



British Cycling

Transgender & Non-Binary Participation

Policy

Cycling is an activity that can be enjoyed by everyone and as the National Governing Body, British Cycling are responsible for promoting the safety and equitable treatment of all taking part.

However, British Cycling recognises that there may be some concerns about fairness in the women's competition. In addition, when competing at an elite level, members may have the opportunity to represent Great Britain and participate in international competition. They may therefore be subject to the policies and regulations of the International Cycling Union (UCI) and/or the International Olympic Committee (IOC).

British Cycling encourages all Transgender and Non-Binary Participants to take part in cycling. The purpose of this Policy is to provide the requirements of enabling participation at every level. This policy shall be reviewed annually, and/or more frequently as and when there are changes to the relevant legislation and guidance.

1. Definitions:

Birth Gender: the gender that a person is assumed to be when they are born. This is usually based on the Sex they are assigned at birth.

Gender: the social, and cultural construction of what it means to be a man or a woman, including roles, expectations and behaviour.

Gender Identity: a person's internal, deeply felt sense of self, for example, a man, a woman, or a Non-Binary person. A person's Gender Identity may or may not correspond with their Sex.

Medical Professional: a person qualified to provide medical treatment to an individual.

Non-Binary: where an individual does not identify as being part of the binary gender (male or female).

Participant: any person participating in an Event or other cycling related activity promoted or administered by British Cycling, including but not limited to any Member, Affiliate, Spectator, Licensee Volunteer or Contractor from time to time;

Recreational Activity: any non-competitive British Cycling organised activity, including but not limited to; the Breeze programme, Guided Ride, and Let's Ride Pop-up.

Self-Identified Gender: the gender that the person identifies as, opposed to that which is assigned at birth, their 'Birth Gender'.

Sex: a person's biological and physical characteristics, defined usually as either 'male' or 'female' and including indeterminate Sex.

Transgender: a person whose Gender Identity is different from their physical Sex at birth. Those people who, as defined by the Equality Act 2010, share the protected characteristic of gender reassignment and are described as transsexual people under the legislation.

2. United Kingdom legislation and the international, sporting regulatory framework.

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

- Equality Act 2010
- Data Protection Act 2018
- Gender Recognition Act 2004
- International Olympic Committee Consensus Meeting on Sex Reassignment and Hyperandrogenism, November 2015.
- The UCI Regulations on Transgender athlete participation March 2020

3. Membership

If an existing British Cycling member wants to change the Gender marker on their British Cycling membership, or a prospective member would like to obtain British Cycling membership in a gender other than that assigned at birth, they will be required to submit a signed declaration stating whether they would like to be identified as male or female on their membership record. This declaration cannot be changed, for sporting purposes, for a minimum of four years*.

For the following categories of British Cycling Membership, no medical evidence will be required to change the Member's Gender:

- Ride;
- Commute;
- Fan.

This is due to the above Memberships not providing the member with a Race Licence.

If an existing or prospective British Cycling member would like to obtain British Cycling Race Membership in their Self-Identified Gender, they will be required to provide medical evidence in accordance with Section 5 of this policy.

All Transgender and Non-Binary prospective British Cycling Members are required to inform the British Cycling Membership Team their membership shall be in their Self-Identified Gender rather than the Sex assigned at birth. This is to ensure the required evidence can be requested.

All changes will be authorised by the Integrity & Compliance Department.

**If the Participant is under 18 years old, the declaration shall also need to be signed by the Participant's parent or legal guardian.*

4. Recreational Activity

British Cycling encourages Transgender and Non-Binary Participants to take part in Recreational Activities in the Gender they identify as. Notwithstanding section 3 of this policy, as there is no competitive element to Recreational Activities, Participants are able to take part in British Cycling sanctioned recreational activities in their Self-Identified Gender, without providing additional evidence.

Section 4 of this policy applies to all British Cycling Members and those who are not members of British Cycling, but wish to take part in British Cycling Recreational Activity.

All Participants should be treated with respect at all times and if concerns are reported of individuals not accepting Transgender and/or Non-Binary Participants in any activity, the matter shall be referred to the British Cycling Integrity and Compliance Department to be considered under the British Cycling Disciplinary Regulations.

5. Competition

The Equality Act 2010 makes specific provision for sports organisations to prohibit or restrict a person whose gender has become the acquired gender under the Act from participating as competitors in an event or events involving a gender-affected sport.¹ A sport is a gender-affected sport if the physical strength, stamina or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender as competitors in events involving the sport. Such prohibition or restrictions can only be made in order to secure fair competition or the safety of competitors at the event or events.

For competitive events, British Cycling will follow the guidelines as set out by the IOC, and more recently, the UCI when determining the eligibility of trans competitors.

Transgender and Non-Binary members, current or prospective, should contact British Cycling's Integrity & Compliance department prior to racing or obtaining a race licence to ensure they are placed in the appropriate category.

Application for a Race Licence to compete in the Female category:

Any Transgender or Non-Binary member who seeks to compete in the female category shall be asked to submit the following to the British Cycling Integrity and Compliance Department:

- 1) A signed declaration from the individual that their Gender Identity is female. This declaration cannot be changed, for sporting purposes, for a minimum of four years*.
- 2) An attestation from a Medical Professional that the member's total testosterone level in serum has been below 5 nmol/L for at least 12 months prior to the member's first competition.

The athlete's total testosterone level in serum must remain below 5 nmol/L throughout the period of desired eligibility to compete in the female category. This will be monitored by the Participant being required to submit an attestation from a Medical Professional that the member's total testosterone level in serum is below 5nmol/L for a period of at least 12 consecutive months. This will be required annually.

In the event of non-compliance, the athlete's eligibility to compete in the female category may be suspended pending further investigation. The Participant shall be unable to compete in that category until such time when their total testosterone level in serum has been below 5nmol/L for at least 12 consecutive months.

**If the Participant is under 18 years old, the declaration will also need to be signed by the Participant's parent or legal guardian.*

Application for a Race Licence to compete in the Male category:

Any Transgender or Non-Binary member who seeks to compete in the male racing category, shall not be required to provide medical evidence. However, they will be required to provide the following:

- 1) A signed declaration that the member's Gender Identity is male. This declaration cannot be changed, for sporting purposes, for a minimum of four years*.

**If the Participant is under 18 years old, the declaration will also need to be signed by the Participant's parent or legal guardian.*

The above processes shall apply to single day race licence holders.

¹ Equality Act 2010, s195.

Monitoring and Compliance

Compliance with British Cycling's Transgender & Non-Binary Participation Policy may be monitored. Therefore, a member who chooses to avail themselves to this policy consents to providing the required medical information for the purposes outlined in this Policy.

British Cycling reserves the right to request further medical evidence from an individual Participant where it is deemed necessary.

Where necessary to safeguard the fairness or integrity of competition, British Cycling may provisionally suspend the participation of any member pending resolution of the matter.

6. Disciplinary Proceedings

British Cycling reserves the right to take the appropriate action under the British Cycling Disciplinary Regulations in the following situations:

- A Participant competes in a category of competition for which they have not satisfied the eligibility conditions set out in this Policy;
- A Participant fails to co-operate fully in respect of the consideration of their application or their compliance/continuing compliance with this Policy;
- A coach, healthcare professional, sports scientist, agent or other person or entity has been complicit in a breach or non-compliance with this policy;
- Where there has been stigmatisation or improper discrimination against a Participant on the grounds of Gender Identity; and/or
- There has been any other breach or non-compliance with this policy.

All Participants are expected to abide by the British Cycling Code of Conduct at all times, including but not limited to; ensuring that cycling, in all its forms, offers the individual an opportunity to participate without fear or harassment.

If British Cycling are notified of an individual being subject to any conduct which is in breach of the Code of Conduct due to their Gender Identity, the matter shall be considered under the British Cycling Disciplinary Regulations.

7. Your Roles and Responsibilities

All Participants are bound by the British Cycling Code of Conduct and this should be upheld at all times. However specifically to this policy, all British Cycling employees, members, volunteers, affiliate clubs and Participants should:

- Treat all Transgender and Non-Binary Participants with dignity and respect;
- Welcome all Transgender and Non-Binary Participants just as you would any other attendee or member;
- Accept all Participants in the gender they present; verification of their identity should be no more than expected of any other person;
- If asked, explain that there are no restrictions for Transgender and Non-Binary Participants taking part in Recreational Activity;
- Respect the private and confidential nature of all Transgender and Non-Binary Participants' situations;
- Take your lead from the Participant, ask their name and use it;
- Support the Transgender or Non-Binary Participant with their choice of changing facilities;
- Report any incidents of inappropriate or offensive behaviour and language to the British Cycling Integrity and Compliance Department;
- Avoid making assumptions about the Participant, take your lead from the information they may, or may not, offer you;

- Be clear about what language you use, all Participants should be referred to as the gender that they inform you they are.

8. Data Protection

British Cycling, as a data controller, must ensure that any personal data processed in relation to this policy is in compliance with data protection laws and its own internal Data Protection Policy. In particular:

- The collection of data must be necessary, proportionate and relevant to the particular purpose and circumstance. Where data is collected for verification purposes and does not need to be retained, it should be deleted as soon as practicable. Where information does need to be retained this should be in line with British Cycling's Data Retention Policy.
- British Cycling must be clear and transparent at the outset about why this data is being held and for what purpose. Any additional purposes for processing this data must be communicated to the individual before the processing commences.
- Access to this information should be tightly controlled and on a strictly need to know basis. British Cycling will only share necessary information with international competition organisers for the purposes of verifying the status of the trans person.
- British Cycling will agree with the trans person how information is to be shared with others if this is absolutely necessary; this may include a change of name and title and this should be accommodated without prejudice or aggravation.
- British Cycling will complete and keep under review a Data Protection Impact Assessment (DPIA) for this processing due to the potential privacy risks involved.