British Orienteering Trans Competition Policy

Introduction and policy statement

British Orienteering is committed to creating an inclusive environment that will provide opportunities and enjoyment for everyone.

British Orienteering has developed this competition policy with respect to participation by trans individuals. This includes anyone whose gender identity or expression is different to the sex assigned to them at birth, including (but not limited to) people who identify as transgender, transsexual, gender-fluid or non-binary.

In developing this policy, we have taken account of scientific research, the <u>International Orienteering</u> <u>Federation ("IOF") Transgender Policy</u>, the <u>UK's Sports Councils Guidance for Transgender Inclusion in Domestic Sport</u>, discussions that we have had with several partner NGBs, and legal advice.

Legal framework

British Orienteering is responsible for regulating within its jurisdiction (the United Kingdom and the Isle of Man) the participation of persons as competitors in Foot Orienteering, Ski Orienteering and Trail Orienteering. Foot Orienteering and Ski Orienteering are gender-affected activities within the meaning of section 195 of the Equality Act 2010 in the United Kingdom and section 154 of the Equality Act 2017 in the Isle of Man ("the Equality Acts"), because they are sports of a competitive nature 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.

The Equality Acts provide for exemptions in relation to participation by trans people as competitors in a gender-affected activity where this is necessary to secure either fair competition or the safety of competitors. Participation by trans people in orienteering does not present an increased risk with regards to the safety of competitors. This policy therefore aims to balance the inclusion of trans participants within orienteering with the need to secure fair competition.

Policy scope

This policy governs participation by trans people as competitors in Foot Orienteering and Ski Orienteering events that are registered with British Orienteering and are held in accordance with the <u>British Orienteering</u> Rules of Orienteering.

Trail Orienteering is not a gender-affected activity and does not have male and female categories. This policy therefore does not apply to Trail Orienteering.

Date of implementation

This policy has effect from 1 January 2024.

Policy review

British Orienteering recognises that policy relating to participation by trans people in sport continues to develop. This policy will therefore be reviewed annually to ensure best practice is continued.

Privacy and data sharing

Everyone involved in determining an individual's eligibility to compete under this policy will respect the confidentiality of the matter and the individual's right to privacy. All information about a person's past or present gender identity will be managed in accordance with British Orienteering's Privacy Policy and with the requirements of the UK GDPR, the Data Protection Act 2018 and, where relevant, the Gender Recognition Act 2004.

Applying for eligibility to compete in the female category

A trans individual whose sex assigned at birth was male and who wishes to compete in the female category at an Identified Major Event must meet all of the following requirements:

- They must not have experienced any part of male puberty beyond Tanner Stage 2 at any time, and
- If they are aged over 12, they must not have experienced any part of male puberty beyond whatever stage they had reached at the age of 12, and
- They must have maintained since puberty the concentration of testosterone in their serum below 2.5 nmol/L, and
- They must be continuing to maintain the concentration of testosterone in their serum below 2.5 nmol/L

Evidence that these requirements are met must be submitted to the British Orienteering Safeguarding Manager via <u>safeguarding@britishorienteering.org.uk</u> prior to entering an Identified Major Event.

Evidence must be certified by a fully registered medical practitioner. British Orienteering may contact the medical practitioner directly to verify the evidence or clarify any details. Evidence should include details of any relevant medical treatment (such as type of treatment, dosage and periodicity).

Where the trans individual is under the age of 18, the evidence must be submitted by or with the written agreement of a person who has parental responsibility for the trans individual.

Appeals process

Any individual has the right to appeal any decision made by British Orienteering about their eligibility to compete under this policy. An appeal must be made in writing to the British Orienteering Safeguarding Manager via safeguarding@britishorienteering.org.uk, setting out the grounds for the appeal.

The appeal will be heard by a panel established for this purpose. This panel will comprise a minimum of three people appointed by British Orienteering who are independent of the case. At least one member of the panel will have relevant expertise.

Contact details and reporting

British Orienteering welcomes feedback on this policy via safeguarding@britishorienteering.org.uk.

British Orienteering urges any person involved within orienteering who has experienced or witnessed transphobic abuse to report it immediately. Please contact us via <u>safeguarding@britishorienteering.org.uk</u>.

All enquiries regarding participation by a trans person as a competitor at an orienteering event should be made via email to safeguarding@britishorienteering.org.uk. Event officials, volunteers or other participants must not in any circumstances challenge an individual's participation as a competitor at an event under this policy at the event itself.

Policy

The results of orienteering events and competitions distinguish between male and female sex categories.

Individuals are free to self-identify their sex on the British Orienteering database or when entering an event without a requirement for further evidence.

At all events and competitions, the male category in all age classes is open to all without restriction.

At the Identified Major Events, individuals will be eligible to compete in the female category in all age classes if and only if they are eligible to compete in the female category under the <u>IOF Transgender Policy</u>.

For the purposes of this policy, the Identified Major Events are:

- World Ranking Events held in accordance with the IOF Competition Rules
- British Championships, including Long, Middle, Sprint, Night, Relay and Sprint Relay
- JK Sprint, Individual Cross-country and Relays
- Area Championships (South, Midlands, North, Northern Ireland, Scotland, and Wales)
- any event held specifically for the purpose of determining international selections under the British Orienteering selection policies

Any trans individual whose sex assigned at birth was not female and who wishes to compete in the female category at an Identified Major Event must, before entering the event, provide evidence to British Orienteering that they meet the requirements of the IOF Transgender Policy, in accordance with the process set out in Appendix A. This evidence must be certified by a fully registered medical practitioner (as defined in the Medical Act 1983). The British Orienteering Safeguarding Manager will consider the evidence on a case-by case basis.

At the Identified Major Events, any trans individuals who are not eligible to compete in the female category under the <u>IOF Transgender Policy</u> may nevertheless be able to participate in that category, but must declare themselves to be non-competitive and will not be eligible to win titles, medals, prizes or trophies, either individually or as part of a team.

At all competitions, events and activities other than those listed as Identified Major Events, trans people will be able to compete in the sex category aligned to their gender identity. However, it is recommended that any athletes participating in the female category who would not be eligible to compete in the female category under the IOF Transgender Policy should not be eligible to win titles, medals, prizes or trophies, either individually or as part of a team. Competitors may assume that a competition will be following this recommendation unless the organiser has explicitly stated otherwise.

Individuals will be ranked on the British Orienteering Ranking List in the sex category recorded in the British Orienteering database.

Any person seeking selection to the British Orienteering Performance Pathway Programme in the female category and/or seeking selection by British Orienteering for international competitions in the female category must be eligible to compete in the female category under the IOF Transgender Policy in order to be eligible for selection. This is to ensure that selected individuals are eligible to compete in the relevant international competition(s).

All participants may be subject to doping control testing as per the UK Anti-Doping Rules. Hormone

treatments used for the purpose of gender reassignment may be prohibited under the World Anti-Doping Agency Code. Any participants using hormone treatments for the purpose of gender reassignment are therefore encouraged to contact UK Anti-Doping to determine whether they are required to apply for a Therapeutic Use Exemption.