

England Touch Association: Participation Eligibility Policy

September 2026

Introduction:

England Touch Association (ETA) is committed to ensuring that Touch is open and accessible to everyone. Our core values of Inclusive, Transparent, Ambitious, United and Respectful lie at the heart of what we do and how we play. As the national governing body for Touch in England, we have a duty to ensure that competition is fair, safe and legally compliant.

In developing this policy ETA has sought to balance three key duties:

- (i) To ensure Touch is inclusive and welcoming to all
- (ii) To ensure competition remains fair and safe
- (iii) To operate within the current legal framework

Touch is considered a gender-affected sport within the meaning of Section 195 of the Equality Act 2010. This means that, where necessary to secure fair competition, it is lawful to restrict participation in certain categories by sex.

ETA recognises that this is a complex and evolving area and will keep this policy under regular review.

Scope:

This policy applies to all domestic Touch activity governed by ETA in England. This policy does **not** apply to:

- Activity outside England
- International competitions governed by the Federation of International Touch (FIT)
- International club competitions organised by other National Touch Associations

ETA will use its relationships with fellow National Touch Associations and the Federation of International Touch to ensure that transgender, non-binary and gender diverse inclusion is promoted across the sport, while ensuring fair competition.

Legal Framework

ETA recognises its obligations under:

- Gender Recognition Act 2004
- Equality Act 2010
- Supreme Court ruling on the definition of sex (April 2025)

It has also reviewed the following guidance documents:

- Sport Council Equality Group (SCEG) Guidance 2021
- IOC Framework on Fairness, Inclusion and Non-Discrimination (2021)
- IOC Policy on the Protection of the Female (Women's) Category in Olympic Sport and Guiding

- Considerations for International Federations and Sports Governing Bodies (March 2026)

Section 195 of the Equality Act 2010 permits separate competitions for men and women in gender-affected sports. It also permits restrictions on participation where necessary to secure fair or safe competition.

Definitions and Use of Language

Throughout this policy we will use the terminology as defined below:

ETA interprets “male” and “female” in competitive categories as referring to biological sex recorded at birth, in line with current legal interpretation.

Sex: A legal and biological classification as male or female, based on biological characteristics allowing for the production of different gametes (sperm or eggs).

Gender identity: A person’s sense of self as a man, woman, non-binary person or other sense of gender (including no gender). A person’s gender may or may not align with the social expectations of their sex.

Transgender person: A person whose gender identity is different from that typically associated with the sex recorded at their birth. Some, but not all, transgender people have gone through gender reassignment which is a protected characteristic under the Equality Act 2010 and are described as transsexual people under the legislation.

Non-Binary person: A person whose gender identity does not exclusively align with male or female, who might not identify with any gender or agree with the concept of gender entirely.

Gender Affected Sport: The Equality Act 2010 defines a Gender Affected Sport as a sport, game, or other activity of a competitive nature in circumstances in which the physical strength, stamina, or physique of average persons of one sex would put them at a disadvantage compared to average persons of the other sex as competitors in events involving the activity.

Community Activity: Any England Touch activity which is below Regional/NTS competition level. A non-exhaustive list of examples would include club activity within regions, coached sessions, events that are recreational or charitable in nature.

Competitive Activity: Any official England Touch event at Regional/NTS level or above, that is organised, supported, affiliated to or approved by England Touch.

Principles

ETA adopts the following principles:

- Zero tolerance for discrimination, harassment, homophobia, biphobia, transphobia or misogyny.
- Respect for privacy and dignity of all participants.
- Clear, consistent and legally compliant eligibility criteria.
- Recognition that inclusion, safety and fairness must all be considered.

Participation and Competition

ETA provides:

- sex-based competitive categories, and
- inclusive participation opportunities

ETA recognises that a participant's gender identity may differ from their sex recorded at birth.

Gender identity will be respected in all aspects of the sport.

However, eligibility for sex-based competition categories is determined by sex recorded at birth, in order to ensure fair competition in a gender-affected sport.

Eligibility Policy

England Touch eligibility to compete in Competitive Activity at NTS, Nationals and for England is as follows:

Women's competition – Open to participants whose sex recorded at birth is female. Transgender men (female at birth) are eligible to compete in this category.

Men's competition – Open to participants whose sex at birth is male. Transgender women (male at birth) are eligible to play in this category.

Mixed competition – In line with FIT playing rules:

- The maximum number of males or transgender women permitted on the field is three (3).
- The minimum number of males or transgender women is one (1).
- The minimum number of females or transgender men is one (1)

ETA recognises that some medical or therapeutic treatments, including testosterone, may result in a material performance advantage in a gender-affected sport.

ETA does not routinely monitor or test such treatments. All participants are expected to compete in good faith, and ETA reserves the right to review eligibility where a concern regarding fair competition is raised.

Non-binary participants

For the purposes of competitive eligibility, non-binary people will be included within their sex category recorded at birth.

ETA recognises that a participant's gender identity may differ from their sex recorded at birth. While gender identity is respected in all aspects of the sport, eligibility for sex-based competition categories is determined by sex recorded at birth in order to ensure fair competition.

Inclusive participation competition

ETA encourages the development of inclusive formats of the game, where participation is not restricted by sex. These may include festivals, recreational competitions or alternative formats, and should be clearly communicated in advance to all participants.

Responsibilities

- Team captains and coaches are responsible for ensuring that eligibility requirements within their own teams are met prior to and during competition.
- Competition officials are responsible for applying this policy and managing any concerns raised.
- ETA is responsible for oversight, decision making and ensuring compliance with this policy.

Eligibility assurance and verification

ETA operates a trust-based approach to player registration.

However, where a question or challenge is raised regarding eligibility, ETA reserves the right to review eligibility in order to ensure the integrity of competition.

Any such process will:

- be handled sensitively and confidentially
- involve only those who need to be part of the process
- seek to minimise intrusion while ensuring fair competition

ETA will determine what information, if any, is required on a case-by-case basis.

Raising a Concern

- Concerns regarding eligibility must be raised with the referee by the coaches/captain in advance of play starting and not directly with the individual concerned.
- The match will proceed as scheduled.
- A formal "Playing Under Protest" process must be followed, after which ETA will review the matter.

Decision-making and Appeals

ETA will review any concerns raised and communicate an outcome within a reasonable timeframe. A right of appeal will be made available in line with ETA's disciplinary procedures.

Conduct and Behaviour

Regardless of eligibility category:

- All players including transgender and non-binary participants must be treated with dignity and

respect.

- Any attempt to harass, intimidate or publicly challenge a participant may result in disciplinary action.

Transphobic behaviour, including the deliberate misuse of pronouns, as well as abusive or exclusionary behaviour, is not acceptable and may be treated as a breach of the ETA Code of Conduct, which could result in disciplinary action.

Review

This policy will be reviewed at least every two years, or sooner in response to changes in law, guidance or evidence.

Contact

If you have any questions about this policy or you would like further information, please contact the ETA by emailing admin@englandtouch.org.uk