



# Scottish Rugby Gender Participation Policy Updated Jan 2023



# Foreword

The benefits of participation in sport are widely recognised, not just in terms of health but in building confidence, teamwork and friendships. Scottish Rugby's Values of **Leadership, Engagement, Achievement, Enjoyment and Respect** apply across all areas of our sport, from mini rugby through to our international teams.

We all have a responsibility to look after the participants in our game, with their wellbeing and safety at the centre of everything we do. Scottish Rugby's aim is that everyone who is involved with our sport has a positive experience and goes on to achieve their full potential both within the game and in life.

Scottish Rugby wishes to be as inclusive as possible, imposing only such eligibility restrictions as are necessary and proportionate. Our *Gender Participation Policy* recognises the need to balance considerations of safety and fairness with our underlying desire to be as inclusive as possible. As such, it is in line with World Rugby's Transgender Policy and the Guidelines produced by the UK Sports Councils' Equality Group whose recent recommendations we have considered and adhered to when updating this policy.

To support our Policy, we will provide advice and guidance to players, clubs and to the volunteers who are the heartbeat of our game. We will also continue to monitor best practice in this area and will, where necessary and appropriate, update our Policy accordingly.

**Scottish Rugby Board**  
**January 2023**

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# Policy Statement

Scottish Rugby is committed to providing a safe, supportive and welcoming environment for all those participating in our sport. It is also committed to promoting fair competition.

It is important all playing opportunities provided are safe and fair for every participant, specifically given the physical nature of the sport. To deliver effective eligibility criteria, considerations of safety and fairness need to be balanced against those of inclusivity.

We are committed to ensuring the Scottish rugby community is made aware of our policies to promote the safety and wellbeing of those playing the game. The privacy and the dignity of all players is also fundamental and we will work to ensure these are respected.

## Key principles:

- Primary responsibility for the health and wellbeing of each player lies with the individual player. In agreeing to participate, each player must take seriously the risk of injury to themselves and to others.
- Scottish Rugby, and those governed by Scottish Rugby, will follow best practice in relation to gender related eligibility requirements for participation in our sport.
- We believe that best practice is currently represented by the *World Rugby Transgender Policy* and the *UK Sports Councils' Equality Group Guidelines*.
- The principles contained within the World Rugby Policy and the Equality Group Guidelines have been incorporated into Scottish Rugby's *Gender Participation Policy* and its subsequent update in January 2023.
- Those wishing to participate in Scottish domestic rugby shall do so on the basis of Scottish Rugby's *Gender Participation Policy*. Additional requirements may arise in respect of participation in international tournaments.
- The welfare and safety of the player is paramount. The dignity and privacy of all players must be respected.

## Additional Information

**Scottish Rugby** : Further information on *Scottish Rugby's Gender Participation Policy* is available [here](#).

**World Rugby** : *World Rugby's Transgender Guidelines* are available [here](#).

**UK Sports Councils** : To access a range of related information from the UK Sports Councils click [here](#).

# Scottish Rugby Core Values

Scottish Rugby is the Governing Body of the sport of Rugby Union in Scotland and promotes these core values from our National Teams through to grassroots rugby.

Our core values are:

**Leadership**

**Engagement**

**Achievement**

**Enjoyment**

**Respect**

# Roles and Responsibilities

To ensure a safe environment in which all participants can enjoy their rugby, everyone involved in the game must work together. It is **EVERYONE'S** responsibility to contribute to the wellbeing of players.

## Scottish Rugby will:

- Develop and publish a *Gender Participation Policy*, and ensure that that Policy and any associated guidance is regularly reviewed and updated.
- Require that member clubs and affiliated schools comply with the *Gender Participation Policy*.
- Provide advice and assistance in relation to the Policy to players and their clubs.
- Manage and respond to referrals and/or concerns in an efficient and fair manner.
- Take appropriate action against those who breach the *Gender Participation Policy*.

## Member clubs will:

- Ensure that their players, coaches, medics and other club officials are aware of Scottish Rugby's *Gender Participation Policy*.
- Ensure that players and club officials comply with the terms of the Policy and any associated guidance.
- Report any suspected breaches of the Policy.

## Players, Coaches and Team Medics will:

- Abide by the terms of Scottish Rugby's *Gender Participation Policy* and any associated guidance.
- Take responsibility for their own safety and that of other players.
- Play the game in accordance with Scottish Rugby's Core Values.



# Definitions

## Chief Medical Officer (CMO)

The person, having appropriate knowledge and expertise, who is appointed by Scottish Rugby to act on its behalf in matters arising under this Policy. The organisation's lead medical representative.

## Contact Training

Any practice which involved physical contact between players including, but not limited to, tackling, scrummaging, rucking, mauling and line out practice.

## Gender

A social construct used to classify a person as a man, woman, or some other identity. Fundamentally different from the sex one is assigned at birth; a set of social, psychological and emotional traits, often influenced by societal expectations.

## Gender Identity

Gender identity is one's personal experience of one's own gender. Gender identity can correlate with assigned sex at birth, or can differ from it.

## Non-binary

Means a person who does not identify exclusively as a man or a woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories. While many also identify as transgender, not all non-binary people do.

## Policy

Means Scottish Rugby's *Gender Participation Policy*, as amended from time to time.

## Transgender

Transgender is used in this Policy to refer to individuals whose gender identity (i.e. how they identify) is different from the sex assigned to them at birth (whether they are pre- or post-puberty, and whether or not they have undergone some form of medical intervention).

## Transgender women

A person who was assigned male at birth but identify as a woman

## Transgender man

A person who was assigned female at birth but identify as a man.

## Scottish Rugby

Means Scottish Rugby Union Limited, Scottish Rugby Limited and/or any of its wholly or majority owned subsidiaries.

## World Rugby

The international governing body for the sport of Rugby Union.

# Scottish Rugby Gender Participation Policy

## 1. Application

1.1 This Policy establishes the gender related participation requirements under which players are permitted to train or play in any form of rugby union under the auspices of Scottish Rugby. It applies to participation in all Scottish domestic rugby.

1.2 As a condition of participation each player must agree to:

1.2.1 Comply fully with this Policy;

1.2.2 Co-operate promptly and in good faith in the discharge of their duties under this Policy, including providing such information and evidence as may be required to assess the player's compliance or continuing compliance with the eligibility requirements referred to in this Policy; and

1.2.3 The collection, processing, disclosure and use of such information (including sensitive personal information) as is required to properly implement this Policy.

1.3 The player may at any time revoke their consent to the conditions in Clause 1.2. In such an event the player will be deemed to have withdrawn any claim to satisfy the eligibility requirements in Clause 2.

1.4 Every person and entity under the jurisdiction of Scottish Rugby is bound by and must comply with this Policy, and must co-operate promptly and in good faith in the discharge of their duties under it.

## 2. Eligibility Requirements relating to Gender Participation in Scottish Rugby

### Non-Contact Rugby

2.1 Mixed gender non-contact rugby is permitted.

2.2 Players may participate in non-contact rugby activities (including 'Tag' or 'Touch' rugby) without additional approval from Scottish Rugby irrespective of the gender with which they identify.

2.3 Participants in non-contact rugby activities are advised to check with the relevant activity organiser for any specific eligibility requirements which may apply to that event or activity.

### Contact Rugby

2.4 Participation in contact rugby activities is subject to Scottish Rugby's eligibility requirements for gender participation in rugby.

2.5 The following eligibility requirements apply with regards to gender participation in contact rugby in Scotland:

#### AGE GRADE CONTACT RUGBY (TRAINING AND PLAYING)

Ref.	Rugby category	Eligibility requirements
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(a)	<b>Under 12s age grade and below – mixed categories</b>	Mixed gender contact rugby is permitted. Players can participate without additional approval irrespective of the gender with which they identify.
(b)	<b>Under 13s to U18s age grade – male and female categories</b>	Players are only permitted to participate in the gender category of the sex that was originally recorded at birth, unless otherwise permitted under this policy (see points (c) and (d) below).
(c)	<b>Age grade male category (U13s and above)</b>	<p>Players are permitted to participate in this category if the player’s sex recorded at birth is male.</p> <p>If the player’s sex recorded at birth is female and the player identifies as transgender, non-binary or gender fluid, the player may play if:</p> <ul style="list-style-type: none"> <li>(i) their parent or guardian (or such other appropriate adult) provides their written consent, in the form prescribed by Scottish Rugby, to the relevant club or school; and</li> <li>(ii) an appropriate risk assessment is carried out by the club or school which the player is representing in a form acceptable to Scottish Rugby; and</li> <li>(iii) Scottish Rugby is notified prior to the player participating in the contact rugby activity.</li> </ul>
(d)	<b>Age grade female category (U13s and above)</b>	Players are only permitted to participate in this category if the sex that was originally recorded at birth is female.
<b>ADULT CONTACT RUGBY (TRAINING AND PLAYING)</b>		
(e)	<b>Adult male category</b>	<p>Players are permitted to participate in this category if the player’s sex recorded at birth is male.</p> <p>If the player’s sex recorded at birth is female and the player identifies as transgender, non-binary or gender fluid, the player may play if:</p> <ul style="list-style-type: none"> <li>(i) the player provides their written consent to the club, such consent to</li> </ul>

		<p>be in the form prescribed by Scottish Rugby; and</p> <p>(ii) an appropriate risk assessment is carried out by the club which the player is representing in a form acceptable to Scottish Rugby; and</p> <p>(iii) Scottish Rugby is notified prior to the player participating in the contact rugby activity, and</p> <p>(iv) the player has obtained a Therapeutic Use Exemption (“TUE”) if required by the UK Anti-Doping Rules and/or World Rugby Regulation 21 (Anti-Doping).</p>
(f)	<b>Adult female category</b>	<p>Players are only permitted to participate in this category if the sex that was originally recorded at birth was female and hormone treatment has not commenced (for example, a Transgender Male player may continue to play female rugby provided no hormone treatment has commenced).</p>

## GENERAL

### Notifications

Unless specifically required and stipulated in this Policy, no additional notifications are required to be made to the opposition club or otherwise. The player (and parent/guardian in respect of an age grade player) may choose whom they notify.

### Risk assessments

**A risk assessment should be carried in respect of all players participating in contact rugby. In respect of Transgender Male players (age grade and adult) wanting to participate in the category that is different to the sex recorded at birth, a risk assessment must be undertaken to determine that they are able to compete safely in the male category. Factors such as physical development, technical ability and rugby competency should all be taken into consideration. An example of a playing assessment is available from the Scottish Rugby website.**

### Compliance with Scottish Rugby’s Domestic Regulations

In addition to complying with this Policy, participation in Scottish rugby is subject to such other rules, regulations and policies as may apply in respect of a person’s participation. For more information on Scottish Rugby’s Domestic Regulations and Competition Rules please refer to Scottish Rugby’s website.

## 3. Monitoring and Compliance

3.1 Scottish Rugby may undertake its own analysis and investigation into any application under this Policy (including any potential breach) and may, in its absolute discretion determine that a player is not eligible to or should not participate in their selected gender category due to reasons of player welfare, non-compliance with the process or such other reasons as determined by Scottish Rugby. This applies regardless of whether or not Scottish Rugby has received the requisite notification set out above.

3.2 Where necessary to safeguard the fairness or integrity of competition, or for the safety of competitors, Scottish Rugby may provisionally suspend the participation of any player pending resolution of the matter.

3.3 Players, clubs, schools and all other entities and individuals under the jurisdiction of Scottish Rugby must co-operate fully and in good faith with the Scottish Rugby in the operation of this Policy.

## 4. Disciplinary Proceedings

4.1 Misconduct Proceedings, in accordance with Scottish Rugby's *Disciplinary Rules*, may be brought where:

4.1.1 A player competes in a category of rugby for which they have not satisfied the eligibility requirements set out in this Policy;

4.1.2 A player, club or school fails to co-operate fully with the Scottish Rugby in respect of the application of this Policy;

4.1.3 A player, club, school, coach, administrator healthcare professional or other person or entity has been complicit in a breach or non-compliance with this Policy;

4.1.4 Where there has been stigmatisation of a player or improper discrimination against a player on the grounds of their gender identity; and/or

4.1.5 There has been any other breach or non-compliance with this Policy.

## 5. Confidentiality

5.1 All cases arising under this Policy, and in particular all player information provided to Scottish Rugby under this Policy, will be dealt with in strict confidence at all times. Any medical information and data received will be treated as sensitive personal information and the CMO will ensure that at all times it is only processed in accordance with applicable data protection and privacy laws. Such information will not be used for any purpose not contemplated in this Policy, and will not be disclosed to any third party save as strictly necessary for the effective application and enforcement of the Policy or as is required by law.

5.2 Scottish Rugby will not comment on the specific facts of a pending case (as opposed to general descriptions of the process and science involved) except in response to public comments attributed to the player or their representatives.

## Contact Us

Advice with regard to Scottish Rugby's *Gender Participation Policy* may be obtained by contacting Scottish Rugby Union's Chief Medical Officer (CMO) at:

Dr James Robson  
Chief Medical Officer  
BT Murrayfield Stadium  
Roseburn Street  
Edinburgh, EH12 5PJ

T: 0131 346 5000

E: [james.robson@sru.org.uk](mailto:james.robson@sru.org.uk)

## Raising a Concern

Failure to follow Scottish Rugby's *Gender Participation Policy* shall be regarded as an act of Misconduct under Scottish Rugby's *Disciplinary Rules*.

Where a concern arises in the relation to the participation of a player, or where there is concern that best practice is not being followed, the matter may be referred in confidence to Scottish Rugby Union's Chief Medical Officer (CMO).

The CMO will investigate any reported concerns and, where appropriate, shall refer them to Scottish Rugby's Disciplinary Manager for consideration of Misconduct proceedings.

## Policy Amendment Process

Changes to Scottish Rugby's *Gender Participation Policy* shall be approved by the Environmental, Societal and Governance Committee of the Scottish Rugby Board.