



BRITISH ROWING

Trans and Non-Binary Inclusion Competition Policy and Procedures

Approved by British Rowing Board May 2022

Policy interim review December 2022

TEAMWORK | OPEN TO ALL | COMMITMENT



Contents

Definitions.....	2
1. Introduction and policy statement.....	3
2. British Rowing Membership.....	5
3. Recreational rowing (non-competing).....	5
4. Eligibility for Domestic competition.....	5
5. Eligibility for National Teams and International competition.....	10
6. Confidentiality.....	11
7. Disciplinary Proceedings.....	11
8. Anti-Doping.....	12
9. Appeals.....	12
10. Costs.....	13
11. Related Legislation.....	13
Appendix I.....	14
Transgender and non-binary application form for competition.....	14



Definitions

Cisgender or cis	A person whose gender identity matches the sex they were assigned at birth based on their sex characteristics.
Gender confirmation or gender reassignment	The Equality Act 2010 protects people defined with the characteristic of Gender Reassignment if the person is proposing to undergo, is undergoing, or has undergone a process or part of a process for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. The Equality Act 2010 also covers someone who is referred to as a trans person as someone who is protected within the definition of Gender Reassignment.
Gender Dysphoria	Gender dysphoria is the medical term for the experience of discomfort or distress in your body, due to having a gender identity that does not align with your gender assigned at birth.
Gender Identity	A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.
Gender Recognition	A process a trans person may go through to have their gender identity legally recognised by the government.
Non-binary	Someone who does not exclusively identify as a man or woman. A non-binary person may or may not identify as transgender.
Pronouns	Pronouns are words that stand in place of a name such as she/her he/him they/them per/pers. If you are not sure what pronouns to use, offer your own pronouns first, and then use gender-neutral language.
Transgender or Trans person	<p>A broad inclusive term referring to anyone whose personal experience of gender extends beyond the typical experiences of those of their assigned sex. This can include:</p> <ul style="list-style-type: none">• Trans/transgender girl/woman, A transgender girl/woman is a male-to-female transgender person who was assigned male at birth but has a female gender identity;• Trans/transgender boy/man, A transgender boy/man is a female-to-male transgender person who was assigned female at birth but has a male gender identity.



1. Introduction and policy statement

British Rowing is recognised by World Rowing as the national governing body for the sport of rowing in Great Britain in international matters and recognised by the Sports Council as responsible for the administration of rowing in England. British Rowing determine the rules of racing in competitions and is responsible for the participation and development of rowing and indoor rowing in England. This policy has been developed in respect of non-binary people, those who identify as trans, and anyone whose gender identity is different to the sex assigned to them at birth. The policy applies to any trans and non-binary person competing in rowing competitions organised, recognised or convened by British Rowing.

British Rowing is committed to promoting an environment in which rowing is accessible, we want to be inclusive and ensure we provide opportunities and enjoyment for everyone. However, we need to establish conditions for competition in rowing, including eligibility for particular categories, such as the lightweight category, or adaptive rowing categories to guarantee fair and meaningful competition. This also includes the need to establish conditions around the women's category. We wish to be as inclusive as possible and to only impose necessary and proportionate restrictions on eligibility, and to provide a clear path to participation in the sport for all. We would like to emphasise that the eligibility conditions established in this policy and procedures are in no way intended as any kind of judgement on or questioning the gender identity or dignity of any trans or non-binary individual.

We recognise that significant advantages in size, strength and power enjoyed (on average) by individuals identified male at birth, over individuals identified female at birth from puberty onwards, due in large part to much higher levels of androgenic hormones, can impact success in rowing. However, we also recognise there are a number of additional variables that lend themselves to a competitor's success which are not restricted to hormone levels alone: technical ability, athleticism, fitness, knowledge and the experience and confidence to apply these areas. In addition, the impact of any advantages, perceived or otherwise, may vary depending on the discipline of rowing an individual is involved in, such as indoor rowing, or individual events over crew events. However, without sufficient studies to measure any potential advantage provided to a trans or non-binary person in any of these sport-specific scenarios it means that determining the eligibility criteria for the women's category in competition is very difficult. The eligibility requirements of World Rowing, our international federation, have been considered in the context of our decisions, and it is fair and proportionate to ensure alignment with their requirements.

In recognition that this is a fast-developing area in sport, which new guidance and information being provided all the time, British Rowing are committed to the regular review of this policy



and its procedures to ensure that our approach is consistent with latest guidance, information, or studies.

Anyone who needs support with making applications through this policy can contact our [Equality Diversity and Inclusion Lead](#) for guidance.

British Rowing promotes a zero-tolerance approach to all forms of discrimination including transphobia. Transphobia includes discriminatory language or behaviour directed towards anyone who comes under the umbrella term of transgender; in addition, it may be directed towards a trans person's friend or supporter, or anyone who may be perceived to be a trans person (whether they are trans or not). British Rowing and its affiliated clubs and events will ensure that any unacceptable behaviour and language is tackled effectively and appropriately and that sanctions and/or training are implemented to ensure compliance with this policy and the creation of a safe, inclusive, and welcoming environment for trans people.

British Rowing encourages the reporting of all instances of transphobia or discrimination based on an individual's gender identity to our [Equality Diversity and Inclusion Lead](#) by email to: inclusion@britishrowing.org.



2. British Rowing Membership

The gender of an individual has no bearing on any kind of leisure activity within rowing, whether on or off the water or in or out of a boat: the trans and non-binary inclusion competition policy and procedures relates only to competition, where the potential advantages discussed in the introduction might relate to the outcome.

British Rowing competitions offer women's category and open categories. A trans or non-binary person if eligible for both open and women's category would need to decide which category, they would prefer to compete in. If the women's category is the preferred event but the trans or non-binary person does not meet the eligibility requirements they would still have the option of competing in the open category. This policy and procedures will outline the eligibility requirements.

An existing or new member seeking to compete in the women's category where their gender identity does not correspond with the sex assigned to them at birth, must complete an application form available in [Appendix I](#) and should refer to [section 4](#). A trans or non-binary person must follow the procedures set out below and be determined to be eligible following a decision to that effect by the expert panel referred to below before they can be determined eligibility to compete in the women's category. For sporting purposes, this would not be able to be changed by the applicant for a minimum of one year. [Section 6](#) outlines the processes for ensuring confidentiality of sensitive information.

Existing members who have acquired ranking points throughout their racing history will retain those points in line with the ranking points system even if their gender category is changed.

3. Recreational rowing (non-competing)

British Rowing strongly believes that rowing should be as inclusive and accessible as possible.

A trans or non-binary person should be able to participate in recreational rowing activity in their self-identified gender, free of discrimination or exclusion.

British Rowing encourage clubs to consider whether at recreational level squads need to be gender segregated. If squads are gender segregated, a trans or non-binary person should be able to participate in whichever squad they feel most comfortable with.

4. Eligibility for Domestic competition



As set out in the introduction, the determination of eligibility requirements for domestic competition in rowing falls to British Rowing. Our aim in the following criteria is to be inclusive of trans or non-binary people, as far as is possible, whilst balancing fairness in competition¹. Trans or non-binary people who are seeking selection to a National Team or to taking part in a pathway programme, should refer to [section 5](#) of this policy.

Domestic competition is any competition convened, organised, or recognised by British Rowing. This is not limited to the water rowing discipline, but also includes competitions convened in coastal rowing, indoor rowing and any other discipline of rowing that is recognised by British Rowing.

4.1 Open Category

A trans or non-binary person who wishes to compete in the **open category** in domestic competition shall be able to self-identify without the need for further information or evidence. We would like to make you aware that any individual who is undergoing any type of hormone treatment, should take note of [section 8](#), Anti-Doping, and ensure they understand any requirements of them should they be selected for doping control.

4.2 Women's Category

This section applies to any trans or non-binary person, whose gender identity was not female at birth, who wishes to compete in the **women's category** in domestic competition, or a trans or non-binary person who had been on hormone treatment as part of a transition from female to male but wishes to transition back to female. A trans or non-binary person must follow the procedures set out below and be determined to be eligible following a decision to that effect by the expert panel referred to below, before they can compete in the women's category.

A trans or non-binary individual who wishes to participate in British Rowing Domestic competition must as a condition to such participation:

1.2.1 comply in full with this policy and procedures;

¹ In the case of transgender people who have a Gender Recognition Certificate (GRC), the Gender Recognition Act (GRA) (section 19) is not breached where prohibition or restriction of their participation is necessary to secure fair competition, or the safety of competitors, including that of transgender people themselves. Similarly, under the Equality Act 2010, all transgender people are protected against indirect discrimination, but this should be proportionate to the aim of securing fair and safe competition.



- 1.2.2 cooperate promptly and in good faith with the Equality Diversity and Inclusion Lead and the Expert Panel in the discharge of their respective responsibilities under this policy and procedures, including providing them with all of the information and evidence they request to assess their compliance and/or monitor their continuing compliance with the eligibility conditions referred to in this policy and procedures;
- 1.2.3 consent, to the fullest extent permitted and required under the data protection act, to the collection, processing, disclosure and use of information (including their sensitive personal information) as required to implement and apply this policy and procedures effectively and efficiently;
- 1.2.4 follow exclusively the procedures set out in [section 9](#) to challenge this policy and procedures and/or to appeal decisions made under this policy and procedures, and not to bring any proceedings in any court or other forum that are inconsistent with that clause; and
- 1.2.5 provide written confirmation of their agreement with clauses 4.2.1 to 4.2.4 upon request by British Rowing.

An individual may revoke at any time, with or without giving reasons, the consent that they have granted in accordance with clauses 4.2.1 – 4.2.5. In that event, the individual will be deemed to have withdrawn any claim to satisfy the eligibility conditions for the women's category.

Trans and non-binary individuals seeking to compete in the women's category must submit to the [Equality Diversity and Inclusion Lead](#) at British Rowing:

- 1.2.6 A [signed declaration](#) from the individual, (or if under 18, their parent/carer²) that their consistent gender identity is female. This declaration cannot be changed, for sporting purposes, for a minimum of one year³; and

² It is strongly encouraged that consent from a parent or carer is provided if the applicant is under 18, however where this is not forthcoming the consent of the individual alone may be acceptable in accordance with the principle of Gillick Competency.

³British Rowing recognises that this does not acknowledge gender fluidity, however, to ensure a balance of fairness for all and stability for crews and other competitors, we are of the view that it is reasonable for trans and non-binary individuals who are gender fluid, to determine the gender category within which they wish to compete consistently for a year.



If over 16 :

- 1.2.7 Medical evidence to show that the individual's serum testosterone concentration has been less than 5 nmol/L continuously for a period of at least the previous 12 months. Individuals will be expected to maintain this level for as long as they wish to compete, and may be subject to spot checks from time to time; or
- 1.2.8 Medical evidence to show the individual has undergone surgery for the purpose of transitioning and therefore does not need to undergo hormone treatment.

If under 16:

- 1.2.9 Due to the unique variance of physical and psychological developmental changes that take place during puberty and the medical options available to adolescents, the eligibility panel may, where appropriate, consider and approve an application without medical evidence as outlined in 4.2.7. In considering an application the Panel will be mindful of the relevant criteria.

It should be noted that a trans or non-binary person who has been determined eligible for the junior women's category will, upon turning 16, be expected to comply with requirements set out in 4.2.7 - 4.2.8 and it is recognised that until the individual is able to access appropriate hormone treatment, they may not be eligible for the women's category. We would encourage those who could be in that situation to speak with their medical doctors as early as possible.

A trans or non-binary person will no longer be eligible for the women's category in domestic competition, if their testosterone levels rise above 5nmol/l or if they have started female to male hormone treatment or undergone female to male gender reassignment surgery.

Any trans or non-binary person who is not eligible to compete in the women's category, will still be able to compete in the Open category.

4.3 Expert Panel for Domestic Competition

Submissions (under paragraph 4.4 below) must be made to an Expert Panel comprising two members of British Rowing's Medical Advisory Panel, and a lawyer from one of British Rowing's Panels. The Expert Panel will review submissions on a case-by-case basis and notify the individual of their decision within fourteen (14) calendar days. It is recommended that an application for the panel's consideration must be submitted no less than six weeks prior to the competition that the applicant intends to enter, to allow sufficient time for a decision to be made.



The Expert Panel may request that a trans or non-binary person whose gender identity was not female at birth, who is undergoing hormone treatment and is intending to compete in the women's category, resubmit their declaration annually to confirm they are still undergoing treatment. If this is the case, the Expert Panel will explain their rationale for this decision. Where a trans person has undergone gender reassignment surgery, there will be no requirement to resubmit a declaration.

In making its assessment, the Expert Panel will take into account all relevant and reliable evidence, including:

- 4.3.1 any reassignment surgeries the athlete has undertaken, including the date(s) of any such procedures and whether they took place before or after puberty;
- 4.3.2 any other relevant treatment the athlete has received (including any pre- or post-reassignment treatment), including the dosage and frequency of such treatment;
- 4.3.3 the levels of testosterone in the athlete's serum during the relevant 12-month period, as well as the current level of testosterone in the athlete's serum; and
- 4.3.4 the results of any pre- or post-reassignment monitoring.

If the Expert Panel has any concerns about the adequacy of the evidence provided by the athlete on any particular point, it must give the athlete a fair opportunity to try to address those concerns before it comes to its final decision.

The Expert Panel will complete its assessment as soon as is reasonably practicable in all of the circumstances of the case. However, in no circumstance will British Rowing or any member of the Expert Panel be liable for any detriment allegedly suffered by the athlete or anyone else as a result of the length of time taken by the Expert Panel to complete its assessment.

Once it has completed its assessment, the Expert Panel will send its decision in writing to the Equality Diversity and Inclusion Lead.

If the Expert Panel decides that the Transgender Female Eligibility Conditions have not (yet) been met, it must explain in writing the reasons for its decision. Where applicable, it should also specify what else the athlete may do in order to satisfy those conditions (including, for example, maintaining the concentration of testosterone in her serum at less than 5 nmol/L for a longer period; monitoring; reporting; and further reviews).

If the Expert Panel decides that the Eligibility Conditions have been met, the Equality Diversity and Inclusion Lead will issue a written certification of that athlete's eligibility to compete in the women's category of competition in British Rowing Domestic Competitions. That eligibility will be subject in every case to the athlete's continuing satisfaction of this policy and procedures, including continuously maintaining the serum testosterone at a concentration of



less than 5 nmol/L. The Expert Panel may specify particular means of demonstrating such continuing compliance. In any event, the athlete must produce, on request, evidence satisfactory to the Equality Diversity and Inclusion Lead of such continuing compliance.

The Expert Panel's decision will be final and binding on all parties. It may only be challenged by way of appeal in accordance with [Section 8](#).

4.4 Submission of Declarations

The trans or non-binary person must complete the form in [Appendix I](#) and this, along with any supporting material in line with the above criteria can either be emailed securely, with 'Confidential' in the subject line to the [Equality Diversity and Inclusion Lead](#) at British Rowing, or submitted by recorded post.⁴ Refer to [section 6](#) for information about sensitive information and confidentiality.

5. Eligibility for National Teams and International competition

The eligibility guidelines of World Rowing, and/or any major National or International Games Organisation regarding transgender athlete participation in rowing will apply to the relevant competitions in place of this policy.

It should be noted that where British Rowing have Women's and Open categories. The categories of World Rowing are Men's and Women's.

In order to ensure the pathway from domestic competition requirements to international competition requirements is as fair and smooth a transition as possible, any trans or non-binary person seeking selection to any one of British Rowing's national teams, which includes, but is not limited to, Olympic, Paralympic, World and European Championships, Senior, Under 23 and Under 19 teams, and selection camp invitations, selection regattas and national team trials, must submit to the [Equality Diversity and Inclusion Lead](#) at British Rowing:

- I.1.1 A signed declaration from the individual, (or if under 18, their parent/carer⁵) of their consistent Gender Identity. This declaration cannot be changed, for sporting purposes, for a minimum of four years to align with the requirements of World Rowing;
- I.1.2 All evidence required to demonstrate the individual would meet the criteria set by World Rowing Bye-Laws concerning eligibility by gender for men and women's events.

⁴ Please do not send original copies of any documents as we cannot be accountable for any loss which occurs by post. Please address mail to Equality Diversity and Inclusion Lead with 'Highly Confidential' on the envelope.

⁵ It is strongly encouraged that consent from a parent or carer is provided if the applicant is under 18, however where this is not forthcoming the consent of the individual alone may be acceptable in accordance with the principle of Gillick Competency.



Individuals should ensure compliance with the latest version of World Rowing's rules which are available here: <https://worldrowing.com/technical/rules/> (see World Rowing Bye-Laws Appendix R1).

The trans or non-binary person must complete the form in [Appendix I](#), along with all supporting evidence can either be emailed securely, with 'Confidential' in the subject line to the [Equality Diversity and Inclusion Lead](#) at British Rowing, or submitted by recorded post.⁶ Refer to [section 6](#) for information about sensitive information and confidentiality.

An Expert Panel comprising of two members of British Rowing's Medical Advisory Panel, and a lawyer from one of British Rowing's Panels, will review submissions on a case-by-case basis and notify the individual of their decision within fourteen (14) calendar days.

If the trans or non-binary person is selected to compete at a World Rowing event, they should expect World Rowing to ask them to submit their information, medical and supporting documentation following the procedures as described in Bye-Law Appendix R1 of the World Rowing Rules of Racing. Any person with questions about this process will be able to contact British Rowing's [Equality Diversity and Inclusion Lead](#) who will be able to provide the name and contact details for a specific panel member of the World Rowing Gender Advisory Panel.

6. Confidentiality

All information and documentation concerning information about a person's past or present gender reassignment status will be managed in accordance with British Rowing's Privacy and Data Protection Policies, all data protection legislation in force at the relevant time and, where relevant, the Gender Recognition Act 2004. All such information must be treated in strict confidence and shared on a need-to-know basis only.

Anyone involved in enquiries or determination of eligibility in competition must understand and comply with confidentiality obligations that are associated with handling such a matter. Failure to do so may result in disciplinary action.

The Equality Diversity and Inclusion Lead will undertake all communication with the individual concerned via secure email, and only share information on a needs-led basis with the eligibility panel, appeals panel (if applicable) and the Deputy Directory of Legal and Governance.

7. Disciplinary Proceedings

⁶ Please do not send original copies of any documents as we cannot be accountable for any loss which occurs by post. Please address mail to Equality Diversity and Inclusion Lead with 'Highly Confidential' on the envelope.



Where a trans or non-binary individual competes in a category of competition for which they have not satisfied the eligibility requirements for, as set out in this policy and procedures, or who met the eligibility requirements but have not maintained the eligibility requirements and have not renounced their position, British Rowing may take action against them in accordance with the Integrity Policy.

Action will also be taken if an individual does not cooperate fully and in good faith with the Equality Diversity and Inclusion lead, or they, or their coach or other person is complicit in a breach of non-compliance with this policy and procedures.

8. Anti-Doping

All rowers should be aware they may be subject to doping control testing as per the UK Anti-Doping Rules. The use of hormones in most cases contravene the World Anti-Doping Agency Code and therefore any rowers using hormones for the purpose of gender reassignment are encouraged to contact UK Anti-Doping to determine whether they are required to apply for a [Therapeutic Use Exemption](#).

9. Appeals

If an individual wishes to challenge these regulations or a decision of the Expert Panel, it can only do so by bringing an appeal in accordance with this policy and its procedures. Trans and non-binary people applying to British Rowing for eligibility to compete in domestic competitions have a right of appeal.

The appellant may initiate the appeals procedure ('Notice of Appeal') by notifying the Chief Executive Officer (CEO) of British Rowing in writing, that they wish to appeal the decision of the Eligibility Panel.

The Notice of Appeal must be received by email or mail within five (5) calendar days of the decision made by the Eligibility Panel and addressed to: ceo@britishrowing.org or the Chief Executive Officer, British Rowing, 6 Lower Mall, London W6 9DJ

The Notice of Appeal must include:

1. Contact details for the appellant and any other parties to the appeal (if applicable);
2. A copy of the decision being appealed;
3. A statement setting out the grounds for the appeal;
4. All materials (include all information and documents) in support of the Appeal.



On receipt of the Notice of Appeal, the CEO will appoint a panel of three comprising two independent arbitrators appointed from Sport Resolutions and a member of British Rowing's Medical Advisory Panel, none of whom should have been involved in the decision under appeal.

The panel will consider the application on paper and a review of the original decision will be conducted. The appeal panel's decision shall be final and binding. The final decision will be made as soon as possible and will be communicated to the Appellant in writing within twenty-one (21) calendar days.

10. Costs

The costs of any medical assessment, examination, treatment, monitoring, reporting, and any other costs involved in complying with the Regulations will be borne by the relevant individual.

11. Related Legislation

Equality Act 2010 - <https://www.legislation.gov.uk/ukpga/2010/15/contents>

Gender Recognition Act 2004 - <https://www.legislation.gov.uk/ukpga/2004/7/contents>

Human Rights Act 1998 - <https://www.legislation.gov.uk/ukpga/1998/42/contents>



Appendix 1

Transgender and non-binary application form for competition

Name:	Surname:
Preferred name:	Club (if yet applicable):
Home address:	
Postcode:	Email:
Contact telephone/mobile number:	

Date of Birth:	Sex assigned at Birth:
Gender Identity:	Gender Category applied for:
Level of Competition Applying for (please tick one or both):	<input type="checkbox"/> Domestic Competition <input type="checkbox"/> International Competition

<p>Declaration:</p> <p><input type="checkbox"/> I confirm that my gender identity is _____ and I wish to apply to obtain a race membership to compete in the _____ category in rowing.</p> <p><input type="checkbox"/> I confirm I have read the trans and non-binary inclusion competition policy and procedures and understand the processes involved, and the measures put in place to protect my confidentiality.</p>
--

- I certify that all the information on this form and contained within any attached supporting material is true and correct for the purpose of application as a transgender or non-binary athlete.
 - If applicable, I confirm all evidence as required in section 4.2, or section 5 of the trans and non-binary inclusion competition policy and procedures have been included with this application.
 - I confirm, in order to compete in the women's racing category, (tick all that apply) either:
 - My blood testosterone levels have been 5 nmol/L or less for no less than 12 months prior to this application;
 - I will continue hormone treatment for the duration I wish to compete in the women's racing category to maintain eligibility;
 - I understand I could be subject to spot checks and asked to submit a new blood test to show my blood testosterone levels remain 5 nmol/L;
- Or**
- I have undertaken male to female gender reassignment surgery; or
 - My sex assigned at birth matches the gender category I am applying for and I am not or have not been taking any substances that could be contrary to British Rowing's Anti-Doping Policy.
- And** *(if applying for eligibility for national teams / international competition)*
- The evidence provided along with the application meets any additional eligibility requirements for Men and Women's categories set out by World Rowing.



- I confirm that all supporting materials if submitted by post are **not** the original copies, and that British Rowing cannot be held accountable for any loss of original documentation.
- I confirm I will notify British Rowing of any changes which may affect my eligibility status.
- I understand that if any point I am found to no longer be compliant with the requirements in this policy, I may not be able to compete in the women's category.

Signature of athlete:

Date:

Signature of Parent/Carer/ or another adult with parental responsibility*:

Date:

*It is strongly encouraged that consent from a parent or carer is provided if the applicant is under 18, however where this is not forthcoming the consent of the individual alone may be acceptable in accordance with the principle of Gillick Competency.