

## Welsh Orienteering Association Equality and Inclusion Policy

### Objectives

- The Welsh Orienteering Association (“WOA”, “we”, “us”, “our”) is fully committed to the principles of equality of opportunity and is responsible for ensuring that no volunteer, member or participant (together ‘stakeholders’) are unlawfully discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (together ‘protected characteristics’)
- WOA will encourage affiliated clubs to adopt and demonstrate their commitment to the principles set out in this Equality Policy
- WOA is committed to making orienteering an activity that is open to anyone who wishes to take part, in whatever capacity and will work to complete the Equality Standard for Sport <http://equalityinsport.org/equality-standard-for-sport/>

### Policy

WOA is committed to treating all people fairly and providing equality of opportunity. We aim to ensure that all people irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation have a genuine and equal opportunity to participate in orienteering at all levels and in all roles. This includes participants, volunteers and spectators.

WOA is required by law not to unlawfully discriminate against its stakeholders and recognises its legal obligations under, and will abide by the requirements of, the Equality Act 2010, any equivalent legislation or later amendments in UK jurisdiction.

WOA will not allow any unlawful discrimination (either direct or indirect), harassment, bullying or victimisation (definitions as of Equality Act 2010). WOA regards discrimination, harassment, bullying or victimisation as serious misconduct. All complaints will be taken seriously and appropriate measures including disciplinary action may be taken in line with the British Orienteering Complaints, Disciplinary and Appeals policy and procedures. (to be superseded by the Welsh Orienteering Association’s Complaints, Disciplinary and Appeals policy once developed)

WOA considers that foot, mountain bike and ski orienteering are gender-affected activities under the Equality Act 2010.

### Implementation

The Welsh Orienteering Association's committee is responsible for ensuring that this Equality Policy is implemented, followed and reviewed when appropriate and breaches of the policy are dealt with appropriately and in line with the Complaints, Disciplinary and Appeals policies and procedures.

The Chairman has overall responsibility for the implementation of this Equality Policy.

The Welsh Orienteering Association will:

- Regularly review this Equality and Inclusion Policy to ensure continuing compliance with relevant legislation and where possible, good practice.
- Formalise, monitor and review WOA's selection criteria and procedures for representative squads and teams in relation to participation to ensure people are treated solely on the basis of merits and abilities with support and adaptations made as necessary
- Meet its obligation to make training opportunities available to WOA members and volunteers.
- Promote this policy and commitment to it to all members, volunteers and participants via the WOA website
- Require members, volunteers and participants to respect, act in accordance with, and thereby support and promote the spirit and intentions of this policy
- Eliminate the effects of prejudice against any group by adopting a planned approach to removing barriers which create inequality or discrimination
- Make every reasonable effort to prepare, produce and market materials that are produced by WOA appropriate for all persons in respect of language, format and style and support clubs affiliated to WOA to do the same
- Modify any existing rules and regulations of policies and procedures developed by WOA that may inhibit the inclusion of any groups, provided this does not result in the deterioration of equality required by the Welsh Orienteering Association.
- Work with any transgender athlete looking to participate in orienteering, the British Orienteering policy 'Transsexual People Competing In Orienteering Competitions Policy' deals specifically with this matter and is appended to this document.
- Support clubs to adopt a planned approach to taking positive action towards groups which are currently under-represented as volunteers, membership, and orienteering in general

## **Monitoring & evaluation**

- This policy will be reviewed as part of the WOA's policy review schedule (once developed)
- The Welsh Orienteering Association will regularly monitor and evaluate the policy, practices, procedures and operations and inform members, participants and partners of their impact and of any resulting recommendations.

The Welsh Orienteering Association regards discrimination, harassment or victimisation as serious misconduct and likely to bring the sport into disrepute. Thus, any complaint on any of these grounds against members, participants or other persons will be dealt with under the British Orienteering Complaints, Disciplinary and Appeals policy and procedures. (to be superseded by the Welsh Orienteering Association's Complaints, Disciplinary and Appeals policy once developed)

### **Acknowledgment**

The Welsh Orienteering Association acknowledges that this policy is closely based on the British Orienteering policy Equality & Inclusion.

## **Appendix**

### **British Orienteering's Policy**

#### **Transsexual People Participating in Orienteering Competitions**

##### **Introduction**

British Orienteering is committed to ensuring that there is open access to all those who wish to participate in the sport and that they are treated fairly. It is also committed to confronting and eliminating discrimination by reason of any protected characteristic – age, disability, ethnicity, gender reassignment, marriage or civil partnership, pregnancy, maternity or breastfeeding status, religion or belief, sex or sexual orientation.

Under current UK legislation, orienteering, as a gender-affected sport, may be regulated by British Orienteering in respect of the participation of a transsexual person.

British Orienteering's aim is to try, as far as is possible, to permit transsexual people to orienteer in their affirmed gender while balancing this with its role in providing fair play and competition and protecting the integrity of the women's, men's and mixed relay competitions.

In addition to those wishing to compete, it also has a responsibility to protect those who may be staff or spectators, and who may be transsexual people, or perceived to be so, or associated with them, such as family members. However, this particular policy focusses only on competitors, or would-be competitors, in orienteering events.

##### **Scope**

British Orienteering is the National Governing Body for the sport of orienteering in the UK; therefore, the policy relates to this territory. The policy covers competitions run under its auspices and run in accordance with its regulations and policies. It includes competitions managed and organised by its members, Associations, and British Orienteering affiliated clubs.

The policy also covers the eligibility and selection of transsexual orienteers seeking eligibility to represent Great Britain in international competitions or be entered into international competitions by British Orienteering, referred to in full or as '*international orienteering competitions*'.

For the avoidance of doubt, the word competition is defined as activity where the result has a meaningful outcome.

British Orienteering's Policy and Procedures on Transsexual People Participating in Orienteering Competitions applies to all individuals involved, whether paid or in a voluntary capacity. Everyone in orienteering has a responsibility to ensure that transsexual people are treated with dignity and respect and that they are treated fairly.

## **Guidance and Legislation**

The practices and procedures within this policy and documentation are based on the principles contained within UK legislation and IOC guidance and take the following into consideration.

- Equality Act 2010.
- IOC Guidance on Sex Reassignment 2004
- Data Protection Act 1998.
- Gender Recognition Act 2004.

## **Understanding the terms used**

This policy and procedures uses a number of terms associated with transgender people as well as sport. We recognise that there are considerable differences in these and we have adopted 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, 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 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 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.

## Policy and Procedures

British Orienteering's policy on transsexual people participating in domestic competitions or seeking eligibility to represent Great Britain in international competitions or be entered by British Orienteering in international competitions.

- Any transsexual male (female-to-male transsexual person) recognised under UK law as someone undergoing, or who has undergone, gender reassignment may compete in any male, domestic orienteering competition; or
- Any transsexual woman (male-to-female transsexual person) over the age of 16 recognised under UK law as someone undergoing, or who has undergone, gender reassignment may compete in any female, domestic orienteering competition as long as she can satisfy British Orienteering that any gender-related advantage has been minimised by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender and that this is in line with any anti-doping regulations; or
- Any transsexual girl (under 16 and post puberty) recognised under UK law as someone undergoing, or who has undergone, gender reassignment may compete in any female, domestic orienteering competition subject to an individual case-by-case review, if required, by British Orienteering; or
- Any transsexual girl (pre-puberty) recognised under UK law as someone undergoing, or who has undergone, gender reassignment may compete in any female, domestic orienteering competition subject to confirmation of her stage of pubertal development.
- Any transsexual orienteer recognised under UK law as someone undergoing, or who has undergone, gender reassignment is eligible to represent Great Britain in international competitions or be entered by British Orienteering in international competitions as long as they comply with the IOC's policy on sex reassignment as follows:
  1. Any transsexual female who has undergone, or is undergoing sex reassignment surgery from male to female before puberty should be regarded as female. This also applies to transsexual males who should be regarded as boys and men (male). If any individual meets the relevant requirement they can be eligible for selection to represent Great Britain in international competitions or be entered into international competitions by British Orienteering. This should be conditional on the individual presenting with legal recognition of their affirmed gender.
  2. Any transsexual person recognised under UK law who has undergone gender reassignment after puberty can be eligible for selection to represent Great Britain in international competitions or be entered into international competitions by British Orienteering in their affirmed gender under the following conditions:
    - I. Surgical anatomical changes, including external genitalia changes and gonadectomy have been completed two years before seeking eligibility;
    - II. Legal recognition of their assigned sex has been conferred by the appropriate official authorities; and

III. Hormone therapy appropriate for the assigned sex has been administered in a verifiable manner and for a sufficient length of time to minimise gender-related advantage in orienteering competitions.

This is summarised as follows:

<b>Affirmed gender</b>	<b>Domestic competition</b>	<b>International competition</b>
Any transsexual male	May compete in any male, domestic orienteering competition run under the auspices of British Orienteering and run in accordance with their regulations and policies	May represent Great Britain in international competition or be entered by British Orienteering in international competition if he is compliant with IOC policy
Transsexual woman – over 16	May compete in female, domestic orienteering competition run under the auspices of British Orienteering and run in accordance with their regulations and policies by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender Or, if she has not started hormone treatment she can participate in any male domestic competition	May represent Great Britain in international competition or be entered by British Orienteering in international competition if she is compliant with IOC policy
Transsexual girl – under 16 and after puberty	May compete in any female, domestic orienteering competition run under the auspices of British Orienteering and run in accordance with their regulations and policies subject to an individual case-by-case review, if required, undertaken by British Orienteering Or, if she has not started hormone treatment she can participate in any	May represent Great Britain in any international competition or be entered by British Orienteering in international competition if she is compliant with IOC policy

## male domestic competition

Transsexual girl – before puberty	May compete in any female, domestic orienteering competition run under the auspices of British Orienteering and run in accordance with their regulations and policies subject to confirmation of her stage of pubertal development	May represent Great Britain in international competition or be entered by British Orienteering in international competition if she is compliant with IOC policy
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### **Procedures for transsexual females in domestic competition**

British Orienteering's procedure to determine eligibility for transsexual females to compete in female, domestic orienteering competitions:

#### **For all transsexual women**

- All enquiries must be passed to British Orienteering's Chief Executive.
- All documentation revealing information about a person's past or present gender reassignment status will be managed in accordance with British Orienteering's policies with regards 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 will understand the confidentiality obligations that are associated with handling such a matter.
- British Orienteering will undertake all communication with the individual concerned only sharing information with the Association, clubs and entry managers on a 'needs-led' basis allowing them to manage participant entry.
- In order to determine compliance with this policy British Orienteering's Chief Executive and, if necessary, a medical representative appointed by British Orienteering will consider the evidence on a case-by case basis.
- A transsexual woman or girl shall not be entitled to participate in female, domestic orienteering competitions in their affirmed gender until such time as they have provided evidence that the criteria set out below have been met to British Orienteering's satisfaction.

#### **For transsexual women over the age of 16**

The transsexual woman (and their legal guardian if under 18) will be asked to permit their GP and/or Consultant to disclose sufficient information to British Orienteering (including such other information, records or other material as British Orienteering may require from time to time) to allow it to ascertain that hormone therapy has been administered in a verifiable manner in order to minimise gender-related advantages in orienteering competitions. This will need to demonstrate that the hormone treatment will have reduced their blood-measured testosterone level to that of the affirmed gender and that this is in line with any anti-doping regulations, hormone-related treatment must be verified annually to ensure its validity;

#### **For transsexual girls (under 16 and post puberty)**

The transsexual woman and their legal guardian will be asked to permit British Orienteering to undertake an individual case-by-case review. This will involve a review meeting with the transsexual girl, their advocate (e.g. parent, social worker, rep from a LGBT young people's group such as Intercom in the south west) and a representative from British Orienteering. Their role will be to agree a way forward for the young person based on their individual circumstances and to manage everybody's expectations with due consideration for fairness and safety.

#### **For transsexual girls pre puberty**

The transsexual girl and their legal guardian will be asked to permit their GP and/or Consultant to disclose sufficient information to British Orienteering (including such other information, records or other material as British Orienteering may require from time to time) to allow it to ascertain the girls stage of pubertal development that the girl has reached. This is subject to an annual review.

### **Procedures for transsexual people in international competitions**

British Orienteering's procedure to determine eligibility for transsexual people to represent Great Britain in international competitions or be entered into international competitions by British Orienteering

- All enquiries must be passed to British Orienteering's Chief Executive.
- All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with British Orienteering's policies with regards 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 will understand the confidentiality obligations that are associated with handling such a matter.
- British Orienteering will undertake all communication with the individual concerned only sharing information with international competition organisers in order to allow them to verify the status of the transsexual person.
- The transsexual person (and their legal guardian if under the age of 18) will be asked to permit their GP and/or Consultant and the Gender Recognition Panel to disclose sufficient information to



British Orienteering (including such other information, records or other material as British Orienteering may require from time to time) to allow it to ascertain that the following conditions have been met:

Either,

a) That sex reassignment surgery is being undergone, or has been undergone, before puberty.

Or,

- a) Surgical anatomical changes, including external genitalia changes and gonadectomy has been completed not less than two years previous to the application; and
- b) Legal recognition of the affirmed gender has been conferred by the appropriate official authorities. In the UK this could be the Gender Recognition Panel. Where a Gender Recognition Certificate (GRC) is held it is a criminal offence to pass on information unless with the explicit, written permission of the person concerned; and
- c) Hormone therapy has been administered in a verifiable manner and for a sufficient length of time to minimise any gender-related advantage in orienteering competitions. Hormone therapy must be verified annually.
- • In order to determine compliance with this policy British Orienteering's Chief Executive and, if necessary, a medical representative appointed by British Orienteering will consider the evidence on a case-by case basis.
- • A person shall not be entitled to represent Great Britain in international competitions or be entered by British Orienteering into international competitions in their affirmed gender until such time as they have provided evidence that the criteria set out above have been met to British Orienteering's satisfaction.

## **Roles and Responsibilities**

Local orienteering organisers should:

- Treat the transsexual person with dignity and respect.
- Explain the policy and procedures and ask their view on how to proceed. Explain that there are no restrictions on training or participating in local events that are not a part of domestic competition.
- Respect the private and confidential nature of the person's situation.
- Agree with the transsexual person how information is to be shared with others if this is necessary.
- Take prompt and decisive action against anyone in the organisation whose behaviour or language is inappropriate or offensive to or about transsexual people. Use your disciplinary procedures to manage this.

- Ensure a Code of Conduct is publicised indicating your zero-tolerance policy towards all bullying/harassment of people.
- Ensure that any training the organisation undertakes with regards to equality covers transgender people and the policy as well as the general equality policy.

### **Acknowledgements**

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