

VOLLEYBALL ENGLAND POLICY FOR TRANSGENDER PARTICIPATION

1. INTRODUCTION

- 1.1 Volleyball England is the recognised National Governing Body for volleyball, beach volleyball and sitting volleyball in England and is responsible for the development, promotion, and delivery of volleyball across England. Inclusion is a core value of Volleyball England, recognising diversity and valuing everyone's individual differences. Volleyball England is committed to ensuring that we provide services fairly and without discrimination to all who want to participate in the sport of volleyball.
- 1.2 Following guidance from the Equality Group of the five UK Sports Councils, we reviewed the options for considering the participation of transgender people in English volleyball based on inclusion, fairness, and safety. For competitions in particular, we have considered the gender-affected nature of volleyball and the provisions that Volleyball England will make for a fair, safe, and inclusive competition structure for all players. This policy aims to facilitate the participation in England of transgender and gender diverse people as players, coaches, officials, and volunteers in volleyball.
- 1.3 We will review this policy on a regular basis.

2. POLICY SUMMARY

- 2.1 Volleyball is a gender-affected sport with different categories of competition to ensure fairness and, to some extent, safety. As a result, fairness cannot be reconciled in female competitions with self-identification in the female category. Therefore:
- 2.2 A transgender woman can still play in the male category of competition.
- 2.3 A transgender woman cannot play in the female category of competition.
- 2.4 A transgender man can continue to play in female competition, unless testosterone hormone treatment has commenced.
- 2.5 A transgender man can play in male competition as there is no physical advantage that would make the competition unfair.
- 2.6 Volleyball England welcomes and supports all coaches, officials and volunteers who identify as transgender and does not tolerate transphobic behaviour.

3. VOLLEYBALL COMPETITION

- 3.1 The fair play principle is long established in sport. Grouping people into different competition categories such as male, female, junior and adult has ensured fairness and, to some extent, safety. While sports can be inclusive, fairness determines that players in many cases cannot choose the category in which to participate.
- 3.2 Our sport is organised with specific competition categories and features rules designed to ensure fairness and to attract more people to play and continue to play. In volleyball, height gives players an advantage in activities near the net. The height of the net is therefore modified according to the height and physical prowess of players and the different categories of competition. Without this, competition would be uneven because of the disparity between the relative strength, stamina and physique of male and female competitors and adult and junior players.

4. PARTICIPATION IN VOLLEYBALL ENGLAND COMPETITIONS

- 4.1 Regarding gender, the segregation of volleyball by biological sex does not account for transgender persons whose gender identity differs from their sex recorded at birth. However, there are significant differences in physical capacity between male and female players. The biological sex determines inherent differences in athletic advantage, with the performance gap and general height advantage between males and females becoming significant at puberty and have lifelong effects.
- 4.2 In volleyball, a spike is the most efficient way of scoring a point. The success of this action depends on height of contact, ball direction, and ball speed. The main factors that determine the height of contact are standing height reach (body height and arm length), and the ability of a player to jump and reach to perform technical elements in the most efficient way using explosive muscular power. Male players are taller, heavier, leaner, have greater standing reach height, speed, agility, and muscular power, than female players. Therefore the net is 19cm higher than in the women's game. In its review of available research, Sport England found that, with or without testosterone suppression, there was no appreciable loss of mass, muscle mass, or strength in transitioning males. Therefore, based on the current volleyball competition formats, fairness cannot be reconciled with self-identification in the female category.
- 4.3 Volleyball England, recognising male advantage, will therefore continue with its current competition structure to protect women's volleyball and maintain fairness and safety. This policy applies at all ages for official competitive volleyball. For recreational and social volleyball where fairness is not the main component, the competition-specific elements of this policy do not apply. A

transgender woman during the process of transitioning can still play in the male category of competition. A transgender man can continue to play in female competition, unless testosterone hormone treatment has commenced. A transgender man can play in male competition as there is no physical advantage that would make the competition unfair.

- 4.4 In terms of self-disclosure of sex, the approach must be that of trust until there is further requirement to change the approach in response to publication of this policy. We expect that players will follow the provisions of this policy and enter the appropriate competition.

5. MIXED COMPETITION

- 5.1 Playing rules are often adapted to include male and female players within the same competition, particularly local, regional, and in sitting volleyball. In these competitions, it is accepted that the net height is set at men's height. Sport England guidance proposes that modified versions of a sport could be created to allow for inclusion, in Volleyball, this comes in the form of our mixed competition, in which all players may participate as the gender they identify as.

6. PLAYERS IN THE PERFORMANCE PATHWAY

- 6.1 All players in the Performance Pathway must register and play in international competition based on their sex registered at birth, as per the FIVB regulations.

7. PLAYER ELIGIBILITY

- 7.1 Players may be required to provide evidence of their sex at birth as proof of eligibility to play in a competition or to join the Performance Pathway.
- 7.2 A player's eligibility should not be challenged during a competition or event. Any concerns about player eligibility should be made to Volleyball England via email to complaints@volleyballengland.org.
- 7.3 The process Volleyball England will follow on receipt of an eligibility concern can be found in Annex A.

8. COACHES, OFFICIALS AND VOLUNTEERS

- 8.1 Volleyball England welcomes and supports all coaches, officials and volunteers who identify as transgender and does not tolerate transphobic behaviour.
- 8.2 If the behaviour and/or actions of any Volleyball England employee, member or Club are inappropriate and/or offensive towards any trans person, Volleyball

England will investigate that matter and, where appropriate, discipline the Club or relevant individual according to the Code of Conduct and disciplinary policies.

ANNEX A – RAISING AN ELIGIBILITY CONCERN

Raising a Concern – Female Category Competitions

1.1. For the purposes of this procedure, ‘**Player**’ is defined as the Player whom the eligibility concern is raised about.

1.2. Those who wish to raise an eligibility concern about a Player competing in the Female category of any competitive volleyball competition must do so as soon as possible. Before any concern is raised, the whistleblower should read the Volleyball England Transgender Policy and be familiar with the definitions which apply consistently within this concerns procedure.

1.3. Every member registered with Volleyball England must cooperate promptly and in good faith if required to assist a panel investigating a concern related to eligibility policies and this procedure.

1.4. When providing information pursuant to the eligibility policy and this procedure, members must provide accurate and complete information and must not provide information in bad faith or an improper purpose.

1.5. Volleyball England expects the whistleblower to have read and understood the Transgender Policy to avoid making any misconceived or vexatious concern about a Player. Any misconceived or vexatious concerns about sex verification eligibility may result in disciplinary or subsequent proceedings against the whistleblower. Please see the Volleyball England Vexatious Complainant Policy.

1.6. Any concern should be made directly to complaints@volleyballengland.org providing full details in writing of the eligibility concern and the Player the concern is being raised against. There is not a specific form for the raising of the concern, but Volleyball England do expect an explanation and/or evidential basis to be provided for the eligibility concern being raised and to assist investigations.

1.7. The whistleblower should keep all details of the concern confidential.

1.8. The whistleblower will be protected with reference to the Volleyball England Good Practice Guidance Part 4. The Organisation will do its utmost to protect the identity of the whistleblower when they raise a concern and do not want their name to be disclosed. However, it must be appreciated that the investigation process may reveal the source of the information and a statement by the whistleblower may be required as part of the evidence. They will be given prior notice of this and a chance to discuss the consequences.

1.9. The concern shall be acknowledged within five working days of receipt.

2. Management of Eligibility Concerns

2.1. Following receipt of the eligibility concern, Volleyball England will consider the information provided to establish if there are grounds to proceed with the concern raised. This could involve Volleyball England seeking additional information from the whistleblower before matters are escalated.

2.2. Volleyball England will contact the Player to explain that a concern about their eligibility has been raised and set out the procedure which will be undertaken along with timescales. The Player will be requested to provide documentation to evidence their eligibility under the Volleyball England Transgender Policy.

Documentation which Volleyball England deem admissible include, but are not limited to, the following non-exhaustive list:

- 2.2.1. A copy of the Player's original birth certificate;
- 2.2.2. Documentation to evidence that no hormone treatment for gender transition has commenced;
- 2.2.3. Evidence to show that there has not been any application for a Gender Recognition Certificate.

2.3. The Player will be given 10 working days from the date of notification of the eligibility concern to provide this documentation.

2.4. A Player may continue to compete in the Female category until conclusion of this procedure.

2.5. Volleyball England shall use its reasonable endeavours to ensure that it keeps the existence and terms of any investigation under this procedure confidential. The Player accepts that all matters considered under this procedure are confidential and are not to be disclosed to any third party except to the Player's advisers (who are bound by a duty of confidentiality) or immediate family (and the Player shall ensure that they shall observe these confidentiality requirements also) or with the express written agreement of Volleyball England upon request.

2.5. If required, Volleyball England will arrange a meeting with the Player to discuss the eligibility concern. The meeting may be held virtually or face to face. The meeting shall be attended by the Player and representatives from Volleyball England.

3. The Meeting

3.1. The Player shall take all reasonable steps to attend the meeting. If the Player is unable or unwilling to attend the meeting at the date and time arranged, then Volleyball England will re-arrange the meeting for one other date only. However, where the Player cannot or will not attend the re-arranged meeting then Volleyball England may proceed without the Player's attendance.

3.2. Players may be accompanied by a companion/representative at the meeting. To assist with resolving the concern as quickly as possible, Players need to fully cooperate with this procedure.

4. After the Meeting

4.1. Volleyball England will within three working days of the meeting send the Player a follow up letter with details of the outcome of the meeting and outlining the next steps and deadlines to be followed.

The letter must include:

- 4.1.1. Who attended the meeting
- 4.1.2. The matters discussed at the meeting
- 4.1.3. Any agreements made
- 4.1.4. Documents/information requested from the Player (if not already provided)
- 4.1.5. Timescales for submission of the documents (if not already provided)
- 4.1.6. Next steps and timescales for the next steps

5. Verification and Outcome

5.1. Once Volleyball England are in receipt of the requested documentation and eligibility is established or not, written confirmation of the outcome will be sent to the Player within 5 working days after the documents have been received. The outcome letter will detail the reasons for the decision made and the appeals process should the player wish to appeal the outcome.

5.2. In cases where an eligibility concern has been raised and concluded under this procedure prior to the Player taking part in Competitive activity, the Player will be given the opportunity to apply to transfer to a team within the Male/Mixed category.

5.3. Where eligibility to compete in the Female category has not been established and the Player has taken part in competitive activity, the Player will be considered as an ineligible player and the club/team may be sanctioned in line with competition/league regulations, and the Volleyball England Grievance and Disciplinary Policy.

5.4. If the Player fails to comply with this procedure, then Volleyball England will not permit the Player to compete in the Female category until eligibility is established.

5.5. Volleyball England reserve the right to inform organisers of the Competitive Event and Clubs directly involved, of the outcome reached under this procedure and the eligibility of a Player which has been established.

5.6. On conclusion of this procedure Volleyball England may also consider if the actions of the Player are in breach of the Volleyball England Transgender Policy and therefore reserve the right to enact disciplinary proceedings under the Volleyball England Grievance and Disciplinary Policy.

6. Appeals

6.1. Players have the right to Appeal the outcome of the concern with reference to the Volleyball England Grievance and Disciplinary Policy.

6.2. Appeals must be made in writing, stating the grounds of their appeal within 10 working days of receiving the outcome letter. Players wishing to appeal must provide specific details of the reasons for the appeal and send their appeal directly to complaints@volleyballengland.org.

6.3. Any appeal from a Player will be dealt with by The Disciplinary Committee who will offer an independent appraisal of the original decision.

6.4. The Disciplinary Committee will only consider an appeal if it considers (acting reasonably) that one or more of the following grounds has been met:

6.4.1 The decision of the relevant body was based on error of fact or could not have reasonably been reached by a relevant body when faced with the evidence before it;

6.4.2 There was injustice because of a serious procedural or other irregularity in the proceedings before or during the relevant body; and/or

6.4.3 The sanction imposed by the relevant body was manifestly unreasonable in the light of the facts presented to the body.

6.3. Where the Disciplinary Committee accepts any appeal lodged in accordance with Paragraph 6.4. the process in the Volleyball England Grievance and Disciplinary Policy shall be followed.

7. Recording Action

7.1. Volleyball England will be required to keep written records of any concern raised about eligibility received which includes:

7.1.1. Details of the concern raised

7.1.2. Attendees and dates of any meetings held

7.1.3. What was decided and the action taken

7.1.4. The reasons for the actions taken

7.1.5. Whether an appeal was lodged

7.1.6. The outcome of the appeal

7.1.7. Any subsequent developments

7.2. Records should be treated as confidential and kept no longer than necessary in accordance with Data Protection principles and best practice.

8. Summary of process

1	Concern raised with all required elements provided.
2	Concern shall be acknowledged within 5 working days.
3	Volleyball England to establish if there are grounds to proceed.
4	Volleyball England will contact the Player to explain that an eligibility concern has been raised and set out the procedure which will be undertaken along with timescales. The Player will be requested to provide documentation.
5	The Player has 10 working days from the date of notification of the eligibility concern to provide the documentation.
6	If required, Volleyball England will arrange a meeting with the Player.
7	If applicable Volleyball England will send the Player a letter with the outcome of the meeting, the next steps and deadlines, this will be within 3 working days of the meeting.
8	If required, the Player to send outstanding documentation.
9	Once the requested documentation has arrived, written confirmation of the outcome will be sent to the Player within 5 working days.
10	Players may appeal, within 10 working days of receiving the outcome letter

9. Policies referenced in this paper

[Volleyball England Transgender Policy](#)

[Volleyball England Vexatious Complainant Policy](#)

[Volleyball England Good Practice Guidance Part 4](#)

[Volleyball England Grievance and Disciplinary Policy.](#)

[Volleyball England Code of Conduct](#)