

Swim Ireland Transgender and Non-Binary Participation and Competition Policy – Frequently Asked Questions

This Frequently Asked Questions (FAQs) document is designed to provide quick and informative answers to some of the common queries in relation to the Swim Ireland Transgender and Non-Binary Participation and Competition Policy. If you are unable to find what you are looking for, please feel free to contact clubsandcommunity@swimireland.ie.

1. General

What is the meaning of Transgender and Non-Binary?

Transgender is an umbrella term for anyone whose gender identity or gender expression is different from the biological sex they were assigned at birth. Non-Binary refers to gender identities that are not exclusively masculine or feminine.

Why has this policy been developed?

Swim Ireland recognise and is bound by World Aquatics' Policy on eligibility for Men's and Women's Competition Categories (**Appendix A**), in respect of national teams and competing internationally. To determine the eligibility criteria for participation and competition in aquatics at National level, Swim Ireland undertook a consultation process to develop this policy, where World Aquatics rules do not apply.

Why have Swim Ireland taken this Policy position?

Our intention from the outset for the development of this policy was to be as inclusive as possible. There was strong support for this position in terms of general participation in the Aquatics throughout the consultation process from all stakeholders. However, views differed in relation to competition. Whilst transgender and non-binary individuals and representative groups have generally advocated for no restrictions in athlete competition, the overwhelming majority of Swim Ireland affiliated membership believed we need to ensure fair competition across the categories. This Policy has been developed following the consultation process and considering extensive research and recognised best practice both nationally and internationally. In addition, this Policy is in line with relevant legislation in both jurisdictions of the Republic of Ireland and Northern Ireland.

What are the eligibility criteria for participation and competition in the Aquatics?

In general terms, the Policy provides for general participation in the Aquatics outside of athlete competition (Meet Levels 1-5), to remain broadly non-gender. For competition, the Policy outlines competition rules and athlete eligibility for Club Competitive, Regional and National Meets (Levels 1-5) for two categories of competitor; Female – defined as athletes with a birth sex of Female, and Open – defined as athletes with a birth sex of Male, trans or non-binary competitors and any competitor not eligible for the female category. The Policy covers the disciplines of Swimming (including Open Water and Masters Swimming) and Diving. A separate policy will be developed and published for Water Polo in due course.

When does the Policy come into effect?

The Policy will apply from 1st September 2024 onwards. All swimming competitions/competitors (Meet Levels 1-5) will need to comply from this date.

Is there an age limitation on the Policy?

No, the Policy is applicable for all ages of swimming, including Masters.

If there is a suspicion the Policy is being misused, can a competitor be challenged at the event using the existing Swim Ireland Rulebook and Competition rules?

Swim Ireland recognise this is a sensitive area, and the welfare of competitors is our primary concern. Any athlete should not be individually approached; Concern about eligibility, and protests of gender should be raised as such according to the Competitions Protest Rules with the organiser/lead referee or Swim Ireland Competitions Team.

What is Swim Ireland's Policy on transgender and non-binary participants using changing rooms?

The use of changing facilities and toilets is governed by the facility in which the activity occurs. Every effort should be made by the facility to ensure that there are suitable changing and toilet facilities for all genders. Swim Ireland recommend the use of individual cubicle/village style changing areas for athletes so as not to isolate any one individual. The mandatory use of separate male and female squad changing rooms should be discouraged.

Toilet facilities are usually individually gendered. Facilities should endeavour to make unisex toilets available e.g., where toilets were previously provided for people with a disability.

Swim Ireland Head of Safeguarding, Ethics and Youth Development (katehills@swimireland.ie) can be consulted regarding specific circumstances as they arise.

Do Water Polo leagues/cups need to adhere to the Policy?

The current Policy applies to Swimming (including Open Water, Masters, and Artistic Swimming) and Diving only. A separate Policy will be developed and published for Water Polo in due course.

What support will I receive to help me understand and enact the Policy?

Webinars will be delivered to stakeholders across the Aquatics community, with details to be circulated in due course, with guidance and contact details for any relevant queries via this webpage. In relation to swimwear, we have published our Swimsuit Policy (**Appendix B**) which outlines different formats of costume. An athlete must apply for a Certificate of Exception (**Appendix C**) if they want to wear a costume not specified by World Aquatics.

2. Club

I am a team manager and an athlete who identifies as female wants to room share with other females. What do I do?

The safety and welfare of all athletes, regardless of gender, must be prioritised. As an athlete's birth sex is used when allocating rooms, and any transgender or non-binary athlete may request a single room if room sharing is not an appropriate option, in which case a single room will be offered. If an U18 athlete is in a single bedroom permission must be sought from their parent/carer prior to travelling. If there are any questions in relation to this, please consult with the relevant Club Children's Officer, or Head of Safeguarding, Ethics and Youth Development.

Swim Ireland Head of Safeguarding, Ethics and Youth Development (katehills@swimireland.ie) can be consulted regarding specific circumstances as they arise.

I am a membership secretary, and I am unsure an athlete is being truthful about their gender. What do I do?

Do not approach the athlete directly as any assumption, whilst legitimate, may cause harm. Contact the Club Children's Officer who can seek guidance from the Swim Ireland Head of Safeguarding, Ethics and Youth Development (katehills@swimireland.ie).

Our club has a volunteer who is trans female / trans male. What do we need to do?

The Policy provides that general participation in the aquatics outside of athlete competition (Levels 1-5) will remain broadly non-gender. An individual can volunteer, irrespective of gender identity, as per the Safeguarding rules and Garda Vetting requirements.

3. Competition

I am a meet organiser and I have received a challenge in relation to a gender of an athlete. What do I do?

Advise the complainant that results provisionally stand, and their challenge will be investigated following the event. The athlete should not be approached at this time.

An athlete has the appearance of a male athlete and is competing in the Female category. What do I do?

Please do not approach the athlete directly as any presumption, whilst legitimate, may cause harm. Concern about eligibility, and protests of gender should be raised as such according to the Competitions Protest Rules with the organiser/lead referee or Swim Ireland Competitions Team.

An athlete wants to enter a competition as non-binary. What do I do as the meet organiser?

Non-binary athletes may enter the competition and compete in the Open category as per Section 6 of the Policy – Competition Rules and Athlete Eligibility.

Can a transgender woman compete in the female category?

For Meet Levels 1-5, competition will be conducted within relevant age specific groups and will be conducted in two categories: Female – athletes with a birth sex of female; Open – athletes with a birth sex of male, trans or non-binary competitors and any competitor not eligible for the Female category.

Will I need to update my meet entry software to reflect the changes?

It is possible to make amendments to the terminology used in Hy-Tek's Meet Manager. Please see Appendix D for a step-by-step guide on how to do this. It is not currently possible to make these changes in Team Manager. Everyone involved should understand that W/F/G refers to Female and M refers to Open. An update in this regard has been asked of Active Network (who are the programme developers).

I am an official in a swimming competition and I believe there is an athlete in the wrong category. What should I do?

Please speak to the lead referee who should deal with the matter in accordance with the eligibility rules governing the competition.

I am a referee and I receive a report of an athlete potentially in the wrong category. What should I do?

Swim Ireland recognises that this is a sensitive area, and the welfare of competitors is our primary concern. The athlete should not be approached at this time, in accordance with any other disputes regarding eligibility. As a referee you should deal with this matter as part of eligibility rules governing the competition.

Please note, the Policy does not come into effect until 1st September 2024.

I am an official and during an event, I receive a challenge in relation to a medal winning athlete on the grounds of a query concerning eligibility, what should I do?

Please advise the complainant that the result will provisionally stand, and the challenge will be investigated as per the Competition rules. The athlete should not be approached at this time.

With respect to the decency rule, can a biological male, who identifies as female, wear a one-piece race suit for the purposes of competition?

If an athlete wishes to wear a swimsuit which is not applicable to their biological sex (as per the Swimwear Policy-Appendix B), they must apply for a Certificate of Exemption (Appendix C).

4. Membership

My child, who is biologically male, wants to identify as female; how do I ask the Club to respect their wishes?

You should speak with the Club Children's Officer and Coach to agree the best course of action within the club. This is an evolving area and understanding will be needed from all parties to ensure actions can be implemented positively. Every effort must be made to respect the needs of your child, whilst safeguarding must remain the overall priority.

The Swim Ireland Head of Safeguarding, Ethics and Youth Development (katehills@swimireland.ie) can be consulted regarding specific circumstances as they arise.

I believe my child is being discriminated against by the club because they identify as trans female / trans male. What do I do?

We take a zero-tolerance approach to transphobia and discrimination. Such instances should be reported via the Club Children's Officer and emailed to Swim Ireland's Head of Safeguarding, Ethics and Youth Development (katehills@swimireland.ie).