# LTA TRANSGENDER AND NON-BINARY INDIVIDUALS POLICY:

## GUIDANCE FOR LTA REGISTERED VENUES AND ACCREDITED COACHES



## LTA TRANSGENDER AND NON-BINARY INDIVIDUALS POLICY:

## GUIDANCE FOR LTA LICENSED OFFICIALS AND COMPETITION ORGANISERS

#### **SUMMARY**

This guidance has been written to support you in making informed decisions about how to implement the Policy in your role working or volunteering in a venue. In particular, in relation to the choices the Policy gives you for competition within your venue. This summary page provides only very basic headline information and so you should read the Policy, and this guidance document, in full if you are responsible for making decisions for your venue in relation to its implementation.

#### Why are we changing the Policy?

We need to balance our responsibilities to ensure competition in tennis is fair and to make tennis as inclusive as possible for all. Tennis is a gender-affected sport – the average man has an advantage when playing against the average woman. The majority of currently available research says that some of this advantage is retained in trans women or non-binary individuals assigned male at birth, making competition potentially unfair.

#### What are we doing?

We are changing our Policy to restrict trans women and non-binary individuals assigned male at birth from playing in the women's category in **Specified Competitions** – these are competitions which are Graded 1-6, so will range from National Championships through to local county and district leagues. At this level, eligibility for each competition category in all forms of tennis and padel, and including disability competitions, and in all age groups is:

Gender	Men's Competition Category in Specified Competitions	Women's Competition Category in Specified Competitions
Transgender woman	Yes	No
Transgender man	Yes	Yes – provided gender-affirming hormone treatment not started
Cis-gender woman	No	Yes
Cis-gender man	Yes	No
Non-binary assigned female at birth	Yes	Yes – provided masculinising gender-affirming hormone treatment not started
Non-binary assigned male at birth	Yes	No

For **Non-Specified Competitions** – which are largely internal venue competitions ranging from a Sunday afternoon social American doubles tournament to club championships – venues have a choice whether to introduce similar restrictions. We strongly encourage venues to start from a presumption of being inclusive for trans and non-binary players by ensuring they provide competitive opportunities which allow them to take part in the category which matches their gender identity.

#### Use of changing rooms

Given each Venue will be different, it is not possible for us to provide one-size-fits-all guidance. Venues should consult the Equality and Human Rights Commission Guidance on the provision of single-sex spaces in making decisions in relation to changing room provision.

#### INTRODUCTION

This guidance is to help LTA Licensed Officials and competition organisers understand the LTA Transgender and Non-binary Individuals Policy and must be read alongside the Policy. If you are a player or responsible for an LTA Registered Venue or an Accredited Coach, you can find specific guidance here.

In developing this Policy, we have had to balance two potentially conflicting responsibilities as the governing body for tennis and padel. We have a responsibility to ensure competition in our sport is fair and a responsibility to make sure tennis is welcoming and inclusive for everyone. The Policy attempts to balance these two duties appropriately but in the knowledge that different people will reasonably have different views as to where that balance should lie. We recognise the diversity of opinion around this matter and would like to assure the tennis community that the LTA will continue to listen to all views and keep the Policy under review in response to emerging research and data, and further guidance from other relevant bodies.

#### Where do venues start in implementing the Policy?

We know that those working and volunteering at venues may have concerns about how to implement this Policy appropriately. Therefore, it is important for all those involved in running venues to read through and consider the Policy and this guidance before making any decisions in relation to implementation, irrespective of whether or not you are aware of having any trans or non-binary members.

If any element of the Policy or guidance is unclear, or you have specific questions or concerns about how to implement it after having read the documents, you can contact the LTA <a href="here">here</a> and we will work with you as appropriate to answer your questions and help you through your approach to implementation.

#### Language and terminology

Language matters. The language we use can significantly impact other people and so it is very important that we all use language which is inclusive for all. However, we know that sometimes it can be worrying for people who may be unsure of the right language to use and who do not want to say something which might negatively affect someone else. As a result, we have produced an <u>Inclusive Language Guide</u> to help with this.

## As a minimum, it is important to understand the meaning of certain terms in order to apply the policy appropriately:

- TRANSGENDER this is an umbrella term to describe people whose gender identity is different from,
  or does not sit comfortably with, the sex they were assigned at birth. "Trans" is often used simply as shorthand
  for Transgender.
- TRANSITION every person's transition is different; it is the process which some people, whose gender identity and sex assigned at birth do not match, go through to align their life and/or physical identity to match their gender identity. This can include different steps such as social transition (e.g. changing the name or pronouns they wish to be known by), medical transition (e.g. taking medical steps such as hormone therapy), or legal transition (e.g. changing their name, gender and/or sex on legal documents).
- NON-BINARY INDIVIDUAL someone whose gender identity does not sit comfortably with 'female' or 'male'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.
- TRANSGENDER WOMAN someone who was assigned the male sex at birth but who identifies as a woman.
- TRANSGENDER MAN someone who was assigned the female sex at birth but who identifies as a man.

- CISGENDER WOMAN refers to an individual who was assigned female sex at birth and has a
  female gender identity.
- CISGENDER MAN refers to an individual who was assigned male sex at birth and has a male gender identity.
- SEX ASSIGNED AT BIRTH this means the male or female designation which doctors ascribe to infants, usually based on their genitalia, which is marked on their birth records.

A more complete list of terms which you might hear used when talking about the Policy and more generally around inclusion is included at the end of this guidance.

#### Why have we changed our policy?

It is important first to understand why the Policy has been changed. Our previous policy had not been reviewed or updated in five years and, in the intervening time, there has been further work done by organisations like the Sports Councils and the International Olympic Committee, as well as further public discussion of the **safety, fairness and inclusivity** of our and other sports' policies. The <u>guidance</u> from the Sports Councils' Equality Group to Governing Bodies asked sports to consider these three factors in reviewing their policies.

However, given tennis is already a sport which is safely played in a mixed gender format through mixed doubles, we have been through a thorough process of review to consider the appropriate balance between the two responsibilities of inclusion for all and ensuring fairness in competition. This has included considering the work done by the Sports Councils Equality Group in producing their guidance, reviewing the currently existing medical evidence, and speaking to people and organisations directly affected and/or representing different viewpoints.

The majority of the currently available evidence, including as set out in the Sports Councils Equality Group's review, indicates that there is a retained physical advantage for trans females or non-binary individuals assigned male at birth when competing against those who were assigned female at birth, making a competitive game against someone of the same skill level, or even a higher skill level, potentially unfair.

As a result, we have changed our policy to address this potential unfairness in relation to certain levels of competition. We will keep the Policy under review to ensure that this rationale still holds true in relation to future emerging evidence.

#### Who does the policy apply to?

The policy applies to everyone at all LTA Registered Venues or taking part in LTA Sanctioned Competition. It has provisions which apply specifically to transgender and non-binary players but it also requires everyone, especially those who run LTA Registered Venues, to help to create a fair and inclusive environment for all.

#### When does the Policy apply from?

The policy is effective from the 1st January 2025. However, in order that people are not removed from competitions which they have legitimately entered prior to the announcement of the Policy, it will not be enforced for non-team based competitions until after 25th January 2025 (i.e. the length of the six week entry period for competitions after the announcement on the 11th December). For team based competitions, e.g. county and district leagues, it will not be enforced until the start of the Summer season on 1st April 2025.

#### How does the Policy divide competition?

The Policy divides competition into two types:

#### **SPECIFIED:**

- These are competitions which are in Grades 1-6 at any stage of the competition (which covers national level through to regional, county and local level competition, typically with players from different venues), or which are defined as Specified by the LTA.
- They are competitions where players have less control over who they are playing against and where the primary purpose is usually to provide fair competitive opportunities.
- In these competitions there are restrictions placed by the LTA upon the eligibility of transgender and non-binary individuals, in particular in relation to the competition category which does not match their sex assigned at birth.

#### **NON-SPECIFIED**

- This is all other competition (typically competition closed for members within a tennis venue), which includes LTA Local Tennis Leagues.
- This is where there is a greater degree
  of choice as to who to play with/against
  and where the primary purpose is usually
  to create fun, social competition to
  enable players to feel part of their local
  tennis community.
- This will include all competitions played solely between members of a single venue. In these competitions there are no restrictions imposed by the LTA, and competition organisers have discretion regarding eligibility for competitions.

#### What do LTA Registered Venues need to think about for Specified Competition?

#### **RUNNING A VENUE**

What does "Specified Competition" include?

Simply put, this is likely to be all competition which is organised for players from multiple venues. This will range from our highest level competitions like the National Championships, through the National, Regional and County Tours, County Cup, Play Your Way to Wimbledon, and down to County and District Leagues at a local level (i.e. anything Graded 1-6 at any point).

For the purposes of this Policy, there is little for venues to consider in relation to **Specified Competition**. If you host competitions which are Graded 1-6 or which have otherwise been defined as Specified by the LTA, the LTA Competition Management System will facilitate who is eligible to compete in the competition, based upon the data we have on participants, and so you will not need to make decisions on whether or not players can compete.

If your teams play in local inter-venue leagues which are sanctioned by the LTA, again, participation in those leagues will be determined by the LTA Competition Management System based upon the data we have for participants, so captains will not need to ask members anything in relation to their gender identity.

See further below for how to raise any concerns about compliance with the Policy.

## What does the Policy say about who can compete in the women's category in Specified Competition?

While venues will not have to make decisions in relation to participation in Specified Competition, it is important to understand what the rules are. The new policy sets out that a player can only compete in the women's category in all **Specified Competition** if they were assigned female at birth.

For example, a trans woman will not be able to compete in the women's category in any LTA Sanctioned competition between venue teams which is Graded 1-6, such as a district or county league, or in any LTA Sanctioned tournament, Graded 1-6 at any point, such as Play Your Way to Wimbledon.

Trans men will be able to compete in the women's category provided they have not started gender-affirming hormone treatment, i.e. have not started taking testosterone. This is because there are no issues around fairness until they begin such treatment.

People who identify as non-binary but who want to compete in binary categorised competition, e.g. women's/men's singles, will need to select which category competition sex category they wish to play in. If that category is the same as their sex assigned at birth there will be no restrictions on them competing in that category – if it is different, then the same restrictions as for a trans man or trans woman will apply.

The systems required to manage this will be facilitated centrally by the LTA.

### What does the Policy say about who can compete in the men's category in Specified Competition?

The men's category in Specified Competitions is open to the following people without any restrictions:

- · cisgender men;
- trans men;
- trans women;
- · non-binary individuals who were assigned male at birth; and
- non-binary individuals who were assigned female at birth.

#### Can someone take part in more than one category in Specified Competition?

It is possible for an individual to take part in more than one category but not at the same time.

For example, someone who was assigned female at birth and competes in the women's category but then wishes to begin to transition to becoming a man. They can then choose to compete in the men's category. However, if they were then to want to compete in the women's category again, they would have to both:

- still be compliant with the requirement not to have started gender-affirming hormone treatment; and
- wait for a period of two years from the point they last competed in the men's category.

This is to allow for appropriate management of ranking points etc., but also to preserve the credibility of competitions and to reduce the risk of lack of understanding and public challenge by other players.

### What do Licensed Officials and competition organisers need to think about for Non-Specified Competition?

#### **RUNNING A VENUE**

What does "Non-Specified Competition" include?

Simply put, this is likely to be all competition which you put on within a venue for your players and members. This will range from competitions like a Sunday afternoon American doubles tournament to a club championships and everything in between.

The new policy sets out that **Non-Specified Competition** is simply any competition which does not fall within the definition of **Specified Competition** – i.e. it is competition which is not Graded 1-6 at any point or explicitly defined as Specified by the LTA.. Most informal, everyday competition put on by LTA Registered Venues and Accredited Coaches will be Non-Specified.

For Non-Specified Competition, the policy gives the competition organiser a choice as to whether to put in place any restrictions on whether trans and non-binary individuals can participate in the women's category. As venues or coaches organising competitions, you need to think about, at this level of competition, which is more important: ensuring absolute fairness in the competition or making trans people feel included and a full part of your tennis community by enabling them to compete in the category that matches their gender identity.

For example, if you have a Sunday afternoon American tournament once a month, the purpose of which is to enable members to socialise, have fun and feel part of the venue community, we would strongly encourage you to see a competition like this as an opportunity to be inclusive for trans and non-binary players.

You will need to consider this balance for your approach to competition as a venue.

#### Can we decide to apply different rules for different competitions?

Yes, you can. It may be that you choose not to put in place restrictions on any competitions which you organise. It may be that you restrict only, for example, the Club Championships. Or it may be that you restrict more or even all of your competitions. However, we would strongly encourage all venues to ensure that they have a competitive offering which is inclusive for trans and non-binary individuals in the categories they wish to play in. Without this, you may be excluding a part of your local community from your venue.

#### How do I make this decision?

Ultimately, it will be for the managing group/committee of any venue to make this decision. You should not make this decision lightly. Section 195 of the Equality Act enables restrictions to be put in place if they are necessary to "secure...fair competition" but this does not mean that you have to put in place restrictions. In considering whether any of your competitions should be restricted in any way for trans and non-binary individuals, you should:

- listen to the views of your members and players, seeking to gather and understand them in an inclusive way;
- think about the impact any restrictions might have on attracting new players to the venue, in particular those who are trans or non-binary;
- consider whether you are striking the appropriate balance between prioritising being inclusive for all and fairness, given the level of competition and the ability of the players;
- consider whether, if you put in place any restrictions, you still have a competitive offering for trans women and non-binary individuals assigned male at birth in the women's category should they want it; and
- consider whether you need further advice or guidance, in which case you can contact us here.

#### **RUNNING A VENUE**

How can I get the views of my members appropriately?

Public debate in an open meeting, such as an AGM, is unlikely to be an effective way of listening to members in an inclusive way. More effective ways might include notifying your membership when the committee is going to be considering the matter and providing a mechanism for representations to be made privately or asking for suggestions as to how your venue can provide an inclusive competitive offer for everyone.

If you decide as a venue to put in place restrictions for certain competitions in your venue in relation to trans women participating in the women's category, using an open category might be an option to make it clear that it is a category which is specifically welcoming for all genders.

#### **RUNNING A VENUE**

What is an "open" category?

An open category is effectively a renaming of the men's category as "open" in order to provide trans women in particular with a category which is more inclusive as it is not named after a gender with which they do not identify.

#### How can venues be more inclusive generally in implementing the Policy?

**Communicate inclusively:** It is essential that all LTA Registered Venues, and Accredited Coaches and volunteers working in them, always behave as inclusively as possible towards all individuals who wish to play at that venue.

#### **RUNNING A VENUE**

#### How can I communicate more inclusively around the Policy?

It is important that you communicate clearly and inclusively, especially if you choose to put in place any restrictions around your venue competitions. We have produced an Inclusive Language Guide which you can find here. As a result, we have produced advice on how best to have inclusive conversations which will be published imminently:

- remember that everyone is an individual do not make assumptions either based upon how someone presents themselves or how they look;
- try to avoid gendered language in communications where possible e.g. instead of "if a member wants to take part he or she should contact a committee member" use "if a member wants to take part they should contact a committee member";
- use the language a transgender or non-binary person uses for themselves and, if you don't know what pronouns to use, ask. If it does not come up naturally in conversation and you are still unsure, ask politely and respectfully. Sharing your own pronouns can be a useful way to clarify, e.g. "Hi, I'm Rebecca and I use she/her as my pronouns. How about you?" If you accidentally use the wrong pronouns, apologise and move on making more of an issue over a pronoun mistake may be awkward and often draws unwanted attention to the transgender or non-binary person;
- be careful and considerate about what other questions you ask respecting other people's
  right to privacy and confidentiality. Just because you are interested in or curious about
  something does not mean that it is appropriate to ask about it. Two questions it is useful to
  ask yourself are
  - "Do I need to know this information to treat this person respectfully?", e.g. asking a person's name and pronoun is almost always appropriate;
  - "Would I be comfortable if this question was turned round and asked of me?",
    e.g. asking questions about medical treatment a person is undergoing or has undergone
    is almost never going to be necessary or appropriate.

#### Ensure you have an inclusive culture and policies?

All LTA Registered Venues and Accredited Coaches should maintain a culture of everyday inclusion. This includes:

- having an up-to-date Equity, Diversity and Inclusion policy in place (you can find a template policy <a href="here">here</a>) publicly committing to ensuring your venue is inclusive for all and is a safe space for under-represented groups such as the trans/non-binary community;
- encouraging and creating opportunities for venue members and players to learn and increase their understanding of different communities;
- having a zero-tolerance approach to discriminatory language or behaviour, including when it is based on a person's
  gender identity or gender reassignment, and encourage a culture whereby people feel able to challenge and report
  discriminatory or non-inclusive behaviour;
- having an appropriate complaints policy (you can find a template policy <a href="here">here</a>) and process in place to deal with any issues which arise to give confidence to the trans/non-binary community.

#### Look at your wider programmes

Many venues also have specific sessions which will often be delivered and advertised with reference to gendered play.

#### **RUNNING A VENUE**

How can we make non-competitive activity more inclusive?

To be fully inclusive of different gender identities, we would recommend banding sessions, where it is appropriate, by ability (e.g. beginner, intermediate, advanced) rather than by gender. This is also more likely to a better playing experience for all players.

If sessions are banded by gender, you should not restrict trans females from programming targeted at women unless you can demonstrate that your approach complies with the Guidance from the Equality and Human Rights Commission around single-sex provision, referenced below in the context of changing facilities, where similar considerations are relevant.

#### Consider your changing facilities

Each LTA Registered Venue will need to consider independently how best to provide appropriate changing facilities for all its members, players and visitors. Given each Venue will be different, it is not possible for us to provide one-size-fits-all guidance. The Equality and Human Rights Commission have provided guidance on the interpretation of the Equality Act 2010 in relation to single sex spaces, such as separate male and female changing rooms. In order to ensure that you are compliant with the legal requirements in the Equality Act, you should read this guidance in full before making any decisions – if you do not do so, your approach could be more likely to be legally challenged.

The guidance sets out in relation to trans and non-binary individuals' use of such spaces that the organisation's "approach must be a proportionate means of achieving a legitimate aim. This will depend upon the nature of the service and may link to the reason the separate or single-sex service is needed. For example, a legitimate aim could be the privacy and dignity of others. You must then show that your action is a proportionate way to achieve that aim. This requires that you balance the impact upon all service users." This means that venues may decide to restrict access by users to changing facilities on the basis of sex assigned at birth but do not have to.

Venues should first seek to understand the views of users and potential users (i.e. it is important to think about potential future members/players and visitors) of the space – see above for how you might gather those views.

#### **RUNNING A VENUE**

#### Practically what do I need to consider?

- What spaces and facilities you have available to you this might range from a single toilet through to large multi-person changing rooms – and how they are currently used.
- If they are, or can be made to be, sectioned off and lockable in some way, does that provide appropriate privacy for all users and so do they need to be explicitly gendered?
- How best can these facilities be used to meet the needs of all members, players and visitors

   this might include being more flexible and considering creating gender neutral and/or individual changing spaces.
- We already have a template "Use of Changing Rooms Policy" available <u>here</u>, which can be adapted as necessary.
- Ensuring that any policy is implemented in a way which respects the dignity and privacy of <u>all</u> members, players and visitors.

Again, if you need to discuss your approach further, you can contact us here.

#### Capture and use data appropriately

All LTA Registered Venues should already be ensuring that they are compliant with the requirements of the Data Protection Act and other relevant law in relation to the processing of members' data. In particular, data in relation to gender reassignment may be "special category" data, which has specific <u>rules</u> around it.

To help make informed decisions in relation to this Policy, you may choose to review your membership data to get a clearer understanding of who your members are and what different characteristics they have. This will not only have benefits in relation to this Policy but will also enable you to meet their different needs better more generally. You may already hold this data within your membership platform or you may wish to consider asking your membership appropriate questions.

#### **RUNNING A VENUE**

#### Practically what do I need to consider?

- Guidance on data protection is available as part of the Venue Support Toolkit <u>here.</u>
- It is generally good practice to ensure that your membership application process enables
  people to share their gender identity in a way which represents who they are. For example,
  you might have predetermined options of "male", "female" and "non-binary"; an open-text
  field to allow people to express their gender in the way most relevant to them; and a
  "prefer not to say" option.
- If you use the Clubspark platform you will be able to collect EDI data for your members from 2025 to support and inform your decision making.

#### APPENDIX A – USE OF LANGUAGE

As referenced above, language matters. It is useful to educate yourself, where necessary, on the following terms which might help in having inclusive conversations on this topic. Some terms are included here not because they are directly relevant to trans and non-binary people but to help differentiate for those with less understanding or lived experience of trans and non-binary people:

#### **SEX:**

this refers to the physical differences between people who are male, female, or intersex. A person typically has their sex assigned at birth based on physiological characteristics, including their genitalia and chromosome composition.

#### **GENDER:**

this refers to how a person identifies. It is not made up of binary forms but, instead, can be a broad spectrum. A person may identify at any point on this spectrum or outside it entirely. These identities may include transgender, non-binary, gender fluid or gender-neutral. There are many other ways in which a person might define their own gender.

#### **TRANSGENDER:**

this is an umbrella term to describe people whose gender identity is different from, or does not sit comfortably with, the sex they were assigned at birth. "Trans" is often used simply as shorthand for Transgender.

#### **NON-BINARY INDIVIDUAL:**

is someone whose gender identity does not sit comfortably with 'female' or 'male'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

#### **TRANSGENDER WOMAN:**

someone who was assigned the male sex at birth but who identifies as a woman.

#### **TRANSGENDER MAN:**

someone who was assigned the female sex at birth but who identifies as a man.

#### **INTERSEX:**

is a general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy which does not fit the typical definitions of female or male. For example, a person might be born with female typical appearance on the outside but having mostly male typical anatomy on the inside.

#### **SEX ASSIGNED AT BIRTH:**

this means the male or female designation which doctors ascribe to infants based on their factors including their genitalia, which is marked on their birth records.

#### **CIS-GENDER:**

this is a term meaning that whatever gender a person is now is the same as the sex you were assigned at birth, e.g. someone who identifies as a male and was assigned male at birth is a cis-gender male.

#### **TRANSITION:**

every person's transition is different; it is the process which some people, whose gender identity and sex assigned at birth do not match, go through to align their life and/or physical identity to match their gender identity. This can include different steps such as social transition (e.g. changing the name or pronouns they wish to be known by), medical transition (e.g. taking medical steps such as hormone therapy), or legal transition (e.g. changing their name, gender and/or sex on legal documents).

#### **GENDER DYSPHORIA:**

this describes a sense of unease or distress that a person may have because of a mismatch between their biological sex and their gender identity.

#### GENDER AFFIRMING HORMONE TREATMENT:

this is hormone therapy, such as the taking of testosterone or oestrogen supplements, to help better align a person's body/physical appearance with their gender identity.

#### **GENDER REASSIGNMENT:**

is where a person undergoes or proposes to undergo, a process for the purposes of reassigning their sex.

## GENDER RECOGNITION CERTIFICATE (GRC):

this is a legal document which a person can apply for if they want their acquired gender to be legally recognised in the UK.

#### **GENDER PRONOUNS:**

personal pronouns are words we use every day to refer to ourselves or others. They can be an important way to express and recognise someone's gender identity and should be respected and used in relation to that person at all times.

#### **DISCRIMINATION:**

there are different types of discrimination:

- Direct discrimination this is when you are treated worse than another person or other people because: you have a protected characteristic (including sex and gender reassignment); someone thinks you have that protected characteristic; or you are connected to someone with that characteristic.
- Indirect discrimination this happens when there is a policy which applies in the same way for everybody but which disadvantages a group of people who share a protected characteristic.

#### TRANSPHOBIA:

this is intolerance of gender diversity or fear, dislike or prejudice against someone on the basis that they are transgender.

#### **DEAD NAMING:**

this is the act of referring to someone to someone who is transgender, whether intentionally or not, by the name they used before they transitioned. This can be very harmful to them.

#### **SEXUAL ORIENTATION:**

this is about who you are attracted to and want to have romantic or sexual relationships with. This includes gay, lesbian, heterosexual, bisexual



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