

SCOTTISH WOMEN'S  
FOOTBALL



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**POLICY on TRANSGENDER PEOPLE PLAYING in SCOTTISH WOMEN'S FOOTBALL**

## **THE SCOTTISH WOMEN'S FOOTBALL (SWF) POLICY on TRANSGENDER PEOPLE PLAYING in DOMESTIC COMPETITIVE FOOTBALL**

### **1. INTRODUCTION**

- 1.1 Scottish Women's Football (SWF) is committed to supporting the inclusion of a wide and diverse range of players this includes those players who identify as Transgender (which includes non-binary people)
- 1.2 Football is a gender affected sport in which the physical strength, stamina and/or physique of an average person of one sex puts them at an advantage or a disadvantage to an average person of the other sex as competitors in a football match. Accordingly, Scottish Women's Football (SWF) has taken advice from the Scottish FA and produced this policy to manage enquiries from, or about, transgender people who wish to be registered for the purpose of participation in Scottish Women's Football's competitions in their affirmed gender.
- 1.3 This policy applies only to Scottish Women's Football's competitions. It does not govern:
  - a) Participation in any football or domestic competitions that are not governed by Scottish Women's Football; or
  - b) International football; or
  - c) International competitions governed by Federation International de Football Association (FIFA) of Union of European Football Associations (UEFA) or the International Olympics Committee (IOC) or any other International Football Federation.

### **2. PRINCIPLES**

- 2.1 Scottish Women's Football is committed to the principles of equality in sport. It aims to ensure that all people within football, irrespective of their age, gender reassignment, disability, marriage or civil partnership, pregnancy, maternity or breastfeeding status, race (including ethnic origin, nationality and colour), religion or belief, sex, social status or sexual orientation, have a genuine and equal opportunity to participate in football at all levels and in all roles.
- 2.2 Scottish Women's Football will ensure that there will be open access to all those who wish to participate in any aspect of their competitions and that they are treated fairly, equally and with respect.
- 2.3 Under current UK legislation, football, as a gender-affected sport, may be regulated by the Scottish FA and Affiliated National Associations (ANAs) in respect of the participation of a transgender person; Scottish Women's Football is also responsible for regulating the participation of persons as competitors within football matches played under their jurisdiction to ensure fair competition and having due regard for the safety of all competitors.
- 2.4 Scottish Women's Football wishes to try, as far as is possible, to permit transgender people to compete in their affirmed gender while balancing this with its role in providing fair play and competition and protecting the integrity of women's competitions.
- 2.5 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 transgender people, or perceived to be so, or associated with

them, such as family members. However this particular document focusses only on players, or would-be players, in Scottish Women's Football's competitions. To better support transgender people and people associated with them a club should consider this group when updating and creating policies such as codes of conduct, disciplinary and reporting mechanisms.

### **3. TERMINOLOGY**

3.1 This policy uses a number of terms associated with transgender people and football. We recognise that there are considerable differences in those that are used, and we have adopted the following terms.

#### *3.1.1 Transgender person*

The term transgender person or trans person are umbrella terms to cover a number of specific terms such as transgender men, transgender women, non-binary people, androgynous and polygender people. This is not the same as a cross-dresser, or transvestite people, nor is it the same as sexual orientation.

#### *3.1.2 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. Gender reassignment is a personal, social and sometimes medical process, by which a person's gender appears to others to have changed. 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.

3.2 The reassignment of a person's gender may include undergoing medical gender reassignment treatments. However, it is not necessary for somebody to have undergone medical treatment in order to have the characteristic of gender reassignment. A transgender person may be proposing to undergo, be in the process of undergoing or have completed a reassignment of their sex. Gender reassignment is a personal process (that is, moving away from one's birth sex to the preferred gender), rather than a medical process.

3.3 We use the term 'affirmed' or 'acquired gender' to describe the sex that the person has transitioned/is transitioning to as opposed to that which was assigned at birth.

### **4. POLICY TERMS**

4.1 In line with Scottish FA Article 20.2 of the Articles of Association, "Matches involving male and female players may be played, provided that all of the participating players are not older than 15 years of age on the 1st January of the calendar year in which the season commenced."

4.2 Scottish Women's Football has adopted the following policy with regards to eligibility for the purpose of participation by male or female transgender people in Scottish Women's Football's competitions:

4.2.1 All enquiries will be passed to the Executive Officer who will notify the Registrations Department and a SWF Board Sub-Committee. All enquiries and any supporting evidence provided will be handled sensitively and confidentially and anyone involved will understand the confidentiality obligations that are associated with handling such a matter and in line

with the General Data Protection Regulation (GDPR) and, where relevant, the Gender Recognition Act 2004.

4.2.2 The Executive Officer will pass applicants' details to Scottish Women's Football's Medical Consultant/Advisor, where required, who will request appropriate medical information from the applicant which the applicant will obtain from their GP/hospital Consultant. Scottish Women's Football's Medical Consultant/Advisor may contact the applicant to access additional information and, with their consent, speak directly to the applicants GP/hospital Consultant. Having reviewed the medical information provided Scottish Women's Football's Medical Consultant/Advisor will communicate a decision to Scottish Women's Football's Executive Officer for communication to the applicant.

4.2.3 Pursuant to Article 20.1 of the Articles of Association of the Scottish FA, individuals undergoing gender reassignment may be eligible for participation in association football in their affirmed gender PROVIDED THAT such individuals have satisfied the requirements of this policy below. The individual will be asked to permit their GP and/or Consultant to disclose sufficient information to Scottish Women's Football (including such other information, records or other material as Scottish Women's Football may require from time to time) to allow it to determine that the following conditions have been met:

Affirmed gender	Domestic competition run under the auspices of Scottish Women's Football and in accordance with its regulations and policies	Eligibility to compete
<b>Transgender male – over 16 (female-to-male transgender person)</b>	If he has not started hormone treatment he can play in any female domestic competition	The Transgender male (and his legal guardian if under 18) must; Disclose sufficient information from his GP and / or Consultant to Scottish Women's Football to ascertain that hormone therapy has not been administered in a verifiable manner This information is to demonstrate that the blood measured testosterone level of the participants are within the acceptable range to participate in female domestic competition and that is in line with any anti-doping regulations Hormone – related treatment may need to be verified annually to ensure its validity
<b>Transgender male – under 16 and post-puberty</b>	May compete in any male or mixed-sex domestic competition subject to age eligibility and subject to an individual case-by-case review undertaken by the appropriate recognised football body responsible for the competitions entered. This will be reviewed each season <b>Or</b> If he has not started hormone treatment he can play in any female domestic competition	Scottish Women's Football will undertake an individual case – by case review. This will involve a review meeting with the Transgender boy, his legal guardian and a representative from Scottish Women's Football
<b>Transgender male – pre-puberty</b>	May compete in any male domestic or mixed-sex competition subject to age eligibility and subject to confirmation of his stage of pubertal development <b>Or</b>	Must be accepted in the gender he presents. Verification should be no more than that expected of other players

	He can play in any female domestic competition	
<b>Transgender woman – over 16 and post-puberty (male-to-female transgender person)</b>	May compete in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender	The Transgender female (and her legal guardian if under 18) must: Disclose sufficient information from her GP and / or Consultant to allow Scottish Women’s Football to ascertain that hormone therapy has been administered in a verifiable manner or the date of her gonadectomy and that a medical representative deems that this has minimized any gender-related advantages in competitions. This information is to demonstrate that the hormone treatment will have reduced her blood measured testosterone level to that of the affirmed gender for an appropriate length of time and that this is in line with any anti-doping regulations. Hormone- related treatment may need to be verified annually to ensure its validity
<b>Transgender girl – under 16 and post-puberty</b>	May compete in any female domestic or mixed-sex competition subject to age eligibility and subject to an individual case-by-case review undertaken by Scottish Women’s Football. This will be reviewed each season	Scottish Women’s Football will undertake an individual case-by-case review meeting with the transgender girl, her legal guardian and a representative from the Scottish FA
<b>Transgender girl – pre-puberty</b>	May compete in any female or mixed-sex domestic competition subject to age eligibility and subject to confirmation of her stage of pubertal development.	Must be accepted in the gender she presents. Verification should be no more than that expected of other players

4.2.4 In the event of an appeal by the applicant, the appeal will be considered by the Scottish FA who will appoint an independent, appropriate medical expert to review the application. The Scottish FA’s decision regarding the appeal will be final.

4.3 In order to ensure compliance with Article 20.1 and this policy, a SWF Board Sub-Committee will consider the evidence provided by the individual in relation to the above criteria on a case-by case basis.

4.4 A person shall not be entitled to play football matches under the jurisdiction of Scottish Women’s Football in their acquired gender until such time as they have provided evidence that the criteria set out above have been met to the satisfaction of Scottish Women’s Football.

4.5 Scottish Women’s Football does not provide an adult mixed gender competition or gender neutral competition within its structures. A person whose gender is Non-Binary should refer to the table above to determine their eligibility requirement for their involvement if they wish to compete in the gender competition that is not in line with their gender assigned at their birth.

## 5. DISPUTE PROCESS

In the event that the gender of a players is questioned by an Official, League Official or Member Club, Scottish Women’s Football will work with said individual to undertake a sensitive and confidential review of their circumstances and shall have the authority to take all appropriate

measures for the determination of the gender of a player, if it considers that there are grounds to do so. Scottish Women's Football will only consider reasonable requests which are put formally in writing and signed, setting out clearly the grounds on which they are based.

For further information and guidance please contact:

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