



ENGLAND RUGBY - GENDER PARTICIPATION POLICY

Effective date of policy 1 August 2022

1. OUR COMMITMENT TO DIVERSITY AND INCLUSION

- 1.1 The RFU has a strategic objective to drive rugby union in England to reflect the diversity of society, to improve diversity in all facets of our game and to continue to create an inclusive environment for all. For more information about our inclusion and diversity work, please [click here](#).
- 1.2 The RFU also has a strategic objective to enhance player welfare to protect and support the wellbeing of players. For more information about our player welfare initiatives, please [click here](#).
- 1.3 The RFU's core values of Teamwork, Respect, Enjoyment, Discipline and Sportsmanship lie at the heart of what we do. The RFU is committed to developing a culture which is as inclusive as possible, which lives and breathes the core values and where everyone feels safe and able to raise concerns about any unacceptable practice, behaviour, wrongdoing or misconduct. We have in place a Speak Up Policy which has been created to encourage participants of the game to speak up with the comfort that they will be listened to and their concerns will be handled sensitively. To report any concerns, please refer to the [Speak Up Policy](#).

2. THE JOURNEY SO FAR

- 2.1 The table in Appendix 1 sets out the key developments that have informed and impacted the RFU's discussion and policy development of gender participation in rugby union.
- 2.2 There have been significant external developments in this area over the last two years which have influenced and shaped the RFU's position for its own gender participation policy, including World Rugby's guidelines and UK Sports Councils' Equality Group's guidance ("UK Sports Councils' Guidance").
- 2.3 Our journey also included an external public consultation of a draft policy in March 2021 to which we received over 11,000 responses. The RFU thanks all those who participated in our external consultation as well as other stakeholders and individuals who continue to engage with us on this complex area. We also greatly empathise with the personal journeys that individuals have experienced and invite those impacted to continue to reach out to us to work with and help us in developing future policies, research and work in this area.
- 2.4 The RFU commits to continue to engage with the UK Sports Councils, World Rugby, other Rugby Unions, sports, rugby participants and other key stakeholders

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and specialists to keep this area under review. This includes facilitating, contributing to and/or learning from further research that may be instigated in this area as well as working with World Rugby and other Unions to develop other inclusive formats of the game of rugby union.

3. RFU POSITION ON GENDER PARTICIPATION IN RUGBY UNION

- 3.1 Full details of the RFU's eligibility requirements for gender participation are set out in section 4 below.
- 3.2 The RFU is committed to providing and supporting opportunities for everyone to be involved in the game. However, it is important that the playing opportunities provided are safe and fair for all participants. This means that, when determining the eligibility criteria, we have had to recognise that a precautionary approach needs to be adopted so that the considerations of safety and fairness are weighed against inclusion of all people within contact rugby for the reasons explained below.
- 3.3 Whilst undertaking our review and reaching our position on eligibility, the RFU has been mindful of the legislation in this area, including the requirements of the Equality Act 2010 ("the EA"). Under section 195(3) of the EA, contact rugby is a "gender-affected activity". Section 195(2) of the EA states that '*A person does not contravene section 29, 33, 34 or 35 [of the EA], so far as relating to gender reassignment, only by doing anything in relation to the participation of a transsexual person as a competitor in a gender-affected activity if it is necessary to do so to secure in relation to the activity (a) fair competition, or (b) the safety of competitors*'.
- 3.4 We are also mindful of [World Rugby's position](#) on this area and more recently the UK Sports Councils' Guidance. Both sources emphasise that inclusion of players originally recorded male at birth in female contact sport cannot be balanced against considerations of safety and fairness. This is due to retained advantages in strength, stamina and physique between the average person originally recorded male at birth (who has experienced the onset of puberty and adolescence), and the average female. Recent research has shown that this advantage cannot be sufficiently addressed even with testosterone suppression and that represents player safety concerns, and this is expanded by World Rugby in more detail [here](#).
- 3.5 This means that with regards to playing and training in contact rugby, the precautionary approach needs to be adopted in order to ensure fair competition and the safety of competitors. Therefore, due to developmental changes brought about by testosterone (particularly as a result of male puberty) and the associated safety risk, it is appropriate and necessary to maintain a female only category of contact rugby as well as certain eligibility requirements for male categories from the Under 12 age grade upwards and continuing into the adult game.



4. ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN NON-CONTACT AND CONTACT RUGBY

NON-CONTACT RUGBY

- 4.1 Non-contact forms of rugby such as Tag, Touch and Touch Union are mixed-gender and are available to all without any gender-based or sex-based eligibility criteria. Players may participate in the gender with which they identify, although for non-RFU activity (for example leagues and tournaments operated by commercial providers), please check the specific eligibility requirements that may apply to those competitions.

CONTACT RUGBY

- 4.2 The following eligibility requirements apply with regards to gender participation in contact rugby and these apply throughout the entire domestic game in England (but excluding international matches and training).

AGE GRADE CONTACT RUGBY (TRAINING AND PLAYING)		
No.	Rugby category	Eligibility requirements
(a)	Under 11s age grade and below – mixed categories	Mixed gender contact rugby is permitted. Players can play without additional approval irrespective of their sex or gender with which they identify.
(b)	Under 12s to U18s age grade – male and female categories	Players are only permitted to play in the category of the sex that was originally recorded at birth irrespective of gender identity, unless otherwise permitted under section (c) and (d) below.
(c)	Age grade male category (U12s and above)	Players are permitted to play in this category if the player's sex recorded at birth is male. If the player's sex recorded at birth is female and the player identifies as transgender, non-binary or gender fluid, the player may play if: (i) their parent or guardian (or such other appropriate adult) provides their written consent to the relevant club or school by completing this consent form ; and



		<p>(ii) an appropriate risk assessment is carried out by the club or school which the player is representing in the form prescribed by the RFU which is available here; and</p> <p>(iii) the RFU is notified prior to the player participating in contact rugby activity.</p> <p><i>Note: Should a player not wish to disclose their gender identity to their club or school, the player may contact the RFU on a confidential basis via Genderparticipation@rfu.com to discuss an alternative process.</i></p>
(d)	Age grade female category (U12s and above)	<p>Players are only permitted to play in this category if the sex that was originally recorded at birth is female irrespective of gender identity. Current or past supplementation of androgenising substances, including testosterone, is not permitted.</p>
ADULT CONTACT RUGBY (TRAINING AND PLAYING)		
(e)	Adult male category	<p>Players are permitted to play in this category if the player's sex recorded at birth is male.</p> <p>If the player's sex recorded at birth is female and the player identifies as transgender, non-binary or gender fluid, the player may play if:</p> <ul style="list-style-type: none"> (i) the player provides their written consent to the club by completing this consent form; and (ii) an appropriate risk assessment [is carried out by the club which the player is representing in the form prescribed by the RFU which is available here; and (iii) the RFU is notified prior to the player participating in contact rugby activity; and (iv) the player has obtained a therapeutic use exemption if required by RFU Regulation 20. <p><i>Note: Should a player not wish to disclose their gender identity to their club or school,</i></p>

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		<i>the player may contact the RFU on a confidential basis via Genderparticipation@rfu.com to discuss an alternative process.</i>
(f)	Adult female category	Players are only permitted to play in this category if the sex that was originally recorded at birth was female, irrespective of gender identity. Current or past supplementation of androgenising substances, including testosterone, is not permitted.

GENERAL

Notifications

All notifications required under this policy must be notified by sending a completed [notification form](#) to genderparticipation@rfu.com. Unless specifically required above, no additional notifications are required to be made to the constituent body or opposition club. The player (and parent/guardian in respect of a player under the age of 18) may choose whom they notify.

Risk assessments

A risk assessment should be carried out in respect of all players participating in contact rugby.

Unless otherwise approved by the RFU, a risk assessment must be undertaken (in the form prescribed by the RFU which is available [here](#)) in relation to players wanting to play under sections 4.2(c) and 4.2(e) of this policy to determine that they are able to compete safely in the male category and factors such as physical development, technical ability and rugby competency should all be taken into consideration.

Compliance with RFU Regulations and this policy

Should there be any questions or concerns with regards to any application of this policy, please contact genderparticipation@rfu.com.

The RFU has the power to undertake its own analysis and investigation into any application of this policy (including any potential breach) and may determine that a player is not eligible to or should not participate in their selected category due to reasons of competition fairness and/or safety, non-compliance with the process or such other reasons as determined by the RFU. This applies regardless of whether or not the RFU has received the requisite notification set out above.

In addition to complying with this policy, all participation in rugby union is also subject to such other rules, regulations and policies that may apply in respect of a person's participation. For more information on our regulations, [click here](#).



Non-compliance with this policy and any other regulations may constitute a breach of regulations and may be dealt with in accordance with Regulation 19 (Discipline).

- 4.3 The RFU has considered alternatives as part of its review (including the wholly case by case model set out in the version of the policy which was circulated as part of the external consultation) but having considered such alternatives along with the guidelines of other organisations published during the last two years, the RFU believes that the eligibility criteria set out in this policy are the most appropriate for domestic rugby union in England at this time. The RFU remains committed to making rugby union a sport for all and will continue to review its policy on an ongoing basis as well as work with World Rugby and other stakeholders to develop further knowledge in this area.

5. CONFIDENTIALITY

All personal information provided to the RFU under this policy will be dealt with in strict confidence at all times and will be handled in accordance with the RFU's Regulatory and Governance Privacy Policy which is [available here](#).

6. CONTACT INFORMATION

For any questions on the policy, please contact genderparticipation@rfu.com.



APPENDIX 1

OVERVIEW OF KEY DEVELOPMENTS

Pre May 2019	RFU transgender position materially mirrors that of the IOC which includes the application of the 10 nmol testosterone criteria for transwomen players and ‘case by case’ approval.
January 2019	World Rugby launches an updated policy which includes reducing the 10 nmol testosterone criteria to 5 nmol.
May 2019	After considering its position, RFU amends its policy to materially adopt and mirror the new World Rugby policy and continues the ‘case by case’ approval model.
September 2020	RFU launches its own review of its domestic policy which includes stakeholder engagement and an external public consultation which closed in April 2021.
October 2020	World Rugby launches updated guidelines which includes trans women not being eligible to participate in women’s contact rugby in World Rugby tournaments and matches. The guidelines are available here .
September 2021	The Sports Councils’ Equality Group, made up of representatives from each of the UK’s sports councils (UK Sport, Sport England, Sport Wales, Sport Scotland and Sport Northern Ireland) launches its new guidance on transgender inclusion in domestic sport which is available here . The guidance includes detailed guiding principles for sports to consider.
November 2021	IOC issue new guidelines which state (amongst other things) that in respect of trans women inclusion, restriction on eligibility should be based on peer-reviewed research and it is <i>‘within the remit of each sport and its governing body to determine how an athlete may be at a disproportionate advantage compared with their peers’</i> .

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