 2010 and Sport Council Equality Group (SCEG) guidance. It recognises the right of an individual who has transitioned to participate in sport in their affirmed gender whilst ensuring that such participation does not unfairly affect competition and does not affect the safety of fellow competitors.

#### **4. Sex and Gender**

British Triathlon recognises and acknowledges each individual's right to define their own gender, regardless of their sex at birth. We also fully support their right to choose if, when and how to reveal that gender to others.

## **5. Membership**

If an existing British Triathlon Home Nation member wishes to change the gender marker on their membership, they are able to do this within the 'My Profile' section of their membership account. Where a prospective member would like to obtain membership in a gender other than their sex at birth, they will be able to choose their identified gender freely when obtaining their membership.

British Triathlon Home Nation Membership does not constitute a race license and so the gender marker on an individual's membership record does not override the provisions of this policy in regard to Competitive Activity.

## **6. Recreational Activity**

British Triathlon encourages Transgender and Non-Binary participants to take part in Recreational Activity in the Gender they identify as. As there is no competitive element to Recreational Activity, participants are able to take part in British Triathlon and Home Nation sanctioned Recreational Activity in their self-identified Gender, without providing any additional evidence.

British Triathlon and the Home Nations will provide guidance, education and support to all organisers of Recreational Activity.

## **7. Competitive Activity**

### **7.1 Categories**

Where a race/event organiser provides a Competitive Activity, they must provide the following categories of competition:

- Female category
- Open category

### **7.2 Application to compete in a Female category:**

Only people who are the female sex at birth will be eligible to compete in the Female category.

To be selected for Great Britain, England, Scotland or Wales in International Events in the female category, only people who are the female sex at birth will be eligible.

To be issued a female Professional License, only competitors who are the female sex at birth, will be eligible notwithstanding all other requirements.

### **7.3 Application to compete in an Open category:**

Transgender (and all other individuals) will be eligible to compete in the Open category.

Such individuals may be issued with a male Professional License.

## **8. Volunteering and employment**

This policy does not affect transgender people in any aspect of volunteering or employment and British Triathlon will strive to ensure that the culture of the sport and workplace is supportive and welcoming throughout any transitioning process or as a transgender person.

In accordance with our Equality & Diversity Policy, and other key policies such as the Anti-Bullying & Harassment Policy, any discriminatory behaviour or treatment will be taken seriously, and action taken in accordance with the Disciplinary Procedures.

British Triathlon will work to meet the individual needs of each person to ensure that they have a positive experience of their volunteering and/or employment.

## **9. Roles and Responsibilities**

All Participants are bound by the British Triathlon Code of Ethics and Conduct, and this should be upheld at all times. These policies lay out what is expected of all British Triathlon and Home Nation employees, members, volunteers, affiliate clubs and participants.

## **10. Data Protection**

British Triathlon, as a data controller, must ensure that any personal data processed in relation to this policy is in compliance with data protection laws and its own internal Data Protection Policy. In particular:

- The collection of data must be necessary, proportionate, and relevant to the particular purpose and circumstance. Where data is collected for verification purposes and does not need to be retained, it should be deleted as soon as practicable. Where information does need to be retained this should be in line with British Triathlon's Data Retention Policy.
- British Triathlon must be clear and transparent at the outset about why this data is being held and for what purpose. Any additional purposes for processing this data must be communicated to the individual before the processing commences.
- Access to this information should be tightly controlled and on a strictly need to know basis. British Triathlon will only share necessary information with international competition organisers for the purposes of verifying the status of the trans person.
- British Triathlon will agree with the trans person how information is to be shared with others if this is absolutely necessary; this may include a change of name and title, and this should be accommodated without prejudice or aggravation.
- British Triathlon will complete and keep under review a Data Protection Impact Assessment (DPIA) for this processing due to the potential privacy risks involved.

## **11. Contact Details and Reporting**

British Triathlon welcomes feedback on its Transgender Policy and also urges any person involved with triathlon who has experienced transphobic abuse to report it immediately. Please contact us via [concern@britishtriathlon.org](mailto:concern@britishtriathlon.org).

Concerns regarding non-compliance with this policy can also be sent to [concern@britishtriathlon.org](mailto:concern@britishtriathlon.org). Breaches of this policy will be handled under the British Triathlon Disciplinary Policy.

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